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CHICAGO

THE LAW SCHOOL

RECORD

Chicago Plans

FALL 2001

Dean Levmore's
Ideas

Career Services
For You

Law School Life



Fall 2001
The University of Chicago Law School

Saul Levmore
Dean and William B. Graham
Professor of Law

Jonathan S. Stern
Associate Dean for External Affairs

Editors
Deborah Franczek, '71
Kyle Holtan
Kathy Schichtel

Senior Writer
Gerald de Jaeger

Contributing Writers and Editors
Richard Badger, '68; Douglas Baird;
Ellen Cosgrove, '91; Nichole Crist;
Roberta Dempsey; Diane Downs;
Richard Epstein; Marsha Ferziger, '95;
Kay Kersch Kirkpatrick; Abner Mikva, '51;
Martha Nussbaum; Peter Schuler

Class Correspondents
38 Affable Alumni

Design and Production
VisualLingo
Fran Gregory

Chief Photographer
Michelle Litvin

Supporting Photographers
Cheri Eisenberg
Bruce Powell

Publisher
The University of Chicago Law School
Office of External Affairs
1111 East 60th Street
Chicago, Illinois 60637

Telephone: 773-702-9486

Facsimile: 773-702-0356

Email: record@law.uchicago.edu

Web site: www.law.uchicago.edu

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C O N T E N T S

FALL 2001



Chicago Plans

Saul Levmore's aims for his tenure as the twelfth Dean of the Law School bear the mark of his unflagging energy and persistent love of learning.

Career Projections

The Office of Career Services has built up its programs with an eye on alumni and an influx of career counselors trained in the law.

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Chicago Plans

"Quality," John Ruskin observed, "is never an accident; it is always the result of intelligent effort."

From its very beginnings, the Law School has expected nothing less than the highest levels of intelligent effort from its students, faculty, and administration. The result has indeed been quality at the highest levels—quality that is manifested not only in the institution itself, but also in the lives of its individual graduates and, by extension, in the betterment of society as a whole.

Throughout this issue of the *Record*, you will see how members of the Law School community continue inventing the future: the future of the Law School itself, their own futures, the future of legal practice, and the future of the world in which we all live.

The article that begins on page 6 shows how the Law School's strengthened Office of Career Services is helping alumni and current students plan for fully satisfying, meaningful careers.

Exemplary attainments of Law School graduates fill the "Alumni News" section; pathbreaking scholarship is recounted throughout "Faculty News;" the vibrancy of today's Law School and the wisdom expressed in this year's commencement and hooding-ceremony addresses are captured in "Student Life."

In the Message from the Dean on the inside back cover, Saul Levmore reflects on the attributes that have made the Law School great and anticipates the challenges of sustaining topflight excellence in years to come. The qualities of mind and temperament that uniquely equip the new dean for his weighty responsibilities are profiled in the article that begins on page 2.

Chicago Plans

Saul Levmore, the William B. Graham Professor of Law, took office on July 1 as the twelfth Dean of the Law School, succeeding Interim Dean Richard Epstein.

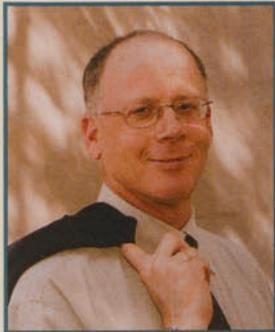
"The exceptional academic standards of the University of Chicago's Law School demand a dean of great academic distinction, as well as one who can work effectively with the School's many constituencies," said University President Don Randel in announcing Levmore's appointment. "In Saul Levmore we are fortunate to have found just such a dean. I look forward to working with him to ensure that the School continues to define the highest standards in the study and teaching of the law."

On a sweltering July morning, 68 students are gathered in a lecture hall—though not at the University of Chicago, as it happens—for their first taste of the rigors of studying law. In the fall they will enter law schools throughout the country as first-year students; today they will begin a six-day "boot camp" aimed at jumpstarting their law school careers.

After a brief introduction, their first instructor takes his place at the front of the room. He is Saul Levmore, installed less than a week earlier as Dean of the University of Chicago Law School. Rolling aside the podium the better to interact directly, he introduces a preliminary topic: "How to succeed in law school without being too obnoxious." Within fifteen minutes, the students are relaxed and even laughing



"Top scholar, exceptional teacher, sterling colleague, great mentor, provocateur for joy." Dean Levmore at work in the Green Lounge.



a bit, as Levmore advises on ways to survive the dreaded Socratic method, poking gentle fun along the way at some law-professor stereotypes.

Then he settles into his assigned subject, contracts, which he will teach for the next eight hours. He is a bit hoarse this morning—the result of too much vocal exuberance at the

swimming pool with his family over the weekend, he suspects—but it matters only to him. To the students, he is nearly mesmerizing, and by the end of the morning they are understanding that the study of law just might turn out to be the great intellectual adventure some have said it can be.

“I asked Saul Levmore to teach in this program because a friend of mine who attended the University of Virginia Law School [where Levmore taught for 18 years before joining the Chicago faculty in 1998] told me he was the best professor he ever had, anywhere,” says program organizer Donald Macauley. Levmore hasn’t disappointed: at the first such session he taught, his evaluation from the students was 4.9 out of a possible 5 points—a feat no other instructor has approached, according to Macauley.

Says Levmore, “I like doing this program, particularly because so many of the attendees are re-entering academic life after substantial time away, like that fellow in today’s class who has been a police officer for six years. If I can give them more self-confidence, I think that’s a good thing.”

**“As their first official ‘law professor,’
I get to help set some of the ways they
all will think about law for the next three
years, and maybe even beyond that.”**

“Besides,” he adds with what seems to be a wink, “as their first official ‘law professor,’ I get to help set some of the ways they all will think about law for the next three years, and maybe even beyond that.”

That implied wink is often present in the new dean’s interactions. In his teaching, it takes some of the “dreaded” out of the Socratic method. In conversation, it invites his listeners not to take what he says with absolute seriousness, to be willing to speak up, question, challenge—or else to wonder later where the interaction might have gone had they done so. It percolates ideas, rather than imposing them.

Professor Cass Sunstein, who chaired the search committee for the new dean, says Levmore’s commitment to teaching and mentoring was a significant factor in the committee’s recommendation: “Saul’s a person who really thinks ideas are fun. He’s an unbelievably accomplished teacher, one of the best teachers in the country, and also a truly outstanding mentor to students,” Sunstein says.

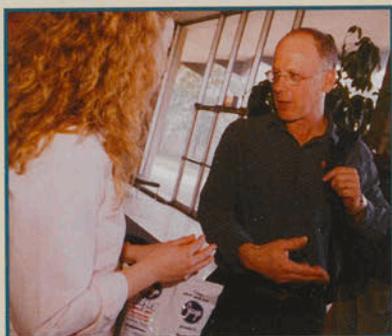
While he was still at Virginia, where he won awards for the quality of his teaching and the excellence of his scholarship, Levmore showed up on *National Law Journal’s* very short list of faculty members that other law schools would love to have for their own. The Law School landed him in its heralded 1998 “faculty raid.”

Uncommon Zest

Exceptional teaching and mentoring were not the only attributes that led to Levmore’s selection. Sunstein cites another: “I think he will do a great job at making student life joyful, which is not what the University of Chicago is famous for.”

If his own life is an example, Levmore should be just the person to make joy happen. He attacks what he does with uncommon zest. Some people jog; he runs marathons. Some people enjoy relaxing with a puzzle or a brainteaser; he wrote a book devoted to puzzle-solving, *Superstrategies for Puzzles and Games*. He is good enough at squash to have filled several shelves with trophies.

Anyone who observes him with his wife, Julie Roin (a Law School professor and renowned tax expert whom he met while they were both law students at Yale), and their two sons, Nathaniel and Eliot, sees how intensely he enjoys their company. That he may



have rendered himself nearly voiceless in boisterous family horseplay on a weekend seems wholly in character.

Relentless Curiosity

It would seem to go without saying that Levmore, as a member

of the Law School faculty, is himself a distinguished scholar.

Love of the law came to him relatively late, and relatively suddenly. After graduating from Columbia in 1973, he was studying for a Ph.D. in economics at Yale when he met some law students and found their discussions interesting. So he went to the law library, picked up a textbook that looked promising—Marvin Chirelstein's *Federal Income Taxation*—and found it, he says (with what may be a wink), “the most fascinating, compelling thing I had ever read.” He applied to Yale Law School, from which he graduated in 1980, completing his economics Ph.D. in the process.

When the American Academy of Arts and Sciences selected him for membership in its exclusive ranks last year, the electors emphasized “his relentless curiosity and wide range of interests” which, they said, “bring a fresh perspective to a wide range of legal questions.”

Levmore says he feels fortunate to be a legal scholar today, when interdisciplinary and even cross-area approaches are highly valued. “Thirty or forty years ago, when you built a career on knowing one subject inside-out and writing twelve-volume treatises about it, I probably wouldn't have enjoyed it,” he remarks. “But today, when you're always looking to see how some aspect of law might be applied to a wholly different legal subject area, I am completely energized. That approach fits me very nicely.”

His recent works include a paper, “Beyond Majority Voting,” and a talk, “The Value of Time in Biblical and Modern Law.” There are few things that fail to interest him, few relevant connections that escape his relentless curiosity. At the Law School he has taught Public Choice, Nonprofit Organizations, Comparative Law, Contracts, Corporations, Corporate Tax, and Commercial Law (Secured Transactions).

Applied Energy

Top scholar, exceptional teacher, sterling colleague, great mentor, provocateur for joy. Anything else? “He has such a tremendous amount of energy,” Sunstein says.

A native New Yorker who spent the better part of two decades in Virginia—not counting visiting professorships at Harvard, Yale, Toronto, Michigan, and Northwestern—Levmore nonetheless seems to embody the Chicago spirit characterized in architect Daniel Burnham's famous admonition, “Make big plans; aim high in hope and work.” Perhaps some of that Chicago spirit is attributable to family ties: his in-laws include Law School alumni Dan and Howard Roin ('51 and '78, respectively).

To conserve some of his energy for the responsibilities of his deanship, Levmore has given up his squash habit. Aside from that, he doesn't seem to be pacing himself. In his first meeting with administrative staff of the Law School, he threw out some ideas for making students' experience richer (yes, he used the word “joy”) and asked those in attendance to think of more. Within a week of taking office, he and Faculty Director for Academic Affairs Emily Buss asked for faculty reaction to plans for three possible new programs: a colloquium series, faculty-student discussion groups, and what he and Buss are calling, for want of a better term, “Chicago Initiatives.”

The first colloquium, on criminal justice, has already been organized by Professor Tracey Meares, '91. A core group of scholars from area law schools—including Northwestern, Illinois, and Indiana—will meet for five seminars between January and May, focusing each time on an emerging criminal justice issue. Those issues will be set forth in papers presented by another group of leading scholars, from universities that include George Washington, NYU, and Yale. Attendance at the seminars will be open to members of the Law School community. Meares says, “This colloquium will accomplish a level of sustained, interactive analysis of critical issues that no single institution could achieve on its own. I'm very pleased that it's happening here at Chicago.”

Levmore and Buss's second proposal is designed to stimulate closer interaction between faculty and students, something Levmore places high on his priority list. Faculty volunteers would host—in their homes—five-session discussion groups (“quasi-seminars,” Levmore calls them) on topics that interest them. “I'm thinking of topics like five great trials, or five controversial Supreme Court

See Dean Levmore's first “Message

From the Dean” on the inside back cover.

nominations, or five great writers' views on legal ethics," Levmore explains, "and I'd love it if two faculty members with divergent views would team up to lead each discussion group."

The new dean acknowledges that his and Buss's third proposal, the creation of "Chicago Initiatives," is the most ambitious. He says, "The Law School has everything it takes to make a huge contribution to national debate on important topics. You name it—health care, uninsured motorists, secession claims, campaign finance reform, government accountability, immigration policy—and we have the expertise, the perspective, and the visibility to affect the discussion by offering a possible plan for others to think about and even put

"Work"—whether it's teaching, scholarship, recreation, or the weighty responsibilities of a dean—seems to be just another word for "joy."

into place. I think we should be doing that; there's no reason why the policy agenda should be set only by government and ideologically committed organizations."

There is no wink behind his words as he discusses these proposals, which are clearly among the kinds of puzzles he loves to tackle these days. Each Chicago Initiative would take two years or so to complete, and would not represent an official Law School position, just a reasoned analysis by very sharp minds, with plenty of room for dissent. Levmore sees conferences, seminars, research papers, visiting scholars, and a panoply of other mechanisms focused around the subject at hand. And he thinks it will be great for inspiring current students and attracting new ones, who will relish the opportunity to be part of "a larger, communal, vital intellectual exercise."

It may be a sign of our times that the book titled *The Joy of Work* is just another sardonic volume in the dispiriting Dilbert series. For Saul Levmore, his "work"—whether it's teaching, scholarship, recreation, or the weighty responsibilities of a dean—seems to be just another word for "joy."



Dean Levmore chats informally in the library's Fulton Reading Room. Opposite: a candid moment at a Law School barbecue.

The Office of Career Services helps alumni and students build more satisfying careers

Career *Projection*

Here's some breaking news: new associates do not always find the practice of law to be a completely satisfying occupation. The National Association for Law Placement reports that more than half of all new associates leave their firms within four years, 38 percent leave within three years, 23 percent depart within two years, and 8 percent are gone before they have even reached their first anniversary.

The Law School's Herbert B. Fried Office of Career Services (OCS) continues to expand and improve the services it offers to help today's students avoid becoming tomorrow's attrition statistics, and to assist alumni who are changing jobs or thinking about doing so.

Led by Assistant Dean Diane Downs, the OCS team has developed a superb information infrastructure, a multifaceted staff, helpful programs, and plenty of published materials to back up that commitment. Downs says, "Good planning can make a big difference in job satisfaction. We are ready, willing, and able to help everyone, from prospective students to seasoned alumni, with the information and advice they need, to have the careers they want."

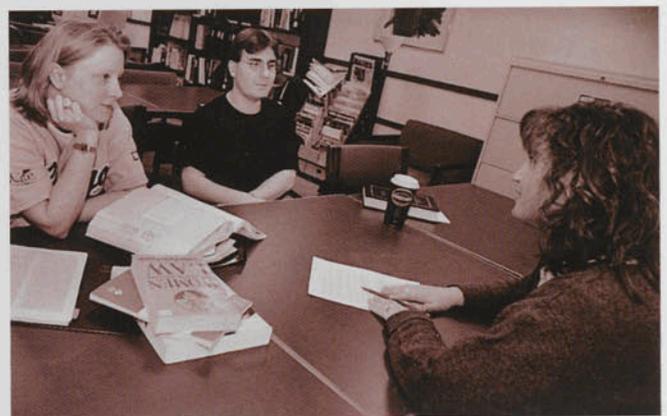
Associate Director Paul Woo has spearheaded the creation and installation of a proprietary career services database that enables OCS to post job openings on the Law School's Web site as soon as they are received. "Paul started working on this before there were even any commercial products available," Downs says, "and he has done such great work that we still have the superior product." Alumni can access job listings online by acquiring a password from OCS (see sidebar), or they can receive them in the mail by signing up for the office's monthly newsletter.

Career planning is of course a highly individualized process, and Downs says she and the OCS team spend as much as half their time in conversation with members of the Law School community, providing one-on-one guidance by phone or in person on everything

from sprucing up a résumé to brainstorming about alternative practice areas (or alternative careers). OCS also offers workshops to develop skills in interviewing, résumé preparation, and other crucial career-planning and job-search capabilities. Its popular networking and mentoring programs provide contacts for strategizing and support.

The better to match its advice to its clients' interests, OCS is staffed with experts in different facets of law practice. The most recent addition to the office, Associate Director Elizabeth Sheil Fenner, worked for eight years as an associate in a large law firm and as assistant counsel to a major corporation. A Vanderbilt Law alumna, Fenner says, "I think my experience practicing law has helped me understand the concerns of people I talk with and has also helped in weighing options and alternatives."

Downs, whose law degree is from Harvard, counsels students and alumni principally in the areas of public service and government



opportunities. As the Law School's representative to the Public Service Law Network and to the National Association of Law Placement's public service committee, she aims to raise the profile of University of Chicago students and alumni who participate in public service. Downs also administers the James C. Hormel

Loan Deferment/Forgiveness Program, now in its fifteenth year, which is constantly being examined and improved.

Jennifer Sacon, a University of Pennsylvania J.D., oversees the office's mentoring programs and coordinates the clerkship application process. Since one-fourth of the members of each graduating class begin their careers with a judicial clerkship, Sacon's help in navigating that complex application process is critical. This year, five graduates are clerking at the Supreme Court, 32 in federal circuit courts, 12 in federal district courts, and three in state supreme courts.

Alumni and students considering careers in teaching are referred to Professor Lisa Bernstein, the Law School's academic career advisor.

This year, OCS extended its direct outreach and networking activities for alumni with breakfast presentations in Chicago, New York, and San Francisco. More cities are on the itinerary for next year. OCS also works closely with the Law School's Office of Alumni Affairs to make connections among alumni with similar interests. Downs says that the University's new Alumni Careers Network (which can be accessed online from the "Career Services" section of the Law School's Web site by clicking on "Services to Alumni") provides another way to locate a mentor or become one for another alum.

"Becoming a mentor or helping out with networking are two great ways for graduates to give something back to the Law School," Downs says, adding that alumni can also make a much-appreciated contribution by agreeing to give a presentation at the Law School. Between 20 and 30 such presentations are made each year, on topics that range from enlightening discussions of particular practice areas to specific advice on career-building skills.

Of course, much of the office's activity still focuses on helping students secure great jobs. Woo coordinates an on-campus interviewing program that is stronger than ever—last year, over 250 students participated in more than 6,000 interviews with 325 employers from 28 states and three countries. During interviewing season, the office offers to review any student's résumé, and last year nearly 175 students took them up on that offer. Woo has also led a process of helping students begin thinking about their career options earlier in their law school days, even working with the Admissions Office to introduce prospective students to career paths and trends in the field of law.



The Office of Career Services staff: Standing, left to right—Office Coordinator Pontus Niklasson, Assistant Dean and Director Diane Downs, Career Development Specialist Jennifer Sacon, Associate Director Paul Woo; Seated—Associate Director Elizabeth Sheil Fenner.

"In most ways," Downs says, "Chicago students and alumni are anything but average or typical. But I think the national trends in associate attrition are probably generally reflective of our own graduates' experience. The more we can do to help everyone navigate those career changes and make great, satisfying choices, the happier we will be."

The Office of Career Services can help you with:

- Career counseling
- Information about job openings
- Skill training
- Networking and mentoring
- Loan deferment or forgiveness for public-service careers

For assistance or further information, contact OCS by phone at (773) 702-9625, by fax at (773) 702-3154, or by email at career_services@law.uchicago.edu.

You can find additional information, plus handbooks on résumé preparation and cover-letter writing, at the "Career Services" section of the Law School's Web site: <http://www.law.uchicago.edu/careerscvts/index.html>.

Words of Celebration and Caution for the Class of 2001

On the picture-perfect morning of Friday, June 8, the Class of 2001 began its day of celebrations at the University Convocation in Harper Quadrangle, where President Don Randel conferred 194 J.D. and 44 LL.M. degrees. The graduates and their families swiftly moved



on to the Law School's Hooding Ceremony at Rockefeller Chapel, and finally to a reception at the Law School.

At each ceremony, the Class of 2001 received inspirational messages—words of both celebration and caution for a new millennium.

Martha Nussbaum, the Ernst Freund Distinguished Service Professor in the Law School, the Department of Philosophy, and the College, gave the commencement address, speaking on "Political Animals: Luck, Need, and Dignity."

In the address, she spoke about the problems of our founding social contract theories which underlie much of the way we think today about our citizenship and related human dignity. These founding contracts, which have historically focused on mutual advantage and that only involve participants who are equal and competent adults, omit an imagination of human beings as mortal and disabled. She explained that the omissions of these and earlier classical works, have perniciously influenced U.S. public policy, which to this day continues to eclipse our modern sense of responsibility to support the needs of those who are physically or mentally disabled, and their caregivers.

As weakness is a natural human state from which no one is exempt at certain times, she suggested that society has chosen to overlook an ever deeper idea of our nature—Aristotle's notion of our split animal and rational self. Only by embracing a unique sense of human dignity and commonality that includes weakness, can we apply valuable corrective actions to our political foundations and perspectives, encouraging our nation to "move beyond the social contract tradition, with its bleak announcement that only those

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who are productive deserve to be respected as full citizens. Let us say, instead, that we all deserve respect for what we are, disabled political animals, each one an individual with dignity." On a day celebrating high achievement, she urged the graduates "to remember . . . a thought about the dignity and human worth of the weaknesses of the human body, and of the acts of care and concern that support them."

At the Hooding Ceremony following, Interim Dean Richard Epstein welcomed the graduates and their families. His remarks were followed by addresses from Douglas G. Baird, Harry A. Bigelow Distinguished Service Professor of Law, and Judge Abner J. Mikva, '51, former White House counsel for President Clinton and chief judge of the District of Columbia Circuit Court of Appeals (remarks from the Hooding Ceremony are on pages 11 through 13).

Graduates then received the hoods associated with their advanced degrees from Professors Emily Buss, Dennis Hutchinson, Jack Goldsmith, and David Strauss or from their alumni family members. Joan Burns was hooded by her father, James Burns, '72; Matthew McCarthy by his father, Robert McCarthy, '72; Alina McLauchlan by her father, William McLauchlan, '72; Karen Fried by her sister, Audrey Fried-Grushcow, '98; France Jaffe by her aunt, Anne Giddings Kimball, '76. Husband and wife Thomas Banks and Candace Dohn Banks, both members of the Class of 2001, hooded each other.





1. Graduates Katie Wood, Valerie Hletko, and Heidi Oertle enjoying the moment.
 2. Graduates Wendy Wu, Felix Amerasinghe, Hae-Won Min, and Brian Lee.
 3. Professor Albert Alschuler in full graduation regalia. 4. Faculty congratulate the Class of 2001 as it proceeds out of Rockefeller Chapel.



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Class of 2001: Celebrating High Achievement, Facing the Challenges of the New Millennium



Enoch Minn

Enoch Minn, J.D./M.B.A., Goldman Sachs, Investment Banking Group

Enoch Minn chose to work at Goldman Sachs in investment banking because it is an arena in which he can pursue his interests in business without completely losing touch with his legal education. Minn was the managing editor of the *Roundtable* and was also active in Asian American Law Students and Christian Law Students. "The Law School is probably the thing in my life that has really intimidated me. While I will never feel that I 'conquered' Chicago (much the opposite, in fact), I wholeheartedly believe the education I received is unparalleled."



Jonathan Mitchell

Jonathan Mitchell, J.D., Clerk, the Honorable J. Michael Luttig, U.S. Court of Appeals for the Fourth Circuit

Jonathan Mitchell is the oldest in a family of seven boys. He came to the Law School directly from Wheaton College in Illinois, where he majored in computer science and political science. He was articles editor of the *Law Review* and president of the Federalist Society and also found time to be a research assistant to Professor Richard Epstein. Following his clerkship with Judge Luttig, he will clerk a year for Justice Antonin Scalia. As to his experience at the Law School, "I loved it."



Elizabeth Pelletreau

Elizabeth Pelletreau, J.D., Foreign Service Officer, United States Department of State

Elizabeth Pelletreau says that in going to work for the State Department, "I'm going into the family business." Her parents both worked in international affairs, and her father was a career Foreign Service officer. In addition to working on the *Chicago Journal of International Law*, "I was a proud member of Apathy, the women's football team, for all three of my years here." She spent a summer working through an internship funded by the Chicago Law Foundation, which led her to be active on the CLF board, serving as its president.



Eduardo Herszkowicz

Eduardo Herszkowicz, LL.M., Associate, Arnold & Porter

Eduardo Herszkowicz grew up and was educated in Sao Paulo, Brazil. He says of his time as an LL.M. student: "It was a great year, both personally and professionally speaking. The manner [in which] the courses are structured, and the intellectual challenge they offer, encourage students to learn and give their best." He plans to work at Arnold & Porter for about a year in the areas of privatization and project finance related to Latin America, then return to Brazil to practice.



Christopher May

Christopher May J.D./M.B.A., Associate, Fish & Neave

Christopher May, who was a chemistry major at Duke University, will use his science background at the New York City intellectual property firm of Fish & Neave. He believes that intellectual property law is an excellent way to combine his legal and business school educations. As chair of the Black Law Students Association, he helped implement a mentoring program for new African-American students, using African-American alumni as mentors. May found that one of the biggest challenges in studying law was the difference in approach from studying science—"in studying science, the emphasis is more on reaching a final answer, while in law the emphasis is on the process of reaching conclusions."

Irene Fabrikant
Donovan

Irene Fabrikant Donovan, J.D., Associate, Schoph & Weiss

Irene Donovan has traveled a long way to her new position at the small Chicago litigation firm of Schoph & Weiss. Born in Belarus (in the former U.S.S.R.), she and her family moved to the United States when she was six. She was senior articles editor of the *Roundtable* at the Law School. At the end of her second year, she gave birth to her daughter Emma Sophie. She spent her third year "essentially doing two things. The first was trying to figure out parenthood. The second, being jealous of the IIs—of the unmitigated awe with which they still regarded the place. That awe is well-deserved."

DEAN FOR A DAY

Remarks to the Class of 2001 *By Richard Epstein*



As I welcome you on this occasion, I cannot but help to reflect for a few minutes on what I have learned, in my brief tenure as interim dean, about the transition from the world of scholarship to that of academic administration. Crudely put, in academics, three points matter: boldness, rigor, and subtlety.

Boldness counts, because the greatest advances in thought come from those who take the greatest risks of failure, by flying in the face of the conventional wisdom. If that wisdom rejoices in the welfare state, then why not, next Tuesday, declare the New Deal unconstitutional?

Rigor counts, because academics need to show their ability to manipulate models that emulate the formal purity of mathematics and physics. So why not, after a stiff drink, assume that all individuals are rational maximizers of their individual utility?

Subtlety counts, because academics must show a mastery of the obscure points within their fields. Why not,

before breakfast, distinguish among the six different theories of causation in order to show how they necessarily require different outcomes in one-tenth of one percent of all litigated cases?

These three recipes for academic success are, however, often surefire prescriptions for administrative failure—for reasons that are well worth a brief academic exploration. What matters is the change in role.

A professor is by design insulated from the institutional pressures that might induce him or her to travel down the middle of the road. But deans have to shy away from the edges of the road, and march down a central path.

Unlike faculty members who do best when they venture forth on their own, deans have to lead and they have to compromise. They have to implement institutional policies on which they hold deep personal reservations. They have to hold together people of fundamentally different opinions. They have to accept the social limitations on their legal powers, and to understand that in reality they work for everyone who nominally reports to them. In this environment:

Boldness does not work. Words have to be used with a certain circumscription. A dean, at least this dean, has to learn to act against nature—to listen first, and to speak later.

Analytical rigor must be taught its place. The formal theories of utility maximization give way to

the messier realm of human psychology. Attention first goes to morale, tone, culture, and mood—all vital and all hard to quantify. Management is not economics. Markets are more rational than firms; and firms are more rational than the harried individuals who work for them. Deans must show patience, not exasperation, with the vagaries of human nature.

Subtlety is also out. A dean has to stick to a well-marked highway. Idiosyncratic insights on remote possibilities have to give way to clear mission statements. Repetition of a few strong themes matters more than intellectual refinement. Low probability events are best ignored in general planning. People can work together effectively only when they are on the same page, and they can only get there if that page is not cluttered with detail.

In short, reflecting on this reversal of roles has taught me much in my decanal day, and I think that it offers some signposts to your lives as lawyers. You too will fill multiple roles and you too will have to deal with the questions of a split personality. The lawyer as

advocate must take strong positions and march to the sound of his or her own drum. But lawyers are also human beings who work and live in tight firms and communities in which it is not possible to play protagonist and lone wolf all day long. Your success in the business of law, indeed in the business of life, requires you to develop the same set of soft skills that have been thrust on me in my short term of academic administration.

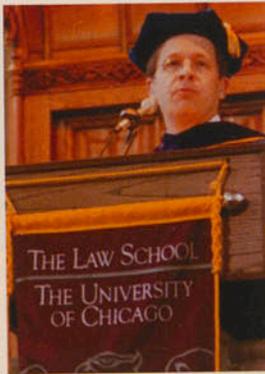
Now that I am about to return to my familiar academic haunts, I hope to unlearn, but only in part, some of these lessons in order to fulfill the traditional scholarly role. But I do hope that you will be able to carry these lessons forward with you in your many professional and personal endeavors. The intellectual skills that you have acquired here will prove indispensable in your professional lives, whether you remain in the practice of law or move beyond it. But do not let these intellectual attainments lead you to overlook these simpler, but vital keys to the personal success that I am confident will be yours in the years to come.



Right: LL.M. graduates (left to right) April Li (UK), Seung Han Lee (Korea), Guido Kordel (Germany), Jong-Yun Kim (Korea), Boris Kasten (Germany), and Gaku Ishiwata (Japan).

CARPE DIEM!

Remarks to the Class of 2001 *By Douglas G. Baird*



With our Dean and Judge Mikva, it is a great privilege to welcome you officially to the distinguished company of those who have studied law at the University.

The past is prologue. So when you look around at your classmates, you see future Senators and members of Congress; Attorneys and Solicitors General; judges and ambassadors; CEOs, investment bankers, and entrepreneurs. You see people who will make decisions of tremendous moment.

Indeed, all of you will, at several points in your careers, find yourselves in the midst of great events that will test your intelligence and your judgment. But consider too the time between these events.

Recall the hoary Latin maxim, "Carpe Diem!" In our time,

"carpe diem" is typically translated: "Seize the day!" It is understood as a strong imperative: Take command of your destiny! Take the initiative! Be decisive! Its original meaning, however, was something quite different.

For the Latin poet Horace, "carpe diem" meant: Savor the day; Contemplate the moment. "Carpe" was the verb Romans used to pick a flower. It was not the verb they used to take something by force of arms. "Carpe diem" first meant: Take pleasure in the present; Learn how to enjoy the life you are living now.

To be sure, when your moment comes, you should take command of your destiny. But make good use of the time between the great challenges. Look forward to this time, the time you spend mastering and practicing your craft.

The lawyer's craft is hard for the outsider to understand. We do not have the carpenter's tool box, the physician's medical bag, or the magician's magic wand. We still begin with a pencil and a yellow legal pad.

Little of the lawyer's craft comes from rote learning. Latin maxims are second nature to you now. *Expressio unius; de minimis non curat lex; res judicata.*

But you also know these do not get you far. Flamboyant oratory and fancy terminology are not what we are about. Poets use words mysterious and obscure. Our ambition is to take the most complicated idea and make it accessible. We persuade by speaking softly. Our words must be simple and direct—"original" in the 18th century sense, something true to its origins, its roots.

We are the ones who see through form to substance. Our arguments rely not on what is novel, but what is essential. We find the simple arguments that have eluded others.

And we ask the simple questions everyone else is too embarrassed to ask. Someone starts the meeting, "Now, of course, all of us know what a flux capacitor is." We are the ones who raise our hands and say, "Actually, I don't. Would you mind explaining it please?" We find an alternative and more compelling way of looking at the same facts. Every day, we prove the maxim that no matter how thin the pancake, there are always two sides.

Learn to enjoy the pleasures of practicing our craft, the lawyer's craft—the art of being able to create the argument or fashion the transaction well.

Some number of years ago, one of our graduates wrote us to say he was looking forward to his 20th reunion and, in his words, "rub[bing] shoulders with the rest of the class that is now rich and famous." But he also wrote about his own life as a practicing lawyer in a rural town in Minnesota.

There are, to be sure, low points—such as losing two cow cases for the same client. But most of all, we see someone at work in a community he knows and loves. A person of intelligence and judgment who enjoys a life in the law for its own sake; someone who savors the moment in the practice of his craft.

I leave you then with a simple thought. To be lawyers of the first rank, we must understand "carpe diem" in both its senses. Only by practicing our craft well can we be ready for our great moments when they come.

For our lawyer in Minnesota, the moment came a few years after he wrote this letter. He won election to Congress, and proceeded to use in Washington the tools he had honed in his small town.

May you too flourish in all your endeavors, great and small. Carpe diem!

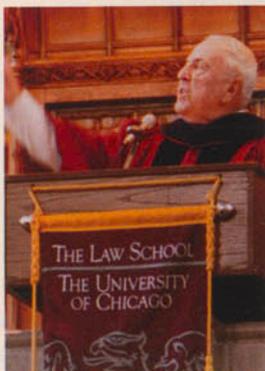


Left: Celebrating graduates Heath Dixon and Jeremy Bates toast the past and future.

Opposite page: (left) Graduates (left to right foreground) Elizabeth Its Brown and Greg Brown applauding one of the faculty speakers. (right) Graduate Christopher May and guests celebrating outside Rockefeller Chapel.

THE LAW OF COURAGE

Remarks to the Class of 2001 By Abner Mikva, '51



Fifty years ago, almost to the day, I sat where you are sitting to receive my law degree from the University of Chicago Law School. Rockefeller Chapel never looked as good as it did to me that day, or to you this day. Our commencement speaker—it pains me to say that I can't remember his name. Nor can I remember a word that he said. It's with those dismal expectations that I speak.

This blessed place has equipped you with a superb legal education. You are capable of competing with anyone anywhere and doing wondrous things in or out of the profession. The one ingredient that you have to provide on your own is courage—the courage to do the hard and complicated things that will satisfy you—the courage to make the most use of those talents that you have—the courage that will refresh and restore the nobility of the profession that you are about to enter.

President Reagan and President Clinton loved to point to people in

the gallery when they were delivering their State of the Union addresses to illustrate a point or identify with examples of worthy citizenship. Usually, they pointed to courageous policemen or firemen who had rescued a child, or servicemen who had performed above the call of duty. I want to talk about a different kind of courage, an intellectual courage, where the action is neither physical nor popular. So, pretend with me that there is a gallery here in Rockefeller, and let me tell you about who I see sitting there as examples of the kind of courage that I mean.

There sits George Anastaplo, who graduated first in my class of 1951. He was the iconoclast of our class, from not showing up for graduation to dressing super casual when that was not the style. But the example of courage that I want to cite is his refusal to tell the Character and Fitness committee of the Illinois Bar whether or not he was a Communist, a label which fit him about the way it would fit Dean Epstein. But it was at the height of the McCarthy era, and the bar leaders were most suspicious of the beliefs of graduates from such well-

known left wing law schools as the University of Chicago. George Anastaplo took his stance because he believed it was the right thing to do, that he had to resist what he perceived as an interference with the freedom of beliefs and association. And he took that position at the expense of not ever being admitted to the bar. He took it against the advice of his teachers, his dean, his classmates, and he paid a high price for it.

There sits a teenager from a small town in Illinois. Last month, she graduated as the valedictorian of her public high school class. She thought it was wrong to have prayers said at her graduation ceremony and successfully brought a lawsuit to prevent the prayers from being voiced. She gave up her right to deliver the valedictory speech to her class, and she was the recipient of much criticism from classmates, teachers, and friends, including a goodly number of boos when her name was read off at graduation. She displayed great courage to implement principles that she believes are important for our society to maintain.

It is unlikely that they would have been invited to sit in the

gallery at the State of the Union, because their kind of courage is never popular with peers. But, as lawyers, you have the special capacity and opportunity—and responsibility—to exercise that quality. Your challenge will come. Whether it is career choice, or client choice, or strategy choice, you will be asked to make the hard choice. It is one of the unique ways that lawyers can give back to their society a quid pro quo for what they have been given. But you should know that when lawyers do exercise that kind of courage, it is especially condemned because the presumption is that the lawyer is hustling in some form or other.

No, you are not likely to get kudos for your courage. You are not likely to get big fees. The only reason for making such decisions is because you think they are important and you think that they are right. If you do, you will be worthy of the great expectations that are held for you.

You can read the full text of the hooding ceremony speeches, as well as the text of Martha Nussbaum's graduation address, at www.law.uchicago.edu/news/hooding.html.



Faculty

News

Upon Further Reflection . . . Faculty Books Consider *Bush v. Gore*

During the weeks of legal controversy that swirled around the end of last year's presidential election, scholars from the Law School appeared almost

daily as commentators on television and radio and in the national press. Richard Epstein, Elizabeth Garrett, Dennis Hutchinson, Abner Mikva, Martha Nussbaum, Barack Obama, David Strauss, and Cass Sunstein were among those who provided expert insight on shows that included *Nightline*, *NBC Nightly*

News, *Hardball with Chris Matthews*, *The O'Reilly Factor*, and *NewsHour with Jim Lehrer*.

Back then, the average observer was likely to have had a rough time just keeping the emerging legal issues straight. Now, two books featuring Law School faculty provide the kind of astute reflection that is needed to understand what happened then and to begin forecasting what may come next.

Richard Epstein and Cass Sunstein edited and contributed to *The Vote: Bush, Gore, and the Supreme Court*, published this fall by University of Chicago Press. Among the other contributors are faculty members Elizabeth Garrett, Richard Posner, and David Strauss. There is general agreement among the Law School contributors to *The Vote* that the Supreme Court's equal protection reasoning in *Bush v. Gore* was embraced "with no support in precedent, with little consideration of implications, and as a kind of bolt from the blue," as Sunstein puts it. (Epstein calls the equal protection argument "a confused nonstarter at best, which deserves much of the scorn that has been heaped upon it.") Each of the contributions, though, brings a distinctive perspective to bear on the logic and implications of the Court's decisions.

Sunstein places *Bush v. Gore* within the "minimalist" stream that he has observed in the Rehnquist Court (he calls this decision "subminimalist"), and

then, observing that "the Court appears to have created the most expansive voting right in many decades," he contemplates the potential applications of the equal protection standard to elective practices—and beyond. "It would be a nice irony," he concludes, "if the Court's weak and unprecedented opinion, properly condemned on democratic grounds, led to significant social improvements from the democratic point of view."

Epstein says that despite the weakness of the equal protection argument, the high court acted rightly to correct "the sorry performance of the Florida Supreme Court." He defends the concurring opinion of Chief Justice Rehnquist (joined by Justices Thomas and Scalia), which relied on language within Article II of the Constitution ("each state shall appoint, in such manner as the legislature thereof may direct"), as a far superior foundation for the decision.

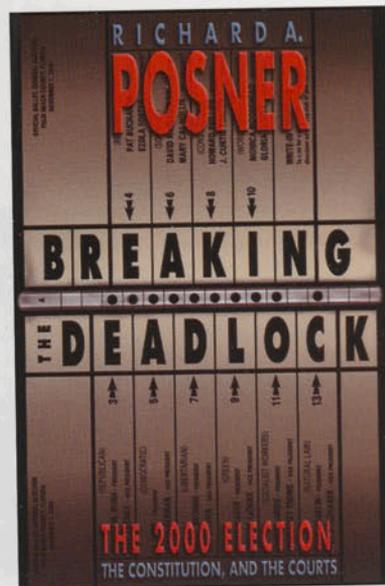
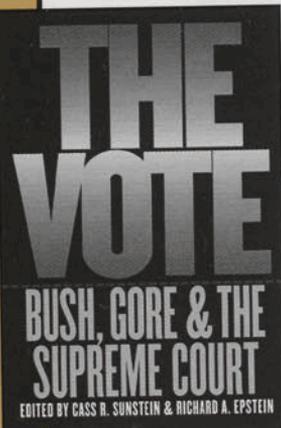
Epstein acknowledges that "no one can offer a mathematical demonstration of whether the mistakes of the Florida Supreme Court were large enough to constitute a gross deviation from the Florida statutory scheme, as I believe they were." David Strauss looks at the record differently, and concludes that they were not: "If I am right about what the Supreme Court did, then the best that can be said is that the Court trumped the supposed lawlessness of the Florida Supreme Court with lawlessness of its own." Strauss reflects on the ways in which the Court's decision seemed more based on the justices' instinctive—and arguably erroneous—interpretations of events than on neutral application of Constitutional principle.

Elizabeth Garrett, one of the few legal scholars to specialize in the legislative process, is persuaded that the Supreme Court "should have . . . left the matter to the political sphere," because "it was the responsibility of Congress to resolve any disputes that might have arisen from the election in Florida." She reviews the "disappointing" history of Supreme Court cases involving election law, considers reasons why so many commentators prefer apparently serene court decisions to messy political solutions, and concludes, "we do not need to be

saved from politics; instead, the constitutional structure augmented by statutory procedures allows us to be saved by politics."

Richard Posner is a judge on the United States Court of Appeals for the Seventh Circuit and a Senior Lecturer at the Law School. His contribution to *The Vote* is a detailed and enlightening assessment of what a recount might have meant to Gore's victory chances (not enough for Gore to clearly prevail, he concludes), and a review of events in Florida that leads him to assert, "the Florida Supreme Court erred grievously in interpreting the Florida election law."

In *Breaking the Deadlock: The 2000 Election, the Constitution, and the Courts*, from Princeton University Press, Posner expands on those topics and investigates others in a way that may best be called Posnerian. He is relevantly informative and thought-provoking on topics that range from the origins, purposes, and attributes of popular voting to the arguments in favor of pragmatic jurisprudence in general and its application to this case in particular. He brings sharp insight and sweeping analysis together in support of his conclusion that the Court acted properly (though he, too, would have preferred an Article II rationale to the equal protection one): "The decision averted what might well have been (though the Pollyannas deny this) a political and constitutional crisis."



FACULTY SCHOLARSHIP 2000-2001

Albert W. Alschuler

Wilson-Dickinson Professor of Law

Law Without Values: The Life, Work, and Legacy of Justice Holmes (University of Chicago Press 2000).

Douglas Baird

Harry A. Bigelow Distinguished Service Professor
Elements of Bankruptcy (Foundation Press 3d edition 2001).

Cases, Problems, and Materials on Bankruptcy (Foundation Press 3d edition 2000) (with Adler and Jackson).

"Commercial Norms and the Fine Art of the Small Con," 98 *Michigan Law Review* 2716 (2000).

Lisa Bernstein

Professor of Law

"The Secrecy Interest in Contract Law," 109 *Yale Law Journal* 1885 (2000) (with Omri Ben-Shahar).

Emily Buss

Professor of Law

"The Parental Rights of Minors," 48 *Buffalo Law Review* 785 (2000).

"The Adolescent's Stake in the Allocation of Educational Control Between Parent and State," 67 *University of Chicago Law Review* 1233 (2000).

Mary Anne Case

Professor of Law

"Changing Room? A Quick Tour of Men's and Women's Rooms in U.S. Law Over the Last Decade, from the U.S. Constitution to Local Ordinances," 13 *Public Culture* 333 (Spring 2001).

"Lessons for the Future of Affirmative Action from the Past of the Religion Clauses," 2000 *Supreme Court Review* 325.

David Currie

Edward H. Levi Distinguished Service Professor

"Kulturverfassung und Leistungspflichten: Ein amerikanisches Beispiel," in *In einem vereinten Europa dem Frieden der Welt zu dienen . . .* (Festschrift für Thomas Oppermann) Claus Dieter Classen et al, eds. (Duncker & Humblot 2001).

The Constitution in Congress: The Jeffersonians, 1801-1829 (University of Chicago Press 2001).

Cases and Materials on Conflict of Laws (West 2001) (with H.H. Kay and Larry Kramer).

"The Twelfth Amendment," in *Unintended Consequences of Constitutional Amendment* 73, David E. Kyvig, ed. (University of Georgia Press 2000).

"A Midsummer Night's Dream—The Legal Issues," 3 *The Green Bag* 2d 381 (2000).

Review of Gerber, *Seriatim: The Supreme Court before John Marshall*, 105 *American History Review* 1301 (October 2000).

"Choosing the Pilot: Proposed Amendments to the Presidential Selection Process, 1809-29," 4 *The Green Bag* 2d 141 (2001).

Kenneth W. Dam

Max Pam Professor of American and Foreign Law

"Self-Help in the Digital Jungle," in *Expanding the Boundaries of Intellectual Property: Innovation Policy for the Knowledge Society*, Rochelle Dreyfus, Diane L. Zimmerman & Harry First, eds. (Oxford 2001) (reprint).

Frank Easterbrook

Senior Lecturer

"Who Decides the Extent of Rights in Intellectual Property?," in *Expanding the Boundaries of Intellectual Property: Innovation Policy for the Knowledge Society*, Rochelle Dreyfus, Diane L. Zimmerman & Harry First, eds. (Oxford 2001).

"Information and Antitrust," 2000 *University of Chicago Legal Forum* 1.

THE UNIVERSITY OF CHICAGO



THE LAW SCHOOL
THE DIVISION OF BIOLOGICAL SCIENCES
THE MACLEAN CENTER FOR CLINICAL
MEDICAL ETHICS

AND

THE HARRIS GRADUATE SCHOOL OF PUBLIC
POLICY STUDIES

ANNOUNCE

**THE REGULATION OF MEDICAL
INNOVATION AND
PHARMACEUTICAL MARKETS**

CO-DIRECTED BY
RICHARD EPSTEIN, TOMAS PHILIPSON, AND MARK SEIGLER

**FRIDAY, APRIL 20TH
AND SATURDAY, APRIL 21ST, 2001**

Pharmaceutical Conference: The Regulation of Medical Innovation and Pharmaceutical Markets conference held in April re-evaluated many of the old regulations and the merits of new proposals, as well as their impact on the health care industry in general and pharmaceuticals in particular.

Richard Epstein

James Parker Hall Distinguished Service Professor of Law

"Phew!" *The Wall Street Journal* A10 (June 29, 2001).

"Through the Smog: What the Court Actually Ruled," *The Wall Street Journal* A22 (March 1, 2001).

The Vote: Bush, Gore and the Supreme Court, published on-line at <http://www.thevotebook.com/> (University of Chicago Press 2001) (editor with Cass R. Sunstein).

"In Such Manner as the Legislature Thereof May Direct": The Outcome in *Bush v. Gore* Defended," 68 *University of Chicago Law Review* 613 (2001), reprinted in *The Vote: Bush, Gore and the Supreme Court*, at <http://www.thevotebook.com/> (2001).

"Afterword: Whither Electoral Reforms in the Wake of *Bush v. Gore*," in *The Vote: Bush, Gore and the Supreme Court* at <http://www.thevotebook.com/> (2001).



Affirmative Action: A panel on Affirmative Action sponsored by the Latino Law Students Association, the Black Law Students Association, and the Asian American Law Students Association was moderated by Professor Mary Anne Case, right, on February 16, 2001. Joining her were Sumi Cho from De Paul Law School, center, and Adrienne Davis, left, who will be a visiting professor at the Law School in the fall of 2002. The panel was completed by Professor Richard Epstein and columnist and Bush-administration cabinet nominee Linda Chavez.

"Standing and Spending—The Role of Legal and Equitable Principles," 4 *Chapman Law Review* 1 (2001).

"The Economics of Tort Law: A Hurried and Partial Overview," 10 *Kansas Journal of Law & Public Policy* 59 (2000).

"Vicarious Liability of Health Plans for Medical Injuries," 34 *Valparaiso Law Review* 581 (2000).

"The Uneasy Marriage of Utilitarian and Libertarian Thought," 19 *Quinnipiac Law Review* 783 (2000).

"Deconstructing Privacy: And Putting it Back Together Again," 17 (No. 1) *Social Philosophy and Policy* 1 (2000).

"The Necessity for Constrained Deliberation," 24 *Harvard Journal of Law & Public Policy* 159 (2000).

"Impractical Equality," Review of Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality*, 32 *Reason* 60 (October 2000).

"Property Rights in an Age of Transition: The Struggle Between Continuity and Change," in *The Visible Hand: The Challenges to Private Enterprise in the 21st Century* 43, F.W. Rushing ed. (2000).

"The Legacy of Election 2000," *Reason* 47 (March 2001).

"Florida's Lawless Court . . ." *The Wall Street Journal* A40 (December 11, 2000).

"The Only Fair Way," *The National Review* 37 (December 18, 2000).

"End It Now," *The Wall Street Journal* A26 (November 26, 2000).

"Competing to Make Medicare Worse," *The New York Times* A31 (September 7, 2000).

Elizabeth Garrett
Professor of Law

"Institutional Design of a Thayerian Congress," 50 *Duke Law Journal* 1277 (2001) (with Adrian Vermeule).

"Political Intermediaries and the Internet 'Revolution,'" 34 *Loyola Los Angeles Law Review* 1055 (2001).

Cases and Materials on Legislation: Statutes and the Creation of Public Policy (3d ed. 2001) (with William N. Eskridge, Jr. and Philip P. Frickey).

"Issues in Implementing Referendums in Israel: A Comparative Study in Direct Democracy," 2 *Chicago Journal of International Law* 159 (2001).

"Money in the Initiative and Referendum Process: Evidence of its Effects and Prospects for Reform," in *The Battle Over Citizen Lawmaking* 73, Waters ed. (2001) (with Elisabeth R. Gerber).

"The Congressional Budget Process: Strengthening the Party-in-Government," 100 *Columbia Law Review* 702 (2000).

"Interest Groups and Public Interested Legislation," 28 *Florida State University Law Review* 137 (2000).

Jack Goldsmith
Professor of Law

"The Internet and the Dormant Commerce Clause," 110 *Yale Law Journal* 785 (2001) (with Alan O. Sykes).

"Treaties, Human Rights, and Conditional Consent," 149 *Pennsylvania Law Review* 399 (2000) (with Curtis Bradley).

"Should International Human Rights Law Trump U.S. Domestic Law?" 1 *Chicago Journal of International Law* 327 (2000).

"The Internet, Conflicts of Regulation, and International Harmonization," in *Governance in the Light of Differing Local Values*, Engel and Keller, eds. (2000).



Tax Conference: The Fifty-Third Annual Federal Tax Conference was held at the University Club of Chicago last November, with the theme "The Tax Law Stretches to Cover the New Economy."

Philip Hamburger

John P. Wilson
Professor of Law
"Liberalism," 78 *Texas Law Review* 1215 (2000).

Jill Hasday

Assistant Professor of Law
"Contest and Consent: A Legal History of Marital Rape," 88 *California Law Review* 1373 (2000).

Richard Helmholz

Ruth Wyatt Rosenson
Distinguished Service Professor and Arnold and Frieda Shure Scholar
The ius commune in England: Four Studies (Oxford University Press 2001).

"Richard Hooker and the European *ius commune*," 6 *Ecclesiastical Law Journal* 4 (2001).

"Law, Canon," in *Tudor England: An Encyclopedia*, Arthur F. Kinney and David Swain, eds. (Garland Publishing 2001).

"The *litis contestatio*: Its Survival in the Medieval *ius commune* and Beyond," in *Lex et Romanitas: Essays for Alan Watson*, Michael Hoeflich, ed. (University of California Press 2000).

"Brian Simpson in the United States," in *Human Rights and Legal History: Essays in Honour of Brian Simpson*, Katherine O'Donovan and G. R. Rubin, eds. (Oxford University Press 2000).

"Independence and University in England's Manorial Courts," in *Seigniorial Jurisdiction*, Lloyd Bonfield, ed. (Dunker & Humblot Press 2000).

"Scandinavian Law and English Law: An Historical Sketch and a Present Opportunity," in *Family Marriage and Property Devolution in the Middle Ages*, Lars Ivar Hansen, ed. (University of Tromsø Press 2000).

Review of Peter Stein, *Roman Law in European History*, 51 *Journal of Ecclesiastical History* 367 (2000).

Review of Frank Roumy, *L'Adoption dans le droit savant du XIIe au XVI siècle*, 117 *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kan. Abt.* 575 (2000).

Review of Patrick Wormald, *The Making of English Law: King Alfred to the Twelfth Century*, 32 *Albion* 274 (2000).

Mark Heyrman

Clinical Professor of Law
"Mental Health Court: Promises and Limitations," 28 *Journal of the American Academy of Psychiatry & Law* 476 (2000).

"Mental Illness in Prisons and Jails," 7 *University of Chicago Roundtable* 113 (2000).

Dennis Hutchinson

William Rainey Harper Professor in the College, Master of the New Collegiate Division, Associate Dean of the College, and Senior Lecturer in Law
"A Century of Social Reform: The Judicial Role," 4 *The Green Bag* 2d 151 (Winter 2001).



Faith Based Initiatives Conference: Professor Tracey Meares talks with Glenn Loury, professor of economics at Boston University, who delivered the keynote address of the Faith-Based Initiatives and Urban Public Policy conference on March 29. Conference participants discussed the kinds of initiatives churches are engaged in and the historical context of their development, and debated the initiatives' implications for the law.

Supreme Court Review 2000 (ed. with David A. Strauss and Geoffrey R. Stone).

Joseph Isenberg

Harold J. and Marion F. Green Professor of Law
Foundations of U.S. International Taxation, Tax Management Portfolio 900 (Bureau of National Affairs 2001).

William Landes

Clifton R. Musser Professor of Law and Economics
"Harmless Error," 30 *Journal of Legal Studies* 161 (January 2001) (with Richard A. Posner).
"Copyright, Borrowed Images and Appropriation Art: An Economic Approach," 9 *George Mason Law Review* 1 (2000).

"The Social Market for the Great Masters and Other Collectibles" in *Social Economics: Market Behavior in a Social Environment* (Harvard University Press 2000) (with Gary S. Becker and Kevin M. Murphy).

Saul Levmore

Dean and William B. Graham Professor of Law
"Conjunction and Aggregation," 99 *Michigan Law Review* 723 (2001).

"Norms as Supplements," 86 *Virginia Law Review* 1989 (2000).

"Voting with Intensity," 53 *Stanford Law Review* 111 (2000).

"The Public Choice Threat," 67 *University of Chicago Law Review* 941 (2000).

"Carrots and Torts," in *Chicago Lectures in Law and Economics*, Eric Posner ed. (2000).

"Speculative Law: Beyond Cigarettes and Swiss Banks," 2000 Daniel J. Meador Lecture, 52 *Alabama Law Review* 639 (2000).

Douglas Gary Lichtman

Assistant Professor of Law
Telecommunications Law and Policy (Carolina Academic Press 2001) (with Benjamin & Shelanski).

"Strategic Disclosure in the Patent System," 53 *Vanderbilt Law Review* 2175 (2000) (with Baker & Kraus).

Lyonette Louis-Jacques

Foreign and International Law Librarian and Lecturer in Law

Review of *The Pinochet Case: A Legal and Constitutional Analysis*, Diana Woodhouse, ed. (Hart Publishing 2000), in 29 *International Journal of Legal Information* 161 (2001).

"The International Calendar" column, 29 *International Journal of Legal Information* 171 (2001).

"Finding Foreign Law Online When Going Global," *De Juridische Bibliotheecaris* [Dutch Law Library Journal] (Spring 2001).

Catharine MacKinnon

Visiting Professor of Law
Sex Equality (Foundation 2001).

"Disputing Male Sovereignty: On *United States v. Morrison*," 114 *Harvard Law Review* 135 (2000).

"Privacy and Equality: Notes on Their Tension," XXI *La Revue Tocqueville* (2000).

"Collective Harms Under the Alien Tort Statute: A Cautionary Note on Class Actions," 6 *ILSA Journal of International & Comparative Law* 567 (2000).

"Points Against Postmodernism," 75 *Chicago-Kent Law Review* 687 (Symposium on Unfinished Feminist Business) (2000) (also in Chinese).

Andrei Marmor

Visiting Professor of Law
Positive Law and Objective Values (Oxford 2001).

Tracey Meares

Professor of Law and Director for the Center for Studies in Criminal Justice

"Transparent Adjudication and Social Science Research in Constitutional Criminal Procedure," 90 *Journal of Criminal Law and Criminology* 733 (2000) (with Bernard Harcourt).

"Norms, Legitimacy and Law Enforcement," 79 *Oregon Law Review* 391 (2000).

Bernard Meltzer

Edward H. Levi Distinguished Service Professor Emeritus of Law

"Edward H. Levi: In Memoriam," 67 *University of Chicago Law Review* 971 (2000).

Martha Nussbaum

Ernst Freund Distinguished Service Professor of Law and Ethics; Appointed in Law School, Philosophy Department, and Divinity School; Associate in Classics; Affiliate of the Committee on Southern Asian Studies; Board Member, Center for Gender Studies

"Disabled Lives: Who Cares?," Review of: Eva Feder Kittay, *Love's Labor: Essays on Women, Equality, and Dependency*, Michael Bérubé, *Life As We Know It: A Father, a Family, and an Exceptional Child*; and Joan Williams, *Unbending Gender: Why*



Dewey Lecture: Sir Bernard Williams of the University of California, Berkeley and All Souls College, Oxford, delivers the 2001 Dewey Lecture, "From Freedom to Liberty: the Construction of a Political Value" on April 26 in the Weymouth Kirkland Courtroom.

Family and Work Conflict and What to Do About It, in *The New York Review of Books* 34 (January 11, 2001).

Review of Edward Said, *Reflections on Exile*, *New York Times Book Review* 28 (February 18, 2001).

"Animal Rights: The Need for a Theoretical Basis," Review of Steven Wise, *Rattling the Cage: Toward Legal Rights for Animals*, 114 *Harvard Law Review* 1506 (2001).

"India: Implementing Sex Equality Through Law," 2 *Chicago Journal of International Law* 35 (2001).

"Comment," in *Goodness and Advice* (Tanner Lectures of Judith Jarvis Thomson) 97, Amy Gutmann, ed. (Princeton University Press 2001).

The Fragility of Goodness (1986) (updated edition with a substantial new Introduction) (2001).

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"Four Paradigms of Philosophical Politics," 83 *The Monist* 465 (2000).

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Randal Picker

Paul H. Leffmann Professor of Commercial Law; Director, John M. Olin Program in Law and Economics; Senior Fellow, The Computation Institute of the University of Chicago and Argonne National Laboratory

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Eric Posner

Professor of Law

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Richard Posner

Senior Lecturer

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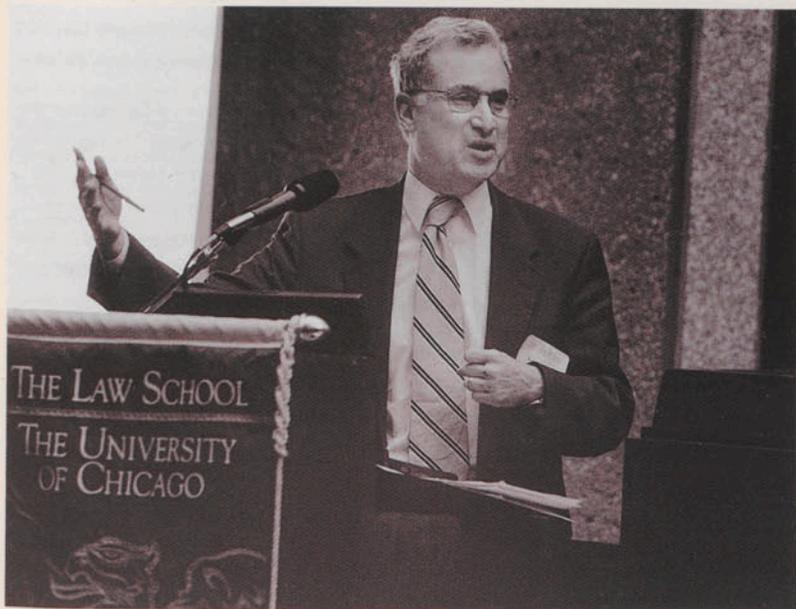
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Health Care Conference: Frank A. Sloan, a professor of economics and health policy and law at Duke University, speaks at the Regulation of Managed Care Organizations and the Doctor-Patient Relationship conference in December. The first in a series of health-care conferences, it brought together a diverse group of scholars, analysts, researchers, and administrators to discuss the implications of the rise of managed care organizations.

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Julie Roin

Professor of Law

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Geoffrey Stone

Provost and Harry Kalven, Jr., Distinguished Service Professor of Law

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David Strauss

Harry N. Wyatt Professor of Law

"Constitutions, Written and Unwritten," 21 *Law and Philosophy* 451 (2000).

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Cass Sunstein

Karl N. Llewellyn Distinguished Service Professor of Jurisprudence

Republic.com (Princeton University Press 2001).

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THE UNIVERSITY OF CHICAGO



THE LAW SCHOOL
ANNOUNCES

RATIONAL CHOICE AND INTERNATIONAL LAW

FRIDAY, APRIL 27TH
SATURDAY, APRIL 28TH
2001

Rational Choice & International Law Conference: Held in April, the Rational Choice and International Law conference brought together prominent rational-choice-minded scholars from law and political science to increase our understanding of international law.

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Alan McHughen, *Pandora's Pic-
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Groups Go To Extremes,"
110 *Yale Law Journal* 71
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Alan Sykes

Frank and Bernice Greenberg
Professor of Law

"Subrogation and
Insolvency," 30 *Journal of
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Clause and the Internet,"
110 *Yale Law Journal* 785
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standing: Damages or Specific
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"An Introduction to Regression
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Adrian Vermeule

Professor of Law

"The Cycles of Statutory
Interpretation," 68 *University
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Elizabeth Garrett).

"The Judicial Power in the State
(and Federal) Courts," 2001
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"Interpretive Choice," 75
*New York University Law
Review* 74 (2000).

David Weisbach

Professor of Law

"The Failure of Disclosure as
an Approach to Shelters," 54
*Southern Methodist University
Law Review* 73 (2001).

Diane Wood

Senior Lecturer

"Techniques of Judicial
Federalism," Working Paper
X, Panel Three: Courts and

Judges, *European Competition
Law Annual: 2000, The
Modernization of EC
Antitrust Policy* (2001).

"The Evolution of Antitrust
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Twenty-Five Year Stocktake*,
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Williams, eds. (Federation
Press: Australia 2001).

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Courts: The Role of the
Judge," ch. 19 in *Expanding
the Boundaries of Intellectual
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the Knowledge Society*, R.
Dreyfuss, D. Zimmerman, and
H. First, eds. (Oxford 2001).

"Tributes: the Honorable
Richard A. Posner," 17 *The
Journal of Contemporary
Health Law and Policy* ix
(Winter 2000).

Significant Achievements Related to the Clinical Programs

Mark Heyrman

Lucas v. Peters, 318 Ill. App.
3d 1 (1st Dist. 2000). Injunctive
relief granted on behalf of a
class of 75 persons confined at
Elgin Mental Health Center
requiring that the staff exercise
individualized professional
judgment concerning the
placement of the class
members rather than simply
assigning them all to one facility
based upon their status as
persons acquitted by reason of
insanity of criminal charges.

Cross v. Staples, No.1-99-3174
(May 1, 2001, Ill. App. Ct.) The
Appellate Court's decision
holds that a person confined in
a state hospital following an
acquittal by reason of insanity

cannot be transferred to a
more secure setting without
an administrative hearing. This
decision breaks new ground in
that it applies procedural pro-
tections available to "civil"
patients to persons acquitted
by reason of insanity and requires
hearings prior to transfers
within a hospital to a more
restrictive unit, not just
transfers between hospitals.
The decision renders illegal a
long-standing policy that
allowed hospitals to deprive
patients of their liberty often
for reasons of administrative
convenience, rather than
clinical judgment. More than
two hundred and fifty persons
will be affected.

Patricia Lee

Award recipient of the 2001
Ernst & Young Entrepreneur
of the Year Award in the
category of Community
Service for Illinois and North-
west Indiana and finalist in
the International competition
held in Palm Desert,
California in November 2001.

Dismissals of several regula-
tory matters brought by the
Department of Consumer
Services against three small
independent taxicab affiliation
companies on June 7, 2001
before the Department of
Administrative Hearings.

Expansion of Tasty Delite
International, Inc's distribution
of its seasoned coating mix
into Safeway, Walgreens, and
Jewel Osco stores.

Randolph Stone

Participated in a Web video
forum discussion on death
penalty issues at Columbia
University, featured and still

showing on fathom.com, a
consortium of select
universities and museums
(January 2001).

Accepted an Award to the
Mandel Clinic for Excellence
in Pro Bono and Public
Interest from the United
States District Court for the
Northern District of Illinois
and the Chicago Chapter of
Federal Bar Association
(March 2001).

Appointed by the Illinois
Supreme Court to Chair a
Capital Litigation Trial Bar
Screening Committee
(May 2001).

Appointed by the President of
the American Association of
Law Schools to the Steering
Committee for establishing
Equal Justice Colloquia at 19
law schools around the country
promoting collaboration
between law school faculties
and legal service providers.

Filed an amicus curiae brief in
the Illinois Supreme Court on
behalf of 20 individuals and
organizations arguing the
unconstitutionality of a
mandatory life with no parole
statute as applied to a
15-year-old unarmed lookout
in a gang related shooting.

Participated in a two-year
"Executive Session on Public
Defense" colloquium sponsored
by the U.S. Department of
Justice, the J.F.K. School of
Government at Harvard
University, and Harvard Law
School, designed to improve
the quality of legal representation
to the indigent.

Appointed to the Governor's
Commission to Rewrite the
Illinois Criminal Code.

Books

Books by Faculty

Albert W. Alschuler. *Law Without Values: The Life, Work, and Legacy of Justice Holmes.* University of Chicago Press, 2000.

Douglas G. Baird. *Elements of Bankruptcy.* Foundation Press, 3d edition, 2001.

David Currie. *The Constitution in Congress: The Jeffersonians 1801-1829.* University of Chicago Press, 2001.

Elizabeth Garrett. *Cases and Materials on Legislation: Statutes and the Creation of Public Policy.* With William N. Eskridge, Jr. and Philip Frickey. West, 3rd edition, 2001.

Joseph Isenbergh. *International Taxation.* Foundation Press, 2000

Douglas Lichtman. *Telecommunications Law and Policy.* Carolina Academic Press, 2001.

Catherine A. MacKinnon. *Sex Equality.* Foundation Press, 2001.

Andrei Marmor. *Positive Law and Objective Values.* Oxford University Press, 2001.

Richard A. Posner. *Frontiers of Legal Theory.* Harvard University Press, 2001.

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Cass Sunstein. *Republic.com.* Princeton University Press, 2001.

Cass Sunstein and Richard Epstein, eds. *The Vote: Bush, Gore, and the Supreme Court.* University of Chicago Press, 2001.

Books by Alumni

Michael Conant, '51. *Constitutional Structure and Purposes.* Greenwood Publishing, 2001.

Ross Davies, '97. *Fuller & Washington at Centuries' Ends.* Green Bag Press, 1999.

Edward de Grazia, '51. *Girls Lean Back Everywhere: The Law of Obscenity and the Assault on Genius.* Vintage.

Linda Hirshman, '69. *A Woman's Guide to Law School.* Penguin Books, 1999.

Phillip E. Johnson, '65. *Criminal Law: Cases, Material and Text.* West Group, 2000.

Cases and Materials on Criminal Procedure. West Group, 2000.

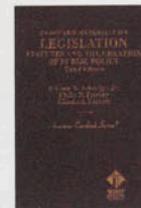
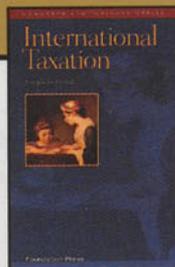
David Kessler, '78. *A Question of Intent: A Great American Battle with a Deadly Industry.* Public Affairs, 2001.

Peter Langrock, '60. *Beyond the Courthouse: Tales of Lawyers and Lawyering.* P.S. Eriksson, 1999.

George Liebmann, '63. *Solving Problems Without Large Government.* Praeger Publishers, 2000.

Jeffrey Martin, '78. *A Lawyer Briefs the Big Question.* Bristol House, 2000.

John Mauck, '72. *Paul on Trial: The Book of Acts as a Defense of Christianity.* Thomas Nelson Publishing, 2001.



Bruce Nortell, '71. *The Third Chair.* Lendronic, 2001.

Stephen O'Bryne, '77. *EVA and Value-Based Management. With David Young.* McGraw-Hill Professional Publishing, 2000.

Jeffrey Parness, '74. *Advanced Civil Procedure: Civil Claim Settlement Laws.* Carolina Academic Press, 2000.

Jody Raphael, '69. *Saving Bernice: Battered Women, Welfare and Poverty.* Northeastern University Press, 2000.

David Rothman, '62. *California Judicial Conduct Handbook.* West Group, 1999.

Steven Segaloff, '00. *Seat with a View: Inside the 1996 U.S. Olympic Men's Crew.* iUniverse Publishing Services, 2000.

Herbert Jay Stern, '61. *Trying Cases to Win: Evidence.* Aspen Law & Business, 2000.

James Thayer, '74. *Force 12.* Simon & Schuster, 2001.

Robin Tuerks, LL.M. '99. *Depotstimmrechtspraxis versus U.S. Proxy System.* C.H. Beck, 2000.

Gerhard Volz, LL.M. '90. *The Organisations of World Economy.* Oldenbourg, 2000.

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TELECOMMUNICATIONS LAW AND POLICY

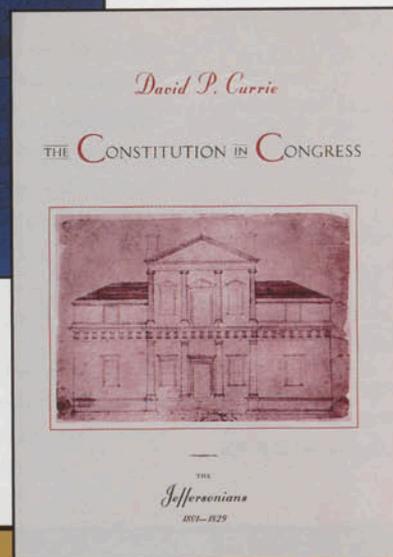
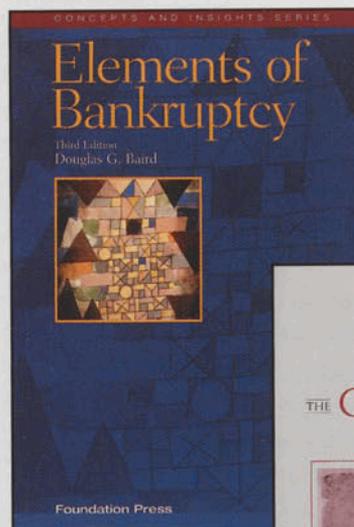
Stuart Mince Benjamin
Douglas Gary Lichtman
Howard A. Shelanski

Carolina Academic Press

SEX EQUALITY

CATHERINE A. MACKINNON

UNIVERSITY CASEBOOK SERIES



Albert Alschuler reveals another side to Oliver Wendell Holmes Jr. in new book on former Supreme Court Justice



Albert Alschuler

In his recent book, *Law Without Values: The Life, Work, and Legacy of Justice Holmes* (University of Chicago Press, 2000), Albert Alschuler, the Wilson-Dickinson Professor in the Law School, offers a fresh and controversial view of legendary Supreme Court Justice Oliver

Wendell Holmes Jr., who served on the high court from 1902 to 1932. Alschuler, one of the preeminent criminal law scholars in the United States, takes issue with the prevailing view of Holmes as a wise and benevolent giant of American jurisprudence. Alschuler grants Holmes's extraordinary influence but argues that his legacy was mostly pernicious.

What was the genesis of your negative view of Holmes?

When Provost Geof Stone was dean of the Law School he encouraged me to develop a course on 20th-century American legal theory. The more I looked into Holmes's work and his influence on later American thinkers, the more I became convinced that his impact on law was unfortunate. There have been many recent studies of Holmes, nearly all of them adulatory. Law students are taught that Holmes led a revolt against formalism at the beginning of the 20th century. I agree that there was an intellectual revolution at that time, but it was not a revolt against formalism. It was a revolt against natural law—the long-held belief that some things could be truly right or wrong and that law was about more than satisfying the tastes and interests of particular individuals and particular groups. The older way of thinking about things has all but disappeared. Holmes and other American jurists of the late 19th and early 20th centuries, though often painted as adversaries, actually were all committed to this remarkable transformation of legal philosophy.

When did people begin to think of Holmes as a larger-than-life person?

Holmes was not a particularly noted or revered Supreme Court justice until he was about 80 and had been on the court for more than 15 years. Then a circle of talented young men, including the future

Supreme Court justice Felix Frankfurter, attached themselves to Holmes and initiated what amounted to a public relations campaign. This campaign created a mythic Holmes. But I certainly don't deny that much of Holmes's reputation is deserved. He was brilliant, wrote much memorable prose, and got the two most important constitutional issues of his time right when most of the court got them wrong: freedom of expression and the permissibility of social welfare legislation.

How did Holmes's life affect his legal and ethical philosophies?

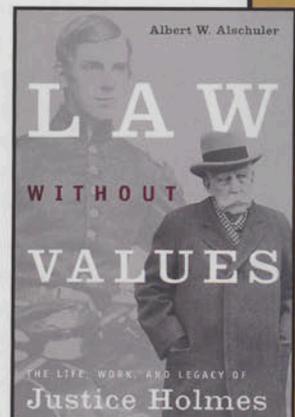
Prior to the Civil War, Holmes was an abolitionist and participated in anti-slavery meetings. He dropped out of college at the outset of the war to enlist, fought for three years, was wounded three times and almost died. His letters describe hideous battlefield experiences. After his third wound, he was disappointed that his foot was not amputated because losing his foot would have ended his time as a soldier. Following the war, Holmes belittled his own abolitionism as well as all other isms. His horrific experiences together with the Social Darwinism of his age led him to see life as a struggle in which might makes right. This philosophy guided his judicial opinions and scholarly writings.

One of the reviewers of your book said you rely too much on Holmes's letters, in which he intentionally tried to shock people.

Holmes stated his views in particularly brutal ways in his correspondence, but he voiced precisely the same sentiments in his public pronouncements. You may discount the letters a bit for rhetorical overstatement if you like, but don't discount them altogether.

How does the law today reflect Holmes's skeptical view of life?

There are two brands of skepticism in American law. The milder form is utilitarian pragmatism—basically, interest balancing. That's what Law and Economics is about, and you see it in many Supreme Court opinions: "The defendant's fundamental liberty interest is outweighed in this case by a compelling governmental interest." Law and Economics gives every human desire the same weight as every other, and the goal is to satisfy as many wants as possible. That's what I call the mild brand of skepticism. What I call the piquant brand sees law simply as the exercise of power. Holmes



endorsed this more extreme view. He did not believe in the greatest good for the greatest number; he believed that to the victor belong the spoils.

What were Holmes's views of race and gender?

Though Holmes's defenders, including passionate defenders among my colleagues, argue that his racism and sexism were no greater than the norm of his age, I argue that they were harsher than the norm. But he did associate with Jews and Catholics—particularly his colleague Louis Brandeis and the young intellectuals who idolized him—at a time when others of his background disapproved of doing so.

What do you see as the most lasting negative impact of Holmes's philosophy?

Holmes was a key figure in a skeptical revolution that greatly influenced American jurisprudence. Since Plato, there has been a divide between moral realists and moral skeptics. For most of Western history, the Socratic notion that some things really can be right and wrong dominated moral and legal thought. Today the skeptics are ascendant. The prevailing view is that we make up right and wrong as we go along. Holmes said that we should look at law from the perspective of a self-interested bad man who cares only about material consequences. He saw law as simply a system of pricing.

Cass Sunstein examines the evolution of the democratic process in the information age

Cass Sunstein's most recent book, *Republic.com* (Princeton University Press, 2001), is a critique of the Internet and its impact on the democratic process. Sunstein, the Karl N. Llewellyn Distinguished Service Professor of Jurisprudence, is a noted scholar of constitutional law. This year he was also a contributor to *The Vote* (see page 14).

Republic.com has generated considerable interest and heat. Would you recap the genesis of the project and your principal goals in writing it?

The genesis was probably my work on a presidential advisory committee on television and the public interest. My major goal was to emphasize how democracy requires unchosen, unanticipated exposure, and something like a shared culture.

You've found yourself in the unusual position of being criticized by some who see you favoring governmental restrictions on free speech on the Internet. How do you respond?

Some government regulation is inevitable, in the form of property law, tort law, and contract law. Some restrictions on speech, as in regulation of child pornography, libel, and conspiracy, are desirable. In terms of additional restrictions, my book ventures some ideas, but it doesn't endorse any of them. Some people are so allergic to restrictions on speech that they're really opposed to thinking about things in pragmatic terms, which isn't very healthy. Of course most restrictions on speech should be avoided.

What are other significant ways in which you think your views in the book have been misinterpreted?



Cass Sunstein

The book has been taken as an attack on the Internet, which it really isn't. From every standpoint, the Internet is more good than bad. The topic is how to make democracy work better.

Would you discuss your notion that on the Internet, ideas are reduced to commodities?

I wouldn't quite put it that way. Instead, I think we should evaluate the Internet in terms of what it does for democracy, not just markets.

Among your proposals is the creation of "deliberative domains." Can you explain what these are and how they would enhance the value of the Internet to a healthy democracy?

The idea is to have "places" where different people, with different perspectives, discuss public issues. This would be desirable because it would tend to reduce social fragmentation. It isn't great when like-minded people are just speaking to one another. That's actually one of the major themes of the book. I learned it largely from the University of Chicago, where intellectual diversity is a great strength, and where we do best when we disagree with each other.

The Internet experience, like the hundreds of cable channels available or an equal number of highly specialized magazines, seems to lead inevitably to an atomized society. Are you hopeful that there will be an awareness of the need for countervailing experiences to balance this trend?

Yes. Many people are curious. But law professors should stay out of the prediction business, I think. The most important thing is to try to point to potential problems.

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Approaching Legendary Proportions

When last year's vice-presidential debate between Joseph Lieberman and Richard Cheney ended, a few family members and a handful of dignitaries came onto the stage to congratulate the candidates.

Among those dignitaries was James H. Evans, '48. Perhaps that's because the debate was held at Evans's undergraduate alma mater, Centre College, where he had been a longtime member of the board of trustees and chairman of that board for seven years. Perhaps it's because Cheney served for several years as a director of Union Pacific Corporation, the company Evans ran, first as president, then as chairman and CEO, between 1969 and 1985.



James H. Evans

Or perhaps it's just because Jim Evans can be found virtually anywhere that important civic undertakings are taking place. He has manifested an extraordinary commitment to civic betterment throughout his career, having served as—among other things—vice chairman and trustee of the John F. Kennedy Center for the Performing Arts, trustee of the Rockefeller Brothers Fund, a member of the board of governors of the American National Red Cross and of New York Hospital, a member of the executive committee of the White House Preservation Fund, chairman of the Central Park Conservancy in New York, and founding chairman (and a life trustee) of the National Recreation and Park Association.

He has provided his expertise to prominent efforts to improve the functioning of government, including the Grace Commission's exhaustive search for ways to reduce government spending and the Council on Foreign Relations's 1998 report, "Making Intelligence Smarter." He was a founding member of the Citizens Advisory Committee on Environmental Quality.

He served as a Navy Lieutenant during World War II before entering the Law School in March 1946. He became an editor of the *Law Review*. Upon graduation, after seriously considering an invitation to clerk for Chief Justice of the United States Fred M. Vinson—also a Centre College graduate—he joined Harris Trust & Savings Bank of Chicago as assistant to the president. This decision followed the strong advice of Professor

INSIDE

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George G. Bogert, for whom Evans had worked. A Life Trustee of the University of Chicago, Evans is currently serving a second term on the Law School Visiting Committee. Last year he was named the first chairman of the University's newly-created Phoenix Society, which honors individuals who make estate commitments or life-income arrangements to benefit any area of the University.

Dean Levmore says, "There's one thing I have learned rather quickly from my conversations with previous deans and concerned alumni—few names are spoken with the respect and admiration that Jim Evans's name evokes. Getting to know him is a pleasure I anticipate. His vision and wisdom, his generosity with his time, and the consistent personal graciousness of Jim and his wife, Mary, approach legendary proportions."

Among the many noteworthy developments during Evans's leadership of Union Pacific were the accomplishment of the complex merger that created what is now by far the nation's largest and most profitable railroad system, and the farsighted diversification of the company into a natural-resources giant.

It is apparent that he achieved near-legendary status among his corporate peers as well: he has been a director of companies that include Citicorp, General Motors, AT&T, Anaconda Corporation, Dun & Bradstreet, Bristol-Myers, and Metropolitan Life, and he was co-chairman of The Business Roundtable.

In a *New York Times* interview that was published when he assumed Union Pacific's presidency, Evans discussed the determination it took to master the intricacies of his diverse previous jobs, which included the presidency and chairmanship of The Seamen's Bank for Savings and a vice presidency and directorship at Dun & Bradstreet. "It meant sometimes working twenty hours a day," he said. Even twenty hours a day seems barely enough to account for all Jim Evans has accomplished and contributed.

Who Gets to Keep the Notes?

Since he joined the Recording Industry Association of America (RIAA) in the fall of 1999 as associate counsel, Stanley Pierre-Louis, '95, has helped litigate some of



Stanley Pierre-Louis

the most significant cases in the new economy: the suits against Napster, MP3.com, and Scour that helped define the boundaries of a legitimate online marketplace.

Pierre-Louis's impressive résumé includes a clerkship with Judge David A. Nelson of the U.S. Court of Appeals for the Sixth Circuit and work as an associate at Washington, D.C.-based Shea & Gardner, where he focused on copyright and constitutional law. Currently, Pierre-Louis serves on the Visiting Committee of the Law School. He is also a frequent panelist on copyright matters and serves on the board of directors of the Washington Area Lawyers for the Arts, a non-profit organization that provides pro bono legal services and sponsors training seminars for local artists.

This former *Law Review* editor is also an accomplished bassist and pianist who played in the University's symphony orchestra while at the Law School. However, Pierre-Louis says that it's more than just nice to follow his own passion, that his musical background actually informs his perspective and helps him appreciate the real-world consequences of the positions that his organization stakes out. "It's incontrovertible that the unauthorized distribution of music affects someone at every level of the process," he says, adding that he appreciates the opportunity to litigate issues that have such broad consequences for consumer choice, intellectual property rights, First Amendment rights, and the financial viability of the recording industry.

Pierre-Louis credits the Law School for helping him prepare for this role: "Chicago is an intellectually charged environment that requires deeper understanding than simple black letter law." Since many of his cases hinge on theories that have no legal precedent, thinking beyond the written word is essential. For that skill, he thanks the training and mentoring of the Law School faculty, particularly Professors Douglas Baird, Dennis Hutchinson, and Cass Sunstein.

His advice to students interested in music law? Realize that the relationship between intellectual property and technology will be the key to moving forward, and the only way to start understanding that relationship is to engage in the discussion, which includes a healthy divergence of views. "Ultimately," he says in good Chicago fashion, "the market—whether defined as consumer preferences or the marketplace of ideas—will light the path."

"A Man Who Knows the Law"

On February 1 of this year, John Ashcroft, '67, was confirmed by the Senate as attorney general of the United States. In nominating him, President Bush called Ashcroft "a man of great integrity, a man of great judgment, and a man who knows the law."

Ashcroft is the fourth graduate of the Law School to serve as attorney general of the United States. The others were Ramsey Clark, '51, (1967–1969), Robert Bork, '53, (1973–1974), and Edward Levi, '35, (1975–1977).

Recent Law School graduates joining the Justice Department under Ashcroft include Howard Nielson, '97, as counsel to the attorney general, and James Ho, '99, as special assistant to the assistant attorney general for civil rights.

Ashcroft, who was born in Chicago, entered the Law School after earning a B.A. in history with honors from Yale. He has described the Law School as "having had as arduous a set of rigorous demands as any place in the country . . . analytical and hard-nosed . . . not a touchy-feely place."



John Ashcroft

In 1965, he met Janet Roede, who was a year behind him at the Law School. The two married after she graduated and have been married for 33 years. Until recently, Janet Ashcroft taught business law at Howard University. The Ashcrofts have three children: Martha, an attorney in Kansas City; John, a professor at Forest Park Community College in St. Louis; and Andrew, on active duty with the United States Navy.

Ashcroft became a law professor at Southwest Missouri State University in 1967. In 1973, the governor of Missouri, Kit Bond, appointed him to the job of state auditor. Ashcroft then became an assistant to the Missouri attorney general, John Danforth, in 1974, and was elected Missouri attorney general in 1976. He served two terms in that post, and then was elected governor of Missouri in 1984. He was reelected in 1988 by 64 percent, the largest percentage of any Missouri governor since the Civil War.

Leaving office after his governorship, he practiced law before winning election to the U.S. Senate from Missouri in 1994. While in the Senate, he served on the Judiciary, Commerce, Science and Transportation, and Foreign Relations committees, and chaired subcommittees on Consumer Affairs, Africa, and the Constitution.

John and Janet Ashcroft have both distinguished themselves not only in legal practice and public service, but also in outside activities and service to the Law School. John served on the Law School Visiting

Committee twice, from 1979 to 1982, and again from 1984 to 1987. Janet served on the Visiting Committee from 1996 to 1999. The Ashcrofts co-authored two textbooks, *Law for Business* and *It's the Law*. John published *Lessons From a Father to His Son*, a tribute to his father's wisdom, in 1998.

John Ashcroft's widely varied hobbies include riding dirt bikes on his farm, riding motorcycles, driving his 1973 yellow Mustang convertible, writing gospel songs, fishing, hiking, and tennis.

Breaking New Ground

Mary Murphy Schroeder, '65, chief judge of the U.S. Court of Appeals for the 9th Circuit, was one of five women recently honored by the American Bar Association Commission on Women in the Profession with its prestigious Margaret Brent Women Lawyers of Achievement Award. Previous award winners have included such notables as U.S. Supreme Court Justices Sandra Day O'Connor and Ruth Bader Ginsburg.



Mary Murphy Schroeder

Presented in August at the ABA's annual meeting in Chicago, and named for the first woman lawyer in America, the award honors outstanding women lawyers who have achieved professional excellence in their area of specialty and have actively paved the way to

success for other women lawyers.

Judge Schroeder's own pioneering career began after she received her degree from the Law School in 1965. After working as a trial lawyer for the U.S. Department of Justice, then as a law clerk for the Arizona Supreme Court, she joined the Phoenix law firm of Lewis & Roca, achieving the distinction of being the first woman partner in any law firm in the Rocky Mountain/Southwest region.

In 1975, she became the youngest member of the Arizona Court of Appeals. In 2000, after twenty years of service as a circuit judge on the 9th Circuit Court of Appeals, she was named chief judge of that court—the first woman to hold that position.

Dean Levmore said, "In addition to all her other dazzling accomplishments, Judge Schroeder has worked to improve the lives of women and minorities across the United States throughout her career. We are lucky to have her for another term on the Law School's Visiting Committee. Her vision and leadership are deeply appreciated."

Tribal Counsel

When Robert N. Clinton graduated from the Law School in 1971, the last thing he expected to become is what he is today: perhaps the country's leading authority on federal Indian law; chief justice of the Winnebago Supreme Court, which hears appeals from



Robert Clinton

the tribal courts of the Winnebago tribe of Nebraska; and an associate justice of the Cheyenne River Sioux Tribal Court of Appeals.

He did know back then that he wanted to teach, and that is something that he also does today, having recently relocated

from the University of Iowa College of Law, where he taught from 1973 until last year, to the Arizona State University College of Law, where he now holds the Barry Goldwater Chair of American Institutions. The Goldwater chair, rotated annually among departments, is the most prestigious academic position at the university.

Clinton, who is not himself Native American, says two events that occurred shortly after he arrived at Iowa—after two years as an associate at Devoe Shadur & Krupp in Chicago—persuaded him that Indian law merited attention. He worked on the discovery brief for the appeal of American Indian Movement leaders Russell Means and Dennis Banks, arising from the dramatic standoff at Wounded Knee, only to see government prosecutors violate the discovery order. That violation, which led the presiding District Court judge to say he was "ashamed" of the government's handling of the case, led to the dropping of charges against Means and Banks.

Then, while working at Iowa's legal clinic, he represented a Meskwaki man and succeeded in having the man's state-court conviction vacated, arguing that jurisdiction belonged with the federal government and the tribe to which the man belonged, not the state.

"Native American issues were not only socially important, they were interesting and satisfying work, because they involve not just critical legal policy questions but also deep historical and anthropological issues, which interest me quite a bit," Clinton says. He adds that Soia Mentschikoff's introductory law class was quite helpful to him as he began digging into the field that has today become his specialty.

He is co-author of three texts: *American Indian Law*, *The Handbook of Federal Indian Law*, and *Federal Courts: Theory and Practice*. His expertise seems to land him in newspapers from Maine to Alaska with regularity, and he was the subject of a *New York Times* feature interview on Indian land claims.

He describes his services on the Winnebago and Cheyenne River courts as “a thrilling honor and fascinating work,” but notes that he looks forward to the day when tribal members will take over his seats. Because so many cases require an understanding of traditional practice as well as written law, he is encouraged that there are now perhaps 2,000 Native American lawyers nationwide. “I believe strongly that giving Indians their own voice is critical,” he insists.

Regarding overall issues of Indians’ control of their destiny, he worries about the direction of recent court decisions affecting sovereignty—disputes between states and tribes over the scope of their respective authority in Indian country. Until recently, Indians often prevailed in such disputes, many of them reaffirming the basic federal protections of tribal sovereignty embedded in both the early federal treaties with Indian tribes and in the federal constitution itself. Beginning in the 1980s and accelerating in the last decade, however, the decisions of the Supreme Court more frequently countenance expanding state authority in Indian country by limiting the historic scope of tribal authority in Indian country. “This should not be allowed to continue,” he says. “The most fundamental right tribes and their members have is the right of sovereignty.”

Sustaining a Legacy

Law graduates contemplating careers outside the traditional practice of law need look no farther for a sense of the possibilities than to the extraordinary career of Deborah Leff, ’77.

In June of this year, she took office as director of the John F. Kennedy Presidential Library and Museum, following a stint as president and CEO of America’s



Deborah Leff

Second Harvest, the nation’s largest domestic hunger relief organization. Before that, for seven years she was president and CEO of the billion-dollar Joyce Foundation, and before that, a senior producer at ABC News for nine years, working on *Nightline*, *20/20*, and *World News Tonight with Peter Jennings*, winning Emmy and Peabody awards along the way.

Before that—yes, there were several other impressive career stops—as a trial attorney for the Justice Department’s civil rights division, in the White House working for the appointment of women and minority candidates to federal judgeships, and as director of the office of public affairs at the Federal Trade Commission. She was political director of the National Women’s Political Caucus while still a Princeton undergraduate.

Her commitment to social action began early, shaped by a mother who fled the Nazis and a father who grew up in Chicago as one of six sons of a widowed mother. “I wanted to be a civil rights lawyer for as long as I can remember,” she says. Her studies at the Law School—her clinical experiences in particular—gave her a holistic view of social action, focusing both on direct service to individuals and on forging responsive public policy. She gives an example from her work at America’s Second Harvest: “It was very gratifying each day to know that I had helped put nourishing meals in front of people who needed them; and it was even more important to agitate for legislation and policies that meant fewer people would be hungry in the first place.”

That combination of moving at the individual level and shaking at the policy level has marked all her activities, but there’s also something else about Leff, described by many who know her but perhaps put best by Sunny Fischer, executive director of Chicago’s Driehaus Foundation and a longtime colleague: “Everything Deborah touches becomes magical. She has inspired everyone she’s met.”

In her new job, she’s responsible for sustaining a legacy to which the words “inspiration” and “magic” have also been frequently applied. The Kennedy Library is the most visited of all the presidential libraries. Its 36 million pages of materials, nearly 400,000 photographs, 8 million feet of film, and 9,000 hours of audio recordings are vital scholarly resources. Just as important for Leff is the evocative power of Kennedy’s presidency: “As is true of so many people, a big part of my view of personal and political responsibility was influenced by John Kennedy’s presidency,” she says. “It’s part of my job to sustain the impact that his life had. It’s still hard for me to believe sometimes that I have been entrusted with the honor and privilege—and the huge responsibility—of doing that.”

Leff, who recently completed a term on the Law School’s Visiting Committee, participated in a suit against the Law School during her days as a student, challenging the makeup of the faculty, which at that time consisted entirely of white males. “We were the only major law school back then with zero representation of minorities and women, and I felt something had to be done about that,” she says. Now, she observes, “Things are very, very different. I think the Law School is so much better today, not just the way the faculty ‘looks,’ but the way it feels. There’s rich, brilliant, and respectful interchange among so many different people, even people with very different views; so much sense of so many possibilities.”

Somehow it seems that “possibilities” may always be a word that is associated with Deborah Leff.

Chicago International

International law has been the focus of the career of Guillermo Morales Errazuriz, LL.M. '87, since he left the Law School. After graduation, he joined the international lawyers program of White & Case in New York, where much of his work concentrated on financial transactions. During the summer of 1988, he transferred to the White & Case office in Washington to be involved in regulatory work for the firm's corporate and foreign government clients.

In 1989, he returned to his native Chile to join an established firm and teach at the University of Chile School of Law. He recounts, "On the professional side,



Guillermo Morales Errazuriz

I mostly continued to practice international finance law: bank lending, project finance, and M&A work for the international clients of the firm. On the academic side, I concentrated in international business transactions.

I managed to 'smuggle' into the classroom the heresy of Law & Economics, to the delight of the students and the outright skepticism of my older peers on the faculty."

In 1992, Morales and two colleagues started their own firm in Santiago. "Initially, it was a boutique kind of firm, highly specialized in international and cross-border work, for which there was an acute demand in Chile at the time. Ever since, my firm has been a most remarkable success story. All international publications rank our firm among the top five law firms in the country by every measure." Morales, Noguera, Valdivieso & Besa is now a full-service firm with approximately 30 lawyers and an extensive base of international and domestic clients. It also represents the government of Chile in the capital markets area and in privatizations of state owned enterprises.

Virtually all of Morales' own work has an international dimension, and that has presented him with a challenge: "It's not always easy to bridge the demands of world-class clients in terms of standards of professionalism and sophistication with the local reality—a less than fully developed body of law, an unsophisticated judicial system, and a rather parochial community of legal practitioners."

The global sweep of legal practice today presents him with an additional challenge: "Big multinational providers of legal services such as the consulting firms, accounting firms, and the global law firms are already putting a lot of pressure on the legal market. Our response to globalization has been to emphasize that which is more unique to local law firms: agility, responsiveness, flexibility, and personalization. We

think there is more value here than in the bundling of myriad services or in reaching to every corner of the world under one name."

Guillermo Morales Errazuriz sees his Chicago experience as a fitting preparation for whatever challenges come his way. "The rigorous work at the Law School and the intellectual potency of its professors and students opened up for me a completely fresh and inspiring look at the practice of law that empowered me in every respect," he says.

Fostering Service in the City

Michael Alter, '87, has balanced corporate and philanthropic leadership in Chicago for a number of years. As president of the Alter Group, a national real estate development firm, he oversees more than \$700 million in current projects. Alter also founded City Year Chicago in 1995. City Year Chicago is part of a large national service organization, City Year, which provides young people from 17 through 24 an opportunity for a year of community service and leadership training. It



Michael Alter

is the largest of the organizations that make up Americorps, the domestic Peace Corps initiated by former president Bill Clinton. Alter has been president of City Year Chicago since its founding and was instrumental in arranging for the University of Chicago to

host the organization's annual weeklong convention, which was held on campus in July.

Where did the idea of City Year come from?

It began in college as one of those things students talk about late at night, figuring out how to make a difference in the world. My (Harvard) roommates, Alan Ghazei and Michael Brown, developed the concept as undergraduates and in law school. Right after law school, they started a pilot program in Boston for what they'd decided to call "City Year" and it grew and grew.

When did you become more involved?

Seven or eight years ago, conversations started about replicating the Boston program in other cities to create a national platform. This was when everyone was saying that "Generation X" would never contribute. We believed that young people, if challenged and given an opportunity, would step up and rise to the occasion. We felt that if we could engage young people in this way, it would strengthen our democracy overall by fostering idealism, patriotism, and service. Young people were not the cynics everyone said they were.

And the goals of the national convention?

As we expanded to more cities, we wanted an event that would bring everyone together to celebrate what these young people are doing, and also give them an opportunity to learn from one another and expose them to ideas from political and business leaders and from academics. For our host committee at the July convention on the campus, we had support from a who's who of Chicago's corporate leadership.

What are your programs in Chicago?

First, we tie in with the Chicago Public Schools requirement that all students give a number of hours to community service, and we're working with the CPS on prototype programs to make that service as meaningful as possible. Second, our young people work in literacy programs in partnership with several community organizations and schools. Finally, our "Young Heroes" program brings together kids between nine and thirteen for service and leadership development. We want to take the message of City Year to another generation.

Labor of Love

By the time he was thirty years old, Gilbert A. Cornfield, '54, had argued—and won—two cases before the United States Supreme Court. Today, forty years since those decisions were handed down, he's still tackling big issues on behalf of his cherished clientele: organized labor. He's a name partner in the Chicago-based firm Cornfield & Feldman, whose client roster features nearly a score of union organizations, including two of the largest in Illinois—the Illinois Federation of Teachers (for which Cornfield is general counsel) and the state council of the American Federation of State, Municipal and County Employees.

He has seen big changes in labor's status. Numbers have dwindled—there were more than 150,000 steelworkers in the Chicago metropolitan area when he started practicing law—and attitudes have changed. He can easily recall the time when organized labor was such an esteemed institution that companies and politicians risked grave consequences for even appearing to be anti-union.

"Then," he says, "one day we looked around, and it was just like that scene in *Butch Cassidy and the Sundance Kid* where Butch and Sundance are being chased by these very organized, implacable Pinkerton men, and Butch says, 'Who are those guys?' Times had changed, and we were rather suddenly on the defensive."

Not that he hasn't continued to win his share of cases. Last year, for instance, Illinois state courts upheld the right to unionize of one of his clients, an organization representing several thousand University of Illinois graduate students who handle teaching duties and other employee functions.

Looking back, he recalls with satisfaction winning the first court ruling that party affiliation was an unlawful basis for firing decisions by government officials, arguing that such actions violated the right of free association. "A seventh Circuit justice asked me during oral argument whether this patronage-based decision-making wasn't just the way things had always been done, and why it should be changed. 'Live by the sword, die by the sword,' he said. I answered that we had also lived with racial discrimination for a long time, and now we were finally changing that. It was a time when I think an oral argument actually affected the outcome of a case."



Gilbert A. Cornfield

Racial discrimination is another injustice Cornfield has fought. He worked closely with Martin Luther King, Jr. and other civil rights leaders in Chicago. As an outgrowth of community organizing activities, he represented tenants, largely from Chicago's West Side, in protests against intolerable living conditions. He argued the 1972 case in which the Illinois Supreme Court declared that rents could be withheld when landlords failed to live up to an implied warranty of habitability. Until then, he says, "landlord-tenant law had been very strongly tilted toward the property owner."

His firm is run along the egalitarian lines that he prefers in all social institutions. There is virtually no hierarchy, and there has been no turnover in the firm's recent history except for such personal circumstances as a spouse's relocation. "You have to really care about this work to do it in the first place, especially since the pay is about a third of what could be earned at a big corporate firm. We get great people, and we let them have the freedom to do their jobs," he says.

As for himself, he expresses no expectation of becoming a turnover statistic of any kind. "I 'retired' when I got out of the army in '56," he says. "Ever since then I've just been doing what I want to do, which happens to be practicing labor law."

Law School

Life

EVENINGS 2001

1. **Trivia Contest:** The students again trounced the faculty, 69-42, in the final round of the Trivia Contest April 6.

2. **Law School Musical:** What's in a name? Romie and Julio, the 18th annual Law School Musical, took more liberties with Shakespeare than just his title. While following the tribulations of its Law School lovers, the student-written and -performed production satirized most every aspect of the Law School and its personalities, to the delight of sold-out crowds February 23 and 24.

3. **Film Festival 2001:** A fledgling Law School tradition, the winter Film Festival invites faculty to host screenings and discussions of their favorite law-related films.



LAW SCHOOL
FILM FESTIVAL
2001

6 movies! 6 professors!
every Thursday evening @ 6:15
January 18 - February 22

Fall and will stop a movie selected by a faculty professor who will discuss the film afterward. *Guest and only student poll to attend. *Admission is free.

<p>Jan 18 "The Usual" with Professor Martin Borchert</p> <p>A 1980s action comedy starring Steve Buscemi as a lawyer who is kidnapped. The film is a satire on the legal profession and the justice system. It's a hilarious look at how the law is practiced in the real world.</p>	<p>Feb 1 "The Butler" with Professor David Steiner</p> <p>A 1989 action drama starring Denzel Washington as a former butler who is recruited to help a senator who is being investigated for a scandal. The film is a powerful look at the role of a butler in a household and the challenges he faces.</p>
<p>Jan 25 "Backdraft" with Professor Paul Lewicki</p> <p>A 1991 action drama starring Kurt Russell as a firefighter who is killed in a fire. The film is a powerful look at the sacrifices firefighters make and the challenges they face.</p>	<p>Feb 15 "Point of Order" with Professor Dennis Hutchinson</p> <p>A 1993 courtroom drama starring Al Pacino as a lawyer who is accused of a crime. The film is a powerful look at the challenges of a courtroom and the role of a lawyer.</p>
<p>Feb 1 "Billy Budd" with Professor Richard Lattin</p> <p>A 1962 drama starring Terry Steiner as a sailor who is accused of a crime. The film is a powerful look at the challenges of a sailor and the role of a lawyer.</p>	<p>Feb 22 "The State of the Art" with Professor Tracy Wines</p> <p>A 1987 drama starring Steve Buscemi as a lawyer who is accused of a crime. The film is a powerful look at the challenges of a courtroom and the role of a lawyer.</p>



Moot Court 2001: The Moot Court board this year invited Judges David S. Tatel, '66, of the U.S. Court of Appeals for the D.C. Circuit, Jacques L. Wiener Jr., of the U.S. Court of Appeals for the Fifth Circuit, and Visiting Professor Abner Mikva '51. They heard arguments by Moot Court finalists David Bird, '02, Emily Christiansen, '02, Emanuel Jacobowitz, '02, and Damon Taaffe, '02. Bird and Jacobowitz ultimately prevailed.

Group photo: front, left to right—Tatel, Mikva, Wiener;
back, left to right—Jacobowitz, Taaffe, Christiansen, Bird.





1

1. Nussbaum vs. Posner: The Federalist Society sponsored an October 11 lunchtime debate between Professor Martha Nussbaum and Senior Lecturer Richard Posner on the role of compassion in criminal punishment.

2. Lani Guinier Visit: Harvard Law School Professor Lani Guinier was the featured speaker for the University's Martin Luther King Jr. Day celebration at Rockefeller Chapel. A reception at the Law School followed. Here, Guinier talks to Senior Lecturer Barack Obama.



2

3. Jesse Jackson Jr. Visit: Congressman Jesse Jackson Jr. of Illinois spoke in the Weymouth Kirkland Courtroom on February 19 in an event sponsored by the Black Law Students Association.

4. Asa Hutchinson Visit: Incoming head of the Drug Enforcement Administration Asa Hutchinson spoke at the Law School on February 16, while still a congressman from Arkansas. The visit was sponsored by Law School Republicans.



3

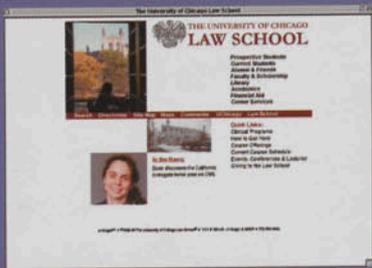
4



Phil Neal Honored for Five Decades of Service.

Chicago law firm Neal Gerber & Eisenberg honored founding partner and former Law School Dean Phil Neal's five decades of service to the legal community in a celebration on June 7.

Here, Lester Munson, '67, associate editor of *Sports Illustrated*, and wife Judith Munson congratulate Neal on his accomplishments.



What's going on at www.law.uchicago.edu?

Among many other things, there's help for prospective students, necessities for current students, informative faculty and scholarship updates, and career planning information and resources.

"In the News" links you to a regularly updated set of articles about our faculty, students, and school. "Events, Conferences & Lectures" enables you to find out what's going on at the Law School and what Law School events are coming up in your local area.

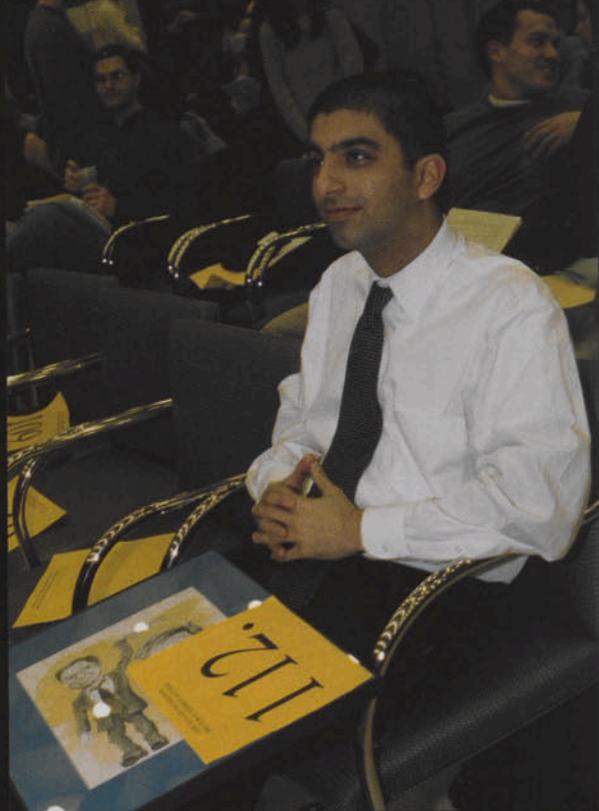
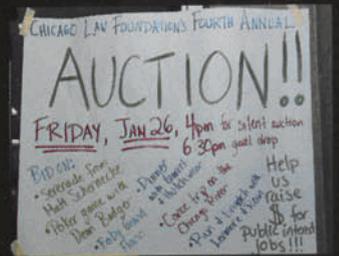
If you make the "Alumni and Friends" page your first stop, you can access those features as well as keeping up connections with fellow alumni through bulletin boards and links to class Web pages, staying abreast of current happenings, reading current issues of the *Record* and *Cornerstones*, and accessing a very broad range of alumni services. Many transactions—such as changing your address, obtaining transcripts, and starting an alumni email account—can either be completed or begun online.

You can return the favor, too! Giving back to the Law School community through volunteering your time and making donations has never been easier: just a click away.

With leadership from Marsha Ferziger Nagorsky, '95, and great support from practically every department and function within the Law School, this Web site is constantly evolving, adding information and functionality. If you have a suggestion or comment regarding the Web site, please contact Marsha at m-ferziger@uchicago.edu.



CLF Auction: The gavel dropped on January 26 for the fourth annual live Chicago Law Foundation Auction to help support summer public interest fellowships for students. The event again featured Professor Richard Epstein as auctioneer.



1929

Walter Berger
April 30, 2001

Berger practiced law in Chicago and also was involved in the construction of many shopping centers. He retired to La Mesa, California in 1977.

1930

Chester Anderson
April 13, 2001

Anderson practiced law for 70 years, retiring in 2000 from the Peoria, Illinois firm of Todd, Morgan, Pendarvis & Arbor.

Milton Durchslag
February 6, 2001

Durchslag and his late brother Harold (Class of 1932) built a law firm specializing in real estate and probate law. They also were real estate developers in both Illinois and Florida. The brothers through their wills established a \$1 million scholarship fund for three students each year at the Law School.

1932

Philip Campbell
May 7, 2001

Campbell began his career as a trial lawyer in Chicago and was a corporate attorney in Chicago, Washington, D.C., New York City, and Ohio. He retired from Borden in 1975.

1933

Elmer Grage
June 8, 2001

Grage practiced law until he served in the military during World War II. After the war, he ran the family-owned decorating-supply company.

William Quinlan
April 14, 2001

Quinlan was the first editor-in-chief of the *Law Review*. During a career that took him from Chicago to Washington, D.C., he primarily represented national associations—including the American Bakers Association and the National Candy Wholesalers Association—and food companies.

Sidney Yates
October 5, 2000

Yates served in the House of Representatives for 48 years, gaining a reputation as a champion of cultural and conservation causes. He served in the House from 1949 to 1963, and again from 1965 until retiring in 1999. When he stepped down, he was the oldest and longest-serving member of the House. He was a leading supporter of the National Endowment for the Arts and the National Endowment for the Humanities. In 1993, President Clinton presented him with a Presidential Citizens Medal for his efforts in promoting the arts and humanities. As a member of the Appropriations Committee, he helped secure federal funding for Chicago-area projects.

1934

James Dunn
September 9, 2000

Dunn practiced trust law in Philadelphia before moving to Sarasota, Florida in the 1960s. He continued to practice law until retiring.

Brimson Grow
August 23, 2000

Grow practiced law in Chicago for many years. He was very active in Baptist institutions, including the Northern Baptist Theological Seminary, where the library is named in his honor.

1935

William Forrester
February 23, 2001

Forrester spent much of his career as a constitutional law professor and dean. He was dean of three law schools—Vanderbilt from 1949-1952, Tulane from 1952-1963, and Cornell from 1963-1973. At the end of his career, he was teaching at the University of California's Hastings College of Law.

Allan Marver
March 18, 2001

After graduation, Marver joined Goldblatt's Department Stores in Chicago in its new legal department and then moved into management. After leaving the company and working in other retail businesses, he returned to Goldblatt's and became president in the early 1960s. He later worked for Ist American Realty Corp. and G.R.I. Corp. He retired in 1985.

Stanley Mosk
June 19, 2001

Judge Mosk at the time of his death was in his 37th year as a member of the California Supreme Court, the longest-serving member in the court's history. He served 15 years on the Superior Court and six years as attorney general. He wrote a total of 1,688 opinions over his career: 727 majority rulings, 550 dissents, and 391 concurrences. His opinions included landmark rulings. He was a leader in a movement among state courts to use their own constitutions to establish individual rights beyond those required under the United States Constitution. Mosk's court opinions established sweeping changes in the law, ranging from new guarantees for criminal defendants to enhanced governmental protection of the environment to widened ability to sue for personal injury.

1937

Frank Aldridge
January 7, 2001

Before retiring to Florida, Aldridge had been the chairman of the board of Aldridge Construction for 50 years. He also had practiced law and had been vice president and director of the Homebuilders Association of Chicagoland.

Jerome Alper
November 3, 2000

Alper retired in the mid-'80s as a partner in Alper, Schoene, Horkin & Mann. He helped draft the interstate compact that created the regional rapid rail system in the Washington, D.C. area.

1938

Marcus Cohn
July 3, 2001

Cohn was a communications lawyer in Washington, D.C., who co-founded the firm of Cohn & Marks in 1944 after working at the Federal Communications Commission. Over the years, he was involved in a variety of landmark cases involving the commercial evolution of television. He was active in many cultural and professional groups and served as a member of the National Council on the Humanities.

Maurice Huebsch
November 20, 2000

After being a prisoner of war in 1945 in Germany, Huebsch returned to Germany to work for the Office of Chief Counsel for War Crimes, where he participated in the prosecution of Alfred Krupp and other company officials. When he returned to the United States, he specialized in workers' compensation law in California. In 1979, he was appointed a judge for the Workers' Compensation Appeals Board in Los Angeles.

1941

Howard Hawkins
July 31, 2000

During World War II, Hawkins served on the staff of the Army's Manhattan District atomic bomb project. Following the war, he worked as counsel to Argonne National Laboratory and the atomic energy subsidiary of Chevron. From 1954 to 1968, he worked for Kern County Land Company in San Francisco. In 1968, he became counsel for Dean Witter and was involved in its going public. He retired in 1981. As both a graduate of the College and Law School, Hawkins was active in alumni activities for the University in the San Francisco area.

John Van de Water
April 14, 2001

Van de Water was a faculty member of the University of California and taught management and industrial relations at its Graduate School of Business. He served as chairman of the National Labor Relations Board in 1981-82 and then was named special assistant to the secretary of labor. He also served on the Federal Services Impasses Panel from 1989-1994.

1947

Ernest Greenberger
May 26, 2001

Greenberger practiced real estate law and helped broker the development of several prominent Chicago properties, including 180 North LaSalle Street and 444 North Michigan Avenue. He started his own firm in 1962, which through mergers became the firm of Schwartz, Cooper, Greenberger & Krauss.

1948

Bernard Weissbourd
November 2, 2000

Weissbourd built Metropolitan Structures, one of the largest commercial real estate development companies in the United States. The firm developed many of Chicago's most recognizable buildings, including One Illinois Center, the Hyatt Regency, and the Mercantile Exchange Center. He also developed Nuns Island in Montreal, one of the first planned, multi-use communities in Canada. Prior to his legal and real estate career, he worked on the Manhattan Project, inventing equipment for the detection of elements. Weissbourd was active in many philanthropic organizations and maintained a lifelong interest in urban affairs. He and his wife, Bernice, founded Family Focus, a community-based family support program. Survivors include his son, Robert Weissbourd, '79.

1950

Richard Samuels

April 14, 2001

Samuels served as a Cook County Circuit Court judge for over 30 years, primarily presiding over criminal cases including murders and other serious felonies. Prior to becoming a judge, he was in private practice and was a Cook County assistant state's attorney.

1951

J. Richard Bockelman

December 23, 2001

Bockelman practiced law at the Chicago firm of Gould & Ratner after graduation for several years. He left the law then to pursue business interests, including owning an art gallery and travel agency. He founded the Near North Association of Condominium Residents in 1988.

H. Charles Ephraim

May 4, 2001

Ephraim practiced in Washington, D.C. for over 30 years, representing clients in a diversified administrative law practice. In 1978-79, he served as president of the Transportation Lawyers Association. Survivors include his son Charles L. Ephraim, '77.

1954

William Holmes Brown

May 27, 2001

Brown served as parliamentarian of the U.S. House of Representatives from 1974 until 1994. He began as an assistant parliamentarian in 1958 and was the author of *House Practice: A Guide to the Rules, Precedents and Procedures of the House*. He also participated in parliamentary development projects in Eastern Europe and Mozambique.

1956

Marshall Patner

December 24, 2000

Patner's legal work in the 1960s and 1970s focused on civil rights, liberties, and activism. In 1968, he argued successfully before the United States Supreme Court a case defending the free speech of activist Dick Gregory, who had been arrested for protesting outside the home of Mayor Richard J. Daley. He was a founder of Business and Professional People for the Public Interest (BPI), an organization devoted to civic issues in Chicago. Through BPI, he challenged utilities on air and water pollution and a plan to build an island airport in Lake Michigan. After he left BPI, Patner specialized in litigation involving shareholders's rights.

1960

Benjamin Alschuler

March 1, 2001

Alschuler was an attorney with an Aurora law firm at the time of his death. Prior to that, he had worked at the firm of Wildman, Harrold, Allen & Dixon for 34 years. He was a member of the board of directors for nearly 30 years. His survivors include his nephew Albert Alschuler, who is the Wilson-Dickinson Professor of Law at the Law School.

Joseph Kane

September 5, 2000

Kane worked for United Airlines from 1975 to 1993, where he held various positions including vice president and secretary. He served as corporate counsel to Allstate Insurance from 1993 to 1999, where he helped transform Allstate from a subsidiary of Sears, Roebuck and Co. into a separate public company.

Jan Schlesinger

September 17, 2000

Schlesinger was brought to the United States as a child to escape the Holocaust. Before being appointed as a judge to the Superior Court of New Jersey in 1992, Schlesinger practiced law for 30 years and was active in various bar associations.

1965

Bruce Ennis

July 29, 2000

Ennis, who was a partner in the Washington, D.C. office of Jenner & Block at the time of his death, was counsel in more than 250 cases before the U.S. Supreme Court. He specialized in First Amendment and mental health law cases. Before joining Jenner & Block in 1981, he was the national legal director of the American Civil Liberties Union. His cases included the Supreme Court case establishing the principle that patients cannot be confined simply because they are ill, and the First Amendment case resulting in the requirement that cable companies carry local broadcasters.

1966

Lawrence Schwartz

October 14, 2000

Schwartz started his career in public service, clerking in the juvenile court in Washington, D.C., working as a public defender, and then for the Center for Law and Social Policy. He then went into private practice, where he did litigation, administrative, and legislative work. Since 1987, he was adjunct professor teaching trial advocacy at George Washington University Law School.

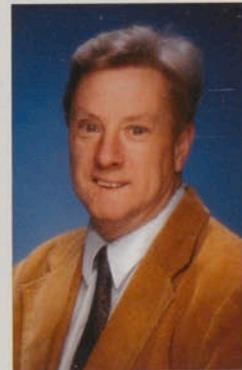
1967

Stephen Yates

December 15, 2000

Yates was a Cook County Circuit Court judge since 1976. Prior to that, he had worked at Ross & Hardies and been an assistant Chicago corporation counsel. In 1994, he became the first Illinois judge to rule that same-sex couples could adopt children. Due to Lou Gehrig's disease, Yates became unable to walk or talk but he was able to continue on the bench and teach classes due to a special computer that would say the words he typed in.

Tom Owens, Librarian



Tom Owens, who retired from the D'Angelo Law Library in June 1997, died on Monday, March 12 at the University of Chicago Hospitals. Everyone who was a student at the Law School between 1976 and 1997 knew Tom Owens very well. He

patrolled the D'Angelo Law Library desk with fierce pride, and engaged anyone and everyone in conversation as they sought to steal their way past him up the steps into the stacks. He was a graduate of Beloit College who took great pride in his college just as he took great pride in the University of Chicago where he worked for 38 years, including 17 years in the Divinity School Library. For many years Tom had undergone treatment for various medical ills and was happy to give us updates on how he was going to lick his illnesses, with or without the cooperation of his doctors. For many years he cheerfully kept his promise, and was able to enjoy four years of retirement with his many friends in the Hyde Park community. We shall surely miss Tom and treasure memories of this University of Chicago original.

Memorial services for Tom were held at Bond Chapel on April 3, 2001. The Law School has established the Thomas Owens Memorial Book Fund in his honor.

1982

Jeffrey Lieberman

June 14, 2000

After graduation, Lieberman worked first for the Chicago firm of Schulyer Roche & Zwirner, and then as a partner at Barack, Ferrazzano, Kirschbaum, Perlman & Nagelberg. Less than a year before his death in a car crash, he joined Paine Webber as corporate vice president and associate general counsel of their central division.

1985

Raymond Goetz

January 11, 2001

Goetz specialized in employee benefits law. He first practiced at Hopkins & Sutter in Chicago and then at Gardner Carton & Douglas. He was preceded in death by his father, Raymond Goetz, '50.

Class Notes Section – REDACTED

for issues of privacy

THE UNIVERSITY OF CHICAGO LAW SCHOOL CLASS OF 2001 LIST OF HONORS

HIGHEST HONORS

Bial, Joseph John
Hollar, David Edward
Mortara, Adam Karl

HIGH HONORS

Blitz, Marc Jonathan
Chase, Irene Jessica
Edney, Michael James
Fairfield, Joshua Allen
Kontorovich, Eugene
Liazos, Theodore C.
Light, Russell
Mead, Gordon McRae Jr.
Mitchell, Jonathan Franklin
Prestes, Brian Scott
Skiermont, Paul J.
Smith, Bradley Thomas
Smith, Stephanie Pauline

ORDER OF THE COIF

Bial, Joseph John
Blitz, Marc Jonathan
Chase, Irene Jessica

Edney, Michael James
Fairfield, Joshua Allen
Hollar, David Edward
Kontorovich, Eugene
Kraus, Katherine Ann Bedard
Liazos, Theodore C.
Light, Russell
Mead, Gordon McRae Jr.
Mitchell, Jonathan Franklin
Mortara, Adam Karl
Phair, Ryan Patrick
Prestes, Brian Scott
Skiermont, Paul J.
Smith, Bradley Thomas
Smith, Stephanie Pauline
Wiechens, Adrienne Katrine
Wright, Jennifer Jean

HONORS

Amerasinghe, Charitha Felix
Banks, Thomas Robinson III
Bates, Jeremy Charles
Berens, Sally Jacoba

Bianca, Salvatore Frank
Blenko, James Crawford
Bradshaw, Thomas Damon
Brown, Gregory David
Brown, Wesley Brandon
Byars, John David
Carreira, Hortensia Suarez
Christensen, Bryon Andrew
Decker, Mereke Evelyn
Dreger, Daniel Erwin
Ellison, Elena Esther
Engel, Samantha Robin
Feehan, Jared Robert
Gihring, Susan Rebecca
Goulka, Jeremiah Elliott
Griffin, Matthew Austin
Hendershot, John Douglas
Henderson, William Drew
Hernandez, Krista Leigh
Hessell, Scott Forrest
Hill, Hamilton Helman
Ho, David T.
Holmes, Lindsey Stewart

Hornstra, Sara Keehr
Johnson, Kristin H.
Karlin, Marni Beth
Katz, Jonathan Ian
Koplow, Bret Michael
Kraus, Katherine Ann Bedard
Krieger, Cameron Rae
Laclare, Michael Lawrence
Liazos, Melissa Georgia
Lin, Daniel John
Malamuth, Eldad Zvi
Mathie, Belinda Irene
McCann, Andrea Kay
McCarthy, Matthew L.
McCaskill, Lindsay Diane
McDermott, Mary Lynn
McRee, Elizabeth Bethea
Morlock, Elizabeth C.
Mossoff, Adam
Murphy, John Michael
Nelson, Melanie Kate
Pasarell, Shelby Kifer
Pelletreau, Elizabeth Anne

Phair, Ryan Patrick
Piropatto, Marissa Ann
Pittard, William Bullock IV
Pokorny, William Richard
Rappaport, Adam Jeffrey
Rohrbacher, Christopher Michael
Rothstein, Mairav
Shenoy, Pratibha Jayakumar
Spector, Daniel Aaron
Tisch, Ryan Christopher
Truitt, Jeffrey James
Tsuchihashi, Martha Frances
Urquhart, Joshua George
Werner, Peter Holland
Wiechens, Adrienne Katrine
Wilber, Gwendolyn Alice
Wood, Katherine Elizabeth
Wright, Jennifer Jean
Yi, Xiaodong

THE UNIVERSITY OF CHICAGO LAW SCHOOL GRADUATING CLASS OF 2001

For the Degree of Master of Laws

Alejandro Alcalá Gerez
Robert Dieter Benedikt
Jose Miguel Carvajal Duhart
Magdalena Claudia Centeno Lappas
Luciana Maria Chamberlain
Bin Cheng
I-Hsun Chou
Rodrigo De Alencar
Jose Antonio De La Puente
Silvain F. Gael Fock-Yee
Nobuo Fuura
Peter Gey
Christian Gude
Eduardo Jose Herszkowicz
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Oliver Hügli
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Marco Stief
LingLing Tie
Ryota Tokida
Francisco Ugarte Larrain
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Yin Wang
Vivian Yin Mei Wong
Maximilian Wuelfing
Masaki Yoshino
Oscar Ignacio Zarhi
Christian Tobias Zentner

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Matthew Quinn Adler
Santiago Francisco Alvarez
Charitha Felix Amerasinghe
Affan Arain
Carl York Baggett
Candace Dohn Banks
Thomas Robinson Banks III
James Chandler Barr
Jeremy Charles Bates
Jonathan H. Becker
Sally Jacoba Berens
Joseph J. Bial
Salvatore Frank Bianca
James C. Blenko
Marc Jonathan Blitz
Thomas Damon Bradshaw
Elizabeth Alexandra Brown
Gregory David Brown
Wesley B. Brown
Joan Susanne Burns
John David Byars
Hortensia Suarez Carreira
Grace Jee Chang
Irene Jessica Chase
Joshua James Chernesky
Martin Seth Chester
Victor Chiu
Bryon Andrew Christensen
Yun Jae Chun
Michael Andrew Clark
Andrew Bruce Cohen
Jennifer Audrey DePalma
Mereke Evelyn Decker
Jon Heath Dixon
Irene Donovan
Daniel Erwin Dreger
John Stephen Durrant
Bryan Isaac Eder
Michael James Edney
Kenneth Rees Eiferman
Elena Esther Ellison
Samantha Robin Engel
David Charles Erroll
Joshua Allen Thomson Fairfield
Jared Robert Feehan
Sorin Anne Feiner
S. Brenna Findley
Michael Terrell Ford III

Karen Jeanette Fried
Ross Harlan Friedman
Scott T. Fuqua
Natasha Nicole Gianvecchio
Susan R. Gihring
Madhu R. Goel
Thomas Jared Gordon
Jeremiah Elliott Goulka
Matthew David Green
Christine Marie Griffin
Matthew A. Griffin
John Lawrence Hayes II
John Douglas Hendershot
William D. Henderson
Krista Leigh Hernandez
Scott Forrest Hessell
Andrew Sterling Hicks
Christopher Robert Hilberg
Hamilton H. Hill
Matthew D. Hill
Valerie Lynn Hletko
David T. Ho
Jeffery David Hoffenberg
David Edward Hollar
Lindsey Stewart Holmes
Sara Keehr Hornstra
Mark Harry Izraelewicz
France M. Jaffe
Vivek Kumar Jain
Kristin H. Johnson
Sarah Melise Joss
Amir Kahana
Ronete Tanya Karasick
Marni Beth Karlin
Jonathan Ian Katz
Eugene Vladimirovich Kontorovich
Bret Michael Koplow
Katherine Ann Bedard Kraus
Cameron Rae Krieger
Michael Lawrence LaClare
Ronna Erin Landy
Margaret Anne Lavanish
Katherine L. Laxton
Katherine Elizabeth Smith Lazarski
Brian Dong Woo Lee
Gene Woo Lee
Melissa Georgia Liazos
Theodore C. Liazos
Russell S. Light
Daniel Redford Liljenquist

Daniel John Lin
Noah Gordon Lipschultz
Tiphani Priscilla Mack
Eldad Zvi Malamuth
Javier Ernesto Martinez
Belinda Irene Mathie
Brooke A. May
Christopher Laurence May
Courtney Diane McBean
Andrea Kay McCann
Matthew Laurence McCarthy
Lindsay Diane McCaskill
Mary Lynn McDermott
Michelle Therese McGuinness
Bruce David McKee
Anita Lois McLane
Alina Ann McLaughlan
Elizabeth Bethea McRee
Gordon McRae Mead, Jr.
Hae-Won Min
Enoch John Minn
Jonathan Franklin Mitchell
Stacy Marie Monahan
Adolfo Mondragón
Paul B. Moore
Daniel Isaac Morenoff
Elizabeth Coulter Morlock
Jonathan Edward Morrill
Adam Karl Mortara
Adam Mossoff
John Michael Murphy
Melanie Kate Nelson
James Andrew John Nickolas
Gregg Thomas Nunziata
Heidi Kern Oertle
Leif Alexander Olson
Shelby Kifer Pasarell
Averardo Peruzzi Pascarella
Melissa Jeanne Pastrana
Elizabeth Anne Pelletreau
John Victor Peterson
Ryan Patrick Phair
Sara K. Pildis
Marissa A. Piropatto
William Bullock Pittard IV
Mary Ruth Pixley
William Richard Pokorny
Rachael George Pontikes
David Douglas Pope
Brian Scott Prestes

Adam Jeffrey Rappaport
Randall Glen Reese
Eric Frederick Rinehart
Christopher Michael Rohrbacher
Mairav Rothstein
Franklin Mordecia Rubinstein
Monica Elizabeth Ryan
Jaewon Ryu
Uzma A. Sattar
Michael Schaper
Charles Nicholas William Schlagen
Kyle Lynn Schriener
Michael David Scott
Christopher Thomas Shannon
Pratibha Jayakumar Shenoy
Benjamin M. Sherrill
Adam Matthew Singer
Paul Joseph Skiermont
Bradley Thomas Smith
Stephanie Pauline Smith
Emma Quint Sobol
D. Daniel Sokol
Samuel Jacob Soloveichik
Daniel A. Spector
Peter Bernard Steffen
Matthew Robert Stevens
Scott Michael Sullivan
Andrew Rogers Swartz
Mary L. Swietnicki
Ryan Christopher Tisch
Jeffrey J. Truitt
Martha F. Tsuchihashi
Joshua G. Urquhart
Ariel B. Waldman
Christopher R. Wang
Jeffrey Carl Warren
Peter Holland Werner
Anne Fortune Wickers
Adrienne Katrine Wiechens
Gwendolyn Alice Wilber
Katherine Elizabeth Wood
David P. Wride
Jennifer Jean Wright
Wendy Wu
Xiaodong Yi
Jeffrey Robert Yousey

WHERE ARE THEY NOW? * Indicates an LL.M degree. Otherwise, graduates received a J.D.

ALASKA

Anchorage

Joseph Bial
Hon. Robert L. Eastaugh
Alaska Supreme Court

Lindsey Holmes
Hon. Warren W. Matthews
Alaska Supreme Court

Fairbanks

Sally Berens
Hon. Andrew J. Kleinfeld
U.S. Court of Appeals for the
Ninth Circuit

ARIZONA

Phoenix

Jeffrey Warren
Snell & Wilmer, L.L.P.

CALIFORNIA

Los Angeles

Grace Chang
Quinn, Emanuel, Urquhart,
Oliver & Hedges, L.L.P.

John Durrant
Paul, Hastings, Janofsky & Walker

Krista Hernandez
Gibson Dunn & Crutcher

David Ho
Irell & Manella, L.L.P.

Amir Kahana
Gibson Dunn & Crutcher

Mary McDermott
Skadden, Arps, Slate, Meagher
& Flom

Anita McLane
Gibson Dunn & Crutcher

Enoch J. Minn
Goldman Sachs & Company

Jaewon Ryu
McDermott Will & Emery

Michael D. Scott
Skadden, Arps, Slate, Meagher
& Flom

Wendy Wu
Sidley Austin Brown & Wood

Menlo Park

Brian D. Lee
Venture Law Group

David Wride
Gunderson, Dettmer, Stough,
Villeneuve, Franklin
& Hutchinson, L.L.P.

Palo Alto

Thomas D. Bradshaw
Cooley Godward, L.L.P.

S. Brenna Findley
Heller, Ehrman, White & McAuliffe

Daniel Lin
Skadden, Arps, Slate, Meagher
& Flom

Courtney D. McBean
Wilson, Sonsini, Goodrich
& Rosati

Stacy Monahan
Fenwick & West, L.L.P.

Pasadena

Gregory D. Brown
Hon. Pamela Ann Rymer
U.S. Court of Appeals for the
Ninth Circuit

San Francisco

Joan Burns
Pillsbury Winthrop, L.L.P.

France Jaffe
Howard, Rice, Nemerovski,
Canady, Falk & Rabkin

Matthew McCarthy
Morrison & Foerster, L.L.P.

Kyle Schriener
Latham & Watkins

Peter Werner
Cooley Godward, L.L.P.

Anne Fortune Wickers
Pillsbury Winthrop, L.L.P.

COLORADO

Denver

Bradley T. Smith
Hon. David Ebel
U.S. Court of Appeals for the
Tenth Circuit

DELAWARE

Georgetown

Averardo P. Pascarella
Hon. Stephen P. Lamb
Delaware Court of Chancery

Wilmington

John D. Hendershot
Richards Layton & Finger

DISTRICT OF COLUMBIA

Charitha F. Amerasinghe
Latham & Watkins

Marc J. Blitz
Wilmer Cutler & Pickering

Wesley B. Brown
Cleary, Gottlieb, Steen & Hamilton

Irene J. Chase
Covington & Burling

Bryon Christensen
Skadden, Arps, Slate, Meagher
& Flom

Yun Jae Chun
Morgan Lewis & Bockius

Bryan Eder
Dechert Price & Rhoads

Natasha Gianvecchio
Latham & Watkins

Susan Gihring
Steptoe & Johnson, L.L.P.

Eduardo Herszkowicz
Arnold & Porter

Scott Hessell
Hon. Karen LeCraft Henderson
U.S. Court of Appeals for the
District of Columbia

Elizabeth A. Its Brown
Dewey Ballantine, L.L.P.

Bret Koplow
Patton Boggs, L.L.P.

Michael LaClare
Fulbright & Jaworski, L.L.P.

Ronna E. Landy
Bracewell & Patterson

Russell Light
Fried, Frank, Harris, Shriver &
Jacobson

Eldad Malamuth
Mayer Brown & Platt

Hae-Won Min
Sidley, Austin, Brown & Wood

Jose Monge-Calderon
Inter-American Investment Corp.

Melanie Nelson
Dickstein, Shapiro, Morin &
Oshinsky, L.L.P.

Elizabeth Pelletreau
U.S. Department of State

Ryan Phair
Kirkland & Ellis

Franklin Rubinstein
Fried, Frank, Harris, Shriver &
Jacobson

D. D. Sokol
Swidler Berlin Shereff
Friedman, L.L.P.

Ryan Tisch
Crowell & Moring, L.L.P.

Gwendolyn Wilber
Foley Hoag & Elliot, L.L.P.

FLORIDA

Boca Raton

James Chandler
Hodgson Russ Barr, L.L.P.

Jacksonville

Brooke May
Hon. Gerald Tjoflat
U.S. Court of Appeals for the
Eleventh Circuit

Jeffrey Truitt
Navy Judge Advocate General's

Miami

Mary Swietnicki
Hon. K. Michael Moore
U.S. District Court for
Southern Florida

ILLINOIS

Chicago

Affan Arain
Sidley, Austin, Brown & Wood

James C. Blenko
Hon. Rebecca R. Pallmeyer
U.S. District Court for
Northern Illinois

Hortensia Carreira
Winston & Strawn

Michael Andrew Clark
Seyfarth Shaw

Andrew Cohen
Baker & McKenzie

***Rodrigo De Alencar**
Mayer Brown & Platt

Mereke Decker
Latham & Watkins

Irene Donovan
Schopf & Weiss

Samantha Engel
Winston & Strawn

Jared Feehan
Winston & Strawn

Thomas J. Gordon
Sidley, Austin, Brown & Wood

Matthew Griffin
Pattishall, McAuliffe, Newbury,
Hilliard & Geraldson

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Sachnoff & Weaver, Ltd.

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Hon. Richard Cudahy
U.S. Court of Appeals for the
Seventh Circuit

Hamilton H. Hill
Bartlit, Beck, Herman,
Palenchar & Scott

Jeffrey Hoffenberg
Goldberg, Kohn, Bell, Black,
Rosenbloom & Maritz, Ltd.

David E. Hollar
Hon. Diane Wood
U.S. Court of Appeals for the
Seventh Circuit

Sara Hornstra
Schiff Hardin & Waite

Mark Izraelwicz
Marshall Gerstein & Borun

Johnathan Katz
Sidley, Austin, Brown & Wood

Eugene Kontorovich
Hon. Richard Posner
U.S. Court of Appeals for the
Seventh Circuit

Katherine Kraus
Hon. Frank Easterbrook
U.S. Court of Appeals for the
Seventh Circuit

Cameron Krieger
Latham & Watkins

Margaret Lavanish
Latham & Watkins

Gene W. Lee
McAndrews Held & Malloy, Ltd.

Noah Lipschultz
Seyfarth Shaw

Tiphani Mack
Jones, Day, Reavis & Pogue

Michelle McGuinness
Katten Muchin & Zavis

Bruce McKee
Katten Muchin & Zavis

Elizabeth McRee
Jones, Day, Reavis & Pogue

Elizabeth Morlock
Hon. Frank Easterbrook
U.S. Court of Appeals for the
Seventh Circuit

Adam Mossoff
Northwestern University School
of Law

James A. Nickolas
J.P. Morgan Chase

Melissa Pastrana
Mayer Brown & Platt

John V. Peterson
Piper, Marbury, Rudnick &
Wolfe, L.L.P.

William Pokorny
McDermott Will & Emery

Rachael G. Pontikes
Lovells

David Pope
Mayer Brown & Platt

Randall Reese
Skadden, Arps, Slate, Meagher
& Flom

Eric Rinehart
Schopf & Weiss

Christopher Rohrbacher
Hon. Marvin E. Aspen
U.S. District Court for
Northern Illinois

Uzma A. Sattar
Jenner & Block

Christopher Shannon
Kirkland & Ellis

Pratibha J. Shenoy
Kirkland & Ellis

Benjamin Sherrill
Sidley, Austin, Brown & Wood

Samuel Soloveichik
Skadden, Arps, Slate, Meagher
& Flom

Peter Steffen
Lovells

Scott Sullivan
Latham & Watkins

Joshua G. Urquhart
Sidley, Austin, Brown & Wood

Jennifer J. Wright
Hon. Milton I. Shadur
U.S. District Court for
Northern Illinois

KENTUCKY

Louisville

Michael Edney
Hon. Danny J. Boggs
U.S. Court of Appeals for the
Sixth Circuit

Joshua H. Fairfield
Hon. Danny J. Boggs
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Sixth Circuit

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Hon. W. Eugene Davis
U.S. Court of Appeals for the
Fifth Circuit

Marni Karlin
Hon. John M. Duhe
U.S. Court of Appeals for the
Fifth Circuit

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Adrienne K. Wiechens
Hon. W. Eugene Davis
U.S. Court of Appeals for the
Fifth Circuit

Jeremy Bates

Hon. Jacques L. Wiener
U.S. Court of Appeals for the
Fifth Circuit

Jennifer DePalma

Hon. Edith Brown Clement
U.S. Court of Appeals for the
Fifth Circuit

MARYLAND

Baltimore

Theodore C. Liazos

Hon. Diana Motz
U.S. Court of Appeals for the
Fourth Circuit

Greenbelt

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Hon. Peter Messitte
U.S. District Court for Maryland

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Hon. Sandra Lynch
U.S. Court of Appeals for the
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Hon. Nathaniel Gorton
U.S. District Court for
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Minneapolis

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Hon. John Tunheim
U.S. District Court for
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Christopher R. Hilberg

Oppenheimer Wolff & Donnelly

BeLinda L. Mathie

Hon. James B. Loken
U.S. Court of Appeals for the
Eighth Circuit

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Jackson

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Hon. E. Grady Jolly
U.S. Court of Appeals for the
Fifth Circuit

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Hon. C. Arlen Beam
U.S. Court of Appeals for the
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Hon. Pamela B. Minzner
New Mexico Supreme Court

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Hon. David G. Trager
U.S. District Court for
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MESSAGE FROM THE DEAN



Consider the tightrope a new Dean at the University of Chicago Law School must walk. On the one hand, a great law school must move forward by anticipating change, inspiring new generations of students with new ideas and new courses, encouraging faculty research in new directions, offering programs previously unimagined but built on familiar foundations, and distinguishing itself from worthy competitors. On the other hand, every suggestion and change encouraged by a new dean runs the risk of displacing something tried and true, alienating friends who think that the Law School is terrific (as it surely is) and in no need of change, and disturbing the chemistry that makes ours a unique and intense community.

Manufacturers of consumer products face the same choices, one might say, but at least they can develop "new and improved" products even as they continue to offer the old successful ones to satisfied consumers. Our Law School is no conglomerate, capable of "marketing" slightly different brand images. We rise (and fall) and are sustained by the scholarship and education we produce, and while we can

offer diverse experiences and ideas, we cannot pretend that we offer multiple brands such that each customer will find one that is just perfect. Ours is a small, careful, focused place that needs to improve each day, even as it excels at things it has done for almost one hundred years.

One way to walk this line between improvement and traditional excellence is to explain what we do, telling the truth about what we do well and about what we could do better. To take an easy example, if we learn that some excellent applicants fail to come our way because they perceive that our curricular offerings are less extensive than those of our peer schools, then we need to be honest about our belief in teaching fundamentals. If we think that expanding our curriculum with new courses in such things as intellectual property, feminist theory, and international taxation makes sense for our educational mission, then as these subjects appeal to our faculty, or perhaps to visiting faculty whose work we admire, we will of course enrich our curriculum accordingly. But a more complete honest answer is that we will never have the array of courses that many schools do. We offer instead a more intimate intellectual community and a greater likelihood that each and every course is rigorous, interesting, and integrated with our other offerings. Other examples may, perhaps, flatter us less, but the principle is the same. The more confident we are that we are doing the very best for our students even as we pursue insightful research about law with integrity and ingenuity, then the more we should explain what we do and continue to do

it well. But the more we think we can gain from experimenting with new ways of teaching, from new lines of scholarship, and from new strategies for making law school enjoyable and inspiring, then the more we should experiment boldly.

Our faculty is fortunate to be in the business of substance rather than form. We want our work to be found more interesting by more careful readers, and we want the most demanding students, who will appreciate the effort we put into our courses and our work. Similarly, I want to be able to tell you how we are different from other great law schools, and how the resources that we gather and expend will be wisely invested in products that make us all proud. I hope to tell you these things in person, in future letters, and in more frequent issues of the *Record*. But in all these settings I plan to tell you the truth about what it takes to sustain this great Law School and about how we will go about making it even better. It is and must be a place where you would wish that you could come back for another three years. And it must always be a place that makes you proud long beyond the years spent here.

In future correspondence I intend to inform you about the state of the Law School, about new faces and old hands, and about new programs and strategies. Along these lines, I am pleased to report that as I write this column our new associate dean for external affairs, Jon Stern, is moving in across the hall. Jon comes to

us from Northwestern, where he was that law school's assistant dean for development and alumni relations, and he comes here eager to share our priorities and values. I feel in safe and energetic hands when talking with him about our Law School's future. Several courses and lecturers will debut this autumn, and a new class of students will arrive, as well, some of whom I met during last spring's admitted students' weekend and a few of whom I met on recent trips. As for the earlier arrivals, I hope it is enough to say that our students remain eager and talented, our faculty is as intense and interesting as ever, and our staff is professional and fearless. As I begin to meet our alumni and our entering students, I can see that the Chicago tradition of respect for ideas, imagination, hard work, and insight extends to every office, home, business, and library carrel in which there is found a U of C Law alum or student. On a single day during a recent trip I met alumni who talked about competing biographies of FDR, the effects of deregulating point-shaving in college basketball, the likely effects of electoral college reform on local political corruption, the strategies pursued by small start-up museums, and the uneven enforcement of immigration law. I cannot imagine that any other school would claim that its graduates are as well-informed and as interesting as ours. With these sort of alumni, we must be doing something right! Meanwhile, it is the job of those of us who work at the Law School to turn out graduates as interesting as you who preceded them—and to report to you in this *Record* and elsewhere how we are going about that task.

THE LAW SCHOOL

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Law School Events

2001

October 18

Annual Alumni Dinner at the Renaissance Chicago Hotel. Saul Levmore, Dean and William B. Graham Professor of Law, will present remarks, which will be followed by Geoffrey R. Stone, '71, Provost and Harry Kalven, Jr. Distinguished Service Professor of Law, speaking on "A University School of Law."

October 26-27

"The Scope of Equal Protection," the Law School Legal Forum's 17th annual conference.

October 29

John Dewey Lecture with Ronald Dworkin, Frank H. Sommer Professor of Law at New York University, as the speaker.

November 2-3

"Quality Health Care: Can We Identify It? Can We Achieve It?" a conference sponsored by the Law School, The MacLean Center for Clinical Medical Ethics, and the Harris Graduate School of Public Policy Studies.

November 9

The Maurice and Muriel Fulton Lecture with Michael Stolleis, director of the Max Planck Institute of European Legal History, speaking on "Hesitating to Look in the Mirror: German Jurisprudence after 1933 and after 1945."

November 12-13

"Maximizing Global Tax Efficiency," 54th Annual Tax Conference sponsored by the Law School at the Standard Club of Chicago.

Visit www.law.uchicago.edu/lectureconf/index.html for updates to the calendar.

2002

January

Chicago Law Foundation Charity Auction

February

Annual Law School Musical

February 8-9

The Law Review Symposium on Corporate Law

February 19

Ronald H. Coase Lecture in Law & Economics with Professor David Weisbach as the speaker.

April 5

Roundtable Symposium

May 3-5

SAVE THE DATE

Reunion and Alumni Weekend

Reunions will be for the classes of 1952, 1957, 1962, 1967, 1972, 1977, 1982, 1987, 1992, and 1997.

June 3

Emeritus Luncheon-Alumni who graduated at least 50 years ago are invited to a special luncheon at the Standard Club.