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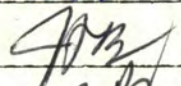
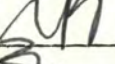


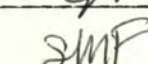
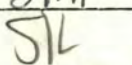

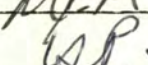
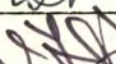
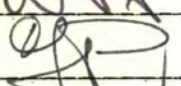
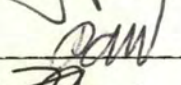
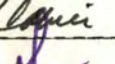
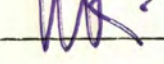

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August
1984

The cost of legal challenges: Who should pay for what?

By Robert C. Fellmeth ²⁹⁵⁵

The recent SDG&E press releases and later stories attacking a petition for legal recompense by the Center for Public Interest Law in its 1983 litigation against SDG&E raise interesting points. Few of them, however, have been raised in the discussion thus far. The petition filed is hardly unusual: it is a routine claim for legal recompense made by a prevailing party against a losing party.

It has been amusing to see editorial remonstrations against "involuntary contributions from ratepayers for this litigation." Where do we think the legal expenses of SDG&E in opposing the ratepayer remedy came from? Answer: Ratepayers. Weren't these involuntarily assessed? Aren't they opposed by many?

The relevant question is: Who should pay for what? If the Center litigation fails, all expense is lost. If it succeeds, and the facts and legal contentions are upheld, and (as here) the tribunal decides that the proceeding was in the interest of the ratepayers generally, should recompense be made? If so, from whom and at what rate? And what about the expenses of the unsuccessful party held to have taken a position contrary to ratepayers?

The formula advanced by SDG&E and then prematurely by the *Union and Tribune* is: The prevailing party held to benefit ratepayers pays its own expenses, whether it wins or loses. The unsuccessful party arguing against the ratepayer interest takes full recompense from involuntary ratepayer contribution.

This formula would not appear to create balanced incentives for advocacy, nor is it equitable. The Center contends that the correct and equitable formula is as follows:

Litigation which is held to benefit ratepayers and which prevails should be recompensed by ratepayers; litigation which protects the utility's investors contrary to adjudged ratepayer interests and which is unsuccessful, should come out of profits (from stockholders).

It is the contention of the Center that this formula would cost ratepayers little or nothing vis-a-vis the current situation, provide equity and proper incentives for litigation and defense.

The policies at issue frame important incentives. It is well and good to

fore them.

The problem is especially acute where litigation is against the "state" or a regulated monopoly. These defendants have unlimited resources to defend a legal action; we have already noted how SDG&E simply adds its legal costs, whatever they may be, to the ratepayer bill. The incentive is to delay, bring spurious motions, impose harsh costs on others.

In the context of court litigation, the Serrano case enunciated a difficult test to meet to obtain recompense. One must serve as a "private attorney general," prevail and bring significant benefits to a larger group. Other criteria are also considered. How much risk did the litigation carry? Was the remedy obtained unprecedented? What were the alternatives?

In the regulatory context, the PUC

has taken the lead in providing recompense, beginning with *Consumers Lobby Against Monopoly v. PUC* in 1979. Numerous organizations have sought and obtained fees and expense since, with the criteria approximating the private attorney general basis for court awards.

Serrano objected to a school system financed from property taxes, so that in poor areas students receive small amounts of money but parents pay a higher property tax rate than in wealthier areas. Would the case have been brought much earlier with more likely recompense? This terrible unconstitutional abuse festered for decades before challenge.

Would the several thousand cases brought by private counsel or organizations on behalf of a diffuse public

interest, or to challenge an unconstitutional law, or to propose a creative remedy to solve a structural defect, or to vindicate the rights of a minority unable to pay, still be brought? Some would. And some would not.

We may not always agree with these cases, but the compensation occurs only if the plaintiff prevails. Not only the Center, but UCAN, Legal Aid, and many other groups, all with limited resources, face a difficult choice: Where do we put those resources? If they are put to a difficult task of litigation and are doomed to swallow all expense regardless of the service rendered or to whom, against an adversary with almost limitless resources, what will be the result?

As a society we want to be careful about these incentives. Stories of a

Harvard Professor personally collecting \$275 per hour cause brickbats to fly. His bill, almost \$200,000, will likely be paid. Other cases commonly seek to bill at a fairly standard rate of \$95 to \$130 per hour and then add in a multiplier of up to four.

The argument is made that the action brought entailed a very high risk of failure and yet the action was meritorious. Hence, the multiplier is needed to maintain the incentive for similar cases. The Center has not sought any multiplier and excessive multipliers may provide a false incentive to take a chance on marginal theories.

There are many abuses within our legal system. For example, there is a great need for drastic reform of the legal profession. Attorneys, in general, charge too much, create complex systems requiring their otherwise unnecessary services, erect barriers

to entry and generally fail to sanction the incompetent within their own ranks.

Ironically, many of these abuses will depend upon litigation to correct. As we address so many overwhelming problems with this profession and in other areas of society, it might be wise to consider carefully the incentives we want to provide for those who must challenge.

Perhaps we do not want to allow fattening multipliers, but the removal of an incentive beyond its occasional abuse might impede or preclude the challenge. And these challenges, I believe, provide a source of creativity, and an essential check on state or monopoly abuse within our democratic system.

Fellmeth is director of the Center for Public Interest Law, University of San Diego School of Law.

Commentary

Lakeside, CA
(San Diego Co.)
Back Country Trader
(Cir. W. 4,092)

AUG 1 1984

Allen's P. C. B. Est. 1888

Folk harp celebration set at USD

The first international folk harp conference will be August 9-12 at the University of San Diego. The event is sponsored by the Society of Folk Harpers and Craftsmen. 2955

The conference will feature three concerts by some of the many folk harpists and craftsmen, as well as a full schedule of workshops.

Among those participating in the conference will be Betty Truitt who makes folk harps at her shop in Mt. Laguna — Dragon-whispers.

Truitt learned harp-making from Robbie Robinson who edits and publishes the 20,000-circulation Harp Journal.

Betty is also the registration chairman for the folk harp music conference and can be reached at 473-9010.

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 127,454)

AUG 6 1984

Allen's P. C. B. Est. 1888

2955 Universities fight sexual harassment

'You don't have the luxury of doing nothing,' UC official says

By Rita Calvano

Tribune Staff Writer



LISA HIRSCHMAN
Leads effort at UCSD

WILLY LAWRENCE just discovered what many women have known for years: Some bosses want your body, not your brains, and you either accommodate or you're out of a job.

Lawrence refused the sexual advances of his boss, a woman advertising agency owner who had hired him under the pretense of wanting Willy, the photographer. What she really wanted was Willy, the man.

He said no and was fired. In this case, Lawrence's firing was the story line on a recent episode of the television drama "Family," but it happens often enough in real life.

The situation is called sexual harassment. People lose their jobs, are denied promotions or raises, or have their college grades lowered if they don't go to bed with their bosses, or in other ways satisfy their harassers, said Lisa Hirschman, a clinical psychologist.

Hirschman is "sexual harassment coordinator" for the University of California at San Diego, which is taking aggressive steps to prevent this form of

discrimination among employees and students.

Of the three major universities in San Diego, UCSD alone has hired someone especially to handle sexual-harassment cases.

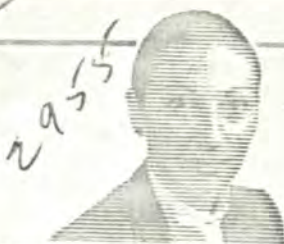
San Diego State University has a trained staff and faculty available to counsel sexual-harassment victims and investigate complaints, said Bob McCabe, an affirmative action coordinator at SDSU.

* At the University of San Diego, which also has a policy prohibiting sexual harassment, victims may go to administrators designated to counsel on the subject, said Judith Munoz, personnel director.

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 127,454)

AUG 10 1984

Allen's P. C. B. Est. 1828



**Denise
Carabet**

LONDON ATTORNEY Graham L.S.P. Hollis finds the idea of contingency fees — where an attorney negotiates a percentage of his client's monetary award — a very enterprising, American way to do things, and was "a bit shocked" when he happened upon the television pitchman of personal injury attorney Sam Spital.

Carmen Yolando Navarro, a top official in Mexican family court, marveled at the theatrics involved in U.S. courtrooms, especially those in front of juries, and was wide-eyed at the concept of palimony (a settlement awarded to a separated partner of an unmarried couple who lived together in division of assets or support, according to *The Morrow Book of New Words*), of which she just learned.

These two people are among 30 attorneys from 16 countries encamped at the University of San Diego this week and next, learning more about the U.S. system of law. The academic and practical aspects of law — as well as field trips to the local courts, the Metropolitan Correctional Center and receptions at both Rogers and Wells and Gray, Cary, Ames & Frye law firms — as the Americans do it are being dished up at \$1,250 per participant.

The United States' dominance in world business spurred the need for this type of educational and networking program, explained Jorge Vargas, director of USD's Mexico-U.S. Law Institute. "They feel they have a need to communicate with U.S. attorneys in U.S. terms. There is no international way to look at contracts or torts, so we're all learning one another's methods."

"The United States, especially California, is in the forefront of dynamics in common law," said Hollis. "It's sometimes difficult to negotiate if you don't know one another's systems, and (international) litigation is not a matter of hauling (U.S.) parties to court around the corner."

Despite American law being based on the British common-law system, there are huge differences in application, said Hollis, especially in the U.S. courts' wide-ranging interpretations of legal codes. One example he mentioned was the doctrine of comparative negligence, where the U.S. courts now assess degrees of blame to both defendant and plaintiff. That is a U.S. variation on the common-law doctrine of contributory negligence, where 100 percent blame is levied to one party or another.

Another example of an interpretive decision, which, understandably, fascinated and bewildered the foreign lawyers, is how nude dancing is considered a form of free speech and therefore a constitutionally protected right in the U.S.

"The U.S. courts are doing things now, especially in interpretation, that British courts will begin doing 50 years from now," Hollis said. "And by that time, I can't imagine what direction your courts will be going."

Navarro added that Mexico's proximity to the United States makes it especially important that she learn the ways of American law, especially since her specialty, family law, is new to her country. The Mexican court system operates under a strict civil code (as does much of Europe and Asia), in which attorneys "try to fit their set of facts to the law" rather than "trying to change the law to fit the facts of their cases."

She is second-in-command in her court and is the one to whom attorneys plead their divorce, custody and probate cases. Navarro documents all exhibits, hears all the witnesses and then gives a written report to the judge for final decision. It is a rare occurrence for a judge to be present in the courtroom during pleadings; in Mexico, legal decisions are made solely by judges — no juries — and only through written materials and how they measure up to the codes.

This is the first international class that USD has attempted, but won't be the last, said Vargas, for already 20 people are signed up for next year. This is despite another, major difference in laws across the world: in many countries, this type of educational seminar is not considered a tax-deductible expense.

San Diego, CA
(San Diego Co.)
San Diego Union
(Cir. D. 217,324)
(Cir. S. 339,788)

AUG 12 1984

Allen's P. C. B. Est. 1888

Visiting lawyers tackle U.S. 2955 legal system's idiosyncrasies

By Diane Lindquist
Staff Writer

The kindly, bespectacled, elderly gentleman was accused of smuggling heroin into the United States. After an emotional trial the jury was unable to determine his guilt and the judge set him free.

Justice had been served — with attorneys from Mexico, Pakistan, Korea, Colombia, Germany, the Philippines, Japan, and a host of other countries playing all the parts in the courtroom drama.

Their stage was a mock trial established to give experience to a group of 30 judges, law professors, lawyers and students from 12 foreign countries attending a two-week "Introduction to the Legal System of the United States" at the University of San Diego. In fact, only the judge, Prof. Theresa Player, was an American.

"By the time we complete this

course, a communication bridge will have been established" between American and non-American attorneys, said Jaime Jimenez Mercado, of Ensenada, a former vice president of the Mexican national bar association.

The program is designed to familiarize some of the best legal minds from other countries with U.S. law. It is being presented for the first time this year by the Mexico-United States Law Institute and the University of San Diego School of Law, and will continue until the end of the week. It is one of the few such courses in the country.

San Diego's increasing international nature makes it a perfect location for such a program, according to Dr. Jorge Vargas, the course's originator and director.

The growing interdependence between Mexico and the United States, increasing trade on the world mar-

ket, and the rise of multinational corporations have created a need for lawyers in other parts of the world to gain knowledge of American tax, corporate, contract, civil and criminal laws, legal experts said.

Many conference participants said they work for corporations or institutions involved in trade or transactions with the United States, or intend to expand their work to such areas.

"In our case, we are thinking of the border. We have to," said Mercado.

Seated with him at a reception Wednesday evening were Jorge Orlando Murillo, corporate counsel for a Mexicali truck manufacturer that exports to Latin America, the Mideast and the United States; Gabriel Posada, representing a Mexicali export-import firm; and Javier Antonio Alarcon Martinez, a law pro-

See LAWYERS on Page B-6

Lawyers: U.S. legal system proves challenging

Continued from B-1 ²⁹⁵

essor at the University of Baja California in Tijuana.

Mercado noted that with the increase in *maquiladora* — or twin plant — operations, in which business firms have operations on both sides of the border, a knowledge of U.S. law is vital for many Mexican lawyers.

In an atmosphere charged as strongly as the Olympics with the spirit of international fraternity, the lawyers from around the globe attending the unique seminar are running a rapid course through the labyrinth of the American legal system.

Last week they spent their mornings in intensive classroom sessions on constitutional law, torts, contracts, criminal law, taxation, partnerships and corporations, legal research and immigration law.

Afternoon and evening activities have included receptions at some of San Diego's leading law firms, talks with local judges and visits to courts and the Metropolitan Correctional Center.

Seated Thursday under the glow of the blue and gold stained-glass dome of Grace Courtroom in the law school, the participants struggled with such questions as which liberties should outweigh others when they are in conflict.

Differing national perspectives produced at least one touchy moment. One student asked if the U.S. Constitution would extend to Mexico if the United States were to annex it. Attorneys from Mexico — who formed the majority of participants — shot puzzled glances about the room at the improbability of such an action.

"You have to excuse him," another attorney told Prof. Bernard Siegan. "He's from Switzerland."

During one afternoon in U.S. District Judge J. Lawrence Irving's courtroom, the "students" leaned forward in their chairs when a man accused of smuggling aliens changed his plea to guilty as the jury deliberated his case, and the judge asked him a long series of questions.

"That was very interesting for us, especially because the man was Mexican," said one of the foreign lawyers afterward. "But I wouldn't have let him change his plea."

At a reception later at the Roger & Wells law firm overlooking San Diego Harbor, it was common to find five countries represented in a group of five lawyers quibbling about the finer points of the law.

"We have federalism in my country, but the federalism in the United States is stronger," said Mahmood Parvez of Pakistan.

He said the Pakistani government maintains stronger central control to prevent the possibility of an outlying state being drawn into the Soviet-Afghanistan conflict along its border.

Markus Frank of Austria said the

Socratic method of teaching was giving him a deeper understanding of the subjects. "I like that."

Marlon Magdaro Alo of the Philippines, who plans to specialize in trade law, said he was learning more about the Spanish legal roots in his country, before it was influenced by U.S. law.

"The Philippines is a mutant actually," he said. "This program lets me know the origins of our law. It helps me differentiate the aspects of American law and Spanish law."

Hugo Berkemeyer of Paraguay noted that "since I started the course, I've learned very much about other cultures — not only for my

work, but for personal reasons. I have made a lot of friends that I will have all my life," he said.

Attorney Mercado of Ensenada agreed. "I'm deeply impressed. This opportunity that USD is giving us is a way to show what you have, and that is one of the most wonderful things that has happened to me in years."

AUG 13 1984

Allen's P.C.B. Est. 1888



Irwin



Hagan

ACCOUNTING

Michael McNamara has joined the San Diego-based government services group of Deloitte Haskins and Sells as a manager. . . **Valerie McPherson** has been promoted to audit manager at Arthur Young - San Diego. . . **Jerome A. Morrison**, a partner with Laven-thol and Horwath, has been elected to the financial management committee of the American Hotel & Motel Association.

ADVERTISING/PUBLIC RELATIONS

Jennifer Wilson has joined the Stoorza Company as an assistant account executive. **Robert O. Schupp** has been named an account executive for Roni Hicks and Associates.

BANKING/FINANCE

Ed Havel has been named to head the business development program for the South Bay Branch of People's Bank. . . **Gordon Boerner** has been appointed manager of First Interstate Bank's Balboa and Genesee office. . . **Ken Martin** has been appointed vice-president and regional consumer credit administrator of First Interstate Bank, and **Cassandra S. DeBerge** has been appointed vice-president of trade finance for First Interstate. . . **Jerome L. (Jay) Goebel Jr.** has joined La Jolla Bank and Trust Company as vice-president and corporate banking officer. . . **William J. Van Ert** has been named senior vice-president and retail banking division manager of Central Savings of San Diego. . . **Dr. Author E. Hughes**, president of the University of San Diego, has been named to the California First Bank board of directors. . . **Bonnie Daigh** has joined her husband's financial planning firm of Daigh and Associates. . . **Thomas A. Reid** has been promoted to tax manager of J.H. Cohn & Company.

Hotels aren't worried

SD visitors going back to school as campuses sell summer capacity

By John Brice

Travel, it has been said, is the best education. And thousands of visitors to San Diego annually take that step further by staying at college campuses around the county. In 1983 at least \$2 million in gross revenues were generated by local schools and more than 200 jobs created.

The trend of colleges turning motel began locally in 1967 when the University of California, San Diego opened its campus to summer conferences. Today UCSD continues to lead a pack which now includes San Diego State University, University of San Diego, Point Loma Nazarene College and United States International University.

In 1983, UCSD's summer conference program grossed more than \$1 million and, with this summer's Olympic visitors, that figure will be surpassed in 1984, said Lene Hartman, who has directed UCSD's summer conference program since 1975.

Summer guests to the UC campus, which looks over the Pacific Ocean just north of La Jolla, include 550 participants of Arco's Jesse Owens Games. This group usually visits Los Angeles for its annual national championships. It was attracted to UCSD this year because of "word-of-mouth advertising," said Hartman.

From early July through Labor Day various groups keep most of UCSD's 2,500 beds sold, said Hartman. "We are running just about at full load, but I can always accommodate more business," she said.

Working with the same word-of-mouth marketing plan to fill its beds, USD's 1983 summer conference program grossed \$800,000, according to Rick Hagan, direc-

tor of campus housing. Hagan can only accept groups that have an educational mission. That can mean group sizes of 25 to 300, ranging from students of real estate to lay religious workshops, said Hagan.

Across town at SDSU, summer visitors began staying in 1975. "Before that it was done on a decentralized manner," said W.G. (Woody) Woodrow, conference manager at SDSU.

Since taking a serious approach to the seasonal business, SDSU has increased its annual revenues and, in 1983 recorded \$300,000 in gross receipts, according to Woodrow.

Point Loma Nazarene College has recently moved back into the summer conference business. Previously, they followed practice of limiting the summer guest list to those directly related to its church, said Ken Hills, dean of students at Point Loma.

UCSD's Hartman explained that in 1982, the San Diego Convention and Visitors Bureau began to recruit foreign Olympic teams to San Diego. The campuses were naturals for the teams' training needs and representatives began visiting San Diego in the spring and summer of 1983.

Britain, France, Italy, Sweden and Russia visited UCSD. This netted parts of both the Italian and British teams for UCSD, which shared these country's Olympians with Point Loma. USD played host to the entire 40-member Irish team and parts of the Belgium team. The Italian baseball team trained at San Diego State.

While the athletes gave an air of excitement to the campuses, they paid the same rates as the 900 cheerleaders or any of the



Hagan: "No color TVs in every room"

other groups who annually visit UCSD, said Hartman. At all the campuses, the rates vary from about \$25 to \$35 a night, depending on single or double rooms. The school's rates all include a meal plan and use of conference rooms, but services, such as linen, vary from campus to campus. Campus visits last from a single weekend to over a month.

At USIU, summer business is limited to school-run camps which offer soccer and computer instruction. "We might be interested in more outside groups, but we keep all of our 600 beds full with the camps," said Bill Getz, director of residential life at USIU.

The schools present little competition to local hotels, said Hagan. "Our clientele is different. We don't have color TVs in every room, and the other luxuries that most travelers want," he noted.

Most of the local colleges are members of the Convention and Visitors Bureau and,

when a group requests such accommodations, they are sent to the various campuses.

"The schools are after a different market; we don't look at them as competition," said Phillip Mogle, director of marketing at Town & Country Hotel. "We look at them as a plus. They bring groups into San Diego that otherwise wouldn't have come. That means a lot of money for the local economy," he said.

The schools are treated differently from hotels, too. They are not subject to the city's transit occupancy tax on rooms rented.

The schools put any profits back into student housing budgets, but they must be careful about generating business by indiscriminate renting to certain groups. "It is a requirement that groups have an educational component, so it is consistent with our tax-exempt situation," said Hagan. "There is a concern for jeopardizing our property tax by generating unrelated business income." □

San Marcos, CA
Courier
(Cir. W. 3,205)

AUG 16 1984

Allen's P. C. B. Est. 1888

USD president named CalFirst director

Dr. Author ²⁹⁵⁵ Hughes, president of the University of San Diego and a local educational and civic leader for many years, has been named to the California First Bank board of directors.

Hughes' appointment was announced today by Yasushi Sumiya, president and chief executive officer of California First, at a meeting of the bank board of directors in San Diego. Other California First directors from San Diego are attorney Alex L. Cory and hotel executive Roger Manfred.

Hughes has served as University of San Diego president since 1971. Prior to coming to San Diego, he spent 11 years at Northern Arizona University as a professor of business administration, dean of the College of Business and university vice president.

The new California First director is immediate past president of the Association of Independent California Colleges and Universities and currently is a member of the association's executive commit-

tee. He also is a board member of the National Association of Independent Colleges and Universities and a member of the President's Commission.

San Diego, CA
(San Diego Co.)
San Diego Business
News
(Cir. 2xM. 3,500)

AUG 13 1984

Allen's P. C. B. Est. 1888

Dr. Author E. Hughes, president of the University of San Diego, was named to the California First Bank board of directors. During the past 13 years, Hughes has been active in a wide range of San Diego community endeavors, particularly in the transportation, energy and water fields. ²⁹⁵⁵

Shepherding a Catholic university

*Layman and convert
Hughes gently leads
USD to prominence*

By Robert Blair Kaiser
Tribune Staff Writer

SHORTLY AFTER Author E. Hughes had been appointed president of the University of San Diego, he was invited to appear before a group of the city's leading Catholic clergy and queried about his qualifications.

How could he, a layman, presume to run a Catholic university? What did he, holder of a doctorate in business administration from the University of Iowa, know about Aristotelian philosophy or Thomistic theology? How did he think he could run a Catholic school when he, a convert to Catholicism, had never even attended a parochial grade school?

Hughes left that 1971 meeting somewhat stunned. Those who found him staring at the wall in his office somewhat later assured him the Catholic leaders were overreacting to their own fears about losing power over the only Catholic institution of higher learning in San Diego — to someone who wasn't even a member of their club.



Their fears turned out to be real. Power did shift, and in less than a year, Hughes accelerated the plans of two separate boards to merge the University of San Diego College for Men and the San Diego College for Women, founded in 1949 by Charles F. Buddy, bishop of San Diego, and Rosalie Hill of the Religious of the Sacred Heart order of sisters.

For more than 20 years, both schools had been limping along with low enrollments and low community profiles. Says Edward F. DeRoche, dean of USD's School of Education: "Everyone thought this was a place where they trained nuns and priests." And no one was in charge.

Sister Sally Furay, now provost at USD, recalls that "we had one broth and four cooks."

The men's college, run by priests, stumbled into each September in the red, to be bailed out by the bishop with a tax levy on every Catholic parish in the diocese. The women's college, on the west side of the campus, was solvent, but barely so.

In the next 12 years, Art Hughes (his given name, Author, comes from his grandfather, and it is an unrecon-

★Catholic

Continued From Page 1

structed typographical error) consolidated the men's and women's colleges.

USD's enrollment more than doubled — in a period when 141 of the nation's small independent colleges went out of business and most of the rest grew at an annual rate of no more than 2 percent or 3 percent. In 1982, two-thirds of the nation's independent colleges reported declining freshman classes. But USD's enrollment grew by more than 4 percent and might have increased even more, except that it had then reached its stated enrollment goal: 5,000.

Hughes has doubled the size of an upgraded faculty (90 percent now have their doctorates), and eliminated the school's debt. He revamped most of the existing buildings on campus to fit the university's growing needs and built four new ones, plus a complex of student apartments to house some 750 students and faculty.

He has seen the School of Business triple in the last five years; he glories in the news that applications to the School of Education are up 50 percent from a year ago (experts say there will be 80,000 new teaching jobs in California by 1990); and he is proud to see that more and more Law School graduates are taking leadership roles in San Diego.

USD seems to be riding a crest. This fall, more than 5,300 students will start spending time in three new buildings on the hill, all done in an architectural style called Spanish Renaissance. All of them are financed by private funding: the \$4.5 million Olin Center, which will house the School of Business Administration; the \$3.7 million Helen K. and James S. Copley Library; and the \$2.4 million Douglas F. Manchester Executive Conference Center.

In December, 30 college presidents, the executive committee of the National Association of Independent Colleges and Universities, which has met outside Washington, D.C., only once, will be welcomed to the campus by none other than Art Hughes, vice chairman of the association.

Hughes affects a certain boyish helplessness and a squeeze handshake that says, "Please like me." His strategy seems to work: "Everyone," says one aide, "seems to want to help him."

But his modesty is no sham. In a series of interviews, he made no mention of his work with the nation's independent college presidents or his coup in bringing them to San Diego. He also insisted that none of USD's progress was solely his doing, but was the work of his team. But the chancellor of Loyola-Marymount in Los Angeles, Jesuit Father Donald Merrifield, though his friendly rival, gives Hughes "a great deal of the credit for the growth and development of USD."

Hughes is probably right. The coach of any team gets too much credit after a win and too much blame after a loss. But there is no

doubt at USD that Hughes is in charge of his team: four vice presidents, seven deans, and an academic and support staff of some 1,800, working on a budget of \$41 million.

Says William L. Pickett, vice president for university affairs, who has been at USD since 1979: "Art's a strong president, secure enough to give everyone as much responsibility as they can take. He expects people to make mistakes. That's how they grow and learn. But he never blames people. Otherwise, people would stop telling him things."

In the beginning, both the priests and sisters were more important at USD than they are now. Bishop Buddy used to bring in clergy from across the nation to staff the College for Men with little regard for the academic independence of any particular department on campus.

Now, neither priests nor sisters win automatic appointment to the faculty by reason of their presence in San Diego. (One other reason: There is a shortage of available priests and nuns, especially those with doctorates. The diocese ordained only two young men this spring. The sisters had their first vocation from San Diego in 10 years.)

Technically, the Catholic Church does not run USD. It has a mixed board of 34 citizens (including banker Kim Fletcher, developers Ernest Hahn, Tawfiq Khoury, Doug Manchester and George Pardee, and publisher Helen K. Copley) who make USD policy.

Leo T. Maher, bishop of San Diego, is an ex-officio member of the board and its elected chairman, but he exercises his power by leaving USD alone — in the main. In 1983, he asked the university not to invite Seattle's Archbishop Raymond Hunthausen to speak on campus. Hunthausen has taken a public stand against national nuclear policy and has told the world that he will withhold 50 percent of his federal income tax as long as the government continues to make more nuclear bombs.

Aside from such special and symbolic acts, Hughes says, "The bishop has respected our search for the truth. As a university, we can't assume we know it and are searching for it at the same time."

And how does Hughes define the brand of truth he and his university are searching for? He places a strong emphasis on the particular values one expects to find at a Catholic university. USD's way is not the only way, says Hughes. "It is an important alternative in higher education."

But what is USD's way?

For those used to an old church that had many more certain answers than there were questions, the query causes some confusion. With upraised palms and rolling eyes, some more traditional minded faculty members at USD are inclined to say of the term, Catholic university, "whatever that means these days."

In fact, USD is probably paddling in the same mainstream as other Catholic schools of national stature: Notre Dame, Georgetown, and USD's four principal rivals in California, Loyola-Marymount, Santa Clara, the University of San Francisco and St. Mary's. At all of these institutions, those who set policy tend to write

Catholic these days with a small "c."

At USD, for example, students must take nine units of religious studies during their college career. But they can choose from a list of 38 courses taught by nine full-time professors (including two Lutheran ministers) and some part-timers. There are courses on Islam, Hinduism, Buddhism, and more than one on Judaism, as well as Christian social ethics, the fathers of the church and the problem of God (where students use as one of their texts a controversial work by Anglican Bishop John Robinson called *Honest to God*).

USD also urges students to get involved in secular concerns once shunned. In June, Sheldon Krantz, the Jewish dean of USD's School of Law, brought to his commencement Robert Drinan, the Jesuit from Massachusetts who dropped out of Congress at the pope's request for his public stand on abortion funding.

Father Drinan told of his desires to see Catholics get behind major cuts in U.S. defense spending and increased funding for human rights programs. But USD gave an honorary degree on the same day to Sen. Pete Wilson, who admonished 1,198 members of the Class of 1984 not to be "deluded into believing that the Soviets are our moral equivalent."

Pluralism and the stimulation that goes along with competing ideas seem to come naturally to USD. Its buildings are copies of those in the great Spanish university town of Alcalá, which was built in the Spanish Renaissance style of the Plateresque period (1492-1556). It is a style, according to Therese Whitcomb, professor of art at USD and curator of university design, that incorporates "the most valuable parts of Moslem culture." It is something, she says, that history itself forced on the Spanish people during this period, to the everlasting glory of Spain.

"There's an excitement," says Whitcomb, "about this combination of warring elements." And it applies to the idea of a great university, one that "expresses polarities, admits dissent in theories, then brings them together in a greater whole."

Whitcomb, a member of the first graduating class of the College for Women in 1953, says this was all done with deliberate design by Mother Hill, that sophisticated fund raiser who did her graduate work at Oxford before she founded four Sacred Heart colleges in the United States.

Now Hughes, Pickett and the rest of the team spend more than a little of their time in fund raising. They already have raised most of the money needed to build a new \$9 million student center. And Hughes is beginning to build up the school's permanent endowment, currently \$4 million.

"The university is 95 percent tuition-driven," says Hughes, "which makes USD an expensive school to attend." Board, room and tuition is \$6,250 a year for a full-time freshman, who must live on campus, compared with \$3,810 at San Diego State, \$4,958 at the University of California at San Diego, and \$8,753 at Loyola-Marymount in Los Angeles.

In his spare moments, which are few in a seven-days-a-week schedule (he and his wife, Marge, are often out four nights a week on USD business), Hughes says he is trying to figure out how to create more of a family spirit on campus. He is reading a book called *100 Best Companies to Work for in America* to see if he can adapt some people-oriented strategies to USD. And he is intrigued by a corporate style outlined in a book called *Theory Z* by William Ouchi, a professor at UCLA's Graduate School of Management.

If Hughes keeps riding his crest, he may have his own story to tell. And, if he could find the time, write his own book, maybe *Theory F* (for Family). Then USD's students could call out for him on campus: "Author Author."

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Measles threatens campuses

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Vaccination urged
for young adults

By Joseph Thesken
Tribune Education Writer

Health officials of San Diego colleges are warning students that they should be immunized against rubella, a type of measles that could erupt into a serious outbreak on campuses here in the new school year.

Adults now of college age are particularly susceptible to contracting the disease, which is highly contagious, San Diego State University's health director, Dr. Kevin Patrick, said at a press conference yesterday.

"During the past two years, a number of major college campuses in the nation have been hit with outbreaks of measles," Patrick said.

The outbreaks did not occur in the Southwest, however, he added.

"Officials from the Centers for Disease Control in Atlanta predict that they are likely to continue this next year and that California campuses might be next," he said.

The U.S. Public Health Service has given the eradication of measles one of its top priorities this year, Patrick said, and is urging university health officials to spread the word among students on their campuses.

The University of California at San Diego, the University of San Diego,

Please see MEASLES, B-4

★Measles

Continued From B-1

the San Diego Community College District and SDSU are coordinating a drive to notify students that they should check to see whether they have been properly immunized against rubella before attending school this fall.

Dr. Paula Liska, health director at San Diego City College, said national statistics show that about 20 percent of college students are vulnerable to getting the disease.

Patrick explained why college-age adults are more likely to become victims of rubella than other segments of the population.

"Those born before 1957 were born at a time when natural infection was the rule," he said.

They probably are immune because they had the disease in childhood or were exposed to it, he said.

"Those born since 1967 are very likely to have encountered mandatory immunization programs upon entry into kindergarten or first grade," Patrick said, "but the group in the middle — those born between 1957 and 1967 — may not have encountered natural infection, are less likely to have been required to be immunized as first-graders and, if immunized, may have been immunized with a less effective vaccine than was used prior to 1968.

"About a million youngsters from 1957 to 1967 were immunized with a killed virus that was found later to be ineffective."

That middle group includes most people now attending college, he said.

Patrick advised students to check their medical records to see whether they have had rubella shots.

"And, even if they did, they should find out from their personal physician what type of immunization they received," he said. "Those unsure of their immunity should be vaccinated."

He said vaccine is available through private physicians, the County Health Services Department and at campus health centers.

Risks associated with getting vaccinations are very low, Patrick said.

"Minor side effects, such as a slight fever, rash or mild cough, occasionally occur," he said. "Severe reactions are extremely rare."

"Students should be aware that measles is a more serious illness in an adult. In a number of cases it could be a life-threatening situation, so it just makes sense for students to check and see if they are properly immunized."

"If they aren't, they should make sure they get vaccinated before school starts."

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On The Move

Rimokh To Manage Crown Isle

David Rimokh, who has more than 25 years of experience in management at some of the world's finest resort hotels, has been appointed vice president and general manager for the proposed Crown Isle Resort Hotel, according to Josef and Lenore Citron, partners of Joelen Enterprises Inc.

Rimokh will be responsible for coordinating the planning, staffing and marketing of the resort hotel to be built in the Coronado Cays.

Rimokh joins the Crown Isle Resort Hotel from Princess Hotels International's Acapulco Princess Hotel in Mexico. Previously, he managed its Southampton Princess Hotel in Bermuda.

Rimokh also has helped manage such prestigious properties as Loew's Paradise Island in Nassau, Loew's Americana in San Juan, Puerto Rico, and the St. Regis in New York City.

Charlene Robinson has been promoted to vice president-administration at Pacific Scene Inc.

new-homes division manager of Walker and Lee Inc. and director of membership services for the San Diego Building Industry Assn.

She is also active in industry and civic organization and is a member of the BIA Spike Club, Sales and Marketing Council and Home Builders Council.

John R. Dunn has been named vice-president in charge of construction for the San Diego region, of Equidon by the Equidon Construction Group.

Dunn, who has 14 years of experience in commercial, industrial and residential construction, will be responsible for the successful operation of all regional construction activities for Equidon.

Prior to joining Equidon, he was in charge of construction of the \$47 million TRW facility in Rancho Carmel and has also been involved in the construction of office buildings, warehouses, research and development facilities and shopping centers.

commercial real estate lending for San Diego-based Gibraltar MoneyCenter Inc.

Harrison is responsible for developing and implementing the company's commercial, income property loan program and establishing a master broker network for loan production. In addition, he will supervise the underwriting and acquisition of income property loans.

Prior to joining MoneyCenter, he was employed by Avco Financial Services for 11 years, most recently as a commercial loan financing administrator. He supervised four branches in the underwriting, acquisition and servicing of real estate loans on commercial, income properties and single-family homes.

James Berson has been named sales manager for Brehm Communities' Shadow Glen community of 130 townhomes on Lake Murray Boulevard in San Diego.

Berson will oversee all on-site sales for Shadow Glen, where pre-

Robinson has been associated with Pacific 4 Scene since 1978. She majored in paralegal studies at the University of San Diego and has taken graduate studies at UCSD in management, real estate and personnel administration.

Before joining Pacific Scene she was a paralegal with a San Diego law firm.