

A Lawyer's Calling

The paths that led the current first-year class, the Class of 2005, to the School of Law are as varied as the paths they — like you — will follow after graduation. Students come to law from other professions, from the study of many other disciplines, from communities across the country and around the world — both communities based on proximity and those based on affinity. While the study of law presents new vocabularies, skills, and ideas, that study does not require leaving scholarly, professional, and personal histories at the door. Quite the contrary — what makes law a particularly powerful and humane force is its ability to absorb wisdom from multiple experiences, perspectives, and disciplines. The following is from Dean Robel's 2002 address to the entering class.

In the halls of the Law School hang pictures of some of our graduates, members of our Academy of Law Alumni Fellows. These alumni are honored for their dedication to the highest standards of personal excellence and to the profession. They have followed many and varied paths.

This fall, at the Buskirk-Chumley Theater downtown (formerly the Indiana), the Bloomington community celebrated the music and life of Hoagy Carmichael, whose beautiful song "Stardust" many of you know. A 1926 graduate of the Law School, Carmichael went on to a career in music and films, to concerts at the London Palladium and movies in Hollywood.

Near him is Harriet Bouslog, a 1936 graduate of the school. As the only Hawaii lawyer willing to represent the longshoreman's union,

Bouslog fought ferociously in courts throughout the islands for the union's poorest members, who were jailed during a paradigm-altering strike right after World War II. Bouslog imagined and advocated for a vision of the constitutional rights of those workers that would not become common for two decades more, demonstrating the kind of creativity and courage that distinguishes many of the alumni you see represented there.

Near Bouslog you will find Wendell Wilkie, a 1916 graduate of our school, whose visionary view of international relations helped the United States overcome an instinct toward isolationism after the Second World War.

While these three alumni — Hoagy Carmichael, Wendell Wilkie, and Harriet Bouslog — could not have gone from the Law School into more different careers and worlds, all three shared vision, imagination, and the courage to create a life that none of them probably imagined in their Indiana childhoods.

On that wall as well are a number of graduates whose careers are pathbreaking not only for themselves but for others: Shirley Abrahamson, JD'56, the first woman on the Wisconsin Supreme Court and now its first female chief justice; Florida Romero, LL.M.'55, one of the first women on the Supreme Court of the Philippines; Juanita Kidd Stout, JD'48, the first African American woman in America to be elected to the judiciary; Sue Shields, LL.B.'61, the first woman in Indiana to hold an appellate judgeship; Franklin Cleckley, JD'65, the first African American on the West



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Virginia Supreme Court.

There are entrepreneurs, like Michael Maurer, JD'67, whose success in business — in the early 1970s, he pioneered the initial development and operation of the cable television system — has been followed closely by a life dedicated to community service. And there are a great number of lawyers who served their communities with passion, excellence, and professionalism during long and distinguished legal careers, from the largest cities to the smallest towns.

As an alumna of the Law School myself, I am proud of my fellow graduates — proud of their reputations for integrity and deep competence. And as I talk to our alumni, I find they uniformly cherish the friendships they made with the faculty and administrators here, and with their colleagues. I believe that what binds us together is our shared sense of calling, as advocates.

The root of the word "advocate" is the Latin word "vocare," which means "to call." The word "advocate" comes

into being through the addition of “ad” to “vocare,” changing its meaning from “to call” to “to summon to one’s aid.” Advocacy has the same root as vocation — meaning a calling away from ordinary life, a summons from God to undertake service to others. And advocacy shares its root term — “vocare” — with the word “voice.” The roots of the word “advocate” break open its true meaning: Advocates give voice to the people they are called to serve, a calling that has at its center a deep and awesome responsibility, as well as, at its best, a touch of the divine.

Law study stimulates many emotions — pride, fear, competitive

spirit, excitement, anger — but the locus of these emotions is the student. The addition of a client changes this locus to the human being whose cause is now yours. In the best of advocates, this change of locus stimulates both a deep fear and a kind of fearlessness. Both the fear and the fearlessness come from a full understanding of the responsibility lawyers take on. Lawyers who forget this lesson or never learn it — those whose arguments are infected by their own need to win approval from a teacher or a judge, or who let their sense of competition get the best of the primacy of their client — are never the advocates that they could

be, or that their clients deserve.

Advocacy is an awesome responsibility. Law school can hardly prepare you for the feeling of having clients entrust their liberty, or their business, or their children, to your skills. In some sense, we should all feel inadequate to this task. But that sense of inadequacy needs to be the goad to a thoroughgoing honesty about our responsibility to prepare well and to think hard. That responsibility is what it means to be part of our particular professional community; underlying all of our divergent paths, it is our common ground.

— Lauren Robel, JD’83

Acting Dean, Val Nolan Professor of Law

Spring semester at the Law School

At this time of year, almost every free room in the Law School building is booked for meetings, lectures, or visitors. Listed below are some events that have taken place during the semester. More are listed at www.law.indiana.edu/calendar/calendarevents.shtml. At any time of year, we are delighted to welcome our alumni back to the school.

- Jan. 24: The **Indiana Court of Appeals** holds oral arguments at the School of Law.
- Feb. 12: **Diversity in Admissions:** Professor Patrick Baude, Professor Kevin Brown, and Kevin Robling, assistant dean for admissions, speak on legal and policy implications of the Supreme Court’s rulings, past and upcoming, on affirmative action.
- Feb. 27: “Theorizing Yes,” a public lecture by **Katherine Franke** on the conundrum of bringing law to bear on expanding sexual liberty for women.
- March 1: The Black Law Student Association’s annual **Barristers Ball**, the swankiest event of the school year, honors **Frank Motley**, our former dean of admissions.
- March 3: **Jeff Riffer**, JD’78, gives a public lecture as part of the *Federal Communications Law Journal* 10th Anniversary Speaker Series.
- March 4: Judge **Marc Kellams**, JD’78, on legal ethics.
- March 6: **Paul Simon**, former senator from Illinois, speaks at a campus forum about one of the world’s most precious resources: water.
- March 10: **Jamison Prime**, JD’96, gives a talk for the *Federal Communications Law Journal* Speaker Series.
- March 10: **Ke-Young Chu**, former deputy director of fiscal affairs for the International Monetary Fund,

gives a lecture on the role of the IMF in an integrated world economy.

- March 27: **Journalist Panel** (part of the *Federal Communications Law Journal* Speaker Series) features Ian Marquand, SPJ National Freedom of Information chair; Diana Penner, *Indianapolis Star* (witnessed McVeigh execution); David Protess, Medill School of Journalism Innocence Project; **John Bessler**, JD’91, *Death in the Dark: Midnight Executions in America*. Moderated by Professor Joseph Hoffmann.
- March 26: **Lee Hamilton**, JD’56
- March 29: **Parents & Partners Day**
- April 2: **American Constitution Society** program on *Bush v. Gore* and voting rights
- April 7: Harris Lecture by former faculty member **Hendrik Hartog**, of Princeton University
- April 11–12: Symposium on **Globalization, Courts, and Judicial Power**

Chadon Photographers



Tony Prather, JD’83, left, **Frank Motley**, and **Rapheal Prevot**, JD’84, attended the **Barristers Ball**.

Advocating for the Smallest Clients: IU's Child Advocacy Clinic

Students who work for the Child Advocacy Clinic, housed across the street from the School of Law in an unassuming bungalow, characterize the experience as stressful, insanely time-consuming, and emotionally harrowing. They also generally describe it as the best part of law school. Serving as guardians ad litem to children in contested custody cases, students come face to face with the practical realities of lawyering, as they investigate, report, file, and testify in court — and also with the power they can have, as lawyers, to change people's lives for the better.

Amy Applegate, who has been director of the Child Advocacy Clinic since 2001, talks about the clinic and its role in educating future lawyers.

— Leora Baude

What happens in the Child Advocacy Clinic? What do you all do over there on the other side of Third Street?

The point of my work is to teach students how to be lawyers. We do this through guardian ad litem appointments. The students at the clinic are asked by the court to represent the best interest of the children, usually in contested custody cases. The students do a very thorough investigation and really grapple with big questions affecting one or more children in the family.

It is very exciting to watch them: At the beginning of the semester, they don't quite know what they are doing yet. By the end of the semester they have taken over their cases and are consulting with me and our associate director, Michael Jenuwine, more than being led by us. These students



Amy Applegate

put a lot of work — and their heart and souls — into it, and they really care about the children they are representing.

Right up front, we spend 10 to 15 hours with them learning the law, which is not simple — but neither is it hugely complicated — and they have to learn it. There is a lot of stuff that they need to know and need to know quickly. They need to know the law, they look at statutes, they look at cases, they look at rules, and basic skills for interviewing both adults and children. Mike Jenuwine, who is both an attorney and a clinical psychologist, brings a psychological perspective to the whole course that is really invaluable. We spend quite a bit of time on ethics, and we get them ready in terms of the procedure: how to do subpoenas, how to do documents, how to start an investigation.

After that initial two-week period,



Michael Jenuwine

we have classes for two hours each week. Students are paired up in teams of two: Each student is a guardian ad litem in one case and a student attorney in another case. When students have enough credits and have taken Legal Professions, they can be certified legal interns so they can actually appear in court.

There are also carry-over cases, so we have students from other semesters who are working on cases that we are monitoring. In a couple of cases, Mike and I do some primary work. We like to keep current so we have that experience and remember what it is like.

What is the experience like for the students?

The students come back from the first set of interviews thinking whoever they meet first is great and they love that person. Then they come back

after meeting the other side and they aren't so sure anymore. They have to do a lot of third-party verification. Everybody says things that are obviously slanted in their own favor. You have to go out and subpoena criminal records and driving records and you get releases for medical records, mental health records, school records, pharmacy records. The students will start out thinking that Mom, say, is a difficult person and she really isn't fair to Dad. Then it turns out that Dad has a serious problem. Over the course of the semester it is interesting to watch.

There are all kinds of different things going on in this clinic, and I think the students have a wonderful opportunity to do a very thorough investigation and put together a case. They think through all the legal issues, the ethical issues, the expediency issues — really what it takes to be a good lawyer. They are advocates for a position, but they also have this ethical obligation to be absolutely honest and forthcoming to the tribunal no matter how much that undercuts their position. So if they want to recommend custody for one parent and the parent has some problems, they can't sugarcoat those problems to the judge. That makes for an interesting preparation for cross examination. But by the time they go into court, they are hyped up and they do beautiful work. Over the past year and a half, I have taken incredible pleasure out of seeing students come in here not knowing what they're doing, and then watching them take charge of their case, go into court, and do this incredible thing for this child.

What path brought you to the Child Advocacy Clinic?

I have always loved being a lawyer. My career before I came here was very business-oriented. I started at a medium-sized law firm in Washington, D.C., then went to the FCC in enforcement, which flavored my career for many years to come. I did investigations — which is something that we do here at the

clinic — into violations of the Federal Security Clause, and while the law was, like family law, not inherently difficult, the situations make the law difficult. You have the law, but then to apply the law to a difficult set of facts is what the challenge really is, as in family law.

I moved to Cincinnati in 1987 and had a more general practice there with a small law firm, but I continued to do enforcement work, from the defense perspective, and I did all kinds of business litigation. I had a number of really interesting, complex cases so I was always doing something that was quite interesting, but in the midst of that I always had the feeling that I wanted to be doing something beyond just fighting for someone's money.

I had done some *pro bono* work involving teen-agers in Cincinnati, and over time I felt more and more that I wanted to do this kind of work, although I didn't have a specific idea of where I wanted to go with it. Then this job came along, and it just sounded wonderful. It was a continuation, in some ways, of things that I had been doing, because I have mentored young attorneys for a long time. The family aspect I really hadn't done much of, other than the *pro bono* work in Cincinnati and some CASA cases I did here in Bloomington before I started at the clinic.

I have to say that the law isn't as challenging. In family law there are statutes, there are guidelines, there are cases. There is a limited universe of things that I deal with over and over again: What is the best interest, what is the standard to modify custody or visitation. On the other hand, each situation is so interesting, and you get emotionally involved in it.

Is there one thing that more than others seems to be a challenge for the students in this process?

Even if the students have taken Ethics before they get here, applying what they learned in the real world is not always obvious to them. Constantly in our meetings we talk about these issues. Ethical issues come up all the

time in the practice of law, and it is very hard for students and for new attorneys to really understand that. We try to help them see when there is an ethical issue and then figure out the ethical rules and how to solve the issues. But sometimes there is simply not a great resolution.

And how about for you: What is the hardest part of your work at the clinic?

Restraining myself from taking over the process. The students are just now starting to practice; they are not going to practice law the way that I would practice law. They are coming at it as new attorneys, so it isn't going to be the same hearing that it would be if I were doing the hearing.

The judges are great. They know that sometimes the students aren't going to be as smooth as an attorney who has practiced law for 25 years. Our students are just great in court, and they always have good results because they work very hard, they know their cases, they know the facts in their cases, and we try to anticipate everything that could happen. Even the unexpected can be dealt with, and of course Mike and I can sit there and write them notes if all else fails.

How do you rate the value of clinical education for law students?

I believe that it is very, very valuable. There are times when we are teaching this course where the students have internalized something that they have learned in the past but have not been able to apply. We watch them apply what they have learned in other law school courses, and then they use it here. There is a certain mental development that takes place when they get it.

Issues come up in Ethics, in Evidence, in Contracts, in Family Law — something that they have learned in other courses they are using in a real-life context, and it has some real meaning for them. It is a really great way to help students transition from law school into the real world. I think all students should get the opportunity to be in a clinic.

Rethinking Judicial Elections

by Charles G. Geyh

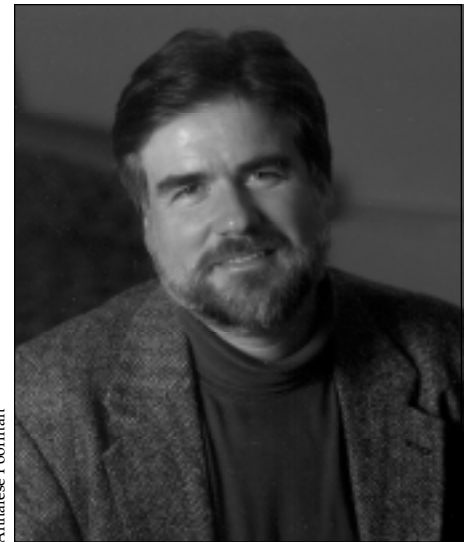
For the past several years, I have been working with a number of organizations in an effort to address problems relating to judicial independence and accountability that have arisen in different states across the country. Of particular concern to the organizations with which I have worked are judicial elections, where many of the most serious challenges to judicial independence have occurred. Having toiled in the trenches for several years now, I find that I am rapidly reaching my “Popeye” threshold, which is to say that “I’ve had all I can stand, I can’t stand no more.” Although I regard incremental efforts to reform judicial elections as valuable, I have reached the conclusion that judicial elections are fundamentally incompatible with judicial independence and fundamentally incapable of adequately promoting judicial accountability. The time has come to rethink judicial elections, to the end of gradually phasing them out of existence altogether.

In this paper, I will first explain why judicial elections are properly the center of attention for anyone who is concerned about protecting judicial independence and promoting judicial accountability within state judicial systems. Second, I will describe four political realities that together comprise what I call the “axiom of 80” and that complicate considerably judicial election reform efforts. Third, I will review recent incremental reform proposals aimed at ameliorating some of the independence-threatening effects of judicial

elections that have been advanced in the shadow of the axiom of 80. Fourth, I will argue that these incremental reform efforts are ultimately doomed to failure, because judicial elections are incompatible with preserving judicial independence and promoting judicial accountability. Fifth, and finally, I will attempt to lay out a blueprint for the future, in which judicial elections may gradually be phased out of existence in favor of a purely appointive model of judicial selection.

Why focus on judicial elections?

Before launching into a discussion of the threats to judicial independence that have occurred in various states over the course of the past several years, it probably makes sense to define judicial independence as I am using the phrase here. For my purposes, judicial independence has two distinct meanings. First, it refers to the capacity of a judge to decide cases according to the facts as she finds them and the law as she conceives it to be written, without inappropriate external interference (“decision-making independence”). Second, it refers to the capacity of the judiciary as a separate and independent branch of government to resist encroachment from the political branches and thereby preserve its institutional integrity (“institutional independence”). In both cases, judicial independence is not an end in itself, but an instrumental value designed to protect the rule of law.



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Threats to judicial independence are by no means confined to judicial elections. For example, in New Hampshire, the legislature proposed to strip the supreme court of jurisdiction to hear cases relating to the funding of public schools, following an unpopular decision of the court on that subject. In several states, constitutional amendments have been introduced to limit the judiciary’s power to declare legislative enactments unconstitutional. In Maryland and other states, angry legislators have threatened to slash the budgets of various courts in response to judicial decisions with which the legislators disagreed. In Florida, proposals were floated to pack the courts, i.e., to enlarge the size of the court so as to affect its judicial decision-making majority. And in several states, legislators have threatened to bring impeachment

actions against judges whose decisions have offended them.

As troubling as these threats may be, they have materialized only rarely. In some cases, as with impeachment, the weapon used to threaten the courts has proven too cumbersome to use. In other instances, these devices have been deemed at odds with well-established norms that respect the role of an independent judiciary in state government, and have not garnered the support necessary to become law.

Judicial elections are another matter. Supreme court justices in Idaho, Mississippi, Nebraska, Tennessee, and elsewhere have lost re-election or retention bids on account of unpopular decisions they have made in isolated cases. Judges in many more jurisdictions have encountered intense opposition to their re-election or retention on account of decisions in cases involving a range of issues, including the death penalty, tort reform, products liability, education funding, and abortion. In assessing the threat posed to judicial independence, it does not matter whether the judge was actually defeated; rather, what matters is whether the judge felt her tenure threatened in ways that could affect her capacity to decide a case according to the law rather than according to her “constituents” preferences.

The unprecedented sums that sitting justices must now raise in order to fend off challenges to their retention or re-election suggest that judicial elections have, indeed, become ground zero in the political battle to influence judicial decision making. The cost of an average supreme court race has increased by more than 100 percent since 1994. In the 2000 election cycle, nine supreme court races cost more than a million dollars each. The escalating cost of judicial elections has precipitated additional judicial independence concerns. Judges who are forced to raise increasing sums of money to

“Judicial elections have become ground zero in the political battle to influence judicial decision making.”

defend themselves against challenges to their continuation in office on the basis of their decisions in isolated cases must raise money from lawyers who will appear before them and from organizations with an interest in the outcomes of cases the judges decide. This, in turn, creates a public perception that judges may be influenced by the campaign contributions they receive — a point not lost on single-issue voter groups, who campaign for the defeat of incumbent judges on the grounds that those judges have not only made bad decisions but have done so to curry favor with special interests.

Judicial independence problems and the axiom of 80

If we accept that judges ought to be independent, that they ought to decide cases on the basis of the law as they construe it without fear of the electorate or favor to their contributors, then the developments described in the preceding section are very unsettling. Efforts at reform are hampered, however, by four political realities that together constitute what I characterize as the “axiom of 80.”

- First, 80 percent of the public favors selecting judges by election. In other words, support for judicial elections is deeply entrenched, and that entrenched support may constitute the single most significant impediment to meaningful reform of the election process.

- Second, despite widespread public support for judicial elections, as much as 80 percent of the electorate typically does not vote in judicial elections. When judicial elections are the only item on the ballot, voters stay home; and when judicial elections share the ballot with political branch races, there is a demonstrable “roll-off” in which a significant percentage of voters who cast ballots in the political branch races decline to

vote in the judicial races.

- Third, as much as 80 percent of the public —

including many who cast ballots in judicial elections — are unfamiliar with and unable to identify the judicial candidates. This high level of voter ignorance may help to explain the equally high level of public apathy described in the second political reality: Voters who are unfamiliar with the candidates may see no point in voting.

- Fourth, despite entrenched public support for judicial elections generally, 80 percent or more of the public perceives that when a judge is obligated to raise the monies needed to win election or re-election, she is influenced by the campaign contributions she receives.

Incremental reform in the shadow of the axiom of 80

The public’s longstanding support for judicial elections, as embodied in the first political reality of the axiom of 80, has caused reformers to concede their inevitability. Once the inevitability of judicial elections is conceded, then the remaining three political realities — voter apathy, voter ignorance, and the public perception that judges are influenced by their campaign contributors — become additional problems with which to reckon. And so, reform efforts have tended to tinker around the edges.

To circumvent the impact of the first political reality, many states have sought to implement a “merit selection” process, in which the governor appoints judges from a pool of candidates approved by a commission that has evaluated them on the basis of merit. Even then, merit selection systems concede the inevitability of elections by requiring that judges so appointed periodically stand for retention elections. To reduce the voter apathy and ignorance reflected in the second and third political realities, reformers

have proposed the use of voter guides and judicial performance evaluations; to cope with the fourth political reality that the public thinks judges are influenced by their contributors, reformers have proposed public financing of judicial campaigns and limits on the contributions that judges may receive. Numerous other proposals have been developed, but one theme remains constant: Elections are an inevitability, and reform can go no further than to tweak and massage judicial selection in the permanent shadow cast by elections.

Incremental reform unlikely to yield lasting results

Without disputing the importance of these incremental reform efforts, I do not think that they can yield lasting improvements, because judicial elections are ultimately antithetical to judicial independence and unable to adequately promote judicial accountability. As far as judicial independence is concerned, my argument is relatively straightforward: Asking judges to decide cases impartially and without regard to the whims of the majority is fundamentally incompatible with a system that lets the whims of the majority decide whether the judge stays in office. Heroic judges can and have made impartial rulings in the teeth of public clamor, but the success of our judicial system should not be made to depend on all judges being heroes.

With respect to the accountability side of the equation, one relatively obvious point is that if only a few people can identify the candidates, and only a few people vote, can elections really hold judges accountable in any meaningful way? A second, less obvious, point is that unlike governors or legislators, judges must be professionals: Every state that elects its judges requires them to be lawyers. No comparable requirement exists for representatives of the political branches. That makes sense: Judges have to decide what the law is, and that requires specialized

expertise. But how are voters supposed to assess the professional competence of judges? It is one thing to expect voters with no training in the law to decide whether the policies favored by legislators and governors (who may not be lawyers themselves) coincide with their own, and quite another to expect them to decide whether the rulings of judges coincide with the law.

In the context of professional malpractice litigation, for example, it is ordinarily assumed that a lay jury cannot assess the professional competence of a doctor or lawyer without the assistance of expert witnesses. In judicial elections, then, if we are to hold out any hope for voters being able to inform themselves sufficiently to cast an intelligent vote for judges, they will need even more information than they require to cast an informed vote in political branch races.

Ironically, however, voters have access to considerably less information in judicial races. The judicial code of conduct has traditionally imposed substantial limits on what information judicial candidates may communicate to their voters. Judicial candidates may not comment on pending cases; they may not make statements that appear to commit the candidate with respect to cases, controversies, or issues that are likely to come before the court; and they may not make pledges or promises of conduct in office. Voters have thus been left to receive what information they can, largely from single issue voter groups that run independent advertising campaigns — not precisely a reliable source of relevant data.

For better or worse, the information shortfall in judicial elections may soon be ending. In *Minnesota Republican Party v. White*, a 5-4 majority of the U.S. Supreme Court invalidated, on First Amendment grounds, a code of judicial conduct provision that prohibited judicial candidates from taking positions on issues likely to come before them later as judges. In so holding, the court created considerable uncertainty concerning the

continuing validity of code of judicial conduct constraints on judicial campaign speech.

The good news, such as it is, is that judicial candidates may now be much freer than in the past to communicate their views to voters and so more fully inform them. The bad news is that in so doing, judicial impartiality may be hopelessly compromised. The Supreme Court did not see it that way. Justice Scalia, writing for the five-member majority, did not accept the argument that a ban on judicial candidate position-taking would promote judicial impartiality. In the majority's view, judicial candidates would feel no special need to adhere to positions on issues that they took as judicial candidates after they had ascended the bench and begun to decide those very issues. The court reasoned that the code of judicial conduct did nothing to prevent candidates from taking positions on issues before they became candidates — as lawyers, law professors, and public officials. To bar them from taking positions on issues in judicial campaigns would do little, if anything, to protect impartiality, Chief Justice Scalia concluded, because judges would feel no greater need to follow their campaign positions than positions they had taken previously in their former professional lives.

The court's analysis is problematic at best, for reasons explained by Justice Scalia himself, not in the context of the majority opinion in *White* but in his capacity as a judicial nominee answering questions before the Senate Judiciary Committee in 1986. There, he declined to take positions on issues that might come before him as a judge, on the grounds that it would compromise his impartiality. When asked for his views on the equal protection clause, for example, then-Judge Scalia replied: "The only way to be sure that I am not impairing my ability to be impartial in future cases ... before the court is to simply respectfully decline to give an opinion on whether any of the existing law on the Supreme Court is right or wrong." In response

to Justice Scalia's argument in *White* that a judge is no more likely to compro-

mise his future impartiality by taking a position on an issue during the campaign than by taking such a position at an earlier stage in his career, candidate Scalia likewise had an answer. In rebuffing inquiries into his position on abortion, he explained: "I think it is quite a thing to be arguing to somebody who you know has made a representation in the course of confirmation hearings, and that is, *by way of condition to his being confirmed*, that he will do this or do that. I think I would be in a very bad position to adjudicate the case without being accused as having a less than impartial view of the matter (emphasis added)."

In other words, the position a judicial aspirant takes before the group that will decide whether he becomes a judge is uniquely important, because that position will be treated as a condition of his selection. For that reason, judges will obviously feel greater need to adhere to the positions they take during judicial campaigns than at earlier stages of their careers, and on that score Justice Scalia's rejection of candidate Scalia's analysis is simply baffling.

Although the scope of the court's decision in *White* remains uncertain, there is no denying that it will put additional pressure on judicial candidates to take positions on issues they are likely to decide as judges, and, in so doing, create the impression with the public that they have already decided those issues before the case is even filed. Within a matter of weeks of the decision in *White*, an Indiana lawyer had circulated a questionnaire to state judicial candidates asking them whether they "believe" that the Indiana Constitution protects the right to an abortion, the right to assisted suicide, and related questions. Although judges are not required to answer such questionnaires, the pressure to do so in close races will be considerable,

"To gain traction with the public, judicial selection must achieve the status of a movement."

the status of a movement. It bears emphasis that judicial elections them-

given that those demanding answers can now assert that the judge is hiding behind a defunct ethical prohibition. And when judges do give answers, single-issue voter groups disappointed with the positions a judge has been pressured into taking can be anticipated to launch attack campaigns of their own, thereby increasing the likelihood that judicial retention or re-election will turn on whether a judge's construction of the law on a single issue is popular with the voters.

A blueprint for gradually phasing out judicial elections

With judicial elections in a state of free fall, the time is now to do something about it. If, for the reasons elaborated upon above, we accept that judicial elections are undesirable in principle, then our focus should be on devising a long-term strategy for phasing them out. Any such strategy should keep the following considerations in mind:

- *Patience*: The great social, political, and cultural movements of the 20th century did not run their course overnight. The women's suffrage movement, the anti-war movement, the civil rights movement, and the environmental movement all took decades and, in some cases, generations to run their cycle. Entrenched public support for judicial elections will not disappear quickly, and any movement to end judicial elections must take that into account.

- *Efforts to end judicial elections must be treated as a movement*: My foregoing comparison of a proposed campaign to end judicial elections to the great movements of the 20th century may strike readers as aggrandizing judicial selection or trivializing the great movements to which it is compared. But therein lies the problem. To gain traction with the public, judicial selection must achieve

selves were the product of a movement that began with the administration of Andrew Jackson in the 1830s and gradually swept the nation. The theme of the judicial selection movement must look beyond "judicial independence," because the goal is not to protect judges so much as to protect the people whom judges serve. Our goal is to reassure the American public that they will get a fair shake in their courts, and, to that end, a more appropriate theme would be "to restore impartial justice."

- *Capitalizing on bellwether events*: Great social, political, or cultural movements calculated to win public support over time have depended for their success on bellwether events that galvanize public opinion and give their movement focus and drive. The civil rights movement had Selma; the anti-war movement had Kent State; and the clean air movement had Los Angeles. A movement to restore impartial justice by ending judicial elections has an ample supply of bellwether events at its disposal, but to date those events have not been adequately exploited. A disastrous election experience in Texas prompts critics to blame the partisan election system there and to recommend nonpartisan elections, only to have a disaster with nonpartisan elections in Wisconsin prompt critics to recommend a merit selection system, which could be countered by a disastrous retention election experience in the merit selection state of Tennessee. Rather than allowing these experiences to cancel themselves out, we need to recognize the common theme: Judicial elections are simply an unacceptable means of selecting judges. The Supreme Court's recent decision in *White* can be anticipated to spawn a whole new generation of election-related fiascos upon which a movement to end judicial elections should be able to

capitalize further.

- *Ensuring judicial qualifications:* If we are to convince the public that judges ought to be selected differently than are public officials in the political branches, it is essential to explain why, by highlighting the differences between them. One difference to which I alluded earlier is the almost universal requirement that the judges be lawyers, which highlights the specialized expertise that states expect judges — as distinguished from legislators and governors — to possess. That distinction could be drawn more vividly for the public's benefit if the credentials of all judicial candidates were publicly reviewed by independent deliberative bodies prior to gubernatorial nomination to ensure that all judicial candidates are capable and qualified. Although the independent deliberative body recommended here is similar to the merit selection commission, such commissions are sometimes criticized for not being sufficiently independent of the governor. To ensure a baseline of competence for all judges, it is imperative that the qualifications commission be truly independent of the appointing authority.

- *Enhancing alternative means to promote general judicial accountability:* If the public is to abandon its support for judicial elections because of the threat such elections pose to impartial justice, alternative means to promote judicial accountability must be more fully developed and promoted. Although systems of judicial discipline are in place in every state, they are typically under-publicized, and for that reason do little to reassure the public that judicial misbehavior will be adequately addressed. Judicial discipline can be an effective means to hold judges accountable for a variety of inappropriate behaviors ranging from chronic delays in decision making to abusiveness toward lawyers, litigants, and staff, to inebriation on the bench, to gender and racial bias. The public ought to be informed of that fact.

- *Restructuring the judicial selection*

process to provide prospective accountability for a judge's political and judicial philosophy: To provide a means for assessing political acceptability in the absence of elections, I would propose a modified federal model of judicial selection for the states. Like the federal model, state judges could be nominated by the governor and confirmed by the state senate or some other subset of the state legislature. Judges so selected would then serve either during good behavior, or for a single, lengthy term. Three modifications are in order: First, as disenchanting as I may be with judicial elections, the problem judicial elections pose is far more acute at the point of re-election than at the point of initial selection. If the public's support for judicial elections is unwavering, I would be prepared to forego gubernatorial appointment as a method of initial selection in favor of an election if it meant that judges once so selected would not later be put at risk of losing their tenure because they made one unpopular decision. Second, regardless of whether judicial candidates are elevated to the bench by means of appointment or election, it is imperative that the judges so selected possess the competence, experience, character, and temperament needed to do the job well. Accordingly, judicial candidates, however initially selected, should be limited to those approved by an independent judicial qualification commission, as I described earlier. Third, the federal model of judicial selection, upon which my proposal is based, is currently enveloped in a fog of uncertainty as to just how "political" the appointments process should be. As elections have become the last remaining means to promote

political accountability of state judges in the wake of the public's gradual acceptance of an independent judiciary and a rejection of other accountability-promoting devices that threaten the judiciary's autonomy, so too the appointments process may become the one remaining means to promote political accountability in the state. Viewed in this light, a political appointments process is inevitable, because the public and the political branches will be loath to relinquish their last remaining means of control over the court's political landscape. It is likewise desirable, because it affords some measure of prospective accountability without interfering unnecessarily with subsequent judicial decision making or institutional autonomy.

When I was presenting some of the ideas shared here at a conference held earlier in the year, a member of the audience raised his hand at the conclusion of my talk and indicated that he enjoyed my remarks, and that the only thing he would change is my name — to Don Quixote. I concede the point that current public support for judicial elections makes their elimination any time soon seem unlikely. Then again, I suspect that in the 1940s, when civil rights lawyers gathered around tables to discuss a strategy for overturning *Plessy v. Ferguson* and ending Jim Crow laws in their lifetime, the effort seemed equally daunting. I, for one, am optimistic.

Then again, so was Don Quixote.

A member of the IU faculty since 1998, Professor Geyh has served as director of the American Judicature Society's Center for Judicial Independence, reporter to American Bar Association commissions on judicial independence and (more recently) the public financing of judicial elections, consultant to the National Commission on Judicial Discipline and Removal, legislative liaison to the Federal Courts Study Committee, and a member of the American Law Institute. The author of numerous articles and book chapters, Geyh in his recent scholarship has explored issues relating to judicial administration, independence, and accountability.

Hoffmann proposes death-penalty reform in Illinois

by Mike Leonard

Illinois residents were rightly horrified when they began to learn in late 1999 just how poorly their judicial system had performed in numerous capital punishment cases investigated by student journalists at Northwestern University and, later, the *Chicago Tribune*.

"In some cases, the people sitting on death row were involved in cases that were clearly tainted and in others, they were just plain innocent," said Indiana University law professor Joseph L. Hoffmann.



Joseph Hoffmann

The evidence was so strong that in 2000, Illinois Gov. George Ryan took the dramatic step of declaring a moratorium on executions until existing cases could be reviewed and potential reforms could be studied.

In December, Hoffmann offered an intriguing reform amendment to Illinois law when he testified to a state Senate committee in Springfield. His "Fundamental Justice Amendment" aimed to clear away the procedural haggling that typically comes into play during death penalty appeals and focus on the basic concepts of accuracy and fairness.

"Appellate courts in America generally have the authority only to look at procedures that occur at trial," Hoffmann said. Once the jury has spoken, the merits of the verdict are not subject to review under appeal. The appellate court only looks at whether the rules were followed.

"My proposal would change that for capital cases and make it possible for the Illinois Supreme Court to not only look at the procedures but the merits of the case," he said. "In other words, they could take a second look at the facts of the case and not only whether the guilty verdict was correct but whether the death penalty was warranted."

The execution of a citizen by the government is the ultimate use or abuse of power. It only makes sense to

have as strong and skilled a review of death penalty cases as possible, and the state Supreme Court would seem to meet that high standard.

Hoffmann, who considers himself neither for nor against capital punishment, said there is support for his proposal from Democrats and Republicans alike. That was the case last summer when the IU law professor was invited to attend and provide commentary to a capital punishment review meeting in Joliet, and it remains true today.

What happens next will be a matter of politics. "I think it's reasonably likely the Illinois Senate will act on this and pass it," Hoffmann said. Whether the House will pass the measure in this last week of the Illinois Legislature is anyone's guess.

Likewise, it is unknown whether outgoing Gov. Ryan will sign legislation including amendments not put forth by his own study commission. But if the Legislature puts a bill on his desk, it might be difficult for Ryan not to sign it, given that the moratorium and review of the fairness of capital punishment could well be his greatest legacy.

Senate Democrats are likely to reintroduce the Fundamental Justice Amendment next year. Should it then pass the Senate and House, it would go before a new governor, Democrat Rod Blagojevich, who appears to be less sympathetic to reform than Ryan, a Republican.

"I believe in this amendment and I think it's the right thing to do," Hoffman said. "My work in this area, basically focusing on the substance of the case, is a theme I've been writing about for the better part of the past decade. To have another institution, another actor, which in this case would be the (state) Supreme Court, that's really what this is all about."

Hoffmann's proposal is unusual if not unique in American jurisprudence, and it could set a new standard for fairness for other states. But, oddly enough, said Hoffmann, who is the Harry Pratter Professor of Law at IU, Indiana has a similar framework written into its Constitution.

"We have a constitutional provision that gives the state Supreme Court the power to review sentences in all criminal cases, not just capital cases," he said. "That's a power that's very rarely exercised in Indiana. But our Supreme Court could do exactly what we're proposing in Illinois if we had the will to do so."

This article is reprinted by permission of the Bloomington Herald-Times. It originally appeared on Dec. 3, 2002.

Remembering Harry Pratter (1917–2002)

At this year's annual Alumni Weekend, colleagues, family, friends, and former students of the inimitable Professor Harry Pratter, who died in March 2002, gathered to share their recollections of his life and career.

Pratter, who was born in the Ukraine and emigrated to the United States as a child, began teaching at the Law School in 1950, after earning his JD from the University of Chicago. He taught many different subjects, including Commercial Law, Negotiable Instruments, Conflicts of Law, Contracts, Torts, and Family Law. But more fundamentally, "he taught life," according to Professor Fred Aman, longtime dean of the school.

"For Harry," says Aman, "there was no such thing as just a legal problem. There were only human problems with which the law must deal."

The following remembrances were presented by Pratter's former students:

Samuel "Chic" Born, JD'70

So you've come to law school? You really are from Gas City? No way! But, it's your first day at law school, and you've been faced already with a reading assignment.

You have arrived 10 minutes early for this first class — a five-hour course in torts. There is a seating chart, so you find your assigned place and take a seat. Other students arrive; some were already there. All appear a bit nervous — at least to a kid from a small town. At one minute past 9 a.m., the door opens tentatively. This balding fellow, with one stray lock of hair, peers in. He is somewhat hesitant. He comes on through the door with books in his left hand and walks with his eyes averted from the students, looking toward the wall on



Harry Pratter, circa 1995

his right. He is stooped slightly, bent as if pulling a laborer's cart, and he maintains this posture until his left foot steps on the teaching dais.

When this man hits his mark on the raised dais, his entire aspect is transformed. He throws his shoulders back. He stands tall. He flips that unruly lock of hair out of the way — it had been dangling in front of his left eye — and the transformation is complete. He may have trudged with the gait and appearance of a workman, but now he is the ringmaster!

This was my introduction to Professor Harry Pratter on my first day of law school, in my first law school class. I will not forget that experience because Harry Pratter, when he stepped on that teaching dais, was as unforgettable on my first day of law school as he was on my final day in attendance as a student here in Bloomington.

Professor Pratter taught law on at least three levels. As law students, we could conceive of it as three intellectual horizons. The first horizon —

close to us — was a direct definition of the substantive legal theories and precepts within a specific legal subject matter: the elements of a particular cause of action, a principle regarding choice of law, enumerated items within a provision of the Uniform Commercial Code. This teaching of the hard facts of the law showed us Professor Pratter in his best Socratic guise.

Harry Pratter may not have known Socrates, but he certainly understood his teaching regimen. Don't you remember? How the professor could literally pound you with questions while teetering back and forth from heel to toe on the dais? As you got closer to a "better" answer, he would lean forward and bounce on his tiptoes, encouraging you to help him find the right answer. When you missed the answer — and each of us

would — remember his disappointment? How his expression changed and that lock of unruly hair dropped back over his eye? How he could dismiss you with a wave of his hand?

The statements he would make in class! Some were classics. This is not all, but some of his better ones included:

- Quoting Dickens, "The law is a ass."
- As he dropped three or four case books loudly on the teacher's desk, "Excuse me, did I awaken you?"
- "How do you define success as a lawyer, son? You know you're successful when you have a Waring blender and you belong to the country club."
- "The law is too rich for the human mind."
- "You're a lawyer, now, young man! You're in front of a jury right there in Gas City.

What's the first thing you do? You shoot your cuffs! No self-respecting lawyer can't shoot his cuffs!"

- "It's four o'clock on the sun; what time is it on earth?"

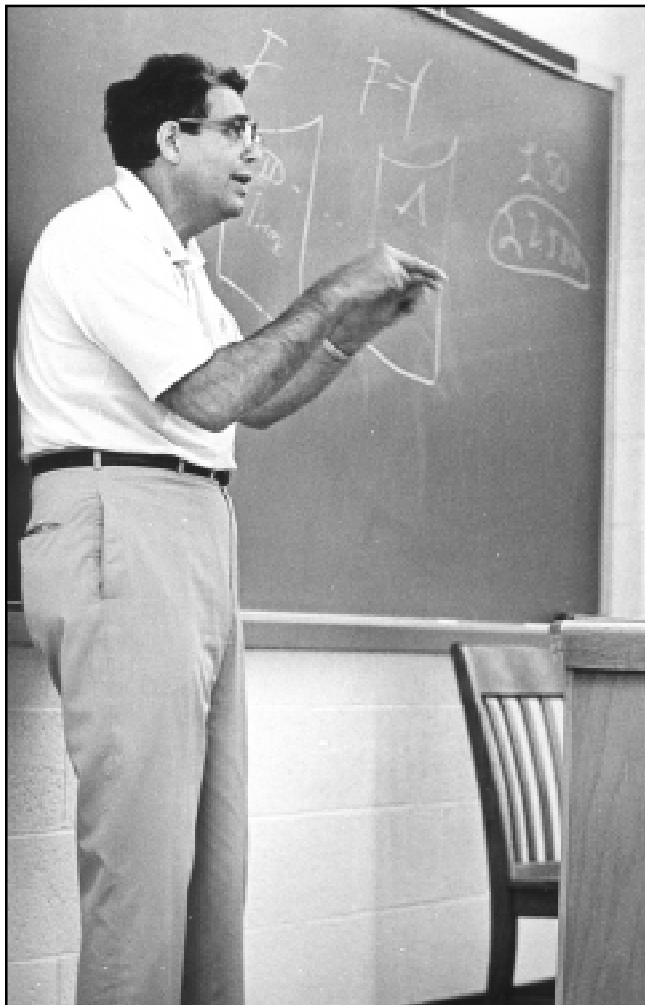
Harry Pratter believed that good lawyers had to be drudges some of the time simply to get — to understand — the law. He told me one time, "Son, in college you may have read 600 to 800 pages per week. Here, you will not read to cover as much, but you will read in a far more concentrated way: deeper, better, much more carefully." That was the student's view of Harry Pratter on the law.

But Professor Pratter taught law at a second level, one that required us to

raise our eyes and view a more distant horizon. Harry Pratter marveled at real life and how the law reacted to real life. How he made you laugh when he described Mrs. Palsgraf's predicament! What an outrageous display! Harry Pratter standing on the teacher's desk pointing at the railroad below and the scales on the platform where Mrs. Palsgraf stood above. He was excited by his description. He was having fun and so were we. His explanation and his exclamations were exciting, entertaining, educating. What a gremlin! an imp! a court jester! Harry Pratter could be. And he taught you that, indeed, the law is sometimes "a ass" and sometimes too rich for the human mind. But he taught you that it was necessary to see, feel, and know the facts of a case just as much as you needed to understand the law.

Professor Pratter taught an even more elevated sense of the law, too. And this was a far horizon. This was a horizon that required us throughout our law school careers to put our intellect on its tiptoes, to shade our mind's eye from the harsh judgmental sun and peer as far as we could into the distance. Harry Pratter's fullest gift as a law professor, as a teacher, a pedagogue, one who cared about each of us — I believe — was that he taught us to imagine. To teach law students, who are becoming more cynical by the day, that imagination is required at all times in the practice of the law is an incredible feat. It is one feat that Harry Pratter accomplished each and every day he came into a classroom.

He may have appeared to approach the teaching dais from the exterior door in a hesitant fashion, but he was hardly a timorous beastie. Harry Pratter was no shrinking violet. This was not timidity that he displayed as he approached his professorial dais. It was thought! I am convinced he was thinking, each and every day, "How can I teach these people to think, to think like lawyers, to act like lawyers, to understand the law, then to change it?" Imagination was Harry Pratter's greatest gift to



Harry Pratter, circa 1970

each of us as students.

Imagine! And every time we do, we thank you, Professor Pratter!

Born is a partner at Ice Miller, Indianapolis.

Joseph "Andy" Hays, LLB'59

Harry Pratter was a gracious, gentle man, a true gentleman.

He was a man of tremendous intellect. He possessed a photographic memory.

His was a unique intellectual reach that touched on so many subjects, coupled with a driving, unrelenting inquisitiveness.

His greatest passion, however, was for the law.

As a learned man of the law, he was especially studied in the principles and practices of law as they related to commerce.

He thrived most when he became involved in a scholarly dialogue with students and his faculty colleagues.

He had a great feeling for law students, a special compassion, and he was tireless in their support.

Through all of his activity, he possessed and practiced a rare sense of humor.

Having offered these positive, admirable attributes, they are not the only elements that made him so special back when my class was here, back in the late 1950s.

Born in 1917, in Kiev, in the Ukraine of Czarist Russia, Harry was the son of a medical doctor. Shortly after Harry's birth, as the Bolshevik revolution was under way, both his mother and father died in a typhus epidemic. While the details of the ensuing events are vague, it is known that a relative of his mother attempted to provide a home for Harry and a sister, but both children could not be properly cared for. So, young Harry was separated from his sister and sent off to live in a small Ukrainian village with a distant male relative of his father, a man with a significant number of issue, some 16 or 17 children, it is told. Harry related that the sons and daughters of that man, distant cousins, raised him in his earliest years.

An older son in that new family was a pharmacist and, in the early 1920s, he came to Buffalo, New York and established a business and a home. This permitted him in 1925 to bring the entire family to Buffalo and those cold windy shores of Lake Erie. It was during this immigration that then 8-year-old Harry acquired the name "Pratter." The clerks at Ellis Island fractured the family name, Predarkov. Predarkov became Pratter.

As Harry approached teen-age years, the older relative passed away. Harry was subsequently raised in Buffalo by his distant relatives. Harry often described to Mary Rose the affection and caring he felt in this environment, that he was very comfortable in this adopted family. He related that, as the youngest in that situation, he was spoiled beyond the pale. The love he felt inspired him, he related, giving him great comfort in his early life and confidence as a young person.

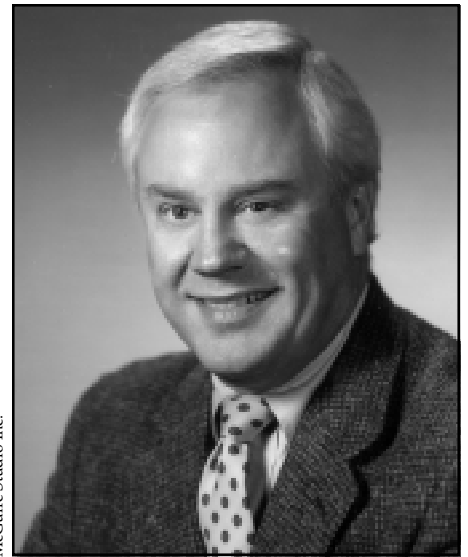
He was graduated from the public school in Buffalo. This was in those tough depression years of the 1930s. Then at what is now the New York State University at Buffalo, he studied in a liberal arts curriculum. He had a special interest in English literature. He was awarded both his undergraduate and master's degrees. In the late 1930s, however, there was a paucity of opportunities to make use of his study and degrees. The Great Depression lingered in that period of military build-up prior to World War II.

He described that the best way to make money in those times was to work in the expanding defense plants. He became "Pratter the riveter," blocking the rivets in the production of the wing assembly of military aircraft.

He was of that extraordinary generation that did so much for us all.

As the country became embroiled in World War II, Harry Pratter served in the Army Signal Corps in the war with Japan. He described that his longest period of service was at posts in New Guinea in support of operations in the South Pacific.

Before going off to the South



McGuire Studio Inc.

Samuel "Chic" Born, JD'70



Joseph "Andy" Hays, LLB'59

Pacific, Harry Pratter married a native of Buffalo and an Ithaca College graduate, Mary Rose Lavin, a young modern dancer and physical education teacher.

After the war, upon his discharge from the service, he taught for a few semesters in the English literature department at the University of Buffalo. Pressured by his dean to pursue his PhD degree, he chose instead to pursue a career in law, having been inspired by the writings of professors at the University of Chicago Law School.

In the fall of 1947, at the age of 30, he enrolled at the UC Law School. This bold pursuit of a law degree was

funded from the combined cash flow of Harry's GI Bill and Mary Rose's job as the recreation director of Chicago's Michael Reese

Hospital Nursing School.

His post-war class of 125 students was of a much older average age than the traditional first-year law students. They were mostly GIs who had served in the several branches of the military during the war. Almost all were married. Many had small children. Most of all, in the maturity forged in their experiences in the war, those GIs were strongly committed to making a success of their graduate study.

In these days, both the university and the law school flourished under the leadership of then-president Richard Hutchinson, in what are described as the "most golden days" of the University of Chicago. In that class of achievers, Harry Pratter made his mark: He recorded superior grades, developing a reputation for both his scholarship and an eclectic, unyielding curiosity. He was described to have acquired a profound zeal for the law.

His success as a law student established, in his senior year, Harry Pratter was named as one of six managing editors of the school's law review. The curriculum vitae of Harry Pratter's law review colleagues reflect outstanding achievement: senior and managing partners of great law firms, leading positions in government agencies, and service on the great courts of our judicial system.

In recent weeks, I sought out and spoke with several of the surviving colleagues on that 1949-50 law review staff. The comments about Harry Pratter were very similar:

"He was an older fellow, maybe the oldest man in our class. ... He was very serious about every aspect of the law. ... He was constantly reading, but he never seemed to be studying the cases required for his then-current classes. ... He was always fun, pos-

"Those who knew the man would agree, I suggest, there was seldom a subject about which Harry Pratter could not comment."

— Joseph "Andy" Hays

was a learned scholar of the Universal Commercial Code, both as to the policies that created it and the substance of

sessing a quick and great black sense of humor. ... He would be always the first to ask a question in class. ... We knew he came from teaching, and he was one of our class that appeared destined to be a teacher."

And a teacher he ultimately became. Graduating from Chicago's law school in the spring of 1950, he was extended by the then Indiana Law School Dean Leon H. Wallace the opportunity to head a new and unique program for foreign students on the campus here in Bloomington. And he began what would become a 44-year tenure at IU's Law School. That career began in a small office over at venerable Maxwell Hall, then the home of the School of Law.

Mary Rose describes that their first home in Bloomington was located adjacent to Herman Wells's residence at Woodburn House.

Six years later, in September 1956, my classmates and I were enrolled at the IU Law School. That year, 1956, was the first of the Law School's venue here at the corner of Indiana Avenue and Third Street. As the Class of 1959, we were the first to be graduated from this new law school building. Many of us had served in the military during the Korean conflict, and, like Harry's class 10 years earlier, most of us were of an older average age than traditional first-year law students.

Back in the mid-'50s, we were blessed with a great faculty: Jerome Hall, Val Nolan, Austin Clifford, Ralph Fuchs, Frank Horack, Ivan Rutledge, Bill Oliver, Leon Wallace, and this man from the UC Law School, Harry Pratter, then in his sixth year at IU.

We were treated to several classes offered by Harry Pratter: Negotiable Instruments, Domestic Relations, Conflicts of Laws, and Contracts. He

the code itself.

And, too, he was fascinated by the unfathomable, complex writings of the eccentric Cambridge University philosopher Ludwig Josef Johann Wittgenstein. In what was a new and innovative class for us as freshmen, called the Krannert Studies, this professor required that we read some of Wittgenstein's essays. These focused on his theories of logic for classic understanding, especially, as they could be utilized in the case study method. My recollection is that our eyes glazed over when Harry attempted to enlighten us on what old Wittgenstein had to offer.

But despite that shortcoming, our class established a special bond with this man Pratter and his peripatetic style and great humor. I remember in our Conflicts of Laws course, he dwelled on the common law's idiosyncratic practices for notice and service of process. He dwelt specially on the English courts' recognition as proper that notice would attach by the posting of claims on the remote and distant door of the court house on the Island of Tobago, that tiny English possession down in the far reaches of the Caribbean. Our learned professor lectured that such notice in an isolated site was sufficient to make claims against maritime assets around the globe. We challenged this warped concept of notice, righteously asserting it was sophistry. He defended the practice, chiding us for our lack of acceptance and understanding of the roots of the common law. The exchanges became passionate.

Several of the class lived in an old Victorian house down the street, one with 14-foot-high ceilings and, under them, great, heavy 12-foot-high doors. Early one morning we took down one such door, hauled it over to

his classroom, and propped it up in front his lectern. As planned, it was obtrusive and covered with bogus claims and notices we had created. Pointedly, these writings challenged the professor's standing as an intellect, his level of scholarship, and his ability to teach. It was all in good fun and he gave it back to us in memorable dialogues.

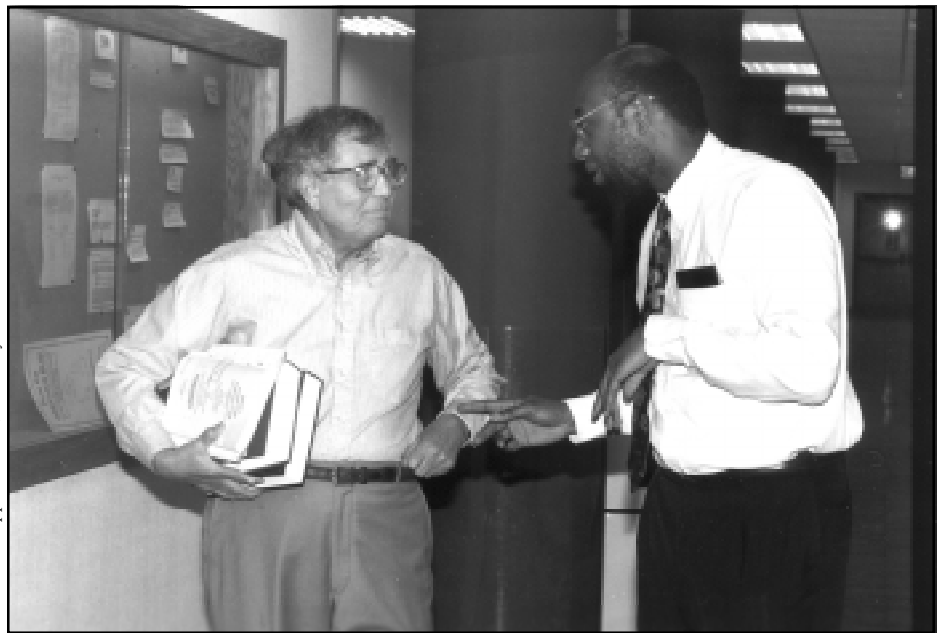
Those who knew the man would agree, I suggest, there was seldom a subject about which Harry Pratter could not comment. On the campus at large he was continually involved in commentary and seminars on many subjects. One time, here in the Law School, he took part in a highly publicized debate with some learned and equally loquacious wag from another discipline, from one of the other colleges.

We all attended, having enjoined our professor not to cause any mar on the escutcheon of our noble law school. For the debate, one of our colleagues provided our man Pratter with a tray, on which was provided a pitcher and glass. Unknown to him, instead of water, in the pitcher was straight gin, with the appropriate amount of ice.

With all of us in on the scam, we were stifling guffaws as our man in the faculty poured glassfuls of the liquid and constantly sipped from his glass during his extensive — nay, long-winded — remarks on his obscure subject. In the subsequent critique of his experience, while I cannot remember precisely his remarks, he said something like this: "In the heat of debate, the champion is not daunted along the way to ultimate victory, he stays the course, but it is of great benefit to him to be properly refreshed along the way."

With the fullest respect to the man Pratter, it is fair to say that he had a short attention span on some aspects of the courses he taught. The sparkle would leave his eye when he came to every routine aspect of his subject. When that occurred, and it was often, he would veer off the subject and intersperse his lecture with observations about lawyers and the law and

Instructional Support Services, Paul Riley



Harry Pratter, deep in discussion with Earl Singleton

life's lessons.

One such lesson, for which he became legend, was that in lawyers' experiences they will be required to demonstrate to clients and juries their élan, their panache, their dash — all to show that lawyers are unique professionals. One such method to demonstrate these qualities is to adroitly shoot one's cuffs.

This resource could be acquired only by the constant practice, early on, that is, to extend the cuffs of one's shirt out beyond the cuffs of one's suit coat. He told us, "To show properly one's linen in this manner is to be the consummate professional." Harry would demonstrate this with repeated extension of his arms, pointing to the resulting exposed cuff of the shirt.

Another of his memorable conclusions centered on the appropriate dress for Hoosier lawyers. He counseled that when we were to appear in front of the Hoosier juries in the small county courts around the state, it was not wise to wear white socks with a blue suit and black shoes. Juries usually conclude, he offered gravely, that a lawyer at the bar who wears white socks with dark suits would be from out of town, like from Chicago or Cincinnati, and Hoosiers just can't relate well to lawyers from big cities

out of state.

The man had fun exercising his wit to keep us involved and learning. And we loved it, given the contrasting, very somber, crisp, business-like lectures by most of Harry's colleagues.

And he had staying power. Given tenures of law professors, he was at the school for an impressive number of years. Look at his unbroken record of service here. He served this law school for 44 years as a formal member of the faculty, and another seven informally, for a 51-year total. Remember, he served here under no less than eight deans. Pray, consider that burden. For one year, he even served as acting dean. Pray, consider that chaos.

And, too, in the five decades he was involved here, this law school expanded, it prospered and flourished, adding constantly to its reputation for breadth and excellence.

In the 160 years that this law school has existed, the record shows that almost 9,000 law degrees have been awarded to its graduates. In Professor Harry Pratter's tenure, some 6,200 lawyers graduated from this school. It is a fact, then, that Harry Pratter was exposed to and involved with two-thirds of this law school's graduates. More than likely,

he taught classes to two-thirds of those graduated here. Think about that.

But beyond the merits of this extraordinary

tenure, he inspired so many of us with the combination, first, of his wide-open, constant desire to be challenging the premise on so many subjects and, second, his cutting sense of humor.

We remember him as a gracious gentleman ... as a brilliant intellect ... as a learned man of the law.

However, his most memorable and special qualities, like no others in the modern days of the Law School, were to be constantly engaged in the intellectual give-and-take and to do so with such an uncommon wit.

These two elements are what set Harry Pratter apart.

Hays is president of the Hays Group, a consulting firm that provides counsel to companies on communications policy.

Sarah Riordan, JD'93

I was a student of Mr. Pratter's in the winter term of 1992. During that semester he talked to us about philosophy, torts, history, art, music, poetry and other forms of literature, and, here and there, basketball. For a moment or two, he also talked to us about Article 2 of the Uniform Commercial Code.

There were several of us uptight law students who thought during the course of semester, "Hey, what's this guy going to test us on? Is he going to test us on the formulation or is he going to ask us questions about the code? What's the deal?" By the end of the semester, of course, everything worked out perfectly, because we had learned all the major points of the code and how to read and understand it. In addition to that, we also got the good stuff: the jokes, the Pratterisms, the formulations, the references to the French Law, and all those things that made it such a special experience for us. I guess, for me, it was all of those things com-

"Unfailingly considerate, as well as solid in demeanor and character, Harry Pratter personified professional dignity and courtesy."

— George P. Smith II

bined with his manner and his messy hair that really left me completely smitten. The same was true for my roommates who were also in the class.

So, the next fall when I was no longer his student, and one of the items up for bid in the Women's Law Caucus fund-raiser auction was cocktails with Harry Pratter, we were all over it. We pooled our money and went to the Women's Law Caucus Auction, and we fought off many very competitive bidders, but in the end, we won. We secured our date with Harry.

A few days later we went up to his office to get it set up. We were worried that he might not remember us from last year. When we got there he said, "I've been waiting for you. You bought me at auction, so now I am your slave." We made the date and, of course, we met him at Nick's — where else? When we got there, he was waiting at a table. We went over and sat down, and he said to us, "You can have whatever you would like to eat and drink, it is all on me." And he leaned in and added, "Have you ever had a boilermaker?" We hadn't. So he explained that there was beer and some whiskey involved and it was great thing to have. He said, "You could have one if you like." It was boilermakers all around.

Of course, he was very interested in us, very solicitous. He wanted to know how we were enjoying law school, how we felt about being women entering this profession. He wanted to know what we planned to do after we graduated — none of really knew at that point. Of course, he said, "Well if there is anything I can to help you, let me know. I'm your slave." During that night, he also talked a little bit about himself and some of the remarkable things

that he did during his life. As you can imagine, it was all very low-key and modest.

One of the things I remem-

ber him telling us is the story of how he met Mrs. Pratter, and how in one of their first apartments they had this thing called a Murphy bed. We had never heard of a Murphy bed. He explained to us that you just fold it up into the wall and there are doors that you close over it like a closet. When you get ready to go to bed, you just pull it down and go to sleep, and in the morning you get up and fold it up and close the doors — sounds like a terrific thing. To us, after a boiler-maker or two and hearing him talk about Mrs. Pratter and about their Murphy bed, this was the most romantic thing that we could imagine. After a while, he had to get home to Mrs. Pratter, but he said, "You girls feel free to stay and have whatever else you would like to eat or drink, and it's on me — it's on my tab." He reminded us that he was our slave.

True to his word, Mr. Pratter remained very responsive and attentive over the years. Later that semester, when Bill Clinton was elected president, my housemates and I threw a big party and invited everyone we knew, including Mr. Pratter. We didn't expect him, but he showed up at the door in his hat. The other students, of course, were very impressed that this professor had shown up at our house. It was even better when he shared with many of them that he was our slave.

And he helped me get my first job. When I met him on one occasion here in Bloomington with my Mom and Dad, he went out of his way to say nice things about me to my parents and tell them that I was such a good student — which was sort of true. Anytime that I came to Bloomington and wanted to stop by or talk to him on the phone or visit and talk about my career and whatever else was going on, he always made time, even

when he wasn't feeling so good. When my own father died, Mr. Pratter was one of the first people to say comforting things to me and to my family. The last time that I saw him, it was at a party. I wanted to monopolize his time, and he was OK with that too. I know that I am just one of literally generations of students that he taught and helped. I am so very glad — and I know that I am very, very lucky — to be a part of that group.

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George P. Smith II, JD'64

"Tell them I had a happy life." — Ludwig Wittgenstein on his deathbed, from "Wittgenstein: The Terry Eagleton Script," *The Derek Jarman Film 3* (1993).

This past July, while working at Cambridge University, one morning I took a stroll down All Souls Lane to Ascension Parish Burial Ground, formerly St. Giles and St. Peter's. I had made this visit several years ago and reported on it to Harry, who, in turn, expressed great interest. This time, the visit was especially sentimental, for it honored Harry Pratter and his mentor, Ludwig Wittgenstein, who is buried there. Unlike the reported efforts of Hillary Rodham Clinton when she was in the White House to channel the spirits of Eleanor Roosevelt and Mahatma Gandhi, I did not seek to channel either Harry or Ludwig's spirit. Rather, I sought to recognize and pay tribute to two great influences in my life.

Without doubt, Wittgenstein was the animating force in Harry's intellectual life. The Wittgenstein grave is marked by a horizontal granite slab with his name and the years 1889–1951 on it. At the head of the marker is a small ivy plant, three pine cones, and several pebbles, together with a miniature wooden ladder (symbolic, no doubt, of Jacob's ladder to heaven written of in the Old Testament) and some 12 tuppence. I did not then, and still do not, understand the significance of the coppers

being on the gravestone, but I placed three additional pieces with the other coins — one each for Harry, me, and the IU Law School.

Wittgenstein said, reportedly from his deathbed, "Tell them I had a happy life." I think it is a clear statement of the record, that, on balance, Harry Pratter had a good and happy life, for he succeeded admirably in making his beloved family and those around him not only happy but secure intellectually.

The Book of Proverbs tells us that "a good name is rather to be chosen than great riches." Harry Pratter had both, and his riches were to be found within a caring and supportive family, respected colleagues, grateful students, and rewarding and self-sustaining personal values of loyalty, friendship, decency, humility, compassion, grace, and good humor.

Insofar as it is possible for any human being to be both wise and worldly wise, to be selfless in any material sense, to have no envy, jealousy, vanity, or conceit, to harbor neither malice nor hatred (seldom even moved to anger), and to always be reliable, considerate, generous, and never cheap, Harry came as close to that as can be done. He was a kind, humble, and gentle man — noble and exemplary — yet one of exceptional spiritual and moral conviction, all without being rigid, false, or pious. Unfailingly considerate, as well as solid in demeanor and character, Harry Pratter personified professional dignity and courtesy. In a fast-paced society where courtesy is increasingly rare, it was refreshing to witness Harry's charm and civility and, furthermore, to admire at first hand his character, which was tied to a simple dedication to the inherent values of human dignity and the goodness that comes from this recognition.

The law school world is known for bramble bushes, spelunking adventures, penumbras formed from emanations, complex issues of legislative drafting and interpretation, land-use controls, administrative decision making and the antitrust



Sarah Riordan, JD'93



George P. Smith II, JD'64

laws, as well as heavy jurisprudential issues of social science and criminal theory. What a wonderful counterbalance were Harry Pratter's courses in Conflict of Laws and Commercial Law, where high drama and mirth were introduced regularly through Socratic hypotheticals drawn from the Bushmen of the Kalahari Desert in Southern Africa to the residents of Gas City, Ind. Invariably these rich hypotheticals never yielded a definitive answer, which would in turn move Harry, himself, to conclude, as Charles Dickens did, that "the law is a ass!" Not surprisingly, oftentimes these very same hypotheticals would appear on the final examinations.

Perhaps Chief Justice Shirley S. Abrahamson of the Wisconsin Supreme Court summed up Harry's approach to law

teaching when, at last May's graduation exercises here in Bloomington, she said, "He made the class intellectually challenging and fun because (simply) he was intellectually challenging and fun." He taught Justice Abrahamson, as he taught us, his former students, "how to approach a problem ... and analyze issues ... how to identify and resolve inconsistencies; how to have fun figuring out the law and arriving at the best solutions under the circumstances." Finally, and most important, he taught us, as lawyers, to be courageous and to have courage in expressing and fighting for the ideals of justice. Indeed, the words of Shakespeare come to mind when Polonius advised Laertes in *Hamlet*, "To thine own self be true, And it must follow, as the night to day, Thou canst not then be false to any man."

Students have praised uniformly Harry's encyclopedic knowledge of his subject areas and his thorough class preparation. Indeed, his photographic memory allowed him the luxury of coming to class without lecture notes; this was always a mystery for some of his students. They simply could not comprehend how a professor could have such instant recall. His life has been an adventure in learning shared with his students. Notwithstanding his towering intellect, his students were never intimidated; rather, Harry Pratter's penetrating understanding of the law stimulated his students to think more clearly and deeply through his deft use of the Socratic dialogue.

The late Professor Curtis Berger of Columbia University summed up aptly what Harry Pratter stood for as a teacher when he said: "I think that we as teachers must let our students know that we value their humane as

"If Picasso had painted a tomato, he would have painted a Picasso tomato, hence destroying its Platonic essence."

— Harry Pratter

well as intellectual qualities — and our own as well as theirs. For unless lawyers value the compassionate in themselves, I think they will be incapable of carrying about the human needs of others."

In the 1974–75 school year, Harry and Mary Rose had a wonderful year visiting at the University of Virginia Law School. With side trips to the Greenbrier and the Homestead resorts, Harry came to understand the reality of the state motto, "Virginia is for lovers!" In reporting on Harry's appointment to law faculty, the *Virginia Law Weekly* of Sept. 27, 1974, noted his course load of Contract Law, Legal Philosophy, and Conflict of Laws, his research into John Rawls's *A Theory of Justice*, and how at IU he not only worked diligently on the revision of the Student Conduct Code, but also "helped the athletic director and his coaches with legal problems in sports and even aided one student, Steve Downing, in negotiating a contract with the Boston Celtics." At Indiana, we know that it was commonplace to find Harry both at practice and at courtside when the Hoosiers played. One can only imagine how many Wittgensteinian plays were shared by Harry with the coaches.

Harry's popularity among the students was recognized at Virginia by his selection as the graduation speaker in 1975. While neither Harry nor the archivist at the Virginia Law School could locate a copy of these remarks, one can speculate on what he might have said. Addressing a graduating class that included George Allen, one of his top students who now is the junior senator from Virginia in Congress, Harry might well have opened with a Pratterism, a conundrum, such as, "If a lion could speak, would we ever understand

him?" Most likely, he would have encouraged the graduates to pursue wisdom and truth and to fight for social justice — just as

he, himself, did throughout his life. He would have, no doubt, suggested that with knowledge comes power and intellectual growth and, thus, personal fulfillment; and that calmness of mind is one of the most treasured jewels of wisdom.

How fascinating, and — on occasion — mind stretching, to participate in the "language game" of Wittgenstein and Pratter through the study of the Uniform Commercial Code. With legendary erudition, Harry was the first to use the code as a paradigm not only to explore how language has meaning and, indeed, a linguistic behavior of its own, but also to test the extent to which a general theory of legal interpretation can be used in understanding linguistically the arcane provisions of the code.

As if to prove the validity of Harry's path-breaking use of Wittgenstein, the University of Pennsylvania law review in 1988 published original scholarship on Wittgenstein and the Uniform Commercial Code. I remember well talking with Harry about this article and his great excitement and pleasure over the fact that his pioneering efforts in "selling" Wittgenstein came to fruition.

From the classroom to the halls of the Indiana State Legislature, Harry assumed roles not only as a brilliant pedagogue, but also an equally astute leader of law reform, thereby realizing the goal of every legal educator: namely, to shape directly the course of law. In the late 1950s and early '60s, with Herculean effort, he worked dauntlessly to ensure that Indiana adopted the Uniform Commercial Code. His incisive and insightful official comments and case annotations to the individual provisions of the code breathed new

interpretative life and stability into an exceedingly complex area of the law. That said, the mysteries of the code still provide great opportunities for billable hours — and for that, the Indiana Bar owes Harry a great debt of gratitude.

When I telephoned Harry in January 2002 to wish him New Year greetings, I told him of a new book that I was going to send him: *Wittgenstein's Poker*. He replied cheerfully that he had already received it as a Christmas gift from his secretary and was having great fun getting into it. I knew, then, that I had to read it myself. And, so, in preparing these remarks, I did.

Briefly, the book recounts a 10-minute meeting on Oct. 25, 1946, of the Cambridge Moral Science Club in the Gibbs building at King's College, perhaps 20 feet from the famous King's College Chapel. Ludwig Wittgenstein was in the chair with some 30 others in attendance, including Bertrand Russell. The meeting was convened to hear a paper by renowned philosopher Karl Popper, of the London School of Economics, titled, "Are There Philosophical Problems?" The discussion that followed approached the topic of philosophy and the significance of language as a linguistic entanglement. Popper argued that philosophy is meaningless, and Wittgenstein objected and used a poker to jab convulsively, punctuating his statement with it — much in the same way Harry used to do with his pointer in my classes in Commercial Law and Conflict of Laws. It was often surmised that Harry was actually assuming fencing postures.

Almost immediately after the Cambridge meeting, rumors spread around the world that the two great philosophers had come to blows armed with red-hot pokers. From all of this came Popper's Poker Principle: Don't threaten visiting lecturers with pokers. As I read this book, I thought how proud Wittgenstein would have been had Harry been in attendance at this 1946 meeting and proffered examples of linguistic

entanglements or Pratterisms such as: "If it is four o'clock on the sun, what time is it on earth?" or "If Picasso had painted a tomato, he would have painted a Picasso tomato, hence destroying its Platonic essence." Finally, "Grapes are eaten one by one, especially if you pull them."

As one grows older and assesses the small contributions made during a lifetime, a certain sense of pride in accomplishment is held — a wonderful marriage, children, a fulfilling professional life, sustained success on the stock market, an original and thoughtful piece of scholarship cited by the U.S. Supreme Court, a brief before the court, etc. What allows me a sense of personal fulfillment and pride is the establishment of the Harry Pratter Professorship. To my way of thinking, the significance of the professorship is so real because it makes a statement of recognition about an individual and an institution — for it embodies the very essence of what has made this law school such a great one: namely, excellence in teaching, service, and scholarship. Long after all of us in this courtroom are gone, the professorship will remain as a symbol of Harry's immortality — an immortality that is anchored in his profile as the quintessential pedagogue, a great thinker and intellect, a compassionate man, caring and informed colleague, loving husband and father, fun-loving grandfather, and of a humble man who lived his entire personal and professional life according to the highest intellectual and moral standards with grace, humaneness, humor, and — most important — *joie de vivre*.

Professor Joseph L. Hoffmann, in inaugurating the Pratter Professorship, acknowledged Harry's "intellectual curiosity" and his ability "to ask questions and make comments that provoke new and creative thought" — always "with a twinkle in his eyes" that reflected "the lively and youthful spirit of the man within." Harry was a vital man who never stopped exploring new ideas and new knowledge. Indeed, I think

Harry's whole character and disposition showed unmistakably the validity of two propositions in the Book of Ecclesiastes: namely, that "a man's wisdom illumines his face," and a little folly is more weighty than wisdom or wealth.

In sum, then, within the persona of Harry Pratter we saw an incredibly kind and humble man in a profession where, all too often, the image of pomposity and arrogance is often enjoyed publicly and not infrequently practiced. Harry stood as the great counter example for the effectiveness of kindness, the superior pleasures of friendliness and the deeper satisfactions of a life dedicated to careful and sustained thought. Harry was a gentle man who enriched all who knew him, for he not only maintained a deep sense of duty toward the Law School and its greater community, the bar, the bench, and the university, but he had a profound sympathy and tolerance for his fellow man. In Harry was found a virtuous and truly selfless man and, in the words of Wordsworth, a "Happy Warrior."

Scripture reminds us that "there is an appointed time for everything, and a time for every affair under the heavens." And so this afternoon, it has been the appointed time to honor a man who not only lived greatly in the law but also lived greatly.

Smith is a professor at Catholic University of America Law School in Washington, D.C.

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Law School celebrates 160 years

When the Law School turned 160 this past December, we marked the occasion with birthday cake and the following remarks by Professor John Applegate:

One hundred sixty years ago, on Dec. 5, 1842, Professor David McDonald, Indiana University's first professor of law, delivered his first lecture to the students of the newly established Law Department.

At the time, the Law School was a very different place. There were about 15 law students, they studied for two years, LSATs and GPAs weren't even a glimmer in anyone's eye, and the Law School held classes and housed its library in a couple of rooms in various buildings that now line the far sides of Dunn Woods.

The world, too, was vastly different — in some ways unrecognizable. Automobiles and telephones and Starbucks still lay in the future; computers hadn't even made it into science fiction ... in fact, science fiction didn't really exist yet. The great legal revolutions of our nation — the Civil War Amendments, women's suffrage, the New Deal, the civil rights movement — were no part of Professor McDonald's curriculum.

Over the years, the Law School went through many variations and many hills and valleys. But some things have remained the same. The university catalog for 1842 included what today we would call a mission statement. It promised a law school that "shall be inferior to none west of the Mountains; one in which the student will be so trained, that he shall never, in the attorney, forget the scholar, and the gentleman."

Well, the "he" and the "gentleman" have certainly changed, but I think that it is possible to distill two goals that can still inspire us today: a commitment to excellence in legal education and the practice of law, and a commitment to serving the public.

Through the peaks and valleys of the last 160 years, the commitments to excellence and to public service have remained firm — never more so than today. And as we look forward, let us do everything in our power to ensure that these commitments remain vital for the next 160 years of the School of Law.

Lecturers have IU ties

Professor Jost Delbrück will give this year's Snyder Lecture, an annual talk given alternately in Bloomington and at Cambridge University in England. Delbrück, who earned an LLM from the Law School in 1960, was awarded an honorary doctorate last year by Indiana University. A scholar of international law, he was

on the faculty at the University of Kiel, serving as director of the Walther-Schücking-Institute for International Law until his retirement last year, and he continues to teach at the Law School each fall. His lecture will be published in the *Indiana Journal of Global Legal Studies*.

The annual Harris Lecture, a longstanding series that has brought notable legal scholars to Bloomington over the years, will be given on April 14 by another scholar with Law School connections: Dirk Hartog, a professor of legal and constitutional history at Princeton, who taught at the School of Law from 1978 to 1983.

FCLJ celebrates 10 years at School of Law—Bloomington

The *Federal Communications Law Journal* celebrates its 10th anniversary at the Law School this year. A series of events, including panels and speakers on communications law topics, is planned to highlight this successful partnership between the IU School of Law—Bloomington and the Federal Communications Bar Association.

The IU School of Law competed for the FCLJ against many other law schools, and its decade-long presence here has spurred the growth of an enriched curriculum in communications, information, and intellectual property that includes courses in Internet Law, Electronic Commercial Law, Digital Copyright, Privacy, and many others. The Law School has hosted several visits by Federal Communications Commission members, and the FCC has in turn hosted students as summer interns. The Law School now boasts many alumni who practice in the area, both at the FCC and with law firms.

The oldest and largest communications law journal, the FCLJ is the seventh most-cited specialty law journal, including citation in judicial opinions nationwide, and has more than 4,000 subscribers in more than 125 countries, giving it the second-largest readership of any specialty law journal.

Alumnus Richmond visits school as practitioner-in-residence

Each year, the Law School brings distinguished lawyers to the school to participate in programs and classes and meet with students. Jim Richmond, JD'69, brought his wealth of experience to share with us as last fall's practitioner-in-residence. A former U.S. attorney and special agent for the FBI and the criminal investigation division of the IRS, Richmond now practices with Greenberg Traurig in Chicago.

As a U.S. attorney, Richmond tried the first Medicare fraud case ever prosecuted and secured the conviction of a former CIA employee for espionage. He served as the first special counsel for financial institution fraud to then-Deputy Attorney General William P. Barr and oversaw the prosecution for the failures of the 100 largest savings-and-loan institutions. He also represented a senior FBI official charged with obstruction of justice in the Ruby Ridge Incident.

During his visit, Richmond taught several first-year criminal law classes, gave an all-school lecture, and met individually with dozens of students.

Cate named director of cybersecurity center

Professor Fred Cate has been named director of the university's new Center for Applied Cybersecurity Research. The center is unusual in that it will seek to draw on the expertise not only of faculty who teach and research in the area of cybersecurity, but also of officials from the Office of the Vice President for Information Technology, University Information Technology Services, Risk Management, and the University Counsel's Office who actually have day-to-day responsibility for computer and network security issues and are regarded as being among the nation's top cybersecurity practitioners.

The center will hold seminars, host guest speakers, and spearhead the university's application for National Science Foundation funding in this area. Professor Cate will continue to teach at the Law School while serving as director.

Bose McKinney & Evans sponsors Moot Court

The Sherman Minton Moot Court competition has received a boost from Bose McKinney & Evans LLP. The Indianapolis law firm has undertaken a six-year sponsorship of the competition, which typically involves one-half to two-thirds of the second-year class. Moot Court not only helps our students develop practical advocacy skills they will need as lawyers, but also introduces them to you — our alumni — who come as legal practitioners and judges to serve as competition judges.

We are extremely pleased that Bose McKinney & Evans recognizes the importance to law students of the opportunity to participate in events such as the Sherman Moot Court competition. Their invaluable support will help sustain this thriving and popular program.

Tyagan Miller



Judge Marc Kellams of the Monroe County Circuit Court presides over his final student trial at the School of Law. Kellams, who earned his JD at the Law School in 1978, is calling it quits after teaching Trial Process as an adjunct professor for 20 years.

Fromm takes on new role; Alumni Office reorganized

For more than 20 years, students at the Law School have known Leonard Fromm as their adviser, counselor, and chief advocate. This year, he adds a new title — associate dean for students and alumni — and a new role as he devotes part of his time to our alumni outreach efforts. Dean Fromm has already visited our graduates on both coasts, and this spring he is traveling the state with Acting Dean Lauren Robel to visit with alumni here.

Fromm joins an expanded crew in the Alumni and Development Office. Catherine Dyar has come to us after practice and a federal clerkship in Chicago to head up the *Fund for Excellence*, the Law School's annual giving campaign. She received her undergraduate degree in English and Russian from IU and her law degree from University of North Carolina.

Tim Hightower, a 2001 Law School graduate, came to the Law School from a career in banking and business. He also earned his undergraduate degree at IU. He is now our director of development.

Brian Kearney joins us as our gift-planning officer from development work here at IU.

In addition, Catherine Stafford, who earned her law degree at the University of Minnesota, divides her time between coordinating alumni events and seeking funding through grants to help support many of the extracurricular activities of the school. Last semester, Stafford taught Legal Research and Writing.

Faculty News

In October, Professor **Alfred C. Aman** presented a paper on “Globalization, Democracy, and the WTO” to the section on administrative law and regulatory practice of the ABA. In November, at the Law and Society Colloquium at NYU School of Law, he presented a paper on “The Future of Administrative Law: Globalization and Democracy Deficits in the United States.” Aman is on leave from the School of Law this year and is a Fellow in the Law and Public Affairs Program at Princeton University. Among other projects, he is working on a book to be published by NYU press, tentatively called *Globalization, Democracy, and Law*.

Professor **John Applegate** is acting associate dean for academic affairs this year. When he is not working on class schedules or computer support or the budget, he continues his research on the precautionary principle, a foundation of European and international environmental law that is just beginning to make an appearance in the United States. He participated in a conference at William & Mary on the (then) upcoming world summit on the environment in Johannesburg and will publish his paper, “The Taming of the Precautionary Principle,” in which he argues that the precautionary principle has been systematically weakened since its first appearances in international environmental law. Applegate also continues to serve on a National Academy of Sciences committee on the (very) long-term management of radioactive wastes by the U.S. Department of Energy. Its report is expected to be made public in early 2003.

Professor **Patrick Baude** has been of counsel to the Office of the Attorney General of Indiana. In November 2001, he gave a paper on “The Indiana Supreme Court and the Uses

of History” at the annual meeting of the Indiana Historical Society. This fall, as the Symposium Scholar for the 2002 Indiana University South Bend Freshman Honors Colloquium, Baude gave a series of talks to students, faculty, and the public on civil liberties. **Brenda Knowles, JD’77**, a professor of business law at IU South Bend and director of the honors program, described Baude’s presentations as “life-altering events for the students ... that inspired them to take seriously their obligation to become active, responsible, enlightened citizens.”

In May of this year, Professor **Jeannine Bell** presented a talk at the annual meeting of the Law and Society Association. This year she is serving as chair of the Law and Society Association’s standing committee on diversity.

Her article, “Deciding When Hate Is a Crime: The First Amendment, Police Detectives, and the Identification of Hate Crime,” was published in Volume 4 of the *Rutgers Race & the Law Review* (2002).

In July, her book *Policing Hatred: Law Enforcement, Civil Rights and Hate Crime* was published as part of NYU Press’s Critical America Series. This fall, as part of a panel sponsored by the American Constitution Society on hate crime and hate speech, she has given talks at the law school in Indianapolis and at the School of Law—Bloomington about the investigation of hate crime.

In September of this year, Bell was chosen — one of only two nominees from Indiana University — to submit a proposal for the Carnegie Scholars Fellowship Program.

The case in which Professor **Craig Bradley** wrote an amicus brief for PETA, *Scheidler v. NOW*, was argued in the U.S. Supreme Court on Dec. 3. From Dec. 6 to Dec. 10, he attended and chaired a session on Utilization

of Technology by International Organized Crime at the 16th International Conference of the International Society for the Reform of Criminal Law in Charleston, S.C. In December, his latest article appeared in the “Supreme Court Review” section of *Trial Magazine*. It concerns the school drug testing case decided by the Supreme Court last term.

In June, Professor **Hannah Buxbaum**’s article on “Conflicts of Economic Law” was published in the *Virginia Journal of International Law*. In July, she taught a seminar on international litigation at the University of Cologne, Germany, and she spoke on the Enron matter before the German American Lawyers Association. In September, she served as reporter on the harmonization of secured transactions law at the 75th Anniversary Congress of UNIDROIT (the Institute for the Unification of Private Interna-



Buxbaum

tional Law) in Rome. The resulting article is forthcoming in the *Uniform Law Review*.

In October, Buxbaum gave a paper on cross-border collateral transactions in investment securities at the Inter-

national Economic Law Forum, Brooklyn Law School. Her review of a book on the same topic is forthcoming in the *American Journal of Comparative Law*. She wrote an article on the application of the Sarbanes-Oxley Act to foreign accounting firms, which will appear in a German law journal. She is also expecting publication shortly in the *Texas International Law Journal* of an article on discovery of evidence abroad, written in connection with a symposium at the UT law school last spring on international litigation.

Buxbaum was promoted from associate to full professor this fall.

Professor **Fred Cate** continues his work on privacy and other information law issues. He testified before the Senate Banking, Housing, and Urban Affairs Committee and traveled to Beijing as a guest of the Chinese State Council to advise the government on the privacy implications of a draft of that country's first credit reporting law. He has published numerous articles, including "Principles for Protecting Privacy" in the *Cato Journal*; "The Commodification of Information and the Control of Expression" in *Amicus Curiae*, the official journal of the Institute for Advanced Legal Studies at the University of London; and "The 'CNN Effect' Is Far from Clear-Cut" in the United Nation's *Humanitarian Affairs Review*. He completed work on one forthcoming book chapter: "Privacy," in *Who Rules the Net? Essays in Internet Governance and Jurisdiction*; two articles: "The Impact of Opt-in Privacy Rules on Retail Credit Markets: A Case Study of MBNA" in the *Duke Law Journal* (with Michael E. Staten) and "Constitutional Issues in Information Privacy" in the *Michigan Technology & Telecommunications Law Review* (with Robert Litan); and a monograph for The Freedom Forum: *The Privacy Problem: A Broader View of Information Privacy and the Costs and Consequences of Protecting It*. He also authored an amicus brief for the Coalition on Sensible Public Records Access in support of petitioner's certiorari

petition to the U.S. Supreme Court in *Trans Union LLC v. Federal Trade Commission*.

Cate was appointed a member of Microsoft's new Privacy Advisory Board, and he continues as a visiting scholar at the American Enterprise Institute, a senior policy adviser to the Hunton & Williams Center for Information Policy Leadership, an academic adviser to the American Legislative Exchange Council, a member of the Experian Consumer Advisory Council, and a senator and fellow of Phi Beta Kappa. He also chairs the Indiana University Bloomington Strategic Planning Committee.



In addition, he has been named as director of Indiana University's new Center for Applied Cybersecurity Research (see page 21).

Professor **Ken Dau-Schmidt** recently published two casebooks with West Publishing Co.: *Legal Protection of Individual Employees* with Matthew Finkin, Alvin Goldman, and Clyde Summers; and *Labor and Employment Law: Cases and Materials* with Robert Rabin, Eileen Silverstein, and George Schatzki. He also was invited to write the entry on law and economics for Herbert Kritzer's treatise *Legal Systems of the World: a Political, Social and Cultural Encyclopedia* and is currently writing an essay with Professor Jeff Stake, for the *Journal of Legal Education* on teaching methods, titled "Teaching in a Larger Social Context: Using Simulations to Demonstrate Socioeconomic Prin-

ciples and Their Relevance to Law."

Dau-Schmidt is currently chair of the Association of American Law School's section on law and socioeconomics and will chair that section's all-day session at the Association's annual meeting Jan. 3-5 in Washington, D.C. He also serves as the treasurer for the Labor Law Group and is involved in planning their triannual meeting this summer in Toronto to discuss labor and employment law curriculum and case books.

Dau-Schmidt taught during the past year at Friedrich-Alexander-Universität in Erlangen, Germany, and Université Panthéon-Assas (Paris II) in Paris.

Professor **Roger Dworkin's** article "Cases and Guidelines in Genetics" was published recently in 10 *Ann. Rev. of Law and Ethics* 21 (2002). He continues to serve on the Indiana State Board of Health Genetics Advisory Committee and on the Bloomington Hospital Ethics Committee. Last summer he taught a weeklong course on Law and Biomedical Advance for the Indiana Graduate Program for Judges. This spring he taught an Introduction to American Tort Law for three weeks at Université Panthéon-Assas (Paris II) in Paris, and next summer he will teach American Bioethics Law for five weeks at Friedrich-Alexander-Universität in Erlangen, Germany.

Professor **Robert Fischman**, a Louis F. Niezer Faculty Fellow, has enjoyed his recent return after a year and a half away. A sabbatical at Yale Law School provided a stimulating setting in which to consider a variety of issues related to cooperative federalism and the meaning of public land organic legislation. Visiting teaching stints at Vermont Law School and Lewis and Clark's Northwestern School of Law allowed him to examine two of the top environmental law programs close up. Fischman plans to continue introducing new features to our program in environmental law. For instance, beginning this year, all SPEA-Law joint degree students focusing on



Fuentes-Rohwer

environmental law now participate in a biweekly workshop that studies a set of related topics from an interdisciplinary perspective. This year, the workshop is addressing the environmental issues of the Ohio River basin.

Fischman has published four scholarly articles this year: "Stumbling to Johannesburg: The United States' Haphazard Progress Toward Sustainable Forestry Law" in the *Environmental Law Reporter*; "A Lesson for Conservation from Pollution Control Law: Cooperative Federalism for Recovery Under the Endangered Species Act" in the *Columbia Journal of Environmental Law*; "Endangered Species Information: Access and Control" in a symposium issue of the *Washburn Law Journal*; and "The EPA's NEPA Duties and Ecosystem Services" in the *Stanford Environmental Law Journal*. His recent publications also include a book chapter on recent developments in forestry law.

Dean **Leonard Fromm** directed the 2002 University of San Diego Sum-

Moscow. Dean Fromm also participated in the Women and Law Conference in Indianapolis in October. His workshop dealt with gender issues in the negotiations process.

Professor **Luis Fuentes-Rohwer's** article "Baker's Promise, Equal Protection, and the Modern Redistricting Revolution: A Plea for Rationality" was published in Vol. 80 of the *North Carolina Law Review* last summer. "Doing Our Politics in Court: Gerrymandering, 'Fair Representation,' and an Exegesis into the Judicial Role" is forthcoming in Vol. 78 of the *Notre Dame Law Review*.

Fuentes-Rohwer is currently working on an analysis of the Voting Rights Act, particularly the proper congressional action when the act comes for reauthorization in 2007; the role of Latino politics in the inner workings of the act, especially at the local level; and a critical examination of the concept of judicial independence.

In October, he was the moderator for a panel discussion at the Univer-

mer Program at Trinity College in Dublin, Ireland, from July 1 to Aug. 3. Law students were able to take courses in Comparative Civil Liberties, Comparative Criminal Justice, and International Human Rights; to interact with Irish lawyers; and to visit many legal and cultural sites. Fifteen Indiana students participated in this program, with a total of 50 Bloomington students attending the other USD programs, held in Oxford, London, Paris, Barcelona, Florence, and

sity of Michigan, "Bakke Goes to Law School: Affirmative Action and the University of Michigan Law School Litigation." In November, he made a presentation to the Law School faculty on the rise of judicial independence in the American context.

Since January 2000, Professor **Ann Gellis** has had a half-time appointment in Research and the University Graduate School as associate dean for research compliance. There are numerous federal regulations that apply to the conduct of research, such as the use of human participants and animals in research. In her administrative role, the various faculty committees that oversee compliance with these regulations report to her office. She also serves as the research integrity officer for the campus with respect to issues of research misconduct. In the past year, most of her time has been devoted to putting into place a new set of policies and procedures for reporting of conflicts of interest by faculty, and, perhaps most time consuming, dealing with the bioterrorism legislation and regulations enacted in the aftermath of 9/11.

Professor **Charles Geyh's** recent writing and service has focused on issues of judicial independence and accountability. In the past year, he has contributed chapters to two books: *Judicial Independence at the Crossroads* and *Improving the Administration of Justice*. He has published a law review article on public financing of judicial elections and has had two more accepted for publication: one on the history of judicial independence in the federal courts and the other, a critique of judicial elections. He has also finished drafting the report of the ABA Commission on Public Financing of Judicial Campaigns and has begun work as reporter to the ABA Commission on the 21st-Century Judiciary. He has given talks, presented papers, or led discussions on judicial selection, independence, accountability, and administration in Washington, D.C.; Indianapolis; Detroit; Raleigh, N.C.; Portland, Ore.; Philadelphia; and Austin, Texas.

In spring 2002, Professor **Robert Heidt** published two pieces about law school admissions policies in the new political science journal the *Indiana Policy Review*. He also taught for several weeks in April at the ESADE law and business school in Barcelona on one of the IU Law School's many exchange programs. His subjects were law and economics and international antitrust, and he was grateful his students spoke English. Later in the spring and summer, he finished and had accepted for publication a major torts article he had been working on for some time, titled "The Avid Sportsman and the Scope for Self-Protection: Why Exculpatory Clauses Should be Enforced."

The National Conference of Commissioners on Uniform State Laws has appointed Professor **Sarah Jane Hughes** the reporter for its newly formed study committee on check truncation. The committee, chaired by Professor James J. White of the University of Michigan Law School, will focus on harmonizing federal check truncation initiatives with other payments law, including the Uniform Commercial Code. This appointment follows Professor Hughes's work on the 2002 amendments to Uniform Commercial Code Articles 3 and 4, approved by the American Law Institute and the conference, as the American Bar Association's representative to the Drafting Committee on the Money Services Act, and a member of the advisory task force on electronic payments issues to the Money Services Act Drafting Committee.

Hughes continues to work on other consumer financial services issues, including the Fair Credit Reporting Act and the financial privacy provisions of the 1999 Gramm-Leach-Bliley Act. As part of this work, Professor Hughes advised the Indiana Legislature on its recent exemption from "public records" treatment of certain non-bank financial services records and the Tennessee Legislature on the privacy implications of fingerprinting in consumer

financial transactions.

Also, Professor Hughes provided comments to the Treasury Department on regulations pertaining to the financial services industry and the USA Patriot Act and participated in a closed session for government anti-terrorism agencies on detecting the use by terrorists of various financial services domestically and internationally. In connection with her work on the deterrence of money laundering, Hughes continues to assist bank regulatory efforts to improve detection and reporting of suspected money laundering.

Professor **Dawn Johnsen's** recent work has focused on the implications, especially for the protection of individual rights, of recent Supreme Court decisions that have narrowed Congress's authority to enact laws to enforce the guarantees of the 14th Amendment and pursuant to the Commerce Clause. She addressed various aspects of congressional power and federalism in several talks, including the 2002 Judicial Conference of the Fifth Circuit, the "National Strategy Conference to Stop the Supreme Court's Rollback of Civil Rights" at Columbia Law School, the Equal Justice Society inaugural conference on "The Assault of Federalism on Civil Rights" at Harvard Law School, and a conference she helped organize at Duke Law School on "Are There Progressive and Conservative Visions of the Law?" She currently is completing two law review articles on these issues. She also has published an



Johnsen

article in the *Washington Monthly* magazine and provided advice to the Project on Federalism of the NOW Legal Defense and Education Fund.

Professor **Julia Lamber's** article on "Intercollegiate Athletics: The Program Expansion Standard Under Title IX's Policy Interpretation" is forthcoming in 12 *Southern California Review of Law and Women's Studies*, fall 2002.

Professor **Aviva Orenstein** is a visiting professor at the Cardozo School of Law in New York. She gave a lecture at the AALS Evidence Conference on how to teach rape shield and is currently working on a piece about new evidence rules that allow evidence of prior sexual misconduct by the accused in criminal sexual cases, tentatively called "Deviance, Due Process, and the False Promise of Rule 403."

She writes that she misses Indiana a lot, although she is enjoying the alternative/independent movie scene in New York with two such theaters just a block from the law school and

great pastrami available within the same distance.

Professor **Bill Popkin** wrote an article for an online publication commenting on Eskridge's seminal article "Dynamic Statutory Interpretation." His comment is titled "The

Dynamic Judicial Opinion."

Four publications by Professor **Gene Shreve** have appeared in 2002: an article on "Fact, Value, and Action in Nonconceptual Jurisprudence" in *50 Am. J. of Comparative L.* 2201; "Procedure, Civil: Appeals, Pretrial,

Trial" in *The Oxford Companion to American Law*, Hall ed.; "Conflicts Altruism" in *Law and Justice in a Multistate World: Essays in Honor of Arthur T. Von Mehren*, Nafzieger and Symeonides eds.; and , with P. Ravenhansen, a treatise, *Understanding Civil Procedure*, Matthew Bender Pub. Co. (3rd ed.).

David Snyder joined the faculty this year as professor of law. He currently serves as chair of the ABA Uniform Commercial Code Subcommittee on Article 1, and he led several sessions and educational programs at the annual meeting of the ABA and the spring meeting of the business law section. He was elected to the American Law Institute in the fall, partly in recognition of his work on the UCC. He also participated in a colloquium in Tucson, Ariz., on the American Codification Debate. His next law review article, "Private Lawmaking," will appear this spring in the *Ohio State Law Journal*. In January, Snyder will address the section on contracts of the Association of American Law Schools, on whose executive board he currently serves. The *University of Toledo Law Review* will publish his talk, "Closing the Deal in Contracts: Introducing Transactional Skills in the First Year," together with others' presentations, as part of a Contract Law Symposium.

Professor **Jeff Stake**'s paper "Making the Grade: Some Principles of Comparative Grading" is forthcoming in the *Journal of Legal Education*. In recent months he has also made a number of presentations at workshops and conferences, including "Property Through an Evolutionary Looking Glass" at the Sloan Interdisciplinary Workshop at Georgetown University Law Center; "Adverse Possession and Territoriality" at the SEAL Fifth Annual Scholarship Conference at Vanderbilt University Law School; "Residential Subdivision Control: Getting Voters to Reveal Their Preferences" at the Midwest Law and Economics Association Second Annual Meeting, held at the University of Illinois College of

In memoriam: John Paul Frank

by Colleen Pauwels

John Paul Frank, a member of the faculty at the IU School of Law from 1945 to 1949, died at the age of 84 in Phoenix, Ariz., on Sept. 7, 2002. He had come to IU from the U.S. Interior Department in the same year as Ralph Fuchs (IU law professor 1945–85). Frank left IU to teach at Yale Law School, but health issues drew him to Phoenix, where he joined the law firm of Lewis & Roca in 1954.

During his career, John Frank helped shape the law in many of the country's most prominent cases. While at IU, Frank and others from our law school were members of the Committee of Law Teachers Against Segregation in Legal Education, a group formed to express the conviction of law professors that segregation was unconstitutional. Together with a few others from the group, Frank wrote an amicus brief in *Sweatt v. Painter*, a challenge to segregation at the University of Texas Law School. This case, decided in 1950 by the Supreme Court, held the practice unconstitutional. The case laid part of the legal ground work for the arguments used in the *Brown* case four years later.

During his time at Yale, Frank advised Thurgood Marshall, then of the NAACP Legal Defense and Educational Fund Inc., who argued the *Brown v. Board of Education* case and later joined the Supreme Court.

Perhaps John Frank's most famous case was *Miranda v. Arizona*. Ernesto Miranda was arrested in Phoenix in 1963 on armed robbery, kidnapping, and rape charges. He signed a confession while in custody and was convicted, but in 1966 the Supreme Court threw out the conviction in the landmark ruling against self-incrimination that led to the familiar refrain: "You have the right to remain silent. ..."

In other prominent cases, Frank defended Judge Clement F. Haynsworth Jr. during his nomination to the U.S. Supreme Court and he served as an adviser to Anita F. Hill, whose accusations of sexual harassment threatened the nomination of Justice Clarence Thomas.

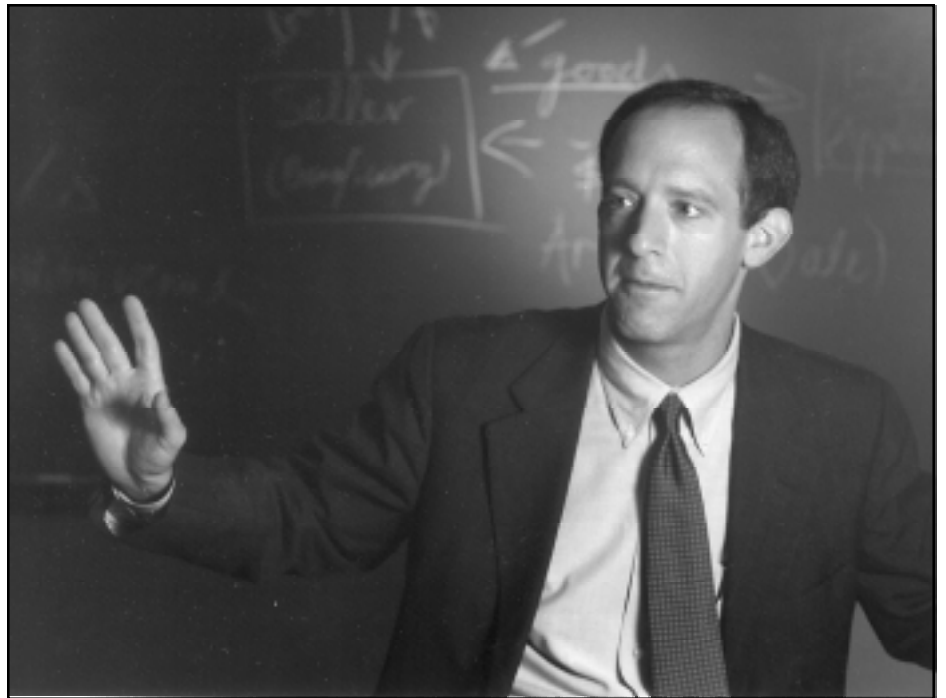
Through the years, John Frank acted as a mentor to many young attorneys and worked to open the legal profession to women and minorities. In addition, he was the author of 11 books, including a biography of Justice Hugo L. Black, for whom he had been a clerk, and the 1961 classic, *Lincoln as a Lawyer*.

Although at IU only a short time, many of Frank's former students have spoken of his influence on their careers. Some of IU's law students from that time who rose to prominence include U.S. 7th Circuit Senior Judge Jesse Eschbach, JD'49, former Indiana Senator Vance Hartke, JD'48, Judge Juanita Kidd Stout, JD'48, the first African American woman to be appointed to a state supreme court, and our own Emeritus Professor of Law Val Nolan Jr., JD'49.

Law; "Topics in Property" for a conference at the Gruter Institute for Law and Behavioral Research on "Investigating Justice: Applying Evolutionary Biology to Right and Wrong in the Law"; and "An Evolutionary Angle on Prior Possession" at the SEAL Annual Scholarship Conference at Florida State University College of Law.

A new book by Professor **David Williams**, *The Mythic Meanings of the Second Amendment: Taming Political Violence in a Constitutional Republic*, was published by Yale University Press in early 2003. In the book, Williams argues that from the beginning the Second Amendment has been based on mythic stories about American democracy, identity, and values. The Framers' myth, about a united people using political violence only to overthrow a corrupt government bent on subverting the common good, has been supplanted by the modern myth that says social disunity is inevitable, and "good" Americans need to control "bad" Americans through force of arms.

In addition, Professor Williams has begun work on another book, about the constitutional status of secession. He will be giving the IU Distinguished Faculty Research Lecture this year and will be a Fellow at Wolfson College of Cambridge University and of the European University Institute in Florence.



Annalese Poorman

Professor David Snyder is finishing his first year at the School of Law.

job hunting?



Visit the IU alumni online career center.

The Indiana University Alumni Association's online career center, launched on May 1, 2002, offers job searches, career guidance, and research services. It pulls job listings from more than 100,000 company job sites and provides more than 4 million job postings each day.

The site is at www.indiana.edu/~alumni/career/ and is available exclusively to members of the IU Alumni Association. Membership is open to all alumni and friends of IU. "For people looking for a job or considering a career change, the online career center in itself is worth the membership cost," says Ken Beckley, IUAA president and CEO.

The IUAA serves the university and its more than 440,000 living graduates through programs, services, and communications. One of the nation's largest alumni organizations, the IUAA strives to keep alumni engaged with their alma mater. For information, visit www.alumni.indiana.edu or call (800) 824-3044.



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Academy of Law Alumni Fellows inducts five

The Academy of Law Alumni Fellows, founded in 1985, pays tribute to alumni who are leaders in the profession. To be named to the academy is the highest distinction that can be bestowed on alumni by the School of Law. During Alumni Weekend in October, five new members were inducted into the academy, bringing the total number of fellows to 78.

Joseph T. Bumbleburg

Joseph T. Bumbleburg is a senior member and president of the law firm Ball Eggleston Bumbleburg McBride Walkey & Stapleton in Lafayette, Ind.

He graduated *cum laude* from the University of Notre Dame in 1958 and earned his JD from IU in 1961. After graduation, he spent three years in the Judge Advocate General's Corps of the U.S. Army before returning home to Lafayette to join the law firm he has been with ever since. Initially, he practiced trial law, but over the years, his practice has shifted from primarily litigation to land-use and zoning. His advice and counsel is commonly sought for major real estate developments in Tippecanoe County, and he has also established a successful mediation practice — testament to his reputation for both thoroughness and fairness among local lawyers. "Lawyers use his skills," says a letter of nomination to the academy, "and regard him as both friend and worthy opponent."

Bumbleburg is deeply committed to Tippecanoe County and Lafayette, where he was born and where his children and grandchildren live. In

his professional capacity, he has devoted himself to the service of his community, and he has also been active throughout his life in a wide range of volunteer organizations.

To take just one example of the seriousness of his commitment to "volunteerism," he first became a volunteer for the American Red Cross at the age of 15, was chosen as president of the Tippecanoe County Junior Red Cross in 1958, and has been a member of the board of the Tippecanoe County Chapter since 1965, serving one term as secretary and four as chair. He was chair of the South Central Indiana Division Council from 1971 to 1975 and was a member of the national board of governors from 1975 to 1981. He has served at different times on a number of committees and advisory councils, and in 1992 he received the Harriman Award for Distinguished Volunteer Service, the highest award the Red Cross gives for volunteer service.

He has also been very active in the American Legion and was named Legionnaire of the Year for American Legion Post 11 in 1982. In 1986, he received the legion's Skelton Award for his contributions to youth baseball. He has served on the board of directors for the United Way, including terms as vice president and president, and in 1978 received that organization's Gold Award. He has also served on the Lafayette Police Civil Service Commission and as secretary for the Tippecanoe County Sheriff's Merit Board.

Since 1992, he has been a member of the state board of trustees for Indiana Vocational and Technical College; he is currently chair of the



Bumbleburg

budget committee, a member of the executive committee, and board vice chair.

His commitment and service to both his profession and his community are exemplary, a model for students and young lawyers to follow, and we are delighted to welcome him to the academy.

Laura J. Cooper

Laura J. Cooper is a professor of law at the University of Minnesota.

She was born and raised in California, where she graduated *summa cum laude* from the University of Southern California. At the IU School of Law, she served as executive editor of the *Indiana Law Journal*, taught as an associate instructor, and graduated *summa cum laude* in 1974. Following graduation, she clerked for the late John S. Hastings, a distinguished IU graduate, at the U.S. Court of Ap-

peals for the 7th Circuit in Chicago.

In 1975, Professor Cooper joined the faculty of the University of Minnesota Law School. Her courses there include Civil Procedure, Conflicts, Labor Law, and Alternative Dispute Resolution in the Workplace. She has also taught at Uppsala University in Sweden. She has written articles in the areas of welfare law, conflicts, labor law, and labor arbitration and is the co-author of three books on workplace dispute resolution.

She currently serves as chair of the Labor Law Group, an international organization of scholars who collectively author textbooks on labor and employment law. She has previously served as chair or president of a number of other professional organizations, including the Section on Labor Relations and Employment Law of the Association of American Law Schools and the Minnesota Chapter of the Society of Professionals in Dispute Resolution.

She works as a mediator and arbitrator in disputes between employers and unions and is a member of the National Academy of Arbitrators.

Professor Cooper was the first woman to receive tenure on the law faculty of the University of Minnesota. She has devoted considerable time over the years to issues of women and the law. She worked for more than a decade on implementation of a class action consent decree involving women university faculty and participated in studies of gender fairness in the courts for the Minnesota Supreme Court and the U.S. Court of Appeals for the 8th Circuit. She prepared an oral history of the first woman to serve as a justice of the Minnesota Supreme Court.

She has been a member of the board of directors of the Legal Aid Society of Minneapolis for 23 years and has served as its president as well as on the boards of a regional services organization and a legal service fund-raising organization. She has also been a member of the board



Cooper

of trustees and president of the congregation for the First Universalist Church of Minneapolis.

Frederick F. Eichhorn

Frederick F. Eichhorn is currently president of the board of trustees at Indiana University. From 1977 to 1996, he was senior partner for the law firm Eichhorn Eichhorn & Link and its predecessor firm, where he first became partner in 1963.

He earned a bachelor's degree in business from IU in 1952 before enlisting in the U.S. Air Force. After the end of the Korean War in 1954, Eichhorn enrolled in the IU School of Law, where he was selected as one of 10 Krannert Fellows, elected president of the Law Club, and served as a member of Phi Delta Phi. He graduated in 1957 and joined his father's law firm, Gavit and Eichhorn, in Gary, Ind., where he worked until 1963.

From 1977 to 1993, he was general counsel for Northern Indiana Public Service Co. and *The Times* (Hammond, Ind.). A member of the Indiana University board of trustees since 1990, he was elected president for 2002–03.

His many contributions to the state of Indiana have earned him recognition as a Sagamore of the Wabash



Eichhorn

(1993) and as a Distinguished Hoosier (1996). He also received the Planned Parenthood of Northwest/Northeast Indiana Community Service Award and the Indiana State Bar Association's Centennial Service Award in 1996, and the Indiana University Northwest Chancellor's Medallion in 1997. In 2000 he was inducted into the Steel City Hall of Fame. He is listed in *Who's Who in America*, *Who's Who in American Law*, and *Best Lawyers of America*.

He has served as commissioner on the National Conference of Commissioners on Uniform State Law. In 1985–86, he was president of the Indiana State Bar Association. He has also served as chair and member of the board of directors of the Northwest Indiana Forum, and since 1989 has chaired the Gary Regional Airport Task Force. He served on the Gary Housing Authority from 1972 to 1975, the Gary Police Civil Service Commission from 1975 to 1982, and was chair of the Lake County Community Development Committee in 1974. He has also served on the board of directors for the Northwest Indiana Symphony.

Eichhorn is an outstanding lawyer and has given generously of his time to serve his home state of Indiana. We are proud to count him among our graduates.

Rufus W. McKinney

Rufus W. McKinney is an independent energy and public policy consultant.

Born in Arkansas, he graduated *summa cum laude* from the University of Arkansas at Pine Bluff with a degree in business administration in 1953. That fall, he enrolled in the School of Law, and the next year he was invited to join the staff of the *Indiana Law Journal*. When he became note editor during his third year, McKinney became the first African American to serve on the journal's editorial board.

After graduating from law school, McKinney accepted a position with the Solicitor's Office of the U.S. Department of Labor, where he worked for 13 years before joining the Southern California Gas Co. By 1975, he had risen to vice president of governmental affairs, heading the Washington, D.C., office that watched over the company's legislative concerns.

In 1979, McKinney and a small group of African Americans associated with energy companies and causes formed an organization called the American Association of Blacks in Energy. Their intent was to ensure the input of African Americans into the development of energy policy and related issues; to encourage the appointment of African Americans to high-level posts in non-traditional areas of government; to heighten awareness within black organizations and the public as a whole of important energy issues; and to encourage African American students to consider careers in energy-related fields. McKinney was vice chair of the organization in 1977 and 1978, and chair in 1980 and 1981. He has served on its board of directors for more than 20 years.

During the energy crisis of the 1970s, McKinney helped draft the NAACP Energy Statement presented to the Carter administration. He was also active in other energy-related organizations, including the Pacific Coast Gas Association.



McKinney

In 1992, McKinney retired from the Southern California Gas Co. He continues to work as an independent consultant. In 1998, he was appointed by Gov. Parris Glendening to a six-year term on the Maryland Commission of Human Relations, which administers and enforces Maryland's anti-discrimination statute and investigates complaints of discrimination in state government agencies.

An outstanding legal professional and active civic leader, McKinney has not only had a distinguished career, but he has also sought to advance the voices of African Americans and the underrepresented, sometimes in unexpected ways. His courage and professionalism reflect honor on the School of Law and on our shared profession.

Ron S. Reinstein

Ron S. Reinstein is currently a family court judge on the Maricopa County Superior Court in Phoenix, Ariz.

He graduated from Indiana University in 1970 with a bachelor's degree in political science, and he earned his JD from the School of Law in 1973. From 1974 to 1985, he was a Maricopa County deputy attorney, serving as supervisor of the Criminal Trial Unit and as head of the Sex Crimes Unit. He was appointed to the bench in 1985, served as the presiding



Reinstein

criminal judge from 1990 to 1998, and was the associate presiding judge of the court from 1998 to 2000. Well known and highly regarded throughout the Arizona legal community, Reinstein has earned a national reputation for his expertise on sex offenders and DNA evidence and was recognized by then-Attorney General Janet Reno for his work as chair of the Post-Conviction Issues Committee of the National DNA Commission.

In 1998, Reinstein was named by the State Bar of Arizona as the recipient of the James A. Walsh Award for the outstanding judge in the state of Arizona. In 1999, he was selected as the first recipient of the Judicial Award of Excellence, given by the Public Lawyers Section of the Arizona Bar. In 2001, he received the Attorney General's Award as the Outstanding Sexual Assault Judicial Professional. He had also previously received the Henry Stevens Outstanding Judge Award from the Maricopa County Bar Association, the Arizona Attorney General's Distinguished Service Award, the Society of Professional Journalists' Sunshine Award (for his efforts to keep the government's business open before the public), and the Lecturer of Merit Award from the National College of District Attorneys. He has also received awards from the Governor's

Children's Justice Task Force, the Maricopa County Victim-Witness Program, Parents of Murdered Children, and the Maricopa County Adult Probation Office.

Reinstein serves as a member of the National Commission on the Future of DNA Evidence, whose Post-Conviction Issues Committee he chairs; the National Advisory Board of the Justice Department Center for Sex Offender Management; the Advisory Board of the Office for Victims of Crime-National Center for State Courts "Victims of Crime in the Criminal Justice System" project; and the Governor's Children's Justice Task Force.

He has also served on the faculty of a number of professional organizations such as the National College of District Attorneys; the National Juvenile and Family Court Judges College; the National Center for the Investigation and Prosecution of Child Abuse; the National Institute of Justice; and the National Institute for Trial Advocacy.

Starting from scratch when he arrived as a stranger in Arizona after graduation, Reinstein has established himself as a fine lawyer and the highest-rated judge of the Arizona Superior Court. But just as important, in the words of one of his nominators, "Ron has given much of himself to our community both on and off the bench."

Check out the School of Law online directory

Looking for former classmates? Need to know the business address of a fellow graduate to nominate her for the Academy of Law Alumni Fellows? Use the Law School's online directory to find them! Access to the directory requires a user name and password. Send e-mail to lawalum@indiana.edu or call (812) 855-9700.

www.law.indiana.edu/alumni/directory/index.shtml



Call for Nominations!

Nomination Form for the Academy of Law Alumni Fellows and the Distinguished Service Award

Please submit this form along with your separate statement of support and pertinent biographical information for the nominee.

**Nominations must be received by
May 1, 2003**

Name of Nominee _____ Class Year _____

Home Address _____

City _____ State _____ Zip _____

Career Field of Nominee _____

Name of Nominee's Law Firm/Business _____

Address _____

City _____ State _____ Zip _____

Name of Nominator _____

Address _____

City _____ State _____ Zip _____

Relationship to Nominee _____

Send form by May 1, 2003, to
Indiana University School of Law
Development and Alumni Relations Office
211 South Indiana Avenue
Bloomington, Indiana 47405

Before 1960

Lee H. Hamilton, JD'56, LLD'91, former Indiana congressman and current director of the Woodrow Wilson International Center for Scholars in Washington, D.C., wrote an introduction to the book *Energy: Science, Policy, and the Pursuit of Sustainability*. The book explains current issues and problems surrounding energy and the environment.

Theodore W. Hirsch, BA'54, JD'57, a lawyer with Ballard Spahr Andrews & Ingersoll in Baltimore, was named among *The Best Lawyers in America 2003–04*. He is a member of the firm's business and finance department.

G. Weldon Johnson, BS'52, JD'57, was selected for inclusion in the 2003–04 edition of *The Best Lawyers in America*. He has a private law practice in Indianapolis.

1960s

Carl VerBeek, JD'62, of counsel with the labor and employment practice group for Varnum Riddering Schmidt & Howlett, Grand Rapids, Mich., is the recipient of the Outstanding Volunteer Award presented by the Association of Fund-raising Professionals. VerBeek has been active raising money for Western Theological Seminary and the American Heart Association, has served for 16 years on the Hope College board, and is former chair and a current member of the Holland Home board of directors.

Judith Dwyer, LLB'63, is a judge on the Daviess Superior Court in Washington, Ind. She was chosen by the Daviess County Republican Women as their 2002 Tribute to Women honoree.

Robert P. Kassing, BS'59, JD'64, a managing partner for Bose McKinney & Evans in Indianapolis, was selected for inclusion in the 2003–04 edition of

The Best Lawyers in America. He lives in Indianapolis.

David A. Butcher, JD'66, of Indianapolis, was selected for inclusion in the 2003–04 edition of *The Best Lawyers in America*. He is an attorney with Bose McKinney & Evans in Indianapolis.

Darrel K. Peckinpaugh, LLB'66, is master commissioner for the Delaware County Circuit Court system. He lives in Muncie, Ind.

Frederick S. Meessen, BA'61, JD'67, has a private law practice in Lafayette, Ind.

Richard E. Woosnam, BS'64, JD'67, MBA'68, president of Innovest Group Inc., was elected to the IU Foundation board of directors. He lives in Philadelphia.

Richard T. Payne, BA'66, JD'69, retired at the beginning of 2003 after serving as judge of Hancock Superior Court No. 1 for 31

years. He will serve as a senior judge for the Indiana Supreme Court's Judicial Technology and Automation Committee. He lives in Greenfield, Ind.

1970s

John David Craig, JD'70, of Indianapolis, has been named to the board of directors of Columbine Redemption, an education and intervention program designed to reduce violence.

Former Bloomington mayor and congressman **Frank McCloskey**, BA'68, JD'71, has been named the

Kosovo director of the National Democratic Institute.

Milton R. Stewart, BA'68, JD'71, a partner with Davis Wright Tremaine LLC, Portland, Ore., was elected to the IU Foundation board of directors. He is also a member of the IU School of Law Board of Visitors and the IU Foundation's Arbutus Society.

David P. Murphy, BA'69, JD'72, has been in private practice in Greenfield since 1972. He is a member of the Greenfield–Central School board and retired from the U.S. Army Reserve at the rank of colonel in 2001. He lives in Greenfield, Ind.

Brent Welke, JD'72, has retired from the general practice of law. He is currently pursuing a master's degree at the Regent University School of Divinity in Virginia Beach, Va.

Terry A. Mumford, JD'73, recently was named a Sagamore of the

Barristers Ball

This year's annual BLSA Barristers Ball was dedicated to former dean of admissions Frank Motley. The Class of 2003 is the last of the "Motley Crew" he recruited to the school. Look through class notes for more photos of guests.



Chadon Photographers

Frank Motley and Val Houghton

Wabash by Gov. Frank O'Bannon. The award is the highest honor that the governor of Indiana can bestow on a citizen. Mumford lives in Indianapolis.

Arthur G. Surguine, BA'71, JD'73, a partner in the Fort Wayne office of Hunt Suedhoff Kalamaros, was named a Diplomat of the Indiana Defense Trial Counsel for 2002. This award is presented to members of the Indiana Bar who have distinguished themselves by outstanding contributions to the representation of clients in the defense of litigation matters.

James E. Carlberg, BS'72, JD'74, of Carmel, Ind., is a lawyer with Bose McKinney & Evans in Indianapolis. He was recently selected for inclusion in the 2003-04 edition of *The Best Lawyers in America*.

Joseph S. Northrop, JD'74, has 29 years of commissioned service with the U.S. Air Force Reserve. He is an attorney with Mills Northrop & Goff in Huntington, Ind.

William R. Fatout, BA'73, JD'75, MBA'82, a former commissioner for the Marion Superior Probate Court, has joined Stewart & Irwin as a partner. He practices in the areas of estate planning and probate administration, civil and probate mediation, and civil and probate litigation. He lives in Indianapolis.

Stephen R. Pennell, JD'76, of the Lafayette firm Stuart & Branigin, has been named president-elect of the Defense Trial Counsel of Indiana.

Robert F. Parker, JD'77, has been named president of the Defense Trial Counsel of Indiana. Parker practices with the Merrillville, Ind., firm of Burke Costanza & Cuppy.

Randall R. Riggs, BA'74, JD'77, was named the 2002 Defense Lawyer of the Year by the Defense Trial Counsel of Indiana. He is a partner with Locke Reynolds, Indianapolis.

Michelle A. Bernstein, BA'76, JD'79, writes, "I am in practice with my husband, Buddy Bernstein, and two associates at Bernstein Law Office. Our firm specializes in corporate and entity law, commercial real estate, shopping center law, commercial leasing, and business transac-

tions." She lives in Memphis, Tenn.

David L. Swider, BS'75, JD'78, was selected for inclusion in the 2003-04 edition of *The Best Lawyers in America*. He is an attorney at Bose McKinney & Evans and lives in Indianapolis.

J. Mark McKinzie, JD'79, joined Riley Bennett & Egloff as a partner. He lives in Carmel, Ind.

1980s

Sue A. Beesley, JD'80, is a member of Bingham McHale's government services and public finance practice groups. She has served as corporation counsel for the city of Indianapolis and Marion County. She lives in Indianapolis.

Edward D. Feigenbaum, BA'78, MBA'82, JD'82, runs INGroup, a Noblesville, Ind., based firm that offers information resources related to Indiana state politics and government. He publishes *Indiana Legislative Insight*, a weekly newsletter covering Indiana politics and government.

Nina Harding, MPA'82, JD'82, was named Outstanding Attorney by the King County Bar Association, which acknowledges her 10 years of pro bono service to under-represented clients at Seattle's Central Area Legal Clinic. She also received a plaque for outstanding service from the Loren Miller Bar Association, the local African American Bar. She lives in Seattle.

Thomas J. Goeglein, BA'80, JD'83, is the head real estate attorney for Eckerd Drug Stores, the country's third-largest drug store chain. He and his wife, Nicole, live in Clearwater, Fla.

Rhonda Brauer, JD'84, has been promoted to corporate secretary for

the New York Times Co., where she has worked since 1992, first as an attorney, then as senior counsel, and, since 1996, as assistant secretary.

Pamela Jones Harbour, JD'84, has been named chair of the 600-member Antitrust Section of the New York State Bar Association. Harbour, a former deputy attorney general for the state of New York, is a partner in the antitrust group Kaye Scholer, New York.

Leonard S. Kurfurst, JD'84, returned to the law firm Wildman Harrold as a partner. His practice



From left: Jamhal Woolridge, Class of 2004; Jennifer Fehrenbach, Class of 2005; and Jason Towns, Class of 2005

focuses on litigation, healthcare advocacy, and corporate counseling. He lives in Western Springs, Ill.

John M. Hamilton, JD'86, heads the largest agency in Indiana government as secretary of the Family and Social Services Administration. He lives in Bloomington.

Christopher J. Randall, JD'86, is a consular officer at the U.S. Embassy in Bucharest, Romania.

Robert G. Devetski, BA'83, JD'87, joined Barnes & Thornburg, Elkhart, Ind. He focuses on insurance law and litigation.

Elliot R. Lewis, BS'83, JD'87, formed ELR International, a full-service executive and legal search firm based in Chicago.

James T. Young, BS'83, JD'87, MBA'87, married **Sara A. Hook**, MBA'88, JD'94, in May. He is an

attorney at Rubin & Levin, Indianapolis, and she is associate dean of the faculties at IUPUI.

Matthew R. Gutwein, BA'85, JD'88, formerly a partner with Baker & Daniels, Indianapolis, has been named president and CEO of the Health and Hospital Corp. of Marion County. He is chair of the corporation's board of trustees. His wife, **Jane Henegar**, JD'88, is deputy mayor for neighborhoods for the city of Indianapolis.

Kevin C. Schiferl, JD'88, has been named secretary of the Defense Trial Counsel of Indiana. He is an attorney with Locke Reynolds, Indianapolis.

Cary A. Depel, BS'85, JD'89, is general counsel for Gerrard, the United Kingdom's largest specialist investment management company for private clients. He will also serve as a main board director. He lives in London.

Daniel H. Fogel, BA'86, JD'89, writes, "I recently switched mortgage companies. I sell residential and commercial mortgages. The communication skills I developed as an English major are an asset in my work." He lives in Wilmette, Ill.

Natalie J. Stucky, BA'85, JD'89, a partner with Bose McKinney & Evans in Indianapolis, has been appointed to the Hispanic Center of Indianapolis board of directors.

Guy Tully, JD'89, is a partner in Jackson Lewis, Boston, one of the nation's largest labor and employment law firms. He recently ended a term as president of the Massachusetts Chapter of the Federal Bar Association.

1990s

Ellen B. Kiernan, BA'87, JD'90, is president of the New Hanover County, N.C., Bar Association. She is a partner with Strader Ballard & Kiernan. She and her husband, Michael Kiernan, celebrated the birth of their third child, Clare, on April 12, 2002.

Mike Wheeler, JD'91, writes from Los Angeles: "I've officially made the transition from law to marketing in

corporate America. I occasionally will review contracts, but not often. The practice of law and my legal education definitely have contributed to my success. I've been focusing on the Internet the last three years at Nestle, but I'll move to an off-line brand."

Lisa McKinney Goldner, JD'92, a partner with Bose McKinney & Evans, Indianapolis, has been elected secretary of the Law School's Alumni Board of Directors.

James C. Kraska, JD'92, of Springfield, Va., is an international law attorney for the deputy chief of Naval Operations in the Pentagon.

Pamela Ayo Yetunde, JD'92, is co-founder of the SmartSisters Network, a business devoted to encouraging financial literacy among women. Formerly a financial adviser for a major Wall Street investment firm, Yetunde has written two books, *Beyond 40 Acres and Another Pair of Shoes* and *The Inheritance*, about investing and money management for women.

Phillip D. Hatfield, JD'93, writes, "I have left the Office of Independent Counsel, though I continue to work for them as a consultant." He now operates a private law practice in Springfield, Ore.

The YWCA of Hamilton, Ohio, has named **Janie McCauley-Myers**, JD'94, one of five Outstanding Women of Achievement for 2002 from Butler County, Ohio. McCauley-Myers is in-house counsel and corporate secretary for First Financial Bancorp, Hamilton, Ohio.

Jeffrey L. Novak, JD'94, has been elected to the partnership of McGuire Woods. He lives in Catharpin, Va.,

with his wife, Jaci D. Novak, BS'92, and their four children.

David O. Barrett, BA'92, JD'95, is corporate counsel for Emmis Communications Corp. He and his wife, Jacqueline Barrett, BS'96, live in Carmel, Ind., with their two children, Joel and Allison.

David A. Locke, JD'95, has been promoted to partner at Stuart & Branigin, Lafayette, Ind., where he had been an associate since 1997.

Cajardo R. Lindsey, JD'96, of Denver, is an associate for the law firm Baldwin & Brown.

Veronica W. Brame, JD'97, of Chandler, Ariz., is a deputy county attorney in the juvenile division of the Maricopa County attorney's office. Her e-mail address is bramev@mcao.maricopa.gov.

David E. Corbitt, JD'97, an attorney at Barnes & Thornburg, was elected to the school board for the Metropolitan School District of Pike Township. The township is one of the



Chadon Photographers

Brian Edge, JD'98, and Robyn Carr, Class of 2005

fastest-growing school systems in the Indianapolis area.

James E. Crawford, JD'97, writes, "I am presently starting the two-year MBA program at the University of Notre Dame." He lives in Notre Dame, Ind.

Tania A. Devries, JD'97, recently left the law firm Miller Johnson Snell & Cumiskey and now practices with Russell A. DeMott, concentrating on commercial and consumer bankruptcy and creditors' rights. She celebrated the birth of her daughter, Lauren Elizabeth, in April 2002. She lives in Grand Rapids, Mich.

Shelly Gibson, JD'97, and **Mark Fridy**, JD'97, of Louisville, Ky., are happy to announce the birth of Emma Beth Gibson Fridy, born on Sept. 9, 2002.

David E. Harris, JD'97, is the charter school director for the city of Indianapolis. He lives in Indianapolis with his wife, Marion, and their son, Aidan.

Gregg E. Strellis, JD'98, and his law firm, Strellis Faulbaum Walsh & Field, recently opened a downtown

Chicago office. They also have offices in Waterloo and Belleville. He lives in Evanston, Ill.

Cynthia A. Bedrick, JD'99, has joined the firm McTurnan & Turner, Indianapolis, as an associate.

Jeffrey S. Nowak, BA'95, JD'99, of LaGrange, Ill., married Shannon Wood, MA'99, in Chicago in August. He is a labor and employment attorney for McDermott Will & Emery and can be reached at jnowak@alumni.indiana.edu.

Jim Snyder, JD'99, an associate with Sands Anderson Marks & Miller, Richmond, Va., has been appointed to a three-year term on the Virginia State Bar's Standing Committee on Professionalism.

Daniel R. Wilkinson, BS'94, JD'99, is a deputy prosecutor in Spencer County, Ind.

2000s

Jeffrey D. Mills, BS'97, JD'00, joined Baker & Daniels, Indianapolis, as an associate. He will focus his practice in corporate finance. Also joining him at Baker & Daniels as associates are **Kitisri Sukhapinda**, JD'01,

Shiv P. (Ghuman) O'Neill, JD'01, **Kareem A. Howell**, JD'01, and **Jason J. Stout**, BA'93, JD'96. Sukhapinda focuses on biotechnology, Ghuman is a member of the litigation team, Howell practices in intellectual property law, and Stout concentrates his practice in labor and employment.

Sandra Perry, JD'00, has joined the litigation group at Bose McKinney & Evans, Indianapolis, as an associate. She had previously clerked for Judge **John G. Baker**, JD'71, of the Indiana Court of Appeals.

Ruengrong Boonyarattaphun, LL.M'01, is a legal officer in the department of intellectual property in the Thai Ministry of Commerce in Bangkok.

Jasna B. Dolgov, JD'01, is an associate in the business securities law group with Michael Best & Friedrich in Milwaukee. She was married to Ivan M. Dolgov, MBA'01, on June 29, 2002, and they recently bought a house.

Adam W. Johnson, JD'01, is an attorney for Meltzer Purtill & Stelle in Schaumburg, Ill. Partner **Roger T. Stelle**, JD'70, writes, "Adam is an outstanding lawyer and a fine addition to our firm."

Gunduz Karimov, LL.M'02, is an associate in Baker & McKenzie's Baku, Azerbaijan, office.

Daniel J. Moore, JD'02, has joined the firm of Laszynski & Moore, Lafayette, Ind., as an associate.

Robert L. Moore Jr., JD'02, recently earned certification as a senior professional in human resources from the Human Resource Certification Institute. Moore lives in Norcross, Ga.



From left: Masah SamForay, Class of 2005; Steve Beard, JD'98; Jane Rueger, Class of 2003; and Robin Moll, Class of 2004

HELP US STAY IN TOUCH ...

We are collecting fax numbers and e-mail addresses from our alumni, as well as updating our records. Please take a few moments to fill out this form and mail it back to us, along with any current news about yourself. Photos and clippings are always welcome. Material will be published in a future class notes column in *Bill of Particulars* or *Alumni Update*.

Name _____ Date _____

Preferred name _____

Last name while at IU _____

IU degree(s)/Yr(s) _____

Soc. Sec. # or Student ID # _____

Home address _____ Phone _____

City _____ State _____ Zip _____

Law firm/business name _____

Law firm/business address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

E-mail _____ URL _____

New address? Yes No Mailing address preference: Home Business

Spouse name _____ Last name while at IU _____

IU Degree(s)/Yr(s) _____

News & comments: _____

Source: *IU Law Bill of Particulars, Spring 2003*

Mail this form, along with any attachments, to Development and Alumni Relations Office, IU School of Law, 211 S. Indiana Ave., Bloomington, IN 47405; or visit our Web site at www.law.indiana.edu; or fax to (812) 855-0555.