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USD PRINT MEDIA COVERAGE-AUGUST 1997

College of Arts and Sciences:
Obituary: Deacon Michael Newman, lectured on political science (Southern Cross) ........................................... 1

School of Business:
- Professor Gary Whitney speaks out about part-time employment (Union-Tribune) .................................................. 2
- Area’s economic indicators are up (Union-Tribune) .......................................................... 3
- Alan Gin: San Diego’s growth led by building permits (S.D. Daily Transcript) .............................. 4

School of Law:
- Professor Robert Fellmeth receives award for children’s advocacy (L.A. Daily Journal) ..................... 5
- Robert C. Fellmeth, USD law professor, receives award (S.D. Business Journal) .......................... 6
- Law professor Gail Heriot supports Proposition 209 (Union-Tribune) .................................................... 7
- Director of Development leaves USD Law School after eight years (L.A. Daily Journal) .............. 9
- Law school alum, Kellen Winslow, begins new season with ESPN (L.A. Daily Journal) .......... 9
- Obituary: James B. Franklin, law school ’69, taught law classes (Union-Tribune) .................. 10

School of Nursing:
- USD School of Nursing receives grant (Southern Cross) .......................................................... 11

Graduates/Alumni:
- Law school alum, Charles Gill, appointed to Municipal Court (Union-Tribune) .......................... 12
- Judge Profile: USD law alum Adrienne A. Orfield (S.D. Daily Transcript) ................................ 13
- Law alum as litigator for methamphetamine users (S.D. Daily Transcript) ............................. 14

Sports:
- USD’s defensive lineman, Buddy Brown, remains focused (Union-Tribune) .................................... 15
- Former USD first baseman, Jennifer Milo, named assistant USD coach (Union-Tribune) ........ 17
- Former USD coach, Hank Egan, celebrates 60th birthday (Union-Tribune) ............................... 18

Miscellaneous:
- Society of Professional Journalists holds seminar at Manchester Center (Union-Tribune) ............... 19
- Gregg Carpenter chosen as chairman of Corporate Associates Program (Union-Tribune) ............ 20
- USD ranked 9th of largest colleges/universities in S.D. (S.D. Business Journal) ....................... 22
- California’s SAT scores compare with the national average (L.A. Times) .................................. 24
- State budget allows an increase in funds to community colleges (Union-Tribune) ......................... 26
- Improve educational preparedness of minorities (Union-Tribune) ............................................. 27
- State budget to spend more on public education (Union-Tribune) ............................................. 28
- Private colleges attended by more middle-income students (Union-Tribune) ............................ 29
- Tax relief granted for parents of college students (S.D. Daily Transcript) .................................. 30
- Vatican approves new set of rules for doctrinal debates (N.Y. Times) ........................................ 31
- The Privacy Rights Handbook, formerly USD’s .......................................................... 32
- Are advertisements ethical? (S.D. Daily Transcript) ........................................................ 34
- Obituary: Bernard Goodbody, awarded honorary graduate degree (Union-Tribune) ............... 36
- Obituary: S. Falck Nielsen, USD Nielsen Family Scholarship Fund (Union-Tribune) ............... 37
Deacon Michael Newman, Former Editor of The Southern Cross, Died August 1

The Southern Cross

Deacon Michael Christopher Newman, a former editor of The Southern Cross, died Aug. 1 at St. Luke's Manor in Ferndale. He was 77.

Deacon Newman was born in London and educated at Cumberland House and Wimbledon College. Ordained to the permanent diaconate in 1974, Deacon Newman was by profession a journalist and a public relations officer. He began his journalistic career as a literary agent in London's Fleet Street. He was on the London staff of King Features Syndicate and International News Service until Britain declared war against Germany in 1939.

During World War II, he served as a pilot and flying instructor in the Royal Air Force. Overseas service took him to Rhodesia (now Zimbabwe), where he met and married his wife, Beryl, in 1944.

After the war, the Newmans returned to Africa, where he edited a political review and an agricultural magazine. He then joined the Information Department of the Federation of Rhodesia and Nyasaland. His diplomatic service included four years in London, one in Pretoria, South Africa and two years in Washington, D.C. He also hosted a radio program for a number of years.

The family formally immigrated to the United State in 1965 and settled in California. He served as a reporter for the San Diego Union and Blade-Tribune. He was an editorial writer for both newspapers and was awarded the Freedom Foundation Award for his writing.

He lectured about political science at the University of San Diego and also became the campus director of development. In 1970, he joined The Southern Cross as editor, a position he held for nine years.

After ordination to the permanent diaconate in 1974, Deacon Newman served as Our Lady of Light parish in Descanso and as retreat minister for Mission San Luis Rey. He then served as a deacon at Our Lady of the Assumption parish, where he was pleased to train the first girl altar servers.

Deacon Newman had a lifelong interest in music, especially choral pieces. He is survived by Beryl, his wife of 53 years; three children, Frank, Patricia and Paul; eight grandchildren and two great-grandchildren.
Part-timers’ frustration spreading

Terry Burroughs works two jobs at the same company to make one full-time job.

In doing so, though, he earns far less than he would if he was full-time in that company.

Burroughs works for United Parcel Service, struck last week by 185,000 Teamsters in a protest over work conditions, pension revisions and its use of part-time employees.

“I want to work full-time but there’s no chance of that right now at UPS,” says Burroughs, a 25-year-old father of two who works mornings loading trucks for UPS in Kearny Mesa and making deliveries after that. He is frustrated that after three years he doesn’t yet see the day he will be a full-time employee.

This is an issue that extends far beyond UPS. Burroughs is only one of many American workers trying to deal with the phenomenon of a shifting economy that has introduced broader use of part-time and temporary jobs, independent contracting and other new flexible work-force tools.

We should all encourage businesses to make themselves more efficient and, if part-time employment helps a package-delivery business reach that goal, we shouldn’t protest.

But, if part-time jobs give companies a strategic advantage, salaries for those jobs should reflect that.

Traditionally, part-time employment involved about 15 to 18 percent of the nation’s work force and catered to second-wage earners, students and retirees looking to supplement their pensions. Part-time work carries the stigma of second-class employment, often offering little or no employee benefits and an inferior salary.

‘Pay discrimination’

“Part-time work is one of the last vestiges of pay discrimination in this country,” says Jared Bernstein, an economist with the Economic Policy Institute in Washington. “An hour of work should be worth an hour of work, whether it is done by a full-time worker or a part-time worker.”

Part-timers constitute about 60 percent of the UPS work force, up from 42 percent in 1986. They earn an average of $11 an hour plus benefits, or slightly more than half of the average for full-time workers.

University of San Diego management professor Gary Whitney sees lower wages for part-time work as a natural part of the nation’s economic structure.

“People don’t usually look at a four-hour-a-day job as a career,” he says. “If they don’t want part-time employment, they are free to look for full-time jobs elsewhere.”

Yet, workers like Burroughs have grown frustrated about landing full-time jobs because UPS has been busy creating part-time positions. The seniority list for landing a full-time job currently runs about five to seven years, according to local Teamsters.

To its credit, UPS has adjusted its business operations to the needs of a highly competitive modern-day industry. Its business is to provide quick delivery of documents and small packages, a service business that has understandable peaks and flows.

For maximum efficiency, UPS depends considerably on part-time workers. They are used in the early morning hours for sorting packages and loading trucks and in the early evening hours when packages must be sorted and routed for delivery the next day.

Help toward goals

But, if part-time workers at UPS and other companies are helping their companies to reach strategic goals, why shouldn’t they be paid just as if they were full-time?

“If UPS is telling us they can’t pay workers a living middle-class wage for doing the work it needs done to turn a healthy profit, what kind of reaction does it think it will get from workers?” Bernstein asks.

Maybe the fairness issue is the reason the strike against this powerful package delivery service has captured the attention of Americans who have no other interest in UPS’ business.

MICHAEL KINSMAN answers workplace and career questions each Monday in WorkWeek. Please write him at The San Diego Union-Tribune, P.O. Box 191, San Diego, CA 92112-4106. Please include your name, address and telephone number. Or send him e-mail at michael.kinsman@uniontrib.com.
Area indicators up

Solid increases in building permits in June boosted the county's Index of Leading Economic Indicators for the 27th consecutive month, according to the University of San Diego, which compiled the index. Also accounting for the 0.3 percent rise were slight upturns in tourism, help wanted advertising and initial claims for unemployment insurance. Local stock prices were unchanged.
Building Permits

Lead S.D. Growth

USD Index Shows 27th Straight Monthly Rise

By KIM PETERSON

Daily Transcript Staff Writer

Building permits increased significantly in San Diego County in June, a jump thought by local experts to be one of the best signs that San Diego’s economy is healthy and on the rise.

The index of leading economic indicators for the county rose 0.3 percent in June, its 27th consecutive monthly increase, according to economists at the University of San Diego. Building permits led the advance, while initial claims for unemployment insurance, tourism and help wanted advertising posted smaller gains for the month.

“The local economy is going much better than I had anticipated,” said USD Economist Alan Gin. “It doesn’t appear that this thing is likely to turn around anytime soon.” The upward economic trend should continue through at least the first quarter of 1998, he added.

A total of 1,157 building permits for residential units were authorized in the county in June, the largest number of units since March 1991. Permits for single-family dwellings, apartment complexes and condominiums contributed to the increase.

Nearly 285 multi-family units were authorized that month, putting the total number of these units at 944 for the first six months of 1997. The figure compares well to last year, which...

Building Permits

Continued From Page 1A

saw only 1,050 units approved in all.

If things keep up in this fashion, the county is on pace to hit 9,600 units for the entire year, which would be the largest number since 1990, Gin said.

“Think vacancy rates in apartments are really low here and as a result the rents are rising,” Gin said. “As a result, the apartment developments are now becoming profitable for developers.”

According to Market Profiles of San Diego, which publishes spring and fall surveys on rental trends, apartment vacancy rates in the county range from 2 to 4.5 percent.

An area’s building permit level has traditionally been a leading indicator of its economy, said James Gikas, a senior economist with the Los Angeles-based Recon Research company. “What it’s saying is that people have enough confidence in the housing market that they’re willing to commit themselves to start increasing the rate of building,” Gikas said.

In years past, building in San Diego was at historically low levels, he added.

“People are going out and beginning to take the risk, buying houses,” Gin said.

The San Diego economy, traditionally lagging behind the rest of the nation in growth, may now be healthier than the national average, said Kelly Cunningham, research manager at the San Diego Chamber of Commerce’s Economic Research Bureau.

“The nation is cooling down a bit, but we’re still going along quite strongly,” Cunningham said.

San Diego’s economic index grew 0.3 percent while the national economic index showed no growth or loss. Earlier this year, the USD index posted stronger gains of 0.9 percent in February and 0.8 percent in March.

That pace may have been too fast for solid, long-term growth, Cunningham said.

USD also reported that initial claims for unemployment insurance in the county was up .12 percent. Recon Research has estimated about a 4.1 percent unemployment rate for the county in June.

Recon also found that the average number of weekly hours spent in the manufacturing industry has risen in San Diego over the past six months to about 39.3. The hours had fallen before that.

“Business is booming, you will tend to have people working more,” Gikas said. “The average weekly hours will go up to a certain extent.”

The stock prices of San Diego companies showed no change for the month of June. Local stocks peaked in February and bottomed out by April, Cunningham said. Now, they are back on the rise.

The stocks largely follow national trends, he said.

While most indexes and reports focus on San Diego County, the city of San Diego has weighed in with its own figures as well. In an Aug. 4 report to the mayor and City Council, the city development services department reported substantial increases in this year’s building permit activity.

The fiscal year 1997 permit valuation total is $1 billion, an 18 percent increase over the previous year’s total of $847 million. For June, building permit valuation was $140 million, about 75 percent higher than the May’s $80 million average.

Building valuation, according to the report, is the total value of building construction work for which a building permit is issued. Total annual valuation includes residential and commercial projects.

The total number of residential units authorized in fiscal year 1997 was 3,211, a 43 percent increase from the previous year.

peterson@sdtt.com
Children's Advocate Wins Award

By Christopher D. Sharpe
Special to the Daily Journal

SAN DIEGO — Neatly tucked away in the confines of his past are the many awards and distinctions earned by Robert C. Fellmeth, executive director of San Diego's Children's Advocacy Institute.

The Association of Trial Lawyers of America caused Fellmeth to make room for yet one more award, naming him the 1997 recipient of its Civil Justice Foundation Community Champion Award during its recent convention in San Diego. The award is presented to individuals working for the prevention of injury to children.

But Fellmeth is not in a congratulatory mood. While CAI has been active in Sacramento, successfully sponsoring laws for bicycle helmet safety (AB2268) and pool safety (AB3305) and is currently working on playground safety laws, he feels it's not enough.

"Working in public interest law, we see that it is children who are most in trouble, with the least representation and political power," he said.

But consider Fellmeth's past and you get the impression he is a perfectionist who may never be pleased with his accomplishments. A 1970 graduate of Harvard University Law School, he has spent the last 30 years working on behalf of injured consumers, children at risk and others who may not be able to afford adequate representation. During his first year of law school he volunteered with "Nader's Raiders," the group directed by consumer activist Ralph Nader.

Through most of the '70s Fellmeth served as a deputy district attorney in San Diego County. As deputy DA, he prosecuted numerous cases of consumer fraud and child abuse. He also formed the nation's first DA unit dedicated to prosecuting antitrust violations.

In the late 1970s Fellmeth began teaching part-time at the University of San Diego School of Law, specializing in antitrust and white-collar crime courses. In 1983 he was awarded full tenure. In 1990 Fellmeth was designated the inaugural holder of the Price Chair in Public Interest Law.

During his 20 years at USD, Fellmeth founded two organizations. In 1980 he created the Center for Public Interest Law, an academic institute for research, teaching and advocacy in public interest and administrative law. Its goal is to make the regulatory functions of state government more efficient, visible and accountable by monitoring state administrative agencies and by representing otherwise unrepresented interests in government and judicial proceedings.

In 1989, Fellmeth established the Children's Advocacy Institute as part of the Center for Public Interest Law. CAI's purpose is to train future lawyers in the skills and knowledge necessary to represent the interests of children in all government forums. CAI also administers the Maternal and Health Care Advocacy Project, a direct services project in Los Angeles which engages in outreach and provides case management to low-income women and children. It has successfully litigated to preserve $355 million in state education funding for high-priority preschool child care and development programs.

Despite such accomplishments, Fellmeth feels he's not a success if his clients are struggling. "We've taken our lumps too, especially with welfare reform," he said. "Children are getting hurt very badly there. While we have been champions in some areas, we have failed our constituents in others. So I'm not in a very self-congratulating mood."
San Diego Business Journal • August 4, 1997

PEOPLE

Banking and Finance

Tom Fisher joined Dowling and Yahnke, Inc. as senior portfolio manager.

Construction and Design

Roel Construction has added three new employees to its staff: Jacque Johnston, marketing manager, Molly Manner, marketing assistant, and Dawn Smith, executive assistant. Also Roel promoted Mike Berryhill to assistant project manager. Geoff Stodola joined Ninteman Construction Co. as a project manager. Project Design Consultants named the following individuals principals of the firm: Thomas W. Blessent, ASLA, vice president; William R. Dick, PE, vice president and Dale R. Greenhalgh, PE/PLS, assistant vice president.

General Business

TOPS Staffing Services hired five new employees: Rachel Baca, personal assistant, Rene Christman, account executive, Sandra DeFerari, temporary placement specialist, Barbara Hoffman, community recruiter and Nick Wolf, human resources representative. Larry Manard was appointed manager of The Fleet and Leasing Department at Ron Baker Chevy Geo/Isuzu National City. Christine A. Cochran joined Employment Systems, Inc. as director of sales. Lou Marone joined AA Printing as a sales manager. Nick Hoskot was appointed general manager for Smurfit Press.

Health Care and Biotech

Healthcare Staffing Solutions hired three new employees: Char Laurendeau, managing consultant, David Pears, direct hire staffing coordinator and Kelly Lawhead, staffing consultant.

High-tech and Manufacturing

Sue Hetzel joined the Townsend Agency as director of account services. Quill Communications hired four new employees: Rob Colla, creative director, Shelly Lawson, account supervisor, Jessica Withers, account executive and Michael Davis, senior graphic designer. Diana Helfrich joined Copper Mountain Networks as vice president of marketing communications. Xsys Technologies, Inc. named Cheryl Barr General Counsel. Altris Software, Inc. appointed Michael J. Comega to its board of directors. John Mutch joined HNC Software Inc. as vice president of corporate marketing. Aurora Electronics, Inc. appointed John F. Thompson president and COO and F. Wayne Withers senior vice president and CFO.

Hotels, Resorts and Restaurants

Foodmaker Inc. appointed Marcia J. Owen director of human resource development and performance systems.

Insurance

Shelly Henderson joined South Coast Title as senior escrow officer.

Law

Robert C. Fellmeth, a USD law professor, was honored July 20 with the 1997 Community Champion Award at the Association of Trial Lawyers of America convention in San Diego. David Mishel joined Thelen, Marrin, Johnson and Bridges LLP as a partner.

Media and Marketing

Leslie Talansky joined CableRep San Diego as marketing manager. Aileen McManamon joined Oxford and Drozda Advertising as director of New Business Development. Peter Berk was named general sales manager for 91X-XTRA-FM. Frank Smith purchased Granite Bridge Studios. Advanced Marketing Services, Inc., appointed Daniel T. Carter to executive vice president and CFO.

Miscellaneous

Frederick H. Fisher was honored for his ocean acoustics research by the Acoustical Society of America. Catherine G. Constable was honored with the Price Medal by the Royal Astronomical Society.

Real Estate

Christine Anderson joined CB Commercial's hospitality properties group. Also joining CB Commercial is Brad Jones as a sales assistant. Bob Kaplan joined Tarsadia Hotels as vice president, real estate. Lisa Blankenship and Conrad NePote have joined RE/MAX Coastal Properties' office in Pacific Beach as sales agents.

submitting PEOPLE

To submit items for the People section please include the basic facts: Name of person, title of position in the firm, and short background in business, including position held prior to promotion. Photographs should be black & white glossy prints, 4x5 or 5x7 if possible.

Send to:

People
San Diego Business Journal
4909 Murphy Canyon Road, #200
San Diego, CA 92123
Court deals affirmative action
a new defeat

Won't reconsider Prop. 209 ruling

By James P. Sweeney
COPELEY NEWS SERVICE

SACRAMENTO — In what may be the death knell for affirmative action in California, a federal appeals court yesterday refused to reconsider its decision to uphold Proposition 209's ban on racial and sexual preferences.

Barring further legal intervention, the verdict means the landmark initiative could take effect within seven days. Mark Rosenbaum, an attorney with the American Civil Liberties Union, said opponents will immediately ask the 9th U.S. Circuit Court of Appeals for a stay to keep the initiative on hold while they petition the U.S. Supreme Court to hear the case.

If the appeals court refuses, Rosenbaum said, they will ask Supreme Court Justice Sandra Day O'Connor to issue a stay.

It was the 9th Circuit that yesterday refused without comment to rehear the case. A three-judge panel of the court unanimously upheld the initiative in April. Opponents then asked for a hearing by a full 11-member panel of the court.

"We are extremely disappointed," Rosenbaum said. "It is hard to understand how a majority of judges concluded that this case is not of 'exceptional importance,' which is the legal standard for full review by the 9th Circuit.

"We will go to the U.S. Supreme Court," he added. "This case presents profound constitutional questions of whether state and local government can have their hands tied when it comes to remedying past discrimination.

Proposition 209 bars preferences by state and local governments based on race and gender in employment, contracting and education. The initiative was approved by nearly 55 percent of the voters in November, but was blocked immediately by U.S. District Judge Thelton Henderson in San Francisco.

If Proposition 209 is allowed to take effect, California would become the first state in the nation to dismantle 30 years of affirmative action. That could propel a budding movement to take the crusade across the country.

"What this makes clear is that discrimination is a violation of the U.S. Constitution," Gov. Pete Wilson declared. "You do not end discrimination by creating discrimination."

Ward Connerly, a black Sacramento businessman who headed the pro-209 campaign at Wilson's request, was visibly buoyed by the court's decision.

"A death sentence has been handed down for preferences and quotas in this state," he said. "The clock is ticking. For all practical purposes, 209 is the law in the state of California."

The governor and his legal counsel, Dan Kolkey, said prospects for another stay are not good. But Rosenbaum warned that permitting the initiative to kick in before the U.S. Supreme Court decides whether to hear the case would be a disaster.

"The state would be in total chaos," he said. "Whether to undo all these programs with the possibility that they might have to be redone? I just think it's a disaster."

See PROP. 209 on Page A-18
Prop. 209

Opponents plan appeal to U.S. Supreme Court

Continued from A-1

"I believe we will achieve diversity on the natural."  
GOV. PETE WILSON

"Others not named in the litigation will have to wait until a state appellate court throws out the existing statutes, Kolkey said. Their could take months, he conceded.

The governor also has issued a pair of executive orders striking all affirmative action within his power.

At Wilson's behest, the University of California already has abolished preferences in admissions for its graduate programs, with the same rules to apply at the undergraduate level for students enrolling next year.

It is not as clear how affirmative action would be purged from local governments, although the governor's attorney warned they would be subject to suits from individuals and could have to pay damages.

Connerly said he expects some cities and counties to attempt to skirt or ignore the initiative.

"For them, I have a message," he said. "We will be watching and we will sue."

Absent affirmative action, Wilson said, he expects minority admissions to public universities to be erratic, up in some cases, down in others.

"I am convinced there are legitimate high achievers in every ethnic group," he said. "Therefore, I believe we will achieve diversity on the natural."

Connerly said Proposition 209 will lift lingering doubts about any ethnic group's ability to succeed on its own.

"Any black man or woman, any Latino, any Asian ... from this point on, their accomplishments will never be in doubt," he said. "Up until now, one could presume that a black or a Latino or a woman or an Asian, in some settings, is the product of affirmative action. That assumption is no longer valid."

A death sentence has been handed down for preferences and quotas in this state."

WARD CONNERLY
Affirmative action opponent

The opposition's defeat before the 9th Circuit is magnified by the court's liberal reputation, earned largely on death penalty appeals.

Ten of the 18 judges who participated in yesterday's decision, however, are Republicans. In refusing to rehear the case, the court did not disclose its vote.

Of the initiative's leading critics, the Mexican American Legal Defense and Education Fund declined for now to assess the gravity of the legal setback.

"The bottom line is, discrimination is still illegal and will be vigorously pursued by MALDEF and other organizations," said Don Trujillo, the organization's state policy analyst. "Agencies should be cautious not to overreact."

Gail Heriot, a University of San Diego law professor who was co-chairman of the statewide Yes on Proposition 209 campaign, said yesterday's ruling shows that the ballot measure is legal and constitutional.

If the U.S. Supreme Court reviews it, the result will be the same, she said, adding that California will be a fairer place once it is implemented.

"What I think will happen is that we will finally stop focusing on solutions that don't work," Heriot said. "Racial preferences don't help people in the inner city; it helps the middle and upper class."

John Johnson, president and chief executive officer of the San Diego Urban League, said he was deeply disappointed by the ruling.

But he added, "I'm more disappointed with the political system that continues to let a majority of citizens who really don't look out for the rights of minorities to prevail on propositions."

Staff writers Ronald W. Powell and Caitlin Rother contributed to this report.
Partnership Leads to Different Kind of Partnership

With a “small, intimate group of friends” in attendance, Lou Wolfshelmer of Milch & Wolfshelmer and Susanne Henie will be married on Sept. 21 at Rancho Valencia Resort in Rancho Santa Fe.

The couple met several years ago through Wolfshelmer’s “old friend” and former law partner, Andy Wagner.

The wedding ceremony will “probably be performed” by Municipal Court Judge Bill Kronberger, said Wolfshelmer, a former San Diego Port commissioner. The couple will honeymoon in France.

This year Milch and Wolfshelmer celebrate 30 years together in practice. After graduating from Cal Western Law School, Wolfshelmer joined the city attorney’s office, where he met his boss, Jim Milch, a UC Berkeley Boalt Hall graduate.

At the time Ed Butler was city attorney, Ed Miller was his assistant, and John Witt was chief prosecutor. In those days, the city attorney’s office was housed on the second floor of what is now the County Administration Building on Pacific Coast Highway. During one week, recalled, he and Milch moved all the books in the library over to the new offices of the present City Hall.

In 1997 the two formed their own firm, taking 400 square feet — two offices and a reception area — in the San Diego Trust and Savings Bank Building. They shared a library with John Davies, now Gom Wilson’s judicial appointments secretary, and his father, Lowell. Milch married Davies’ sister, Estelle.

Although the firm was called Milch & Wolfshelmer, Milch said that when they took in a new partner Wolfshelmer’s name would be listed first. Wagner, who had also been at the city attorney’s office, came aboard but the name was never changed, primarily because “so much good will had been built up with the name Wolfshelmer.”

Other attorneys joined the firm as partners or associates over the years, including Herb Exahos and Ken Lounsbery from the city attorney’s office, but today the firm is only the two lawyers. For a few years the firm has been of counsel to Procopio, Cory, Hargreaves & Savitch.

ELECTION MATTERS: Balloting ends Friday for the District 9 seat on the Board of Governors. Dennis Stryker, Steve Wall and Tom Warwick are running.

SWEARING IN: Even though David Norris ran uncontested for the presidency of California Young Lawyers Association, he noted that "You can nominate up until the very last minute." That never happened and so he succeeded San Francisco attorney Stephen Levine at CYLA’s board meeting last month in Palm Springs.

He and another San Diegoan, State Bar President-elect Marc Adelman, will be sworn in next month by California Supreme Court Chief Justice Ronald George during the State Bar’s Annual Meeting in San Diego. Levine will become the CYLA rep on the Board of Governors.

Norris became involved in bar activities when a friend and classmate from USD Law School, Jessica Watson, signed him up as cochair with her of the San Diego County Bar’s Young and New Lawyers Discussion Group to share ideas with the board.

One of the key issues facing CYLA, said Norris, is jobs for new lawyers. He noted a letter from an attorney in San Francisco who simply cannot find work. “I get letters like that all the time,” he said. “The sad part is our No. 1 concern.”

The specific letter he referred to was from Tracy Barrett, a 1994 graduate of Suffolk Law School near Boston who arrived in San Francisco last summer and now works in a nonlegal capacity for Pacific Bell Mobile Services.

In addition to job interviews, classified ads in legal publications and networking, Barrett has formed what she calls the Lawyers Discussion Group to share ideas about the job market. “Yes, we do vent,” said Barrett, but there’s also a lot of positive feedback.

Although the 10 or so members are mostly unemployed, one — Catherine Huston, a 1994 graduate of Thomas Jefferson Law School — is working at Bank of California as an assistant vice president of the trust and investment management group. “I got involved in the group because of the frustration of finding a job,” she said. Now that she has one, “I don’t know if I’ll continue to go.”

SCHOOL NEWS: Kathleen Quinn, director of development at USD Law School, has left after eight years to become associate vice president for development at San Jose State.

“It’s a career move,” said Quinn. “More responsibility; a step up the ladder.” Her last day was yesterday, and she said she will start the new job on Sept. 8. Quinn learned of the job through the Council for Advancement and Support of Education’s Web page.

USD is conducting a nationwide search for Quinn’s replacement, but in the meantime Valerie Ashley, alumni relations director for the law school, will be interim development director as well.

Prior to USD, Quinn ran the West Coast office out of San Francisco for a fund-raising program which helped with the law school’s fund-raising campaign for the Pardee Legal Research Center.

Initially, Quinn was both development and alumni relations director. As alumni relations director, she received quite a bit of help and guidance from two graduates, Craig Higgs of Higgs, Fletcher & Mack and Ed Arielle of Luce, Forward, Hamilton & Scripps. “They were instrumental in helping me reorganize the alumni program,” she said.

Quinn was also impressed by her replacement, Tracy Barrett, as staff director for the Host Committee for the presidential debate at USD which raised $615,000 for the debate and more than $3 million for the university.

“It was truly the most energizing and stimulating and beneficial experience of my life,” said Quinn, a Democrat. But “I’m a political nut.”

Law professor Ed Ursin heads the USD Law School dean search committee which will interview candidates on campus in December.

At Cal Western Law School, professor Barbara Cox has succeeded Bill Lynch as associate dean of academic affairs. Lynch will return to teaching.

GOAL-LINE STAND: Former San Diego Charger tight end Kellen Winslow still has his hands in football — but he doesn’t catch any footballs. He’s directing the St. Louis Rams preseason games against the Vikings, Cardinals and Chiefs, and shorty gets his ESPN assignment for the college season.

Last year Winslow was ESPN’s sideline reporter for the Atlantic Coast Conference, Southeastern Conference and Big East games. From 1990 to 1994, he broadcast football games on radio for his alma mater, the University of Missouri.

In addition to ESPN duties, the USD Law School grad is director of business development for Energy Pacific, the joint venture of Enova Corporation and Pacific Enterprises.

After graduating from USD, Winslow spent three years as a sports agent but left the business because “the [financial] return wasn’t what it promised to be.” At one point he and attorney Len Elmore, a former New York Nets star and University of Maryland All American, were hired by Preempt Sports in Elmhurst, a Harvard Law grad, now practices law in New York.

“Being an agent is not rocket scientist work,” said Winslow. “The numbers are all there in front of you.”

Winslow, however, feels strongly that African American athletes should deal with African American agents, as well as attorneys, CPAs and other professionals during their careers and beyond. “We as African Americans have got to get over the fact that people who are not African American,” he said. “We have got to realize that people of color are just as competent in dealing with financial affairs.”

Winslow took the Missouri bar exam but said he missed by 10 points, and has not taken it — or any other bar exam — since. Why go to law school? One reason was for his “own edification that I could do it.” Also, to remove the “dumb jock” perception that some have of athletes.

The National Football League Hall of Famer graduated from USD in 1993.

Information may be faxed to Martin Kruming’s attention at (619) 281-0453.
James B. Franklin, 60; specialized in civil litigation and taught law classes

UNION-TRIBUNE

James B. Franklin, who specialized in civil litigation and taught college law courses during more than 25 years as a San Diego attorney, has died. He was 60.

Mr. Franklin died Aug. 7 at his Point Loma home of emphysema, which forced him to leave full-time practice five years ago.

He was a partner in the San Diego firm of Seltzer, Caplan, Wilkins & McMahon, which he joined in 1969 after graduating No. 1 in his class from the University of San Diego School of Law.

"Jim possessed a unique combination of qualities, including something you can't teach, which is how to be smart," said Gerald McMahon, one of his law partners.

Phi Delta Phi, a national legal fraternity, named Mr. Franklin its "graduate of the year" in 1969. The two previous years, he served as associate editor of the USD Law Review.

Mr. Franklin returned to his USD alma mater to teach legal courses in 1974 and 1975. He taught from 1970 to 1973 at the California Western School of Law in San Diego and served during his career as a supervising attorney for legal clinics in Linda Vista and National City.

His teaching skills stemmed from an ability to make complex concepts accessible, which also proved invaluable in the courtroom, McMahon said.

A native of New Castle, Pa., Mr. Franklin graduated from Penn State University in 1958 with a degree in marketing. He joined the Navy in May 1959, rising to lieutenant commander and serving as a combat information officer in charge of 40 crewmen aboard the cruiser Helena.

His volunteer efforts in the San Diego community were recognized with a "good guy" award in 1974 from the Leukemia Society of America. He also served as president and on the executive committee of the United Cerebral Palsy Association of California.

Although plagued by pulmonary problems in recent years, Mr. Franklin worked part time from his home and continued to provide advice to clients on legal issues, family members said.

He is survived by his wife, Marsha; a daughter, Christa Evashko, of La Jolla; three sons, Judson Franklin, of Los Angeles, Gordon Keiser, of Prescott, Ariz., and Craig Keiser, of Ukiah; a sister, LouAnn Good, of Camp Hill, Pa., and a grandson.

A tribute to Mr. Franklin's life was held Tuesday at the Sheraton San Diego West Tower.
Annual Diocesan Conference for Church Ministers
The second Annual Conference for Church Ministers in San Diego will be held September 27 at the San Diego Marriott Hotel and Marina. The theme of the conference is "Conversion in the Holy Spirit," which is preparatory for the second year of third millennium preparations focuses on the Holy Spirit, on confirmation and on hope.

Keynotes will feature concurrent sessions in English and Spanish. Keynote speakers are Rev. Alfred McBride, O.Praem, (left) professor of Homiletics at Pope John XIII Seminary, and Monsignor Lorenzo M. Albacete-Cinbion, a distinguished theologian from San Juan, Puerto Rico. Father McBride’s presentation, "The Holy Spirit Gives Hope to the Church," will be in English. Msgr. Albacete-Cinbion will present "Unidad y Libertad de la Persona" in Spanish.

Participants can choose among 10 workshops, with such titles as "The Bible: God’s 1-800-Number" and "El Espíritu Santo, Alma del Compromiso." Those parish or school ministers interested in attending the conference should register early to assure obtaining their seminar selections. For information, call 490-8306, in English or Spanish.

USD Hahn School of Nursing Receives Federal Grant
USD’s Philip Y. Hahn School of Nursing has been awarded a $635,488 grant from the U.S. Department of Health and Human Services. The grant will fund a 3-year project to create a Pediatric Nurse Practitioner track at the school. The 48 unit, 4 semester track will offer a Latino Health Care subspecialty and School Health subspecialty. Graduates of the new program will be equipped to help fill the growing need for pediatric care, particularly in poorer, multi-ethnic areas. USD will draw upon its already strong relationships with the UCSD Adolescent Medicine Clinic, the Mercy Medical Center Pediatric Clinic and Children's Hospital in its administration of the new program.

Annual Fiesta de la Unidad - Feast of Unity Sept 20
The diocesan Spanish Speaking Commission will host its annual Fiesta de la Unidad on September 20, to benefit the Quinta de Guadalupe. Bishop Robert H. Brom and Auxiliary Bishop Gilbert E. Chavez, as well as the General Consul of Mexico, Luis Herrera-Lasso, will be the guests of honor. Herrera-Lasso will also give the keynote address. The evening will start with a reception at 6 p.m., dinner at 7 p.m. and will include a variety show, dancing and a silent auction. The Fiesta will be held at the Quinta de Guadalupe on 18th street in Imperial Beach. For individual reservations or to reserve a group table, call 420-5850.

Interfaith Prayer Vigil Decries Welfare Reform
"The Lord Hears the Cry of the Poor" was the theme of a prayer vigil held the evening of Thursday, Aug. 21, outside the federal building in downtown San Diego. The aim of the vigil was to sing and pray on behalf of all who are threatened with hunger and homelessness as a result of the implementation of welfare reform. The one-year anniversary of President Bill Clinton’s signing of welfare reform legislation was Aug. 22.

The vigil was organized by the Interfaith Coalition for Immigrant Rights, with speakers from various faith communities as well as those affected by welfare cuts who addressed those who had gathered.

Rosemary Johnston, who organized the event, said that despite the turnout of less than 15 people “it was important to do it. I felt that we needed to offer up prayer for the poor and the marginalized who, I think, were scapegoated by the welfare debate.” She pointed out that two-thirds of those on welfare are children and two-thirds of those are under 6 years old. “The goal of reform should be to end poverty,” she said, “not to end welfare.”
Kevin Enright was sworn in yesterday as a judge of the San Diego County Superior Court.

Enright, 44, of El Cajon, was named by Gov. Pete Wilson to replace Judge Jeffrey Miller, who was appointed to the federal bench. Enright had been a San Diego Municipal Court judge since 1995. He is a graduate of Stanford University and McGeorge School of Law.

Wilson also appointed Charles Gill yesterday to take Enright’s place on the Municipal Court. Gill, 44, of San Diego, is a partner with the law firm of Hecht, Solberg, Robinson & Goldberg. He is a graduate of San Diego State University and University of San Diego School of Law.
JUDGE PROFILE

Adrienne A. Orfield

Judge, Municipal Court, San Diego County Municipal Court District, San Diego County


Born: June 14, 1953; Memphis, Tenn.; Married, two children.

Interests: Enjoys travel and reading.

Admission: Admitted to California Bar 1979; to San Diego District Court 1979.

Courtroom Code of Conduct: Be courteous to everyone. This includes opposing counsel, parties, witnesses, the judge, clerk, bailiff and anyone else in the courtroom. Be prompt and be prepared.

Office Address: Main Courthouse, 220 West Broadway, San Diego, Calif., 92101-3877.

Office phone: (619) 531-3521.

Continued From Page 1A

ends up being a meth case.

Crystal can be snorted, smoked or swallowed but whatever the method the effect is the same. The user enjoys a brief rush followed by a period of heightened energy that can last for hours.

Unfortunately, it can also cause anxiety, paranoia, aggressiveness and convulsions. Crystal is also highly addictive, something Kurtiss said he knows from personal experience.

"I have a personal history of 21 years as a user, as one of the town's largest bibliographies on the subject," he said. "It's so easy to get into this because of the euphoria, the productivity and for many people, the weight loss."

Members of the legal profession, or any other field that requires bursts of peak performance, are especially vulnerable.

"I got lured into it many years ago writing appeals," Kurtiss said. "You can sit down before a keyboard and crank and crank and crank, so much so that you have to save a period of sobriety to do the editing."

"But it eventually gets to the point where you can't function without it. Quitting drugs was easy. Learning how to write a motion without them was hard."

After he graduated from the University of San Diego School of Law and joined the bar in 1992, Kurtiss used his knowledge of local conditions to find a unique niche.

"When I got my bar card I was staying at the Y, as I had spent myself broke getting through law school," he said. "While you're not allowed to solicit one-on-one for business, the U.S. Supreme Court has said you are allowed to solicit for pro bono work."

So Kurtiss handed out more than a thousand flyers in City Heights, offering six months of free legal services to the recipients. It proved to be fertile ground.

"In City Heights, you close your eyes and throw a stone and you're going to hit someone with an outstanding warrant," he said.

Besides, he didn't have a lot of other options.

"Back then, I didn't even have a car, so there wasn't any hope of applying to the public defender's office," Kurtiss said with a laugh.

Because the drug is relatively inexpensive — according to San Diego Police Department experts, current street price is around $50 to $75 a gram — as well as being extremely simple to manufacture, both ice and its users are easy to find.

"My clients for their most part are in their 20s and 30s, although I've had some interesting clients in their 60s," Kurtiss said. "One fellow used to go through a 'teener,' or one-sixteenth of an ounce of meth, a month."

"He'd live off that till his next paycheck. I had another lady who was a crystal addict that became addicted many years ago when the doctors were passing this out like candy."

Kurtiss said there was little federal government oversight of the manufacture of amphetamines until the mid 1970s.

"As a result, it's almost impossible to find diet pills on the street now, while meth you can find anywhere," he said. "But she got hooked on the diet pills back then and stayed hooked. So she's this roly-poly woman in her 60s who is going into drug diversion."

Unfortunately for his clients, the game is becoming a harder one.

"The treatment programs used to be almost phony," Kurtiss said, "Now, the diversion programs have tightened up and just about every treatment program is taking it more seriously than it used to."

But the traditional bane of a defense lawyer's existence remain the same.

"I hate showing up at felony disposition conferences as they're always going to offer me the same deal — they won't argue for prison time but will demand (a sentence of) up to a year in the county jail," Kurtiss said. "I can try these cases inside of a day, including picking a jury."

"The cops testify mechanically, I give my standard closing argument and the jury comes back and we get it down to simple possession."

While the highest sentence one of his clients has ever received was 270 days for possessing seven grams of meth, Kurtiss said the system is seriously flawed.

"These people are not people to the district attorney," he said. "They can't be."

"In order for the prosecutor to get up in the morning and do their job, they have to look at the defendants in terms of statistics. For me, my clients are people. Some of them are worth saving and some are not."

His biggest concern is the group society should be trying its hardest to save and educate.

"My fiancee used to run an Arby's and what I hear from the kids is positively frightening," Kurtiss said. "Their level of education is so low. Meth is real addictive and it's scary. You can put down your (marijuana) joint, have a good night's sleep and go into your math class with a clear head. You can't do that with meth."

Please Turn to Page 14A
Football’s no joke to USD’s ’Budman’

By Sean Kearns

University of San Diego defensive lineman Buddy Brown is the “Budman” — a self-proclaimed “free spirit.”

Brown has been described as “whimsical” by a teammate. Before a play, he’ll tell an offensive lineman where he’s going to go. Then he’ll beat him to the spot. These senior is the life and leader of the 1997 Toreros.

“I like having fun at what I’m doing,” said Brown. “We’re playing for fun. We’re playing because we love the game, not because some coach says we’re paying you to go out and play football.” (USD does not offer football scholarships.)

What’s amazing is that this free spirit has never been broken. There have been plenty of chances.

Four days after El Camino High School won the 1993 Division II CIF-San Diego Section title in football, Brown’s 44-year-old mother died of heart failure. During spring practice last year, his step-sister, 37, died of a brain aneurysm. Both people were an integral part of his life and both were gone before he was 21.

Somehow, even with his struggles, Brown still has found a way to remain the Budman, a nickname given to him in high school and now tattooed on his right arm.

“The way I see it, everything happens for a purpose,” Brown said. “I don’t think I should put my life on hold for something that happened in the past. You can mourn over something, but that’s going to keep me back.

“It’s still there. The feelings are still there. I still wish my mom was here. I still wish my sister was here. But life needs to go forward.”

But there’s a little more than just a fading car in the rear-view mirror of Brown’s life. He still holds images of his mother, Rugena, in the stands at a game with her megaphone cheering him on: “Let’s go, baby.”

After every practice, she was there. When her son got home from school, she was at home to make sure homework was done.

“She would never let me quit, no matter what,” Brown said.

Four years ago, she saw one game early in his senior prep season. Then she entered the hospital. Like mom always said, Brown didn’t quit. He played on Friday nights and then brought the tapes to the hospital for his mother to watch.

Three days before his mother died, they watched together the 24-14 win over San Pasqual in the CIF title game.

When Brown moved from Ocean-side to attend USD, his step-sister, Sherry Campbell, prepared home-cooked meals for the hungry student-athlete at her Mira Mesa home. The highlight was the chocolate chip-oatmeal-raisin cookies with about a 3-inch diameter that Brown scarfed down.

“I told her she should put them in a store and market them because they’re so good,” Brown said.

She entered the hospital with swelling in her brain in the spring of 1996. She died about a month later.

Brown wasn’t focused on school when he arrived at USD, and by his sophomore year he was having problems. But he pulled up his grades with the help of then-defensive coordinator, now head coach Kevin McGarry.

Now the history major wants to be a high school teacher as well as coach. He’s well on his way. For the past two track seasons, the former section champion in the discus has coached the throwers at USDHS.

On the football field, he has become a two-time Pioneer Football League second-team player. Last season he recorded 28 solo tackles. He had 38 the year before.

Even though Brown carries his 275 pounds on a 5-foot-9 frame, McGarry looks for him to be the Toreros’ big-play man on defense.

“Absolutely, without him we’re pretty soft,” McGarry said. “We’ve got other players, but he’s the one that holds it together.”

And in one week, the Budman will once again be calling his shots, crashing through the offensive line. The fans will roar, but one voice will be absent — one that screamed into a megaphone.

“(My mom) always used to call my name out,” he said. “That’s one thing I miss right now.”

Sean Kearns is a Union-Tribune intern.
USD football

Last season 4-6, 1-4 in the Pioneer League (tied for last in six-team league).
Head coach Kevin McGarry, second season.
Season opener Saturday, Azusa Pacific, 7 p.m. at USD Torero Stadium.

Offense The Toreros lost seven starters, four on the offensive line. At quarterback, senior Mike Doherty and sophomore Mike Stadler — who combined for 16 passes last season — are battling to replace John Khamis. With the two leading rushers gone from last season, McGarry points to inexperienced sophomores Matt Boggs and Damion Womack as the leading candidates for the tailback job. The other returning starters are second-team All-PFL wide receiver Dylan Ching, tight end Frank Brown and fullback Jared Keo.

Defense Three of four starters return on the line, led by senior and All-PFL second-teamer Buddy Brown (28 tackles and two sacks). The other starters are Lukas Smart (team-leading six sacks) and D.J. Walcott. All-PFL first-team defensive back Jeb Dougherty graduated, but the secondary returns starters Travis Dellinger (led returners with 55 tackles) and Elton Perkins. Sal Navarro, a 1995 All-PFL first-teamer at defensive back, is back after a year off to concentrate on studies.

Special teams All-PFL first-team kicker Tim Roth returns and should compete for the punting duties vacated by graduated Mike Buhler.

— SEAN KEARNS
Guys want dream to be fun

Our local guys have their own hoop dreams. The name of their team is Miss Elizabeth’s Fan Club. Yes, the team is named after Miss Elizabeth, pro wrestling’s sweetheart.

The four — Jerry Fike, 50; Ralph Mora, 48; Richard Paff, 52; and Bernard Balanay, 41 — have a unique perspective on sports. They have fun. The men use their summer vacations to play 3-on-3 tournaments across the country. Their latest sojourn was at Ludington, Mich.

“They’ve been competing for nine years and will play here in the upcoming Hoop It Up tournament in October. “Our team motto is you miss 100 percent of the shots you don’t take and don’t let basketball get in the way of a good trip,” Fike said. On this last trip, they even took their wives along for the first time. “We’re going to have a vote in a couple of months,” Paff said, “to see if we take them on the next trip.”

New-look Sports Arena

So you thought painting your house was a big job; imagine painting the Sports Arena. More than 5,500 gallons of mesa tan and blue paint are being splashed on the arena for a fresh look. This is the first time in 31 years the outside of the facility has been painted.

“We’ve put a lot into the arena to make it a better place for a family to visit,” explained Ernie Hahn, arena GM. Family is the key word in the Sports Arena’s future. With the departure of the Dockers, there are more family shows to go along with the Gulls and concerts. Upcoming shows include “Toy Story on Ice” and “Barney’s Big Adventure.”

The Sports Arena officials’ big adventure is hoping Italy can somehow upset Sweden so the Davis Cup finals will be here in November.

The King and the GM

The Los Angeles Daily News ran an item this past week about Elvis Presley’s days in L.A. in the early ’60s when the King would play touch football with his buddies every Saturday afternoon at Los Angeles Valley College in Van Nuys. Elvis and one-time actor pal Lance LeGault would often compete with a group of college and semi-pro players, including Bobby Beathard, LeGault said. “Elvis was 164 pounds and quick as a cat,” he noted.

Beathard, now general manager of the Chargers, remembers the games but has no recollection of Elvis. “Heck, I feel bad, but I don’t even remember the other guy,” Beathard said of LeGault.

Fan of year well-traveled

Many are worthy, but only one is chosen. The Padres’ fan-of-the-year award goes to Mark Silverman of Vista. Silverman will travel to 50 road games this season after going to 68 last year. He hasn’t missed a Padres home game since 1982, when his father died.

Silverman is self-employed in construction and sets his schedule according to the Padres.

“Don’t expect to see me on the job if the Padres are playing,” Silverman said with a smile.

Silverman was a catcher and played minor league baseball. Then he shatterered his leg sliding into third.

“My father took me to Lane Field when I was 5,” Silverman said. “I’ve been a Padres fan ever since.”

Silverman will turn 50 Sept. 1. He will celebrate his birthday — where else? — at a Padres game, the team’s first game in Seattle.

Going to the bench

Lou Gehrig has nothing on USD Iron Horse first baseman Jennifer Milo. Milo played every inning of every game during her four years at the school. She did the same thing at Laguna Hills High — making it eight years without missing an inning. This past season she led USD in batting for the third time with a .402 mark and topped the team in RBI (40), hits (70) and total bases (81). Fittingly, USD retired her number (44). She will stay on to be an assistant coach and will also begin student teaching nearby at the fifth-grade level.

“Softball has always been my first love and I’ve been very fortunate not to get hurt,” she said. “I don’t know what I would do if I had to sit on the bench. That’s why I’m a little worried about coaching.”

Last words

■ The 1997 Kung Fu Championships will be held Aug. 31 in Orlando and will be on pay-per-view for the first time. There are participants from 14 countries. For the United States, California will be represented in a number of categories. Cung Le of San Jose will be in the main event of Chinese kickboxing against Jason Yee. One tournament official said the group is interested in talking to ex-Chargers tight end Werner Hippler for future events. Hippler, who was cut last week, is a former national kickboxing champion in Germany.

■ San Diego Park and Recreation recently presented 20 volunteer-of-the-year awards. Christina Garcia was the youngest recipient. The 14-year-old helps out in pee-wee sports programs and craft classes at the Allied Gardens Rec Center.

■ Even though the NFL wants the city of San Diego to put all new blue seats in Qualcomm Stadium for the Super Bowl, the old brown seats still are a hot item being marketed by Hood Promotions Group, especially to out-of-town collectors. One in-town group just made a big purchase. The Old Globe bought a section of seats for the outdoor theater.

■ Thanks for all the kind messages the past week. After nine wonderful years in San Diego, I’m heading back to New Jersey with my own scorecard.
Egan's 60th

There will be quite a party in town on Friday. About 150 of Hank Egan's friends and family will help the former USD coach and current San Antonio Spurs assistant celebrate his 60th birthday.

Egan now lives in San Antonio, but has family in San Diego and will retire here. Egan's son, John, 35, is helping to organize the party from Colorado Springs.

Egan, always a taskmaster, has helped produce great basketball players and great people over the years. He often tells his players, "You may not understand why I'm doing this, but some day you will." He raised his children with the same words. Besides wishing his dad a happy birthday, John has this message: "I'm just going to tell him I now understand."
DIANE
BELL

City slicker, bronc buster
work it out

W
gen a top Republican
fund-raiser and a profes-
'sional rodeo rider plan a
wedding, there are bound to be
compromises.

Jean Andrews, who headed lo-
cal fund raising for the GOP Con-
vention Host Committee and now
is working on Dan Lungren's bid
for governor, wanted the cere-
mony to be in Solana Beach. Her
fiancé, Skeet Freelo, a cowboy
and computer engineer, longed
for his native Texas.

Compromise: Developer friend
Doug Barnhart flew in some Tex-
as dirt for them to stand on — in
Solana Beach.

The bride-to-be prefers a
champagne toast; the groom
wants shots of tequila. Compro-
mise: Tequila for the wedding
toast but lots of champagne —
and Texas Shiners beer — handy
for the less hardy.

She has hopes of gifts for trav-
el and recreation; he wants things
for the horses. Compromise:
They're registered at REI and
Mary's Tack & Feed. The attire:
He'll wear a cowboy vest and
Stetson hat. She'll exchange her
heels for cowboy boots.

The wedding is Saturday. And
the honeymoon? A week in the
Colorado wilderness for him, fol-
lowed by sun and surfing in Ha-
waii for her.

The check's in the mail

Someone stole outgoing mail
from Norris Bakke's Tierrasanta
mailbox, then altered and tried to
cash a check he'd written. The
culprit was arrested when a
Wells Fargo teller became suspi-
cious. Bakke figures it goes with
the territory. He's on the board
of the Crime Victims Fund.

Sign of the times

Local archaeologist Jackson
Underwood, a swimmer for 30
years at La Jolla Cove, rejoiced
when workers completed the six-
month remodel of the showers
nearby. Then he discovered that
S.D. is, indeed, a "navel" town.
Shower heads had been installed
at about waist level. A possible
reason became clear with a re-
cent sign: "Keep showers short.
We're short on water."

San Diegans Ink

Johnny Rodgers, one-time
Charger and publisher of the
short-lived Tuned In TV maga-
zine here in the early '80s, has
had his ups (72 Heisman Tro-
phy) — and downs (Ten years
ago he was sentenced to six
months for waving a gun at a S.D.
cable technician who disconnect-
ed his service for nonpayment).
Four years ago, the former Corn-
bucker re-enrolled at the U. of
Nebraska. He just got a degree in
broadcasting and advertising
(with a 3.75 grade-point aver-
age). Rodgers and his wife, Ja-
wana, now are marketing colle-
giate-logo bed linens through J.C.
Penney.

Imagine Norbert Stein’s de-
light. The Chula Vistan had just
picked up his new Toyota Camry
and was celebrating at a Chinese
restaurant when a fortune cookie
prophesied, "Your car will be
trouble-free for the next 40,000
miles."

Bits & Bites

Those cell phones sure do
come in handy. When Jean Karp
and Regina Hickey's golf cart got
mired in the mud on Hole 6 of
Mission Bay Golf Course, a pass-
ing motorist alerted the club's
staff to their plight via car phone.

The Society of Professional
Journalists is planning a "Bias
Free Language" seminar for re-
porters and editors this month.
It's to be in USD's Manchester
Hall. Interesting choice, MAN-
chester Hall!

To submit items, send e-mail
to: diane.bell@uniontrib.com;
call (619) 293-1518; fax to
(619) 293-2443, or write to: P.O.
Box 191, S.D., 92112.
Bank Of Commerce Promotes Riddle To Regional Vice President

Steve Riddle has been promoted to regional vice president of the La Jolla and Golden Triangle branches of the Bank of Commerce. Riddle will establish a retail/consumer and business banking environment. Riddle, who joined the bank in September 1995 as branch manager of the La Jolla office, was promoted to vice president in December 1996. He has spent 18 years with Glendale Federal Bank and was the marketing and sales manager for the bank's Del Mar Heights branch office. He currently serves as the branch manager for the bank's Mission Valley branch office. Bernardo is a graduate of San Diego State University.

The UnionBanCal Corp., the holding company of the Union Bank of California, is based in San Francisco. The Union Bank of California is the third largest commercial bank in the state with more than 237 branch offices and $30.3 billion in assets.

Money Minders
By Joley M. Cornett

Continental Escrow.

Gregg Carpenter, senior vice president and branch manager of J&H Marsh & McLennan, international insurance broker and benefits consultant, has been named chairman of the University of San Diego's Corporate Associates Program. The program was initiated in 1982 to recognize businesses, corporations and other organizations that provide annual support to the university.

Rick R. Bernardo has been named as a vice president of Union Bank of California.

Greg Etter has joined Pacific Commerce Bank as an assistant vice president and assistant manager of the bank's Center City branch office.

Etter has been in the banking industry for 13 years. He began his career with San Diego Trust & Savings Bank and served in a variety of positions from teller to loan officer for 10 years. Etter also served as a branch manager for First Interstate Bank's Rancho San Diego office. In addition, he also serves as the vice president for the Casa de Oro Business Association and as a board member for the Spring Valley Community Planning Group. Etter is a San Diego...
State University graduate with a bachelors degree in finance.

Debora S. Storm has joined Barney & Barney as an account executive for the executive risk unit of the company's commercial department.

Storm served as a senior underwriter for the department of financial institutions of Chubb Insurance Co. and as an underwriter in the directors and officers liability department for Cigna Insurance Co. She specializes in employee practices liability insurance, directors and officers liability insurance and other executive risk products.

Barney & Barney was established in San Diego in 1909 and has a staff of more than 115 insurance professionals and 12 principals.

Meetings And Events

Grossmont Bank is hosting a month long celebration to honor the grand opening of their new La Jolla branch office at 1127 Wall St.

The celebration began Aug. 4 and is scheduled to run through Sept. 5. The new branch office will serve refreshments daily and host drawings for a luxury weekend getaway for two in San Francisco. The bank will also hold weekly drawings for special La Jolla-oriented prizes such as a night at the La Valencia Hotel, dinner for four at George's as the Cove, two tickets to the La Jolla Playhouse, and more. All entries must be submitted at the La Jolla branch office.

In addition, customers who open a new business account before Sept. 30 will receive one year free business checking and a waiver of the merchant card set-up fee. And customers who open a new personal account before Sept. 30 will receive basic checking with no monthly maintenance fee for a year.

The new La Jolla branch office will be open from 9 a.m. to 5 p.m. Monday through Thursday and from 9 a.m. to 6 p.m. on Friday. On-site parking is available. Call 551-2800 for more information.

SkillPath Seminars will host a customer service workshop on Aug. 20 at the Holiday Inn in Mission Valley from 8 a.m. to noon and from 1 p.m. to 5 p.m.

The seminar is titled "The Essentials of Excellent Customer Service" and will cover such issues as how to make every customer feel important, how to deal with angry customers, how to deal with customers who aren't fluent in English, and more.

Admission is $59 for the half-day seminar. Call 1-800-873-7545 for more information.

cornett@sddt.com
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*This table reflects the full-time programs for the year 1996-97.*

- **Rank:** The ranking is based on the number of students enrolled in the full-time programs.
- **Type of Institution:** NA (Not applicable), WSC (WASC), CBE (Community Board of Education), ABA (American Bar Association).
- **Major Disciplines of Study:** Business, accounting, public administration.
- **President/Dean of Admissions:** Listed for each institution.
- **Year:** The year the information was published.

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**Source:** The information was published by Nevada Smith on May 19, 1997.
SAT Scores Rise, but Trouble Spots Remain

Education: California's test-takers are enrolling in fewer college prep courses than the national average, official says.

By ELAINE WOO and DOUG SMITH
TIMES EDUCATION WRITERS

Scores on the SAT, one of the nation's key barometers of academic fitness for college-bound seniors, show that math achievement is up 3 points, reaching the highest level in 26 years. But results of the verbal test showed no growth—perhaps because high school students today take fewer English courses than they did a decade ago.

The nationwide average for exams taken during the last school year was 511 in math and 505 in verbal ability, according to the College Board, the private New York-based group that sponsors the college entrance exam.

In California, the overall news was generally good. Last year's seniors, in both public and private schools, averaged 514 on the math portion of the exam, surpassing the previous year's class—as well as the national average—by three points. The verbal score rose one point to 496.

State Supt. of Public Instruction Delaine Eastin said she was pleased by California's progress. Of concern, however, were figures suggesting that California seniors may not be as well-prepared for college as their counterparts across the nation. Only 31% of California seniors took at least 20 college preparatory courses, compared to 35% nationally.

Please see SAT, A22

SAT Trend Sheet
How state scores compare to the national averages:

- **VERBAL**
  - SAT scores
  - 520
  - 510
  - 500
  - 490
  - 480
  - 470

- **MATH**
  - SAT scores
  - 520
  - 510
  - 500
  - 490
  - 480
  - 470

Source: California Department of Education
SAT: Scores Rise in State

Continued from A3

trated with 43% of those taking the Scholastic Assessment Test nationwide.

"We are making some progress on course-taking, but we are failing to close the gap between California and the rest of the nation," said Eastin, who has tried, so far unsuccessfully, to pass legislation that would boost high school graduation requirements.

In the Los Angeles Unified School District, scores inched upward—to 432 on the verbal SAT and 452 in math. Despite the gains, Los Angeles seniors remained well behind those across the state and nation, and still failed to regain the level of the 1991-92 school year, when a sharp decline began.

School officials responded guardedly to the improvement, which they characterized as only a small step on the road to parity with the state and nation.

"It's continuing a two-year upward trend, which we find to be very hopeful ..., but the scores are still low," said district spokesman Brad Sales.

Sales said Supt. Ruben Zacarias, who was out of town, "has made it clear he wants to see students enrolled in tougher academic classes and he wants to see them succeeding. We hope that would help us catch up."

The scores, however, only reflect the performance of those high schoolers in the district who took the college entrance exams. And a downward trend in the number of Los Angeles Unified students taking the test continued. There was no immediate explanation for the dip from a high of 11,329 in 1992-93 to 10,995 last year. Ninety-two fewer seniors took the test this year than in 1995.

District math scores improved the most, up from 449 to 452, while verbal scores advanced only from 431 to 432.

Across Los Angeles County, the combined scores on the two portions of the exams climbed 6 points to 963, with the largest gain a 4-point jump in math, said Jim Parker, spokesman for the Los Angeles County Office of Education.

The 78,403 students in 52 districts who took the test, including those in Los Angeles Unified, had a mean score of 469 on the verbal portion, up 2 points, and 497 in math.

Including a 9-point increase last year, the combined countywide score has gone up 15 points in two years.

Los Angeles, like California as a whole, presents a far different profile than much of the rest of the nation in terms of who takes the SAT. Both state and local education officials noted these differences—California has twice as many test-takers whose primary language is not English as does the nation, for example—in explaining why local scores may not compare favorably to those in other states.

Yet Michael Kirst, a Stanford University education professor and co-director of the nonprofit think tank Policy Analysis for California Education, said California's scores are in a stable period, lacking the huge fluctuations that characterized the 1970s and 1980s.

What is encouraging, Kirst said, is that the proportion of California seniors taking the exam has climbed—from 30% in 1971 to 41% today. Although that rate is lower than in other large industrialized states—in New York, for instance, 74% of high school graduates took the test—California's progress is "really heartening," he said. "It indicates higher aspirations."

On Advanced Placement tests, meanwhile, California's impressive track record continued. The state had a 64.3% pass rate on the tests, better than the national average of 62.9%. Students who earn a 3 or better on a scale of 1 to 5 often qualify for college credit.

Nationally, a record 32% of students who took the SAT exams were minorities, the College Board said. That represents a 10-point gain from 1987.

Over the last decade, the biggest gains in SAT scores were made by Asian Americans. Their verbal scores rose from 479 in 1987 to 496 this year, while their average math score rose from 541 to 560. Latinos showed little progress, and the scores of Mexican American students actually have declined over 10 years, from 458 to 451 on the verbal exam. Mexican American students improved in math, however, with their average score rising 3 points to 458.

Among black students, verbal scores have risen 6 points over the past decade, from 428 to 434, while math scores have jumped 12 points to 423.

The College Board report also showed a wide gap in achievement between public and private schools. In California, for instance, parochial school students averaged 526 on the verbal portion of the exam and 518 in math, while students from other private schools averaged 574 on the verbal exam and 582 in math. Those scores were as much as 84 points higher than the public school averages.

Although girls consistently earn higher high school grades, their SAT scores continue to lag behind boys', with the gap reaching 36 points in math and 4 points in verbal skills.

Critics of the SAT were quick to leap on this disparity as evidence of continuing gender bias on the exam.

"The College Board has still failed to get the message that gender bias is wrong and illegal," said Bob Schaeffer, a spokesman for the National Center for Fair & Open Testing in Cambridge, Mass.
Community colleges earn respect and rising funds

SACRAMENTO — These are high times for California’s community colleges, the lovable but powerless pandas of the education world.

Money is pouring in for the second year in a row, up 11 percent in the new state budget, thanks to the reviving California economy and the Proposition 98 funding guarantee for schools.

It’s being called "the single largest increase in the history of the community colleges" by the Faculty Association of California Community Colleges, a policy lobbying group.

Enrollment is soaring, up 100,000 over a two-year period. Some think the increase is due to the return of courses dropped during the recession and the elimination of higher fees for students who already have degrees.

As if that weren’t enough, now the policy-makers in Sacramento are treating community colleges like a newly discovered asset:

"Smack! (Hands hitting foreheads.) We’ve got this system with 1.4 million students at 106 colleges in 71 districts — maybe it can help solve some problems.

The state budget will give community colleges $64 million to aid the ambitious federally required welfare-to-work program, which must find jobs for about 450,000 California welfare recipients during the next five years.

And the month-late budget, if enacted as proposed, will contain $25 million for community colleges to design instruction programs to train people for jobs that local businesses want to fill.

In general, community colleges in California tend toward a very human, angst-ridden mixture of pride and hand-wringing.

A recent study shows that, on average, a holder of a two-year community college degree, three years after graduating, is paid 132 percent more than the typical high school graduate.

But the state’s community college funding, $3,500 per student, is about $1,000 below the national average. Money for construction is scarce, causing expansion into storefronts and other unconventional locations.

Many colleges rely on part-time instructors, the “freeway fliers” who must hold more than one job to get by. They have little if any time to spend with students after class.

The sprawling San Diego Community College District has 50,000 students on three campuses taking courses that can lead to degrees.

At six continuing education centers, another 50,000 students take courses in English, high school completion and short-term job training.

District officials have a firm count of 4,400 students on welfare. But they believe the total could be 10,000 or even more.

Augie Gallego, the San Diego district chancellor, says too little of the $64 million budgeted for expanded services to welfare recipients is earmarked for instruction.

He said all but about $6 million goes for child care, transportation, job placement, counseling and other things.

“We could incorporate more students,” Gallego said. “How many? It’s hard to say.”

Community colleges have little clout in Sacramento. Unlike UC and CSU, community colleges were included in the Proposition 98 funding guarantee along with kindergartens through high school, mainly because the teacher unions that backed the measure have members in both systems.

But it’s a mixed blessing. The funding guaranteed by Proposition 98 is split between K-12 schools and community colleges by a ratio that can vary each year.

The community college share dropped to less than 10 percent from 11 percent as money was diverted to keep K-12 funding from shrinking during the recession.

Now community colleges are pushing legislation that would increase their share to 10.6 percent from 10.3 percent.

“The 1,000-pound gorilla is K-12,” said Patrick McCallum, a lobbyist for community colleges. “We are the panda bear that everyone loves.”

ED MENDEL is Sacramento bureau chief for the Union-Tribune.
A better solution

*Improve education opportunities for minorities*

Under a system of racial and ethnic preferences, UCSD's School of Medicine last year enrolled three black students and 16 Hispanic students, out of an entering class of 122. This year, with racial preferences abolished by the UC Board of Regents, no black students and only five Hispanic students made the cut.

To some, this calls for reimposing preferences in order to manipulate the racial and ethnic makeup of the med school's enrollment. That, in fact, is what preferences are all about — tilting the scales to achieve a predetermined outcome. Sacrificed in the process, of course, is the principle of equal opportunity based on individual merit rather than on one's complexion or ancestry.

No one can be proud that UCSD's med school will have no black students in this fall's entering class. Nor, for that matter, should anyone have been proud that a grand total of three blacks were admitted under the old system of racial favoritism, which artificially curtailed the enrollment of Asian and white applicants.

But the reality is that preferences in UC admissions are a thing of the past. That's true not only because of the voters' approval of Proposition 209, but also because the U.S. Supreme Court has rightly held that such overt discrimination violates the 14th Amendment's guarantee of equal protection under the law.

How, then, do we solve the problem of poor representation by some minorities on UC campuses?

The solution is to improve the educational preparedness of black and Hispanic students who are tragically disadvantaged not by their race or ethnicity, but by wretched inner-city schools.

To be more specific, the proposed charter high school for disadvantaged students at UCSD is one very promising way to enhance the educational competitiveness of inner-city students. Sadly, the school will become a reality only if it overcomes the opposition of faculty members who initially rejected it in a campus-wide vote.

Other, more-sweeping reforms also are needed to expand educational opportunities for disadvantaged students. They include, along with robust charter experimentation, vouchers to give poor students access to private schools and higher academic standards across the board in public schools.

Granted, this is no shortcut to boosting minority enrollment. But the shortcut of racial and ethnic preferences is plainly unconstitutional, not to mention patently unfair to anyone deemed to be "overrepresented" due solely to his skin color.
SACRAMENTO — For California’s underfunded public school system, the last two years should have been a time to catch up—or maybe ketchup, if you are into the new spelling.

The economy has been climbing out of the recession, bringing in new tax revenue that has poured into schools under the guarantee in Proposition 98. The new state budget signed by Gov. Pete Wilson last month gives schools a 22 percent increase in state general fund support over the last two years.

After several years of freezes during the recession, state general fund spending on schools has bounced back. In the fiscal year that ended in June of last year, it was $17.8 billion. It’s $21.8 billion in the new state budget. When you add the local and federal share, total spending on schools went from $32.5 billion to $37.4 billion during the two-year period, up 15 percent.

That seems like a lot in an era of low inflation, even for a rapidly growing system with 5.6 million students. And yet, what California spends on its schools is still well below the national average.

California will spend $5,151 per pupil this year, compared to the average of $6,000 among all states. States such as New York and New Jersey spend about $10,000 per student.

The new budget is expected to boost California’s rank in spending per pupil from 41st among all states to about 37th.

Of course, it wasn’t always this way. A generation ago, during the 1960s, California was spending nearly 20 percent above the national average and ranked 5th in spending per pupil.

But in a slow downward spiral that began before the passage of Proposition 13, the landmark property-tax cut in 1978, the state steadily weakened its commitment to school funding.

Now the big school-funding increases of the last two years, driven in part by quirks in the Proposition 98 formula, are not likely to continue.

Moreover, Wilson will mount a renewed push for a major tax cut next year. Democratic legislators rejected his previous proposals for an income-tax cut, saying money would be taken from schools.

But pressure for a tax cut is growing. Some think the state may have a “surplus” of $5 billion or more next year, thanks to a growing economy and the full repayment this year of $1.3 billion owed a pension fund.

How Wilson will structure his new tax-cut proposal remains to be seen. But there are some innovative ideas he could consider, including a tax cut that aids education.

One version is being pushed by the American Education Reform Foundation, founded by John Walton of National City, a Wal-Mart heir. The foundation was interested in school vouchers, a plan to give parents taxpayer-paid certificates to choose schools on the free market.

Voucher advocates say private and parochial schools, operating on low budgets in troubled inner-city areas, routinely produce better students while also emphasizing morals, discipline, and a safe school setting.

At first, Walton’s foundation explored an improved voucher initiative after voters overwhelmingly rejected a voucher plan in 1993. But now the foundation has relocated to Indianapolis and advocates tax credits for families with children in school.

Minnesota approved a foundation-backed plan this year that gives parents expanded tax deductions for tutoring, books, computers, school transportation and more. Families earning less than $33,500 are eligible for refundable tax credits of $1,000 per child, with a $2,000 limit per family.

“I think that is the wave of the future for the school choice movement,” said Kevin Teasley, the foundation president.

With fourth grade reading scores among the lowest in the nation, and limited school funding, California needs to catch up by grabbing a wave of some kind.
Private colleges are losing their elite edge

More rich families enrolling children in public universities

By Peter Passell
NEW YORK TIMES NEWS SERVICE

The nation’s public four-year colleges and universities, long the backbone of economic opportunity for moderate-income Americans, are increasingly serving the economic elite, who as a group no longer put so high a premium on private education.

The proportion of students from rich families sending their children to public universities has risen sharply in the last 15 years, according to data to be published next month by Michael McPherson of Macalaster College in St. Paul and Morton Schapiro of the University of Southern California.

The two economists estimate that 38 percent of the college freshmen from families earning more than $200,000 a year enrolled in public institutions in 1994, compared with 31 percent in 1980.

Those findings are underscored by recent studies in Minnesota, Florida and Oregon showing that students in four-year public institutions come from wealthier families, on average, than their counterparts in private colleges and universities in those states.

The gentrification of public colleges accents what Tom Kane, an economist at the Kennedy School of Government at Harvard Universi-


ty, calls "the simmering crisis" in education finance. And it is a crisis carrying its full share of questions about fairness.

While the demand for higher education is widely expected to rise by a third in the next decade, there is little indication that state legislatures are prepared to come up with the greater subsidies to support the extra students at the public institutions.

If across-the-board tuition increases are used to fill the gap, McPherson argues, "the poor will bear the brunt," because an even higher percentage of places in four-year public colleges will be filled by students whose parents could have paid the full cost of their education.

This, in turn, will tighten the financial noose on private colleges that depend on affluent families to pay a disproportionate share of the institution's bills.

"Parents are buying college the way they buy consumer goods," concluded Schapiro, co-author of the forthcoming "Student Aid Game" (Princeton University Press).

"They're saying to themselves, Why pay full tuition at Stanford when you can get almost as good an education at Berkeley for one-third the price?"

Economists and educators suggest that the findings challenge the underlying logic of the way public higher education is priced.

With strong support from taxes, most public institutions charge uni-

form fees to all. But many experts argue that one-tuition-fits-all pricing unfairly burdens taxpayers and hard-pressed middle-income students alike.

The better way, they assert, would be to charge on a sliding scale according to family income, long the approach of private colleges with strong commitments to equitable access.

It has long been conventional wisdom that public higher education is the way up for the hard-working children of low- and moderate-income families, while the affluent enjoy the perquisites of private college.

In fact, the numbers show how much these demographic lines are blurring. One reason is the price of private education.

Another reason is the shrinking difference in perceived quality between private and public education, given fine state-financed flagship campuses from San Diego to Ann Arbor to Chapel Hill.

And the consumerist approach to picking colleges has been psychologically validated by heavily publicized college rankings that factor in price as well as quality, giving new prominence to institutions like the State University of New York at Binghamton.

Recalculating all their numbers in terms of 1994 dollars, Schapiro and McPherson found that the proportion of families with incomes exceeding $200,000 that sent their children to the best public research-oriented institutions — places like Indiana University and the University of Wisconsin — rose from 19.6 percent in 1980 to 24.6 percent in 1994.

Equally striking, the upper middle class has discovered the relative virtues of second-tier public four-year colleges, like those in the California State system, that compete with less selective private institutions.

The proportion of families with incomes between $100,000 and $200,000 that enrolled freshmen in these public colleges rose from 15.5 percent in 1980 to 20.1 percent in 1994, adding to state education costs and depriving private colleges of the students who could be expected to pay full price.
Generous Tax Relief On Tap For Parents Of College Students

By JAMES WELSH
Newhouse News Service

By now, all parents probably have heard the horror stories about the cost of higher education. Things have gotten totally out of whack.

According to the latest annual report published by The College Board, the average cost of a four-year public university education hovers around $9,649 per year. Want your kid to have the prestige of a private university education? Then be prepared to pay more than $20,000 a year.

Things aren't getting any better, either. College costs are inflating by 5 percent to 6 percent annually, far above the overall inflation rate of about 3 percent. Small wonder America cheered when Congress rolled out the Taxpayer Relief Act of 1997 early this month.

The new tax law doesn't provide a panacea. College costs still will be an expensive burden. But the tax code changes can help whittle down the cost of higher education, particularly for middle-class families with more than one college student.

The most notable provision is the Hope Scholarship Tax Credit. It provides a 100 percent tax credit against a portion of college costs for parents sending their children to school.

Here's how it works: Parents can claim a full tax credit up to $1,500 per year for each child in college.

There are catches, of course. First, the Hope Scholarship credit can be taken only for the first two years of college. Second, the credit can be taken only for costs directly related to tuition, fees and books. It can't be used for room and board.

Third, Hope Scholarship credits are reduced by any amounts of grants, other scholarships or employer-paid assistance a student receives. You can't double-dip by claiming the tax credit and receiving grants or scholarships at the same time.

College costs after freshman and sophomore years can be offset by another new provision, the Lifetime Learning Credit. It can be claimed for upperclassmen, as well as older people going back to school to acquire new job skills or polish old ones.

The Lifetime Learning credit is a 20 percent tax credit on the first $5,000 of tuition expenses each year. In 2003, it increases to 20 percent of the first $10,000.

For Lifetime Learning, the rules are much the same as with the Hope credit. It applies to costs of tuition, fees and books, but not to room and board. It's also reduced by the amounts of grants or scholarships received.

The Hope credit can be applied on tuition paid after Dec. 31, 1997, and the Lifetime Learning credit applies to tuition paid after June 30, 1998.

Families in higher-income brackets may not qualify for the credits, however.

Both Hope and Lifetime Learning credits begin phasing out for single earners making more than $40,000 per year and married couples making more than $80,000 per year.

Even with its limitations, the Hope Scholarship credit can be a lifesaver for working families with college students. Consider the benefits to a family with two college students: During their first two years of higher education, the parents are eligible for tax credits worth $6,000.

Two other provisions of the new law make Individual Retirement Accounts more education-friendly.

The first creates the Education IRA, a new concept that lets parents put up to $500 per year into an IRA for college savings for each child.

The annual IRA contributions aren't tax-deductible. However, earnings in the account grow tax-free, and there's no tax due on withdrawals from the accounts when the students start college.
Vatican Sets New Rules For Debates On Doctrine

By CELESTINE BOHLEN

ROME, Aug. 29 — Bowing to what it called “the heightened sensitivity” of contemporary thinking, the Vatican has issued new rules for handling doctrinal debates within the Roman Catholic Church, setting down clear guidelines for how dissident theologians can defend their views.

The new rules, officially approved three months ago and released today, give Catholic scholars and theologians the right to a Vatican-appointed defender who will help determine whether or not their views are erroneous or even heretical. They can also select their own adviser to take part in doctrinal examinations, and involve their local bishops in the proceedings.

The new guidelines appear to be an attempt by the Catholic Church, which maintains its centuries-old tradition of a strictly hierarchical interpretation of doctrine, to answer criticism that it has been too arbitrary and too secretive in judgments of dissident theologians in the past.

“To me this sounds like a reasonable response to those criticisms,” said the Rev. James A. Wiseman, chairman of the theology department at Catholic University in Washington.

The Vatican hailed the new procedures today as a step toward greater openness in a process that has its roots in the Inquisition, and that as recently as this year led to the excommunication of a Sri Lankan theologian.

“An important point is the total transparency of the regulations and the added guarantees they provide” for the accused, said Dr. Joaquin Navarro-Valls, chief spokesman for the Vatican.

But critics within the church said the new guidelines — the first issued since 1971 — will change little in a procedure that is still heavily weighted against those who challenge church doctrine, as interpreted by the powerful Congregation of the Doctrine of the Faith.

The congregation, headed by Jozef Cardinal Ratzinger, a conservative who has spearheaded Pope John Paul II’s campaigns to rein in dissident views within the church, still keeps the right to select not only the defender of the accused, but also the experts called in to judge their work.

“The guarantees for the author’s defense are not expanded in any significant way,” said the Rev. Charles E. Curran, an American priest who was stripped of his right to teach Catholic theology in 1986 after a seven-year inquiry into his views on the church’s teachings on contraception, homosexuality and other issues of sexuality.

“The update of the 1971 procedures is cosmetic at best,” said Father Curran by telephone from Southern Methodist University in Texas, where he is a professor of human values. “The fundamental problems remain. The congregation controls everything: it is lined up to be the judge, the jury and the experts.”

The new guidelines outline an intricate procedure that begins with an inquiry into works that appear to contain “grave doctrinal error.” After experts have examined the texts, a defender is appointed whose task is to illustrate “the positive aspects of the teaching, and the merit of the author.”

In an explanatory note issued today, the congregation said the new process is so elaborate, involving so many people, that “it is impossible to accuse the procedure of haste or superficiality.”

But in extraordinary cases where the writings are “clearly erroneous,” and contain views that could cause “grave harm to the faithful,” the rules say the congregation can bypass the procedures. In such cases, the congregation, acting with the approval of the Pope, can require a correction from the wayward author in the space of two months.

If no correction is forthcoming, then the congregation can proceed to declare excommunication — the sentence that was handed down this year to the Rev. Tissa Balasuriya, a Sri Lankan who had written books challenging Catholic doctrine on original sin, the unique role of Jesus Christ as Savior and the traditional Catholic image of the Virgin Mary.

That case was widely criticized for the harshness of its final verdict. In most other well-known cases during the last 20 years, the congregation has barred dissident theologians from teaching theology, without stripping them of their right to remain within the church or even carry on as priests.

Cardinal Ratzinger himself had called for a revision of the rules several years ago, but in the explanatory note released today, the Vatican acknowledged that its new guidelines were an attempt to respond to outside criticism.

Maintaining that the old “safeguards” were “unquestionably sufficient,” the congregation noted that they had been significantly expanded “in consideration of the heightened sensitivity in this area characteristic of contemporary thinking.”
Privacy Rights Handbook Brings Privacy Advocates Into Your Living Room

By CATHERINE BLAKE
Daily Transcript Staff Writer

Although Big Brother may not be installed at the back of your television screen, he is slowly creeping out of your telephone, e-mail and credit card account. And there is very little the average Winston and Julia can do to stop him.

However, there are many ways to thwart the invisible invasion of privacy that most people don't even consider, said Beth Givens, the founder of a San Diego organization called The Privacy Rights Clearinghouse.

The Clearinghouse and Givens have just recently published "The Privacy Rights Handbook," an all-inclusive look at how zealous privacy intruders, driven by ever-increasing profit margins, have overwhelmed our anachronistic privacy laws and what consumers can do to protect themselves. Laws protecting privacy are no different then they were in the early 1970s.

"When you get down to it, almost all privacy abuse has its roots in the fact that information technology has advanced so fast that laws haven't kept up with it. And they just can't," Givens said. There is no federal law protecting the confidentiality of medical records, and there is no mention of privacy in the Constitution.

To counter-balance this, the book and the organization have as its mission statement the purpose of educating and advocating for personal privacy. And judging from the public response, the organization is an important and much-needed resource for people with questions and complaints.

In 1992, the Clearinghouse opened a toll-free hotline and inundated with more than 10,000 calls a year. Although the toll-free number is no longer in existence due to funding constraints, the organization continues to field inquiries from all over the country.

"At the beginning, the No. 1 issue was junk mail, and now it's identity theft," Givens said. And identity theft can start from three simple pieces of data — name, address and social security number. Items of information that are increasingly easy to access.

"We've heard of cases where somebody is hired as a temp, like in a bank, and all they do is download personnel files. The temp then sold the information to a primary, and the people in this corporation one by one started experiencing identity theft. And believe it or not, the personnel department knew about it the whole time, but they didn't want to alarm the employees so they never told them," Givens said.

However, violations of privacy, according to Givens, increasingly come from an infrastructure much more significant than dishonest temporary employees.

"The information vendors, like Lexis/Nexis and IRSC are an even bigger factor," Givens said. "They go all over the country at the county, state and federal level and they purchase databases of personally identifiable records. And then they become a central clearinghouse for all of the public records data. Ironically, it's the private sector that's becoming the Big Brother, not the government. Government agencies are actually going to the private sector to retrieve a lot of that information. We have law enforcement, like the FBI, using the databases of these companies quite heavily. It helps them do their work."

According to an article in this week's edition of Time magazine, at least one-third of all Fortune 500 companies regularly review health information from these public databases before making hiring decisions. Givens said even celebrity stalkers can use the databases to find out "for instance where Daryl Hannah lives and owns property." Banks can use them to screen the people who receive loans, and insurance companies can weed out those who may be in high-risk categories.

According to Givens, these ever-increasing databases need to be regulated.

"I think what is needed is a regulatory scheme. We don't have fair information practices guiding the use of this information. I have a right to know what the databases have on me, who has seen it and if there are any mistakes in the record, how to correct them. The information industry is fighting that very ferociously. They don't want to be regulated."

Informing citizens about these problem, and providing ways to mobilize interested people is the main goal of both the book and the organization.

"We want to actively advocate for legislation — to affect public policy. We want to create, not necessarily more law, but more opportunities for consumers to have control over what's done with their personal information."

"People need to know that every time they fill out a product registration card, a sweepstakes, a survey, that someone has information on them. They should know enough to decide if they want to do it or not and what the consequences are," Givens said. "Some people love to fill out those things because they love getting targeted junk mail based on what they check off. But there aren't many like that."

"Please Turn to Page 2B"
Continued From Page 1B

The real problem according to Kevin Kelly, executive editor of Wired magazine, as quoted in Time, is not that there is too much information out there, but that the relationship between the people involved is asymmetrical.

"The way Kelly sees it, there was no privacy in the traditional village or small town; everyone knew everyone else's secrets. And that was comfortable. I knew about you and you knew about me," said Joshua Quittner in Time. "Now we don't have any idea who knows what about us."

According to Givens it is not easy to find out who knows what. People need to be, and increasingly are, proactive about their own security. "You have to be vigilant," she said.

Californians are probably the most vigilant of all the states. "We have more people with unlisted phone numbers than any other state," she said. As a state, 50 percent of the people have unlisted numbers, while San Diego and Los Angeles both have a 70 percent unlisted rate.

"I don't know why that is," Givens said. "Maybe because there are lots of famous people. Or because people moved west to get away from the relatives who they don't want to be able to contact them."

California has a specific privacy clause in its constitution and is one of only a few states to have an agency like the Privacy Rights Clearinghouse.

The agency was originally funded by a six-year grant for as much as $250,000 a year from the California Public Utilities Commission for the Center for Public Interest Law at the University of San Diego. The purpose of the grant was to establish a consumer-awareness program about privacy and to reach out to people who were victims of abusive and deceptive marketing. "California spearheaded it and now other states are doing it as well."

Givens said there is now a similar type of fund in Wisconsin and Pennsylvania.
To Some Catholic Thinkers, Advertising Business

Can Be Sinful

By KAREN R. LONG
Newhouse News Service

Business executive Joseph Mallof asked an audience of advertising critics recently to consider the Nike "I am Tiger Woods" television spot.

"All those different little kids saying, 'I'm Tiger Woods. I'm Tiger Woods.' Doesn't that give you a small thrill? I'm proud to be a part of that promotional industry," said Mallof, president of S.C. Johnson & Son, Inc. The company makes insect sprays and household cleaning products.

But glimmers of uplift were the exception at the ethics seminar where Mallof spoke. Most of those at the Dayton, Ohio, gathering focused on global marketing's moral downside.

"The whole notion of ethics in advertising — some of our more cynical friends might say — is an oxymoron," said Brother Ray Fitz, president of the University of Dayton. "But we must try to bring a tradition of moral discourse into the very important arena of advertising."

Sister Angela Ann Zukowski, a top adviser to the Vatican on media, told the University of Dayton seminar that advertising is "a relentless hammer to bash our heads in, to replace all that is best and truest with the instant and the most profitable. The whole world must be kept in a constant state of dissatisfaction." She added flatly: "Communication which deliberately sets out to exploit human weakness for profit is in every sense a serious sin, an affront to God and humanity."

The Vatican is concerned enough with the moral erosion it associates with advertising that three cardinals have asked Zukowski about visiting the United States to meet with advertising executives on industry ethics.

Zukowski, president of Unda-World, the international Catholic association for broadcasters and communicators, plans to construct a Web site to build a study guide to teaching about such ethics.

Much of this gets a chilly reception from the advertising community. There were few compliments earlier this year for the Pontifical Council on Social Communications when it released "Ethics in Advertising," a 35-page document Zukowski helped draft.

"I think it is more of the kind of lecturing authoritarian nonsense that will put people off, particularly young adults, and I think that's a shame," Martin Macdonald, managing partner at WestWayne, Atlanta, told Advertising Age.

And Donny Deutsch, CEO of Deutsch, New York, said, "I think the Catholic Church has enough problems, and they shouldn't be worried about advertising. They should stick to religion, and we'll stick to advertising."

Responding to Deutsch's remarks, the Most Rev. Carl K. Moeddel, auxiliary bishop of Cincinnati, declared: "Whenever the reaction is 'The church should stay out of this,' what it always says to me is the church should have become involved much sooner.

"We need to do what we did," Moeddel continued. "We produce a document that lifts up our principles and values, then we incorporate that into what all our institutions and agencies do. Finally, we acquaint as many Catholics as possible with this document so the church — the Catholic people — bring these values into the institutions where they work."

F. Byron Nahser, president of Nahser Agency/Advertising in Chicago, is deeply concerned about the avalanche of marketing to children. It grew 50 percent from 1993 to 1996, reaching $1.5 million in ad sales, according to Competitive Media Reporting.

Nahser, who is executive in residence at DePaul University, quoted author and clinical psychologist Mary Pipher: "No one ad is so bad. But the combina-
tion of 400 ads a day creates in children a combination of narcissism, entitlement and dissatisfaction.”

Leslie Savan, author of “The Sponsored Life,” says if one counts all logos, labels and announcements, the average individual encounters 16,000 ads each day. Nahser noted that the average American child has her own entry in the massive data banks of marketers by the time she is 12.

The fallout includes families who live with relentless whining for a trip to McDonald’s and parents unable to find children’s underwear free of cartoon characters and logos.

Mallof and Ron Bess, president of the Chicago-based ad agency Foote Cone and Belding, agreed child-marketing requires more scrutiny and care. But Bess said the Vatican was unrealistic in hoping advertisers would trade only in facts, and leave out desires.

“Our view is that instincts and emotions are part of human nature, part of what makes us respond,” Bess said. “We use images that appeal in emotional, not just rational, ways.”

Zukowski, who said advertising is taking over global cultural narratives, recalled how her niece spent Christmas two years ago in a blizzard of Disney’s “Lion King” products.

“She got the dress, she got the hat, she got the shoes, video and books,” Zukowski reported. “She got the characters as stuffed dolls in different sizes. When I didn’t know the name of one, she asked me if I knew anything.”

A new wave of products, and story lines, accompanied Caitlin through “The Hunchback of Notre Dame,” “Cinderella,” and now “Hercules,” Zukowski said.

Nahser said some marketers to children are pushing questionable items. One is Hotlix, a California candy company, that sells a margarita-style treat that comes with salt and a tequila-flavored pop with an edible worm inside it.

In his own career, Nahser said he has rejected work he found unethical three times.

One was a veal company that kept calves in such terrible conditions that Nahser’s company gave up the account. Another was a coffee-whitener promotion that, Nahser concluded, was pushing junk. The third was Nylant Toys Inc. of Rockford, Ill., which wanted an “Apocalypse Now”-type campaign to promote its new military toy helicopter.

“I wouldn’t do a blow ‘em up commercial. I kept trying to get them to change it to a medical helicopter,” Nahser said.
Bernard J. Goodbody, who continued his family's legacy in the mortuary business as manager for nearly 40 years of Goodbody's El Cajon Boulevard chapel, has died. He was 72.

Mr. Goodbody died of pancreatic cancer Aug. 7 at Sharp Memorial Hospital in Kearny Mesa.

He left mortuary management in 1983 to earn a master's degree in counseling at National University and lectured throughout the community on death and grief-related issues until shortly before his death.

A San Diego native, Mr. Goodbody excelled as a college athlete and worked in the dairy industry before joining the family business full time in 1946. His parents founded Goodbody's Ivy Chapel, the first of two Goodbody mortuaries, in downtown San Diego in 1920.

When the family opened its second mortuary in 1946 at 5027 El Cajon Blvd., Mr. Goodbody became its manager. He served for a year during the 1960s as president of the San Diego County Funeral Directors Association and in 1971 became regional manager of International Funeral Services, which evolved into Service Corporation International.

As a youth, Mr. Goodbody attended schools in Campo, Lemon Grove, La Mesa and San Diego. He biked daily as a senior from Lemon Grove to St. Augustine High School, from which he graduated. He had attended Grossmont High School the previous year.

Mr. Goodbody developed an allergy to animal dander on his family's Campo farm as a youth, family members said.

The allergy precluded military service, so Mr. Goodbody served during World War II as a cook for Navy students at California Polytechnic University San Luis Obispo. He attended Cal Poly for three years, majoring in agriculture.

He also worked in his family's business and at various dairies during his college years. He graduated in 1945 from the California College of Mortuary Science and in 1947 from San Diego State College.

In 1957, Mr. Goodbody was awarded an honorary graduate degree from the University of San Diego for teaching seminarians.

Both at State and at Cal Poly, Mr. Goodbody lettered in varsity baseball and basketball. He also developed skills in jai alai, joining his brother, Edward, in competitions against Mexicans and Spaniards at Fronton Palacio in Tijuana.

Golf captured Mr. Goodbody's fancy during the 1950s. As a member in 1959 of San Diego Country Club in Chula Vista, he took part in a fund-raiser in which golfers stroked their way from the Chula Vista club to Tijuana, playing the ball wherever it lay.

Mr. Goodbody maintained a four handicap at one time and was credited with holes-in-one on more than one course. He was a longtime member of the Balboa Men's Golf Club at Balboa Park.

A Scripps Ranch resident since 1985, Mr. Goodbody was a charter member of the community's St. Gregory the Great Catholic Church. He served as a lector, taught Bible studies and was instrumental in forming a grief ministry.

His memberships included the Father Setra Club, Knights of Columbus, the San Diego Cursillo Movement and the San Diego Genealogy Society.

In 1970, Mr. Goodbody served on the Republican County Central Committee.

He is survived by his wife of 49 years, Bonnie; six daughters, Deborah Obolensky, of the Republic of Congo, Susan Gasca, of San Bernardino, Martha Herbert, of San Diego, Teresa Varela, of Sunnyvale, Elizabeth Dobyns, of Hayden Lake, Idaho, and Christina Norita, of Rancho Santa Margarita; two sons, Richard Goodbody, of Lakeside, and John Goodbody, of Poway; a sister, Patricia Goodbody Kellogg, of La Mesa; a brother, Edward Goodbody, of San Carlos; 25 grandchildren; and two great-grandchildren.

Viewing is scheduled from 4 to 9 p.m. today at Goodbody Mortuary, 5027 El Cajon Blvd. A rosary vigil will be held from 7:30 to 9 p.m. tomorrow at St. Gregory the Great Catholic Church, 10650 Treena St., with additional viewing at 6 p.m. A funeral Mass will be celebrated at 11:30 a.m. Saturday at the church, followed by a private family graveside service.

Donations are suggested to the St. Gregory the Great building fund, P.O. Box 261699, San Diego, CA 92196, or to San Diego Hospice, 4311 Third Ave., San Diego, CA 92103.
Nielsen

He was creator of many landmark buildings

Continued from B-1

Mr. Nielsen, who sold the majority interest in his company to its employees in 1976, was dean emeritus of the San Diego consular corps.

A Norwegian immigrant, he was appointed in 1953 as Norway's vice consul in San Diego and was president of the San Diego consular corps from 1959 to 1974 and dean of the corps from 1974 to 1981.

"San Diego has lost a celebrated leader," said George Gildred, who was San Diego's consul to Chile.

"During his long, distinguished tenure as dean of the consular corps and consul of Norway, Mr. Nielsen was noted for his warm, gracious, courtly manner on both sides of our international border."

Said retired Marine Corps Lt. Gen. Victor Krulak, a longtime friend: "Falck Nielsen was the embodiment of everything that is good in San Diego."

In addition to his consulate duties, Mr. Nielsen had been president of what today is the Greater San Diego Chamber of Commerce and the San Diego Convention and Visitors Bureau. His decades of leadership were recognized in 1984 by the Rotary Club, which presented him its annual "Mr. San Diego" award.

"When I left Norway, I wanted to be incognito, but that became very tiresome," Mr. Nielsen told the San Diego Tribune after receiving the award. "I was sick and tired of being a stranger, so I came to San Diego and the people were very friendly to me."

Mr. Nielsen was well grounded in the construction industry by the time he opened his own company. By age 12, he was helping his Norwegian father in construction bidding and estimating.

He earned a degree in construction engineering in 1926 in Oslo, Norway, then spent two years in Montreal as a surveyor and engineer. By then, Norway had become too socialistic for his tastes, he told the San Diego Daily Transcript.

During the Depression, Mr. Nielsen worked for $5 a week plus room and board as a janitor, bookkeeper and engineer for a machine shop and foundry in Redding.

In 1935, with construction jobs at a premium, he came to San Diego to visit a friend, who introduced him to construction pioneer Morley Golden.

The next thing he knew, Mr. Nielsen was preparing an estimate for construction of the Old Globe Theatre and working for Golden's firm on the California Pacific International Exposition, which opened in 1935 in Balboa Park.

He worked as an engineer, estimator and purchasing agent for Golden until 1940, when he joined Golden & Trepte Construction Co. From 1942 to 1945, he was chief estimator and general manager of what became Trepte Construction Co.

After opening his own firm, Mr. Nielsen was involved in construction projects during World War II at Ryan Aeronautical and the Convair Division of General Dynamics.

By 1975, Nielsen Construction Co. became San Diego's largest industrial and commercial contractor in the 1980s.

"Mr. Nielsen had a major impact on the growth of San Diego," said Stephen Marble, president of Nielsen Dillingham Builders Inc., which Nielsen Construction Co. became after merging with the Bay Area-based Dillingham Construction Co. in 1996.

Mr. Nielsen's projects over the years have included much of Sea World, Kaiser Permanente Medical Center, and Casa del Prado and the Reuben H. Fleet Space Theater and Science Center in Balboa Park.

But he took his greatest pride in building the architecturally adventurous central library at the University of California San Diego, which in 1995 was renamed the Geisel Library, said his daughter, Berit Durler.

His death was due to heart failure, she said.
Co. had completed more than 1,000 jobs, including the Mandeville Center at UCSD and the tower addition to the Hyatt Islandia Hotel on Mission Bay.

At its peak, it did $300 million in business per year with about 450 employees, Marble said. Today, Nielsen Dillingham Builders Inc. also includes about 450 employees and does about $300 million in business annually, with headquarters in San Diego and branches in the Bay Area, Long Beach, Portland, Ore., Las Vegas and Charlotte, N.C.

Mr. Nielsen was elected president of what today is the Greater San Diego Chamber of Commerce in 1960. During his one-year term, he put forward a strategy to create more jobs by attracting new industry and improving recreational and cultural facilities.

The San Diego chapter of Associated General Contractors named Mr. Nielsen "Construction Man of the Year in 1960." He had been president in 1956 of the AGC’s San Diego chapter and was founder and former chairman of the Construction Practices Board of San Diego County, which gained national attention in its efforts to promote fair bidding practices within the industry.

He was director from 1965 to 1970 of the San Diego Economic Development Corp. and became president of the San Diego Convention and Visitors Bureau in 1967.


Mr. Nielsen was awarded the prestigious Order of St. Olav medal in 1963 by order of the Norwegian king in recognition of his efforts in aiding about 5,000 residents of Norwegian extraction who were living in the San Diego area at the time.

In 1978, he received an outstanding service award from Senior Adult Services for his contributions to the Meals on Wheels program.

He is survived by his wife of 59 years, Charlotte; four daughters, Astrid Shannon, Berit Durler, Ingrid Nielsen and Kari Griffiths, and a son, Steve Nielsen, all of San Diego; a sister, Ingeborg Ivarsen of Norway; 11 grandchildren; and three great-grandchildren.

Services are scheduled for 4:30 p.m. tomorrow at St. Charles Borromeo Catholic Church, 2801 Cadiz St., San Diego. A reception will follow at the church hall.

Donations are suggested to the University of San Diego, Nielsen Family Scholarship Fund, 5998 Alcala Park, San Diego, CA 92110, or to the University of California San Diego Foundation, S. Falck Nielsen Scholarship Fund, Development Office, 9500 Gilman Drive, La Jolla, CA 92037-0937.