

University of Colorado Law School

Colorado Law Scholarly Commons

Amicus

Fall 2005

Amicus (Fall/Winter 2005)

University of Colorado Law School

Follow this and additional works at: <https://scholar.law.colorado.edu/amicus>



Part of the [Law Commons](#)

AMICUS

UNIVERSITY OF COLORADO LAW SCHOOL

VOLUME XXII, NUMBER 1, FALL/WINTER 2005

PILLARS of EXCELLENCE

*Colorado Law centers,
programs, and clinics
are building a national
reputation for
constitutional law,
telecommunications,
natural resources,
juvenile and family law,
American Indian law,
criminal and civil
practice, and
entrepreneurship.*

INSIDE: WOLF LAW BUILDING UPDATE



AMICUS is produced by the University of Colorado Law School in conjunction with the Office of Publications and Creative Services.

Inquiries regarding content contained herein may be addressed to:

Kirsten Dueck
Director of Alumni Relations and Communications
Colorado Law School
401 UCB
Boulder, CO 80309
kirsten.dueck@colorado.edu

Editing: Jon Leslie

Design and production: Mike Campbell and Barb Diehl

Photography: Larry Harwood, Casey Cass, and Kirsten Dueck

Project management: Lisa DeYoung

The University of Colorado does not discriminate on the basis of race, color, national origin, sex, age, disability, creed, religion, sexual orientation, or veteran status in admission and access to, and treatment and employment in, its educational programs and activities.



Printed on recycled paper

CONTENTS



From the Dean 2

A Vision to Build On

Wolf Law Building Update 4

Building Rises as Final Phase of Fundraising Campaign Begins

Pillars of Excellence 6

Colorado Law centers, programs, and clinics are building a national reputation for constitutional law, telecommunications, natural resources, juvenile and family law, American Indian law, criminal and civil practice, and entrepreneurship.

Law School News 17

Faculty News 20

Alumni News 26

Calendar back cover

A VISION TO BUILD ON

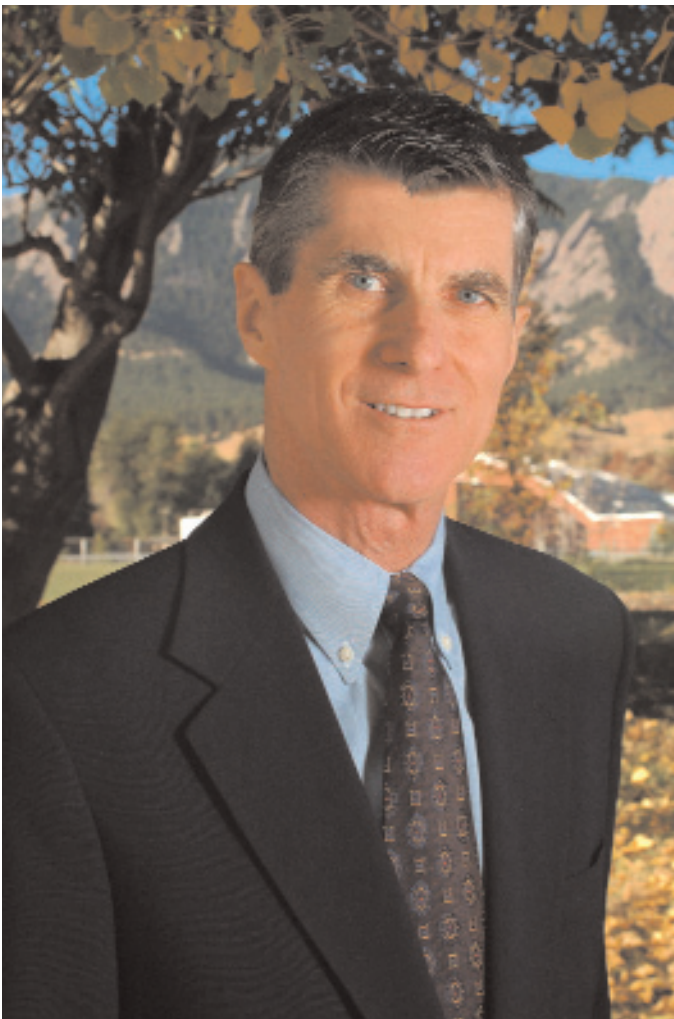
In 1892, when the first students entered the University of Colorado School of Law, they doubtless had a vision of great things to come. On a campus where the landscaping changed seasonally from mud to blowing dust, the handful of hardy men and the stern professors who taught them laid the foundation for a tradition of excellence—the same tradition we continue to build today.

The Law School grew rapidly in size and prestige. In 1901, we joined the nation's best as a charter member of the Association of American Law Schools. In the years that followed, we distinguished ourselves through the public service of our graduates, providing governors, state legislators, U.S. senators and congressmen, and most of the judges for the state.

Not content simply with meeting Colorado's demand for accessible legal education, we believed the state should have the best law school possible, and—through the ongoing achievements of our graduates and faculty—we have gained and maintained national prominence. Since the first law school rankings appeared in the 1980s, CU has placed in the top tier, even as we continually strive to become better.

What it takes to be a great law school has changed with time. Over the years, the criteria for excellence have grown. Beyond the constant of a demanding academic program that fosters rigorous analytical skills, great schools must now provide a wide range of specialized course offerings, varied clinical and practice-oriented educational experiences, comprehensive research libraries, smaller class sizes and favorable ratios of faculty to students, faculty research that contributes to the intellectual advancement of the law, and co-curricular activities like moot court competitions and community service.

Today's great law schools need state-of-the-art facilities to accommodate a wider array of programs, practice-oriented courses, a library with varied resources for legal research, and technology-based teaching methods. Leadership in research and education through the creation of first-rate centers and programs in fields of special interest is now a major indicator of law school excellence. Attracting the best students and faculty members is also vital, and the "best" must now qualify not only by traditional academic measures, but also by virtue of a diversity of experiences, perspectives, races and ethnicities, and interests.



By every criterion, the University of Colorado School of Law has risen to the challenges of change in legal education. Most recently, we overcame seemingly insurmountable barriers to replace a building we had long ago outgrown. The new Wolf Law Building will open its doors in fall 2006 and will be a monument to the generosity of the donors and students who provided the funding and to the ingenuity and commitment of the Law School and university community, who would not be defeated by difficulty. We thank everyone involved for their invaluable support.

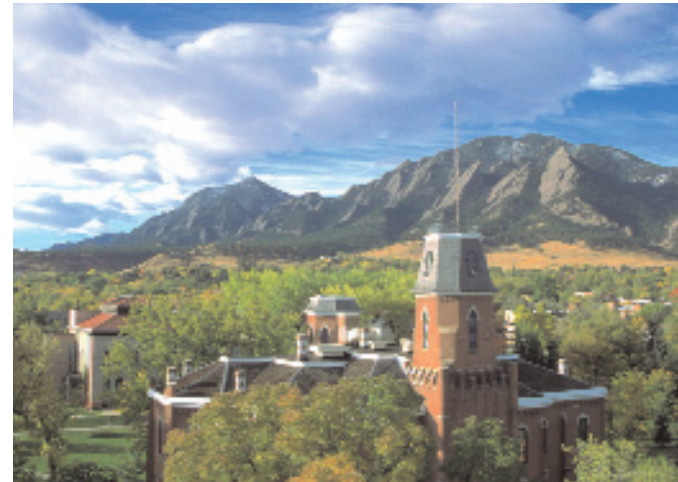
This redesigned issue of *Amicus* reflects our pledge to improve our communication with friends and colleagues. It features the centers and programs that are essential to the Law School's pursuit of excellence, including our three nationally recognized research and education projects—the Byron White Center for the Study of American Constitutional Law, the Silicon Flatirons Telecommunications Program, and the Natural Resources Law Center—and our clinical education initiatives, from one of the first client-centered civil and criminal programs in the nation to our incipient juvenile and family law clinic.

These programs help to define and build our prominence among the nation's law schools. Moreover, they engage our students and faculty in the larger community. Outreach, civic engagement, and service are central to our mission, and just as those first students and faculty had a vision of great things to come in 1892, the programs featured here are critical to fulfilling our own vision in the milieu of legal education today.

Best regards,



David H. Getches



*“By every criterion,
the University of Colorado
School of Law has risen to
the challenges of change
in legal education.”*

Building Rises as Final Phase of Fundraising Campaign Begins



Construction is progressing quickly on the historic Wolf Law Building. The highest steel beams are in place, and students, faculty, staff, and alumni celebrated the “topping out” on September 22. A long-held dream of Colorado Law, this LEED-certified facility—meeting the highest standards for energy and environmental design—will immediately enhance the learning experience of Colorado Law students when it opens in August 2006. The new law library will be 50 percent larger than the existing library. The building will house dedicated spaces for the Law School’s clinics, scholarly journals, and legal research centers; 18 classrooms ranging in size from 20 to 100 seats; two state-of-the-art mock courtrooms; and administrative offices for faculty and staff.

This fall marks the beginning of the final phase of the fundraising campaign for the building. We are appealing to all alumni and friends to support this long-awaited project and to help us successfully meet the \$12.8 million private fundraising goal. For information about making a contribution, contact our Director of Development, Julie Levine, at 303-735-6196 or julie.levine@cufund.org.

CU Alumnus Commits \$1 Million Gift

Nancy and John Wittemyer (inset, facing page), longstanding supporters of the University of Colorado, have committed \$1 million to the School of Law in support of the Wolf Law Building. The funds will enable construction of the building’s state-of-the-art courtroom, which will carry the Wittemyer name, and is one of the largest private gifts committed to the building project to date. The Wittemyer gift carries Colorado Law into the final phase of building fundraising with just \$2.1 million needed to complete construction. “The Wittemyer family’s tradition runs deep and wide at CU,” said School of Law Dean David Getches. “We are especially proud to have the Wittemyer name on the new courtroom. John Wittemyer’s accomplishments as a distinguished alumnus, a respected water lawyer and a successful businessman will inspire our students for generations to come.”

Three generations of Wittemyers are graduates of the Law School and 17 family members have graduated from the University of Colorado system. Mr. Wittemyer served as a director of the Alumni Association for nine years and as president of that organization from 1992 to 1993. “Nancy and I are pleased to be able to provide meaningful assistance to this outstanding institution at a time when it counts. The courtroom is the essence of the Law School and the foundation of our civilized society,” said Mr. Wittemyer. “Experience has underscored for us the integrity, importance, and excellence of the University of Colorado School of Law in the western United States.”



“We are well on our way towards transforming the study of law at CU forever, but we continue to rely on the generosity of our many friends and supporters to see the project through to its completion.”

**—David H. Getches,
Dean of Colorado Law**

PILLARS OF EXCELLENCE



Important questions are being asked at the University of Colorado School of Law. As construction of the Wolf Law Building progresses (*see page 4*) and our students gain national recognition in many areas of the law, Colorado Law centers and programs are examining everything from freedom of religion, to regulation of Internet-based telecommunications, to the future of the Colorado River. Our centers and programs of excellence in constitutional, telecommunications, and natural resources law have earned national prominence for asking the hard questions, challenging policy makers, and providing students with practical clinical experience—and their success has laid a solid foundation for our emerging programs and clinics in juvenile and family law, American Indian law, criminal and civil practice, and entrepreneurship law.

The following pages contain overviews highlighting the ongoing accomplishments of our centers, programs, and clinics. By raising the level of discussion on issues important to American society, we are elevating the tradition of Colorado Law and fulfilling our mission of outreach, civic engagement, and service to the larger community. ▶▶

A handwritten signature in black ink, reading "Lorenzo A. Trujillo".

Lorenzo A. Trujillo
Assistant Dean for Students and Professional Programs

**How far does
the exercise of
free religion extend?**

**What is the future
of regulation in the
telecommunications
industry?**

**How well do
current laws
protect water resources
in the West?**

Ira C. Rothgerber, Jr. Conferences on Constitutional Law, Past Topics

- 2005 Conscience and the Free Exercise of Religion
- 2004 Constitutional Conflicts on Public Lands
- 2003 Justice White and the Exercise of Judicial Power
- 2001 Conservative Judicial Activism
- 2000 The End of School Desegregation?
- 2000 Law and Character
- 1998 The Starr Chamber: The Clinton Scandal and the Constitution
- 1996 Gay Rights and the Courts: The Amendment 2 Controversy
- 1994 Guaranteeing a Republican Form of Government
- 1993 Freedom of Speech in a World of Private Power
- 1991 Constitutional Theory and the Practice of Judging
- 1990 Constitutional Law and the Experience of Judging

Director

Richard Collins was appointed Director of the Byron R. White Center for the Study of American Constitutional Law in 2002. Professor Collins has written and lectured on such topics as the exercise and establishment of religion clauses and their relationship to Indian Tribes, the



Commerce Clause, and ballot initiatives and referendums. His recent research projects include a treatise on the Colorado Constitution, written with Dale Oesterle; an

article on sacred sites on government lands in the United States, Australia, New Zealand, and Canada; the forthcoming revision of Felix Cohen's *Handbook of Federal Indian Law*, and an article in the *Colorado Law Review* on lawmaking by citizens' initiatives.

Byron R. White Center for the Study of American Constitutional Law

www.colorado.edu/law/centers/byronwhite

We're the only branch of government that explains itself in writing every time it makes a decision.

—Byron R. White, U.S. Supreme Court Justice

In 1990, Colorado Law alumus Ira C. Rothgerber, Jr.'s generous bequest enabled the founding of the Byron R. White Center for the Study of American Constitutional Law. Named for the famous CU alumus, Rhodes Scholar, Heisman Trophy winner, and Supreme Court Justice, the center exists to develop the study and teaching of constitutional law, bringing together the viewpoints of the attorney and the legal scholar in the debate of constitutional topics, while incorporating the perspectives of other academic disciplines such as history, philosophy, and political science.

An Incubator for Constitutional Thought

Each year, the center hosts Ira C. Rothgerber, Jr. Conferences on Constitutional Law, attracting prominent scholars, attorneys, and students from across the country. Topics of past conferences have ranged from the impeachment of President Clinton to the constitutionality of Colorado's Amendment 2, with featured speakers such as Justice Ruth Bader Ginsburg, Judge David Ebel, and Professor Ronald Dworkin.

Building National Influence

The center has raised the Law School's constitutional law program to among the best in the country by encouraging faculty scholarship, sponsoring exceptional faculty writing, attracting first-rate constitutional scholars, and supporting visiting professorships from prominent scholars such as Archibald Cox and Herbert Wechsler. It strives simultaneously to build Colorado Law's reputation as a national center for constitutional debate and to integrate Colorado Law into the overall life of the University of Colorado community by incorporating the ideas and perspectives of non-law students and faculty. ►►



Sally Blackmun, daughter of Supreme Court Justice Harry Blackmun, speaks at The Justice Blackmun Papers, a program sponsored by the Byron R. White Center for the Study of American Constitutional Law.

Natural Resources Law Center

www.colorado.edu/law/centers/nrlc

The center has gained a reputation as a trusted voice on resource law and policy matters, especially in the fields of water resources policy, public land management, and energy resource development.

In the fall of 1981, the dean of the Law School convened a distinguished committee of natural resource lawyers to consider a proposal to establish a center for natural resources law. That meeting resulted in the founding of the Natural Resources Law Center in 1982. The center is recognized nationally for its research and writing on natural resources and environmental issues in the American West. Through research and education, the center strives to promote the long-term sustainability of the West's natural resources, environment, and communities. The center is best known for its annual conferences that offer an opportunity for attendees to observe and participate in policy discussions. The center promotes vigorous debate, in a neutral setting, so that all may participate openly. Past conferences have examined the Endangered Species Act, management of national forests, and the takings clause of the Fifth Amendment.

A Prominent Voice

The center offers a robust program of interdisciplinary research that seeks to find policy solutions to the many legal and practical problems that arise in the field of natural resources. Renowned for its conferences and workshops, the center has brought many distinguished visitors to campus who have contributed greatly to the academic vitality of the law school, including Interior Secretary Gale Norton; Clyde Martz, a former Department of the Interior solicitor and a long-time friend of the center; and Bruce Babbitt, former Secretary of the Interior.

Ultimately, the center seeks to use its voice to help achieve its mission of promoting sustainability in the rapidly changing American West by informing and influencing natural resources policies and decisions.

A Sustaining Influence

The center plays a large role in the Law School's core educational mission, providing students the opportunity to propose their own interdisciplinary research projects that will enable them to understand the important role of policy in their legal education and persuade them through experience that careful research, well-considered arguments, pursuit of collaborative problem solving, and clear prose can often influence law and policy in a meaningful way. ▶▶

Natural Resources Law Center Welcomes New Director

Professor Mark Squillace became the Director of the Natural Resources Law Center at the University of Colorado School of Law in August 2005. Before coming to Colorado Law, Professor Squillace taught at the University of Toledo College of



Law where he was the Charles Fornoff Professor of Law and Values. Prior to Toledo, Professor Squillace taught at the University of Wyoming College of Law

where he served a three-year term as the Winston S. Howard Professor of Law. He is a former Fulbright scholar and the author or co-author of numerous articles and books on natural resources and environmental law. In 2000, Professor Squillace took a leave from law teaching to serve as Special Assistant to the Solicitor at the U.S. Department of the Interior. In that capacity he worked directly with Secretary of the Interior Bruce Babbitt on variety of legal and policy issues.



The Natural Resources Law Center promotes the sustainability of the American West by informing and influencing natural resources policies and decisions.

**Silicon Flatirons
Telecommunications Program,
Past Speakers**

Michael Powell, FCC Chairman

Kathleen Abernathy, FCC Commissioner

Craig Mundie, Microsoft Chief
Technology Officer

Fritz Hollings, Senate Commerce
Committee Chairman

Michael Gallagher, Assistant Secretary of
Commerce for Communications and
Information

Lawrence Lessig, Stanford Law Professor
and Author

CEOs of Level 3, Qwest, Comcast, and
Time Warner Telecom

Two heads of the Justice Department's
Antitrust Division

Executive Director

Prior to joining the Colorado Law faculty in January of 1999, Phil Weiser served as Senior Counsel to the Assistant Attorney General in charge of the Antitrust Division at the Department of Justice, advising primarily on telecommu-

nications matters. Before his appointment at the Justice Department, Professor Weiser served as a law clerk to Justices Byron R. White and Ruth Bader Ginsburg at the



United States Supreme Court and to Judge David Ebel at the Tenth Circuit Court of Appeals. Since arriving at CU, Professor Weiser has worked to fortify CU's strength in telecommunications and technology law, establishing the *Journal on Telecommunications & High Technology Law* and the Silicon Flatirons Telecommunications Program. Professor Weiser writes and teaches in the areas of telecommunications and information policy, recently co-authoring *Digital Crossroads: American Telecommunications Policy in the Internet Age* (MIT Press 2005).

**Silicon Flatirons
Telecommunications Program**

www.colorado.edu/law/programs/siliconflatirons

Capitalizing on the strong presence of the local telecommunications industry, the Silicon Flatirons Telecommunications Program brings together campus individuals from legal, technical, regulatory, and business backgrounds to discuss issues facing the telecommunications and information technology industries.

As home to the nation's first interdisciplinary telecommunications program, CU enjoys a long and rich tradition in technology and telecommunications law. Nestled within the Flatirons telecommunications corridor, CU is centrally located among major corporations like Qwest, CableLabs, Level 3, Sun Microsystems, Time Warner Telecom, and EchoStar. Benefiting from an ideal location, the Silicon Flatirons Telecommunications Program was created to enable Colorado Law faculty and students to work with scholars and experts from other academic disciplines to explore the frontier of telecommunications and high technology law and policy.

A Forum for a Changing Debate

The information industries are in the midst of a challenging transition. Entrepreneurs are constantly developing new businesses, and regulators are ever seeking to adapt to a dynamic marketplace marked by fast-moving technologies. The Silicon Flatirons Telecommunications Program provides a forum for entrepreneurs, lawyers, industry professionals, and policy makers to discuss changing technologies and new business models and the relevant legal issues associated with them. At its core, the Program's mission is to examine the legal and regulatory reforms necessary to meet the challenges created by technological change, most notably the Internet and the migration from analog to broadband digital technologies.

Developing Human Capital

The program's central ambition is to develop cutting-edge initiatives that inform its audience and expose them to new ideas. Each year, the program hosts nine seminars and an annual symposium. Events regularly draw over 200 people each—with equal numbers of students and technology professionals. These events facilitate a healthy balance between theoretical perspectives and real-world insights and help to inspire and prepare students to participate in our emerging information society. ►►

Juvenile and Family Law Program

www.colorado.edu/law/programs/juvenilefamlaw

In the fall of 2004, the Law School launched an exciting new initiative, the Juvenile and Family Law Program. The program was started in response to student interest in this area of the law, as well the hiring of new faculty members who specialize in juvenile and family law (*see sidebar*). In its first year, the program had tremendous success. The Law School increased academic course offerings, started a juvenile law clinic, provided externship opportunities, and sponsored symposia on pressing legal issues in the field.

Real-world Experience

With generous support from the Court Improvement Committee, private foundations, students, and local bar and professional associations, the program started a juvenile law clinic this fall. Twelve students are working with clinical professor Colene Robinson, serving as guardians ad litem for children in dependency and neglect proceedings in Broomfield County, and as school district counsel in truancy matters. In addition to the clinic, students may enroll in numerous family and juvenile law externships, such as working for a magistrate judge on marriage dissolution proceedings.

Debating the Issues

To complement the doctrinal and clinical courses, the program sponsors symposia and brown bag lunches throughout the academic year. These programs are open to students, and are often open to practicing attorneys and members of the public as well. In September, the program hosted a full afternoon symposium entitled *The Legal Recognition of Same-sex Parents: Law, Psychology, and Ethics*. The symposium featured numerous speakers, including representatives from Focus on the Family and the GLBT Center of Colorado, and was co-sponsored by several student groups, including OUTLaw, the Federalist Society, the Republican Law Society, and the Student Trial Lawyers Association. It was also co-sponsored by the Colorado Women's Bar Association. ▶▶

Faculty

Clare Huntington, Associate Professor

Professor Huntington came to Colorado Law in the fall of 2004 from the Office of Legal Counsel (OLC) in the U.S. Department of Justice. At OLC she specialized in immigration law, which she teaches at CU. Her other main interest is family and juvenile law. Professor Huntington has worked on poverty-related projects in India and Senegal. She gained experience as a caseworker with a foster care agency in New York City before entering law school and clerking at all three levels of the federal judiciary, ending up as a law clerk to Justices Harry Blackmun and Stephen Breyer on the U.S. Supreme Court.

Colene Robinson, Clinical Professor

Professor Robinson is the former Program Director for the National Association of Counsel for Children and has worked for years with homeless teens, pregnant and parenting youth, and mentally ill children in residential settings. She was one of ten national Civitas Childlaw Scholars. After law school, she joined the New York City Legal Aid Society's Juvenile Rights Division, representing children in dependency, status offense, voluntary placement, and delinquency cases in trial and appellate proceedings.



Clare Huntington



Colene Robinson

Over the past 27 years, students have participated in cases challenging:

- federal agencies' compliance with the National Environmental Policy Act, National Forest Management Act, Federal Land Policy and Management Act, Clean Water Act, and other statutes when the agency permits activities—ranging from building new ski areas to authorizing livestock grazing—on environmentally sensitive federal lands
- threats to endangered species like the whooping crane and candidates like the black-tailed prairie dog
- surface coal mining on federal lands containing crucial wildlife habitat
- fences blocking wildlife access to and across federal lands
- litigation brought by property rights advocates who claim that federal controls result in a taking of their private property
- oil and gas leasing and development on federal lands
- road building and mechanized development in wilderness areas and federal "roadless" lands

Natural Resources Litigation Clinic

www.colorado.edu/law/clinics/nrlc

In 1978, the University of Colorado School of Law and the National Wildlife Federation (NWF) established the Natural Resources Litigation Clinic to give law students hands-on experience in environmental litigation. Staff attorneys from NWF offer the clinic each academic year during the fall, spring, and summer terms. More than 400 students have taken the clinic since its inception.

Students in the Natural Resources Litigation Clinic work as "associates" in a small environmental law practice representing public interest clients before administrative agencies, state and federal courts, and the federal and state legislatures. The clinic's docket consists of environmental litigation concentrating on protection of federal public lands, especially lands managed by the Bureau of Land Management and the U.S. Forest Service. Clinic cases often require expert testimony and witness preparation, analysis and presentation of detailed scientific and environmental data, and submission of complex legal briefs. Under the direction of NWF staff attorneys, students forge and clarify the law in controversial environmental arenas, and in the process learn not only from the clinic's staff, but also from matching the best and brightest attorneys and experts the opposition can muster. They have been part of landmark environmental and natural resources litigation, including cases that have gone all the way to the United States Supreme Court. ▶▶



The Arrastra Mountain Wilderness area in Arizona, where clinic students helped obtain an injunction to stop bulldozers from rebuilding roads within the wilderness area.

Photo: Joe Feller, ASU

American Indian Law Clinic

www.colorado.edu/law/clinics/ilc

One of the first clinics of its kind, the American Indian Law Clinic gives students hands-on experience in the practice of federal and tribal Indian law while providing low-income persons with high-quality legal representation. Under the close supervision of the clinic's director, student attorneys are involved in a wide spectrum of Indian law work. In addition, students have the opportunity to work directly with Indian tribes on tribal constitution and code development. A valuable resource for the metro Denver Indian community, clinic students have presented programs such as the Colorado Indian Community Law Day and the Colorado Tribal-State Judicial Seminar.

The clinic often collaborates with the Natural Resources Law Center and Oyate, an undergraduate Indian organization at CU-Boulder, to host a variety of special events, including a special session of the Navajo Nation Supreme Court; lectures by the late Vine Deloria, renowned expert in Indian law and history; an appearance by Winona LaDuke, Native lands activist; a two-day Native American Sacred Lands Forum; and a distinguished visitor program featuring Tom Goldtooth, Executive Director of the Indigenous Environmental Network.

Students have served as externs with the Native American Rights Fund, the Tribal Program of the U.S. Environmental Protection Agency, the Intertribal Council on Utility Policy, and the Southern Ute Tribal Court. Students have also had the opportunity to work with law school faculty on Indian and tribal law research issues.

Many graduates go on to specialize in the practice of Indian law, working for the Native American Rights Fund, the Indian Law Resource Center, Indian law firms, Indian legal service agencies, tribal governments, and in tribal courts. ▶▶

Director

Appointed in 2001, Jill Tompkins brings a wealth of experience to the position of Director of the American Indian Law Clinic. A graduate of the University of Maine School of Law, she is admitted to practice law in Maine, Connecticut, Colorado, and three tribal courts. She has extensive experience with federal Indian and tribal law from her practice and service as a chief judge with the Mashantucket Pequot and Passamaquoddy Tribal Courts, and as an appellate justice with the Mashantucket Pequot, Passamaquoddy, and Pokagon Band of Potawatomi Courts of Appeal. Professor Tompkins taught at the National Judicial College, and for six years successfully organized and taught in the annual National Tribal Judicial Conference sponsored by the National American Indian Court Judges Association. Professor Tompkins formerly was the founding Executive Director of the National Tribal Justice Resource Center.



The American Indian Law Clinic collaborates with groups like Oyate, a CU-Boulder Indian student organization, on a variety of events and programs.





Norm Aaronson

The Legal Aid & Defender Program

www.colorado.edu/law/clinics/legalaid

The Legal Aid and Defender Program dates to 1948 and is the principal clinical offering of the Law School. The program permits student attorneys to represent indigent persons in the community under the supervision of full-time clinical professors. The program is divided into sections specializing in civil litigation and criminal defense.

Civil Practice Clinic

The Civil Practice Clinic provides students with a full year of exposure to the procedural and practical remedies and defenses available in civil litigation. Throughout the clinic, students represent real clients in court proceedings. Each student carries a caseload of five or six cases. Taught by full-time Clinical Professor Norm Aaronson, the clinic focuses on domestic relations, social security, disability law, and some immigration (asylum) cases. Students appear in state district court and before federal administrative law judges. The clinic is courtroom intensive, particularly during the second semester. Classroom work emphasizes law and civil practice skills such as drafting pleadings, motion practice, depositions, negotiations, courtroom evidence, and trial advocacy skills. Ethical issues that may arise in the course of representation are addressed as well. The clinic concludes with a final mock jury trial at the Boulder County Courthouse.

Criminal Defense Clinic

Students may take either a one-semester or a full-year criminal defense clinic. They attend class and represent clients in misdemeanor and serious traffic cases in Boulder County Court, and also represent clients in various municipal courts in Boulder County. Taught by Clinical Professor Pat Furman (Colorado Law '80), the classroom component of the course emphasizes important and relevant academic and professional skills such as criminal law and procedure, ethics, investigation and interviewing, and the preparation and conduct of trials. Simulations and videotaping are used to improve advocacy skills. The courtroom component of the course involves the representation of indigent clients at all stages of criminal proceedings from first appearance through trial and appeal. The clinic represents only indigent defendants and generally only represents persons who are facing jail time. ▶▶

This is not a clinic in which students second chair cases, or act as a research assistant to a faculty member; the students handle the cases themselves. The resulting pressure is one of the reasons clinics are such a great teaching tool, and the commitment and devotion of the students to the cases and the clients is a reflection of the high caliber of our student body.

Wrongful Convictions Clinic

www.colorado.edu/law/clinics/wrongfulconvictions

The Wrongful Convictions Clinic focuses its efforts on investigating and litigating the claims of Colorado prisoners who, despite being convicted and having their convictions affirmed on appeal, assert that they are, in fact, innocent.

The clinic works with the Colorado Innocence Project, a group of volunteer lawyers who receive requests for help from inmates, evaluating their claims to see if there are factual and legal grounds supporting the claims. When the project finds a case that appears deserving of further investigation, students will correspond and meet with the prospective client, review the case history, determine what investigation might help, and make recommendations as to whether the case should be pursued. If further action is justified, the students work with volunteer lawyers in preparing and presenting the post-conviction motions.

Clinic students are also active on the legislative front. In 2002, they wrote, lobbied for, and helped pass legislation that gives Colorado state court inmates access to DNA evidence in the post-conviction setting. Last year, students worked on legislation requiring that statements of suspects be electronically recorded whenever possible in the hope of improving the accuracy of the information that is presented to the fact finder.

Appellate Advocacy Clinic

www.colorado.edu/law/clinics/appeladvoc

The Appellate Advocacy Clinic was established in 1988 and is offered each fall. Taught by experienced attorneys from the Appellate Division of the Colorado Public Defender's Office and the Criminal Division of the Colorado Attorney General's Office, the clinic handles appeals from district courts throughout Colorado that are pending in the Colorado Court of Appeals or Colorado Supreme Court, alternating between the defense and prosecution side.

Students, under direct supervision of an instructor, are responsible for completing an appellate brief for a case currently on appeal and for attending the oral argument. In the classroom portion of the course, students receive formal instruction on appellate procedure, issue identification, appellate brief writing, and oral advocacy. The clinic provides a rigorous brief writing experience that includes the preparation of multiple drafts and a critique concerning every aspect of the brief, from overall organization and persuasiveness to grammar and citation. Students also conduct an oral argument in their case before a panel of attorneys. ▶▶

These cases are difficult and time-consuming. But an effort to free a wrongfully convicted person is as noble an effort as lawyers can ever undertake, and the students in the Wrongful Convictions Clinic find the hard work well worth it.



Pat Furman with Criminal Defense Clinic students.



Research Associate

Brad Bernthal returns to Colorado Law as a research associate after earning his JD here in 2001. In his new position, Mr. Bernthal teaches in the Entrepreneurial Law Clinic. Prior to law school Mr. Bernthal was Staff Assistant to U.S. Senator Robert Kerrey of Nebraska. From 2001 to 2003 he worked at Brobeck, Phleger & Harrison LLP in San Francisco, specializing in appeals and securities litigation. From 2003 to 2004 Mr. Bernthal practiced at Hogan & Hartson LLP in Denver before most recently working at Berg Hill Greenleaf & Ruscitti LLP of Boulder.

The clinic allows students to study the risks and rewards involved in starting a new business while providing assistance to struggling entrepreneurs in their pursuit of self-sufficiency.

Entrepreneurial Law Clinic

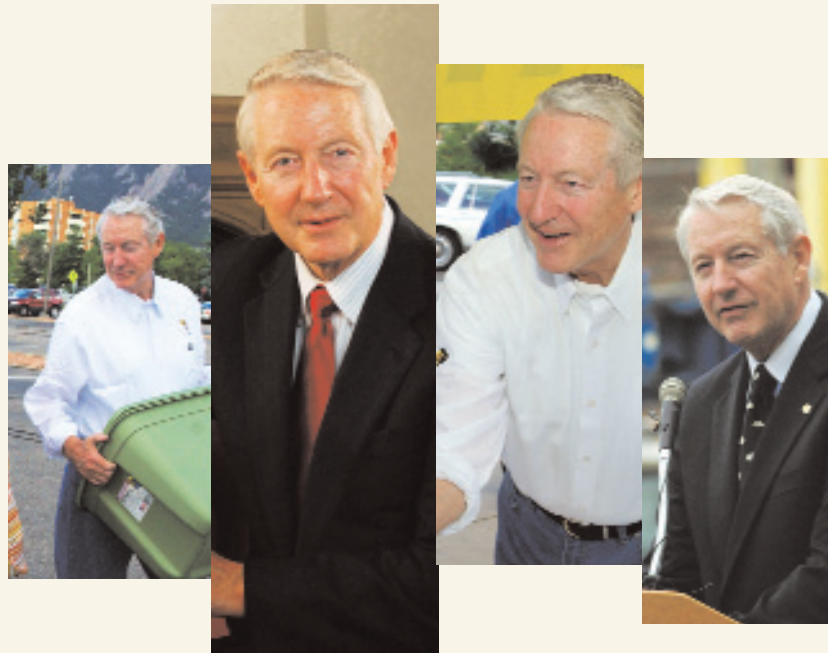
www.colorado.edu/law/clinics/entre

Created in 1998, the Entrepreneurial Law Clinic serves two interests—providing students with practical experience in entrepreneurial law, and offering valuable legal services to local entrepreneurs who have not yet received traditional venture capital or angel investor funding. Clients include individual entrepreneurs, start-up companies, students such as the winners of the Leeds School of Business Business Plan Competition, and entrepreneurs who otherwise would be underserved by the legal community. The clinic also assists in the process of commercializing university-developed technology by representing faculty members and companies working with the CU Technology Transfer Office (TTO), and provides valuable legal services to members of the local start-up community, such as the Colorado Technology Incubator (CTEK).

Second- and third-year law students staff the clinic, providing legal services under the supervision of instructors and experienced attorneys. The Boulder office of Hogan & Hartson, an international law firm, generously provides oversight of students' work product. During the year that students are enrolled in the clinic, they interact directly with clients, providing them with legal advice and transactional services, such as drafting documents and researching legal issues. In addition, students meet on a weekly basis with instructors and practicing attorneys to review cases, discuss practice points, and learn from guest speakers on particular legal issues. ■



Paul Jerde, Executive Director of the Leeds School of Business Deming Center for Entrepreneurship, helps support the efforts of Colorado Law centers, programs, and clinics.



Hank Brown, Colorado Law '69, Becomes 21st President of the University of Colorado

Hank Brown took over CU's top post on August 1, and will serve unless and until the Board of Regents appoints another person at the conclusion of the search process, which is in progress. (He was appointed by the University of Colorado Law Faculty Professor of Law upon his appointment as president.)

As president and CEO of the Daniels Fund, Brown presided over the billion-dollar foundation created by the late cable entrepreneur, Bill Daniels. Prior to his employment with the Daniels Fund in July 2002, Brown was the 11th president of the University of Northern Colorado. Brown has held faculty positions at both the University of Denver and the University of Northern Colorado. Before becoming UNC's president, he served Colorado in the United States Senate and five consecutive terms in the U.S. House of Representatives representing Colorado's 4th Congressional District. He also served in the Colorado Senate from 1972 to 1976. Brown was elected and re-elected to the House of Representatives by majorities ranging from 69 percent to 74 percent, the highest in the history of the district. He was elected to the U.S. Senate by a 13 percent victory margin.

Brown was a vice president of Monfort of Colorado from 1969 to 1980. He is both an attorney and a CPA. He earned a bachelor's degree in accounting from the University of Colorado in 1961 and was elected CU's student body president. Brown served in the U.S. Navy from 1962 to 1966. He volunteered for service in Vietnam and was decorated for his combat service as a forward air controller. He earned a juris doctor degree from the University of Colorado School of Law in 1969. While in Washington, Brown earned a master of law degree in 1986 from George Washington University. In 1988, he passed the exam to become a certified public accountant.

The Colorado native and his wife Nan live in Denver. They have three adult children, Harry, Christy, and Lori; and two grandchildren, Lilly and Hank.



Former U.S. Senator Gary Hart gives the commencement address at the 2005 Law School graduation ceremony (top). Hart and Dean David Getches after the ceremony (bottom).

Colorado Law Bar Passage Rises to 91 Percent

When The Colorado Supreme Court released the results of the July 2005 Colorado Bar Exam, the University of Colorado School of Law had the highest passage rate in the state, surpassing the 74 percent average results of all other schools and exceeding the statewide average by 14 percentage points. Ninety-one percent of exam takers from the University of Colorado School of Law passed the grueling exam on the first attempt, placing the School and its students in the top echelon of the American legal community. This year's results represented a two-point rise over last year's.

Welcome Class of 2008

On August 16, 2005, the Law School welcomed a stellar group of first-year students whose impressive academic credentials place Colorado among the top law schools in the nation. The median undergraduate GPA for the class of 167 is 3.66. The average LSAT is in the 87th percentile nationally. Members of the Class of 2008 hail from 26 states and 92 colleges and universities. Fifty-three percent are Colorado residents; 46 percent are women; 21 percent are minorities. Fourteen have master's degrees; one has a PhD; one is a Rhodes Scholar.

The class members range in age from 21 to 49. Students come from a variety of occupational backgrounds. Prior careers include computer programmers, mechanics, scientists, teachers, paralegals, military officers, business owners, and legal aid volunteers. Several others have been AmeriCorps, Teach America, and Peace Corps volunteers.

Several students are the first generation in their family born in the United States, and several others were born abroad. These students spoke of being equally proud of the gift of citizenship and their native heritage. Many of our students were motivated to seek a career in law at CU due to their desire to improve their communities and the world and decided to attend the School of Law because of its strong tradition of public service. We are especially proud of the attributes of character, leadership, and diversity that our incoming students bring to the Law School.

Keynote Speaker Gary Hart Calls Class of 2005 to Career of Service

On Friday, May 6, the 172 members of the Class of 2005 processed from Fleming Law Building to Macky Auditorium to receive their diplomas as graduates of the University of Colorado School of Law.

In addition to the JD degrees awarded to the Class of 2005, the Law School conferred several honorary awards. Ernest L. Duran, Jr.—CU Law '81 and father of Student Bar Association President Crisanta Duran '05—received the Honorary Order of the Coif. Former CU Assistant Dean of Career Services Tony Bastone and former Assistant Dean of Alumni Relations David Gosser returned to Boulder to receive emeritus recognition. Class Vice President and winner of the Outstanding Student Award Laura Sturges presented the Class Gift of \$12,000 to the newly developed Loan Repayment Assistance Program (LRAP).

In his commencement address, former U.S. Senator Gary Hart charged the graduates with a solemn duty to serve their country and community. "For a dangerous mission behind British lines in 1775, General George Washington sought volunteers from a group of young officers. One stepped forward. His name was Nathan Hale. He said simply: 'I wish to be useful.' By becoming an officer of the court, you already have one foot in the public life of your community, your society, and your nation. Today I want to challenge you to take that position seriously and, at least for some of you, to think about putting the other foot in that area for at least a portion of your lives, to say to some future national leader—even if not a George Washington—"I wish to be useful."

For the most recent news at Colorado Law, visit www.colorado.edu/law.

CU-Boulder Named among Best in the Nation for Service Learning, Civic Activism

The University of Colorado at Boulder was selected for inclusion in a new book, *Colleges with a Conscience: 81 Great Schools with Outstanding Community Involvement*, published in June 2005. The book is designed to provide information to prospective and current students by showcasing institutions that offer many opportunities for students to improve community life and demonstrate social responsibility. CU-Boulder, the only school selected in Colorado, was named for its exemplary work in civic engagement along with 80 other national institutions of higher education.

Colorado Law Ranks 4th in U.S. for Environmental Law

The *U.S. News & World Report* issue ranking America's best graduate schools (2006) placed CU fourth in the nation for Environmental Law programs, ahead of Stanford, Georgetown, Duke, and George Washington.

Law School and Latina/o Law Student Association Receive CACMA Diversity Service Awards

The Chancellor's Advisory Committee on Minority Affairs presented the Diversity Service Recognition Award to CU Law School Dean David Getches during the Tenth Annual Campus Diversity Summit on Thursday, February 10, 2005.

Last year's entering class had a minority enrollment of 24 percent, up from 18 percent the previous year. Increased scholarship funding has also attracted minority students. Scholarships must rise 300 percent in order to fulfill the Law School's commitment to making law school affordable to those who otherwise could not attend. The CACMA Award further recognizes the School's recruiting of minority faculty to key posts in the Law School's senior administration. "Dean Getches is making remarkable strides in bringing greater national stature to the University of Colorado School of Law and to promoting diversity here," said Lorenzo A. Trujillo, Assistant Dean of Students and Professional Programs at CU Law.

Judge Michael McConnell Presents Annual John R. Coen Lecture

On March 9, Judge Michael McConnell of the 10th Circuit United States Court of Appeals presented the 48th Annual John R. Coen Lecture in the Lindsley Memorial Courtroom. McConnell is among the country's most distinguished scholars in the fields of constitutional law and theory. Prior to becoming a judge he conducted 11 arguments before the United States Supreme Court. He is widely published in the fields of church-state relations and the First Amendment and continues to teach. Judge McConnell, who is rumored to have been on the shortlist for a Supreme Court nomination, spoke on "Religion and Republicanism at the Founding."

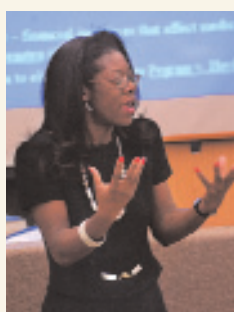


Judge Michael McConnell presented the 48th Annual John R. Coen Lecture in the Lindsley Memorial Courtroom on March 9, 2005. His topic was "Religion and Republicanism at the Founding."

Colorado Law Opens Doors to Displaced Gulf Coast Students

In the wake of Hurricane Katrina, the University of Colorado School of Law reopened admissions to accommodate law students displaced by the storm. As a result, the Law School enrolled four second- and third-year law students from Tulane and Loyola-New Orleans law schools. "We developed a plan to accommodate immediately law students displaced from the several law schools in Katrina's destructive swath," said Law Dean David Getches. "The faculty and student body at Colorado Law has welcomed students whose education would be interrupted by this disaster. We are also seeking out other opportunities to do our part in ameliorating our colleagues' suffering."

FACULTY NEWS



The University of Colorado School of Law faculty ranks among the most prolific and often cited law faculties in the nation.¹ For this reason, our faculty's scholarship continues to expand the ways in which Colorado Law professors are shaping legal thought both inside and outside the classroom. In the pages that follow, you will be impressed, as I am, by the number and quality of publications our faculty has generated during the past academic year (*see pages 24 and 25*). But the sphere of our faculty's influence and service does not end with the printed pages of law journals. Colorado's faculty has been featured in national and local news; has participated in local, national, and international policy-making; and is winning awards for service to a wide array of organizations.

Professor Mark Loewenstein, for example, testified before the Colorado Senate Committee on Business Affairs last May concerning amendments to the Colorado Business Corporation Act. Professor Lakshman Guruswamy has received grant funds totalling \$125,000 to study all energy treaties as part of the Energy Environment Security Initiative. Professors Mimi Wesson and Mike Waggoner have both been featured speakers on National Public Radio programs, while Professor Mark Squillace's editorial concerning energy policy was featured recently in the *Denver Post*. Professor Barbara Bintliff won the Frederick Charles Hicks Award for Outstanding Contributions to Academic Law Librarianship by the American Association of Law Libraries. Professors Sarah Krakoff, Amy Schmitz, Jill Tompkins, and Phil Weiser have all won grants for studies and projects in their respective fields. Professors Bill Pizzi and Sienho Yee have each been appointed to the editorial boards of prestigious peer-reviewed international journals in their disciplines. And the list goes on.

This year, we welcome four accomplished junior professors and one nationally renowned senior professor to our ranks. Next year, we seek to hire mid-career professors to add to the strength of our faculty's reputation for teaching and scholarship. The University of Colorado's talented faculty is growing not only in size, but also in its outreach and influence. This is an exciting time in our history, and the faculty is doing its part to make certain our school contributes to the development of law and society in our local community, our nation, and indeed, the world.

Dayna Bowen Matthew
Associate Dean, Academic Affairs

¹ See Brian Leiter's Educational Quality Ranking (2004-05)

Allison Eid, Associate Professor of Law at the University of Colorado School of Law, became one of Colorado's top legal officials when she began her appointment as Colorado Solicitor General on August 1. "This is a great opportunity for me to gain a more practical perspective on the Constitutional Law that I teach," Eid said.

Eid was appointed to the position by Colorado Attorney General John Suthers, an alumnus of the Law School, who called her "the perfect candidate."

"The Solicitor General's job is the think tank of an Attorney General's office," said Suthers. "You want a top-notch legal mind, someone with some familiarity with the appellate process and how appellate judges think—professional abilities that Allison has and that's why she is right for the job."

As Solicitor General, Eid will argue cases before the Colorado Supreme Court and help set legal policy for the State of Colorado. Eid will take a leave of absence from the Law School and will return to teaching when her appointment ends in January of 2007.

Eid joined the Colorado Law faculty in 1998. She teaches constitutional law, legislation, the law of politics, first-year torts, and advanced torts. Before joining the faculty of the Law School, Eid clerked for the Honorable Clarence Thomas, Associate Justice of the United States Supreme Court, and for Judge Jerry E. Smith of the United States Court of Appeals for the Fifth Circuit. She also practiced commercial and appellate litigation with the Denver office of Arnold & Porter, a Washington, D.C.-based law firm.

On May 6, Law Professor Robert Dieter was appointed by President Bush to be America's ambassador to Belize. Dieter served as director of clinical programs and taught criminal law and procedure, trial advocacy, and evidence. He practiced law both privately and as a deputy district attorney and joined the CU faculty in 1979. Bush appointed Dieter to the board of the Legal Services Corporation in 2003.

Professor Mimi Wesson was the featured guest on the March 30 edition of MSNBC's news and opinion program, "Connected Coast to Coast with Ron Reagan and Monica Crowley." Wesson and Professor Thane Rosenbaum of Fordham University Law School discussed religion in court

cases and jury deliberations. Specifically, they reviewed the 3-2 Colorado Supreme Court ruling in *People v. Harlan*, a case in which the trial court later overturned a death sentence due to a juror's use of the Bible during deliberations.

On Thursday, February 17, Professor Lakshman Guruswamy delivered a groundbreaking lecture, "Sustainable Energy: A New Framework," making the case for a new international framework for addressing issues of sustainable energy. Dr. Guruswamy's lecture culminated in an ambitious proposal that would establish Colorado as a global leader of the new legal, political, and scientific approach to major environmental concerns. Lakshman Guruswamy is the University of Colorado School of Law's Nicholas Doman Professor of International Environmental Law and is the Director of the Energy Environment Security Initiative (EESI) of the University of Colorado. This is an ambitious interdisciplinary project that seeks to find renewable energy solutions for the energy deficits confronting not only the United States, but more particularly the developing countries of the world.

Professor Scott Peppet received an award from the CPR Institute in New York on Thursday, January 20, 2005, for writing the "Best Professional Article" on dispute resolution in 2004. The article, *Contract Formation in Imperfect Markets: Should We Use Mediators in Deals?* (Ohio State Journal on Dispute Resolution, 2004), examines how corporate transactions take place and the barriers to closing deals. It argues that neutral third-party mediators, who typically work to settle litigation, could also be useful in helping contracting parties resolve their differences in pre-closing contract negotiations.

The institute's judging committee, made up of academics, lawyers, and corporate officers, called Peppet's work "path breaking" and "foundational." Ms. Barbara Daniele, Senior Vice President and General Counsel of GE Capital Commercial Equipment Financing, who presented the award, praised the article's creativity and Professor Peppet for "raising the bar."

Professor Peppet also won a CPR Award in 2000 for his book on legal negotiation, *Beyond Winning: Negotiating to Create Value in Deals and Disputes* (Harvard University Press, 2000, with R. Mnookin and A. Tulumello).



Eid



Dieter



Wesson



Peppet

FACULTY NEWS

The University of Colorado School of Law presented the eighth annual Clifford Calhoun Public Service Award to Norton Steuben, the Nicholas Rosenbaum Professor of Law Emeritus. Professor Steuben has an extensive record of public service to local, national, and international legal communities. As a national expert in real estate transactions, he brought a professional perspective to the cause of affordable housing in Boulder County. He gave countless hours to the Boulder Housing Authority, which Thistle Community Housing acknowledged with its Housing Hero Award. Professor Steuben also served on the Open Space Board of Trustees and the Governing Committee of the ABA Forum on Affordable Housing and Community Development Law. The author of leading texts on taxation, Professor Steuben lent his services to Ukraine as a tax policy advisor to the young republic, helping to shape its tax laws as it emerged from Soviet control in the late 1990s. He and his wife lived in Kyiv for nearly two years as he worked with the government to develop a tax code. He was honored for this work by the Organization for Economic Cooperation and Development (OECD), which asked him to serve as a lecturer on tax policy. In 2003, Professor Steuben was awarded a Fulbright Grant and returned to Ukraine to teach at two universities in Kyiv.

Barbara Bintliff participated in an evaluation of the Kuwait University School of Law in October 2004, joining American Academy of Law Schools (AALS) colleagues as part of a site visit team requested by the Kuwaiti government to evaluate and make recommendations about its law program. Six legal educators were chosen for the evaluation, which



Norton Steuben, recipient of the 8th annual Clifford Calhoun Public Service Award (center), with Clifford Calhoun (left) and David Getches (right).

included class visits; reading of faculty scholarship and student exams and papers; faculty, staff, and student interviews; facility information technology capability assessments; learning about administrative procedures; visits with alumni and local legal dignitaries (judges, governmental agency officials, practitioners, etc.); and exit interviews with the Dean and Vice Deans, the university's Vice President and Assistant Vice President for Academic Affairs (who incidentally had a PhD in engineering from CU-Boulder), and President.

Bintliff will contribute to an ABA-type report currently in development, focusing on the primary areas of teaching, research, intellectual community, academic freedom, faculty governance, and a commitment to public service. The report will be sent to the Kuwait University Law School and the AALS Executive Committee for its information.



Professor Barbara Bintliff participated in an evaluation of the Kuwait University School of Law in October 2004.

New Faculty

Maxine Burkett

Associate Professor

After earning her JD with multiple honors from the University of California, Berkeley, Professor Burkett practiced at David Levin Livingston Grande of Honolulu (2002–03) and clerked for the Honorable Susan Illston, U.S. District Court, Northern District of California. Professor Burkett is the author of *Strategic Voting and African Americans: True Vote, True Representation, True Power for the Black Community* (2003). At Colorado Law, Professor Burkett will continue her research in the fields of race and the law and environmental justice. She joins our faculty teaching Torts and Environmental Law.

Paul Ohm

Associate Professor

Professor Ohm comes to Colorado Law from the U.S. Department of Justice Computer Crime and Intellectual Property Section in Washington, D.C. He has taught as an adjunct for George Washington University, American University, and at UCLA where he received in JD in 1999. After law school Paul Ohm clerked for Betty Binns Fletcher in the Ninth Circuit and for U.S. District Court Judge Mariana Pfaelzer (Los Angeles). Professor Ohm writes about computer crime, the fourth amendment, information privacy, and software regulation. He will teach Intellectual Property, Criminal Procedure, and seminars in Computer Crime and Privacy Law.

Miranda Perry

Associate Professor

Professor Perry comes to Colorado from New York University, where she was an acting assistant professor. At NYU, she taught a variety of tax classes in both the JD and LLM programs. Professor Perry earned an LLM in taxation from NYU and a JD from the University of Chicago. She clerked for the Honorable Morris Sheppard Arnold, U.S. Court of Appeals from the Eighth Circuit, before practicing first at a nonprofit and then in a large firm in Washington, D.C. Professor Perry's research focuses on the estate tax, charitable giving, and nonprofit law. At Colorado Law, she will teach Estate and Gift Tax, Nonprofit Organizations, and Federal Income Tax.

Laura Spitz

Associate Professor

Laura Spitz studied law at Cornell University, the European University Institute, and the University of British Columbia. At Cornell, she was a Gender, Sexuality & Family Scholar, a John M. Olin Foundation Fellow, and a BC Law Foundation Graduate Fellow. At UBC, she was on the Dean's List and a member of the Jessup International Law Moot Team. Professor Spitz's scholarly interests focus on the effects of economic globalization on transnational norm harmonization and national regulation. She is particularly interested in how systems of national regulation—such as the bankruptcy system—can and are being transformed under pressures of economic globalization. At Colorado Law, she will teach Contracts, Bankruptcy, International Business Transactions, and Commercial Transactions.

Mark Squillace

Professor

Director, Natural Resources Law Center

Professor Mark Squillace joins us as the new Director of the Natural Resources Law Center at the University of Colorado School of Law. A former Fulbright scholar, Professor Squillace is a nationally recognized expert in natural resources and environmental law. He is the author of numerous articles and is co-author of several books, including *Natural Resources Law and Policy* (Foundation Press, 2004). Before coming to Colorado Law, Professor Squillace taught at the University of Toledo College of Law where he was the Charles Fornoff Professor of Law and Values, and at the University of Wyoming College of Law where he served a three-year term as the Winston S. Howard Professor of Law. In 2000, Professor Squillace took a leave from law teaching to serve as Special Assistant to the Solicitor at the U.S. Department of the Interior. In that capacity he worked directly with Secretary of the Interior Bruce Babbitt on a variety of legal and policy issues. Professor Squillace will teach Water Resources Law and other courses in the natural resources and environmental law curriculum.

Visiting Scholars and Fellows

George Priest

Scholar-in-Residence

Professor Priest is the John M. Olin Professor of Law and Economics at Yale Law School where he teaches courses on capitalism, insurance policy, products liability, antitrust, torts, regulated industries, and, most recently, a seminar on economic development. He is a graduate of Yale College (1969) and the University of Chicago Law School (1973), and is the author of a wide number of articles and monographs on subjects of products liability, tort law, insurance, litigation and settlement, privatization, and deregulation. He serves as the Director of the Program in Civil Liability and the Co-Director of the John M. Olin Center for Law, Economics, and Public Policy at Yale Law School.

Brad Bernthal

Research Associate

Brad Bernthal returns to Colorado Law as a research associate after earning his JD here in 2001. In his new position, Mr. Bernthal teaches in the Entrepreneurial Law Clinic. Prior to law school Mr. Bernthal was Staff Assistant to U.S. Senator Robert Kerrey of Nebraska. From 2001 to 2003 he worked at Brobeck, Phleger & Harrison LLP in San Francisco, specializing in appeals and securities litigation. From 2003 to 2004 Mr. Bernthal practiced at Hogan & Hartson LLP in Denver before most recently working at Berg Hill Greenleaf & Ruscitti LLP of Boulder.

Kristin Collins

Research Fellow

Kristin Collins joins the University of Colorado School of Law as a research fellow in the fields of Legal Ethics and Professionalism and Complex Civil Litigation. She holds an MLit from Oxford University (1995), an MA from Columbia University (1996), and a JD from Yale Law School (2000), and writes in the areas of equal protection and federalism. Prior to practicing law in New York, Ms. Collins clerked for U.S. District Court Judge Kimba Wood (2001–02) and the Honorable John M. Walker, Chief Judge, United States Court of Appeals for the Second Circuit (2002–03).

Selected Faculty Publications

In Press

Huntington, Clare, *Rights Myopia in Child Welfare*, 53 U.C.L.A. L. Rev. (2006).

Matthew, Dayna B., *A New Strategy to Combat Racial Inequality in American Youth Health Care Delivery*, DePaul Journal of Health Care Law (2006).

Ramsey, Carolyn, *Intimate Homicide: Gender and Crime Control, 1880–1920*, University of Colorado Law Review (2006).

Schlag, Pierre, *A Brief Survey of Deconstruction, Derrida–America Symposium*, Cardozo L. Rev. (2006).

Spitz, Laura, *I Think, Therefore I Am; I Feel, Therefore I Am Taxed: Descartes, Tort Reform, and the Civil Rights Tax Relief Act*, 35 N.M. L. Rev. (Symposium Issue: Civil Numbers: Examining the Spectrum of Non-Economic Harm) (2005).

Trujillo, Lorenzo A., *School Truancy: A Case Study of a Successful Truancy Reduction Model in the Public Schools*, University of California at Davis, Journal on Juvenile Law and Policy (2006).

Wesson, Marianne, "The Hillmon Case," in *Evidence Stories* (Foundation Press, 2006) (R. Lempert, ed.).

Yee, Sienho, Article 40 and Article 45, chapters in *The Statute of the International Court of Justice: A Commentary* (Oxford University Press, 2006) (A. Zimmermann, K. Oellers-Frahm, and C. Tomuschat, eds.).

Yee, Sienho, *Strategies for Settling the Hierarchy of the Sources of International Law*, in CRNIC-GROTIC (ed.), *Liber Amicorum Vladimir-Djuro Degan* (2005).

2005

Bintliff, Barbara, "Colorado Prestatehood Legal Resources: Sixteenth Century to 1846," in *Prestatehood Legal Materials: A Fifty State Research Guide, Including New York City and the District of Columbia* (2005) (Chiorazzi and Most, eds.).

Bruff, Harold, *Executive Power and the Public Lands*, 76 Colo. L. Rev. 503 (2005).

Bruff, Harold *Separation of Powers Law*, 2nd ed. (2005) (with Peter M. Shane).

Campos, Paul F., *The Diet Myth: Why America's Obsession with Weight is Hazardous to Your Health* (Gotham, paperback ed., 2004).

Clark, Homer H., *Cases and Problems on Domestic Relations* (Thomson/West, 7th ed., 2005) (with Ann Laquer Estin).

Eid, Allison, *Preemption and the Federalism Five*, 37 Rutgers Law Journal (2005).

Eid, Allison, *Teaching New Federalism*, 49, St. Louis Univ. Law Journal 875 (2005).

Getches, David H., *Cases and Materials on Federal Indian Law* (Thomson/West, 5th ed., 2005) (with Charles F. Wilkinson and Robert A. Williams, Jr.).

Getches, David H., "Defending Indigenous Water Rights with the Laws of a Dominant Culture: The Case of the United States," in *Liquid Relations: Contested Water Rights and Legal Complexity* (Rutgers Univ. Press, 2005) (Dik Roth, Rutgerd Boelens, and Margreet Zwarteven, eds.).

Getches, David H., "Interbasin Water Transfers in the Western United States: Issues and Lessons," in *Water: Conservation, Reuse, and Recycling: Proceedings of an Iranian-American Workshop* 233–51 (National Academies Press, 2005).

Getches, David H., *The Legacy of the Bush II Administration in Natural Resources: A Work in Progress*, 32 Ecology Law Quarterly 235 (2005).

Getches, David H., "Protecting Indigenous Rights and Interests in Water," in *In Search of Sustainable Water Management: International Lessons for the American West and Beyond* (Edward Elgar Pub., 2005) (with Sarah B. Van de Wetering).

Guruswamy, Lakshman D., "Sustainability and the Future of Western Water Law," in *In Search of Sustainable Water Management: International Lessons for the American West and Beyond* (Edward Elgar Pub., 2005) (with A. Dan Tarlock).

Guruswamy, Lakshman D., Book Review (Reviewing Ved P. Nanda and George Pring, *International Environmental Law & Policy for the 21st Century*), 15 Colo. J. Int'l Envtl. L. & Pol'y 229–36 (2005).

Guruswamy, Lakshman D., *Energy, Environment & Sustainable Development*, 8 Chapman L. Rev. 77–102 (2005) (International Law Symposium).

Guruswamy, Lakshman D., *A New Framework: Post-Kyoto Energy and Environmental Security*, 16 Colo. J. Int'l Envtl. L. & Pol'y 333–51 (2005) (Panel: Sustainable Development and Smart Energy).

Guruswamy, Lakshman D., *Sustainable Energy: A Preliminary Framework*, 38 Ind. L. Rev. 671–88 (2005).



- Hart, Melissa, *Subjective Decisionmaking and Unconscious Discrimination*, 56 Alabama L. Rev. 741–91 (forthcoming) (2005).
- Kenney, Douglas S. (ed.), *In Search of Sustainable Water Management: International Lessons for the American West and Beyond* (2005).
- Klemme, Howard, Colorado Jury Instructions for Civil Trials: 2005 Cumulative Supplement & Revised Pamphlets.
- Loewenstein, Mark, *The Corporation as Insider Trader*, 30 Del. J. Corp. L. 45–78 (2005) (with William K.S. Wang).
- Mueller, Christopher, *Evidence* [Black Letter Outlines] (Thomson/West, 2005) (with Laird C. Kirkpatrick).
- Mueller, Christopher, *Federal Rules of Evidence: With Advisory Committee Notes and Legislative History* (Aspen Law & Bus., 2005 ed.) (ed. with Laird C. Kirkpatrick).
- Nagel, Robert F., *On the Decline of Federalism* (Daedalus, 2005).
- Peppet, Scott R., “Enlightened Power Through Difficult Conversation,” in *Enlightened Power: How Women Are Transforming the Practice of Leadership* (Jossey-Bass, 2005) (Linda Coughlin, Ellen Wingard, and Keith Hollihan, eds.) (with Bruce Patton and Michele Gravelle).
- Peppet, Scott R., “Six Principles for Using Negotiating Agents to Maximum Advantage,” in *The Handbook of Dispute Resolution* (Jossey-Bass, 2005) (Michael L. Moffitt and Robert C. Bordone, eds.).
- Peppet, Scott, *Lawyers’ Bargaining Ethics, Contracts, and Collaboration: The End of the Legal Profession and the Beginning of Professional Pluralism*, 90 Iowa L. Rev. 475 (2005).
- Peppet, Scott, “Negotiating Agency,” in *The Handbook of Dispute Resolution* (2005).
- Peppet, Scott, *Nuanced Neutrality: A Model for Third Party Impartial Intervention*, Penn. State Symposium (forthcoming) (2005).
- Perry, Miranda, *In Search of a Normative Rationale for the Estate Tax Charitable Deduction*, Tax L. Rev. (2005).
- Pizzi, William T. with Blair and Judd, *Discrimination in Sentencing on the Basis of Afrocentric Features*, 10 Michigan Journal of Race and Law (2005).
- Reitz, Kevin, *The New Sentencing Conundrum: Policy and Constitutional Law at Cross-Purposes*, 105 Colum. L. Rev. 1082–1123 (2005) (Symposium: Sentencing: What’s at Stake for the States?).
- Schmitz, Amy J., *Mobile-Home Mania? Protecting Procedurally Fair Arbitration in a Consumer Microcosm*, 20 Ohio St. J. on Disp. Resol. 291–373 (2005).
- Schmitz, Amy J., *Untangling the Privacy Paradox in Arbitration*, Kansas L. Rev. (2005).
- Spitz, Laura, *The Gift of Enron: An Opportunity to Talk About Capitalism, Equality, Globalization, and the Promise of a North American Charter of Fundamental Rights*, 66 Ohio State L. J. 315 (2005).
- Spitz, Laura, *At the Intersection of North American Free Trade and Same-Sex Marriage*, 9 U.C.L.A. J. of Int’l L. & Foreign Aff. 163 (2005).
- Trujillo, Lorenzo, *Truancy in Colorado: A Truancy Reduction Model in the Public Schools*, 11 The Colorado Lawyer (2005).
- Weiser, Philip J., *Digital Crossroads: American Telecommunications Policy in the Internet Age* (MIT Press, 2005) (with Jon Nuechterlein).
- Weiser, Philip J., *Policing the Spectrum Commons*, 74 Fordham L. Rev. 101 (2005) (with D. Hatfield).
- Weiser, Philip J., *Which Broadband Nation: The United States Versus Japan—The FCC’s Real Wrongs*, 84 Foreign Affairs 161–164 (Sept./Oct. 2005) (response to Thomas Bleah, *Down to the Wire*, 84 Foreign Affairs 111 (May/June 2005)).
- Wilkinson, Charles, *Blood Struggle: The Rise of Modern Indian Nations* (Norton, 2005).
- Wilkinson, Charles, *Cases and Materials on Federal Indian Law* (Thomson/West, 5th ed., 2005) (with David H. Getches and Robert A. Williams, Jr.).
- Yee, Sienho, “The Responsibility of States Members of an International Organization for its Conduct as a Result of Membership or Their Conduct Associated with Membership,” in *International Responsibility Today: Essays in Memory of Oscar Schachter* 435–454 (Martinus Nijhoff, 2005) (M. Ragazzi ed.).
- Yee, Sienho, “Sovereign Equality of States and the Legitimacy of ‘Leader States’” in *Towards World Constitutionalism* 737–772 (2005) (Ronald St. J. Macdonald & Douglas M. Johnston, eds.).

ALUMNI NEWS



Dear Colorado Law Grads,

My first few months as director of alumni relations and communications have been thrilling. I joined the Law School shortly after it broke ground on the new Wolf Law Building and now we have already celebrated the “Topping Out” ceremony. In March the Law Alumni Board (LAB) hosted the best-attended alumni banquet in the Law School’s history and we have just begun laying plans for next spring’s party. In May I watched with pride as the first class of my friends (some of whom had interviewed me a few months before when I was a candidate for the job I now hold) joined the ranks of CU’s distinguished alumni. I know you join me in congratulating CU’s newest alumni, the Class of 2005. In June the LAB welcomed a new slate of members who will have attended their first meeting by the time you read this. In August we greeted a new class of law students, and in October we welcomed many of you back to the Law School for Homecoming, the Knous Award, and class reunions. And finally, with this re-envisioned issue of *Amicus* we are launching a new communications program that includes both print and electronic publications.

During these first few months I have enjoyed meeting many of you. I look forward to meeting many more during the coming months and years.

The decision to combine alumni relations and communications into a single office means a tall order. To do justice to these jobs I look to you, the alumni, for news, input, ideas, and criticism. As alumni director I’m here to help and serve you and as communications director I’m here to brag about your accomplishments. I look forward to hearing your suggestions for alumni events and to receiving your personal and professional news. To all of you who returned my alumni update cards I send special thanks; your responses make for interesting reading in the following *Class Actions* pages.

If you’re a regular visitor to the Colorado Law web site (www.colorado.edu/law) you’ll have noticed many improvements in the last few months, including more extensive coverage of alumni news. The next priority is to redesign the site’s alumni pages and I am interested in hearing your suggestions on the kind of content you’d like to see.

For now I’ll sign off, knowing you’re eager to read about your classmates. Keep those letters, press releases, calls, and updates coming—there is so much wonderful news to share!

Kirsten Dueck
Director of Alumni Relations and Communications
kirsten.dueck@colorado.edu

Jenn Smith '00 Takes Reins as New Law Alumni Board Members Begin Four-Year Team

On August 23, the School of Law announced the election of board member Jenn Smith '00 as chair and welcomed eight new members to its Law Alumni Board. Each member will serve a four-year term beginning in the 2005–06 academic year.

Hon. Ken Barnhill '53 is a senior judge of the First Judicial District of Colorado.

Alan F. Heath '68 is managing director of administration and planning at the Owner Managed Business Institute. He consults internationally to family businesses on governance, family conflict issues, organization development, succession, exit strategies, and strategic growth planning.

John Jacus '84 is a partner at Davis Graham & Stubbs where he counsels clients in environmental and regulatory compliance. His community involvement includes service to the Colorado Association of Commerce and Industry, Boulder Valley Public Schools, Culture Corps, and the University of Colorado. From 2003 to 2005 he was president of the University of Colorado Foundation Board of Trustees.

Michael McCarthy '75, a partner at Faegre & Benson, has focused for more than 25 years on civil trial practice and complex commercial disputes with a particular emphasis on class actions, securities, contract, corporate, consumer protection, bankruptcy, antitrust, and natural resources litigation. His pro bono activities include work for the Boulder Shelter for the Homeless and Indigent/Low Income Legal Representation.

Peggy Montano '80 practices natural resources and water law with Trout, Witwer & Freeman and is a past president of the Colorado Hispanic Bar Association.

Eric Rothaus '01 is an assistant attorney general for State Services. His career as a CU student and since graduation has been distinguished by service to the community.

Mariana Shulstad '66 lives in Minneapolis where she is a legal consultant in the areas of Indian economic and casino development. She is a nationally recognized leader in the areas of Indian treaties and treaty rights, tribal government and enrollment, and Indian land and economic development including tribal gaming issues. Other areas of community focus include social and international justice, social service and welfare issues, arts organizations, and church-based initiatives.

Britton White '70 is former executive vice president and general counsel for El Paso Energy Corporation with a long history of commitment to the Law School, serving as class reunion chair and as an advisor on the Natural Resources Law Center Board.

Current members **Todd Frederickson '91** and **H. Patrick Furman '80** were re-elected to additional four-year terms.

The Law Alumni Board is made up of 28 University of Colorado School of Law graduates. The members promote the best interests of the Law School by stimulating interest in, building loyalty for, and increasing support for the Law School among its alumni and students and assisting the Law School in serving the needs of its alumni, students, faculty, the legal profession, and the public at large. The board also nominates the winners of the Law School's distinguished achievement awards and the winner of the Knous Award. Each member serves a four-year term.

For more information, visit www.colorado.edu/law/alumdev/board.htm.



LAB members Todd Fredrickson and Jenn Smith

DU–CU Battle for the Barrister's Boot at the Third Annual Law School Golf Tournament

On Monday, June 13, the University of Denver Sturm College of Law challenged defending champ University of Colorado School of Law in the third annual Battle for the Barrister's Boot. Proceeds from the good-spirited golf tournament support scholarships at the law schools. Some 84 golfers, including CU alumni **Ed Perlmutter '78** and Colorado Attorney General **John Suthers '79**, turned out at Pinehurst Country Club in Denver for a perfect day of golf. We are pleased to report that defender CU retained the Barrister's Boot for the third year running, thanks to the low scores of the winning team, **Tim Scully '96**, **Greg Leibold '96**, **Evan Husney '96**, and Chris Bowery, playing for Merchant & Gould.

In thanking this year's players and sponsors after the tournament, Kirsten Dueck, CU Law's Director of Alumni Relations and Communications, said, "Those of you who are University of Colorado alumni recently received a letter from Dean Getches detailing the many successes of the Law School this year. He ended by saying, 'Our reason for doing all that we do is our students. Not a week goes by without our multi-talented students achieving new honors.' Today I extend our special thanks to you, the CU alumni, for reciprocating that commitment by your participation in this event to raise scholarship funds for a new generation of students following in your footsteps."

The University of Colorado School of Law extends special thanks to the sponsors of the 2005 Battle for the Barrister's Boot: Berenbaum Weinshienk & Eason; Merchant & Gould; Lindquist & Venum; Montgomery Little & McGrew; Ritsema & Lyon; Wheeler Trigg & Kennedy; Perkins Coie; Marya Brancio at Special Counsel; Colin Kresock at RR Donnelly; Richard A. Harris of Harris Family Law; and Mike Shaw Auto.

Class Actions

Class Actions is an update on the personal and professional news of CU Law alumni. Please submit your news and photographs to Office of Alumni Relations, University of Colorado School of Law, 401 UCB, Boulder, CO 80309. You may also e-mail your news to kirsten.dueck@colorado.edu.



Robert F. Hill, '70, received the 2005 William Lee Knous Award, Colorado Law's highest alumni honor, during the Back-to-Boulder Homecoming celebration on Saturday, October 8. Conferred annually by the Law Alumni Board, the award recognizes outstanding achievement and sustained service to the Law School. The award was presented by Jennifer Smith '00, Chair of the Law Alumni Board, and by School of Law Dean David Getches. "Bob Hill epitomizes the ideals that are perpetuated by the Knous Award—the ideals that distinguish alumni of Colorado Law School," said Getches. "He is not only an extraordinarily accomplished antitrust lawyer but a citizen deeply engaged in the life of our community, giving his time, talents, and money to the causes he cares about. And he is an alumnus whose commitment and loyalty is unsurpassed."

'43

While at CU Law **Earl Hartley** was manager of the Law Review, class president, and received the Order of the Coif. He now lives in El Paso, Texas.

'52

After 30 years on the bench, **Judge Charles D. Pierce** retired as associate and senior judge of the Colorado Court of Appeals.

In 2002, **William A. Schneeberg** received the Lifetime Service Award by the Dallas Bar Association for his pro bono work. He retired in 2004.

'53

Hon. Ken Barnhill received the Don Sears Award in 2002 and was elected to the Law Alumni Board in 2005.

'55

Ben Chidlaw lives in Boulder with his wife, Gale. The two recently toured the construction site of the new Wolf Law Building where Gail shot some wonderful photos of the work in progress. Ben is a member of the Law Alumni Board. Ben and his classmate, **Ken Caughey**, have lent their assistance to organizing the Class of '55 50-year reunion.

'56

Leonard H. McCain retired after 47 years of active practice with the law firm of Daniel, McCain and Brown in Brighton, Colorado.

John R. Little, Jr. retired from the Department of the Interior solicitor's office and Duncan Weinberg, Pembroke, and Miller. PC He is now an adjunct professor at the University of Denver Sturm College of Law.

'59

Matthew B. Wills is currently working on a book about the friendship between Alger Hiss and Edward R. Stetlinus. Since his departure from the practice of law in 1992, he has written two books, *Wartime Missions of Harry L. Hopkins* (original edition 1996) and *A Diminished President, F.D.R. in 1944* (original edition 2003). He recently finished a manuscript titled "The Ambassador and the Airman: The Rules of Joseph P. Kennedy and Charles A. Lindbergh on the Munich Crisis of 1938."

'62

Peter Dietze of Dietze and Davis, PC has just been confirmed as the Law Alumni Board Chair-Elect for the 2006-07 term.

Classmate **Sandy MacDougall** of MacDougall Law Office in Colorado Springs also recently joined the Law Alumni Board.

'63

Thomas A. Henry Jr. lives in La Jolla, California.

'64

John Hay practices in Phoenix, Arizona. He serves on the Small Business Council of the Phoenix Chamber of Commerce; the ABA Forum on Franchising, the Small Business Administration; and on various trade association groups on franchising and corporate law. He is also a faculty member, lecturer, and author for the State Bar of Arizona and has written numerous works on corporate practice and franchising.

'66

Hon. Robert J. Kapelke was awarded the Distinguished Alumni Award at the 24th Annual Awards Banquet in March. After 25 years in private practice—first at the Law Offices of Dayton Denious (1967-69), then at Gorsuch, Kirgis, Campbell, Walker & Grover (1971-93)—he was appointed to the Colorado Court of Appeals in 1994. Judge Kapelke has served as president of the Denver Bar Association, as a member of the House Delegates of the American Bar Association, and as a member of the Board of Governors and Executive Committee of the Colorado Bar Association. He recently received the Law Club of Denver's Lifetime Achievement Award and was the 2001 recipient of the Denver Bar Association's Award of Merit. He and Mikee, his wife of 40 years, have three sons—Randy, Peter, and Chuck—and three grandchildren—Ian, Anabel, and Dahlia, born last spring.

Mariana Shulstad lives in Minneapolis where she is a legal consultant in the areas of Indian economic and casino development. Mariana is a nationally recognized leader in the areas of Indian treaties and treaty rights, tribal government and enrollment, and Indian land and economic development including tribal gaming issues. Her other areas of community focus include social and international justice, social service and welfare issues, arts organizations, and church-based initiatives. In 2005 she was elected to the Law Alumni Board.

'67

Larry Treece of Sherman & Howard is on the Law Alumni Board.

'68

Alan F. Heath is managing director of administration and planning at the Owner Managed Business Institute. He consults internationally with family businesses on governance, family conflict issues, organization development, succession, exit strategies, and strategic growth planning. He divides his time between Cambridge and Boulder and was recently elected to the Law Alumni Board.

John Purvis of Purvis Gray LLP is an outgoing Law Alumni Board member.

'69

Formerly the president of the Daniels Fund, **Hank Brown** took office on August 1 as the 21st president of the University of Colorado. "I am honored to be considered as the sole finalist for the position of president of the University of Colorado," said Brown. "As an alum, this is a true privilege to have the opportunity to continue the leadership and vision of this extraordinary university."

John Cooper of Farella Braun & Martel LLP recently completed a term on the Law Alumni Board.

'70

Brit White is former executive vice president and general counsel for El Paso Energy Corporation, with a long history of commitment to the Law School, serving as class reunion chair, as an advisor on the Natural Resources Law Center Board, and as a newly elected member of the Law Alumni Board.

'71

Jim Arndt works for Frie and Arndt and sits on the Law Alumni Board.

Spike Eklund is a partner in the bankruptcy, reorganization, and capital recovery group at Ballard Spahr. He is a fellow in the American College of Bankruptcy, an active member of the American Bankruptcy Institute, and a contributing author of *Collier's Bankruptcy Practice Guide*.

'73

Pamela Hultin and colleague Barbara J. Smith have formed the law firm of Smith & Hultin LLC in Chagrin Falls, Ohio. The firm's practice will focus on business law, commercial litigation, health law, nonprofit law, employment law, employment litigation, and estate planning. Hultin, a member of the Cleveland Bar Association Executive Committee and Board of Trustees, was for-

merly a partner at McCarthy, Lebit, Crystal and Liffman. She was admitted to practice in Colorado in 1973 and Ohio in 1989. Her practice is in business and general litigation. Hultin was named a 2005 Ohio Super Lawyer.

William D. Odell reports that he is "inactive and retired."

'74

Michael W. McDivitt's McDivitt Law Firm PC has offices in Colorado Springs and Pueblo. His firm specializes in personal injury, workers compensation, and social security disability.

Hon. Larry Naves is a 2nd Judicial Court judge and an outgoing member of the Law Alumni Board.

Classmate **John Rosenbloom** of McGreevy Johnson & William PC has also recently completed a term on the Law Alumni Board.

'75

Vicki Mandell-King is a federal public defender and a member of the Law Alumni Board.

Myra H. Monfort is a past recipient of the Alumni Award for Distinguished Achievement. Although she has just ended a term on the Law Alumni Board, she continues to advise the Law School as a member of the Steering Committee. She is former vice president and general counsel of Monfort, Inc. and a current trustee of the Monfort Family Foundation.

'76

Gregory J. Fasing of Fasing Law Firm PC is honorary consul of the Slovak Republic in Denver.

'78

Ann Frick is a partner at Jacobs Chase Frick Kleinkopf and Kelly and is a member of the Law Alumni Board.

Ted Olsen is a member in the Labor & Employment Department of Sherman & Howard's Denver office. He joined the firm in 1979. Throughout his career he has spoken at many CLE programs throughout the country on subjects related to employment law, and has authored various articles and other publications on employment law issues. He currently serves as the co-department manager of the Labor & Employment Department.



Karen Mathis, '75, was confirmed as the American Bar Association's president-elect at the August ABA meeting. Karen is the first Colorado attorney to head the 400,000-member association. She is currently a partner of the McElroy, Deutsch, Mulvaney and Carpenter law firm. Mathis has begun talking to people and planning what presidential initiatives she will propose. An important issue is the baby boom generation aging and retiring. "Throughout our lives we have shaped the institutions and culture of our profession," she said in her acceptance speech. "Now it's time to tend to its future. Lawyers with experience and insight will be asked to share their skills, to ensure the professionalism—as well as the quality of life—of the next generation."



Claudia Bayliff, '85, has been named chief of the U.S. Air Force's worldwide sexual assault prevention and response program. She will oversee development of policies and procedures related to sexual assault and will direct prevention programs. "The Air Force is creating institutional change at an unprecedented level and I'm proud to be part of it," she said in July, just before leaving for Arlington, Virginia.

Leslie Pizzi of Silver & DeBoskey PC is a member of the Law Alumni Board.

Dave Steefel is a partner in the Denver office of Holme, Roberts & Owen where he heads the firm's litigation practice group.

Jan Steiert of Holme Roberts & Owen serves on the Law Alumni Board.

'79

Michael Kane has been appointed as executive director of the Pennsylvania Commission on Crime & Delinquency. "PCCD is very fortunate to have a man of Michael Kane's caliber and experience. Throughout his 20 years as a state and federal prosecutor, he has received numerous awards for his achievements," said Walter Phillips, PCCD chairman. As a prosecutor in the Pennsylvania Office of Attorney General, Kane received an outstanding performance award in 1991 from the U.S. Department of Labor, Office of Labor Racketeering, for his work in the Philadelphia Roofer's Union investigation and prosecution. Kane joins PCCD after more than six years at the Pennsylvania Department of Revenue where he served as director of the bureau of corporation taxes and deputy secretary for enforcement. As Pennsylvania's lead agency for criminal justice policy issues, PCCD distributes about \$120 million in state and federal funding to programs to prevent crime and strengthen communities. PCCD provides essential support, services, and training to law enforcement agencies and offers financial assistance to victims of crime.

'80

Pat Furman is Clinical Professor of Law at CU and is also a member of the Law Alumni Board.

Hon. Claudia J. Jordan is a Denver County Court judge and is also on the Law Alumni Board.

Peggy Montano practices natural resources and water law with Trout, Witwer & Freeman and is a past president of the Colorado Hispanic Bar Association.

Meg Rosegay is a partner at Pillsbury, Winthrop in San Francisco and is one of California's leading environmental attorneys.

In July 2005 Storm Cat Energy Corporation of Calgary announced the appointment of **Michael Wozniak** to its Board of Directors. He is founding partner of Beatty & Wozniak LLC, a natural resources law firm located in Denver. He is active in community and governmental affairs and serves on the boards of numerous charitable organizations and currently serves as a city council member in Cherry Hills Village.

'81

Bill Ritter, Jr. of Hogan & Hartson LLP has just completed a term on the Law Alumni Board and is running for governor of Colorado.

'82

Mark Anderson writes, "I'm proud of all my classmates from 1982!"

Stan Garnett received the Alumni Award for Distinguished Achievement in Private Practice in 2005. He is a shareholder in Brownstein Hyatt Farber's litigation group. *Colorado Business Magazine* listed Stan as one of the five "Best Lawyers When Filing Suit" in their "Best of Colorado" feature. In April 2004 he was inducted into the prestigious International Academy of Trial Lawyers, one of only 14 Colorado lawyers to receive this honor. His community involvement includes service as president of the Boulder School Board. He serves on the Civil Justice Reform Act Advisory Group and chairs the pro bono Mentor/Mentee Project.

David Harrison is partner at Miller & Harrison LLC. He has handled cases ranging from drunk driving to serious assault and other serious felony cases. Dave was president of the Boulder County Bar Association (1995-96) and is a current member of the Colorado Criminal Defense Bar, National Association of Criminal Defense Lawyers, DUI Defenders, Colorado Trial Lawyers Association, Boulder County Bar Association, Colorado Bar Association, and ABA.

Marla L. Lien is the Regional Transportation District's new general counsel. In announcing the appointment in May, RTD General Manager Cal Marsella said, "Marla brings a wealth of knowledge, passion, and commitment to the position and will serve the agency well." Lien had served as RTD's acting general counsel since November 2004 and served as an RTD attorney prior to that, specializing in transportation corridor development, litigation, and environmental and land use issues. As general counsel she provides legal advice to the district and manages RTD's legal, risk management, and public safety divisions.

In June 2002 **Nona Nelson** married Dominicus Valiunas. Her three children are all doing quite well. Daughter Fernada has two sons ages nine and two. Dylan was married in May 2002 and is now a screenwriter in Los Angeles, California. Daughter Taylor graduated from Brown University in 1999 and is running the family business.

'83

Mark Cohen published his second novel in July. *Bluetick Revenge*, which is "highly recommended" by the Library Journal, builds on Cohen's debut novel *The Fractal Murders* (2004). *Publisher's Weekly* notes, "this solid follow-up shows appealing new facets of rugged Colorado sleuth Pepper Keane. Keane's old law firm hires him to dognap a champion bluetick coonhound belonging to Karlynn Slade, the estranged wife of the unsavory leader of an outlaw biker gang, as well as to baby-sit Karlynn until she can enter a federal witness protection program. The job gets harder when Karlynn disappears; dicier when her biker husband hires Keane to find her, and deadlier when her trail intersects with one bearing the scent of an unsolved murder from Keane's past. Many of the intriguing characters who assisted Keane previously reappear, including his love interest, math professor Jane Smyers, and his friend and martial arts mentor, Scott McCutcheon."

'84

John Jacus is partner at Davis Graham & Stubbs where he counsels clients in environmental and regulatory compliance. His community involvement includes service to the Colorado Association of Commerce and Industry, Boulder Valley Public Schools, Culture Corps, and the University of Colorado. From 2003–05 he was president of the University of Colorado Foundation Board of Trustees and in 2005 he joined the Law Alumni Board.

'85

Jane Ebisch, Kris Mix, and Mike Lindsay bravely headed the efforts to bring the class together for a 20-year reunion on Homecoming Weekend, October 7–9. Reunion revellers danced to the music of the Legendary 4-Nikators in the ballroom of Boulder's gorgeous new St. Julien Hotel.

Ken Mills writes, "If it's a slow news issue, you can say that my wife Brita and I (married 24 years) have been back in Austin for 17 years; our older daughter Kelsey will be a freshman at the University of Texas here in the fall; our younger daughter Alison will be a sophomore in high school; and I'm practicing commercial real estate law at Drenner Stuart Wolff Metcalfe von Kreisler."

Pam Strauss is married to Mike Zislis and has two wonderful daughters ages 7 and 9. She is working as general counsel for On Command Corporation, which provides entertainment services to hotels, including pay-per-view movies and free television.

'86

Since 2004, **Elizabeth Salkind** has been CEO of the non-profit Home Builders Associate in Southwest Colorado.

'87

John Carson is the Rocky Mountain regional director of U.S. Department of Housing and Urban Development. He recently ended a term on the Law Alumni Board but continues to actively support the Law School. He is currently heading plans to hold a 9/11 memorial service at the Law School in 2006.

'89

Judith Goeke has been living in Belgrade, Serbia, since 2003. She works at the United Nations Office of the High Commissioner for Human Rights and teaches English part-time at a Berlitz school. She writes, "I'd love to hear from my former classmates at judithgoeke@yahoo.com."

Patrice Kunesh writes: "I recently changed positions from in-house legal counsel with the Mashantucket Pequot Tribe in Connecticut to teaching law at the University of South Dakota School of Law."

Michelle Lucero is a deputy city attorney and an outgoing member of the Law Alumni Board.

Representative Alice Madden was awarded the Alumni Award for Distinguished Achievement at the March Alumni banquet. First elected in 2000, Alice Madden represents House District 10, which consists of central Boulder, Gunbarrel, and Niwot. Representative Madden's efforts have been recognized by numerous organizations, including the Sierra Club's Rocky Mountain Chapter, which gave her its 2001 Freshman Legislator of the Year Award; the Colorado Behavioral Healthcare Council, which named her a 2003 Legislator of the Year; and Boulder County's Project Self-Sufficiency, which awarded her its 2003 Local Hero Award. She also was awarded a prestigious Flemming Fellowship from the Center for Policy Alternatives based in Washington, D.C. After graduating from CU Law, Alice Madden practiced employment law at Fairfield & Woods in Denver. Prior to running for office she taught legal writing and was director of alumni relations for CU Law School. A longtime community activist, Rep. Madden has focused on professional development for women and on environmental issues. She and her husband, Pete Madden, have two sons.

Steve Segal of Otten, Johnson, Robinson, Neff and Ragonetti PC sits on the Law Alumni Board.

Elsa Martinez Tenreiro was named Volunteer Lawyer of the Year for her contributions to the community and her aid as a legal profession. For more than a decade Elsa arranged the Denver regional tournament for mock trials and worked in many public legal education projects.

'90

Paula Greisen of King and Greisen LLP is a member of the Law Alumni Board.

Dee Ann Donaldson Keller reports that she has just begun "semi-retirement," limiting her practice to advocacy and mediation.

'91

Todd Fredrickson is a partner at Otten, Johnson, Robinson, Neff and Ragonetti PC and served as chair of the Law Alumni Board for the 2004–05 term.

'92

Megan H. Rhyne married Michel B. Parker on April 9, 2005, in Williamsburg, Virginia. Her classmates **Deirdre Dwyer, Darrin Lee, Kathi Morgan, John Tayer, Paul Terrill ('92), and Geraldine Hughes ('93)** attended the ceremony.

'93

Barbara Grandjean is a partner at Jacobs Chase, joining the firm in 1997 after starting her practice at the Denver office of Ballard Spahr. Barbara has a wide range of experience in commercial litigation, including employment, real estate, contract, business torts, and securities. She has the highest available "AV" rating with Martindale Hubbell. In addition to her numerous legal-related activities, Barbara is also on the Board of Directors for Easter Seals Colorado. Barbara is married and has a young son named Duke.

'94

Jack Graves is an associate professor at Stetson University College of Law and is a member of the Law Alumni Board.

Vance Knapp is an associate at Rothgerber Johnson & Lyons. His practice focuses on employment law, sports and entertainment law, construction defect litigation, and securities arbitrations.

John Scipione is the managing partner of Caplis & Scipione, LLC, where he represents exclusively plaintiffs in serious injury and death cases. As a trial attorney John has been lead counsel for more than 35 jury trials and over 75 court trials. John has also argued successfully in front of the Colorado Court of Appeals. Outside the courtroom, John has taught various legal courses at the Denver Paralegal Institute and Community College of Aurora. He lives with his wife and three children in Littleton.



Craig Zolan, '95, writes, "I sold my tech transfer business, UVentures, after five years to a small public company. After the sale, I consulted for the asset management firm BlackRock for about a year and a half. I just joined the headquarters of Axiom Legal, which is a new kind of legal services firm made up of talented attorneys who serve as outsourced in-house counsel for corporate law departments. We presently serve the NYC metro area and will begin serving the bay area and other cities in 2005 and 2006. I'd be happy to discuss business with people who are interested in this type of practice or are interested in our services for the corporate law department. I married a little more than five years ago and stay in sporadic contact with **Scott Garelick**, **Matt Downs**, and **Paul Riekoff**. Classmates should drop me a note if they are ever in NYC (czolan@axiomlegal.com)."

'96

Marc Grayboyes was named vice president and general counsel of Allos Therapeutics in 2004 after working as senior associate in Cooley Godward's business department. Allos Therapeutics is a biopharmaceutical company focused on developing and commercializing innovative drugs for improving cancer treatments.

'97

Brian Meegan is partner at Chayet, Young, Meegan and Dawson, LLC and is a member of the Law Alumni Board.

'98

Andy L. Gitkind opened his own firm, Gitkind Law, in which he continues his wills, trusts, and elder law practice. He can be reached at 303-960-6628.

Jenni Luke is a literary agent for television and film projects in Los Angeles.

'99

Ashley Scott Kane is a new mother to son Frederick Scott Kane born on June 24, 2004. She writes, "he babbles a lot just like his mother used to in all her law school classes."

Andrew Sultan is an associate in the corporate group at Jacobs Chase. He joined the firm in January 2003.

'00

Jennifer Smith is a deputy Colorado state attorney general and the incoming chair of the Law Alumni Board. In 2005 she chaired the best-attended alumni banquet in the Law School's history. In July she and husband David welcomed their first child, a daughter.

Kara Veitch recently joined Isaacson Rosenbaum PC. She is president-elect of the Asian Pacific American Bar Association of Colorado and a member of the University of Colorado Law Alumni Board, where she headed this year's Knous Award committee.

'01

Jonathan Anderson has been named chief counsel to Governor Bill Owens. Anderson was working as an attorney with Hale Friesen, LLP. Prior to that he had served as the deputy chief counsel to Governor Owens. "I'm very pleased that Jon has agreed to serve as chief counsel," said Governor Owens. "With his past service in the governor's office, Jon already is familiar with many of the people and much of the work. More importantly, he is well qualified for the position." Anderson's community service activities include serving on the board of directors for Colorado Ronald McDonald House. He also serves on the board of Providers' Resources Clearinghouse, a non-profit that collects and redistributes goods to other area non-profits. He is a fifth-generation Coloradan.

Gwenda M. Broeren is doing civil litigation specializing in medical malpractice.

Stuart Corbridge practices water law at Vranesh and Raisch in Boulder, Colorado.

Cory Gardner, legislative director and general counsel to U.S. Senator Wayne Allard, R-Colorado, was chosen to replace State Representative Greg Brophy as the representative for House District 63. House Republican Leader Joe Stengel, R-Littleton, said that Gardner was a perfect fit for the Agriculture and Judiciary Committees. "Cory has an impressive background with Colorado agricultural concerns, and he will be a strong voice for rural Colorado and the Eastern Plains," Stengel said. "He also comes to the statehouse with a law degree and considerable policy experience. The House Judiciary Committee is a challenging assignment but I am confident that Cory will serve his district and our state well." Gardner has been with Senator Allard's office for the past three years, where he has gained policy experience working on issues related to agriculture, water resources, natural resources, the environment, armed services, and the budget. He began his legislative career as an aide to former Speaker of the House Russell George in 1996. Gardner and his wife, Jaime, have a baby daughter, Alyson Grace.

(From the *Fort Morgan Times*, July 6, 2005)

Eric Rothaus is an assistant attorney general for state services. His career as a CU student and since graduation has been distinguished by service to the community. In 2005 he was elected to the Law Alumni Board.

William Michael Snider has returned to Colorado from Texas and taken a job at Davis Graham & Stubbs. Says wife, Korey, "It's just better here!"

'03

Sabina Chung is a litigation associate at Spies Powers & Robinson PC. She is a member of the Asian Pacific American Bar Association and the Korean American Coalition and a philanthropy and education advisor for AOII Sorority at CU-Boulder.

Sueanna Johnson is an assistant attorney general in Denver.

IN MEMORIAM

- Carlos F. Brown '55
- Vine Deloria Jr. '70
- Frank Hockensmith '45
- Norman Lewis '66
- Christopher A. Miranda '82
- Clement W. Parkhurst '48
- Jim Richards '60
- James M. Robb '61
- Louise Romero '80
- Tim Ukockis '85



LAW SCHOOL CALENDAR

December 2005

- Dec 16 Fall Commencement
Dec 23–26 Winter Holidays—Campus Offices Closed

January 2006

- Jan 9–14 Intercession Trial Advocacy
Jan 16 Martin Luther King, Jr. Holiday
Jan 17 Classes begin Spring '06

February 2006

- Feb 19–20 The Digital Broadband Migration:
Confronting the New Regulatory Frontiers

March 2006

- Mar 8 Annual Alumni Awards Banquet
Mar 15 49th Annual Austin Scott Lecture
Mar 17 Faculty Colloquium, Jean Braucher (University of Arizona)
Mar 27–31 Spring Break

April 2006

- Apr 5 Telluride Film Festival
Apr 28 Last day of classes

May 2006

- May 12 Spring Commencement
May 29 Memorial Day Holiday—Campus Offices Closed

For up-to-date event information, visit www.colorado.edu/law.



Colorado
University of Colorado at Boulder

School of Law
401 UCB
Boulder, Colorado 80309

Nonprofit Org.
US Postage
PAID
Boulder, CO
Permit No. 257