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Cover Inset Left to right, FBI Director Robert Mueller ’73, Powell Fellow Kit Lasher ’02, and Professor David Martin while volunteering in Guinea.
Inside Cover Early Fall around the Law Grounds.
Inside Back Cover Detail from “Albemarle Autumn” by Ben Berns. In its entirety the painting measures 10 feet by 6 feet and portrays Brown’s Cove, a scenic locale west of Charlottesville. “Albemarle Autumn” hangs inside the Law School’s Caplin Pavilion.
Back Cover Photos from Professors Armacost’s and Martin’s pro bono work in India and Guinea, respectively.
IN THE AFTERMATH OF SEPTEMBER 11, Americans felt an uplifting surge of national pride and solidarity. The unbridled search for gain has been tempered by a renewed sense of mutual obligation and support. This national mood has been well reflected in the Law School, which dedicated the 2001–2002 academic year to a celebration of public service.

The University of Virginia School of Law has long been known as a premier institution for preparing lawyers for private practice, a national leader in business and corporate law. Unfortunately, the Law School is not as well known as a center for public service.

In 2001–2002, we set out to change both the reality and the perception of public service at Virginia. We aimed to raise the profile of public service, both within the institution and among prospective law students.

We began with a completely revamped program of loan forgiveness. In a world of rising tuition and large student loans, some graduates may be forced to seek high-paying jobs simply to meet their debt payments. To avoid the coercive effect of debt overhang, the Law School now forgives the student loans of graduates who enter public service and earn less than a specified amount. Importantly, loans are forgiven as they become due, so a graduate who enters public service for one or two or three years receives help for that time, even if he or she later takes a job with a large firm. This reflects the view that public service is valuable and should be encouraged, even when it is not a life-long career choice.

A second major innovation was the creation of the Lewis F. Powell, Jr., Fellowship in Legal Services. Funded jointly by the Powell family and Law School benefactors, the Powell Fellowship funds a two-year position in the provision of legal services to the poor. The first Powell Fellow, Kit Lasher, is profiled elsewhere in this issue.

The student response to these initiatives has been overwhelming. The Class of 2002 was arguably the most public-spirited class ever to graduate from the Law School. They volunteered in large numbers for a variety of public service projects. Indeed, the number of pro bono hours donated by the Class of 2002 more than doubled that of any previous class. Additionally, they had the highest number of judicial clerkships in Law School history. Most impressively, they conceived, organized, and led the third annual Conference on Public Service and the Law, also highlighted in this issue. Distinguished alumni and more than 340 students participated in this event, including more than a hundred from other law schools.

In the pages that follow, you will read about Virginia students, graduates, and faculty who serve the public good. Some put their lives on the line. Others follow their consciences in working to help the disadvantaged. Still others add to the rigors of private employment by donating time and energy to a wide variety of civic, community, and charitable activities.

In all cases, what is striking is their willingness to sacrifice something of themselves to help others. In an age bemoaned by social critics as self-centered and hedonistic, it is refreshing to be able to say, “not here.”
THE LAW SCHOOL LOST A GREAT FRIEND with the death of David A. Harrison III ’41 on June 8. Mr. Harrison passed away after a long illness at the age of 85 at Flowerdew Hundred, his beloved historic home in Hopewell, Virginia.

In his estate, Mr. Harrison left the Law School Foundation an extraordinary gift. Shortly after his death, Mr. Harrison’s estate notified the Foundation that it would receive a bequest of more than $34.8 million. This gift is the largest ever received by the Law School Foundation and is the result of a pledge Mr. Harrison made during the recent Capital Campaign. The income from the Harrison bequest will be used, as he directed, to fund professorships. In filling these chairs, the Law School will be guided by Mr. Harrison’s express directive that the occupants be persons who “not only possess an appropriate dedication to the advancement of knowledge in their respective fields, but whose foremost attribute is a demonstrated interest in and talent for the teaching of students.”

According to Dean John C. Jeffries, Jr., “with the income from this bequest, we will follow Mr. Harrison’s desire to reward the best teacher-scholars in American legal education by creating the David and Mary Harrison Chairs. They will set a new standard of excellence, at Virginia and across the nation. The Law School has always prided itself on the dedication of its faculty to both scholarship and teaching. This gift will elevate and continue this tradition.”

Over the years, Mr. Harrison established the David A. Harrison Professorship in Law in honor of his father, the Harrison Foundation Research Professorship in Law, and a joint chair in law and medicine. Mr. Harrison also helped to support expansion and renovation of the
new Law Grounds, named in his honor in 1997.

At the ground-breaking ceremony for the Law Grounds project in 1995, then Law School Dean Robert E. Scott said, “the gifts that David has made to the Law School together with those he will make over the next several years and the monumental gift he has planned to provide through his estate are, collectively, an historic event in Law School philanthropy. David's gifts will further enhance the School of Law's preeminent reputation, and it is no exaggeration to say that they will markedly and permanently change the quality of the legal education we are able to provide.”

Marjorie Webb Harrison said her father’s generous estate provisions reflect the family's many ties to the University. “The Law School was always an important part of his life,” she said. “He admired the discipline and intellectual rigor of the law, even though it was not his lifelong profession.” The mother of a current UVA undergraduate student, Mrs. Webb also noted that her father “planned for the future in everything he did,” including his support for the University. “That’s why he was interested in endowed chairs. He considered professorships the best way to make a difference in education and to strengthen the University’s ability to impart knowledge to future generations.”

It was this belief that prompted Harrison to focus his generosity on faculty chairs. “What is necessary for a great legal education is dependent upon the professors—their ability, their minds, their personalities, their ingenuity, and their humanity,” he once said. “It is not only my belief that we will have a better school by getting the most able professors, but that the school will be able to attract the really great scholars—people with vision, common sense, and creativity.”

Mr. Harrison practiced law for many years before entering the field of investment banking. A former honorary trustee of the Law School Foundation and a member of the Capital Campaign Executive Committee, he had an affiliation with the Law School that spanned more than a century. He took great pride in the fact that five generations of his family attended the Law School, namely his grandfather, two uncles, his father, a brother, a son, and a granddaughter. His wife, the former Mary Anderson, predeceased him. Survivors include his children David A. Harrison IV ’71, Marjorie Harrison Webb, Mary Harrison Keevil, George A. Harrison, and Anne Harrison Armstrong.
Al Turnbull ’62, the “Dean of Deans,” Retires

David Ibbeken ’71

Al Turnbull retired July 31st after thirty-six years of extraordinary and devoted service to the Law School. He leaves a mark on this institution unmatched by anyone before him and unlikely to be matched by anyone after him. During Al’s tenure as Associate Dean, he admitted and placed more than 13,000 students, setting a wonderful tone of civility and excellence for this institution. In fact, Al admitted eighty percent of our living alumni.

A graduate of Exeter and Princeton, Al attended the Law School from 1959 to 1962 and distinguished himself by winning the Lile Moot Court Competition in his third year with his classmate and close friend, Charles Kidd.

I served as Al’s student assistant for two years in Law School and later for seventeen years on his admission committee, and saw time and again the great sensitivity he brought to reading admission files. I have believed for years that he sees more in a file than anyone I have ever observed. Although most students were grateful Al admitted them to the Law School, some of our most devoted graduates are those he admitted from the wait list, typically late in the summer. As I travel the country, scores of alumni tell me how deeply grateful they are for the chance Al gave them to attend the Law School.

His peers at other law schools widely regard Al as the “Dean of Deans.” He was active in the Law School Admission Council (LSAC) where he had a range of responsibilities including chairing a number of committees, serving on the board of trustees, and playing an important role in the creation of the Law School Data Assembly Service. Over the years, he has been a valuable source of strength and guidance to that organization and its many members.

Happily, the Class of 1962 surprised Al at its recent fortieth reunion by renaming its class scholarship The Class of 1962 Albert R. Turnbull Scholarship. This is a fitting tribute to one who cares deeply about need-based financial aid for students. Al answered this honor by saying, “I’ve been a very lucky man. I’ve had the chance to interact with the nation’s greatest young people at the greatest institution.” The Law School Alumni Association and the Dean on behalf of the Law School faculty also presented to Al a variety of fly-fishing equipment that he will no doubt enjoy in the weeks and years ahead on the Outer Banks; and in Florida with his brother, Ben; off Montauk with his son, Albert; and on the streams and rivers of Virginia.

Al leaves us with a student and alumni body that will distinguish itself and this Law School for decades to come. Before his ripple effect concludes, he will have impacted the Law School for close to 100 years. He deserves great credit for the way in which he has conducted a highly sensitive and difficult assignment. We will miss him and wish him all the best.
WALTER J. WADLINGTON, JAMES MADISON
Professor of Law, retired in June after forty
distinguished years at the Law School. Much
revered both inside and outside the classroom,
Professor Wadlington always found time to share
his warmth, wit, and friendship with students
and colleagues, despite the heavy demands of
his professional life. Few teachers have
influenced the lives of as many living alumni of
the Law School, and none of these alumni are
more grateful to him than members of the
Class of 1967. We believe that one of Professor
Wadlington’s most significant but least known
contributions to the Law School was his service
in 1963–1964 as Acting Director of Admissions.
It was in this role that his uncommon
perspicacity evidenced itself in the selection of
our class, widely reported by objective sources
(certainly among us, anyway) to be the finest
one ever admitted. (Rumor also has it that this
achievement was singularly responsible for his
rapid elevation to the rank of full professor
after only two years on the faculty.)

At its thirty-fifth reunion in May, the Class
of 1967 honored Professor Wadlington by
funding the James Madison Professorship with
contributions of over $400,000, the largest gift
of any reunion class in 2002. Written tributes
from class members captured the affection and
high regard in which he is held, not just as a
teacher, but as a mentor and friend: “You
served as an inspiration for me as an aspiring
law teacher.”

“You were one of the most approachable
professors, always willing to spend as much
time it took to answer questions, no matter
how inane.”

“We honor you not only for your extensive
legal scholarship and teaching skills, but also
for the compassion and encouragement you
offered to all of us.”

“Thanks for inspiring so many for so
long and confirming the
adage that ‘a teacher
touches the future.’”

“Thanks for teaching
us that good will and
humanism are important
in the practice of law.”

An eminent scholar
in the fields of family law,
law and medicine,
medical malpractice, and
children in the legal
system, Professor Wadlington joined the faculty
in 1962 from Tulane Law School, his alma
mater. He became a full professor in 1964 and
the Law School honored him with the James
Madison Professorship in 1970.

Professor Wadlington is a member of the
Institute of Medicine of the National Academy
of Sciences and has served on study
committees on the delivery of obstetrical care,
women in health care research, and
professional medical liability. From 1985 to
1991, he directed the Robert Wood Johnson
Foundation medical malpractice program, and
he also chaired the Foundation’s advisory
board on improving medical compensation
systems. In 1988, he received the American
Society of Law and Medicine’s Distinguished
Health Law Teacher Award.

The Law School community is fortunate
that Professor Wadlington’s retirement will not
take him from our midst. With characteristic
vigor, he is pursuing many of his same
involvements and some new ones as well—
including honing his horticultural skills under
the tutelage of his lovely and accomplished wife
Ruth. We congratulate them both and wish
them the very best. ©
Oath and Conscience, Clarence Thomas’s Stand

“WE ARE IN AN ENVIRONMENT OF splendid isolation at the Supreme Court and we’re obligated to give an honest opinion. In the end you’re left alone with your oath and your conscience.”

Humble submission to duty was United States Supreme Court Justice Clarence Thomas’s main theme in his only public remarks as the John A. Ewald Visiting Professor at the Law School September 9 and 10.

Following brief remarks about life on the nation’s highest Court, Justice Thomas took questions from a packed house of students at Caplin Auditorium. Earlier in the day he attended Professor Robert O’Neil’s Constitutional Law II: Speech and Press class and lunched with leaders of student organizations. His visit also included discussions with Professor Caleb Nelson’s Federal Courts class, Visiting Professor Pamela Karlan’s Regulation of the Political Process class, and a dinner with the Federalist Society.

Before he took questions Thomas praised the Court for the warm, personal decency of the relationships between the justices, which transcend their differences in reaching decisions.

“The one thing I would designate as the hallmark of my years on the Court would have to be the justices,” he said. “They have no axes to grind. They are trying to make the best decisions they can.

“You debate issues with eight other people for a decade and see how long you can stay friends with them. I think some of the steam should have been taken out of some things written for the public, but after all these years and issues the personal relationships between the justices are still there.”

Nonetheless, differences in perspective persist. “In almost a decade sitting between Justice Ginsburg and Justice Souter, I don’t think I have been influenced by them and I think they would say I have not contaminated them.”

“I know of no arrogance on the Court. But I tell you I’m Pollyannaish about the Supreme Court. I’m an apologist for it. I have nothing but good things to say about the justices.”

Thomas was modest about his role and humble in the face of his responsibility. “It’s an honor to be there that you have to live up to every day,” he said. “Justice [Lewis] Powell once said to me, ‘if you ever think you belong there and that you’ve got it figured out, it’s time for you to go.’”

“I don’t have a plan or a mission or a philosophy to work out. Count me out on that score. My legacy—which is something I don’t think about—will be that I called them as I see them.”

Thomas enjoyed his visit to the Law School. “I’ve been to a number of schools,” he said, “and what I like about here is that people talk and disagree but don’t get dug in. You do it in a way that’s constructive. I’m enormously impressed with this institution and I’ve had a number of fabulous clerks from the Law School. This is still the University.”
Fall Interviewing Numbers Remain Strong

ON A TYPICAL FALL DAY AT THE LAW School, second-year students wearing crisp suits and nursing bottled water gather in the corridors of the second floor of Slaughter Hall, waiting to interview with firms of their choice. On September 20 the pre-interview chatter may have been slightly more anxious as big-name firms including King & Spalding; Gibson, Dunn & Crutcher; Morgan, Lewis & Bockius; and Latham & Watkins interviewed students hoping to squeeze into a tighter job market and land opportunities in New York, Washington, D.C., Los Angeles, San Francisco, Atlanta, San Diego, and Chicago.

The faltering economy has made only a slight impact this year on the number of employers attracted to the Law Grounds during the fall interview season, which lasts from September 4 to October 18. While more than 6,700 interviews took place last year, Steve Hopson, Senior Assistant Dean for Career Services, expects more of the same this season; to date, Career Services has attracted 950 offices for fall interviewing with 530 schedules arranged—more than last year’s yield of 927 offices and 503 schedules.

“We’ve got a few more employers than last year, when our numbers really fell off,” Hopson said. “If anything, though, I think the summer classes may be slightly smaller this year on account of the continuing state of the economy. This means fewer offers to 2Ls.”

Second-year students are very likely to be hired full-time after graduation by the same firm they work for during the summer before their third year, according to Hopson. Offers made to 2Ls during the fall are held open until December 1 under guidelines established by the National Association for Law Placement (NALP). Students can hold no more than four offers after October 15 and no more than three after November 1.

While second-years and third-years with jobs may be in good shape, Hopson said third-years who do not have jobs yet will likely be hurt by the recession.

“If you haven’t gotten an offer, you’re going to be hard-pressed to find something before graduation,” he said. Still, “last year was the year that most people cut back.”

Students may be looking less to the corporate world and more to litigation as a result of the economic downturn. “Not surprisingly, transactional work is down, but litigators are in demand and some firms have even told me that last year was the best in their history. But there’s no question that firms are not hiring the numbers that they were two or three years ago. This year is basically like last year, with a little tighter market,” Hopson said.
Law School Welcomes New Resident Faculty

THIS FALL THE LAW SCHOOL welcomed the following scholars and administrators to the community:

Risa L. Goluboff is spending this academic year as a Research Associate Professor. She will be completing a dissertation on civil rights law in the 1940s toward her Ph.D. in History from Princeton University. She will join the faculty as an Associate Professor in the summer of 2003.

Professor Goluboff graduated summa cum laude from Harvard with an A.B. in 1994. She spent a year teaching at the University of Cape Town as a Fulbright Scholar in South Africa before attending Yale Law School. While at Yale, Goluboff was Senior Editor for the Yale Law Journal and Articles Editor for the Yale Journal of Law and the Humanities. She also co-directed the Green Haven Prison Project and was a student director of the prison clinic.

After earning her J.D. in 2000 and her M.A. in History with distinction from Princeton in 1999, Goluboff clerked for the Honorable Guido Calabresi of the U.S. Court of Appeals for the Second Circuit, and for Justice Stephen G. Breyer. Anup Malani joined the faculty as an Associate Professor of Law. Some of his teaching interests include health law, antitrust, corporations, contracts, and empirical legal studies. He received his J.D. from the University of Chicago Law School in 2000, and went on to complete his Ph.D. in Economics at Chicago in 2001.

While at Chicago, Malani was Book Review Editor for the University of Chicago Law Review and was elected to the Order of the Coif. He clerked for the Honorable Stephen F. Williams, U.S. Court of Appeals for the D.C. Circuit in 2000–2001, and for Justice Sandra Day O’Connor of the Supreme Court of the United States in 2001–2002. Malani has taught Law and Economics, Microeconomics (Producer Theory and Consumer Theory), and helped co-found Eotex, a startup seeking to build an electronic, equity derivatives marketplace. Malani also serves as a Research Affiliate for the Joint Center for Poverty Research at Northwestern University and the University of Chicago.

Richard C. Schragger, an Associate Professor of Law, is a scholar of local government law, land use, and legal theory. He returns to Virginia after a year as Visiting Professor at the Georgetown University Law Center. Before joining the faculty, Schragger served as Visiting Professor at the Quinnipiac University School of Law and Visiting Scholar at Yale Law School. Schragger graduated magna cum laude from Harvard Law School in 1996, where he was Supervising Editor of the Harvard Law Review and Editor of the Harvard Civil Rights–Civil Liberties Law Review. After clerking for the Honorable Dolores Sloviter, Chief Judge of the U.S. Court of Appeals for the Third Circuit,
Schragger joined the Washington, D.C. firm, Miller, Cassidy, Larroca, & Lewin, where he represented clients in First Amendment, employment, and appellate litigation.

Schragger earned his Master’s in Legal and Political Theory, with distinction, from University College London, and his B.A., magna cum laude, from the University of Pennsylvania.

Susan Palmer joined the Law School as Associate Dean of Admissions. Palmer graduated summa cum laude in 1985 from Washington and Lee University School of Law. At Washington and Lee she served as Editor-in-Chief of the Washington and Lee Law Review and was elected to the Order of the Coif. After clerking for the Honorable Ellsworth A. Van Graafeiland, U.S. Court of Appeals for the Second Circuit, she returned to Washington and Lee, where she worked as Associate Dean for Student Affairs and Admissions, as well as Assistant Dean and Adjunct Professor of Law.

Palmer serves on the Law School Admission Council, the Association of American Law Schools, and the American Bar Association. She is also a member of the Mary Baldwin College Advisory Board of Visitors. She earned her B.A. from Mary Baldwin in 1982.

Couch Joins Foundation as New Director of Communications

CULLEN COUCH HAS JOINED THE UNIVERSITY OF VIRGINIA LAW SCHOOL Foundation as Director of Communications. Couch received his undergraduate degree in 1973 from the University of Virginia, followed by a J.D. in 1977 from New York Law School. He worked for the public relations firm Hill & Knowlton and other public relations businesses before joining The Michie Company, which became part of LexisNexis. His last position at LexisNexis was Director of Small Law Marketing. Couch has extensive experience in designing, writing, and editing—in addition to marketing—and brings many skills to the Foundation. "I look forward to the opportunity," he said. "It lets me put to work my legal background, business experience, and love of writing in an intellectually charged atmosphere."
A Look in the Rearview Mirror: What Did the Supreme Court Just Do?

A START-THE-YEAR BRIEFING ON THE significance of recent U.S. Supreme Court rulings drew a standing-room-only crowd to Caplin Pavilion September 5, where Law School Professors Barbara Armacost, Pamela Karlan (visiting), Elizabeth Magill, and Robert O’Neil analyzed decisions bearing on the Fourth Amendment, the death penalty, state sovereign immunity, and the Establishment Clause.

The Court heard eighty-eight cases in its last term and issued eighty-five signed opinions.

Panel moderator A. E. Dick Howard noted that Chief Justice William Rehnquist has held his post for sixteen years and it has been eight years since a vacancy appeared on the Court, the longest such interval in American history. The Court heard eighty-eight cases in its last term and issued eighty-five signed opinions. Twenty-seven decisions were unanimous and twenty-one were by 5-to-4 votes. Of those, fourteen cases saw the same justices voting together along ideological fault lines. The docket of cases chosen by the Court avoided issues related to abortion, affirmative action, and school desegregation that many Court observers had looked for rulings on, Howard said.

On Fourth Amendment protections against unlawful searches and seizures, an area likely to feel repercussions from the September 11 attacks, Armacost observed that as of last term, September 11 has merely had the effect of “solidifying directions that the Supreme Court was already taking.” The Court had previously determined that no seizure occurs if police approach a citizen in a public area and ask to interview him, even though most people fear that to deny such a request (which she described as one of “inherent coercion”) arouses suspicion. In one case from the last term the Court ruled that police officers need not inform citizens that they have the right to decline to cooperate. The Court believes that if legal justification had to be established for every question, a vital investigative tool—voluntary street stops—would be lost. In another case, the Court emphasized the importance of crediting the views of trained law enforcement officers in assessing suspicious circumstances under the “totality of the circumstances” standard for judging the legality of searches. The most important thing to remember for the future, noted Armacost, is that “the specter of terrorism will have a huge effect on the way Fourth Amendment cases come out whenever those cases involve evidence-gathering tools that are viewed as essential to the war against terrorism.”

On death penalty matters, Karlan termed the Court’s rulings “wholesale and retail”: the former were good in the general principles they upheld, the latter were bad in their specific effects on enforcing those principles. Rulings reduced the discretion of judges in death penalty sentencing by not allowing them to overturn jury decisions and also resolved that the execution of mentally retarded individuals is indeed forbidden as cruel and unusual punishment. Meanwhile, other rulings made it more difficult for defendants in death penalty cases to prove that their lawyer did not mount a vigorous defense and held that lawyers’ apparent conflicts of interest in representing clients do not really compromise their efforts. It saw contrary examples as reflecting “tactical decisions” by otherwise sincere and competent lawyers.

On matters of federalism, Magill said the trend of the Rehnquist Court has been to make
the concept more meaningful by showing greater respect for the powers of the states. In earlier decisions it limited the commerce powers of the national government to regulating just economic behavior and forbid Congress from ordering states to pass certain legislation, a doctrine known as “commandeering.” The last term’s decisions were about the Eleventh Amendment, which prevents the federal courts from hearing certain suits brought against states. The Court says it is meant to “protect the dignity of the states,” but given the exceptions to the Court’s rules, the “dignity” of the states seems symbolic. “There’s no unifying theory behind the federalism decisions,” she said. “Perhaps the best way to understand the decisions is that the Court is hacking back the creeping power of the federal government.”

On matters related to the Establishment Clause, the foundation of the wall between church and state in America, O’Neil was aghast at the decision to uphold Cleveland’s school voucher plan, an outcome he partly attributed to a flawless presentation by the city’s attorneys. The ruling “has the clear effect of using public funds to subsidize religious schools,” he said. “It is a major symbolic victory for proponents of educational choice.” But conceding that, he predicted the decision would have “no profound influence to reshape elementary and secondary education.”

The panel was organized by the Student Legal Forum.
New Student-Faculty Center Brings Sunlight, Soup, and Shared Moments

Bathed in bright sunlight underneath a glass and steel roof, the Student-Faculty Center opened in August. The cavernous atrium quickly became the hub of Law School life and now pulsates with the busy daily rhythms of students and faculty. It brings the community together to share moments of quiet in the Caplin Reading Room, the louder camaraderie of Scott Commons, and gourmet coffee at the coffee bar. Students choose from a variety of breakfast and lunch dishes at the Sidley Austin Brown & Wood Café, and dine in the Class of 1950 Dining Room or—on a pretty day—on the Troutman Sanders Terrace or Class of 1977 Dining Terrace. Professors join their colleagues for lunch and conversation in the Stone Dining Room.

Said Bill Bergen, Assistant Dean of Administrative Services and construction project coordinator, “we are delighted with this, the final piece of the renovation and expansion of the Law Grounds. Students and faculty have taken to the Center as though it has been a part of our daily routine for years. This is the space graduates will want to see first when they return for a visit.”
Jeffries Hosts PBS Program “Ethically Speaking”

DEAN JOHN JEFFRIES teamed up with a local PBS affiliate to launch “Ethically Speaking,” a weekly series that analyzes ethics, public policy, and personal life. The program, which first aired on September 5, highlights the University’s Institute for Practical Ethics. Established two years ago, the Institute develops new programs that integrate ethics into the existing curricula for undergraduate, graduate, and professional studies.

Jeffries serves on the Faculty Advisory Board for the Institute, and furthers its goals by exploring contemporary ethical issues on his program.

“The show analyzes controversial issues relevant to today’s society,” said Jeffries. “It doesn’t necessarily try to resolve these issues, but evaluates them both conceptually and practically.”

The show features panelists who seek to answer the morally challenging questions that affect life, society, and the future. Topical experts discuss ethical dilemmas ranging from education, to healthcare, to politics. Programs include topics such as education and college athletics, physician-assisted suicide, the environment, the marketing of human body parts, intellectual property rights, and campaign finances.

The show features panelists such as Law School Professors Julia Mahoney, Rosa Ehrenreich Brooks, and Lillian BeVier.

Learn more about “Ethically Speaking,” at: www.ideastations.org/ethicallyspeaking.

Appellate Advocacy Program Chills and Thrills Students and Alumni

ALUMNI ARE INVITED TO SERVE AS judges in an exciting appellate advocacy program for first-year students in the spring. As part of the first-year course in Legal Research and Writing taught by Professors D. Ruth Buck, Kathryn W. Bradley, and Margaret Foster Riley, students write an appellate brief and present an oral argument supporting it. During the oral argument, each student argues in front of a three-judge panel, typically consisting of one Dillard Fellow (an upper-class teaching assistant) and two alumni.

According to Professor Buck, the alumni are a critical part of the oral argument program. “Alumni have been serving as judges for the first-year oral arguments for a number of years now. They bring a ‘real world experience’ to the arguments, which is just invaluable. While the students are quite nervous before they argue, afterwards they are very enthusiastic about the experience, especially the feedback from the alumni judges.”

The students are not the only ones who express enthusiasm over alumni participation. The alumni who serve as judges often write to the Legal Research and Writing faculty following the arguments, remarking on just how rewarding it is to help students in their quest to become lawyers and how enjoyable it is to interact with the other alumni judges.

For information on how to become an alumni judge for the spring 2003 first-year oral arguments, please contact Phyllis Harris at 434-924-8959 or pew@virginia.edu.
RESPONDING TO THE GROWING DEMAND for business-savvy lawyers in corporate America, the Law School this fall launched the Virginia Program in Law and Business, a wide-ranging curricular innovation that will educate students in the fundamentals of business analysis. As Dean John Jeffries explains, “the lawyer who is unable to think quantitatively, who cannot unpack and understand risk and valuation, cannot serve the business client effectively.” The Law School designed the Law and Business Program to address those needs.

“We will offer students the additional analytical and conceptual training typical of an MBA program, including quantitative analysis, accounting, and organizational behavior.”

“Legal training focuses on framing arguments, applying precedents and analogies, carefully sorting facts, and reasoning deductively,” said Academic Associate Dean Paul Mahoney. “These skills are extremely useful, but insufficient. We will offer students the additional analytical and conceptual training typical of an MBA program, including quantitative analysis, accounting, and organizational behavior.”

The first phase of the Law and Business Program consists of instruction in foundational business courses. This fall, courses in Accounting and Corporate Finance were taught in the Law School by faculty from the McIntire and Darden Schools, Whitfield Broome and Kenneth Eades. Beginning next academic year, the Law School will offer basic business law courses such as Corporations, Bankruptcy, and Securities Regulation in formats that presume and build on student familiarity with accounting and finance. Professors will integrate business and legal analysis in these core courses.

These courses will also be offered in a more traditional format for the benefit of students with different career interests who may not wish to invest in business instruction. The Law School will name these “Introduction to” courses to signal that their content is less ambitious than the Law and Business Program offerings.

In the next phase of the program, which will also begin next academic year, the Law School will provide a changing array of intensive offerings, taught chiefly by alumni in practice or business who will be in residence for shorter periods of two to four weeks. In the longer term, the Law School will offer problem-based courses for Law and Darden students, taught jointly by Law and Darden faculty.

Mahoney describes the program as a way of ensuring that Virginia lawyers will “understand how their clients think. When these students graduate from the Law School, they will have more than a lawyer’s skill for predicting and dealing with disputes that might arise out of a business transaction. They will also understand what motivates the parties to the transaction and how those parties value the transaction and its components,” he said.
Visiting Professors Contribute to Law School Experience

THE FOLLOWING DISTINGUISHED visiting scholars from around the world are contributing to the Law School experience this semester:

Matthew D. Adler, Professor of Law at the University of Pennsylvania, is teaching Administrative Law and Constitutional Theory. At the University of Pennsylvania, Professor Adler teaches administrative law, government regulation, and food and drug regulation.

Gerrit De Geest, a Professor of Law and Economics at the Faculty of Law of Utrecht University, is president of the European Association of Law and Economics and has been published in the fields of economic analysis of contract law, property law, labor law and comparative law. De Geest will teach Comparative Contract Law.

Neil Duxbury, Professor of Law at the University of Manchester, is teaching Conceptualizing Law: A Comparative Analysis. Duxbury has been a Visiting Senior Research Fellow at the Institute for Advanced Legal Studies in London and is the Review Editor for Modern Law Review.

Herbert Hausmaninger returns to the Law School, as he has for more than thirty years, to co-teach Comparative Law and to teach a short course on European legal systems. A professor at the University of Vienna Law School, Hausmaninger teaches Roman law, legal history, and comparative law.

Johannes Hellermann, Professor of Public Law at the University of Münster, is co-teaching European Community Law. His primary areas of research include constitutional law, economic administrative law, European economic law, and municipal law. Hellermann studied law at the universities of Bielefeld and Freiburg.

Charles Holt, UVA’s Merrill Bankard Professor of Economics, will teach Behavioral Game Theory in the fall. Holt’s research interests include experimental economics and mathematical economics. Holt is President of the Southern Economic Association and is an Associate Editor of American Economic Review. He is also a founding co-editor of Experimental Economics and is the director of the Virtual Laboratory.

Albert Jonsen is Emeritus Professor of Ethics in Medicine at University of Washington School of Medicine, where he was Chairman of the Department of Medical History and Ethics from 1987–1999. Jonsen will teach Bioethics and the Law: Fits and Misfits. Before the University of Washington, Jonsen worked at the University of California, San Francisco, where he was Chief of the Division of Medical Ethics. Prior to that, he was President of the University of San Francisco, where he taught in the Departments of Philosophy and Theology.

Pam Karlan returns to the Law School to teach Civil Rights Litigation and Regulation of the Political Process. As Kenneth and Harle Montgomery Professor of Public Interest Law at Stanford, Karlan teaches in the areas of criminal procedure, civil procedure, constitutional litigation, and regulation of political process. Karlan was a Professor of Law at the Law School from 1993–1998 and an Associate Professor from 1988–1993. She joined the Stanford law faculty in 1998 and served as an Associate Dean there during 1999–2000.

Dean Lueck is a professor in the Department of Economics and Agricultural
Economics at Montana State University. He is teaching Law, Economics, and Organization; Federal Land and Natural Resource Law; and Property Theory. Lueck worked as a smokejumper for the U.S. Forest Service from 1984–1985 and earned his Ph.D. two years later from the University of Washington.

Thomas Lundmark, Professor of Common Law and Comparative Legal Theory at the University of Münster, is co-teaching European Community Law. Beginning in 1991, Lundmark researched and taught as a Fulbright professor at the Universities of Bonn, Rostock, and Geifswald. Lundmark also serves as the faculty advisor to the Foreign Law Program in Common Law and French Law at the University of Münster. His primary research interests are in constitutional law and legal theory, especially evolutionary and comparative jurisprudence.

Eric Posner, Professor of Law at the University of Chicago, teaches a short course, Game Theory and the Law, during the fall semester. Posner was a member of the faculty of the University of Pennsylvania Law School from 1993 to 1998. His primary research interests include contract law, bankruptcy law, international law, and the relationship between law and social norms.

Visiting Professor of Law Frank H. Stewart is teaching Alternative Dispute Resolution. Stewart served on President Clinton’s Committee on Disabilities. He has contributed to Barbara Lindemann’s book, Sexual Harassment in Employment Law and was co-editor of the disability chapter of Schlie & Grossman’s Employment Discrimination Law, third edition.

Sam Thompson is the Edwin S. Cohen Visiting Professor of Law and Taxation. He is teaching Business Planning for Mergers and Acquisitions and Special Topics in Mergers and Acquisitions. A professor of law and director of the Center for the Study of Mergers and Acquisitions at the University of Miami School of Law, Thompson served as dean from 1994 to 1998.
Analyzing the Real Role of Tort Law

This summer, Kenneth Abraham became the Robert E. Scott Distinguished Professor of Law. On October 1, he delivered a Lecture to the Law School community inaugurating his occupancy of the new chair honoring former Dean Scott. In his lecture, entitled “A Unified Vision of Tort Law and Insurance,” he analyzed the role that tort law plays in the $1.5 trillion personal injury and illness compensation system. Abraham believes that the academic principles of tort taught in law school differ fundamentally from their practical effect in personal injury compensation. As a result, we tend to assume that tort is the primary remedy for personal injury, when in fact it accounts for less than twenty percent of the compensation paid to victims.

“In law school we think of tort law as central to the way we deal with personal injury,” he said. “It’s sensible to think that way in the first year; these ideas are the building blocks of how we understand the legal system. But they’re not the primary means we use to promote safety or compensation in personal injury.”

Further, according to Abraham, we tend to think tort law is the dominant method of promoting safety, a role that is in fact undertaken by the market, administrative regulation, and criminal law as well. This misunderstanding of the role of tort skews its importance in the effort to make the system respond efficiently to safety and compensation concerns.

“The magnitude and scope of insurance mechanisms that exist apart from tort law dwarf its compensation functions,” said Abraham. “Significant other sources of law promote safety, including the many state and federal regulations and criminal law. Once we recognize the role that the law of torts plays in this larger universe, we can be freed up to think more flexibly about what combination of insurance, tort law, and safety regulation can achieve our aims, rather than thinking simply that changing tort law alone will improve our system. This idea is wrong and the sooner we realize that, the better.”


Helping Assure the Legal Rights of Bonded Laborers

For two weeks in August, Barbara Armacost traveled to Tamil Nadu in India with ten other Charlottesville residents to work with the International Justice Mission (IJM) to help assure the legal rights of bonded laborers, particularly child bonded laborers. Among the group were Kimberly Stegall ’02, Logan Breed ’02 and his wife Mary, Jesse Rudy ’02 and his wife Amy, and Keri Buzby Adams ’02 and her husband Scott Adams ’01.

According to Armacost, laborers become
bonded after borrowing money from money lenders who demand their labor in repayment of the loan. Bonded labor is illegal in India but the laws are rarely enforced for a variety of reasons, including the corruption and inertia of local officials and a lack of personnel to investigate and prosecute the cases. “Many of the bonded laborers work in terrible conditions, ten hours per day, six days per week,” she said. “Bidi workers, for example, usually children of only seven or eight, are required to roll 2,000 cigarettes a day. Gem workers, who spend long hours polishing gems against a foot-powered grinding wheel, often go blind because they have no way of protecting their eyes. Many of these bonded laborers spend their entire lives in servitude and may even pass on their debts to the next generation.”

As members of the scheduled caste, the very lowest in India, these laborers are devoid of hope and opportunity in a society that is largely deaf to their needs. “These people have no power, no land, and they are at the bottom socially and politically,” said Armacost.

Armacost and her group interviewed individual workers and prepared reports that would serve as the basis for IJM’s presentation to local officials with responsibility for enforcing the laws against bonded labor. IJM has developed relationships with many honest local officials who, when faced with clear violations, are willing to take action against the money lenders and free the bonded laborers. But what happens to the laborers after they are freed?

Armacost and her group visited a group of released quarry workers who had returned to their village, Tharamangalam, after thirty-five years in bonded labor. “They had no land, no ration cards for government assistance, and they were living outside under the trees,” Armacost said. “This just underlines the fact that the legal work that frees oppressed people is only the beginning. They also need an enormous amount of aftercare in the form of counseling, education, financial assistance, job training, and other help.”

But Armacost and the rest of team that went to Tamil Nadu are committed to continuing to do what they are trained to do: act as advocates for those who have no voice. “What I love, what inspires me, is the notion that lawyers have a special kind of skill effective for addressing oppression in the world,” said Armacost. “People oppressed by those in power are without anyone to speak for them. Lawyers know how to investigate, frame the story to satisfy legal standards, and then take that story to someone who has the power to do something about it.”

What keeps her going when surrounded with intractable poverty? “I am learning that despite the enormity of the needs, in some sense one must concentrate on the value of individual lives,” she said. “One of the girls, a bidi roller, was really bright and enthusiastic despite her limiting circumstances. I remember thinking here is a kid who has potential and asking myself, what could she be in a different situation? It made me hopeful, seeing the face of this one child and others like her, instead of only seeing a faceless mass of oppressed people. In order to remain committed to this work, one has to be willing to do something, even if in the scheme of things, it seems small.”
Bonnie Receives Yarmolinsky Medal

The Institute of Medicine of the National Academy of Sciences (IOM) honored Richard J. Bonnie with the Yarmolinsky Medal, its most prestigious award for non-physician members, in recognition of his “distinguished service” to the Academy. Bonnie served on the IOM Board on Neuroscience and Behavioral Health for a decade and also chaired its membership section on Social Sciences, Humanities and Law. He has chaired Academy studies of drug abuse research, injury prevention, and elder abuse and neglect, and is currently chairing a congressionally mandated study on underage drinking. He has also served on many other Academy studies.

“I’m very proud of the Yarmolinsky Medal,” said Bonnie, “because many other people are deserving of that award, including our very own Dick Merrill.” The Medal was awarded to Bonnie at the IOM annual meeting in Washington on October 15.

When Bonnie isn’t teaching or writing, he is devoting his time to public service, primarily with the National Academy of Sciences. His dedication to public service came at an early age.

“As a young man I knew I wanted to commit my career to public service,” he said. “It’s very deeply embedded in the values of the community in which I grew up.”

His commitment led him to issues involving drug abuse policy, psychiatry and human rights, and the nexus between law, science, and public policy. He found the Academy the perfect place to pursue his life work.

“I have a deep personal commitment to teaching students and writing about my ideas,” said Bonnie, “but I think that the opportunity to devote my energies to public service was the most important reason that I chose an academic career. I believe in the power of ideas and in the desirability of linking knowledge to public policy and to people’s lives.”

Bonnie’s lifelong effort to tie these together for the public good started with his work on illegal drug policy. He served as Associate Director of the National Commission on Marijuana and Drug Abuse, advised the White House on drug policy, and served on the first National Advisory Council on Drug Abuse. During that time, he wrote a book on the history of the marijuana laws, lobbied for decriminalization of marijuana, and advocated a public health approach to illegal drugs as well as alcohol and tobacco.

The next phase of Bonnie’s public service involved the death penalty. He spent the better part of a decade defending death row inmates. It took a lot out of him.

“It ended up swallowing a lot of my time during the 80s and early 90s.” he said. “Three of those four defendants are dead, and the other one is alive only because of a commutation from Governor Wilder. It was a very frustrating effort.”

Also during the 1980s Bonnie was deeply involved in mental health law reform in Virginia and on a national scale. He had a hand in writing all of the mental health legislation enacted in Virginia during this period, and was a major architect of the American Bar Association’s Mental Health Criminal Justice Standards. His approach to the insanity defense was endorsed by the ABA and the American Psychiatric Association after the insanity acquittal of John W. Hinckley in 1982, and was subsequently embraced by the Congress.

Bonnie subsequently became involved in tobacco policy reform, protecting elder rights, and ensuring the rights of subjects in clinical trials. In June, he testified on elder abuse and neglect in front of the Senate Finance Committee.

Bonnie says that the biggest obstacle to the promulgation of effective public policy is a
“lack of political will.” It is certainly not a lack of will on his part. This year alone he has chaired the National Research Council Panel on Elder Abuse and Neglect, been a member of the IOM Committee on Assessing the System for Protecting Participants in Human Research, and is chairing a new NRC/IOM Committee on developing a Strategy to Reduce and Prevent Underage Drinking. He has just been appointed to the NRC Committee on Law and Justice, and is also serving on a Committee on Mental Retardation and Death Penalty for the Virginia Crime Commission to help the General Assembly respond to the U.S. Supreme Court’s decision last term in Atkins v. Virginia.

Brooks Joins Amnesty International as Board Member

Rosa Brooks has been elected to the eighteen-member Board of Directors of Amnesty International USA. Amnesty International is a worldwide human rights organization with more than 1,000,000 members, and each national section elects its own Board. Brooks, an authority on international human rights law, was elected by the U.S. membership from a slate of thirteen candidates for six open board posts. AIUSA directors are elected to three-year terms, and Brooks was also named to the Board’s Executive Committee and to the position of Board liaison to Amnesty’s women’s rights and children’s rights steering committees.

The organization recently decided to expand its membership, but it also creates a risk that AI’s work may become ill-defined or that the organization could become overextended,” Brooks said.

Brooks says that one of the most critical human rights issues in the world today concerns the treatment of civilians during armed conflicts, and this is an area in which Amnesty International is increasingly active. In the United States, she said the government’s reaction to September 11 is also raising new and troubling civil liberties issues alongside traditional Amnesty concerns over the treatment of refugees and immigrants, prisoners, the right to fair trials, and the death penalty.

Karlan Argues Redistricting

Visiting Professor Pamela Karlan represented Governor Mark Warner, pro bono, in the Virginia redistricting litigation argued in the Supreme Court of Virginia. The case involved the question whether the new General Assembly districts violate the Virginia Constitution because they are not compact and contiguous or because they violate the anti-discrimination clause of the Virginia Constitution through an excessive reliance on race. “It was an honor to be asked by the Governor to represent him,” said Karlan. “The case, like the other redistricting-related work I’ve done, gives me an opportunity to argue in a courtroom about the doctrine I teach in the classroom and write about in my scholarship.”
Kitch Visits at Georgetown, Nebraska, Münster

In March 2002, Edmund W. Kitch delivered the Keynote Address to nearly 500 attendees of the Conference on the World Intellectual Patent System held in Geneva, Switzerland. The Conference was attended by representatives of patent offices, patent bars and patent users from all over the world. The purpose of the Conference was to discuss the WIPO Patent Agenda addressing possible improvements in the world patent system. The address is available on the WIPO web site.

In February 2002, he spoke at a conference on traditional knowledge and intellectual property at Cardozo University, in New York, and in April 2002 Kitch spoke at a conference on Law and the Human Genome at Washington University, St. Louis.

During the spring semester of 2002, Kitch visited at Georgetown University Law Center, where he taught a course on corporations, and in May 2002 taught Constitutional Law to students at the University of Münster in Germany, as part of the continuing UVA-Münster exchange program.

In June 2002, Kitch lectured at the Max Planck Institute for Intellectual Property, Competition and Tax Law in Munich, Germany, on the relationship between intellectual property and accounting.

During September 2002, he was the Harvey and Susan Perlman Visiting Professor of Law at the University of Nebraska School of Law, where Kitch taught a course on securities fraud and delivered a lecture on the topic of “Enron and its Aftermath.” Harvey Perlman, a former member of the University of Virginia Law School Faculty, was Dean of the Nebraska School of Law for thirteen years and is presently the Chancellor of the University of Nebraska, Lincoln.
The Real Effect of *Brown*

Michael Klarman has presented various portions of his book manuscript on the Supreme Court, race, and the Constitution to faculty workshops at Stanford, Illinois, Hastings, Yale, University of Southern California, Florida and Chicago. Due out in December 2003 under the Oxford University Press imprint, the book presents two large themes: the connection between Supreme Court decisions involving race and the broader social and political context of race relations, and the impact of these decisions on society.

According to Klarman, “to understand constitutional interpretation, you have to understand the context of the times. More or less, the Supreme Court is a reflection of the broader society. *Brown* illustrates the point. American racial attitudes and practices were changing dramatically in the late 1940s and early 1950s as a result of various forces deriving from World War II. The justices in *Brown* appreciated that they were riding the crest of a wave, not inaugurating a social movement. Then there is the question of how significant was the impact of the Court’s race rulings. Did *Brown* create the civil rights movement? Did *Plessy* significantly advance Jim Crow? I don’t think so. The Supreme Court just isn’t that powerful.”

In his penultimate chapter, Klarman describes how *Brown* was not the easy case that its unanimity might lead one to suppose. Indeed, his research reveals that in the initial conference, the justices were divided roughly down the middle about whether to reaffirm *Plessy*.

“*Brown* seems so obviously right that we hardly bother asking any longer how to justify it as a matter of constitutional theory,” said Klarman. “But there wasn’t a strong legal theory for striking down segregation. If you look at the constitutional text, the original intent of its drafters, and judicial precedent, they all seemed to point toward reaffirming *Plessy*. The best argument for striking down school segregation was that it was evil—morally indefensible—but most of the Justices didn’t think that doing moral philosophy was part of their job description. Several of them saw *Brown* as posing a conflict between law and politics. They believed that segregation probably was legally justified, but they could not bring themselves to stomach that result.”

*Brown* did have an important indirect effect on society, according to Klarman. “I think *Brown* accelerated the racial transformation that took place in the 1960s, but not in the conventional sense that it educated whites to believe in racial equality or motivated blacks to demonstrate in the streets. Its most important effect was in crystallizing southern white resistance to racial change, radicalizing southern politics, and creating a climate conducive to violence. When direct action protest movements developed in the 1960s, with police officers brutalizing civil rights demonstrators, the nation was appalled and demanded civil rights legislation. If that account is accurate, then *Brown* did accelerate racial progress, but in an indirect and almost perverse way. *Brown* brought out the worst in white supremacy and in doing so accelerated its demise.”

Klarman also presented papers at the University of Sussex, in Brighton, England, in March; at the Institute for Southern Studies at the University of South Carolina in June; and at a conference at William & Mary Law School in October. In addition, he taught in two judge’s programs during the summer in Indiana. Finally, in mid-September, he gave a lecture to Missouri state appellate judges on *Brown* and participated in a panel discussion on “liberty versus security in the wake of 9/11” at the Missouri Bar Association annual meeting in Kansas City. Klarman spent the last academic year visiting at Stanford Law School.
Administrative Law Update and Reviewing the Progress of Women in Law Schools

Elizabeth Magill joined other administrative law specialists to write an update of the last year in administrative law for the Section of Administrative Law and Regulatory Practice of the American Bar Association. The update was presented at their fall meeting in October.

Magill also served on a Law School panel with Barbara Armacost, Robert O’Neil, and Pamela Karlan, with A.E. Dick Howard moderating, which reviewed the last Supreme Court term (see page 12). “Hundreds of students turned out for this event, which I hope is a sign of things to come. A core group of students are working to revitalize the Student Legal Forum, which is a welcome development.”

Magill also moderated “Women in Legal Academia: Past, Present and Future,” held March 26 at the Law School. Organized by Virginia Law Women, the panel reflected on the progress of women in law schools. “Previously, scant numbers of women attended law school—less than three percent of law students were women up until 1965,” said Magill. “But the steadily increasing numbers of female students have now translated to greater female involvement in legal academia. In 1999, ten percent of law school deans were women and twenty-two percent of tenure-track law professors were women.”

Heartened by Human Resilience in Guinea

David Martin was recently elected to the national board of directors of the International Rescue Committee (IRC), one of the largest non-governmental organizations doing refugee assistance and resettlement. The IRC was originally founded in the 1930s at the request of Albert Einstein to help the victims of the Nazi regime’s atrocities, but is now active throughout the globe.

“When I left the INS I wanted to make use of some of my experience,” said Martin, who had taken leave from the Law School to serve as General Counsel of the Immigration and Naturalization Service from 1995 to 1998. “I didn’t just want to write about the issues, I wanted to be involved. There is a certain satisfaction from helping a good organization function a little better so that it can serve some truly needy people.”

In April, Martin traveled to refugee camps in Guinea, West Africa, in his role with the IRC. “We met a fourteen-year-old boy from Sierra Leone whose English was excellent, and the staff assigned him to be our guide though a center for separated children. He was an excellent guide and told us all about the center. But when we asked him to tell us about his family, he began to stutter. He explained, with difficulty, that his parents had been killed in front of him and he had seen the rebels cut off his younger brother’s arm. We were told later that he had been forced to serve as a combatant, dragooned by the rebels after they murdered his parents, and that such a stammer was not uncommon among former child soldiers. The war’s impact really came home to us in seeing how this smart, smooth, and
accomplished kid was undone in retelling that part of his history.

“But I want to emphasize that that was by no means the whole story of our visit. Overall, I left with a much more hopeful image than I expected. The war is largely over in Sierra Leone and a lot of people are repatriating. Moreover, in the camps I was impressed by the engagement of the camp residents. The people have really rallied to support programs, run by IRC and others—health programs, schools,—efforts to reunite families. People who had been through things we can’t imagine didn’t let their past suffering overwhelm them. They rolled up their sleeves and got involved, a heartening example of human resilience.”

Martin was invited to testify in June before the Subcommittee on Immigration, Senate Committee on the Judiciary, on “Immigration and the Organization of the Homeland Security Department.” His central organizational proposal was endorsed by Senator Kennedy and incorporated into a bipartisan Senate bill on the new Department, although the final shape of the bill was unclear at press time.

Finally, in October, Martin spoke at programs in Berlin and Vienna, discussing findings of projects in which he participated on the subject of dual nationality.

Martin has served on numerous panels and as a speaker on antiterrorism policy, immigration, and civil liberties for the Association of American Law Schools annual meeting, the University of North Carolina Law School, the Federal Judicial Center, the John Bassett Moore Society, the Center for Migration Studies, University of Virginia Women of Color, an International Organization for Migration symposium in Geneva, the Immigration Law Professors Biennial Conference, and the Ninth Circuit Judicial Conference. He was also invited to speak on March 11 to the Inter-American Commission on Human Rights (an organ of the Organization of American States), at a hearing on Terrorism and Human Rights.

In April, Martin also delivered the Commonwealth 2020 Lecture (in the University of Virginia’s Engaging the Mind Series) in Fairfax, speaking on the topic of “Immigration, Security and Liberty: Adjusting the Balance after September 11.”
Federal Circuit, Justice Black, and the Immutability of Human Nature

In April, Professor Emeritus Daniel Meador spoke at the Annual Judicial Conference of the Federal Circuit in Washington, D.C., which was celebrating the twentieth anniversary of the creation of the Court of Appeals for the Federal Circuit. Meador talked about the origins of the court and the development of the legislation creating it in the Office for Improvements in the Administration of Justice in the U.S. Department of Justice, which he headed at the time. On October 3, Meador spoke at the Annual Conference of the Court of Federal Claims, celebrating its twentieth anniversary, which came about in the same legislation that created the Federal Circuit.

On June 28 at the Annual Judicial Conference of the Fourth Circuit at the Greenbrier, Meador participated on a panel of former law clerks of Justice Hugo Black to discuss the Justice and the experience of working for him as a law clerk.

“He had a close personal relationship with his clerks and we were intimately involved in drafting opinions with him, face to face,” said Meador. “He did the original draft, we could make suggestions and discuss points, change some of the wording, but it was unquestionably him and his style. Very much unlike today where judges have the clerks do the first draft.”

According to Meador, Justice Black “was a great reader of history, particularly of Greece and Rome and the founding years of our country. We were abundantly aware of his interests and he would assign readings to his clerks. It was education, like being in school for a year. His view was that these were more important than legal texts to get an understanding of human nature that hadn’t changed in 2000 years.”

Technology and Its Effect on Evidence Law

Jennifer Mnookin gave several evidence-related talks in the last year: “Computer Simulations and Animations in the Courtroom” at the AALS annual meeting in D.C.; “Evidence in a New Technological Age” on new forms of technological evidence at an AALS-sponsored Evidence conference; and “Nuts and Bolts of Daubert” about current issues in scientific evidence at a Science and Law conference sponsored by the Department of Justice and the National Institute of Justice. She also gave a faculty workshop at Arizona State University Law School.

Mnookin became a member of the Editorial Board for Law and Social Inquiry, an interdisciplinary legal journal published by the American Bar Foundation.

Finally, Anne Coughlin and Mnookin are teaching a new seminar this fall semester on lawyers, law, and film.

(IN)juries & (IN)justice for All: (IL)Legal Blame?

In February and March, Jeffrey O’Connell was a visiting fellow at St. John’s and Downing Colleges in Cambridge, England, lecturing to classes on insurance law. He also gave a lecture at the UCLA law school in a symposium on tort law on April 19 titled “(IN)juries & (IN)justice for All: (IL)legal Blame?”

“I was pointing out the contrast between a report from the Institute of Medicine which
characterizes medical errors as not caused by the carelessness of individual health care providers,” said O’Connell. “Rather, it says they’re the result of cumulative activities that inevitably cause some adverse results in today’s complex medical system. If you view the problem as essentially multi-causal, trying to correct them is complicated and calls for a lot of cooperation on the part of all the contributing individuals. If you think of it as simply the fault of a single individual, when you cast that blame you’re not beginning to get at the real heart of the problem.” He also presented this paper in May at the University of Virginia’s Miller Center of Public Affairs and in June at the annual meeting of the Republican [State] Attorneys General Association in Scottsdale, AZ.

O’Connell also spoke at a symposium in April at the University of Illinois honoring the late economist Julian Simon. “Julian’s pragmatic research has often been unduly ignored by the overly abstract economics establishment, particularly his research on environmental issues and population,” he said. “He believed that on the whole the environment was not deteriorating and that overpopulation was not a threat, which is an unpopular opinion among the establishment.”

Also in April, O’Connell spoke on automobile insurance reform at a seminar series at the Department of Policy Analysis and Management at Cornell University.

In September in Charlottesville, O’Connell spoke at the Orthopedic Guild’s annual meeting on neo no-fault insurance reform for medical adverse results.

O’Connell also delivered lectures on neo no-fault in September at the annual meeting of the Kentucky Medical Association and in October to a forum in D.C. sponsored by Common Good called Reforming America’s Lawsuit Culture.

### Academic Freedom, Threats to Privacy, and Cross Burning

Robert M. O’Neil has been appointed by the National Academies of Science to the Committee on Privacy in the Information Age, and as rapporteur for the Privacy Law subgroup.

“We have a roughly two year timetable,” said O’Neil. “We held hearings last month and heard from a number of groups and organizations. We expect to hold another couple of those sessions. We’ll then make recommendations directly to Congress, giving our best judgment over the nature of current and future threats to privacy, not exclusively governmental, and to consider and recommend possible policy changes in response to these concerns.”

O’Neil also agreed to chair a special committee of the American Association of University Professors studying the effects of September 11 on academic freedom. “We do not have any sense of a stampede or a crisis but we believe some group should be monitoring it,” he said.

In September, O’Neil spoke to the Freedom of Information Foundation of Texas, in Austin. Also, the Thomas Jefferson Center for the Protection of Free Expression, of which O’Neil is Director, filed an amicus brief in the Supreme Court of the United States in the Black (Virginia cross-burning) case, supporting the ruling of the Virginia Supreme Court (which struck down the state law on First Amendment grounds.) “We believe the Virginia Supreme Court is on the right side, and we hope it will be affirmed,” he said. “Needless to say, it will be close and difficult depending on how they feel about treating cross-burning as a protected form of expression, but we are hopeful.”
Seeking New Models of Privacy Protection; Studying the Paradox of Mass Democracy

Dan Ortiz is currently acting as the coordinator for the Legal Project of the Markle Foundation Task Force on National Security in the Information Age. “The Markle Foundation, working with the University’s Miller Center, has put together a task force to look at ways of employing the great advantage America enjoys in technology to fight terrorism,” said Ortiz. “It’s likely that the federal government will begin mining private databases—trying to match attendance at flight schools with credit card, phone, and travel records, for example—in order to prevent attacks like those of last year. This type of data analysis could become an important weapon against terrorism but it raises legitimate privacy concerns. We’ll have to move to a new model of privacy protection that requires the government to show some good reason why matching up certain records would be helpful and initially minimizes access to the identities of specific people but allows the government to analyze patterns that may emerge.”

Ortiz also gave a paper called “The Paradox of Mass Democracy” at a faculty workshop at Washington and Lee University on September 16. In it, Ortiz identified tensions inherent in democracy that can defeat its own principles. “We make three assumptions about democracy,” said Ortiz. “That there should be broad participation, equality of participation, and thoughtful decision-making. But there is a tension between the first two and the third. As you broaden participation and make it more equal, there is less incentive for people to participate because the value of any single vote is diluted. There are two solutions. You can try to make people more thoughtful—which won’t work and is coercive—or you can try to address the symptoms, rather than the cause. Rotating the order of names on a ballot to neutralize the effect of votes cast simply for whoever appears at the top is a good example of this second strategy. One can think of much of campaign finance reform in the same way.”

FISA Investigations in the War on Terror

Stephen F. Smith was a panelist during the 2002–2003 Supreme Court Preview sponsored by the Institute of Bill of Rights Law at the College of William & Mary School of Law, September 20–21. Professor Smith addressed the “war on terror” and key developments in criminal procedure, and participated in a mock Supreme Court oral argument on the constitutionality of California’s controversial “three strikes” law.

In his remarks on the war on terror, Professor Smith argued that the September 11 attacks were facilitated by decades of gross misallocation of federal law enforcement resources. “For myself and others who have decried the steady expansion of the federal criminal law into the province of state law enforcement over the last two generations,” Smith said, “it came as no surprise that such a brazen attack could take place on American soil. How could we stop terrorists, after all, when federal law enforcement agents were so busy doing the jobs of state and local police, such as cracking down on street crime, illegal drugs, and garden-variety frauds?”

In this connection, Professor Smith discussed the historic appeal by the
government of a controversial decision by the so-called FISA Court. The Bush Administration claims that federal criminal prosecutors ought to be free to direct intelligence-gathering activities under the Foreign Intelligence Surveillance Act (FISA) notwithstanding decades of cases ruling that FISA investigations cannot be conducted for law enforcement purposes. The FISA Court disagreed, saying that FISA still requires “minimization procedures” to protect the privacy of innocent U.S. persons. According to Smith, the government in its appeal has a strong argument that the USA Patriot Act significantly eases prior restrictions on prosecutors engaged in FISA surveillance activities. If, however, the court of review upholds the limitations imposed by the FISA Court, Smith sees an interesting separation of powers issue arise over the inherent authority of the President to conduct intelligence-gathering activities deemed essential to national security.

Courts Turn to Stephan as Russian Law Expert

Paul Stephan has worked extensively as an expert on Russian law in six U.S. lawsuits. “Three of them involve disputes over the ownership of natural resources in Russia,” he said. “One involved a U.S. bank’s responsibility for losses suffered by a Russian correspondent bank, one contests ownership of the copyright to Soviet-era animation and the last was a claim of legal malpractice under Russian law. In the two cases the court decided so far, it relied on my opinion in reaching its conclusion.”

Stephan also taught U.S. Corporate and International Tax at Melbourne University this summer. In April, Stephan was one of the main speakers at the Clifford Symposium on Civil Litigation at DePaul Law School. He also presented the paper delivered at that conference, “A Becoming Modesty—U.S. Civil Litigation in the Mirror of International Law,” at a Law School summer workshop.

Studying the Efficiency of Vague Contract Terms

In March, George Triantis presented a paper (with NYU law professor Barry Adler) at the Fifteenth Annual Corporate Law Symposium of the Center for Corporate Law at the University of Cincinnati. The paper is entitled “Absolute Priority in the Aftermath of North LaSalle Street” and is forthcoming in the University of Cincinnati Law Review.

Triantis also presented a paper at a conference at Louisiana State University Law School on Unifying Commercial Law in the Twentieth Century. The paper is entitled “The Efficiency of Vague Contract Terms” and is forthcoming in the Louisiana Law Review. “I asked the question why commercial actors use vague terms in contracts, contrary to the prescription of economic analysis,” said Triantis. “By agreeing to terms like ‘reasonable’ or ‘excellent condition’, they invite future litigation over the meaning of these provisions. This suggests that contract scholarship should take a more thorough look at the litigation game and the incentives to present evidence at trial. After all, the parties contract in anticipation of these factors.” In a separate paper coauthored with Chris Sanchirico,
“Evidence Fabrication, Verifiability and Contract Design”, Triantis explores the possibility that the prospect of evidence fabrication at trial may, in some circumstances, improve incentives to perform contractual obligations. The authors presented this paper at a conference on the law and economics of contracts at the Law School on September 27–28.

Triantis presented his paper on “Organizations as Internal Capital Markets” at the College of William and Mary School of Law and at the annual meetings of the American Law and Economics Association at Harvard Law School in May. The paper explores the conditions under which corporate and nonprofit managers should have the discretion to move capital between different projects, and the legal organizations that impede or facilitate such flexibility.

Triantis also participated in several conferences at business schools. In March, he was a discussant on a paper by Per Stromberg of the University of Chicago Business School entitled “Evidence from Venture Capital Analyses.” The conference was the Second Annual Law and Business Conference at Vanderbilt University Law School. In May, Triantis was a discussant in a session at Darden on Corruption and Control at a conference on Valuation in Emerging Markets, held by the Batten Institute of the Darden School of Business.

Triantis taught the second half of the law and economics course in the Judges LL.M. Program at the Law School in July. The subject was “Information Economics of Contracts and Organizations.”

White Asserts Hiss’s Lifelong Loyalty to Communism

Ted White delivered the annual Kormendy Lecture at Ohio Northern University, an endowed lecture series designed “to bring prominent individuals to the Ohio Northern University campus to address matters of law in a public forum.” Previous lecturers have included Justices Sandra Day O’Connor and Antonin Scalia. The title of White’s lecture was “Holmes and Hiss.” According to White, “the lecture is part of my forthcoming book, Alger Hiss’s Looking-Glass Wars, where I recast the significant events in Hiss’s life and career in light of recent information confirming his status as a committed agent for Soviet intelligence from the early 1930s through the Second World War. I’m suggesting that, despite his lifelong denials of any connection to the Soviets or of any attraction to Communism, he remained loyal to the ideals and aspirations of Soviet Communism from the 1930s to his death in 1996.”

Also in March, White presented a paper, “The Arrival of History in Constitutional Scholarship,” to the Constitutional Law Workshop at the University of Chicago Law School. On April 5, he gave a lecture in the Distinguished Lecturer Series at the University of Oregon School of Law, “The Supreme Court Justice as Cultural Icon: Marshall, Holmes, and Warren.” White was also a member of the Blue Ribbon Commission that presented a Report on the National Museum of American History to the Board of Regents of the Smithsonian Institution last March. Other Commission members included Tom Brokaw, Roger Mudd, and Professors David Herbert Donald, Eric Foner, Neil Harris, and Laurel Thatcher Ulrich.

Commencement 2002

THE SCENE WAS PICTURE-PERFECT under clear, blue skies as the School of Law conferred 403 degrees in its 173rd graduation ceremony, Sunday, May 19. Commencement speaker Bob Wright ’68, vice chairman and executive officer of General Electric and chairman and CEO of NBC, told the crowd of 4,000 that the public’s tarnished view of lawyers, exacerbated by the Enron scandal, means that young lawyers must inflexibly uphold the ideals of the profession. “The defenders of the Constitution, the guardians of our liberty, the advocates of just causes, no matter how unpopular, the protectors of the powerless, the wise counselors of our society—that is the role of America’s lawyers. This is what you have trained to become,” said Wright.

Dean John C. Jeffries, Jr. ’73, congratulated the graduates for being “the most public-spirited class ever.” Student Bar Association President Kendall Day announced their class gift, a permanent exhibit tracing the development of the Law School’s facilities since the University’s founding, is meant to remind future students of the traditions of excellence and service they are expected to carry on.

Amid the festive ceremony, Jonathan Elliot made a cell phone call as he crossed the stage to accept his diploma. He held the phone aloft to the crowd. His 84-year-old father, too ill to travel, was proudly listening to the applause.

It was that kind of day.
UVA Law Clerks: Class of 2002

Matthew Lincoln Adams
The Honorable Ross W. Krumm
U.S. District Court, Western District of Virginia

Sarah Kathleen (Erickson) Andre
The Honorable Gary A. Feess
U.S. District Court, Central District of California

James Edward Shreve Ariail
The Honorable Claude M. Hilton
U.S. District Court, Eastern District of Virginia

Cameron Du Bignon Arterton
The Honorable Henry H. Kennedy, Jr.
U.S. District Court, District of Columbia

Mark Travis Baker
The Honorable Bruce D. Black
U.S. District Court, District of New Mexico

David Austin Barker
The Honorable T.S. Ellis III
U.S. District Court, Eastern District of Virginia

Carrie Elizabeth Bassi
The Honorable Gene Carter
U.S. District Court, District of Maine

Amanda Putnam Biles
The Honorable Mary Beck Briscoe
U.S. Court of Appeals for the Tenth Circuit
and The Honorable John G. Heyburn II
U.S. District Court, Western District of Kentucky

David Alan Bragdon
The Honorable Stephen F. Williams
U.S. Court of Appeals for the D.C. Circuit

Guy Brenner
The Honorable Colleen Kollar-Kotelly
U.S. District Court, District of Columbia

Matthew David Burton
The Honorable Jacques L. Wiener, Jr.
U.S. Court of Appeals for the Fifth Circuit

Carter Hamilton Burwell
The Honorable Karen L. Henderson
U.S. Court of Appeals for the D.C. Circuit
and The Honorable John Gleeson
U.S. District Court, Eastern District of New York

Sarah Rebekah Byers
The Honorable Beverly B. Martin
U.S. District Court, Northern District of Georgia

Andrew Dale Cannady
The Honorable Christine O. C. Miller
U.S. Court of Federal Claims

Randall Baldwin Clark
The Honorable Edith H. Jones
U.S. Court of Appeals for the Fifth Circuit

Jeffrey Stephen Coleman
The Honorable Rossie D. Alston
Prince William County Circuit Court

Lisa Marie Colone
The Honorable Catherine C. Blake
U.S. District Court, District of Maryland

Elizabeth Catherine (Scott) Curtin
The Honorable Norman K. Moon
U.S. District Court, Western District of Virginia

Stacy Joanna Dawson
The Honorable Peter J. Messitte
U.S. District Court, District of Maryland

Michael Kendall Day
The Honorable Benson E. Legg
U.S. District Court, District of Maryland

Abra Elizabeth Edwards
The Honorable Joan A. Lenard
U.S. District Court, Southern District of Florida

Jonathan Bruce Eliot
The Honorable Eric Smith
Alaska District Court, Palmer

Christopher Paul Ende
The Honorable Alexander Harvey II
U.S. District Court, District of Maryland

April Elizabeth Fearnley
The Honorable Robert R. Beezer
U.S. Court of Appeals for the Ninth Circuit

Padraic Byrne Fennelly
The Honorable Jerry E. Smith
U.S. Court of Appeals for the Fifth Circuit

Scott Frederick Gast
The Honorable Michael S. Kanne
U.S. Court of Appeals for the Seventh Circuit

Christine Marie Genaitis
The Honorable Ronald R. Lagueux
U.S. District Court, District of Rhode Island
Brenden Scott Gingrich  
The Honorable Patrick E. Higginbotham  
U.S. Court of Appeals for the Fifth Circuit

Daniel Philip Golden  
The Honorable James Zazzali  
New Jersey Supreme Court

Michael Patrick Grady  
The Honorable Stefan R. Underhill  
U.S. District Court, District of Connecticut

Cara Lee Griffith  
The Honorable Cynthia Kinser  
Virginia Supreme Court

Shannon Richmond Hall  
The Honorable Emily C. Hewitt  
U.S. Court of Federal Claims

Colleen Denise Hitch  
The Honorable Samuel Hardy Mays  
U.S. District Court, Western District of Tennessee  
and The Honorable Irene M. Keeley  
U.S. District Court, Northern District of West Virginia

James Derrick Honaker  
The Honorable E. Norman Veasey  
Supreme Court of Delaware

Vanessa Horbaly  
The Honorable Robert G. Doumar  
U.S. District Court, Eastern District of Virginia

Melissa Mitchell Howard  
The Honorable Eugene E. Siler, Jr.  
U.S. Court of Appeals for the Sixth Circuit

Amber Lynn Husbands  
The Honorable Robert G. Doumar  
U.S. District Court, Eastern District of Virginia

Kalere Jacob  
The Honorable Janis G. Jack  
U.S. District Court, Southern District of Texas

Ian Charles Jones  
The Honorable Clarence A. Brimmer  
U.S. District Court, District of Wyoming

Jessica Katherine Kelly  
The Honorable Daly Hawkins  
U.S. Court of Appeals for the Ninth Circuit  
and The Honorable H. Robert Mayer  
Federal Circuit Court of Appeals

Amy Elizabeth Kobelski  
The Honorable Frank F. Drowota III  
Tennessee Supreme Court

Kristina Jean Kopf  
The Honorable Michael S. McManus  
U.S. District Court, Eastern District of California

Kristin Krause  
The Honorable Robert B. King  
U.S. Court of Appeals for the Fourth Circuit

Justin Vincent Laubach  
The Honorable Robert E. Coyle  
U.S. District Court, Eastern District of California  
and The Honorable Howard D. McKibben  
U.S. District Court, District of Nevada

Michael Dennis Lockard  
The Honorable R. Lanier Anderson, III  
U.S. Court of Appeals for the Eleventh Circuit

Keith Robert Lorenze  
Delaware Court of Common Pleas

Daniel Nicholas Lovejoy  
The Honorable Douglas H. Ginsburg  
U.S. Court of Appeals for the D.C. Circuit

Sarah Avital Lowinger  
The Honorable Rick Haselton  
Oregon Court of Appeals

Holly Repp MacKay  
The Honorable James C. Cacheris  
U.S. District Court, Eastern District of Virginia

Genevieve Schaeb McCormack  
The Honorable John C. Lifland  
U.S. District Court, District of New Jersey

Mary Ann McGrail  
The Honorable Richard S. Arnold  
U.S. Court of Appeals for the Eighth Circuit
Katherine Ellen McKune
The Honorable Boyce F. Martin, Jr.
U.S. Court of Appeals for the Sixth Circuit

Alexis I. Mei
Second Judicial Circuit of Virginia
City of Virginia Beach Circuit Court

Heather Louise Mitchell
The Honorable Benson E. Legg
U.S. District Court, District of Maryland

Najwa Marie Nabti
The Honorable Stephen M. McNamee
U.S. District Court, District of Arizona

Matthew Robert Oakes
The Honorable Percy Anderson
U.S. District Court, Central District of California
and The Honorable Norman K. Moon
U.S. District Court, Western District of Virginia

Lesley Anne Pate
The Honorable Robert E. Doumar
U.S. District Court, Eastern District of Virginia

Ruth Amy Payne
The Honorable J. Harvie Wilkinson III
U.S. Court of Appeals for the Fourth Circuit

Elisabeth Anne Polzin
The Honorable Karen Nelson Moore
U.S. Court of Appeals for the Sixth Circuit

William Rueger Poynter
The Honorable Alvin A. Schall
U.S. Court of Appeals for the Federal Circuit

Cameron Fuller Reeves
The Honorable Rebecca B. Smith
U.S. District Court, Eastern District of Virginia

Kimberly Smith Robertson
The Honorable B. Waugh Crigler
U.S. District Court, Western District of Virginia

Nathaniel Clarke Roland
The Honorable Alice M. Batchelder
U.S. Court of Appeals for the Sixth Circuit

Jacqueline Sadker
The Honorable Kim M. Wardlaw
U.S. Court of Appeals for the Ninth Circuit

George Peter Sibley III
The Honorable Karen J. Williams
U.S. Court of Appeals for the Fourth Circuit
and The Honorable Robert E. Payne
U.S. District Court, Eastern District of Virginia

Kendal Aylor Sibley
The Honorable Karen J. Williams
U.S. Court of Appeals for the Fourth Circuit

Sandra Compton Simmons
The Honorable Rebecca B. Smith
U.S. District Court, Eastern District of Virginia

Holly Marie Simpkins
The Honorable Robert R. Beezer
U.S. Court of Appeals for the Ninth Circuit

Daniel Plympton Smith
The Honorable James Morse
Vermont Supreme Court

Jamila Deas Smoot
The Honorable Emilio M. Garza
U.S. Court of Appeals for the Fifth Circuit

Jennifer Loraine Swize
The Honorable Paul V. Niemeyer
U.S. Court of Appeals for the Fourth Circuit
and The Honorable Jose A. Cabranes
U.S. Court of Appeals for the Second Circuit

Natalie Caroline Timmers
The Honorable Fortunato P. Benavides
U.S. Court of Appeals for the Fifth Circuit

Katharine von Ter Stegge
The Honorable David Faber
U.S. District Court, Southern District of West Virginia

Stephen Scott West
The Honorable J. Michael Luttig
U.S. Court of Appeals for the Fourth Circuit

Michael Louis Whitlock
The Honorable Gerald Bruce Lee
U.S. District Court, Eastern District of Virginia

Jennifer Bowen Wieland
The Honorable Lourdes Baird
U.S. District Court, Central District of California
2002 Graduation Awards

Margaret G. Hyde Award  Michael Kendall Day
James C. Slaughter Honor Award  Jennifer Loraine Swize
Thomas Marshall Miller Prize  Terrica Lashun Redfield
Law School Alumni Association Award for Academic Excellence  Daniel Nicholas Lovejoy
Law School Alumni Association Best Note Award  Matthew Christian Schruers
Robert E. Goldsten Award for Distinction in the Classroom  Daniel Nicholas Lovejoy
Roger and Madeleine Traynor Prize  Kelley Brooke Snyder
Herbert Kramer/Herbert Bangel Community Service Award  Matthew Adams Axtell
Mortimer Caplin Public Service Award  Jennifer Loraine Swize
Robert F. Kennedy Award for Public Service  Kerry Elizabeth Kornblatt
Edwin S. Cohen Tax Prize  Laura Kristen Everitt
Earle K. Shawe Labor Relations Award  Jennifer Tink
John M. Olin Prize in Law and Economics  Abra Elizabeth Edwards
Eppa Hunton IV Memorial Book Award  Matthew Scott Houser
Virginia Trial Lawyers Trial Advocacy Award  Jeffrey Darren Kessler
Charles J. Frankel Award in Health Law  Matthew Christian Schruers
Z Society Shannon Award  Brian Thomas Stansbury
Virginia State Bar Family Law Book Award  Mark Travis Baker

Virginia Trial Lawyers Trial Advocacy Award  Elizabeth Catherine Scott
Z Society Shannon Award  Ruth Amy Payne
Virginia State Bar Family Law Book Award  Katherine Rose Lasher
“I have been very lucky.
I always felt I should spend some time paying it back.”

Robert S. Mueller III ’73
On the Front Lines Again

doesn’t like to talk about himself.”

That’s not a statement one often hears in the nation’s capitol. But John Collingwood, Assistant Director of the Office of Public and Congressional Affairs for the FBI, was summarizing an essential character trait of Robert S. Mueller III ’73: humility.

“He doesn’t like his picture taken, either,” added Mike Kortan, Chief of the Public Affairs Section.

Terrific.

Mr. Collingwood and the FBI’s chief Public Affairs Officer Mike Kortan, both career Special Agents, had met us on the top floor of the J. Edgar Hoover building in Washington. We had just passed through the post 9/11 cordon of security and were standing in a long hallway outside the Director’s spacious waiting room.

Collingwood and Kortan were vetting some of the questions we planned to ask, acting as Mueller’s first line of editorial defense. But they weren’t doing it as bureaucrats. It was their job, but one could see immediately that they really cared about their chief. It was the first indication of the quality of the man who is now our country’s chief law enforcement officer. We followed them to the Director’s office where he greeted us warmly, striding toward us from his office overlooking the Washington Monument and saying “Hi, Bob Mueller.”

Forthright. Respectful.

Mueller is a fit man with an ex-Marine’s passion for hard exercise. Lanky with a square jaw and engaging smile, he holds your gaze. A naturally reticent man, he’s perfected the lawyer’s penchant for answering the question asked but never venturing into the one implied.

Bob Mueller’s public service pedigree goes back to 1970 and the jungles of Vietnam. Born in New York City and raised near Philadelphia, he graduated from Princeton, enlisted in the Marine Corps, and shipped into combat as a platoon leader, the most perilous posting in the war. It was a time when the firefight was at its fiercest, both in Vietnam and in the streets of this country. But to Mueller, there was no controversy. It was a matter of duty.

“I have been very lucky. I always felt I should spend some time paying it back. One of the reasons I went into the
On the Front Lines with Robert Mueller

“On the Front Lines with Robert Mueller

The joy of it is that you are doing it for the country, you are doing it for other FBI agents, you are doing it for the community, and you are doing it for the people. That is tremendously rewarding.”

Marine Corps was because we lost a very good friend, a Marine in Vietnam, who was a year ahead of me at Princeton. There were a number of us who felt we should follow his example and at least go into the service. And it flows from there.”

After being wounded in combat and earning a Bronze Star, two Navy commendation medals, the Purple Heart, and the Vietnamese Cross of Gallantry, Mueller returned to civilian life. But like most veterans returning home, he found a society riven by distrust, anger, and suspicion, both toward the veterans and the political leadership. It’s in this context that one must understand Bob Mueller’s passion for public service. The country was deeply dispirited, its self-image terribly damaged, yet he was drawn inexorably toward serving it again. He applied to law school with the intention of going into the FBI as an agent.

Instead of being rewarded for service to his country, Bob Mueller found that many of the top law schools looked suspiciously at military service. But not the University of Virginia. “I applied to a bunch of schools,” he said, “but back in ’69–’70 having been in the service was not wildly applauded. A number of law schools didn’t give much credit to the fact that you were in the service. Virginia was not one of them. They believed that military service was important. It was one of the few. Many of the others that were in those top ranks would look askance at somebody who had done some time in the service.”

At Virginia, Mueller found himself amongst a diverse group of students. At that time, one would expect that a seasoned Marine who had risked his life for his country, and who had faced national derision for his efforts, would be bitter. But Bob Mueller is nothing if not calm, unflappable. Thoroughly at peace with himself, he took none of it personally. And that allowed him to analyze people and issues for what they were, not what they appeared to be.

For example, deferment of conscientious objectors was a red meat issue for a typical Marine in 1970. Bob Mueller isn’t typical. “They deserve a huge amount of credit for taking a principled stand. It was an interesting time and a good mix,” he said. “I made some very good friends who were diametrically different in their positions than I was at that time in terms of the war. But we had mutual respect.”

Mueller found more than a legal education at Virginia. Like his experience at Princeton, he found a commitment to values that are essential to public service. “There are schools that want pure smarts and there are others that look for the judgment and maturity that show you have done something else besides going straight into law school. I think Virginia has been good in that regard. I feel strongly that it supports Virginia and produces the leaders of a state. And it is important to inculcate in that
leadership certain values which may be different in those other schools that are preparing people for the legal profession alone, as opposed to some kind of public service.”

After his successful academic career at Virginia where he served on Law Review, Mueller sought a position with the United States Attorney’s office, but couldn’t get in right away. He accepted an offer from Pillsbury, Madison & Sutro in San Francisco where he could hone his litigator skills. “Ultimately I wanted to go into public service. I didn’t know what private practice would be like. We found out relatively quickly. It has its benefits, but I wanted to do public service. Every day you go to work because you want to; there is always something interesting and exciting. And you do it for somebody else, not just for the salary.”

He worked at Pillsbury for three years, developing a keen interest in criminal law and criminal prosecution. He reapplied to the U.S. Attorney’s office and became an assistant U.S. attorney for the District of Northern California in 1976, quickly rising through the ranks to become chief of its criminal division in 1981, and then in 1986 United States Attorney for the District of Massachusetts in Boston. During that time, he investigated and prosecuted financial fraud cases, narcotics conspiracies, racketeering cases, terrorist cases, tax matters, and public corruption cases. According to Governor Weld of Massachusetts as reported in the New York Times, “He simply knew his stuff. And there was no swagger to him, no strut to this guy at all.”

For Bob Mueller, public service is just that, service. It’s not about recognition, or money, or power. It’s about seeking justice for the families of victims and upholding our system of laws. “Doing homicides, the victim’s family was always present in your mind. You’re trying to find and bring justice to them. Working as an assistant U.S. attorney, I’ve seen how people think that they can get away with things and skirt the law. Bringing them to justice is tremendous satisfaction.”

Mueller’s work and reputation came to the attention of U.S. Attorney General Richard L. Thornburgh. He called Mueller in 1989 and asked him if he could oversee from Justice Department headquarters the prosecution of Manuel Noriega, a precedent-setting international law case with daunting political overtones. Mueller readily accepted, and the team won that case and jailed Noriega. Later, as Assistant Attorney General in charge of the Criminal Division of the U.S. Department of Justice, he would take on other high profile cases like the Lockerbie bombing case and the Gotti prosecution. In the late 1990s, he would also serve as the Chief of the Homicide Section of the United States Attorney’s Office for the District of Columbia, and then return as the United States Attorney for the Northern District of California in San Francisco.

“I’ve seen how people think that they can get away with things and skirt the law. Bringing them to justice is tremendous satisfaction.”

“I have always loved investigations,” said Mueller. “I love everything about investigations. One of the most challenging times I’ve had as a lawyer has been doing homicides here in the District of Columbia. I love the forensics. I love the fingerprints and the bullet casings and all the rest that comes along with doing that kind of work.”

And Then the World Changed

Mueller’s appointment as Director of the FBI faced little opposition at his Senate hearings. The Senate confirmed him in August and he was sworn in on September 4, 2001. One week later came the attack on the World Trade Center, the Pentagon, and the heroically aborted attack that crashed in Pennsylvania. Immediately, Director Mueller closeted himself in the FBI’s Command Center, on the front
lines in a new kind of war waged by a malevolent, shadowy enemy living on a diet of hatred and desperation. Mueller remained there for three months directing the nation’s law enforcement efforts.

“Information was coming in from all over the world,” said Kortan, “but he’s the type of leader who listens to his experts. He was decisive and trusted his people and their judgment. For anyone, it was a lot to take on.”

The Command Center sits deep within the Hoover Building, surrounded by security and outfitted with a dazzling array of computer networks and situation rooms. The Director’s special office surveys it all from a central location at its hub. Essentially, Mueller was conducting his public service duties from inside a fortress. Little personal contact with the outside world save the reams of data, leads, and alerts that all demanded attention. But as cataclysmic as 9/11 was, the FBI has systems and procedures in place built upon the experience they’ve had with other events similar in style, if not magnitude.

“As with other horrific incidents like Oklahoma City and the East Africa embassy bombings,” said Kortan, “when something like this happens, everyone knows what they have to do. They’re all professionals and they just do their job.”

The real test of Mueller’s patience came the following May and June. The newswires were singing with allegations of information mismanagement, institutional disarray within the FBI command structure, and botched analyses. Members of Congress came down hard on Mueller and his agency, accusing them of failing to heed warning signs that could have prevented the tragedy. Did it test his commitment to public service? No. “The rewards of public service outweigh the periods of criticism that you will inevitably get,” said Mueller. “Six months from now people who don’t know you will have forgotten what is written in the newspapers. And people who know you know that much of what is written is untrue. It’s much harder for your family and the people around you. They see all the criticism, much of which they think is undeserved, yet they don’t have the rewards of doing the job that you are doing. You put up with it. After surviving Vietnam, everyday you are alive is a blessing. There are crises and then there are crises. You have people snipping at you but it is not the same as having bullets whipping around. So you put everything in perspective. You are just lucky to be alive and have the opportunity to do something like this.”

Since 9/11, the mandate for Mueller and the FBI has grown from catching criminals to preventing crime. Some see this as a cultural shift difficult to implement in a large institution. But not Mueller.

“I think there is a fallacy out there that it is very difficult for an institution to move from being a crime solving, after-the-fact, reactive organization to a preventive, intelligence organization. The fact of the matter is that the agents, whether they’re working the counter-intelligence or counter-terrorism or criminal side, are excellent investigators. They interview and put together pieces of information, whether it’s evidence in a court room to convict somebody or it’s information to present to an analyst to be analyzed and paint a predicted picture as to what al Qaeda or some other terrorist group is doing now. The talents of the agents support both end products. And we are shifting to counter-terrorism nearly 500 additional agents. But I don’t think it will be a dramatic shift. What we have to do—and what we haven’t done in the past—is build up the analytical capacity both in...
technology and the analysts that take the information that we gather, analyze it, and be better able to disseminate it. That is the challenge. I think everybody overstates the culture change. The culture doesn’t change. The culture of the Bureau is hard work, integrity, sacrifice. That is what you see from just about every agent you have out there. To shift the focus of the investigations from a court case to preventing another terrorist attack has been much less a culture shift and more a focus and a mission shift.”

Perhaps the most revealing illustration of Bob Mueller’s strength of character and love of public service is the fact that he relishes his role at the epicenter of the nation’s war on terrorism. It’s personally dangerous. He lives daily with the knowledge of looming threats that could cause public panic. He is responsible for the safety of millions of citizens. His success can never be trumpeted; it hinges on what doesn’t happen. But his is not a politician’s love of power, nor a general’s lust for battle. Rather, it’s the simple pleasure he gets from his job and the joy of giving back to the country that has treated him well.

“I love it. I like the challenge, and there is a lot to be done. We have the best investigators in the world in this institution and some of the best people here at headquarters that carry me. The challenge is to get them the tools that they need to become even better. And that is what we are working on. You have the rewards of being involved in the critically important investigations, whether it is the investigation of the hijackers or anthrax or the like. And with all the frustrations, there is always the next tip, the next opportunity to solve. That is the heart of the issue. That is the heart of what we do. And that is really fun. The joy of it is that you are doing it for the country, you are doing it for other FBI agents, you are doing it for the community, and you are doing it for the people. That is tremendously rewarding.”

Mueller shrugs off the fact that as Director of the FBI he is prime target for terrorists. Wherever he goes, he has a cordon of security within which he enjoys a good margin of safety. But he loses the spontaneity of movement enjoyed by the rest of us.

“My wife is a true saint. Ann and I have been married since right after college. She has been through Vietnam. She has been through law school. She has been through everything. And she is just remarkable. And my kids are grown up and away. But it has affected us in what we do and the freedom we have to move around. But by the same token, it becomes part of the job and it will always be here. And you do it and hopefully down the road you return to anonymity.”

Finally, when asked what it takes to be good public servant, Mueller said, “Integrity. First is integrity. To the extent that you have it, humility. Discipline. Decisiveness. Doggedness.”

All character traits of Bob Mueller, and why he is the right man for the job. As a nation, we have a right to expect the best from the FBI. Bob Mueller will make sure we get it.

Cullen Couch, Director of Communications, and Melissa Young ’83, Associate Executive Director and Director of Operations of the Law School Foundation, interviewed FBI Director Mueller on August 6 at his office in the J. Edgar Hoover Building in Washington, D.C.
AS THE LAW SCHOOL’S INAUGURAL POWELL FELLOW IN LEGAL SERVICES, Katherine “Kit” Lasher ’02 will find herself face-to-face with some tough situations. But if anyone can mobilize the people and forces necessary to make a difference as a child advocate, Kit can.

Lasher was chosen as the 2002 Powell Fellow and in September she began working with the Riverdale office of Maryland’s Legal Aid Bureau (MDLAB), a group of forty attorneys providing free legal services to Maryland’s neediest residents. Because her interests and experiences lie with child advocacy, Lasher was anxious to join the staff of eleven attorneys who represent children in need of assistance (CINA). The group handled an overwhelming 5,500 CINA cases in 2000.

“I am very interested in child welfare-related issues,” she said. “As a Powell Fellow I will be working in the best interests of children who are neglected or living in abusive environments. It’s very nitty-gritty work, but I’m ready to jump straight in.”

Lasher has already experienced some of the challenging and draining tasks of a child advocate. On the first day of a summer internship in 2000 with the Texas Department of Protective and Regulatory Services, she worked with an attorney whose work included terminating the permanent

Lewis F. Powell, Jr., Fellowship in Legal Services

“Equal justice under the law is not merely a caption on the facade of the Supreme Court building. It is perhaps the most inspiring ideal in our society. It is one of the ends for which our entire legal system exists. It is fundamental that justice should be the same, in substance and availability, without regard to economic status.”

— Lewis F. Powell, Jr.

WHEN LEWIS F. POWELL, JR., BECAME ASSOCIATE JUSTICE of the Supreme Court in 1972, he was known as one of the nation’s leading corporate lawyers, a prodigious “rainmaker,” and a pillar of the legal establishment. Less well known was his life-long dedication to provision of legal services to the poor. Indeed, as a young man, Powell was so active in the local legal aid society that he earned a reputation as the leading “free” lawyer in Richmond.

The Lewis F. Powell, Jr., Fellowship in Legal Services honors Justice Powell by supporting a recent Law School graduate who works with a sponsoring organization to provide legal services to the poor. The fellowship is awarded for one year, with the expectation of renewal for a second. During that time, each Powell Fellow receives a stipend of $35,000, plus the usual benefits for an employee of the sponsoring organization. Proposed projects might address such issues as child abuse, domestic violence, affordable housing, access to health care, and consumer protection. Whatever the area, the Powell Fellow’s project must involve the delivery of legal services to persons in need.

The Powell Fellowship is a partnership between the Law School and the Powell family. Some donors, such as Edward J. Kelly III ’81 and Peter W. Quesada ’80, have contributed major support to the Powell Fellowship out of loyalty to the Law School. Others, such as ABC News President David Westin, a University of Michigan Law School graduate who clerked for Powell in 1978–79, and the partners of Hunton & Williams, have given out of loyalty to Powell. Some donors have ties to both. These include Molly Powell Sumner ’72 and her husband Christopher J. Sumner ’71, Lewis F. Powell III ’78, and Norm Scher ’62, a former Powell law partner. All together, more than 120 donors have pledged $1.5 million toward the $2.5 million required to endow this worthy project.

2002 Powell Fellow

parental rights of an incarcerated mother.

Given the nature of such proceedings, many lawyers serving as child advocates do not stay in their position for a long time. Standing before a judge and advocating for an outcome that goes against the wishes of parent and child can be difficult for all involved. But it is the job of the advocate to determine what is in the best interest of the child and then to fight for it. Certain people can handle emotionally wrenching jobs longer, and frankly better, than others. Lasher believes she is one of those who can deal with the pressures.

“It will be important for me to have my support systems in place, and I do,” she said. Besides her close familial relationships, Lasher has two opposing passions that provide important stress relief: she is a certified pastry chef and a serious mountain climber. After graduating from Amherst College, and before coming to the Law School, Lasher headed to the California Culinary Academy, devoting a year to her lifelong passion for baking. Her Law School classmates were the fortunate recipients of dozens of cookies on stress-filled days. “It’s a great stress reliever for me, and it’s something I can do for myself and others.”

Less sedate but more demanding is her love of mountain climbing. Lasher has climbed some of the world’s more formidable peaks: Mt. Kilamanjaro, the highest mountain in Africa; and Aconcagua, the highest mountain in the western and southern hemispheres. “My brother and I try to get a major climb in each year; I love the Zen of climbing.”

Given her love of adventure, it is not surprising that Lasher says, “I like new starts.” That is a crucial trait for someone who meets one challenge—be it advocating for child protection or climbing Mt. Kilamanjaro—and then looks for the next mountain to climb. As Lasher says, “… because I can do it, I should do it.”
Third Annual Conference Explores Public Service and the Law

■ Lise Adams ’03 and Abra Edwards ’02

“Let your training as lawyers kindle, not define, your passion for justice.”

—ELI J. SEGAL

THE THIRD ANNUAL CONFERENCE ON Public Service and the Law, held on February 15–16, brought together more than 340 students, faculty, litigators, and policy makers for an exploration of various public interest issues facing the legal community. The largest such conference to date and one of just a handful in the nation that brings together law students and faculty, attorneys, and policymakers, the conference explores public interest issues facing today’s legal community.

The conference featured a diverse group of speakers on nine panels, each moderated by a Law School professor, covering electoral reform, First Amendment law, legislative and political affairs, community and economic development,
gender and the law, bioethics, international law, environmental justice, and racial profiling. In addition, for the first time, the conference included Friday afternoon workshops on judicial clerkships and direct services and legal advocacy, both of which proved very popular among students. According to Law School Dean John Jeffries the 2002 Conference was “a great success” and the large number of participants represented “a tremendous expression of interest in public service.”

On Friday evening, Eli J. Segal, founding CEO and President of AmeriCorps, former President of the Welfare to Work Partnership and assistant to President Clinton, opened the conference with an inspiring speech on the obligation of today’s law school graduates to serve their communities. “Let your training as lawyers kindle, not define, your passion for justice,” Segal said. “One of the best ways you can improve your community is to be an advocate for the unrepresented. Find a way to make a difference for someone who has less than you. Go forth and make waves,” he said, adopting Robert F. Kennedy’s words.

The next day, Helgi C. Walker ’96, Associate Counsel to President Bush, delivered the luncheon address, stressing the importance of volunteerism. Walker outlined President Bush’s expanded AmeriCorps program and the impact it will have in encouraging public service in our nation.

Former Virginia Governor L. Douglas Wilder delivered the keynote address. Following introductory remarks by Dean Jeffries, Wilder reflected on his experience as the grandson of slaves, growing up in Virginia, pursuing a legal career, and eventually being elected the first African-American governor in United States history. Wilder, who currently serves as chairman of Governor Mark R. Warner’s Commission on Efficiency and Effectiveness, also discussed the protracted budget crisis in Virginia.

Responding to the September 11 tragedy, the conference featured a plenary session on national security law, with introductory remarks provided by former National Security Advisor Samuel R. Berger. “We need to accept that September 11 is not an isolated incident,” Berger said. “It brought home that what happens in the rest of the world matters to us.” Berger explained that the United States must wage the war on terrorism, but must simultaneously address the disparities between wealthy and poor nations, which tend to incite international discontent. “We have to be even more engaged in the Middle East to break the cycle of violence and end the bloodshed between Israelis and Palestinians,” he said.

Following Mr. Berger’s remarks, a panel co-sponsored by the Miller Center for Public Affairs at the University of Virginia, discussed national security law. The panel—Rachel King, Legislative Counsel for the ACLU, Larry Parkinson, General Counsel for the FBI, and Fred Hitz, former Inspector General to the CIA—analyzed the strengths and weaknesses of the anti-terrorism legislation passed in the
wake of September 11, and addressed how further legislation in this field might achieve a balance between individual civil liberties and national security concerns.

The conference was free to all participants. Further, conference planners were able to reinstate travel stipends for non-UVA law students so that law and undergraduate students from NYU, University of Minnesota, Syracuse, City University of New York, Columbia, University of North Carolina, Vanderbilt, American, Howard, Georgetown, George Washington, Johns Hopkins, Mary Baldwin, Appalachian Law School, Washington & Lee, and Catholic University were able to attend.

This year’s conference highlighted the broad range of opportunity and experience available to those who choose to practice law in the public interest, whether through pro bono, government service, employment with a non-profit organization, or politics.

The 2003 conference, scheduled for March 14 and 15, promises to be the largest and most comprehensive to date. With the specific goals of expanding the workshop program and doubling the attendance of non-UVA students, the conference is on track to achieve its broader aim of becoming the most prominent student-organized public service event in the Mid-Atlantic region. This year’s panel topics will include civil rights, First Amendment law, criminal law, international development, corporate responsibility, and many others. New workshop topics will likely include government employment and pro bono opportunities at private firms. For a complete and up-to-date list of speakers and organizers, please visit the conference web site at www.geocities/uvaconference. Registration is free and all are welcome to attend.

Lise Adams ’03, daughter of Glenn Adams ’66, was the recipient of the 2002 Caplin Public Service Fellowship. Abra Edwards ’02 was awarded the Robert F. Kennedy Award for Public Service at graduation. Lise and Abra were joint organizers of the Conference.

Caplin Public Service Center Draws In Students

“Each time a man stands up for an ideal or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers, those ripples build a current which can sweep down the mightiest walls of oppression and resistance.”

—Robert F. Kennedy ’51

THOMAS JEFFERSON BELIEVED THAT EDUCATED CITIZENS—especially those knowledgeable about the law—have an obligation to make a difference in the world. The School of Law he created is committed to upholding his ideal of public responsibility and to nurturing the civic virtues that support it: integrity, trust, civility, respect, prudence, and service.

The Mortimer Caplin Public Service Center is the school’s focal point for public service training and outreach. The Center oversees the Law School’s public service job placement efforts, and administers voluntary pro bono programs that introduce students to the rewards of community service, coordinates summer internships and postgraduate fellowships, and provides individualized career counseling.

Indeed more Law School students are becoming involved in the vast range of public service law every year, said Center Director Kimberly Carpenter Emery ’91. “Virginia students are very dedicated. Last year alone we had a sixty percent increase in the number of students requesting interviews through the Public Interest Job Fair, and a record number applied for Student-Funded Fellowships to enable them to work in public interest over the summer. We practically doubled the number of pro bono hours completed last year,” she added.

More information on the various pro bono projects, fellowships, awards, and job fair is available at: www.law.virginia.edu/publicservice.
Earlier this year, Carolyn F. Olive had the difficult task of writing to the classmates of her husband, Frank Ward Olive, to tell them of his passing away. To honor her husband, Carolyn has kindly offered to continue on in the work Frank cared about very much—serving as annual giving chair for the Class of 1934. She writes “The Class of 1934 is special. It began as a unit of 89, and endured the Great Depression by graduating 43 members … Frank was proud of his association with the Law School and gave it a large measure of credit for the quality of life he lived for so many years. He also remembered that his tenure as annual giving chair … was made pleasurable by the association and cooperation he had with each of his classmates.”

1948
John B. Huffaker and his wife, Judy, visited Foster Arnett and his wife, Jean, in April. “Foster was delighted to get my news of events at the university and sends everyone his regards,” Huffaker wrote.

Edward M. Selfe reports that he is currently ranked number four in the country by the United States Tennis Association in men's singles for men eighty and over.

1951
James E. Coleman, Jr., was honored recently with the 2002 Dallas Bar Foundation Fellows Award for his outstanding contributions to the Dallas legal and civic community. According to the Dallas Bar Foundation's executive director, Coleman's peers call him the “dean” of Dallas trial lawyers. A partner and founding member of Carrington, Coleman, Sloman & Blumenthal LLP, Coleman has received numerous other honors in recent years, including the Lola Wright Foundation Award from the Texas Bar Foundation for his support of legal ethics in Texas, the President's Award from the State Bar of Texas, the
Trial Lawyer of the Year Award from the Dallas Bar Association, and the Professionalism Award from the American Inns of Court Foundation for the Fifth Circuit. He is an honorary trustee of the Law School Foundation.

William Schock and his car were featured in an article by the St. Louis Post-Dispatch in January. Schock’s 1989 Ford Festiva sports more than 100 bumper stickers, a wide variety of popular sayings and political statements, ranging from “Garbage kills bears,” to Schock’s personal favorite, “Don’t steal—the government hates competition.” “I’m not trying to do anything or run for office,” Schock says in the article. “I’m just an extrovert. Even as a lawyer, I liked to get out of the office and into court.” Schock reports he received wonderful response from the article and even more decals from friends.

1953
C. Pfeiffer Trowbridge reports that he is enjoying semi-retirement in Florida, where he serves as the state’s senior judge. He says he will never regret his decision to live in Florida after military service, as he has long enjoyed the year-round outdoor activities that many of his classmates are only now retiring to Florida to pursue. He writes, “When the word gets around that sailfish or other gamefish are running, offices (and my court) still close for the day to partake in this more important activity.”

1956
Maurice Richardson chairs the Massachusetts Ballot Law Commission. The board was in the news in June when Democrats challenged the residency status of Republican gubernatorial candidate Mitt Romney. On June 26 the board unanimously rejected the challenge, stating that Romney could remain on the ballot.

1958
Peter K. Leisure serves as a senior federal judge in New York City. He writes that in the last few years he has held trials that include the antitrust case brought by the United States Football League against the National Football League, an assault and battery case against actor Bill Cosby, and two companion trials against General Radovan Karadzic for Bosnian war crimes. He also presided over the trial of the Gambino crime family and members of the Sicilian mafia for a conspiracy to import heroin into the United States. “Because of the large number of defendants, three separate trials were conducted,” Leisure writes. “‘Sammy the Bull’ Gravano and two members of the Sicilian mafia testified as cooperating witnesses and admitted to participation in seventeen murders each. In the companion criminal case in Italy both the judge and prosecutor were assassinated.”

1960
John P. Ackerly III, a partner at Troutman Sanders LLP in Richmond, is serving his eighth year on the University of Virginia’s Board of Visitors and fifth year as Rector of the Board.

Richard A. McCostis taught a corporate law class on practicing law globally at Tula State University in Russia during the fall semester of the 2000–2001 academic year. He lives in Ludlow, VT.
Dabney Overton, Jr., reports that although he received his first Social Security check this year, he is still working at the Overton Law Firm in Harrisonburg, VA. Of his three children, Hannah is married to Howard Schmidt and they have two daughters, Emma and Elizabeth; Dabney III is unmarried; and Mallory is married to Matt McKendry.

Jim St. Clair served this year in the Central and East European Law Initiative in Bosnia-Herzegovina as part of an American Bar Association public service project. He and his wife, Mickey, have enjoyed life in Sarajevo. They plan to return to West Virginia this fall.

1961

Richard W. Shaffer recently joined White and Williams LLP in Allentown, PA, as counsel for estate, real estate, and corporate matters. A former partner of Butz, Hudders & Tallman, Shaffer has been in solo practice in Allentown since 1995. He currently serves as solicitor for the Allentown Housing Authority.

Phil B. Whitaker recently became part of a new firm, Shumacker Witt Gaither & Whitaker PC, in Chattanooga, TN. The firm is one of the largest in Tennessee, with more than fifty attorneys. Whitaker practices in the areas of wills and trusts, estate and gift tax planning, estate administration and probate, corporate law, and nonprofit and charitable organizations. He has served as the director of the Tennessee Arts Commission and is a former mayor of the town of Lookout Mountain, TN.

1962
Richard J. Harris serves on the executive council of the Association of Defense Trial Attorneys. He practices with Brennan, Harris & Rominger LLP in Savannah, GA.

1963
John J. Paylor recently retired as associate general counsel with Consolidated Rail Corporation (Conrail) after thirty years in the rail industry with Conrail, CSX Corporation, and predecessor companies.

Don R. Pippin has been appointed to the Board of Visitors of the University. He has served on the University of Virginia’s College of Wise Board for many years. Now semi-retired, he lives in Wise. His son, Scott, is a second-year law student at the Law School. Pippin would like to hear from classmates at dpippin@usa.net.

1964
Shepard B. Ansley is an investment banker with Attkisson, Carter & Company Inc. in Atlanta, GA.

1965
H. Gary Pannell is a member at Miller, Hamilton, Snider & Odom LLC in Atlanta. He retired from the Office of the Comptroller of the Currency in December 2000.

Tom Player delivered “A Global Definition of Terrorism” as his keynote address at the opening of the Asia-Pacific Risk and Insurance Association in Shanghai, China, in July. Along with Robert H. Myers, Jr., ’72, Player chairs the insurance and reinsurance group at Morris, Manning & Martin LLP in Atlanta.
Glenn R. Adams reports that he is enjoying retirement after “thirty fulfilling years” as a Central Intelligence Agency operations officer. He and his wife, Ellen, are proud to have both of their daughters at UVA: Lise is a third-year in the Law School and Kristin a second-year in the College of Arts and Sciences.

Philip J. Bagley, III, a partner at Troutman Sanders LLP in Richmond, has been elected Chair-Elect of the Real Property and Probate Section of the American Bar Association.

Regis W. Campfield, a professor at the Southern Methodist University School of Law in Dallas, TX, has released with colleagues William J. Turnier ’68 and Martin Dickinson, the twenty-second edition of their casebook, *Taxation of Estates, Gifts & Trusts* (West 2002).

Thomas P. Dugan joined a new firm in Fairfax, VA, Surovell Markle Isaacs & Levy PLC, started in June by Robert J. Surovell ’69, David M. Levy ’70, Scott Surovell ’96, and two other members. David J. Fudala ’79 also practices in the firm, which focuses on all types of litigation, including family law and business transactions.

Howard Livingston Bull writes that he and his wife Sheila took a “wonderful trip to Greece in September 2001 and managed to get back safely.” Meanwhile, the couple’s sons are busy: John was the Atlantic Coast Conference (ACC) decathlon champion in 1999 while at Wake Forest University; Jason is a graduate of San Diego State University with majors in political science and classics; and Justin, now in high school, is a talented student and athlete. The Bull family lives in Mountain View, CA, where Howard’s law practice focuses on commercial contracts.

F. Clairborne Johnston, Jr., was appointed in 1997 by then Governor George Allen ’77 to a five-year term as a member of the Board of the Library of Virginia; was elected Chairman of the Board in 2000, and was reappointed to a second five-year term in 2002 by Governor Mark Warner.

William J. Turnier, professor at the University of North Carolina-Chapel Hill School of Law, has released, with colleagues Regis W. Campfield ’66 and Martin Dickinson, the twenty-second edition of their casebook, *Taxation of Estates, Gifts & Trusts* (West 2002).

William A. Zeitler has joined Thompson Coburn LLP’s Washington, D.C. office as a partner in the transportation and international commerce practice area. Prior to joining the firm he worked for the U.S. International Trade Commission for thirteen years. He lives in Arlington, VA.

Thomas B. Carr reports that his firm, Miller, Cassidy, Larroca & Lewin, dissolved and merged its practice with the Washington, D.C., office of Baker Botts LLP at midnight on December 31, 2000, in time to be part of the host firm for the Presidential inaugural ball.

Angus S. King, Jr., recently received an honorary doctor of letters from the University of New Brunswick. The seventy-first governor of Maine and one of only two independent governors in the United States, King delivered the keynote address on May 23 to university graduates in the schools of administration, kinesiology, and education.

Gordon D. Schreck has been named an associate editor of American Maritime Cases, the leading published case reporter for the admiralty law bar.
in the United States. He recently was elected to permanent membership in the Fourth Circuit Judicial Conference. A senior shareholder in Buist, Moore, Smythe & McGee PA in Charleston, SC, he chairs the firm’s litigation department and heads its admiralty, maritime, and aviation practice group.

In June Robert J. Surovell started a firm in Fairfax, VA, Surovell Markle Isaacs & Levy PLC, with David M. Levy ’70, Scott Surovell ’96, and two other members. David J. Fudala ’79 and Thomas P. Dugan ’66 also practice in the firm, which focuses on all types of litigation, including family law and business transactions.

1970

Craig M. Bradley recently received the 2002 Leon Wallace Outstanding Teacher Award from the Indiana University School of Law in Bloomington, IN, where he is the James L. Calamaras Professor of Law.

Thomas C. Brown, Jr., has been elected president-elect of the Virginia Law Foundation, which manages an endowment of $11.5 million and oversees the Virginia Continuing Legal Education Program. Brown practices with McGuireWoods LLP in McLean, VA.

In June David M. Levy started a firm in Fairfax, VA, Surovell Markle Isaacs & Levy PLC, with Robert J. Surovell ’69, Scott Surovell ’96, and two other members. David J. Fudala ’79 and Thomas P. Dugan ’66 also practice in the firm, which focuses on all types of litigation, including family law and business transactions.

1971

Joseph A. Derrico has established a firm, Derrico & Schaedtler, Esqs., in Hauppauge, NY. The firm focuses on personal injury, wrongful death, commercial litigation, business law, and corporate litigation.

John A. McVickar spent the entire month of June in Ettelbruck, Luxembourg, at the invitation of the city’s authorities. McVickar’s father, Colonel Lansing McVickar, commanded the U.S. forces that liberated Ettelbruck from the Nazis in December 1944. The city has dedicated a square to Colonel McVickar’s memory. John McVickar practices law in Bar Harbor, ME.

Mark E. Sullivan spent two weeks traveling across Germany in April teaching legal education classes on U.S. Army bases during his Army Reserve annual training. Sullivan is a Judge Advocate General colonel who practices in Raleigh, NC, specializing in family law. This was his last tour of duty before retirement from the Army Reserve with thirty-four years of commissioned service.
1972

George W. House has been named a member of Business North Carolina magazine’s “Legal Elite” for his expertise in the fields of environmental and natural resource law. The magazine polled more than 6,000 practitioners to identify the lawyers considered the state’s best practitioners in ten business-related specialties. House practices with Brooks, Pierce, McLendon, Humphrey & Leonard LLP in Greensboro, NC.

Robert L. Musick, Jr., was inducted as an American College of Employee Benefits Counsel Fellow in April. He also has been elected a trustee of the Virginia Intermount College in Bristol, VA.

Robert H. Myers, Jr., chairs the insurance and reinsurance group at Morris, Manning & Martin LLP in Atlanta, along with Tom Player ’65.

1974

Bert A. Bunyan was elected a justice of the New York State Supreme Court, effective January 1, in the Second Judicial District.

In July Stephen C. Price was appointed to the Virginia Bar Association’s committee on nominations to Virginia appellate courts. This committee makes recommendations to the governor and General Assembly of Virginia regarding appointments to the Virginia Supreme Court and Court of Appeals. Price serves as a principal in the Leesburg office of McCandlish & Lillard PC.

1975

Clyde H. Jacob III reports that he has settled into his new firm, Jones Walker, in New Orleans, where he is a partner in the labor and employment law section.

William E. Kirk III served as interim president of Blue Cross Blue Shield of Delaware for three months. He has since returned to his former job as vice-president, general counsel, and corporate secretary. Kirk and his wife Hazel, who received undergraduate and graduate degrees from UVA in 1973 and 1975, have three children and live in Wilmington, DE.

Julia Smith Gibbons was appointed by the U.S. Senate to the United States Court of Appeals for the Sixth Circuit in August. Gibbons joins Chief Judge Boyce Martin ’63 and Eugene Siler ’63 on that bench.

1976

Peter E. Broadbent, Jr., was elected president-elect of the Virginia Genealogical Society. The nonprofit organization fosters interest in genealogical, biographical, historical, and heraldic research; shares genealogical methods, techniques, and knowledge; and publishes relevant information. Active in a number of genealogical and historical groups, Broadbent has been appointed by two Virginia governors to the Library Board, which oversees the Library of Virginia and the state’s historical archives. He also has served on the boards of the Genealogical Research Institute of Virginia and the Friends of the Virginia State Archives. A partner in the Richmond office of Christian & Barton LLP, Broadbent focuses his practice on intellectual property law.

Deborah K. Greenberg reports that she is “happy after a recent divorce and happy that my daughters are launched” although she misses them, both at Harvard University. After teaching at both Georgetown and the University of Washington Law Schools, and completing a longer stint in the King County Prosecutor’s Office in Seattle, WA, she is thinking of returning to the classroom. “But I might surprise myself and wander outside the law altogether!” she adds. She asks that visitors to Seattle please contact her at dkg@post.harvard.edu.

Albert W. Patrick III was reappointed in February to a new six-year term as a judge of the Hampton General District Court in Hampton, VA.
John A. Vering chairs the labor and employment practice group in the Kansas City office of Armstrong Teasdale LLP. He is the co-editor of both the Missouri and Federal Employment Law Manual (American Chamber of Commerce Publishers 2002) and the Missouri Employment Law Letter, published monthly by M. Lee Smith Publishers LLC.

1977
Edward K. DeHope is a partner at Riker, Danzig, Scherer, Hyland & Perretti LLP, in Morristown, NJ, where he provides counsel to regulated entities, including businesses and public authorities. He resides in Madison, NJ, with wife Leanne and daughters Emily and Aimee.

J. Herbie DiFonzo is now a tenured law professor at Hofstra University, focusing on family and criminal issues. He is helping organize a conference on marriage, democracy, and family policy, while continuing to run the Criminal Justice Clinic.

Ann Gordon writes that she and her husband are both members of the U.S. Foreign Service, assigned most recently to the U.S. Embassy in Dakar, Senegal. Since returning to the Washington, D.C. area in January 2001, Gordon has been working in the Legal Coordination Division of the Visa Office of the U.S. Department of State. She advises various posts on the eligibility of certain visa applications due to international security issues, describing her job as “very relevant in our post-9/11 world.”

Michael Kushner has been appointed national director of retirement plan compliance for the Segal Company, a national employee benefits consulting firm based in New York City. Kushner lives in Lyndhurst, NJ.

William O’Neill became a partner of Roetzel & Andress in Naples, FL, in December 2001. He serves as the president of both the Collier Athletic Club and the United Arts Council of Collier County. He writes that he is “trying hard to become an empty nester.”

1978
Mark Duvall writes that he is “still adjusting to life in the Midwest.” A lawyer with the Dow Chemical Company in Midland, MI, he is involved in environmental, health, and safety regulation law. His oldest daughter, Amy, will enter the University of Michigan as a freshman in the fall. “UVA was a close second choice,” Duvall says.

Constance A. Howes was appointed president and chief executive officer of Women & Infants Hospital of Rhode Island in October. She is the first woman president of the hospital, founded in 1884 as the Providence Lying-In Hospital. Howes previously served as executive vice president and chief operating officer of Women & Infants Hospital.

Mitchell Kassoff presented a paper, “A Legal Analysis of a Preferred Method of Retail Sales,” at the Hawaii International Conference on Business sponsored by the University of Hawaii. Kassoff’s practice, based in South Orange, NJ, focuses on franchise law.

Linda E. Ramano recently joined the firm of Bond, Schoeneck & King PLLC in Syracuse, NY. She focuses her practice on corporate finance in the firm’s business department and public finance practice group. She continues to serve as president, general counsel, and director of several real estate corporations, as well as director, vice president, and chief financial officer of several closely held manufacturing and distribution businesses. She is a director on the board of Utica National Insurance Group, a trustee of Utica College of Syracuse University, and a founding member of the National Long Distance Running Hall of Fame.
1979

In June David J. Fudala joined a new firm in Fairfax, VA, Surovell Markle Isaacs & Levy PLC, started by Robert J. Surovell '69, David M. Levy '70, Scott Surovell '96, and two other members. Thomas P. Dugan '66 also practices in the firm, which focuses on all types of litigation, including family law and business transactions.


John F. Maddrey is special deputy attorney general assigned to the Special Litigation Division of the North Carolina Department of Justice. He was promoted recently by Attorney General Roy Cooper. Maddrey lives in Raleigh, NC.

F. Blair Wimbush has been named senior general counsel with responsibility for litigation and operations at Norfolk Southern Corporation in Norfolk. Wimbush joined Norfolk Southern in 1980 and has held a number of key positions in its law department.

1980

William L. Nusbaum was appointed recently to the board of the Virginia College Building Authority by Virginia Governor Mark Warner. The Authority issues bonds to finance building projects for Virginia state universities. Nusbaum practices with Hofheimer Nusbaum PC in Norfolk, VA.

Bonnie Alice Sullivan is executive director of Fairfax Court Appointed Special Advocates, Inc. The group recruits, screens, trains, and supports lay volunteers who advocate for the best interests of abused and neglected children in Fairfax County (VA) Juvenile Court dependency proceedings. Sullivan lives in Washington, D.C.

1981

Arthur LaFave has left Dickstein, Shapiro, Morin & Oshinsky LLP in Washington, D.C., to start LaFave & Sailer LLP. The new firm will concentrate on international trade law. LaFave reports that his oldest son just finished his junior year at Williams College and another son just graduated from high school, while his daughter is entering seventh grade.

James McClellan is currently the James Bryce Visiting Fellow in American Studies at the Institute of United States Studies at the University of London. He was formerly chief counsel of the subcommittee of separation of powers of the U.S. Senate committee on the judiciary and director of the Center for Judicial Studies. In the past year McClellan has edited a new edition of John Taylor of Caroline’s New Views of the Constitution, co-edited a new edition of The Federalist, and published the third edition of his textbook, Liberty, Order and Justice: An Introduction to the Constitutional Principles of American Government. He resides with his family near Hampden-Sydney College, where he has taught for many years.

1982

Joseph B. Dischinger currently serves as president-elect of the Denver Bar Association. He will take office in July 2003. Dischinger practices water and environmental law at Grimshaw & Harring PC in Denver, CO.
Beverly J. Haney has joined Gardner, Maupin and Sutton PC in Spotsylvania County, VA. She will focus on criminal and traffic defense, wills and trusts, and personal injury. Haney returns to private practice after fifteen years with the Commonwealth Attorney’s Office in Stafford County, VA.

Steve Huntoon serves as vice president of the Energy Bar Association, a nonprofit association of 1,900 attorneys and non-attorney professionals whose mission is to enhance the professional competence of those who practice and administer energy law. After living ten years in the Philadelphia area, Huntoon and his family have returned to Arlington, VA.

Jennifer Jordan McCall recently married James W. McCall, who works at Intel Capital Corporation in Santa Clara, CA. The couple lives in Hillsborough with Jennifer’s two daughters, Caroline, 13, and Hillary, 11.

David Powers reports that he and his colleagues at Baker Botts LLP have been representing Hyundai Motor Company on “a fascinating project” involving the siting of Hyundai’s first U.S. manufacturing plant. “After a thorough analysis of many sites and negotiations with Alabama and Kentucky, Hyundai chose Montgomery, AL, for the site of its $1 billion plant and broke ground on April 15,” Powers wrote.

Nick Read has served as in-house counsel with Boston Safe Deposit and Trust Company, a private bank, since 1987. He and his wife Anne have been happily married for twenty-six years. Daughter Sarah, 19, just completed her freshman year at New York University and daughter Jojo, 15, is a high school sophomore. Read’s job “allows time for painting, both in Cambridge where he lives, and abroad in Italy, Ireland, and England, and (he) is therefore quite happy.” He had an art show in Boston on October 5–6.

Amelia Chilcott Fawcett is a Commander of the British Empire, an award presented by the Queen of England earlier this year in recognition of Fawcett’s services to the finance industry. As managing director and chief administrative officer of Morgan Stanley’s European operations, London-based Fawcett has worked with the British government on issues ranging from the competitiveness of the UK to financial services and regulatory reform and the broader European open market agenda. In addition to serving as a member of Morgan Stanley’s European executive committee and European operational risk committee, she serves on the boards of Morgan Stanley’s major European operating companies. She also is vice-chair of Britain’s National Employment Panel, charged with creating innovative ways to find sustainable jobs for the long-term unemployed. Fawcett has worked with Morgan Stanley since 1987.

James R. Hart received the James D. McDonnell Award for Outstanding Achievement in Community Service from the Western Fairfax County (VA) Citizens Association April 15. He serves on the Fairfax County board of zoning appeals and is a former chair of the construction law and public contracts section of the Virginia State Bar. Hart focuses on construction and real property litigation in his practice at Hart & Horan PC in Fairfax, VA.

Jane Jackson specializes in workers’ compensation as a senior partner with Robinson-Lawing LLP in Winston-Salem, NC. She is listed in the most recent edition of Best Lawyers in America. Several
years ago, she became the first former female student inducted into Wake Forest University’s Sports Hall of Fame. The honor recognized her trail-blazing achievements in women’s basketball.

John E. Osborn has received a 2002–2003 faculty appointment at the Bobst Center for Peace and Justice, part of Princeton University’s Department of Politics. He will spend the year focusing on research relating to the peace process in Northern Ireland, a subject he first explored in 1998 as an Eisenhower Fellow. Earlier this year he was appointed to the Wilson Council, a private sector advisory group of the Woodrow Wilson International Center for Scholars in Washington, D.C. Osborn was a visiting scholar in East European studies at the Wilson Center in 1991.

Gary F. Torrell has been named executive vice-president, general counsel, and corporate secretary of Downey Savings and Loan Association FA, one of California’s largest savings and loan institutions, headquartered in Newport Beach, CA. Torrell previously served as counsel with City National Bank. He also has sixteen years experience in private practice, including twelve years at Paul, Hasting, Janofsky & Walker LLP in Los Angeles, where he was an equity partner.

Nathaniel D. Chapman reports that, after “three wonderful years” as a U.S. delegate at the United Nations, he and his wife, Mary Elizabeth Martin Chapman, are moving to Ankara, Turkey, where Chapman will be working in the U.S. Embassy. Chapman writes that he “would be pleased to hear from any old friends.”

Nancy C. Dart works at Hartford (CT) Hospital’s Institute of Living, a private psychiatric hospital, where she performs intake work. After working in a New Haven law firm for a year after her Law School graduation, she entered law school administration, working at the University of Bridgeport and the University of Connecticut in their career counseling and placement offices. In 1993, she returned to school for her master’s degree in social work with a concentration in community organizing. Since then, she writes, “I’ve had a lot of fun exploring different areas of practice, including group work with teenagers in foster care, rape crisis counseling, and especially community mental health, where I oversaw an assertive outreach team for chronically mentally ill adults. I consider myself lucky to have had two such great careers in one lifetime.” Dart would love to hear from classmates at ndart@aol.com.

Nancy G. Etzwiler and her husband, Don O’Neil, are the proud parents of a new daughter, Laura Grey O’Neil, born July 2001.

Jeffrey M. Gill has been elected President of the Benedictine High School Board of Governors in Richmond, replacing Philip J. Bagley, III ’66, who had served for eight years on the Board and was ineligible for re-election.

John L. Laskey served on a panel on multiple debtors at the April 2002 New Jersey Bar Association Bankruptcy Bench-Bar Conference. He also judged student oral arguments at the Law School last spring in a case involving the breach of a surrogacy agreement under Pennsylvania law. Laskey is a partner in the Cherry Hill, NJ, office of Dilworth Paxson LLP, where his practice focuses on litigation and bankruptcy.
Bernard Seward married Heide Trask Wood, a policy analyst and writer on women’s issues from a traditional perspective, on August 4, 2001. Classmates Bill Lundeen, Dawn Murphy Phillips, Scott Newman, John Ramig, Paul Raney, and Glen Stuart, as well as Trudi Berlin Hays ’82, David Webster ’75, and David Stoner, husband of the late Sara Gropen ’91, attended the ceremony at St. Paul’s Episcopal Church in Edenton, NC. Seward works as an attorney with the U.S. State Department specializing in nuclear weapons control, but expects to return to Charlottesville soon for a two-year exchange with the Army Judge Advocate General School. In his other life he is a search and rescue pilot for the U.S. Air Force Auxiliary-Civil Air Patrol.

Martie Edmunds Zakas became vice president and treasurer of the Atlanta-based Russell Corporation in June. She is in charge of the strategic direction and coordination of the company’s treasury function. Prior to her move to Russell, Zakas was corporate vice president, corporate secretary, and director of investor relations with Equifax Inc. Russell Corporation specializes in active and casual wear apparel.

1985

Cabell Acree reports that he recently moved with his wife Kassy and daughter Neely, 4, to Greenville, SC, where he began working as senior vice president and general counsel of Exopack LLC, a flexible packaging manufacturer.

Anthony J. Ferrise has joined Ober/Kaler in the tax practice of the firm’s Washington, D.C., office. He focuses on the federal tax aspects of business transactions. Ferrise formerly worked as director of tax planning and audit at CB Richard Ellis, Inc., and senior manager tax (audit) at the Walt Disney Company in Burbank, CA.

1986

Ann Peldo Cargile, a partner of Boult, Cummings, Conners & Berry PLC in Nashville, TN, was recently invited to join the editorial board of The Practical Real Estate Lawyer, published by the American Law Institute-American Bar Association.

Nan King reports that she has been serving as hiring partner with Arnall Golden Gregory LLP in Atlanta since 1997. Her firm’s summer program was named the best summer program in Atlanta in a survey of summer associates conducted by the American Lawyer in 1997, 1998, and 1999. In 2001, American Lawyer ranked the firm’s summer program number one in the nation.

1987

Joe Baker was named chief of the health care bureau in the New York State Office of Attorney General by Attorney General Eliot Spitzer in September 2001.

Michael R. Keller writes that he is no longer practicing law per se, but is using his experience to investigate and attempt to resolve internal and external complaints for the University of Washington. He and Rick Maruca recently celebrated the first anniversary of their Vermont civil union. They live in Seattle, WA.

John Mitnick was appointed by President Bush in July 2001 as counsel to the assistant attorney general in the antitrust division of the U.S. Department of Justice.

David M. Morriss became legal and legislative counsel to the vice chief of U.S. Naval Operations at the Pentagon in December 2001. During his tour as commanding officer of the U.S. Naval Legal Services Office, North Central, headquartered in Washington, D.C., the command was a co-recipient of the 2001 American Bar Association Legal Assistance for Military Personnel Award for its support of families of the victims of the September 11 attacks and for mobilizing reserve forces.

Stephen B. Pershing enforces federal voting rights statutes as a litigator in the civil rights division of
the U.S. Justice Department. He also is a writer and has taught a voting rights course as an adjunct law professor at George Washington University Law School. Pershing writes that he lives in a “delightful old row house on Capitol Hill, still plays the violin, and am determined this year to learn single sculls on the Potomac.”

Alfred M. Randolph, Jr., and his wife Kristen had their third son, Peyton Tunstall, on July 9. Randolph is in his fifteenth year with Kaufman & Canoles PC and still lives in Virginia Beach, VA.

Donna Phillips Shafer has been promoted to vice-president and continues as general counsel for Opus East LLC, headquartered in Rockville, MD. Opus designs and builds commercial, institutional, and industrial buildings nationwide.

James Strawbridge writes that he and his wife Susan have “four great kids,” Sarah, 11, Jason, 9, Stephen, 7, and Laura, 5. The family lives in Palo Alto, CA, where Strawbridge is partner and chief operating officer at Worldview Technology Partners.

1988

Thomas S. Burack reports that he and his wife celebrated the arrival of their first child, Thomas Larsen, on September 29, 2001. “Life is busier than ever,” writes Burack, who works at Sheehan Phinney Bass & Green PA in Manchester, NH.

Debra Sabatini Hennelly recently joined Integrity Interactive Corporation, an industry leader in delivering web-based compliance training solutions, as vice president and general counsel. She writes from Dedham, MA, “I’m very excited about this new opportunity, particularly in this post-Enron/Anderson climate.” Hennelly previously provided legal counsel for corporate compliance at Avaya.

Paul N. McCarthy and his wife, Stella M. Tsai, welcomed Emmett Alden Tsai-McCarthy to the world on January 30. Emmett is enjoying the company of his older brother, Atticus Jacob Tsai-McCarthy. McCarthy works as an attorney for the City of Philadelphia’s law department, where he concentrates his practice on construction, procurement, municipal tax, and economic development transactions. He recently represented the city in the new stadium deals with the Eagles and the Phillies. He and his family live in the Chestnut Hill neighborhood of Philadelphia.

Bibb L. Strench has been named a partner in the Washington, D.C. office of Stradley Ronon Stevens & Young LLP.

James F. Williams reports that he and his wife, Anna, had a baby girl, Jacqueline Firenze, on July 30, 2001. A partner at Perkins Cole in Seattle, WA, Williams was listed in the Washington Law & Politics magazine in 2001 and 2002 as one of “Washington’s Super Lawyers,” a designation received by the top four percent of the Washington bar.

1989

Bill Aniskovich and his wife Jenny are pleased to announce the birth of their second daughter, Amelia, who joins big sister Celia, 10. The family lives in Branford, CT.

Dane Butswinkas and his wife Megan Rupp welcomed their first child, Joseph O’Bryon Butswinkas, on May 24. The family lives in Washington, D.C., where Dane is a partner at Williams & Connelly. E-mail Dane at dbutswinkas@wc.com.

Harry Clark was named a partner at Dewey Ballantine in Washington, D.C. He is a member of the firm’s international trade group.

Dave Cohen is the Director of Administration for Wilderness Adventure at Eagle Landing, a camp, conference, and retreat center in New Castle, VA.
He and his wife Jamie have two children, Danielle, 10, and Dylan, 8. Email Dave at: davjme@bigfoot.com.

Celeste Delorge Flippenn is employment counsel at JCPenney in the Dallas area, working mainly on employment discrimination cases for JCP and its subsidiary, Eckerd Drug. Email Celeste at cflip1@jcpenney.com.

Michael Goggin left Bell South in Miami last fall to join Cingular Wireless in Greenbelt, MD, as Regional General Counsel.

Peter K. Killough is counsel to Carter, Ledyard & Milburn’s Washington, D.C. office. He is a member of the firm’s complex commercial litigation practice and its intellectual property practice group.

Will Lanier is Corporate Counsel for Ionidea, Inc., in Fairfax, VA. He and his wife, Amy Weinhouse, have two children, Montana, 9, and Steven, 8 months. Will’s email is lanierlaw@hotmail.com.

John Mannato and his wife Melissa welcomed their first child, Catherine Leigh, in August 2001. They live in Exton, PA. John is Director of Supervised Assets-Risk Management at GE Capital’s Transport International Pool.

Cal Mayo and his wife Caroline welcomed their fourth child, Thomas, on April 2, 2001. Thomas joins Virginia, 9, and twins William and Callie, 7. The Mayos live in Oxford, MS.

Joseph Perkins received an Honorary Secretary of State Award from Indiana Secretary of State Sue Anne Gilroy in a June 27 ceremony at the Indiana State Capitol. The award recognized Perkins’ eight years of service on the Indiana Election Commission, which ended June 30, setting a state record for the longest service on the commission.

Kim Reed left her job as assistant dean of the University of North Carolina-Chapel Hill Law School in March 2001 to join Hogan & Hartson LLP’s Warsaw, Poland, office. Reed specializes in international private equity/venture capital investments, corporate law, and commercial real estate, particularly in Europe and Russia. She and her husband, Zbish Pietrzak, welcomed their first child, Nicolas Cameron Pietrzak, on March 1, 2002.

Laurie Crick Sahatjian is chief counsel, environment, health, and safety for Koch Industries, Inc., in Wichita, KS. An energy and trading company, Koch is the second largest privately held company in the United States. Sahatjian, her husband Rick, and son Will, 2, moved to Kansas from Washington, D.C., where she was a partner at Dyer Ellis & Joseph PC. Sahatjian writes that her family is “enjoying life in the Midwest.”

Laurie Self was recently named a partner at Covington & Burling in Washington, D.C. She specializes in intellectual property and Internet law.

Robert M. Tata practices in the Norfolk, VA, office of Hunton & Williams as a partner and member of the litigation, intellectual property, and antitrust team. He has served as a commissioner on both the Virginia Port Authority and the Virginia Beach Resort Advisory Commission and as a director on the Virginia Beach Bar Association.

B. Scott Tilley serves as general counsel for Stihl, Inc., in Virginia Beach, VA. Stihl, which produces a full line of portable outdoor power equipment, is the world’s largest manufacturer of chainsaws.

Tamra Thompson Toussaint has taken a short-term assignment in Reigate, England, for her employer, Kimberly Clark Corporation. She represents K-C’s family care and professional businesses in Europe, and the Middle East, and all K-C products in Germany, Israel, Turkey, Cyprus and all of Africa.
Richard Wilbourne and his wife Victoria welcomed their daughter Sophia on September 27, 2001. They live in Jackson, MS.

Marc Williams reports that he and his wife, Nancy Maloney Williams, were blessed with a daughter, Bridget Louise Williams, on November 13, 2000. Bridget joins brothers Jack, 9, and Ford, 5. Williams is still with IBM Corporation in Washington, D.C.

Randy Wolfe left Annis, Mitchell, Cockey, Edwards & Roehn, where he had practiced since graduation, to join the Tampa office of Foley & Lardner in March 2001. Randy practices in corporate, tax, and estate planning. He and his wife Merinda have two children, Christina, 11, and Elizabeth, 7.

Mary Beth Bailey Fahrney and her husband, Brian, welcomed a new daughter, Megan Bailey, in September 2001. She joins big brother, Nick. Fahrney continues to enjoy being a full-time mom.

Troy P. Laws joined Hidebrandt International in Washington, D.C., as a consultant in the company’s strategy implementation group. He advises law firms on strategic planning financial analysis, mergers, and infrastructure projects. Laws previously served as manager of the law firm and law department consulting group at PricewaterhouseCoopers.

Jennifer C. McGarey has been promoted to vice-president, deputy general counsel, and secretary at U.S. Airways, Inc. She and her husband, Tim McGarey ’88, have two daughters—Kelly, 10, and Emily, 4.

Ronald V. Minionis and his wife, Felicita, welcomed their first child, Gabriella Rose, on February 9. Minionis reports that Gabriella likes colorful things, being in motion, and keeping dad up at night.

David Restaino was elected to the board of directors of the New Jersey State Bar Association’s environmental law section in August. Restaino serves as special counsel with Fox Rothschild O’Brien & Frankel LLP in Princeton. A former deputy attorney general with the New Jersey Department of Law & Public Safety, he is active in several environmental advocacy groups.

Todd L. Schleifstein and his wife, Eliza, announce the birth of their daughter, Darcy Erica, on March 16 in New York City. Schleifstein joined six of his partners from Coblence & Warner and formed a new firm, Hanly & Conroy LLP, in February 2002. The eleven-lawyer firm specializes in litigation and product liability defense work.
LAW SCHOOL ALUMNI GATHERED throughout the late spring, summer, and fall in locations across the country and in Europe. Dean John Jeffries joined more than one hundred New York City-area alumni for a luncheon at the Yale Club in mid-April. While on the West Coast in early-May, Dean Jeffries joined Los Angeles-area alumni for a luncheon in honor of Professor Stanley D. Henderson, F.D.G. Ribble Professor of Law, who, after more than thirty years of teaching at the Law School, reduced his teaching schedule this fall. Since joining the faculty in 1970, Professor Henderson has taught Contracts, Labor Law, Labor Arbitration, and Remedies and has served as chair of the AALS Section on Contract Law and as an arbitrator on the National Labor and National Commercial Panels of the American Arbitration Association. He has won numerous teaching awards and has been a visiting professor at a number of law schools. On the same day, May 9, alumni Edwin M. Baranowski ’71 and Patricia R. Hatler ’80 hosted a cocktail reception for Columbus-area alumni at the Rocky Fork Hunt & Country Club in Gahanna, Ohio. The Alumni Association and Law School Foundation hosted a reception for Class of 2002 graduates and their families on Saturday, May 18. More than 1,000 people attended this annual event in Caplin Pavilion and Spies Garden. The Dean and the Alumni Association hosted a Washington, D.C.-area alumni and summer associate luncheon at the Hotel Washington. More than 120 alumni and summer associates attended the May 29 event. Dean Jeffries joined Boston alumni and summer associates for a luncheon at the Union Club on June 4, and later that evening joined alumni and friends at a cocktail reception hosted by Steve Cardi ’66 at the University Club in Providence, RI.
W. Stevenson Hopson IV, Senior Assistant Dean for Career Services and a member of the Class of 1969, addressed the annual alumni breakfast at the Virginia State Bar meeting in Virginia Beach, VA on June 15.

Roanoke-area alumni gathered at the Shenandoah Club for a cocktail reception with John Jeffries in mid-July.

European alumni gathered in Edinburgh, Scotland, August 1–4, for several days of reunion activities including tours of Edinburgh, a day trip to Inchcolm Island on Firth of Forth, an annual alumni meeting of the European Chapter, and an academic session.

On August 8, Professor A. E. Dick Howard, White Burkett Miller Professor of Law and Public Affairs and Roy L. and Rosamond Woodruff Morgan Research Professor, spoke at a cocktail reception for alumni from the Washington, D.C.-area and those attending the annual meeting of the American Bar Association at the Army and Navy Club in Washington, D.C.

Twenty-two members of the Law School Foundation’s Business Advisory Council and forty-five annual giving volunteers gathered in Charlottesville the weekend of September 20. Members of the BAC met with faculty from the Law School and the Darden School on Friday and heard about the new Law & Business Program. Alumni and their guests had the chance to meet with faculty and student leaders on Friday night. On Saturday, the volunteers heard from Chris Kennedy ’76, Chair of the National Appeals Committee, Susan Palmer, Associate Dean for Admissions, and Dean John Jeffries ’73.

Save the Date for Law Alumni Weekend 2003


John Corse ’57 (left) with Joan and Lee ’57 Miller.

David Ibbeken ’71 (left) and Karen and Richard ’71 Fisher in Rhode Island.

Detlev Oelfke (LLM ’86) and Vannan McKellar (LLM ’87) at the European reunion formal dinner in their Scottish finest.
Jonathan L. Thornton and his wife Kelly now have two daughters. Gabrielle was born on October 3, 2000. Jessica, 4, is a “great big sister.”

1991
Tom Amico joined the newly opened office of McKee Nelson LLP on Times Square in New York City as a partner in the securitization group in June.

Andre Hollis, U.S. deputy assistant secretary of defense, writes, “Even though my office was destroyed, my immediate staff and I avoided serious injury at the Pentagon on September 11. Since then, we have been busy working to combat narco-terrorism—my classes in National Security Law have been put to good use! All who come through are welcome.”

Ethan K. Knowlden recently became corporate counsel for Chiron Corporation, a biotechnology company located in the San Francisco Bay area. In April 2001 he and his wife Amy welcomed their son Cole into the world.

James Lovely has been promoted to managing director at Bank of America in its global structured products group. James, his wife Suzanne, and their two children, Connor and Elizabeth, live in North Berkeley, CA.

Steve Miklus is a partner at Bingham Dana LLP in Boston, while Wendy Adams Miklus is currently at home full-time with the couple’s four children: Katie, 7, Matt, 5, Tim, 3, and Annie, 2. The Miklus family lives in Wellesley, MA.

Mark T. Smith has joined Sherrard & Roe PLC in Nashville, TN, where his practice focuses on health care and litigation. He was previously a partner at Strasburger & Price LLP in Dallas, TX.

1992
In March Brian Chilton completed his tenure as senior counsel in the Office of the Independent Counsel (OIC), under Robert W. Ray, releasing the office’s final reports on the Whitewater/Madison Guaranty and Lewinsky investigation. During his two years with the OIC he served as primary author for the Travel Office firings final report and as lead editor and co-author of the Whitewater and Lewinsky final reports. He now practices with Foley & Larder in the corporate compliance/government enforcement practice group under Martin Weinsten ’84, specializing in Foreign Corrupt Practice Act investigations. Chilton and his wife, Lori, are the proud parents of Lindsay, 5, Jackson, 2, and Christian, born in March.

Patricia Spencer Favreau is vice-president and chief marketing officer for New York Life’s life and annuity operations, the company’s largest business unit, with headquarters in New York City. She is responsible for product marketing and strategy, marketing and communications services, and business development efforts that support New York Life’s core lines of business. Favreau previously served as vice president in charge of the communications division of New York Life’s agency department.

Mark Malveaux reports that he is a “happy family man,” husband to Dawn and father to Jordan, 5, and Dillon, 2. His kids “keep me sane and drive me crazy at the same time,” he writes. He misses Charlottesville, but was not able to make it to reunion. He has been practicing in public finance with McCall, Parkhurst & Horton LLP in Dallas since 1993 and has been a partner in the firm since January 2000. He also serves on the board of Texas C-BAR, a nonprofit organization that finds pro-bono work for transactional lawyers.

Jeffrey Naness, his wife, Meg, and their son, Jonathan, welcomed a new son, Michael James, into their family on December 24, 2001. Naness represents management in labor relations and
employment matters as a partner with Naness, Chait & Naness LLC in Jericho, NY.

1993

Jay Anderson and his wife, Sarah, announce the birth of James Thomas Anderson V on April 23. The family lives in Columbia, VA, where Jay serves as mayor of the smallest incorporated town in Virginia. His mayoral duties include working to preserve and revitalize the historic town that legend claims came within one vote of becoming the state capital. Anderson works as a legal analyst at LexisNexis in Charlottesville.

Lisa Baer married Jeffrey Fuerst on May 26 in Atlanta, GA.

John Faust is a partner at Vinson & Elkins LLP in Washington, D.C. He lives in Bethesda, MD, with his wife, Cate Stetson ’94, and their daughter, Lucy Stetson Faust.

Anthony Miscioscia recently became a partner at the Philadelphia office of White and Williams LLP, where he practices in the commercial litigation department and the business insurance and environmental coverage practice groups. He and his family reside in Gloucester Township, NJ.

Sara Stadler Nelson is an assistant professor of law at the University of Cincinnati College of Law, where she teaches intellectual property courses.

Jeffrey F. Swiatek became a partner of Hodgson Russ LLP, a top firm in Buffalo, NY, last summer. Swiatek counsels municipal clients on employment law and labor relations, competitive bidding, and municipal policies.

Nelson Thomas and his wife Mary Gail announce the birth of their son, Nathaniel Andrew, born July 30. The couple lives in Rochester, NY, where Thomas practices employment law as a founding partner with Dolin, Thomas & Solomon PC.

C. Stewart Verdery, Jr., has accepted a public policy post in Vivendi Universal’s Washington, D.C., office. He represents the company’s media and communications interests—focusing on e-commerce, telecommunications and related technologies—before U.S. legislative and regulatory bodies. Verdery previously served as general counsel to Don Nickles, assistant Republican leader to the U.S. Senate. He and his wife Jenny live in Arlington, VA, with their children, Isabelle and Chase.

1994

Lorie Almon Bompey and Mitch Bompey welcomed their son Wilton into the world in April. Lorie is a partner with Seyfarth Shaw in New York City, while Mitch works in the Morgan Stanley legal department. The Bompey family enjoys their TriBeCa home and life in Manhattan.

Lois T. Casaleggi has left private practice and entered the realm of academic administration at the law school of her undergraduate alma mater. She now serves as director for Career Services at the University of Illinois College of Law.

Cyane B. Crump was admitted as a partner in Hunton & Williams in Washington, D.C., on April 1. Her practice focuses on general corporate and securities law, mergers and acquisitions, and corporate finance.

James P. Ellison recently became an associate in the Washington, D.C., office of Nixon Peabody LLP, where he is a member of the firm’s government investigations and white collar defense group. He previously served as a trial attorney on the U.S. Justice Department’s tobacco litigation team.

Michael Girard recently became a partner with Klarquist Sparkman LLP in Portland, OR. To celebrate the promotion, he writes that he “fooled two native winter steelheads into taking his fly on the Sandy River just east of Portland” in January.
Marci B. Norton and her husband Howard R. Philips happily announce the birth of their daughter, Zoe Gillian Philips, on June 21. Norton will return to her position as associate chief counsel at the Food and Drug Administration in November.

In August Todd Peppers left his position as an attorney with the Atlanta-based firm of Hawkins & Parnell to begin teaching at Roanoke College in Salem, VA. He is an assistant professor of political science. Joining him in the move back to the mountains of Virginia are his wife Michele and daughter Gabby.

In January Nancy Anderson Robertson became a partner with Groff & Murphy PLLC in Seattle, WA, where her practice focuses on commercial, government contract, and construction litigation.

Cate Stetson focuses her practice on appellate litigation as a partner at Hogan & Hartson LLP in Washington, D.C. She lives in Bethesda, MD, with her husband, John Faust ’93, and their daughter, Lucy Stetson Faust.

Daniel F. Vaughn joined Lane Powell Spears Luberksy LLP in Seattle, WA, as an associate in March. His practice concentrates on corporate finance and securities.

Eric Weinstock and Toby Unger ’96 celebrated their fifth wedding anniversary in August. They are the proud parents of Zachary Dylan Weinstock, born May 1. Weinstock has a private practice as an endodontist. Unger serves as a litigation associate at Nixon Peabody LLP in Boston, MA.

1995

Chris Baradel lives in Atlanta, GA, working for a marketing consulting company. He has been in Atlanta for about a year and frequently sees Sean Coleman around town. Baradel recently completed the Anchorage (AK) Midnight Sun marathon and is training for the New York City marathon in early November. He’s hoping to break the four-hour mark on the streets of New York.

Brad Handler’s new business, Technology Policy Associates, provides specialized consulting services to companies facing political, policy, or regulatory risks. He writes that eBay, for whom he served as associate general counsel and director of law and public policy, is his first client. Handler taught a two-week course on law and technology policy at the Law School last spring. He and his wife Emeri have two children. The family lives in Menlo Park, CA.

William Merone has joined Downs Rachlin & Martin PLLC in Burlington, VT, where he is a member of the intellectual property practice group. He was previously employed by Kenyon & Kenyon.

Julia Moore and her husband Stephen Koch announce the birth of their first child, Max Koch, on January 9. Moore is an associate in the Washington, D.C. office of Swidler Berlin Shereff Friedman LLP.

Jim and Julia Rasnake Morse welcomed their second daughter, Rebecca Elizabeth, into the world on April 24.

Doug Timmer became a partner of Kirkland & Ellis in Chicago, IL, on October 2001. His practice focuses on private equity, mergers and acquisitions, securities, and fund formation.

Jodi Wilkof and her husband Greg Munson are pleased to welcome their first child, Grant Wilkof Munson, born February 22. Wilkof serves as senior staff attorney for Florida Supreme Court Justice Barbara J. Pariente.
1996

**Marcia McGratty Douglas** and her husband Matt welcome their son, Matthew Edward, born on January 5. The family lives in Summit, NJ. Douglas recently decided to leave her position as a labor and employment associate at Pitney, Hardin, Kipp & Szuch LLP to become a full-time mom.

In February **Laura Flippin** was appointed deputy assistant attorney general in the civil division of the U.S. Department of Justice. She previously served in the Office of Counsel to the President at the White House. She lives in Arlington, VA.

**Don Long** and **Valerie Wagner Long '98** announce the birth of their son, Davis Dale, on June 19. Both Longs work as associates with law firms in Charlottesville, VA, Don with Feil, Pettit & Williams PLC and Valerie with McGuireWoods LLP.

In June **Scott Surovell** founded Surovell Markle Isaacs & Levy PLC with **Robert J. Surovell '69**, **David M. Levy '70**, and two other members. He reports that **David J. Fudala '79** and **Thomas P. Dugan '66** also practice in the firm, which focuses on all types of litigation, including family law and business transactions. Surovell concentrates his practice on civil, commercial, and criminal litigation. Surovell and his wife, Erinn M. Madden, welcomed a second daughter, Leia M. Surovell, to the world on July 24.

**Toby Unger** and **Eric Weinstock '94** celebrated their fifth wedding anniversary in August. They are the proud parents of Zachary Dylan Weinstock, born May 1. Unger serves as a litigation associate at Nixon Peabody LLP in Boston. Weinstock has a private practice as an endodontist.

Laura Deddish Burton announces the birth of her daughter, Sarah Wyeth, on May 7, 2001.

Silvia F. Ferroni works as an attorney in the U.S. Attorney's Office in Alexandria, VA.

Jennifer McClellan was recently appointed by Virginia Governor Mark Warner to the Board of the Virginia College Building Authority. In June McClellan received the R. Edwin Burnette Jr. Young Lawyer of the Year Award at the Virginia State Bar Young Lawyers Conference in Virginia Beach. The award, which also went to McClellan’s sister Julie D. McClellan in 1995, recognized McClellan’s involvement in the conference and the community. It is the first time siblings have won the award. Among other things, McClellan chaired the committee for women and minorities in the profession, planned the Minority Pre-Law Conference for minority college students for four years, and helped establish the first Oliver Hill/ Samuel Tucker Minority Pre-Law Institute, a week-long summer law camp for minority high school students. She practices as an associate in the Richmond office of Hunton & Williams.


Salmon A. Shomade now lives in Houston, TX, where he is employed by King & Spalding. His practice focuses on global transactions and projects in the oil and gas industry.

Scott B. Townsend has been practicing with Hale and Dorr LLP in Reston, VA, since 2000, and was recently elevated to junior partner. He focuses on corporate transactional work, primarily venture capital financing, mergers and acquisitions, and securities. His wife, Anastasia, and he are staying very busy with their two sons, Alexander, 4, and Robert Flynn, 2. They love living in Northern Virginia, but recently traveled to Paris for a two-week vacation. Townsend reports seeing Melissa Mather, Eileen Cole, and Cathy Ziobro in the past year.

1997

**Eric R. Bradley** recently began working as in-house counsel with the IBM Corporation. He previously practiced with Akin, Gump, Strauss, Hauer & Feld LLP in Dallas, TX.

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Jennifer McClellan was recently appointed by Virginia Governor Mark Warner to the Board of the Virginia College Building Authority. In June McClellan received the R. Edwin Burnette Jr. Young Lawyer of the Year Award at the Virginia State Bar Young Lawyers Conference in Virginia Beach. The award, which also went to McClellan’s sister Julie D. McClellan in 1995, recognized McClellan’s involvement in the conference and the community. It is the first time siblings have won the award. Among other things, McClellan chaired the committee for women and minorities in the profession, planned the Minority Pre-Law Conference for minority college students for four years, and helped establish the first Oliver Hill/ Samuel Tucker Minority Pre-Law Institute, a week-long summer law camp for minority high school students. She practices as an associate in the Richmond office of Hunton & Williams.


Salmon A. Shomade now lives in Houston, TX, where he is employed by King & Spalding. His practice focuses on global transactions and projects in the oil and gas industry.

Scott B. Townsend has been practicing with Hale and Dorr LLP in Reston, VA, since 2000, and was recently elevated to junior partner. He focuses on corporate transactional work, primarily venture capital financing, mergers and acquisitions, and securities. His wife, Anastasia, and he are staying very busy with their two sons, Alexander, 4, and Robert Flynn, 2. They love living in Northern Virginia, but recently traveled to Paris for a two-week vacation. Townsend reports seeing Melissa Mather, Eileen Cole, and Cathy Ziobro in the past year.
Sidney L. Williams recently became the assistant dean of students and director of the Academic Excellence Program at the University of Dayton School of Law in Dayton, OH. Prior to returning to academia Williams practiced commercial litigation at Porter, Wright, Morris & Arthur LLP and at Hahn Loeser & Parks LLP in Columbus for five years.

1998

Ned Cox and Sharon Thaler Cox ’99 announce their first child, Edwin Carr Cox, Jr., called Carr, on December 6, 2001.

Eric Fletcher recently returned to Charlottesville to become an in-house attorney for the Law School’s neighbor, UVA’s Darden Graduate School of Business Administration. He left behind a position in Washington, D.C., with Kirkland & Ellis.

Jonathan C. Hamilton lives in Mexico City, Mexico, where he works in the international law firm of White & Case. He travels extensively in Latin America for his practice in international dispute resolution and cross-border transactions. He previously worked in the New York City office of his firm and as a federal law clerk. Hamilton remains active in political affairs and public service, and served as an international election observer with the delegation of former President Jimmy Carter in the historic 2000 elections in Mexico. He and his wife, Andrea, a 1998 UVA graduate in Latin American studies, have a son, Joaquin, who was born in Mexico on December 6, 2001.

Valerie Wagner Long and Don Long ’96 announce the birth of their son, Davis Dale, on June 19. Both Longs work as associates with law firms in Charlottesville, VA, Valerie with McGuireWoods LLP and Don with Pettit & Williams PLC.

Mark W. Saltzburg recently joined Morris, James, Hitchens & Williams LLP in Wilmington, DE, as an associate in the corporate group. He concentrates his practice on corporate litigation, including corporate law issues, corporate governance and shareholder actions, and corporate transactional work.

1999

Janell Ahnert and her husband Craig welcomed a daughter, Grace Madden, on April 2.

Jessica L. Aldock married Steven J. Tave ’00 on May 26, 2001. Among the guests at the wedding were Valerie Bruce, Kristen Cline, Matt Lahey, Shawn McDonald, and Kristi Singleton.
Jordan Backman serves as employee benefits counsel to PepsiCo, Inc., in Purchase, NY. He previously practiced at Proskauer Rose LLP in New York City.

Sharon Thaler Cox and Ned Cox ’98 welcomed their first child, Edwin Carr Cox, Jr., called Carr, to the world on December 6, 2001.


Galina Kolomietz married Matthew Frank, a tax partner with Caplin & Drysdale on May 25. The couple lives in Washington, D.C., where Kolomietz is an associate with Steptoe & Johnson LLP.

Lisa M. Moran married Thomas M. McMurdo on October 13, 2001, at the UVA Chapel in Charlottesville, VA.

Scott Spence began the LLM in Public International Law program at Leiden University in Leiden, the Netherlands, in September. He formerly practiced in the New York office of Freshfields Bruckhaus Deringer.

2001

Nina Allen writes that, after a brief stint pursuing an alternative career, she has returned “to the dusty books and failing eyesight that are the hallmarks of a law career.” She is currently clerking at the Delaware Superior Court.

Andrew Bell married Betsy Jordan in Lake Junaluska, NC, on September 2, 2001. Bell graduated from Air Force Intelligence School in June. He is currently assigned as an intelligence officer in a fighter wing at Misawa Air Base in northern Japan.

Paul D. Flynn and his wife, Kate, announce the birth of their daughter, Natalie Porter, on November 19, 2001.

Jason W. Trujillo serves as an assistant Bergen County prosecutor in the Bergen County Prosecutor’s Office in Hackensack, NJ. He is currently assigned to the appellate and law section. Trujillo is in engaged to Lauren Abate, a kindergarten teacher. The couple is planning an April 2003 wedding.

2002

Carlos Cruz-Abrams (formerly Cruz Munoz) and his wife, Hilary Cruz-Abrams, announce the birth of their daughter, Robin Sage, on June 4. Cruz-Abrams works as a trial attorney for the Immigration and Naturalization Service in New York City.

Steven J. Tave married Jessica L. Aldock ’99 on May 26, 2001. Among the guests at the wedding were Ryan Clinton, Kit Crumbley, Ben Eggert, Todd Ellinwood, Rich Gardner, Jason Kirkham, Carrie Nixon, Wendy Pizer, Virginia Quale, and Francesca Ugolini.

Matt Wilson recently joined Jones Day as an associate in the general litigation practice in Columbus, OH. He formerly worked as an associate at Vorys, Sater, Seymour & Pease LLP, also in Columbus.

Gregory R. Clouser joined the litigation department of Holland & Hart LLP in Denver, CO, in May.
LL.M.

1986
Stanley Parness has retired from the New York State Supreme Court. He now practices with Stroock & Stroock & Lavan LLP in New York City, focusing on real estate and general litigation and appeals.

1988
James D. Heiple has retired from the Illinois Supreme Court after a thirty-year judicial career equally divided between the Circuit, Appellate, and Supreme courts of Illinois, serving as chief justice of the Illinois Supreme Court in 1997. He resides in Peoria, IL, as do his two lawyer sons, Jeremy and Jonathan Heiple ’92. Heiple is a past-president of the Illinois Judges Association.

1989
Andre De Cort, counsel and head of the Moscow office of Skadden, Arps, Slate, Meagher & Flom LLP, was elected “Best Business Lawyer of the Year” for Russia by Chambers and Partners in its recent edition of Chambers Global: The World's Leading Lawyers 2002–2003. De Cort has been practicing at his current office for nearly 10 years.

1990
Noel Fidel has retired from the Arizona Court of Appeals after twenty years of service on Arizona state courts. In July he began an appointment as the Merriam Distinguished Visiting Professor of Law at Arizona State University College of Law. He teaches Legal Process and Torts.

1992
Diarmuid F. O’Scanllain received an honorary doctor of laws degree from Notre Dame University on May 19. O’Scanllain was appointed to the U.S. Court of Appeals for the Ninth Circuit by President Reagan in 1986. He has participated in more than 4,000 federal cases and chairs the judicial division of the American Bar Association.

1999
Thomas G. Funke has joined Osborne Clarke, a major European law firm known for its expertise in technology and competition law. The firm has helped a number of U.S. companies, such as Yahoo, establish themselves in the European market. Funke lives in Cologne, Germany.

2001
Peter Beyer and his wife, Beate Elisabeth, are delighted to announce the birth of their first child, Tabitha Charlotte, born July 1, 2001. Beyer joined the Beyer firm of international patent attorneys in Ratingen/Düsseldorf, Germany, in February. His practice focuses on intellectual property matters, including licensing and trademarks, unfair competition, and copyright. Beyer co-authored an article about the modified German civil code that appeared in the May issue of Mitteilungen der deutschen Patentanwälte.
LAW SCHOOL ALUMNI HAVE WRITTEN AND PUBLISHED BOOKS ON A WIDE VARIETY OF TOPICS

in recent months. If you have written a new book and want to tell us about it, please mail all pertinent information to UVA Lawyer, 580 Massie Road, Charlottesville, VA 22903; fax it to 434/296-4838; or e-mail it to lawalum@virginia.edu.

Fiction

Manhattan Monologues
Louis Auchincloss ‘41
Houghton Mifflin
Company

The latest collection of short stories by Auchincloss “map a vivid New York century, a world of social privilege, through a series of engaging personal accounts,” according to publisher Houghton Mifflin. “The story 'All That May Become a Man' focuses on a son’s failure to meet the expectations of his adventurer father, a war hero. … In 'The Justice Clerk' a Wall Street tax attorney recalls his days of disillusionment as a young Washington law clerk.” Raised in New York City, Auchincloss has published more than fifty critically acclaimed volumes of fiction, history, biography, and literary criticism, in addition to practicing law for forty years. His first novel, The Indifferent Children, was published in 1947.

Sapphire's Grave
Hilda Gurley-Highgate ’93
Doubleday

Sapphire's Grave starts in 1749 in Sierra Leone, when slavers capture a fiercely strong woman and force her onto a slave ship. On the journey to the Americas, she becomes known for her unrelenting will. When she arrives in the New World she gives birth to Sapphire, who is strong and defiant like her mother. Follow the lives of Sapphire and her descendants where, writes Doubleday, “Gurley-Highgate not only creates a poignant and engrossing saga of black women in America, she brilliantly illuminates the meaning of roots and the links between women and their female ancestors.” The author practices law in Detroit; this first novel will be in bookstores in January.
Nonfiction

Football: The Ivy League
Origins of an American Obsession
Mark Bernstein ’89
University of Pennsylvania Press

“Bernstein shows that much of the culture that surrounds American football, both good and bad, has its roots in the Ivy League. The college fight song is an Ivy League creation (Yale’s was written by Cole Porter), as are the marching bands that play them. With their long winning streaks and impressive victories, Ivy teams started a national obsession with football …”

But football was almost abolished early on because of violence in Ivy games, and it took President Theodore Roosevelt to mediate disagreements about rough play in order for football to remain a college sport. … Although Ivy League football and its ancient rivalries have disappeared from big-time sports by their own accord, their legacy remains with every snap of the ball,” according to Penn Press.

Bernstein, a journalist and lawyer, draws a weekly comic strip about lawyers in the New York Law Journal and San Francisco Recorder.

Choice of Law for American Courts:
A Multilateralist Method (Contributions in Legal Studies)
Edwin Scott Fruehwald ’94
Greenwood Press

In his book, Fruehwald says the state of American choice-of-law today lies somewhere between disarray and chaos. He advocates a method for determining what law should govern conflict that is both forum- and content-neutral and that respects the rights of individuals and states. The book earned Fruehwald the Stessin Prize, awarded annually by Hofstra University to non-tenured faculty scholars. The author is a legal writing instructor at Hofstra University School of Law.

Class Action: The Story of Lois Jenson and the Landmark Case that Changed Sexual Harrassment Law
Laura Leedy Gansler ’89 and Clara Bingham
Doubleday

“In the coldest reaches of northern Minnesota, a group of women endured a shocking degree of sexual harassment—until one of them stepped forward and sued the company that
had turned a blind eye to their pleas for help. *Jenson vs. Eveleth Mines*, the first sexual harassment class action in America, permanently changed the legal landscape as well as the lives of the women who fought the battle. Clara Bingham and Laura Leedy Gansler take readers on a fascinating, page-turning journey, the roller-coaster ride … shows us that *Class Action* is not just one woman’s story; it’s every woman’s legacy,” says Doubleday. Laura Leedy Gansler specializes in alternative dispute resolution and securities law. Clara Bingham is a former White House correspondent for *Newsweek* and wrote *Women On the Hill: Challenging the Culture of Congress*.

**The Essential Legal Guide for the Professional Wrestler**

Eric C. Perkins ’96

1st Books Publishing

Perkins has written possibly the only book that explores the legal and business sides of the professional wrestling industry. “Pro wrestling has evolved over the past twenty years, from its blue collar ‘wrestlin’ roots, to unprecedented levels of success and exposure in the mainstream media,” says the publisher. “Professional wrestling is perhaps the most intriguing, controversial, and misunderstood form of sports entertainment today.” Perkins is a corporate and sports law attorney in Richmond. The book is available now at [www.1stbooks.com](http://www.1stbooks.com).

**On the Skirmish Line**

William Sanders ’42, LL.M. ’46

McClain Printing Company

An autobiography that follows Sanders’s early years in Princeton, Marine Corps service during World War II, general staff service of the occupation government in Berlin, and law practice in West Virginia. The book chronicles a life and comes complete with a rural lawyer’s reflections on family life, civil rights, and environmental concerns. This title, as well as most of Sanders’s eleven titles on the history and settlement of families and areas in Virginia and West Virginia, are available at [www.mcclainprinting.com](http://www.mcclainprinting.com).

**The Real Lessons of the Vietnam War: Reflections Twenty-Five Years After the Fall of Saigon**

Edited by Robert F. Turner ’81, S.J.D. ’96, and John Norton Moore

Carolina Academic Press

Moore and Turner state “it is critically important for Americans to look back and reassess what really happened in Vietnam.” The volume features lessons contributed by senior diplomats, retired military officers, experts on Vietnamese Communism, and senior scholars of history, political science, and law, according to the publisher. “Various myths that continue to influence American thinking about Vietnam are corrected; the idea that the U.S. military and CIA were intentionally engaged in ‘war crimes’ is laid to rest; and military legal experts address the tragic realities of My Lai and measures taken to prevent reoccurrence.” Turner co-founded and is Associate Director of the Center for National Security Law at the Law School, where Moore is the Walter L. Brown Professor of Law, as well as the Center’s Director. The book is available at [www.cap-press.com](http://www.cap-press.com).
In Memoriam

John E. Means ’26
Lancaster, PA
May 24, 2002

Philip H. Hickson ’30
Lynchburg, VA
May 15, 2002

Alan Brainard Pinkerton ’31
North Garden, VA
July 24, 2002

John D. Hooker ’33
Stuart, VA
May 15, 2002

Thomas W. Moore, Jr. ’34
Kernersville, NC
September 24, 2000

Harry P. Joslyn, Jr. ’35
Wilmington, DE
December 28, 2001

Harry Hofheimer ’36
Columbus, OH
December 3, 1999

A. Sidney Buford III ’37
Lexington, VA
May 16, 2002

William Moor Kabler ’37
Manassas, VA
March 3, 2002

Paul L. Latham ’37
Conway, AR
August 19, 2002

Morris B. Gutterman ’38
Norfolk, VA
August 8, 2001

James William Clement ’39
Louisville, KY
January 1, 2002

James B. Hutter, Jr. ’39
Lynchburg, VA
August 2, 2001

J. Noxon Howard ’40
New Britain, CT
July 30, 2002

William V. T. Justis ’40
Herndon, VA
January 15, 2002

David A. Harrison III ’41
Hopewell, VA
June 8, 2002

Murray A. Stoller ’41
Roanoke, VA
July 4, 2002

David N. W. Grant, Jr. ’42
Baltimore, MD
December 4, 2001

Stephen C. Reville ’42
Springfield, ME
March 4, 2002

Carrington Williams ’42
Alexandria, VA
August 3, 2002

Austin S. Ashley ’44
Boston, MA
November 30, 2000

Frank A. Anthony ’47
Hampton, VA
March 8, 2002

Earl Pat Davis ’47
Memphis, TN
July 29, 2002

William E. Hartnett ’47
Lake Geneva, WI
July 21, 2002

Alexander White Wells ’48
Jacksonville, FL
December 25, 2001

George S. Wood, Jr. ’48
Wayne, PA
February 20, 2002

Oleda D. Casscells ’49
Palm Beach, FL
August 18, 2002
William Wayne Gentry ’49
Framingham, MA
April 24, 2001

Lindley G. Miller ’49
Upper Brookville, NY
March 16, 2002

Thomas Hardy Wilson II ’51
Hampton, VA
January 17, 2002

Allan S. Reynolds ’52
Norfolk, VA
July 31, 2002

William C. Spence ’52
Houston, TX
August 12, 2002

John P. Sweeney ’52
Kennett Square, PA
February 28, 2002

Arthur B. Edgeworth, Jr. ’54
Chevy Chase, MD
August 24, 2002

William James Maddison ’54
Orange, CA
May 8, 1999

Allan P. Mackinnon III ’55
Arnold, MD
March 16, 2002

Robert G. Cabell, Jr. ’57
Powhatan, VA
August 25, 2002

Daniel S. Knight ’57
Chester Spring, PA
July 6, 2002

William Ewell Barr ’58
Danville, VA
June 19, 2002

Howard C. Sweet, Jr. ’59
May 28, 2002

Monte E. Wetzler ’60
North Branford, CT
March 27, 2002

W. Forbes Ramsey ’61
McLean, VA
February 7, 2002

Frank C. Alderman III ’63
Ft. Myers, FL
January 26, 2002

William H. Uffelman, Jr. ’64
Wilmington, DE
March 18, 2002

John R. Montgomery ’69
Roanoke, VA
August 23, 2002

Clayton C. Dovey III ’73
Johnstown, PA
November 21, 2001

H. L. MacPherson III ’74
Fairfax, VA
July 5, 2002

Ronald F. Schmidt ’77
Richmond, VA
August 1, 2002

Scottye Hedstrom ’79
Burbank, CA
July 19, 2002

Peter Comans ’82
April 29, 2002

John Paul Hayes ’84
Louisville, KY
August 12, 2002

Charles B. Clement ’65
Lake Geneva, WI
September 14, 2002
IT CAN BE INDELICATE, perhaps even crass, to speak publicly about art looted during the Holocaust. On its face, Nazi-looted art relates to money and property, losses that are insignificant when compared to the millions of lives lost to the same evil regime. At the same time, however, we know that an integral part of the Nazi genocide was the planned and coordinated looting of the victims’ property for the benefit of the Reich and its leaders. As a result of this looting program, vast amounts of art were dispersed across Europe, often to be fed into a market of dealers who bartered with the Nazis and then moved art to neutral nations and beyond.

In the late 1990s, following the publication of a book on Nazi art looting, I represented a family that had located a looted work at a U.S. museum. Based on extensive research, the family could trace the work of art from their collection to a bank vault from which it was looted, and then to the place where the Nazis stored the work before trading it for other looted art. Even with this evidence, it took several years of costly litigation before a settlement brought this property back to its rightful owners. Based on the delays and frustrations that I saw this and other families endure, I began to consider whether there was a better approach to resolving these types of claims.

At the same time, lawsuits were pending relating to claims by Holocaust survivors and their families. These actions ultimately were settled in 2000–2001, but each settlement expressly carved out and left unresolved claims to Holocaust-looted art. Although there were a host of organizations trying to help Holocaust victims locate looted art and negotiate for its return, none had proposed a legally sound approach for uncovering more Holocaust-looted art and encouraging its return. With the end of most Holocaust-related litigation in 2001, I decided to take an unpaid sabbatical from my firm to pursue that systematic approach.

The Nature of the Problem

Scholars and governments agree that a significant amount of Holocaust-looted art (literally thousands of objects) remains in the hands of governments, public institutions, and museums throughout Europe and the United States, and that Holocaust-looted art has been (and continues to be) transferred in the art
market without identification of Holocaust-related gaps in provenance (the chain of ownership of a work of art). As comprehensively discussed by authors like Lynn Nicholas in *The Rape of Europa* and Hector Feliciano in *The Lost Museum*, the types of looted art still circulating include Old Masters, like Franz Hals, and Impressionists, like Matisse and Degas.

As I saw first hand, Holocaust survivors and their families face daunting odds should they ever locate their looted property. Access to data varies from nation to nation as do the legal standards regarding such fundamental issues as determining ownership or title, the time in which demand must be made and/or a claim must be brought, and the effect of intervening transfers to allegedly innocent transferees. Indeed, families often must spend so much to research and recover looted works, that the only way to cover lawyer and expert fees is to sell the works, if recovered. As such, the current legal system is neither consistent nor predictable, nor does it encourage the voluntary or efficient settlement of claims to protect the rights of looting victims seeking recovery of what is rightfully theirs.

This problem, however, can be solved. That is, a group of nations could create a title registration and clearing tribunal that would provide a way to resolve claims, while also providing a way to clear title to many Holocaust-looted objects and otherwise provide repose to current holders. Because a basis for such a tribunal exists under current international law, this proposal could be implemented relatively quickly and efficiently by nations working together. In particular, the nations of Europe, under the auspices of the European Union, could implement this system and reach many places where Holocaust-looted art is believed to be. By using a title registration and clearing system, this proposal would create positive economic incentives for behavior we want to encourage.

**Finding a Basis Under International Law**

Over the last 350 years, a doctrine developed under international law that protected certain types of private property, including art and cultural objects, from looting during war, and which actually created a duty by states to maintain looted property until restitution was made to the nation of origin. During World War II, in direct response to the unprecedented looting by Germany and its supporters, this duty was expanded by the Allies to cover combatants and neutrals, and to expressly supercede the right of third parties to whom looted property may have been transferred.

*Based on the delays and frustrations that I saw this and other families endure, I began to consider whether there was a better approach to resolving these types of claims.*

Thus, states now had an ongoing duty to recover, maintain, and restitute looted property, and could not act as anything more than custodians of looted property. The Nuremberg Tribunal then held that Holocaust-related looting was a war crime, such that Holocaust-looted art bears a “mark of Cain” which, under international law, infects all transactions relating to it, including transfers to third parties. As explained by the U.S. State Department, these legal principles were meant to enhance recovery by true owners and to ensure that Holocaust-looted art would “never be saleable.” The United States felt so strongly about this policy that, following the war, the government took the extraordinary step of sending a letter to universities, museums, libraries, art dealers, and book sellers asking for help in the recovery of looted cultural property.

Under these principles, Holocaust-looted art is subject to the *in rem* jurisdiction of every nation. Moreover, under international law (i) no nation may assert ownership interests in
Holocaust-looted art superior to that of the original owners; (ii) each nation has an affirmative obligation to identify and return Holocaust-looted art; and (iii) laws or policies (e.g., statutes of limitation, theories of abandonment, export restrictions, etc.) that hinder the return of Holocaust-looted art should be invalid. By creating affirmative state obligations, these principles also establish a basis for states to create a Holocaust-looted art title registration and claims tribunal.

To encourage participation, states would require public museums and other state-funded (including tax exempt) entities to register works.

**How the Tribunal Would Work**

The tribunal would work like other title registration systems: it would establish an archive on Holocaust looting and a public register of current holders who would register works with Nazi-era provenance gaps or other evidence of looting. To encourage participation, states would require public museums and other state-funded (including tax exempt) entities to register works. Armed with this type of data, claimants could file claims to specific works at no charge. After some defined period, absent a claim, the tribunal would begin an action to vest title in the current holder by a declaratory judgment that would be enforceable in participating states (in Europe, under the Lugano Convention, in other nations, like the United States, by legislation). States could agree that looted works that remained in state hands could be recovered in the future, but only upon some heightened showing, and could also mandate that museums and other public institutions acknowledge publicly and permanently any evidence of Holocaust looting in the provenance of a work.

In resolving claims, the tribunal would use the international law rule (which mirrors the Anglo-American rule) that the looter may not pass good title, and would adopt rules of proof and evidence that would facilitate settlements and assure that claimants were not unfairly disadvantaged by the passage of time. To streamline proceedings, a party registering a work would waive all claims against prior sellers or holders. Tribunal rulings would be final as to the parties and would protect both the claimant and former holders against any other claims relating to a given work of art, including claims by other alleged heirs of the true owner.

The proposed tribunal would create a powerful economic incentive for Holocaust-looted art to be identified by holding out the possibility for many holders that they could clear title in a legally binding fashion. Claimants would gain a central registry to research claims and a special forum—with uniform rules and procedures to foster efficient and fairer results. Museums and other holders would gain by the possibility of repose and the adoption of uniform standards for identifying and resolving issues relating to Holocaust-looted art. Most importantly, by “tainting” unregistered or uncleared property, the proposed system would establish an important and lasting precedent regarding how property looted in connection with war crimes or other human rights violations should be treated, and might help discourage this type of activity in the future.

Owen Pell is a partner in the Litigation Department of White & Case LLP, in New York. He recently completed his sabbatical during which he pursued his proposal for a Holocaust-looted art claims resolution system. On October 7, the Committee on Legal Affairs and Internal Markets of the European Parliament voted unanimously to hold hearings on the problem of looted art and the potential solutions such as Mr. Pell’s proposal. The hearings should be held early next year.