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# Indiana Law Annotated

*Vol. 14 No.15  
April 27, 1998*

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## Supreme Court Justice Visits Law School this Fall

Supreme Court Associate Justice Ruth Bader Ginsburg will visit the law school this fall as a very special Jurist in Residence. She will be here September 17 - 19. There will be an opportunity for returning students to hear her speak on the topic of "Gender and Justice." She also will speak to the incoming First Year Class. In addition to meeting with a couple of small groups of students, with the faculty, and other University groups, she will preside over a moot court trial of General Custer on Friday, September 18. The four attorneys who will present arguments for the government and General Custer are two alums, Kathleen Buck and Robert Long, and two students, Azin Lotfi and Damon Leichty. The participating attorneys were chosen by a faculty committee chaired by Professor David Williams. As for the two students selected, the committee looked at many factors relevant to this experience beyond actual school moot court experience and success. Details of the Justice's visit are still being developed and will be shared with everyone at the start of the fall semester.

### Class of 1998 Leadership Fund

Last year, the Class of 1997 raised \$2,000 for two-\$1,000 scholarships for third-year students. They will continue to fund this scholarship in the future via their Annual Fund gifts to the Law School. We would like to challenge their efforts by establishing the Class of 1998 Leadership Fund. It is our hope that our class can raise \$2,000 to support the following:

Two-\$500 scholarships for second-year law students who are demonstrated leaders in the Law School community.

A general fund of \$1,000 from which student organizations can apply for grants when they have special needs.

We will try to talk to each of you individually, but with exams and the end-of-the-semester rush that may not be possible. If we do not contact you, we hope you will take the initiative to make your gift anyway. The size of the gift is not as important as our willingness to pull together as a

Class. It would be great to achieve 100 percent participation; or at the very least, to top the Class of 1997C they attained 45 percent participation last year. Please check your mailboxes for your pledge card.

If you have any questions, feel free to contact any of us. Thank you in advance for your support. Congratulations, and we will see you at graduation!

The Class of 1998 Committee: Steve Beard, Shelese Emmons, Jason George, Eleazar Gonzalez, Rainier Gonzalez, Kathleen Lysaght, Bernadette McKain, Jennifer Puplava, Erika Schneller, and Marla Thomas Wagner.

## **News from the Faculty**

**Marshall Leaffer** spoke at the 6th Annual International Intellectual Property Law and Policy Conference April 15-16, sponsored by Fordham University, New York City. His talk covered recent issues in international trademark law that are affecting U.S. practice.

## **News from Student Affairs Office**

### **PRIVATE LOAN APPLICATIONS NOW AVAILABLE**

All first and second year students who are eligible for a private loan for next year can now find the ACCESS GROUP applications in room 024. Please pick up before you leave Bloomington and submit your application to the Financial Aids Office.

### **PEER ADVISERS FOR NEXT FALL**

First and Second Year students who are interested in being a peer adviser for next year should get an application in room 024 and submit it to Dale.

### **GLEN PETERS SCHOLARSHIP APPLICATIONS**

These scholarships, which go to students from the northern district of Indiana, are now available in room 024.

### **PARIS AND BARCELONA PROGRAMS**

Students who are fluent in French or Spanish and wish to study in Paris or Barcelona for one semester next year are invited to see Dean Fromm for details and an application.

### **WRITING CONTESTS**

Don't forget to submit your research paper to a competition. Prizes are available as well as possible publication. See the bulletin board outside room 024 or ask Dale for a website address.

## **NOTIFICATION OF SPRING SEMESTER GRADES**

As usual, your spring semester grades will be posted by your exam number, *unless* you select an "envelope" procedure.

To avoid posting, you can submit a separate envelope for each of your courses to the Recorder's Office by *Friday, May 15*. In submitting envelopes, you must:

Place *your* name, home address, *and* a stamp on each envelope. As the grades become available for each course, the applicable envelope will be mailed to you. The grade distribution and average course grade for each course will be posted on the board *and* also will be included in individual envelopes.

As an exception to the posting procedure, grades in selected courses with very small enrollments and grades in directed research projects will not be posted. Such grades may be picked up at the Recorder's Office when the notice of their availability is posted, unless you have submitted a stamped envelope to be mailed.

Students may obtain spring semester grades through the Internet at <http://insite.indiana.edu>. Grades are available on INSITE within 48 hours after the grades have been submitted to the University Registrar's Office. A grade distribution of the course will differ from the posting of the Law School grade distribution, because the university will include all students in the course, rather than just the students working toward a JD degree.

Absolutely no grades will be given out over the telephone, by E-mail, or by FAX.

## **News from Student Organizations**

### **PILF**

The following people received PILF summer fellowships: Carla Allen, David Anderson, Christine Clark-Trevino, Leigha Davis, Erin Goedde, Sohini Gupta, Anna Marie Lamberti, Mariah Moran, Leslie Schafer, Paul Smith, Jennifer Ulrich, Courtney Willis. Congratulations to all the recipients.

## **Announcements**

### **HELP WANTED**

1L's and 2L's are needed to work at the Graduation Party in the Law School Library on Friday, May 8th from 6:30pm-1:00am. Pay is \$5.40 per hour. If interested, please see Wendy Brim in the Library Offices.

### **SUMMER BOOK LIST, 1998**

#### **B501, Contracts, Hicks**

Book Title: CONTRACTS (CASES AND COMMENTS), seventh edition, or most recent

Authors: Dawson, Harvey, and Henderson  
ISBN: 15666-25904  
Publisher: Foundation Press

Book Title: STATUTORY SUPPLEMENT  
ISBN: 156662-5955

**B531, Torts, Gjerdingen**

Book Title: TORT LAW AND ALTERNATIVES, 1996, sixth edition  
Marc A. Franklin & Robert L. Rabin,  
ISBN 1-56662-342-1  
Foundation Press, Inc.

Book Title: TORT LAW IN AMERICA: AN INTELLECTUAL HISTORY, paperback  
Author(s): G. Edward White  
ISBN 0-19-503599-2  
Oxford University Press

Book Title: FOUNDATIONS OF TORT LAW, paperback  
Author(s): Saul Levmore (editor)  
ISBN 0-19-508392-X  
Oxford University Press

Book Title: TORTS  
Author(s): Marc A. Franklin, twenty-first edition, 1997, or most recent edition  
ISBN0-15-900200-6  
Gilbert Law Summaries, Harcourt Brace Legal & Professional Publications, Inc.

THE COMMON LAW MIND (1998). Mimeo materials.

**B603, Remedies, Conrad**

Book Title: PROBLEMS IN REMEDIES, 1993, second edition  
Author(s):Dobbs, Dan. B. and Kavanagh, Kathleen  
ISBN: 0-314-02619-3  
West Publishing Co.

Book Title: LAW OF REMEDIES, 1993, second edition, hardback  
Author(s): Dobbs, Dan. B.  
ISBN: 0-314-01123-4  
West Publishing Co.

**B608, Family Law, Conrad**

Book Title: FAMILY LAW IN A NUTSHELL, 1995, third edition, paperback  
Author(s):Krause, Harry D.  
ISBN: 0-314-06578-4  
West Publishing Co.

**B614, The Legal Professions**, Lundberg

Book Title: PROFESSIONAL RESPONSIBILITY: PROBLEMS OF PRACTICE AND THE PROFESSION, 1998

Author(s): Crystal, Nathan

ISBN: 0-316-16379-1

Aspen

Book Title: REGULATION OF LAYERS: STATUTES AND STANDARDS, latest edition

Author(s): Gillers & Simon

ISBN: 156-706-5759

Aspen

**B620, Negotiations**, Fromm

No textbook ordered yet

**B624, Commercial Transactions I**, Markell

Book Title: LAW OF SALES AND SECURED FINANCING, sixth edition, 1993

Authors(s) Honnold, Harris, Mooney, & Reitz

ISBN: 1-5662-061-9

Foundation Press

Book Title: COMMERCIAL & DEBT CREDIT LAW SELECTED STATUTES 1997

ISBN: 1-56662-489-4

Foundation Press

**B722, Trial Process**, Bethel

Book Title: THE TRIAL PROCESS: LAW TACTICS AND ETHICS, second edition

Author(s): Tanford

ISBN: 1-55834-065-3

Lexis/Michie

Book Title: TRIAL PRACTICE PROBLEMS AND CASE FILES, second edition, paperback

Author(s): Tanford

Lexis/Michie

**B745, Conflict of Laws**, Shreve

Book Title: : A CONFLICT-OF-LAWS ANTHOLOGY, 1997

Author(s): Shreve, Gene R.

ISBN: 0-87084-800-3

Anderson Publishing Co.

Photocopied materials that will be available through White Rabbit.

**B748, Comparative Constitutional Law**, Zoller

Course Packet

**B774, Environmental Issues in Business Transactions**, Spalding  
Book Title: Environmental Aspects of Real Estate Transactions, 1995  
Author(s): Witkin, J.B. (ed.)  
ISBN: 1-57072-216-7  
ABA

## **NOTES FROM TOKYO**

As the school year in Bloomington approaches its end, this will be the last installment of my "irregular" columns from Tokyo -- although I won't actually be back in the U.S. until almost the end of July. (By the way, I would certainly welcome any interested IU Law visitors, should you make it to Tokyo before July 23!) This week, I want to tell you about my recent travels to lecture and meet with faculty members at the two leading law schools in Thailand, as well as about a short side-trip to the beautiful and remote country of Laos.

As you may know, Thailand has consistently sent to IU Law a larger number of international students than any other country -- more than one-third of our total, over the past few years. Thus, I was very much looking forward to my first opportunity to visit, in person, the place from where so many of my own former MCL and LL.M. students had come.

The day after arriving in Bangkok, I managed to find my way to Chulalongkorn University, the oldest and most prestigious university in Thailand, where I had some very productive meetings with the Director of International Programs, Kanich Punyashthiti. Among other things, I learned from Mr. Kanich (it took me a while to get used to the fact that, in Thailand, people use their first names to refer to each other!) that, just about one year from now (in summer 1999), Chula will launch its new LL.M. program -- one that will be unique in Thailand. The focus of the new LL.M. program will be transnational business and trade law in the Pacific Rim, and especially the ASEAN (Association of Southeast Asian Nations) region, which includes Thailand, Laos, Vietnam, Myanmar (Burma), Singapore, Malaysia, Indonesia, Brunei, and the Philippines. (Kampuchea (Cambodia) is still awaiting entry into ASEAN, presumably until after it resolves its current political crisis.)

The new LL.M. program at Chula will be run in conjunction with three other universities: the University of British Columbia and University of Victoria (in Canada) and Kyushu University (in Japan). Most importantly, it will be taught entirely in English -- which will make it an excellent opportunity for IU Law graduates with an interest in Southeast Asia. In view of IU Law's long-standing connections with Chulalongkorn, qualified IU Law grads would certainly stand a good chance of being accepted into one of the limited 40 spots in the program. And there's also a good chance that some IU Law faculty members might be invited to deliver lectures as part of the Chula LL.M. program -- so, if you go there someday, you might even see some familiar faces in the classroom!

(That reminds me -- while I was gone from Tokyo, I received several e-mail messages asking for more information about the LL.M. programs at the University of Hong Kong and City University of Hong Kong, which I had written about in a previous column. Although I intend to reply to each message individually, let me also announce herein that I have sent a couple of brochures

about the Hong Kong LL.M. programs to Professor Jeffrey Stake, who will (I hope) agree to take custody of them until my return to Bloomington. So far, Chulalongkorn University hasn't yet produced any brochures or other written information about their new LL.M. program, but I expect to receive such materials before the start of the next school year.)

The next day, I visited Thammasat University, the "new kid on the block" in terms of leading law schools in Thailand. Whereas Chulalongkorn is a traditional, perhaps even "conservative," institution (it was founded by the King, Rama VI, in 1917), Thammasat has a reputation as the more "liberal," reform-oriented school. Indeed, Thammasat was the center of student activism during several recent periods in Thai history -- some of those episodes leading to significant bloodshed, as in 1973 and 1976, when the authorities attempted to crack down against the student protesters. Today, Thammasat's law faculty and students continue to exhibit a marked tendency toward (often controversial) free-thinking. Despite this (or perhaps because of it!), Her Royal Highness, the Princess of Thailand, recently chose to attend Thammasat's law school -- surprising most people, who had expected her to go to Chulalongkorn. (The Thammasat law professors I met seemed rather proud of this development!)

At Thammasat, I delivered a lecture on the constitutional problems posed by "new" crimes and punishments in the U.S. (such as RICO, CCE, forfeiture laws, and taxes on illegal drugs). The lecture was followed by a spirited round-table discussion among the dozen or so faculty members in attendance, including one who recently stepped down from his role as the Attorney General of Thailand. This gave me a small taste of the kind of intellectual excitement that seems to be the hallmark of Thammasat University!

I also had a chance to tour the Thammasat campus, which -- at least for the moment -- occupies a choice river-side location on the banks of the Chao Phraya, just south of the main temple area of central Bangkok. (A new campus is now being constructed, away from the center of the city, but I'm not clear about whether or not the law school will be moving to that new campus.) The law school itself is quite large -- with several thousand students -- and very lively, even though I visited there during the summer holidays. (April is the hottest month in Thailand -- in Bangkok, over 95 degrees almost every day.) Thammasat also has an excellent comparative-law center, with an extensive library, although the collection is heavy on the continental systems (because Thailand's own legal system was based on the continental model) and rather light on Anglo-American law. Still, it seems obvious that the law faculty at Thammasat would like to expand their contacts and exchanges with American law schools, including Indiana.

In addition to my visits to Chulalongkorn and Thammasat, I was able to see some old friends and former students in Bangkok. One of my most special reunions was with the first international student I ever had at IU Law -- Jayin Sunthornsingkar, who received his graduate degree in 1987. Jayin is now a division manager in the legal department of the Industrial Finance Corporation of Thailand, a major institution that arranges international financing for other banks and corporations in Thailand. Jayin studied at IU Law back when the number of international students was quite small -- I believe only 2 or 3, at that time -- and he was very surprised to hear about the current MCL/LLM class size of more than 30! But he also agreed that it was an important step forward for the law school, and he encouraged us to continue our efforts to create a more globally diverse environment for all of our students.

From the viewpoint of a tourist, Bangkok was certainly a big change from Tokyo! Although both cities are huge and sprawling, Tokyo is much more orderly and regulated. (I hear that Singapore is the same way, although I've never been there.) Bangkok, by contrast, was pure anarchy -- noisy, smelly, colorful, chaotic, and bewildering. The traffic was so bad that it quickly became obvious that cross-town travel by road would be virtually impossible during business hours; walking or taking a river taxi (boat) provided the only semi-viable options. Bangkok is now struggling to complete its first-ever system of public transportation by rail (an elevated train system), but the SE Asian financial crisis and various other problems have pushed the project back, probably for at least another couple of years. In the meantime, the rail construction has only made the traffic, air pollution, and noise pollution problems worse!

Still, there's a lot to enjoy in Bangkok. The classic Thai temples and palaces are stunningly beautiful -- especially when viewed from the deck of a boat cruising up the Chao Phraya! Historically, Thailand is a fascinating country -- the only one in SE Asia that was never colonized by a European power. (This was primarily due to the shrewdness of several of the Thai kings, who skillfully managed to play one European nation against another, thus preserving Thailand's independence throughout the colonial era.) And the Thai cuisine, of course, is hard to top. A tip -- if you're ever in Thailand in the early part of the calendar year, look for a special seasonal dessert called "mango with sticky rice and coconut milk." It's to die for!

Perhaps the highlight of my entire trip to SE Asia, however, was a four-day side-trip I took (with my family, who joined me from Tokyo) to visit Luang Prabang, Laos. Luang Prabang (town population 16,000, with another 20,000 living in the surrounding countryside) was the former capital of the early Lao kingdom, and today it is known as the best-preserved historical town in Southeast Asia. For this reason, in 1995, UNESCO placed the whole town on its list of World Heritage Sites.

Luang Prabang wasn't easy to get to -- the flight from Vientiane, on Lao Aviation's 1960's-era Tupolev propeller plane, was enough to scare even the most seasoned traveler -- but the effort proved well worth it. The sleepy town, which sits in a mountain valley at the confluence of the Mekong River and the smaller River Kham, seems virtually frozen in time. Every morning, at 6 AM, the saffron-robed monks (Luang Prabang has over 50 active Buddhist temples) still gather to walk the streets, collecting alms from the townspeople. "Rush hour" in Luang Prabang consists of hundreds of schoolchildren on bicycles, the girls all wearing beautiful uniform skirts made from traditional hand-woven Lao textiles. Most townspeople seem as bemused by the few Western tourists as the tourists are of them. (I certainly didn't sense any lingering effect -- let alone resentment -- as a result of the prolonged U.S. military actions in Laos during the Vietnam War.) And the sunsets over the Mekong River (best viewed while sipping a cold Beer Lao, on the terrace of an outdoor, thatched-roof restaurant) are sublime. (To its credit, by the way, the Lao government seems quite determined to do everything possible to keep places like Luang Prabang from being spoiled by so-called "progress" -- including, if necessary, limiting the number of visitors allowed in...) All in all, Luang Prabang was a great place to kick back and relax, especially after the craziness of Bangkok!

Well, that's all for this week (and this year). I hope I haven't bored too many people with my travel tales -- and, with any luck, maybe I've persuaded one or two of you to think harder about

making your way to Asia sometime in the near future. Despite all of the economic troubles of the past year, it seems obvious that Asia is still "the place to be" for the next century. And, if you're willing to invest some time and energy in it, there's still a lot of opportunity out there waiting for you in Asia -- especially given the fact that most Americans continue to know very little (too little?) about the region.

**Updated:** 24 April 1998