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Elizabeth Long's gift

endows three new faculty chairs



The chairs were announced during a gala "Evening in Celebration of the Life of Elizabeth A. Long," held at the Lawyers Club in March. The banquet celebration featured live musical entertainment, remarks by Dean Jeffrey S. Lehman, '81, and testimonials from Richard E. Rassel, '66, Senior Partner of Butzel Long, and remembrances of Elizabeth Long by her lifelong friends, retired Michigan District Court Judge John R. Mann, '40, and his wife, Mary Lou Mann.

Elizabeth Long died last year. Her bequest, expected to exceed \$10 million, allowed the University to establish chairs honoring her; her father, Thomas G. Long, '01; and her parents, Thomas G. and Mabel Long. Lehman introduced the new chair holders to the celebrants.

The first Thomas and Mabel Long Professor of Law is Samuel Gross, who was unable to attend the celebration. Lehman described Gross as "one of the world's foremost authorities on the death penalty. His writings on capital punishment, politics, race, and crime have been widely read and discussed.

"In the classroom, Professor Gross, who teaches evidence and criminal procedure, has been a pioneer in helping our students to understand the uses and abuses of social science research in the legal context."

Gross earned his undergraduate degree at Columbia College and his J.D. from the University of California at Berkeley.

MacKinnon will be the first Elizabeth A. Long Professor of Law. "What can one say about Professor MacKinnon?" Lehman asked. "Only that she is, without a



Elizabeth A. Long

Three faculty members, Samuel R. Gross, Catharine A. MacKinnon and William I. Miller, have been named to newly established endowed chairs at the Law School, thanks to the generosity of Elizabeth A. Long, daughter of a founder of Butzel Long in Detroit.

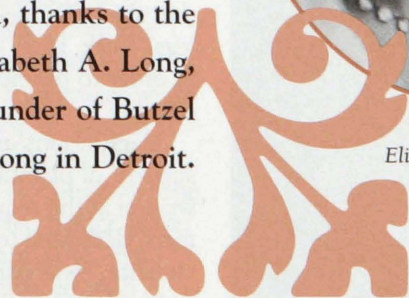


PHOTO COURTESY BUTZEL LONG

FACULTY

Below: Professor William I. Miller, right, shares a laugh with his wife, Kathleen Koehler, and the Honorable John R. Mann, '40, during the "Evening in Celebration of the Life of Elizabeth A. Long" in April. Miller was named the first Thomas G. Long Professor of Law, one of three endowed chairs made possible by Elizabeth Long's bequest to the Law School. Thomas G. Long, '01, was her father and a founder of Butzel Long.

PHOTO BY D.C. GOINGS, UNIVERSITY PHOTO SERVICES

Professor Samuel R. Gross, below, has been named the first Thomas and Mabel Long Professor of Law, one of three chairs endowed through the bequest of their daughter, Elizabeth A. Long.



PHOTO BY D.C. GOINGS, UNIVERSITY PHOTO SERVICES

Professor Catharine A. MacKinnon, right, chats with the Honorable John R. Mann, '40, Mary Lou Mann and Richard E. Rassel, '66, Senior Partner of Butzel Long, during the "Evening in Celebration of the Life of Elizabeth A. Long," whose bequest to the Law School has endowed three professorships. MacKinnon was named the first Elizabeth A. Long Professor of Law.

doubt, the most influential feminist legal scholar in the world. That her seven books have completely transformed the legal landscape, changing the ways in which topics from sexual harassment to free speech to pornography are understood and debated. That her classes are extraordinarily popular, and that many students choose to come to Michigan simply because they would like the opportunity to study with her. And that she continues to participate in active legal work, from legislation to litigation, in order to promote the cause of women's equality."

MacKinnon's *amicus curiae* brief in support of plaintiff Joseph Oncale, written at the request of 14 groups of men "dedicated to ending sexual violence," was part of the legal package in *Joseph Oncale v. Sundowner Offshore Services, Inc., et al*, that led to a unanimous decision by the U.S. Supreme Court in March that same sex-harassment violates civil rights to sex equality the same as opposite-sex harassment does. MacKinnon holds a B.A. from Smith College, a J.D. from Yale

Law School and a Ph.D. in political science from Yale University.

Miller, named as the first Thomas G. Long Professor of Law, "epitomizes the level of scholarly distinction that the members of our faculty aspire to," Lehman said.

"Professor Miller's scholarly research has concerned the relationship between legal norms and social norms, and the complex ways in which legal and political institutions are shaped by the social practices of their societies. He has published dozens of articles and four books.

"His most recent book, *The Anatomy of Disgust*, has won academic prizes for its quality, and has made Professor Miller an international celebrity. He has been written up in scholarly and popular magazines from Brazil to Italy, and he has been the subject of commentary in the *New Yorker*, the *New Republic*, and in a forthcoming edition of ABC's "Primetime Live." He has brought that scholarly erudition into the classroom, teaching the subject of property law with insight and perspective that his students describe in the most glowing terms imaginable."

Miller received his undergraduate degree from the University of Wisconsin, his Ph.D. in English from Yale University, and his J.D. from Yale Law School.

Elizabeth Long graduated from the University of Michigan in 1936. For 60 years she worked as a volunteer with the Monica Guild, a group of women who raised funds for charity, including the Salvation Army and Goodfellows. She also was a lifelong, devoted bridge player and belonged to seven bridge groups.

Long's father, who practiced with Butzel Long for 64 years, died in 1973. During his long career, Thomas G. Long drafted the Dodge Act to simplify the administration of estates, worked with Elliott Stevenson and William Carpenter on the reorganization of General Motors, and represented Michigan Bell Telephone Company for 40 years in rate proceedings. He served on the boards of directors of

several companies and on the Detroit Library Commission for 25 years, including five terms as president. He received honorary degrees from the University of Michigan, Lawrence Institute of Technology and Olivet College.

Thomas Long "was a giant throughout his 64 years of practice with this firm," said Butzel Long Senior Partner Russel. "We fly daily under the banner of his name."

Thomas Long married Mabel A. Somers of Dearborn on August 13, 1912. She died in 1956. They had one child, Elizabeth.

Elizabeth Long's gift to the Law School is expected to exceed \$10 million, making it the second largest the Law School ever has received and the largest cash gift. As Lehman said, "\$10 million is much more than most of us will have the opportunity to deploy in a single act in our lifetimes," but the true significance of her gift "lies in what it will mean in practice for the future of this Law School, and the expression of values that lies behind it."

Said Lehman: "Elizabeth Long's bequest adds a resounding exclamation point to the statement that nothing is more important to this institution than its ability to attract and retain the very finest teachers that may be found anywhere in the legal academy."

He continued: "But an endowed professorship does more than add resources to the financial base of the institution. It also brings prestige and honor to the very finest members of the faculty. The title remains with the professor throughout his career as a faculty member.

"Moreover, by linking the names of those faculty members to the names associated with the professorships, the faculty members reflect that honor back to the eternal credit of the benefactor who made the professorships possible."



"Elizabeth Long's bequest adds a resounding exclamation point to the statement that nothing is more important to this institution than its ability to attract and retain the very finest teachers that may be found anywhere in the legal academy."

— DEAN JEFFREY S. LEHMAN, '81

ALICS:

Mathias W. Reimann, LL.M. '83

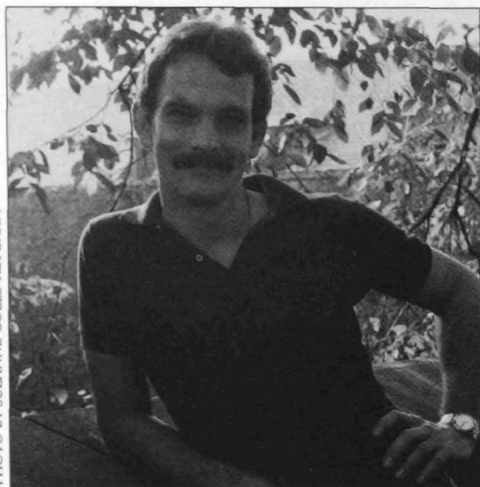


PHOTO BY SUZANNE COLES-KETCHAM



Carl E. Schneider, '79

Celebrating ten years teaching U.S. law in Germany

Each year in August, a miniature Michigan Law School blossoms in Germany. It is the American Law Introductory Courses (ALICS).

Ten years ago, ALICS was born out of the recognition in Germany that, in a global economy, lawyers from different countries have to be able to understand each other. Ten years ago, representatives from a German foundation — the Friedrich Ebert Stiftung — and the German American Lawyers Association asked the Law School to help them set up a program.

Several faculty members, including Professors Mathias W. Reimann, LL.M. '83, and Carl E. Schneider, '79, helped create a program based on the principle that the only way truly to understand American law is to experience American legal education. American law schools, they thought, are primarily institutions for socializing students into the ways American lawyers think.

ALICS attempts to give German law students, *Referendare* (legal apprentices), and lawyers in two weeks a taste of what American law students get in three years. Participants study Torts, Civil Procedure, Property and American Legal Method. Classes meet five hours a day and are conducted exclusively in English. Students are assigned cases to prepare, and instruction is exclusively Socratic. Nights are spent in poring over cases, consulting German-American legal dictionaries, and wondering what the professor will ask the next day.

Faculty and students live together in a conference facility which allows extensive interaction. They share meals, walks, wine, and conversation over beer when studying is finished for the night.

Both the students and the faculty speak glowingly of ALICS. German law students are used to large lecture classes, but they soon become enamored of the Socratic method. As one participant said, "It's very challenging, because it really makes you think. And it's such a pleasure being called on in class, because it shows that the professors really care about what you learn."

Many ALICS graduates go on to do graduate work at America's best law schools — including Michigan — work for which they feel ALICS has prepared them well. Indeed, ALICS students are so enthusiastic about their experience with the program that this year a tenth anniversary reunion is planned for August 7. Graduates from all over Germany are expected to come to Neustadt an der Weinstrasse to celebrate their introduction to American law.

ALICS' faculty find that they learn a good deal about their own legal system by trying to explain it to adepts in another system. They say ALICS attracts strong and rewarding students. And they feel that ALICS' intensity, rigor and excitement make it, as Schneider says, "the best program of its kind in the world."

Faculty members open Portuguese window on U.S. law

"Well done," is how Professor Merritt B. Fox describes the new program of the Lisbon Council of the Portuguese Bar Association that uses Law School faculty members to acquaint Portuguese lawyers with U.S. law.

Fox was the first of six Law School professors who have or will teach in the program. During the week of April 13 he delivered three lectures of more than an hour each during the week's three 3-hour sessions. His audience was made up about 40 lawyers from both private and government practice.

Speaking in English, Fox concentrated on American securities law, mandatory disclosure, insider trading and the application of U.S. securities law to transnational transactions. Most participants used English throughout the sessions, although instant translation was available for those who preferred to listen in Portuguese.

Sessions also included talks by Portuguese legal specialists who compared their nation's law with that in the United States. "It was well done, and there was some opportunity to have some comparative discussion," Fox said. Other faculty members taking part in the program and their teaching times in Lisbon are:

- Thomas and Mabel Long Professor of Law Sam Gross, and Kirkland & Ellis Professor of Law Phoebe Ellsworth, week of May 4.
- Henry M. Butzel Professor of Law Thomas E. Kauper, '60, week of May 18.
- Thomas M. Cooley Professor of Law Edward H. Cooper, week of June 22.
- Robert A. Sullivan Professor of Law James J. White, '62, week of September 21.

Mario M. Mendes, LL.M. '85, organized the program for the Lisbon Council of the Portuguese Bar Association. The program acquaints Portuguese attorneys with aspects of American law and gives them an opportunity to compare it with Portuguese law. The council established the program with aid from the Luso-American Development Foundation.

'A rich source of intelligent discussion'

Twenty years ago, then-law student and Michigan Law Review Editor in Chief Carl E. Schneider, now Professor Carl E. Schneider, '79, launched the first of the Review's now-annual book review issues. This year, in celebration of the 20th anniversary of the annual review of books related to the law, Schneider recalls those first days and offers some ideas for the future. Here, with permission, we offer some preview excerpts from Schneider's introduction prepared for 96 Michigan Law Review (forthcoming 1998).

By Carl E. Schneider, '79

- "Interminable as law articles often are, their compass is too small for some ideas. The increasingly interdisciplinary nature of law and legal studies also impels us toward writing books. Many people trained in fields other than law were taught to write books. And if lawyers want to reach readers outside law schools, we must usually write books, since law review articles are usually hard for non-lawyers to find."
- "... book reviews do more than reward authors for their years of travail. They also continue the professional discourse of which a book is a part. A book's ideas may eventually influence the work of other scholars. But reviews are often the only forum in which those ideas and their rationales are directly confronted and analyzed. Scholars engaged in their own work will often take a book's arguments at face value; reviewers must ask whether those arguments are convincing."
- "I believe that over the last twenty years, the book review issue has been a rich source of intelligent discussion of the books that most affect the way we think about the law. Its roll of authors contains a startling proportion of the country's most thoughtful legal scholars. And it is read. Indeed, I suspect it is the best-read issue of any law review in the country. It is certainly the only one that may sometimes be found on the towel at the beach, the shelf in the bathroom, and the table by the bed. What more could we have hoped for?"

The death of a friendly critic

— By James J. White, '62

Our colleague, Andy Watson, died April 2. Andy was one of the handful of preeminent law professor/psychiatrists. In that role he wrote dozens of articles and several important books, including *Psychiatry for Lawyers*, a widely used text. I do not write to remind us of his scholarly work, of his strength as a clinical and classroom teacher, or of his prominence as a forensic psychiatrist. I write to remind us of his powerful criticism of our teaching. On the occasion of his death, it is right to recognize his influence on the law school curriculum and to consider whether his criticism of the law school classroom calls for yet greater changes.

From his first association with law teaching, Andy worried and wrote about the collision of the first-year law school classroom with our students' expectations. In Andy's mind students are drawn to law by three important factors: "First, many if not all law students have a strong psychological need to come to grips with the powerful and disquieting emotion of aggression. This primeval instinct in us all provides the driving force for many of the things we do in life, and is the locus for a large part of all the socializing activity every culture imposes upon its members." According to him, "the second important emotional need in those who choose law, is to seek a high degree of order and predictability in life. While all human beings have this need to predict, law students have it to a higher degree". Finally, he argued that "law students have a substantial amount of sheer idealism, coupled with the desire to help people through the use of law as an instrument for social reform". So students come here to find an acceptable channel for aggression, to find a place where things are certain and predictable and to give tangible expression to their idealism.

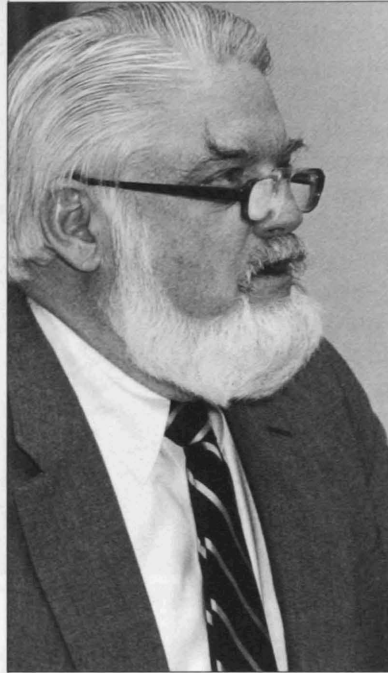
According to Andy, these needs are in conflict with and in many cases crushed by the first-year classroom. In a 1963 article he describes the first year of law school as follows: "When an eager and intelligent freshman law student begins his studies, he plunges zealously into the task of learning about the law. He will likely memorize the cases and come to class fully prepared to rattle back the substance of his reading. However, he immediately runs into the fact that regardless of how he presents his material, the teacher will inevitably ask more questions that either directly or by implication indicate he does not understand the case. While a sophisticated observer may know the student has done a good or perhaps even excellent job of dealing with the questions put to him, there is little tangible evidence of this fact to most

students. Though it takes some time to make full impact, usually by Thanksgiving holidays, most members of a freshman class are brought nearly to panic by their awareness that they do not understand what is being demanded of them, nor can they figure out how to meet the pressure. The great anxiety produced by this process progressively forces students to make some kind of psychological defense adjustment to avoid and diminish ongoing pain. The anxiety-muting defensive maneuvers, instead of settling on the specific stress situations of the classroom, will be generalized progressively to block emotional awareness." The student's hope to find expression for his powerful feelings of aggression is frustrated, for the student finds himself the object of others' aggression, particularly the professor's. His layman's belief that law is certain and predictable is subjected to early and repeated attack; in fact those who openly seek certainty — "tell me the rule" — are likely to receive a sarcastic or dismissive response.

The effect of the first-year classroom on the student's idealism is only slightly more subtle. Idealistic thinking or expression of emotional concern for a particular class, plaintiff or defendant is "sloppy," not "lawyerlike," and generally failing "to think like a lawyer." Of course, all of these descriptions are unconscious condemnations of the student's idealism.

And for law professors, the operators of this asylum, Andy saves his sharpest bite: "It would not be kind or generous, or even true, to say that law teachers, electing to avoid the living adversaries of the courtroom, express their fighting instincts by demolishing law students' heroes and hero worship. It is true, however, that law students feel this has happened." Elsewhere he is even more harsh: "I also observed that law faculties

ANDREW S. WATSON



Andrew S. Watson

have what might be fairly described as a strong antipathy for so-called 'bread and butter' matters and for the work-a-day 'messy' or 'grubby' details of dealing with law practice. . . . I would state categorically that what attracts interest and curiosity is that which ties in with one's needs, drives and internalized attitudes and is psychologically compatible with them. I view this rejection of the practical by law professors as a reflection of psychological conflict in them." So Andy was not bashful in stating the problem or identifying its cause.

Of course, many things have changed since Andy wrote these words in the 1960s. Clinical law has come to the law schools. Fewer classes are taught by the Socratic Method than formerly. And I suspect the "Socratic Method" of today has far less sarcasm, ridicule and anger than in 1963. We should give Andy credit for some of these changes. It is always difficult to trace new ideas and practices to their source, but surely one of the sources of these changes is Andy's advocacy. In his prime Andy was a prodigious writer, a frequent and outspoken panelist at law schools and elsewhere, and a contributor to journals such as *The Journal of Legal Education*. I believe he justly deserves some of the credit for our new willingness to recognize our students' emotions, to deal more fully with the grubby details of law practice and to free our students to acknowledge their feelings. We can take pleasure in the incremental changes that have occurred in our classrooms partly because of Andy's criticism of our old ways. And even today we should give grudging heed to Andy's admonitions, for surely his work is not done.

Andrew S. Watson, 77, died peacefully at home in Ann Arbor on April 2. He joined the University of Michigan faculty in 1959 and held joint appointments in law and psychiatry.

"More than most, he taught not only his students, but also other members of his faculty," the University of Michigan Board of Regents said in announcing his emeritus status in 1990. (See accompanying story by Robert A. Sullivan Professor of Law James J. White, '62.)

A native of Highland Park, Michigan, Watson earned his Bachelor of Science from the University of Michigan in 1942, served with the U.S. Army Medical Service Corps in Europe during World War II, and received his M.D. from Temple in 1950. After a rotating internship at the Graduate Hospital of the University of Pennsylvania, he returned to Temple University Hospital in 1951 for three years of residency training in psychiatry. He received his Master of Science in Medicine from Temple in 1954 and joined the staff of the University of Pennsylvania Department of Psychiatry. In 1955 he was appointed Associate Professor of Psychology and Law at the University of Pennsylvania Law School. He completed his training as a psychoanalyst at the Philadelphia Psychoanalytic Institute in 1959.

His book *The Lawyer in the Interviewing and Counseling Process* grew out of his abiding interest in the lawyer-client relationship. Another of his books, *Psychiatry for Lawyers*, has been a standard text for many years.

A burly man who in his later years developed a snow white beard, Watson never lost sight of the singularity of each client or patient. As he told the Law School graduating class in 1985, "grapple closely with the *people* aspects of the law in cases in which you become involved. If you do that, I can assure you that no two cases will ever be alike. Each may puzzle, perplex, aggravate, frustrate, thrill, or amaze, but you'll never be bored."

A memorial service for Watson was held April 19 at the Lawyers Club. Memorial contributions may be made to the University of Michigan Law School or to Individualized Hospice, 3003 Washtenaw, Ann Arbor, Michigan 48104.

St. Antoine heads U-M search for vice president/general counsel

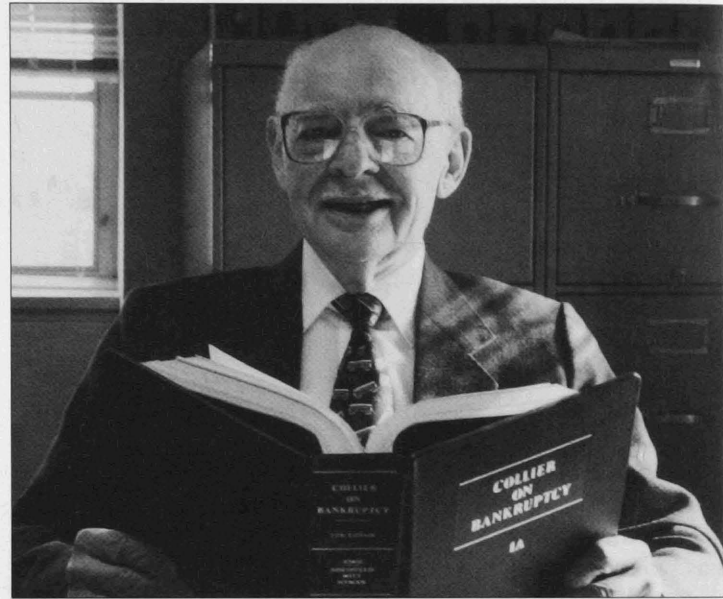
Theodore J. St. Antoine, '54, James E. and Sarah A. Degan Professor of Law and former Dean of the Law School, is chairing the search committee to find a Vice President and General Counsel for the University of Michigan.

At deadline time, committee members were evaluating applications and scheduling interviews with some applicants.

St. Antoine began his duties as chairman of the Vice President and General Counsel Search Advisory Committee in March. He has been a member of the Law School faculty for more than 30 years and recently retired from active teaching. He served as dean during the 1970s and twice chaired Law School committees charged with naming a new dean.

According to the University, "The Vice President and General Counsel is the University executive officer responsible for the University's legal affairs and for overseeing the provision of legal services to the University. The Vice President, who reports to the President, establishes goals and strategies for the University in legal matters, serves as senior legal counsel to the Board of Regents and the University administration and units, and supervises the professional staff required to carry out these activities. The Vice President determines when to retain outside counsel and whom to retain, and manages relationships with outside counsel."

Grateful Kennedys establish scholarship



Frank Kennedy

Professor Emeritus Frank Kennedy and his wife Patricia have established a scholarship in their name for a Law School student.

The gift reflects the Kennedys' appreciation of the eight years of scholarship aid that Frank Kennedy received during the years 1931-40. The assistance made it possible for him to study at Southwest Missouri State College for four years, law school at Washington University in St. Louis for three years and do a year of graduate work at Yale University Law School.

"Without that financial assistance his life would have undoubtedly followed a dramatically different pattern," according to the announcement of the new scholarship.

"The example he set as the oldest of five brothers, by attending college and professional schools without interruption immediately following graduation from high school, undoubtedly exerted enormous influence on the directions followed by the brothers in their careers and by the succeeding generations of the Kennedy family."

"Frank and Patricia have honored the value of a Michigan legal education through the creation of this scholarship," said Dean Jeffrey S. Lehman, '81. "During his career on the faculty, Frank made a lasting difference in the lives of countless numbers of our graduates. Now, through this wonderfully generous gift, Frank and Patricia are ensuring that future generations of students will have the opportunity to take advantage of the opportunities that are created through study in the Law Quadrangle."

Commercial Transactions keeps world of commerce in mind

Assistant Professor Ronald J. Mann and his co-authors kept their sights firmly on the real world of commerce to prepare their new casebook, *Commercial Transactions: A Systems Approach*, published by Aspen Law & Business in March.

"Our philosophy is that learning proceeds best when students are given all of the information they need to solve the problems," Mann and his fellow authors, Lynn M. LoPucki, Elizabeth Warren and Daniel L. Keating, write in the Introduction. "The intellectual task is for them to apply the material. Consequently, the text we provide is considerably more extensive than in traditional casebooks, and at the same time excerpts from cases are considerably less extensive.

"At bottom, the goal is to maximize the value of each page that the student is asked to read and to minimize the

time the student spends studying details of cases that do not directly advance the student's understanding of the system at hand."

LoPucki is A. Robert Noll Professor of Law at Cornell Law School; Warren is Leo Gottlieb Professor of Law at Harvard University; and Keating is Associate Dean and Professor of Law at Washington University.

The book uses the "assignment approach" and includes 56 self-contained assignments, each "designed to provide adequate material for one 50-60 minute class session."

"Our attention to the systems that commercial law supplements has a pervasive effect on the texture of the assignments," the authors say. "First, to get a sense for how those rules operate in context, we conducted more than 40 interviews with business people and lawyers who use the various systems in their daily work. Similarly, to help students get a feel for how the systems operate in practice, we include a substantial number of sample documents and forms. Finally, because we organize our presentation by reference to the systems in which commerce operates — rather than the sections into which statutes are divided or the categories of legal doctrine — our presentation frequently cuts across the arbitrary legal standards that divide commercially similar activities."

ACTIVITIES

Professor of Law **José Alvarez** in April served as interlocutor to Professors Louis Sohn and Louis Henkin as part of a panel at the American Society of International Law's annual meeting in Washington, D.C. In March, he spoke on "Genocide: Then and Now" at the ABA Conference Commemorating the 50th Anniversary of the United Nations Universal Declaration of Human Rights and the Genocide Convention at the UN and served as a panelist with Nobel Peace Laureate Elie Wiesel and Ambassadors William J. vanden Heuvel and Robert F. Van Lierop. (See article on page 72.)

He also addressed the International Studies Association Annual Conference in Minneapolis on "Compliance and Sovereignty." He will be a visiting professor at Columbia University Law School during Fall Term.

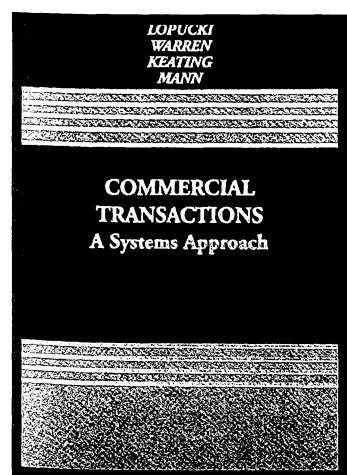
David L. Chambers, Wade H. McCree, Jr., Collegiate Professor of Law, has been appointed chair of the Association of American Law Schools (AALS) Commission on Pro Bono and Public Service Opportunities. He is in the second year of his three-year term on the AALS Executive Committee.

Donald N. Duquette, Director of the Child Advocacy Law Clinic, has been awarded the 1998 Adoption Activist Award by the North American Council on Adoptable Children (NACAC). "Your

dedicated work in advocating for children with special needs has rightfully earned you much respect from your colleagues, adoption organizations, adoptive families and kids throughout the United States, and your achievements definitely merit official recognition," NACAC Executive Director Joe Kroll wrote Duquette in informing him of the award.

Kirkland & Ellis Professor of Law **Phoebe C. Ellsworth** has been named the Robert B. Zajonc Collegiate Professor of Psychology in the College of Literature, Science and the Arts, and delivered the Zajonc Lecture in March on "Emotion, Cognition and Culture." (Zajonc, who joined the University faculty in 1954, is Charles Horton Colley Distinguished University Professor Emeritus in the School of Public Health.) In October, she spoke on "Jury Reforms" at Ohio State University. In addition to her joint teaching appointments, she is a Faculty Associate with the Research Center for Group Dynamics at the Institute for Social Research.

Professor of Law **Richard Friedman**, on leave this academic year to do research, spoke on "Media and Trials" at Brunel University in May and at a conference on Judges and Juries in Belfast in April, the latter by videotape. In February, he spoke on the Louise Woodward "nanny" case at St. Hugh's College, Oxford, and on confrontation



ACTIVITIES, *continued*

rights at the University of Wales, Cardiff. In January, he was a member of an American Association of Law Schools panel discussing the 1937 "judicial revolution." During the fall he spoke on "Logic and the Law" at a symposium at Notre Dame University and on "Truth and Its Rivals in the Law of Evidence" at Hastings. He also has provided commentary on the Woodward case for the BBC, three private television channels in England, and MS-NBC.

Thomas A. Green, John Philip Dawson Collegiate Professor of Law, is serving as President-Elect of the American Society for Legal History through 1999 and will serve as President during 2000-2001.

Henry M. Butzel Professor of Law **Thomas E. Kauper**, '60, in April delivered the Lewis Bernstein Lecture at St. John's University Law School. He is chairing the ABA Antitrust Section's Public Service Task Force and in October lectured at the Golden State Antitrust Institute in San Francisco. In October and again in March he participated in the roundtable before the Federal Trade Commission on Joint Venture Guidelines Project, and in October served as chair and principal lecturer for a short course on antitrust law for the Southwestern Legal Foundation at Dallas.

Francis A. Allen Collegiate Professor of Law **Richard O. Lempert**, '68 is one of 18 recipients nationwide of a Russell Sage Foundation Fellowship to spend next year

in New York working at the Foundation; he will be working on a book about public housing evictions and working on alternative dispute resolution. He served on the Law School Admissions Council's Test Development and Research Committee and on its Grants Review Subcommittee, and is on the advisory committee for a Tucson, Arizona, study of the effects of allowing jurors to deliberate while trials are ongoing. He recently has participated in panels at the annual meeting of the Law and Society Association, a conference in Madison, Wisconsin, on "Do the 'Haves' Still Come Out Ahead?" in a University of Arizona conference of "Courts on Trial" and at DePaul Law School on "The American Civil Jury: Illusion and Reality." In December he took part in a conference in Leiden, The Netherlands, on complex litigation.

Assistant Clinical Professor **Andrea D. Lyon** argued before the Illinois Supreme Court in March that her client, convicted in 1990 of murder and arson, should get a new trial because of the destruction of evidence in the case and the pattern of torture of suspects at the station where police said her client confessed to them. The decision is expected this summer. In March, she also taught Continuing Legal Education classes at the National Criminal Defense College in Atlanta and presented the Clarence Darrow Lecture at the Museum of Science and Industry in Chicago. In February she

taught at the Annual Death Penalty Seminar of the California Attorneys for Criminal Justice. Last fall she lectured to the Massachusetts Committee for Public Counsel Services annual training seminar, coached the Michigan Trial Team in the National Association of Criminal Defense Lawyers' Bennett trial competition in New York, and lectured on sentencing advocacy to the Michigan Assigned Counsel training program.

Assistant Professor **Ronald J. Mann** won the American College of Commercial Finance Lawyers' Grant Gilmore Award for the outstanding article of the year on commercial credit by a young author for "Explaining the Pattern of Secured Credit," 111 *Harvard Law Review* 625 (1997). In April, he presented his paper "The Role of the UCC in Facilitating Financing of Intellectual Property" at the Conference on Intellectual Property and Contract Law in the Information Age at the University of California at Berkeley. He delivered his paper "Information Technology and Institutions for Verifying Information" at workshops at the Ohio State University College of Law, Vanderbilt University School of Law and the Law and Economics Workshop at the University of Michigan Law School.

The Association of American Publishers has selected *The Anatomy of Disgust* (Harvard University Press, 1997), by Thomas G. Long Professor of Law **William Ian Miller**, as the best book of 1997 in the Anthropology/Sociology category.

Professor of Law and Roy F. and Jean Humphrey Profit Research Professor **Richard H. Pildes**, a visiting professor at Harvard Law School and a fellow in Harvard's Program in Ethics and the Professions this past academic year, presented faculty workshops on legal regulation of democratic politics at Harvard and the universities of Chicago and Southern California in February and the University of Texas in November. In October he lectured on "Experts and Democrats" at the conference "The Proceduralization of Law: Transformation of Democratic Regulation," sponsored by the Center for Philosophy of Law at the Catholic University of Louvain in Brussels.

Professor of Law **Mathias Reimann**, LL.M.'83, has been chosen as National Reporter by the International Academy of Comparative Law for the topic "The Role of History in Comparative Law;" the report will become part of the 1998 World Conference of the Academy in Bristol, England. In March he lectured on "Punitive Damages in American Law — Recent Developments" at the University of Torino and in September co-organized the conference on "New Directions in Comparative Law" at San Francisco (a follow up conference to one held at the

New faculty

Faculty members make up the heart of any law school, and those who choose to teach at the University of Michigan Law School rank with the best. At deadline time, these new teachers had elected to join the Law School family:



Juliet M. Brodie

An assistant attorney general for the Wisconsin Department of Justice since 1993, Juliet M. Brodie joins the University of Michigan Law School as a clinical assistant professor in association with the Michigan Clinical Law Program. Last fall, she assisted with the Law School's establishment of the Poverty Law Clinic, which this year is being incorporated into the overall clinical law program.

Brodie received her J.D. from Harvard Law School and her A.B. from Brown University, both *magna cum laude*. At Harvard, she was president and student attorney with the Harvard Legal Aid Bureau. In Wisconsin, she was co-founder and president of the board of directors of Action

Wisconsin: A Congress for Human Rights and did extensive public speaking as project coordinator with the Wisconsin Supreme Court's Committee on Court-Related Needs of People with Disabilities, a project to study the implementation of the Americans with Disabilities Act within the court system. She joined the Wisconsin Department of Justice as Children's Justice Act Coordinator and then became a prosecutor in the Medicaid Fraud Control Unit. Also a freelance writer, she has published essays and reviews on cultural subjects.



James C. Hathaway

James C. Hathaway, a specialist in international immigration law and international human rights law, will join the Law School faculty as a professor this year. He has been on the faculty of Osgoode Hall Law School of York University, Canada, since 1984.

Hathaway holds a J.S.D. and LL.M. from Columbia University and an LL.B.

(Honors) from Osgoode Hall. He also studied for two years in Honors International Political Economy at McGill University.

The author of two books, *Reconceiving International Refugee Law* (Kluwer Law International, 1997) and *The Law of Refugee Status* (Butterworths and Co., 1991), Hathaway has written more than 40 articles and several monographs and expects to complete a book on refugee rights in international law for Kluwer Law International next year.

He has received research grants from many sources, among them the Social Sciences and Humanities Research Council of Canada, the John D. and Catherine T. MacArthur Foundation, the Ford Foundation, the Immigration and Refugee Board of Canada and the Canadian Immigration Appeal Board.

At Osgoode Hall, he was Director of Clinical Education, Associate Dean of Law, Founding Director of the Refugee Law Research Unit at York University's Centre for Refugee Studies, and Co-Director of the Intensive Program in Immigration and Refugee Law.

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University of Michigan in September 1996). He spent last summer teaching at the University of Trier in Germany and has served on the Long-Range Planning Committee of the American Society of Comparative Law.

Edson R. Sunderland Professor of Law **Terrance Sandalow** has been elected vice-president of the Order of the Coif. His term is for three years.

Harry Burns Hutchins Collegiate Professor of Law **Joseph Vining** in March spoke at Notre Dame University on the topic "On the Future of Total Theory: Science, Antiscience, and Human Candor," to inaugurate the university's Erasmus Institute. In the fall he spoke on "Fuller and Language" at a conference on "Rediscovering the Jurisprudence of Lon Fuller" at Tilburg Law School and also was a respondent at a conference on "Rethinking Law and Ethics" at Tilburg's Center for Legislative Studies. During the summer he was a panelist at the U.S. Justice Department symposium on the National Crime Commission.

Lawrence W. Waggoner, '63, Lewis M. Simes Professor of Law, in May presented the second installment of the "Restatement (Third) of Property (Wills and Other Donative Transfers)" to the membership of the American Law Institute. If approved, this installment will be published as the first hardbound volume of the new "Restatement."

FACULTY

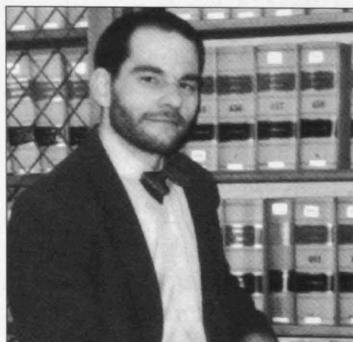
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Bridget M. McCormack

Bridget M. McCormack, who has been a Robert M. Cover Fellow in Clinical Teaching at Yale Law School since 1996, joins the Law School as a clinical assistant professor in association with the Michigan Clinical Law Program. As a Cover Fellow, she taught and supervised students in the Community Legal Services Clinic and the Prison Litigation Clinic.

McCormack earned her law degree from New York University School of Law and her bachelors degree, with honors in political science and philosophy, from Trinity College, Hartford, Connecticut. She has worked as a staff attorney with the Office of the Appellate Defender and the Criminal Defense Division of the Legal Aid Society, both in New York City.



Adam C. Pritchard

Adam C. Pritchard, a Visiting Assistant Professor at Northwestern University School of Law during the 1997-98 academic year and formerly an attorney in the Appellate Section of the Securities and Exchange Commission's Office of the General Counsel, has joined the Law School faculty as an assistant professor.

Pritchard graduated second in his class from the University of Virginia School of Law, where he was a member of the Order of the Coif and articles development editor for the *Virginia Law Review*. While at Virginia, Pritchard also won the Robert E. Goldsten Award for Distinction in the Classroom, the Olin Prize for Best Paper in Law and Economics, the Law School Alumni Association Best Note Award and the Olin Fellowship in Law and Economics.

After receiving his J.D., Pritchard clerked for the Honorable. J. Harvie Wilkinson III of the U.S. Court of Appeals for the Fourth Circuit, served as a Bristow Fellow with the Office of the Solicitor General in the Justice Department, and practiced as an associate with Bickel & Brewer in Washington, D.C.

He holds a Master of Public Policy Studies from the University of Chicago and a B.A. from the University of Virginia. His research concentrates where law and economics intersect and in issues of forfeiture. Pritchard's writings have appeared in the *American Criminal Law Review*, *Arizona Law Review*, *Cato Journal*, *San Diego Law Review*, *Missouri Law Review*, *Taxing Choice: The Predatory Politics of Fiscal Discrimination* (William F. Shughart II, ed., 1997), *Supreme Court Economic Review*, *Constitutional Political Economy*, *Fordham Law Review* and *Virginia Law Review*.

Last December Pritchard received the SEC's Law and Policy Award for his work on the brief in the case of *United States v. O'Hagan*, 117 S. Ct. 2199 (1997), in which the Supreme Court accepted the "misappropriation" theory of insider trading.



Jane S. Schacter

Jane S. Schacter, who earned her J.D. at Harvard Law School and her bachelors degree from the University of Michigan, joins the Law School faculty as a professor after teaching here as a visiting professor in the Fall Term of 1997.

She comes to Michigan from the University of Wisconsin Law School, where she joined the faculty in 1991. At Wisconsin, she taught courses in administrative law, civil procedure, legislation, sexual orientation and the law, and statutory interpretation and the democratic ideal.

As a law student, Schacter served as articles editor for the *Harvard Women's Law Journal* and worked as a faculty research assistant. After graduation, she clerked for the Hon. Raymond J. Pettine of the U.S. District Court in Providence, Rhode Island. She also has worked as an assistant attorney general in the Government

Bureau of the Massachusetts Department of the Attorney General and as a litigation associate with Hill & Barlow in Boston. Her publications have appeared in a number of law journals.



Anne N. Schroth

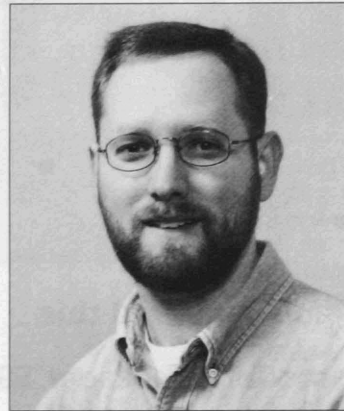
Anne N. Schroth, who came to the Law School in 1997 to help develop the new Poverty Law Clinic, joins the faculty this year as a clinical assistant professor associated with the Michigan Clinical Law Program. The Poverty Law Clinic, part of the Michigan Poverty Law Program, is being

incorporated into the overall clinical law program.

Schroth earned her J.D. at Harvard Law School and her bachelors degree at the University of Chicago. While in law school, she served as a student attorney and executive director of the Harvard Legal Aid Bureau and worked with the Alliance for Public Interest Alternatives and the Harvard Women's Law Association.

She clerked for the Hon. Mary Johnson Lowe of the U.S. District Court of the Southern District of New York and practiced as an associate with Bernabei & Katz in Washington, D.C. She also has been a lecturer and visiting assistant professor at The Catholic University of America, Columbus School of Law, Columbus Community Legal Services, in Washington, D.C.

Prior to coming to the Law School, she was a staff attorney with AYUDA/Clinica Legal Latina in Washington.



Mark D. West

Mark D. West, an Abe Fellow in 1997-98 at the Tokyo University Faculty of Law/Graduate School of Law and Politics, has joined the University of Michigan Law School faculty as an assistant professor.

A 1993 graduate of Columbia University School of Law, where he was Notes and Comments Editor for *Columbia Law Review*, West's current research focuses on extortion by shareholders of management in U.S. and Japanese corporate law regimes. He also has lectured in Japanese on comparative corporate governance and advised the Japanese Bar Association on deregulation issues.

At Columbia, West was a Harlan Fiske Stone Scholar and won the Shapiro and Kashiwagi Fellowships in Japanese law and the Foreign Language and Area Studies

Fellowship. He earned his B.A. *magna cum laude* in international studies in 1989 from Rhodes College.

After law school, West clerked for the Honorable Eugene H. Nickerson, U.S. District Judge, Eastern District of New York, where he worked on litigation involving gays in the military, the Kostabi art forgery case and organized crime cases.

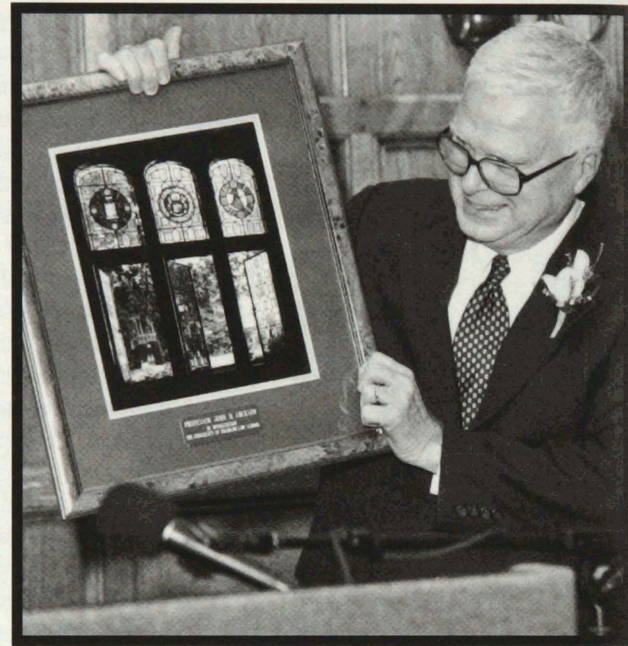
He also has practiced with Paul, Weiss, Rifkind, Wharton & Garrison in New York and Tokyo, concentrating in cross-border transactions and the internal investigation in Tokyo of Sumitomo Corporation of unauthorized copper transactions. He earned a research certificate from Hakodate University in Hokkaido in 1988 and worked with the Japanese Ministries of Foreign Affairs, Home Affairs and Education in Oita to develop internationalization programs, translate documents and teach English.

Admitted to the Bar in New York and to the District Courts for the Southern and Eastern Districts of New York, West has had articles published in *The Journal of Legal Studies* of the University of Chicago Law School, *Northwestern University Law Review* and *Columbia Law Review*.

Hail! Hail! Hail! Hail!

Three veteran faculty members retired this academic year — Professors John Jackson, '59, Beverly Pooley and Theodore J. St. Antoine, '54 — after a total of nearly 100 years of noted legal scholarship and of service and inspiration to the Law School. They will be missed.

We wish them well.



The World View —

After more than 30 years on the Law School faculty, Hessel E. Yntema Professor of Law John H. Jackson, '59, has been given emeritus status and moved to Washington, D.C., to teach at Georgetown University Law Center. A giant among world trade scholars, Jackson has been a prolific writer of articles and books like *The World Trading System: Law and Policy of International Economic Relations* (1997), *Restructuring the GATT System*, *The World Trading System* (1989) and *World Trade and the Law of GATT* (1969). Colleagues and friends honored him in a celebration in February. Here, he displays one of the Law School gifts to him at the celebration. "From an early stage, his advice and counsel became much sought after by practitioners and policy makers alike," said Professor José Alvarez. "Even now, thirty years after his first book on the GATT, John Jackson continues to dominate the field he virtually singlehandedly created. There is no legal specialty that I can think of that is dominated by a single scholar in the same way." Jackson thanked his wife, Joan, and noted of his Law School career: "One of the great principles of international trade is reciprocity — and I've gained at least as much as I've given." A graduate of Princeton University's Woodrow Wilson School of Public and International Affairs, Jackson joined the Law School faculty in 1966, served in Washington, D.C., as General Counsel of the U.S. Office of the Special Trade Representative, and served in 1988-89 as the University of Michigan's Associate Vice President for Academic Affairs, with responsibility for international studies.

The Teacher's Teacher —

"He ended his career as a spectacular teacher, just as he began it," Associate Dean for Academic Affairs Christina B. Whitman, '74, at far right, said of Professor of Law Beverley J. Pooley at his retirement celebration in April. Pooley, who holds two degrees from Cambridge University and three from the University of Michigan, came to the Law School in 1962 after teaching at the University of Ghana. As Director of the Law Library, he oversaw fundraising and development of the Law School's world-renowned 77,000 sq. ft., \$9.5 million underground Alan and Allene Smith Library Addition. Under Pooley's directorship, library holdings burgeoned from about 338,000 volumes to more than 600,000 volumes (and more than 820,000 today). Pooley also has been a mainstay of the University's Gilbert and Sullivan Society and is known to many theater goers who never knew him as a teacher. But to those who did, like former Associate Dean Kent Syverud, '81, now Dean of Vanderbilt University Law School, who returned to Ann Arbor for Pooley's retirement celebration, "he certainly appeared to have fun" as he taught. Here, Pooley, with his wife Pat, co-founder of the restaurant The Moveable Feast in Ann Arbor, holds the framed portrait of three cartoons from the Law School's stained glass windows that he received. The illustrations depict cartoonized versions of malicious mischief, mayhem and contracts. "It has been an extraordinary event to be on this faculty," Pooley said.

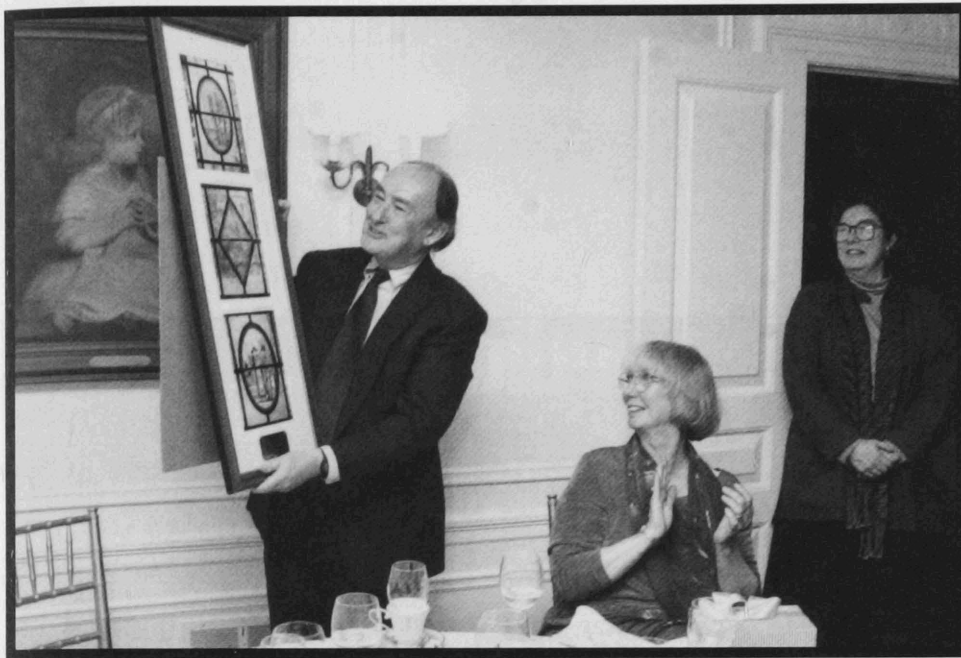


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The Master Arbitrator —

James E. and Sarah A. Degan Professor of Law Theodore J. St. Antoine, '54, shown here with his wife, Lloyd, combines "topflight academic work and topflight public service," Professor Deborah C. Malamud noted during a retirement celebration for St. Antoine in March. Many people know of his work with ABA labor committees and the National Academy of Arbitrators, but fewer know that he represented the UAW during negotiation of the Civil Rights Act of 1964, she said. His strength has been that he "consistently has eschewed the role of the ideological purist." St. Antoine is a graduate of Fordham College and spent a year as a Fulbright Scholar at the University of London. He joined the Law School faculty in 1965, served as Dean from 1971-78, twice headed the search committee for a new Dean, and now chairs the University's search committee for a General Counsel. Clarence Darrow Distinguished University Professor of Law Yale Kamisar, who also joined the Law School faculty in 1965, described St. Antoine as an effective mix of the idealism of Don Quixote and the practical savvy of Sancho Panza: he has shown the mark of the great lawyer, "finding ways to transform the great goals of society into tangible accomplishments." Said Dean Jeffrey S. Lehman, '81: "As the history of the Law School is written, your name will appear on many pages in many capacities." St. Antoine expressed appreciation to his wife, and thanked his colleagues for "three decades of a wonderful association with all of you."