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The Role of Today's Lawyer

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Indiana University-Bloomington Law Alumni Association

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With some new changes in the curriculum, first year students are being exposed to the best of traditional and innovative course work.

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The purpose of the newly adopted required first year curriculum is to combine the best of the traditional curriculum with innovative courses and course sequences that will begin to respond to the needs of the legal profession as it approaches the 21st century.

Beginning in the fall of 1979, students will, during their first semester, be required to take five hours each of property, contracts, and torts — thus emphasizing traditional strengths of the curriculum. Requiring that all the common law courses be taken in the same semester will encourage the development of insights into relationships among doctrines in these courses.

During their second semester, students will be required to take three hours of civil procedure, with the second half of procedure required during the third semester. By sequencing requirements in this way, the faculty hopes to attack the common problem that many students do not understand or appreciate the importance of procedure without some substantive law background.

The four-hour constitutional law requirement has been moved to the first year student’s second semester. In the past, this course has been required in a student’s first semester; but it has seemed that complicated constitutional law doctrine is simply too difficult for beginning students. The faculty hopes that requiring it in the second semester will enable students to grasp the material more quickly and in greater depth than is currently the case.

The one hour first year tutorial course in legal research and writing will be required during each student’s first two semesters just as it has been.

These modifications have been made to retain and improve the best of the traditional law curriculum. Several requirements have been added to shape the curriculum to meet some of the emerging needs of the legal profession. In the 19th century, most law was common law. Today “law” is now in large part statutory law. No practicing lawyer now can do without the ability to interpret statutes. The new curriculum therefore requires students to elect from among a variety of four-hour statutory courses in the spring of their first year. The offerings will vary from year to year but at present it is expected they will include one or more of the following: criminal law, corporations, income tax, commercial law and labor law.

Finally, the new curriculum responds to the growing need for understanding how law integrates the perspectives of other disciplines. Modern lawyers are required to understand how legal issues are shaped by the insights of legal history, economics, and social science. In case after case, one or the other side introduces scientific evidence, makes an allusion to some historical perspective, or argues that economic efficiency is on his or her side. The lawyer who is unable to respond and deal effectively with these presentations will not be able to serve his or her client. The development of courses to serve this need, which we have called perspectives courses, will be an evolving matter over the coming years. We anticipate that students will be able to elect a three-hour offering from among many, with these three — legal history, law and economics, and law and social science methodology — being the most common.

No curricular change is without risk, both predictable and unexpected. Course load, for example, is a possible problem with the new curriculum. Simple addition will quickly reveal that first year students in their first semester are carrying sixteen hours — a greater load than they are currently required to take. However, if one excludes the tutorial, there are only three rather than four required courses; a good many, if not most, students would agree that the number of courses (and consequently exams) is equally as important as the number of hours in determining workload. Moreover, a first semester load of sixteen hours is not uncommon among law schools.

The grading pattern may also be a problem. Students will have a final, graded exam in three important courses under the new curriculum. In the past many legal educators have thought it unfair to require first year students, still largely unaccustomed to exam procedures in law school, to take so many exams so early in their law school term. However, there are probably just as many who find the lack of graded feedback in a course that has just one exam at the end of an entire year an equally if not more questionable educational practice.

And perhaps the curricular re-ordering designed to give civil procedure more reality and to make constitutional law more profound will prove ineffective. But to retain the old curriculum and its known problems and failures merely because risk exists in a new one would not respond to our mission of training lawyers for the future.

It was to fulfill this mission that Sheldon Plager, in his first year as dean, appointed a Committee on Evaluation and Planning in order to examine the curriculum and consider if it should be revised. The committee, chaired by the associate dean for academic affairs and including three professors and two students met every other week for five months during 1977-78. Several plans were considered before the committee proposed this particular new curriculum to the faculty. A similarly charged committee, now called the Educational Policy Committee, will continue the work of the 1977 body by monitoring the success of the new curriculum and evaluating its relationship to the upperclass curriculum.
A Message From the Dean:

Recapping 1978-79 at the Law School, and a Look at 1979-80

In my annual report submitted last year to Robert O’Neil, Vice President of the Bloomington campus, I described my first year at the Law School (1977-78) as a "year of beginnings." Some of these beginnings were brought to fruition during 1978-79, and we are now enjoying the benefits. Other beginnings have progressed well, and show good probability of successful accomplishment within a reasonable time. Yet another group for Academic Affairs to succeed Professor William D. Popkin. Arthur M. Lotz, a 1965 graduate of this school, was named Assistant Dean for Placement and Bar Relations. Leonard D. Fromm, Assistant Dean of Students at the University of Wisconsin-Madison assumed the position of Assistant Dean for Student Affairs in mid-September. With these appointments I have made substantial progress in the task of reshaping the administrative structure of the School and, in my opinion, brought to this institution some of the brightest and most able Law School administrators anywhere.

The success of these recruiting efforts was not accomplished without costs to the School. One of these costs was that despite the momentum gained from a faculty conclave on curriculum held at McCormick’s Creek in the Fall, a detailed evaluation of the School’s second and third year curriculum and clinical skills training program did not materialize. The latter has been a particular concern since my arrival two years ago. My concern is in no wise lessened by the national attention which has been focused recently on the issue of skills training in law schools by Chief Justice Burger and by the recommendations of the Devitt Committee. The subject is one that is of great interest to the bench and bar of Indiana as well, and is certainly a matter to which any major law school must give attention.

I have made the completion of the clinical program evaluation a top priority for the 1979-80 academic year. In the interim, the school will continue, as it did in 1978-79, to offer its students expanded opportunities to participate in clinical programs, some supervised by our own faculty, and others — Student Legal Services, the Legal Services Organization, and the Inmate Legal Assistance Clinic — supervised by attorneys outside the School. I am also specially charging a reconstituted

Among the five new faculty this year are two former Supreme Court law clerks and two graduates of this school.

of our beginnings are still beginning. Thus my sense of pride at having had a productive year at the Law School is sobered by the realization that, while substantial progress was made, some of the tougher and more intractable challenges still lay ahead. I thought the alumni of the school might enjoy reading my description in my most recent report to the Vice President of the progress and current status of a number of these beginnings, and some comments on our plans and expectations for the future.

A major accomplishment of the School of Law during 1978-79 was the appointment of five outstanding persons to the depleted ranks of our faculty. Among the five are two former Supreme Court law clerks and two graduates of this school. The recruiting efforts which culminated in this accomplishment were enormous and involved a heavy commitment of faculty and staff resources throughout the year. The appointment of these new faculty members, along with the three new members added in 1977-78, brings the total number of full time law faculty up to twenty-seven. While the task of faculty recruiting has not ended with the appointment of these new members, the strain on the current faculty has been eased considerably and our ability to enrich our curricular offerings enhanced.

Successful recruiting also took place at the administration level. Three replacements at decanal rank were made this year. Professor John T. Baker was appointed Associate Dean for Academic Affairs to succeed Professor William D. Popkin. Arthur M. Lotz, a 1965 graduate of this school, was named Assistant Dean for Placement and Bar Relations. Leonard D. Fromm, Assistant Dean of Students at the University of Wisconsin-Madison assumed the position of Assistant Dean for Student Affairs in mid-September. With these appointments I have made substantial progress in the task of reshaping the
Educational Policy Committee with continued effort at evaluation of our total curriculum. In regard to other areas of the curriculum, the new first-year curriculum adopted by the faculty in 1977-78 has been placed into effect with the Fall semester 1979-80. Property, that queen of subjects, has been restored to its rightful place as a first year required course. It is now offered for 5 credit hours in the first semester of the first year, along with 5 hours of contracts and 5 hours of torts. Two courses were approved by the faculty in 1978-79 to fill out the perspectives requirement. In one of these courses social science methodology and its relationship to law will be examined. In the other, the usefulness and appropriateness of history and historical methods to law will be explored. First year students will be required to choose one of these have experience in these non-legal disciplines. I have charged the Educational Policy Committee with the responsibility of closely monitoring the new first year curriculum during the coming year so that we may be in a position to determine at an early time whether the changes we have made attain the goals we intended.

Student activities flourished during 1978-79. Volume 54 of the Law Journal contained four issues including a symposium issue on terrorism and articles from 17 first-rate legal scholars, and 17 student notes. The Moot Court entered two teams in the There were other major gains at the School during 1978-79. The rehabilitation of a portion of the physical facility was completed; some of the newly remodeled areas have now been equipped and furnished. The University approved our plan to develop a word processing center to supplement a clerical staff shrunk in relation to the number of full time faculty. The library was granted approval for an OCLC terminal to assist in cataloging holdings, and was selected as a depository library by the U.S. Government printing office. This last item assumes special importance in light of the fact that Congressional budget cuts meant only 37 of 164 eligible applicants could be chosen. In addition, particular attention was paid to the repair or maintenance of deteriorated areas of the building.

Finally, support of the School by its alumni reached an all time high. In addition to the Carl and Eulala Gray Endowment in support of more effective training in advocacy, and an alumnus-assisted gift of several thousand dollars worth of videotape equipment, the Law School Fund attained its highest ever annual dollar total of donations from alumni and friends, exceeding one hundred thousand dollars. Unfortunately even this level of support has not kept us ahead of the ravages of inflation, and an even more vigorous effort is planned for the year ahead.

Expanded opportunities in clinical programs, a new first-year curriculum, and a new high in the level of alumni support contributed greatly this year to the strength and vitality of the Law School.

national competition; one team won first place in the multistate (regional) competition, beating Illinois in the final round. (I have carefully avoided gloating to my former colleagues.) The Student Bar Association organized several innovative service activities along with providing strong leadership in traditional areas. A new student effort, the Student Funded Fellowships Project, was started during 1978-79.

In sum, I continue to have great pride in the strength and continuing vitality of the Law School. We have made substantial gains in selected areas; we are still only beginning in others. The process of growth and development is sometimes slow, sometimes halting, but always challenging. With the continued support of the University and of our alumni, we in the Law School are prepared to meet that challenge.
All difficult ethical problems involve a clash of rights, not a clash of right and wrong.

by William D. Popkin

[This is the text of a talk given by Professor Popkin at a Depauw University Symposium of Ethics of American Professional Life]

The ethical obligations of members of the legal profession depend on the answer to the question "WHO IS THE LAWYER?" What is there about being a lawyer that defines what that person is supposed to do or not do or what that person is to be allowed to do or not allowed to do? That is a different question from asking who is the lawyer, as a person. John or Mary Jones, the person, is not the same as the Judge Jones. Being a judge, like performing any role, imposes restrictions and creates opportunities not available to or required of an individual in another capacity. To find out who a judge or lawyer or anyone else is, we must understand what we expect people to do when they perform a particular social role. There is nothing strange about lawyers being friendly after combat in Court any more than football linesmen being friendly after they have been knocking each other about in a football game. Outside the arena, they are not lawyers or football players.

Every major issue of professional ethics can be seen as an effort to respond to the question of what the lawyer's role is. When we ask whether lawyers should play a role in improving society's rules defining substantive or procedural justice, the relevant ethical question is why that is peculiarly the lawyer's role to a degree not applicable to any other concerned citizen. My own answer to this question is that a person with expertise, and that is after all the hallmark of a professional, has an obligation to use it for others, at least when there is no other system (such as the market place) to elicit the performance of those services. Whether or not you agree with the conclusion about a lawyer's obligation, it seems to me you must agree that
the definition of the ethical obligation arises from an understanding of what it is that especially defines the lawyer’s role.

Similarly, when we ask whether lawyers should volunteer their services to the poor, we must also ask why it is part of the lawyer’s role to finance that effort by performing services for free. It is not sufficient to point out that the poor cannot afford counsel. The general public can afford to pay lawyers to serve the poor and the question is why lawyers are ethically required to subsidize the poor, rather than wait for the general public to pay the bill. The existence of a monopoly by lawyers, as well as their expertise, seems to me to be part of the answer, but whatever your answer to that question, the crucial point is that you must define what is special about the lawyer’s role that leads to an obligation.

I would like to focus my remarks on one aspect of the lawyer’s role — specifically, what are his or her obligations to constituencies other than clients. I am not referring here to the problem of conflict of interest between clients or former clients. I am interested in the problem of conflict between the lawyer’s obligation to the client and his obligation to other constituencies. It is difficult to overestimate this problem because in spite of the fact that lawyers have been brought up to believe that loyalty to the client is the paramount virtue there exists today a growing discomfort with this view. First, the loyalty-to-the-client-is-paramount view has a firm historical base. The feudal origins of the “legal guild” posit a sense of duty to the client. And second, more modern individualistic notions legitimate the client’s view that he has a right to loyalty. There are both a duty to render and right to demand loyalty.

Blind loyalty has, of course, never been required. The lawyer has always been free to violate the client’s confidence where necessary to prevent a crime from being committed. But the deeper mood of the profession has always leaned towards loyalty to the client when there was doubt as to what their obligations were.

Today this deeper mood, though still in place, is being questioned. The single-minded devotion by lawyers to the President in the Watergate affair was a public manifestation of an extreme version of what can happen when a lawyer’s loyalty is blind, compounded by the corruption of moral sensibilities brought about by proximity to power. The issue of loyalty to the client is much broader, however, than blind loyalty to clients in political power. A few questions will illustrate the difficulty of the problem. They will force you to ask yourself just what it is that you want the lawyer to do and, by that process of self-questioning, help you to consider what direction the development of professional ethics should take. It is never enough to remain at the level of empty platitudes, extolling either loyalty to client or devotion to other values. All difficult ethical problems involve a clash of rights, not a clash of right and wrong. Professional ethics are needed not only to discipline the wrong-doers, where wrongdoing is clear, but also to define roles for people (in this case lawyers) who operate at the vectors where the values we cherish come into conflict.

Consider the following questions. First, does the lawyer’s obligation to the substantive law require or permit violation of a client’s confidence, not just to prevent illegal action, but to uncover the wrong after it has been committed but when harm can still be prevented — for example, by revealing that a client has lied by improperly filling out his tax return? This problem stands for the much broader issue of what to do in a society becoming more and more complex and regulated where the rippling effects of wrongdoing can continue to be felt long after its commission.

A common rejoinder is that the adversary system will produce a counter to the client’s wrongdoing and justice will be done. But the adversary system works at all only after there is a controversy, and that requires detection. Moreover, a great deal of adjudication involving government benefits and government regulation is nonadversary. There is no “other side.” And, finally, the other side may be unrepresented or underrepresented. To rely on the adversary system to do justice assumes that all justice issues have been shaped as meaningful adversary disputes.

Second, what is the lawyer’s role when he or she knows the client contemplates an illegal act, the chances of detection of which are slight? Can a lawyer counsel only what is legal or can he or she also inform the client of the chances of being caught? For example, if a welfare client plans to omit information about a paycheck from a form filed with the welfare agency, can the lawyer tell the client that this is wrong but that there is only a ten percent chance of being caught?

Third, what is the lawyer’s obligation to the decision-making process itself? Assume that there is no known substantive illegality, but there are facts known to the lawyer that might affect the decision reached by the judge. Must you reveal those facts if they are material?

A variant on this problem arises when you are sure your client is right and the other side makes a true but incriminating assertion of fact and the person asserting that fact is a very questionable witness. For example, suppose an old man says that your client was at a certain street. The client was at that street and this places him at the scene of the crime. In fact, your client did not commit the crime and the witness has very bad eyesight. Do you call to the attention of the Jury the witness’s bad eyesight? This problem is compounded by the fact that you are dealing with another human being, not just a decision-making process. To what extent can you or should you take into account the sensibilities of the witness whose veracity you are questioning?

Fourth, how does the obligation to reveal material facts, if the obligation exists, carry over to situations in which a lawyer negotiates or lobbies, a role which shapes law, rather than applies it? Is there anything that tempers the lawyer’s loyalty to the client in these situations? In negotiations, for example, must the lawyer reveal the real party for whom he negotiates if he knows the other side would not deal with that person; how much explaining of fine print is required beyond what the law requires? And in lobbying, must the weaknesses of statistical studies introduced to support proposed legislation be explained? The problems here are aggravated by the fact that nonlawyers can and do play such roles and they are not bound by the ethical responsibilities applicable to the lawyer.

I would guess that in every one of the above examples, most lawyers would favor the client. But I would also guess that there would be a greater increase of uncertainty about that conclusion than there was ten years ago. The growing doubts arise from a very basic cause. We are no longer sure what the lawyer’s role is. The traditional duty of extending legal services to those who need them is being emphasized, but the content of that duty is not necessarily the single minded service to the client that we are accustomed to. We know that the closed world of professional guild ethics is passing, as evidenced by the permission to advertise and the presence of nonlawyers on disciplinary commissions, but we do not know what will take its place. We know that single-minded loyalty to the client is giving way to more system-oriented nonadversary values, but we are not quite sure what those values are. We are suspicious of experts (that is, professionals) but cannot do without them. We are in other words, no longer quite sure who the lawyer is, or (what is the same thing) what we want the lawyer to be.
Law students discuss legal ethics

Attorney/client privilege: The ethical limits

What are law students like today? Most of us who are associated with the administration of law schools quickly become accustomed to that question in our contacts with alumni groups. To give alumni a glimpse of what today's law school students are thinking, the *Bill of Particulars* features a discussion by law students about legal ethics. We hope in future issues to feature discussions on such topics as the job market, affirmative action in admissions and hiring practices, bar exams, specialization, advertising, curriculum, theory v. practice, and others.

Participants in this discussion are Randall Berta, Fort Wayne; Mary Doherty, Chicago; Daniel C. Emerson, Indianapolis; Renee Jackson, Lexington, Ky.; Susan Macey, Reading, Pa.; Jef Richards, Columbus, Ind.; Michael Spurgeon, Muncie; and Craig Zanot, Taylor, Mich.

Portions of the ethics discussion in which students touched on questions asked by Professor Popkin's article follow.

The Problem

You are senior partner in a law firm specializing in defense of insurance carriers, representation of several corporations, and serving as executor of the estates of many officers of your firm's clients. You have been commended by some of your clients for not getting mixed up in sordid criminal matters. Last night the president of your firm's largest corporate client telephoned and asked you to see his nephew, Robert Brown, and perhaps represent him. The uncle tells you what he learned from his nephew:

Brown was having coffee last night in a neighborhood shop when two fraternity brothers asked him to drive them to a rival fraternity house. He agreed, and parked in front of the house to wait while the others went inside. Fifteen minutes later they ran back to the car carrying a trophy. Brown put it in his trunk.

The uncle then states that the morning papers carried a story indicating a burglary at the fraternity. The dead body of a watchman of the college was found at the bottom of the stairs, his skull broken. Police assume the burglar pushed him down the stairs. He tells you that his nephew will be over within an hour.

You do a little preliminary research on the law of accessories to crimes and find the following statute:

"Accessory after the Fact. A person who, after the commission of a felony, harbors, conceals, or aids the offender, with intent that he may avoid or escape from arrest, trial, conviction, or punishment, having knowledge or reasonable ground to believe such offender is liable to arrest . . . or has committed a felony is an accessory to the felony and is punishable by imprisonment in a state prison for a term not exceeding three years."

You are aware of a unique statute on principals of a crime and some strained statutory interpretations on the part of the court which indicate that a good argument can be made that an indirect participant in a crime is subject to the same penalties as a direct participant only if he has the specific intent that the crime should be committed. If he only has reasonable knowledge that the crime will be committed, the indirect participant is only subject to the punishment prescribed for accessory after the fact. The punishment for felony murder in your state is life imprisonment. You must resolve two problems: (1) Should you defend Brown in a criminal action? (2) If so, what are you going to do with the trophy?

The Responses

Mike . . . I'd really like to know what is an attorney supposed to do with the trophy. . . . Whether they take the case or whether they don't.

Randy . . . Does the attorney want to know where the trophy is? Is it ethical for the attorney to say to his client, "Do you know where the trophy is?" And if the guy says yes, would you say "Don't tell me anything else." Is that a proper thing to do? . . . Do you have a duty to find out where that evidence is and tell the authorities?

Mike . . . Unless the . . . actual attorney/client relationship prevents you from turning that in, I think you can't sidestep the issue that way.

Mary . . . If you did ask him and he said yes, wouldn't that be part of the attorney/client relationship?

Susan . . . If you'd decided to take the job?

Mary . . . Yeah . . . I mean by telling someone else, wouldn't you be violating the attorney/client relationship?

Mike . . . The question is, can you withhold the evidence?

Jef . . . How much can you know until you're compelled to come forward with that?

Renee . . . Well there's the Dead Body Case where the attorneys knew where the body was. . . . They suspended them for not telling where the dead body was but they asserted there was attorney/client privilege.

Dan . . . The code is really weird on this. They say, okay, you can't suppress evidence that you have a legal duty to bring forth. That begs the question. It was held in the Dead Body Case that the attorneys did have legal duty to bring forth the evidence of the dead bodies. I think this is analogous because the trophy was the item that was stolen. In the Rider Case it was a shotgun and some stolen money that the attorney stuck in a safe deposit box and they whacked him too.

Mary . . . How significant is a trophy? The trophy might be a little less than the dead body or the shotgun & money if you're talking about degrees.

Mike . . . Well, I don't know. It links the client . . . to the place.

Dan . . . It may be obstruction of justice if you have a reasonable belief that the client knows where it is and you don't pursue it. . . . It certainly smacks of sharp practice.

Susan . . . The fact that the trophy is in the possession of the defendant . . . is going to come out sooner or later. I think if you suppress it, that kind of looks bad for the client.

Mary . . . How significant was the trophy? The trophy was more significant than the dead body or the shotgun & money.
An attorney/client relationship isn’t created just by someone coming up and telling me their cousin stole a horse.
At top, Thomas Read, Dean of the IU-Indianapolis School of Law (left), and Sheldon Plage, Dean of the IU-Bloomington School of Law, appeared to be running neck and neck in the "Race Judicata" held during the annual Law Alumni Weekend. Above right, student and alumni teams clash during the annual football game. The students blitzed the alumni, 20-0. At right, panelists participating in the law conference discussion, "How to Improve Your Performance in the Courtroom," included from left: Judge James J. Richards, Lake County Superior Court; Judge S. Hugh Dillin, U.S. District Court, Southern Indiana; Judge Michael Kanne, Jasper County Superior Court; and Terry Albright, Indianapolis attorney and president of the IU-Bloomington School of Law Alumni Association. Albright served as panel Moderator.
With an increase in registration of over 50 per cent, the third annual Bloomington Law Conference, September 14-15, provided alumni of the Bloomington School of Law with a wide variety of educational, social, and recreational activities.

Co-sponsored by the IU Bloomington School of Law and the IU Bloomington Law Alumni Association, the conference featured two general sessions, two panel discussions, and a conference workshop.

Panelists for the general session, "How to Improve Your Performance in the Courtroom," included the Honorable S. Hugh Dillin, U.S. District Court Judge, Southern Indiana District; the Honorable James J. Richards, Superior Court Judge, Lake County; and the Honorable Michael Kanne, Judge of Circuit Court, Rennselear.

The three-judge panel recommended that lawyers use clear, concise language in the courtroom, avoiding confusing, highly-technical, or overly-dramatic presentations.

Improving Courtroom Performance

"We don't speak that way everyday," Kanne said. "This approach tends to confuse the jurors. I recommend more conversational language. This doesn't mean, however, that lawyers should talk down to anyone," he said. Kanne remarked that jurors today are much more aware of current events and possess a sophistication that was rare 50 years ago. "Lawyers . . . are beginning to realize this and make fewer flamboyant and heart-tugging pleas . . . . This doesn't mean that all the emotion should be squeezed out of a plea, but it should be compatible with the sophistication of the jurors."

Dillin also encouraged the use of simpler language in the courtroom, but added that addressing witnesses by their first names in a folksy manner is "a bad practice and somewhat demeaning to lawyers."

Richards concurred with Dillin on the advocacy of simpler language, and feels that instructions to the jury should also be in language familiar to the jurors. He also supported the clarification of legal documents so that laymen can understand them.

Panel discussion leader for the "Trial of an Equal Employment Opportunity Case" presentation was Professor Julia Lamber of the IU Bloomington School of Law. Lamber was formerly an attorney in the Office of General Counsel in the Department of Health, Education and Welfare.

Arthur P. Kalleres of Ice, Miller, Donadio & Ryan, was the panel discussion leader for the presentation, "Presenting Your Best Evidence in a Construction Lawsuit."

The unique procedural and proof problems of probate litigation were discussed in the general session, "Probate — Forgotten Field of Litigation," which was moderated by Ronald Waicukauski, former member of Barnes, Hickam, Panner & Boyd of Indianapolis. A member of the IU Bloomington School of Law faculty, Waicukauski teaches a course in appellate advocacy. Panelists for the session on probate included the Honorable V. Sue Shields, Judge on the Indiana Court of Appeals and formerly Superior Court Judge of Hamilton County, the Honorable Victor Pfau, Judge, Marion County Probate Court; and the Honorable Addison M. Beavers, former Judge, Warrick County Circuit Court, and past chairman of both the Indiana Bar Association's House of Delegates and the Judicial Code Study Commission.

In addition to these programs, the conference also featured a "Dean's Luncheon," with Dean Sheldon Plager as the featured speaker, and a President's Reception recognizing past presidents of the IU Bloomington School of Law Alumni Association. James E. Weigand, IU Dean of Continuing Studies, was the featured speaker at the conference dinner.

First Running of "Race Judicata" A Success

Open to all law alumni, spouses and students, the "Race Judicata" on Saturday featured two events: 5000 meter and 8000 meter runs. Joseph Emerson, of Baker and Daniels in Indianapolis, served as race chairman. Emerson said that there were 47 entrants in the race, which is "excellent" for the first year. "We want to have another race at the next conference, and hope to have twice as many entrants next year."

In the 5000 meter race winners included: Men's Division, Joe Hogsett, 18:55; Women's Division, Francie Gall, 25:44; Faculty Division, Tom Schornhorst, 25:20; Attorney Division, Tom Bunger, 25:12; Dean's Division, Sheldon Plager, 23:54; and Student Division, Joe Hogsett, 18:55.

Winners in the 8000 meter race were: Men's Division, Don McClellan, 26:02; Women's Division, Susan Marguet, 35:05; Faculty Division, Bryant Garth, 31:54; Attorney Division, Tom Berry, 35:31; Dean's Division, Thomas Read, 39:52; Student Division, Don McClellan, 26:02.

The annual Student-Alumni Football Game was also played on Saturday. Despite heroic efforts, the alumni team fell to the student team, 20-0. Game chairman was Tom McDonald of Rogers, McDonald and Grodner in Bloomington.
Then, with a characteristically positive tone, he concluded, "But it's a good experience." and it posed some unexpected problems. Gray, a successful lawyer formerly based in Indianapolis and currently working in Brown County, was an adjunct professor of law last year, coming to campus twice a week to teach a course on The Legal Profession. He felt "about like I felt as a freshman — I don't know where things are or what's going on."

"It involves more time than I anticipated," he explained, Then, with a characteristically positive tone, he concluded, "But it's a good experience."

In fact, the store of good experiences Gray has amassed during his career serves as his primary qualification for teaching the course. For more of the past 26 years, he worked at the firm of Barnes, Hickam, Panter and Boyd in Indianapolis. His practice there, he indicated, "was corporate oriented, concerned with involved litigation. The cases took a long time to try, and a long time to prepare."

When he moved to Nashville at the beginning of this year, however, the nature of his practice changed. "Most of the work in a county the size of Brown County consists of probate and real estate matters," he said, "In Nashville I find that things get behind me much quicker. There's a sense of accomplishment — that you finish things in a short period of time. There's less litigation, but it's equally — if not more important to the litigants. The satisfaction of a large firm practice is in contributing to the law such as. In Nashville it is more in helping individuals."

Gray, born in Evansville, attended Evansville University (then Evansville College). He entered the IU School of Law in 1948 and graduated in 1951, having held the post of editor of the Law Journal in his final year. He served in Washington for a year as a clerk for U.S. Supreme Court Justice Sherman Minton (LLB '15, LLD hon '50). That year, the Court was beginning to participate in public affairs because they're closer to home. You can do your grocery shopping, go to the gasoline station, the post office and the bank in the course of 20 minutes."

But there are also less tangible differences that he cannot easily summarize. "There's less pressure in Nashville," he mused, "and more time to devote to other things, and these are difficult to define." He shrugged, "It's just an entirely different life-style."

Teaching Today

Raymond Gray, LLB’51, talks about today’s law students

The course Gray taught serves needs. First, it provides students with information about how all types of lawyers function — whether practicing alone or in large, medium or small firms. Second, it introduces students to the code of professional ethics. "The course offers some insight to law students — especially the ones who are not sons or daughters of lawyers — into what practicing law is all about, beyond just reading cases," Gray explained.

Although he has chosen a textbook and plans his lessons around it, Gray tries to accommodate the interests of the students in the class as well. What are their interests? He sums them up concisely: "How you become competent in the first place and how you stay that way . . . . The single practitioner seems to be dying out; the legal profession for years was made up of lawyers on their own practicing law. Now, large firms are dominating the picture. It's very difficult for a single lawyer to stay abreast of everything. There was a time when, like the general practitioner of medicine, a lawyer felt that he could certainly handle anything that came along. That's not true anymore. So there's a trend for lawyers to limit their practice, of necessity. And students are interested in that."

Students also have more theoretical interests, Gray noticed, which emerge during classroom discussions of professional ethics. "There's a concern among students," he said, "that the legal profession is not doing the very thing that needs to be done toward furnishing counsel to indigents, for example. But it's difficult to lay all the blame on the legal profession."

Lawyers, he asserts, can only continue to thrive through profits. "Given that [profit-making] system, the students see immediately that something more needs to be done. A combination of things — more effort on the part of lawyers, and more effort on the part of the public to see that lawyers get paid to represent people who can't afford them."

Gray summed up the students' attitude toward legal ethics. "They're very interested in the subject — very critical of the code. In many instances I have to 'sell' them, to convince them that the code is based on proper considerations. They have a healthy attitude of not just accepting the profession's viewpoints."

Gray believes that students and young lawyers today are, in general, remarkably intelligent and capable. "My feeling is — and I don't base this strictly on teaching but on the experience I had with the firm in recruiting young lawyers each year — that they're getting smarter all the time. Young lawyers are better equipped to take on responsibilities sooner, more than the lawyers of my generation. Now, whether that's because they're getting better training," he paused and grinned an optimist's grin "I'm sure they're getting better training. Law schools have to improve like everything else."
School News

Applications Stable

Applications for admission to law school in fall 1979 were down dramatically at law schools throughout the country — but not at Bloomington. Indiana University-Bloomington was one of a few law schools whose application numbers remained nearly the same — down 3% as opposed to such declines as 22% at Stanford, 25% at Connecticut and Ohio State. Admissions Dean Frank Motley attributes the School's successful recruiting drive to a "reservoir of good will" in alumni, students and faculty who cooperated with him and his staff in developing and carrying out innovative measures such as a student run Tour Guide program for applicants wishing to visit the campus and an outreach program staffed by alumni who spoke to students at local campuses about the legal profession and the School.

The slight decrease in applications — 28 applicants, down from 1,074 to 1,046 for 200 seats — that the School has experienced has been pretty evenly divided between in-state and out-of-state applicants. Acceptances of in-state applicants have, however, risen significantly.

Why has the national trend in law school applications been downward? Several reasons have been given:

a) The effects of the postwar baby boom have leveled off.

b) Post-graduate programs such as the MBA are less expensive, shorter and are seen by some to be both more practical and to offer more lucrative job opportunities.

c) Rising tuition costs and publicity about the glut of lawyers on the market have deterred some.

Other major schools that have either reported or estimated a dramatic decline are Minnesota, Illinois and Michigan, all down about 200; Texas, George Washington and Harvard, down about 500; California at Davis, Boalt Hall, Duke and Boston College, down about 400. (Estimates are from a National Law Journal article by Terry Bain and Jonathan Winer, April 2, 1979.)

Children's Research Center

Professor Dan Hopson, Jr., whose major research and teaching interest is in the area of juvenile and family law, received a grant of $100,000 from the Lilly Endowment, Inc., during the summer of 1979 in order to establish a Center for the Study of Legal Policy Relating to Children.

Hopson believes there are many laws concerning children that are based on assumptions that have not been researched adequately. There is little empirical evidence or theoretical development that shows one set of rules or assumptions is better than another. While social and behavioral sciences have produced a lot of useful information about children and influences on them, this information does not provide the answers that makers of legal policy need. It is to fill this void that the research center was conceived.

Staff of the Center will engage in fundamental research in the nature of children, their development, abilities, limitations, goals and aspirations by using the techniques, methodologies and theories of social and behavioral science research.

Research on relevant legal doctrine, laws, and policies will also be done. Results will be useful to legal scholars, courts and legislatures in formulating legal policies relating to children.

Of major interest in juvenile law today is how legal policies affect those defined as delinquent, dependent and neglected children. The Center will not only delve into causes of delinquency, dependency and neglect, but into society's legal and other responses to what is labeled deviant behavior in children.

Center research activities will cover more than delinquency, dependency and neglect. Also to be studied are such things as compulsory education, medical care and social services for children, parental participation in placement proceedings for handicapped students, child labor laws, adoption and foster placement.

The Center will have its own professional staff to undertake many of these research projects. In addition, it will encourage faculty at IUB and elsewhere to engage in research on children under Center auspices.

While research is the focus of the Center, it will also provide educational opportunities for law students. Graduate students in the social and behavioral sciences, juvenile court judges, prosecutors and defense counsel, and legislators. Educational programs will also be offered to psychologists, psychiatrists, teachers, welfare workers, probation officers and others who can profit from a basic understanding of legal policies as they relate to the children with whom they work.

The Center will provide service to others by disseminating research results through scholarly journals and directly to professionals in the field.

The professional staff currently consists of Hopson as director; two Research Associates, Dr. Suzanne Lincol, a sociologist, and Dr. Susan Stager, an educational psychologist; two Graduate Assistants, Mary Doheny, a law student, and Christine Ward Hull, a psychology graduate student. Staff are being housed in a law school annex located at 618 East Third Street.

Scholars from IUB and elsewhere who have agreed to serve as consultants to the project are Dr. John E. Bates, Psychology; Dr. Ilene Bernstein, Law and Sociology; Dr. Arthur Drew, Pediatric Neurology; Roger Dworkin, Law; Edwin Greenebaum, Law; Dr. Kenneth Heller, Psychology; Dr. Martha McCarthy, Education; Dean Tony Mobley, Recreational Education, HPER; Phylilida Parsloe, of the Department of Social Administration and Social Work at the University of Bristol in England; Dr. Mark Pastin, Philosophy; Dr. Robert Wolf, Education; and Dr. Richard Young, Psychology.

Bankruptcy Court

The Bankruptcy Court for the Southern District of Indiana, which normally holds sessions in Evansville, Terre Haute, and New Albany, was in session in the Moot Court Room in the Law School in April 1979, the Honorable Gene Brooks presiding.

Most of the Court's time was devoted to first meetings of creditors in which the bankrupt was examined concerning his or her financial affairs and creditors had a chance to question the bankrupt. Other proceedings included a hearing on the confirmation of a Chapter 11 plan (Oxford Industries, Inc.) and a hearing on objections to claims. Professor Douglass Boshkoff was present in the Court Room for most of the day to answer questions students had concerning the proceedings.
'78 Employment Picture

A questionnaire sent to the 1978 graduates in October 1978 collected basic information about employment patterns, present addresses and future plans. Here is a summary of that survey:

Class of '78 Employment Survey

<table>
<thead>
<tr>
<th>Area of Practice</th>
<th>In State</th>
<th>Out of State</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Practice</td>
<td>49</td>
<td>24</td>
<td>45</td>
</tr>
<tr>
<td>Business (Legal &amp; Other)</td>
<td>11</td>
<td>13</td>
<td>15</td>
</tr>
<tr>
<td>Government (Fed., State, Local)</td>
<td>13</td>
<td>4</td>
<td>11</td>
</tr>
<tr>
<td>Judicial Clerkships</td>
<td>12</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>Legal Services/Public Interest</td>
<td>3</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>Interest</td>
<td>3</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Military</td>
<td>0</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>Other</td>
<td>1</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Study</td>
<td>0</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Teaching/Research</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Unemployed</td>
<td>3</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>No reply</td>
<td>3</td>
<td>4</td>
<td>4</td>
</tr>
</tbody>
</table>

TOTALS 96 68 100%

A. 153 of the 164 graduates (93%) were known to be employed in law or law related jobs. [1977: 166 of the 183 graduates (91%) were employed.]
B. 96 of the 164 graduates (59%) remained in Indiana and 68 (41%) found employment out of state. [1977: 103 of the 159 graduates (65%) remained in Indiana and 56 (35%) departed the state.]
C. 73 of the 164 graduates (45%) entered the private practice of law. [1977: 82 of the 183 graduates (45%) entered private practice.]
D. 24 of the 164 graduates (15%) were employed by corporations or other business concerns. [1977: 25 of the 183 graduates (14%) entered businesses.]

Salary Comparisons

There are few things that interest law students more than salary information. Below is a compilation of beginning salaries offered in 1978 to the Class of '78 respondents to the October questionnaire.

1978 Salary Survey

<table>
<thead>
<tr>
<th>Area of Practice</th>
<th>Salary Ranges</th>
<th>Salary Averages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Practice</td>
<td>$10,000-$13,000</td>
<td>$11,500</td>
</tr>
<tr>
<td>Small Law Firms (1-5)</td>
<td>13,500- 16,500</td>
<td>14,700</td>
</tr>
<tr>
<td>Medium Law Firms (6-15)</td>
<td>16,500- 18,500</td>
<td>17,000</td>
</tr>
<tr>
<td>Large Law Firms (16-50)</td>
<td>20,000- 23,000</td>
<td>21,000</td>
</tr>
<tr>
<td>Very Large Law Firms (over 50)</td>
<td>17,500- 20,000</td>
<td>19,000</td>
</tr>
<tr>
<td>Accounting Firms</td>
<td>12,000- 20,000</td>
<td>15,000</td>
</tr>
<tr>
<td>Business Concerns</td>
<td>13,000- 19,500</td>
<td>14,500</td>
</tr>
<tr>
<td>Legal</td>
<td>15,100- 16,500</td>
<td>16,800</td>
</tr>
<tr>
<td>Non-Legal</td>
<td>15,000- 16,500</td>
<td>16,000</td>
</tr>
<tr>
<td>Federal Government</td>
<td>12,500- 14,000</td>
<td>13,500</td>
</tr>
<tr>
<td>Judicial Clerkships</td>
<td>12,000- 14,000</td>
<td>13,000</td>
</tr>
<tr>
<td>Indigent Legal Services</td>
<td>10,000- 19,000</td>
<td>14,300</td>
</tr>
<tr>
<td>Teaching</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Supreme Court Visit

The Indiana Supreme Court visited the School in March and heard an argument in the Moot Court Room. The case was State of Indiana and the Indiana State Highway Commission v. Bryan Tabler. The argument was followed by a reception and dinner sponsored by the Vice President of the Bloomington campus, Robert M. O'Neil, and by Dean Sheldon J. Plager of the Law School.

In Memoriam

Ann Mitchner, formerly of Bloomington, died in December 1978 in Melbourne, Florida. She had been residing in nearby Indian Harbour Beach, where she had moved in 1976, two years after retiring from her position as Placement Director of the Indiana University School of Law.

She was active both in University and legal circles, working periodically as a legal secretary, law clerk, and court reporter in Bloomington, Indianapolis, and New York City, and as assistant editor of the Journal of American Folklore, promotion manager for the Indiana University Press, and as the late Joseph Sutton's personal secretary during the five years preceding his resignation as president of the University.

Law Student Survey

In August, 1978, a questionnaire survey, co-sponsored by the Office for Women's Affairs and the Law School, sought to determine whether women law students, whose numbers have increased greatly in recent years, have different backgrounds, needs and goals from male law students. In general, there appeared to be little significant difference in the backgrounds and needs of men and women law students. Women tended to be somewhat older, wait longer to enter law school, work full time or part time in their major field or marry, set up house, or have children. While undergraduate GPA was somewhat higher for women, more men than women scored over 700 on the LSAT. Although 80% of both sexes agreed that women are as capable as men of success in law school and in the legal profession, 43% of the males thought that law schools are turning away qualified men to admit less-qualified women.
18 Speakers Visit School

The School expanded its speakers program during 1978-79. Presenting the Addison C. Harris lectures for the year were Henry Hansmann of the University of Pennsylvania, Eva Hanks of Cardozo School of Law of Yeshiva University and Genaro Carrio of Buenos Aires, Argentina. Hansmann spoke on "The Role of Non-Profit Enterprise." Hanks presented "Some Thoughts About Control of Population Growth," and Carrio spoke on "Ronald Dworkin’s Views on Legal Positivism."

Other speakers, not included in the Harris series, included: Emilio Cardenas of Argentina, speaking on "Legal Aspects of Regulation of Foreign Investments in Latin America"; Fred Hoxie, a historian from Antioch College, on problems of jurisdiction over American Indians; Charles Edwards, ISBA President and Spencer attorney, on "Prepaid Legal Insurance in Indiana"; Dr. Barbara Harrell Bond, the American Universities Field Staff, on "Dispute Settlement in 'Unofficial' Courts of Freetown, Sierra Leone"; Manfred Rehbinher of Zurich on "Legal Problems in the Mass Media"; Dr. G. J. Cano on "Latin American Experience on the Codification of Environmental Law"; Hemda Golan of Israel and a visitor on the faculty on "Legal Means to Combat International Terrorism."

In March Dean Arthur Lotz presented a Legal Careers Seminar in which eight area attorneys spoke on their work and advised students about employment opportunities in law. Speakers were Tom Berry, '65, Bloomington attorney, on the small and medium sized firm; Barry Brown, '71, Monroe County prosecutor; Lynn Coyne, '72, Bloomington attorney who was moderator of the program; Susan Edlavitch, '76, on state appellate clerkships; Robert Hayes, '76, Indianapolis NLRB, on federal government employment; Rory O'Bryan, '72, Indianapolis attorney, on large firm practice; Tom Pytynia, '73, Indianapolis attorney, on corporate counsel; and Susan Schwandt, '75, Valparaiso graduate and Bloomington attorney, on legal services.

Also, Thomas Shull, Bernardsville, NJ, in Property II; Kathryn Brogan, Ft. Wayne, in Property II and in Corporations; Anthony Gittman, Sunman, and John Schaibley, Springfield, VA, in Torts; Cecilia Martaus, Toledo, OH, in Criminal Process I; Anne Marie Altward, Nashville, in Negotiable Instruments; Randy Sue Kiser, Indianapolis, in Wills and Trusts; William E. Langdon, Muncie, in Scientific Evidence; and Carole Silver, Bloomington, in Administrative Law. Each winner received a certificate of award and a volume of American Jurisprudence.

IUB law student Laird M. Street of Akron, Ohio, has been chosen winner of a $5,000 Dorothy Danforth Compton fellowship for minority students who plan careers in international affairs. He is one of ten winners in the nation of the prestigious Compton award. Street is interested in working in the area of United States policy involving trade restraints, anti-trust and human rights. He has a master’s degree in international economics from Johns Hopkins University.

For the third year in a row, a law student has won one of the prestigious, all-university John H. Edwards Fellowships. Winners are selected on the basis of superior scholastic ability and intellectual capacity, good citizenship and character, including attitude toward University and community service as demonstrated by actual service or potential therefor. Randy Kiser, class of ‘80, is one of six 1979-80 recipients. Patrick Brady, now a clerk for Judge Jesse Eischbach, and Louis Pataki, now practicing in New York City, were winners during the two previous years.

Women’s Caucus

The Women’s Caucus once again held a very successful alumnae conference. This year’s event was called “One Year Later,” and focused on the career of the very recent female graduate of the School. In order to help fund both this event and travel by members to a national conference, the Caucus organized an auction of goods and services donated by members of the Law School community. The event, under the skilful leadership of Auctioneer and Professor Harry Pratter, was one of the highlights of the year.

Student Wins Writing Contest

L. Patrick Mellon, second year student, won the graduate category of the first annual writing contest sponsored by the IU Afro-American Studies Department. Mellon won a $100 prize for his essay “Entrapment as Reflected in the Works of Two Black Female Novelists: Nella Larsen and Ann Petry.” He is a graduate of Vassar College in New York, where he majored in English literature and film studies.

Exordium

The Exordium, a student newspaper begun in 1977-78, will publish four issues during 1979-80 and welcomes alumni subscriptions and support.

The admissions staff and committee admitted a class of 195 and maintained the high credentials of the classes of the past few years. The median LSAT of members of the class of ’82 was 632; their GPA, 3.5. Women make up 32 percent of the class; minority group members 19.5 percent.

Honor

American Jurisprudence Prizes, awarded each semester to students receiving the highest grade in selected courses were awarded to 18 first- second- and third-year students. Winning were David D. Meek, Winchester, in Contracts; Anne N. DePierz, Shelbyville, in Contracts and in Introduction to Constitutional Law; Carolyn Birmingham and Victor Maddox, both of Bloomington, in Introduction to Constitutional Law; David B. Millard, Kokomo, in Torts II; Guy N. Wood, Leeds, England, in Evidence; Marlene Zendell, Indianapolis, and Mary Doheny, Bloomington, in Lebor Law I; Richard Rosenthal, Naperville, IL, in Procedure I.
Law Journal Banquet

Professor Willard H. Pedrick of the Arizona State University Law School spoke at the 1978-79 Law Journal banquet held on March 23 at the Fireside Inn in Bloomington. He spoke on the scope of legal education and the obligations of legal educators to their students.

1979-80 Journal editors were introduced. They are Fred Le Baron, editor-in-chief; Carole Silver Adler, Viola Brady, and Elizabeth Perlman, articles editors; Michael Carmine and Richard Schoenbohm, managing editors; John Cahalan and Thomas Downs, executive editors; William Potter, research editor; David Millard, candidacy editor; Mary Ellen Hogan, Bruce Navarro, and Mary Nold, note editors; and Bruce Gack, administrative editor.

SBA

The Student Bar Association concluded its most active year in several years during 1978-79 with several activities. Among them were a Judges Forum featuring local judges and put on by first year SBA representatives; a Law Community Day—an informal get together for faculty and local bar members; and a Senior Recognition Day for 1979 graduates and their families. Byron Green, long-time law school custodian, was presented with the 1979 Gavel Award at a banquet following the senior ceremonies.

National Trial Competition

The first trial court team ever fielded by the Law School performed respectably in national competition held in February in Chicago when a team consisting of third year students Sam Miller, Steve Lazinsky, and Tim McKee survived two preliminary rounds of competition before losing in the quarter finals.

Faculty News

During the year 1978-79, the School recruited five new members of the faculty, effective with the academic year 1978-80:

Craig Bradley earned his JD from the University of Virginia School of Law in 1970. He was an attorney in the criminal division of the U.S. Department of Justice from 1970-72; an Assistant U.S. Attorney in Washington, D.C., from 1972-75, law clerk for Supreme Court Justice William H. Rehnquist in 1975-76, a senior trial attorney for the Justice Department in the Koreagate investigation during 1976-78, and a Visiting Associate Professor at the University of North Carolina School of Law in 1978-79. His teaching program will include torts, criminal procedure, and trial techniques.

Stanley Fickle received his JD from Indiana University-Bloomington School of Law in 1974. He was note editor of the Indiana Law Journal and recipient of Indiana University’s Edwards Fellowship. After leaving law school, he clerked for one year with U.S. District Judge Jesse Eschbach, Fort Wayne, and then one year with U.S. Supreme Court Justice William Brennan. For the past three years, he has been in practice in Los Angeles with the firm of Tuttle and Taylor. His teaching program will include constitutional law and federal courts.

Bryant Garth earned his JD from Stanford Law School in 1975, where he was Editor-in-Chief of the Stanford Journal of International Studies. He spent three years at the Florence Center for Comparative Judicial Studies, Florence, Italy, where he received a PhD from the European University Institute and was co-author of two volumes of the Florence Access-to-Justice Project study. Most recently he was law clerk to Chief Judge Robert F. Peckham of the U.S. District Court, Northern District, California. His teaching program will include civil procedure and comparative law.

Julia Lamber earned her JD from Indiana University-Bloomington School of Law in 1972. She was a note editor of the Indiana Law Journal. Since graduation from law school, she has spent three years as an assistant professor in the School of Business at Bloomington, two years as attorney in the Office of General Counsel of the Department of Health, Education and Welfare, and prior to visiting in Bloomington in 1978-79, was Assistant Professor and Assistant Dean at the University of Nebraska College of Law. She has written several articles and has been particularly active in the field of employment discrimination. Her teaching program will include administrative law, employment discrimination, and women and the law.

J. Alexander Tanford earned his JD in 1976 and an LLM in 1979 from Duke University School of Law. He was an assistant district attorney in New York, and has had a general practice in North Carolina. During 1978-79 he conducted a clinical seminar in criminal justice administration and a course in trial practice, both at Duke. He will carry a major part of his load in the practice-clinical related parts of the curriculum; his teaching program will include sections of the trial techniques course, evidence, and seminar work in criminal law.

During 1979-80 tour of the faculty will be on leave for some or all of the time, and there will be three visitors and four adjunct faculty assisting in the teaching program. Professor Joseph Brodley will be a visiting professor at Boston University School of Law for the academic year, and Professor William D. Popkin will be a visiting professor at the University of Southern California Law Center, also for the academic year. Professors Douglass G. Boshkoff and Arghyrios A. Fatouros will be on sabbatical leave during the Spring semester.

Assisting in the teaching program for the academic year will be C. Ronald Chester of the New England School of Law, who will serve as Visiting Walter W. Foskett Professor of Law; Terry A. Bethel, University of Missouri-Columbia School of Law, Visiting Associate Professor of Law; and Ronald Waicukauksi, Visiting Assistant Professor of Law. In addition, Professor Bruce Kramer, Texas Tech School of Law, will be Visiting Professor of Law for the Fall semester. Professor Chester’s speciality is estates and trusts, Professor Bethel’s is labor law, and Professor Kramer’s is environmental and natural resources law. Ronald Waicukauksi, a member of the state bar from Indianapolis who has been practicing with the firm of Barnes, Hickam, Panter, and Boyd, will be teaching among others courses in trial advocacy. He is partially supported by funds from the Carl and Eulala Gray Endowment, and is the first lecturer to be so supported through this generous gift.

Adjunct faculty during 1979-80 are Barbara Benson, 1978 graduate and former lecturer who will teach Appellate Advocacy; Eric Mantelfield of American Fletcher National Bank in Indianapolis who will teach Seminar in Estate Planning; Robert Milroy, an emeritus professor of accounting who is currently associated with a Bloomington law firm and will teach Corporate Taxation; and Gene Wilkins of Bamberger and Feibelman in Indianapolis who will teach Documenting Financial Transactions.
Alumni News

Foskett chair filled

In October of 1970, Walter W. Foskett, then an 85-year-old lawyer still engaged in an active practice in Miami Beach, Florida, was honored by the President and Chancellor of Indiana University, the dean of the Law School of the Bloomington campus, and many other university luminaries. The occasion of this luncheon was the announcement of the Walter W. Foskett Professorship. A successful trust and estates lawyer and a loyal law school alumnus, Mr. Foskett sought to combine these two major enthusiasms in his life in a way that would benefit future generations of lawyers receiving their legal education at Indiana University in Bloomington. The Law School is pleased to announce that the chair has been filled on a visiting basis with a distinguished incumbent who currently teaches at the New England School of Law, Professor C. Ronald Chester.

Mr. Chester received his bachelor’s degree from Harvard and his law degree from Columbia University. He also received a master's degree in international affairs from the School of International Affairs at Columbia University. He has practiced in the area of trusts and estates with a major law firm on each coast, McCutchen, Doyle, Emerson, and Brown in San Francisco and Gadsby and Hannah in Boston and Washington. In 1976 Chester published Inheritance & Wealth Taxation in a Just Society in the Rutgers Law Review. Portions of this article have been reprinted in Dukeminier & Johnson’s Family Wealth Transactions. The Spring 1979 issue (Vol. 54, No. 3) of the Indiana Law Journal contains another of Chester’s articles in the estates and trusts areas, Cy Pres: A Promise Unfulfilled. In addition to teaching in estates and trusts Mr. Chester teaches Contracts, Criminology, International Law, Jurisprudence and Legal method. He has been a visiting scholar and a fellow in Law and Humanities at Harvard and served for 2 years as Associate Dean of the New England School of Law in Boston.

During the summer of 1978 Chester team taught an estates and trusts course at Chicago Kent College of Law with noted property scholar, Stanley Johnson of the University of Texas School of Law. An active scholar, Chester is currently planning an article on the policy implications of deadhand control property.

It was Walter W. Foskett’s intention that the income from his gift should be expended to supplement the salary of an instructor of outstanding ability. Prior to this year, income from the Foskett endowment has been used to bring to the Law School two extremely able practicing attorneys from the Indianapolis area who have taught on an adjunct basis in the area of estates and trusts. Jerome Strauss, of Ice, Miller, Donadio and Ryan, taught Wills in 1977. Mr. Eric Manterfield, Vice President and Trust Officer of the American Fletcher National Bank, has taught a seminar in estate planning for the past two years, and will join the School once again during this fall.

On the occasion of the luncheon in 1970 honoring Mr. Foskett, then Dean William B. Harvey made the following statement: “Mr. Foskett’s splendid gift will enable the School of Law to strengthen significantly its teaching and research in the field of property and taxation. The broad gaged concept of the Foskett Chair will permit us to add to the faculty an outstanding teacher/scholar and to provide him an essential range of support for his research and other professional activities. We are deeply grateful for Mr. Foskett’s generous gift.” The Law School today, under the leadership of Dean Sheldon J. Plager, continues to benefit from the farsighted generosity of this loyal alumnus.

Fell honored in Africa

As U.S. representative in the Secretariat of the Club du Sahel, Arthur Fell, ’66, travels from his Paris home to Africa every month or two. The Club du Sahel is a consortium of European nations that contribute to the economic development of the Sahel, a group of West African nations bordering the Sahara Desert. The consortium works to develop and improve agricultural practices that will lessen the drastic consequences of the drought conditions that are a continual threat to these semi-arid countries.

Before his appointment to the Club du Sahel, Fell spent seven years in Africa as a representative of the general counsel’s office of the Agency for Independent Development (AID). His work there was recognized recently when he was presented with a Meritorious Honor Award noting his outstanding contribution to the development and implementation of wide-ranging bilateral and regional programs in the Senegal and Gambia.

The presentation was made by “Miss Lillian” Carter during her recent tour of Africa.

As senior aide on this goodwill tour, Fell set up Mr. Carter’s African itinerary, made detailed advance preparations to insure her safety and comfort, and accompanied her during the trip which began in Paris, progressed to Rome, then to Gambia, the Senegal, the Upper Volta and Mali.

Fell, who grew up in Bloomington, practiced with a New York law firm before taking up government work. He lives in Paris with his wife, the former Teri Moran, and their daughter.
Continuing Education

The sixth annual Institute on Estate and Tax Planning was held in Bloomington on June 14 through 16. The Institute was jointly sponsored by the School of Law, the Indiana Continuing Legal Education Forum, and the Indiana State Bar Association. Some of the topics covered in the program were a comprehensive update on new developments in estate and tax planning, removing future accumulation from estate, use of interest free loans, and new drafting techniques.

Faculty for the two and a half day session were Richard Aikman of Baker & Daniels, Indianapolis; Robert Ashby of Barnes, Hickam, Panzer & Boyd, Indianapolis; Frank Berall of Copp, Brenneman, Tighe, Kolesky & Berall, Hartford, Conn.; Carter Boyd of the IRS, Indianapolis; Dave Cornfeld of Husch, Epenberger, Donohue, Elson & Cornfeld, St. Louis; Richard Covey of Carter, Ledyard & Milburn, New York; Lawrence A. Jegen III of the Indianapolis Law School; Warren McGill of Thornburg, McGill, Deahl, Harman, Carey & Murray, South Bend; Stuart Monroe, of Winetka, Ill.; Edward Schlesinger of Schlesinger & Jacoby, New York; and Jerome Strauss of Ice, Miller, Donadio & Ryan.

Nearly 120 Indiana lawyers met in the Law School on July 16 and 17 to attend an Indiana Continuing Legal Education Forum on Bankruptcy presented by Professor Douglass G. Boshkoff. The course was on basic bankruptcy with emphasis on straight consumer bankruptcy and creditors and including coverage of current Bankruptcy Act and the 1978 Reform Act. Also covered were commencing proceedings, voluntary and involuntary; discharge; non-dischargeable debts; collection of property by trustee; preferences, judicial and statutory liens and fraudulent conveyances; claims and distributions; uniform commercial code in bankruptcy.

Alumni Briefs

Fred S. Matthews, '23, died May 14, 1979. He had served as Jennings Scott Circuit Judge from 1945 to 1962. He resided in Florida at the time of his death.

William G. Bray, '27, died in June, 1979. He was a former U.S. Congressman and represented the 6th and 7th districts. His career in the legislature began with the 82nd and ended with the 93rd Congress. He began his law practice in Martinsville and twice served as the Morgan County prosecutor. He is survived by his wife, Esther, an associate professor at the IU School of Business.

Gene Brooks, '58, judge of the bankruptcy court of the Southern District of Indiana, was named to the federal bench of the southern and northern districts of Indiana respectively.

James R. Martin, '59, BS'56, has been named a member of the board of directors of the United Presidential Life Insurance Company.

Thomas J. Murphy, '61, is president of Serra International, a Catholic lay organization that encourages priestly vocations. In his role he has traveled in Spain, Italy, England, Scotland, South America and Australia. This spring he had a private audience with Pope John Paul II in Rome, Italy.

Rodney H. Grove, '63, has been elected president of the Indiana Bar Foundation. He is a partner in the Evansville firm of Grove, Miller, Lantz and Williams.

Franklin D. Cleckley, '65, faculty member at the College of Law at West Virginia University, was recommended last spring for nomination to the Fourth Circuit Court of Appeals.
Harry Lee Gonso, '73, BS'70, an Indianapolis lawyer, has been re-elected to serve a three-year term as a trustee of Indiana University. He has served on several trustee committees and is on the campus Advisory Board for the Indiana University-Purdue University campus in Indianapolis.

Sami Jamil Jadallah, '77, formerly with Shearman and Sterling, New York, has accepted a position with Gustav Pegel & Sohn S.A., Riyadh — Kingdom of Saudi Arabia.

George E. Reed, Jr., '78 MBA '78, is an associate attorney with the law firm of Wachtell, Manheim and Grout in New York.

Renee Rassler Mawhinney, '78, is an attorney employed by the United States District Court, Northern District of Indiana, in Fort Wayne, Indiana. Her husband, Thomas, is a member of the Indiana University faculty.

Robert Michael Walter, '79, AB'69, a former Peace Corps Volunteer and Foreign Service Officer, is the author of an article which appeared in the Spring issue of World Affairs.

Frank Motley, left, assistant dean for admissions at the IU Bloomington Law School, talks with law alumnus, Laurence Anderson, '42, and his family during a visit to the Bloomington campus. Anderson, a Gary, Indiana, attorney, talked to faculty and students about opportunities for minority attorneys in private practice. Behind Anderson is his wife, Inez. At right is his stepdaughter, Sandra Leek, a 1979 graduate of the Law School.

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Contributions to School of Law Fund high; “Dean’s Counselors” established

The 1978 School of Law Fund established new highs for the program. Over $101,000 was contributed to the Indiana University Foundation for the benefit of the School of Law last year. This exceeded the previous one-year record by over $15,000, and swelled to $733,000 the total which has been given over the 16 year history of the Fund.

One of the most exciting features of the 1978 campaign was the establishment of the Dean’s Counselors, a group composed of those individuals making an annual contribution of $500 or more. Twenty-nine alumni and friends of the school qualified as charter members of the group. They are:

- Terrill D. Albright  
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- Ellis B. Anderson  
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- John Anderson Foundation  
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- John Baker  
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St. Louis, Missouri
R. Allen Wilson  
Owensboro, Kentucky

Also in 1978, a major gift was received for the benefit of the school. The Carl M. and Eulala Gray Trial Advocacy Endowment was established. This fund will support such programs as trial techniques, moot court, and clinical trials.

The 1979 School of Law Fund is well underway. It is hoped that more alumni and friends will help set new records this year.

Bill of Particulars

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