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Amicus

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Spring 1984

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University of Colorado Law School

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# AMICUS

Winthrop D. Johnson, Editor



## Notes from the Dean

*"We conclude that in the field of public education the doctrine of separate but equal has no place. Separate educational facilities are inherently unequal."*

The Supreme Court's decision in *Brown v. Board of Education*, handed down thirty years ago on May 17, 1954, will be listed among the few events that have significantly affected life in twentieth-century America.



Dean Levin

The *Brown* decision clearly has had profound implications for our society, for law, and for our legal institutions. But although the Supreme Court and Congress have written the principle of equality into our laws, thirty years later those laws have not yet been fully translated into real social justice, and the process of doing so is a challenging and often painful one.

When viewed from today's perspective, the legal issue in *Brown* seems relatively simple: whether state-imposed segregated schooling denies minority children the equal protection of the laws even though the segregated public schools are equal in terms of physical facilities, resources, and other tangible factors. However, the efforts to implement the decision have revealed not a single issue, but many diverse and complex issues.

Since 1954, our courts have dealt with the issues presented by segregation in the North and West as well

as in the South. Our courts have also examined the scope of the concept of unlawful racial segregation, controversies over remedies, the impact of segregation on the educational achievement of minority and white students, and the ethical, social, and economic costs attached to alternative means of undoing racial segregation in the schools. In addition, *Brown* has raised issues of federalism and the tangled relationships between the federal courts, Congress, the Executive Branch, and thousands of school districts. Thus, the legal, social, and educational implications of the Supreme Court's decision in *Brown* seem more complex and clouded today than in 1954. As judges and lawyers struggle with the diverse legal issues arising from *Brown*, and federal, state, and local government officials try to develop effective solutions to the still pervasive problems of racial and ethnic isolation, unequal education, and poor quality education, we need to consider what viable policies we can construct for effectively and fairly implementing the moral as well as the legal command of *Brown*.

Despite difficulties in securing compliance, and the costs in terms of social dislocation, controversy, and judicial energy, the symbolic impact of *Brown* has transcended these difficulties and contributed significantly to the creation of a political and social environment in which progress toward, if not complete achievement of, racial justice became possible. This progress has manifested itself not only in the integration of public schools and colleges, but also in the areas of voting, public accommodations, employment, and housing.

Other minority and disadvantaged groups have also sought equal educational opportunity, and have adapted to their particular needs—through both litigation and

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## Distinguished Visitors

Several distinguished faculty members gave lectures at the Law School this Spring. Professor William W. Van Alstyne, William R. Perkins Professor of Law at Duke University and a leading constitutional law scholar, spoke at the Law School on February 16, on "Notes on the Bicentennial Constitution: Processes of Constitutional Change." Professor Van Alstyne has written widely on the First Amendment and has been a frequent consultant to the Senate Judiciary Committee.

Professor Pamela Gann spoke on "Does It Pay to Get Married: The Marriage Penalty Tax" on February 16 at the Law School. Professor Gann, a member of the faculty of Duke University Law School, is co-author of *Corporate Taxation and Taxation of Partnerships and Partners* and author of numerous law review articles on taxation. She has been a visiting professor at the Universities of Michigan, Virginia, San Diego, and at Washington University, and was a visiting professor at the CU Law School in the summer of 1980.

Louis Henkin, a distinguished professor from Columbia Law School, spoke on "Human Rights and United States Foreign Policy" March 15 in the Courtroom. The speech was sponsored jointly by the Doman Society of International Law and the Law School. He also participated in Professor Daniel Magraw's Public International Law class. Professor Henkin is Co-Director of the Columbia Center for the Study of Human Rights; the Reporter for the American Law Institute's Restatement of the Law, Foreign Relations Law of the United States; and an advisor to the U.S. Law of the Sea Delegation. He has also been an advisor to the U.S. Department of State, and was a member of the Human Rights Committee of the U.S. Commission for UNESCO. In his speech, Professor

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#### Dean's Notes (cont.)

legislation—the approach taken by the courts in defining equal educational opportunity in the context of racial discrimination. Thus, *Brown* is the wellspring not only for desegregation of public school systems, but also for the elimination of discrimination on the basis of gender, of language, and of disability.

The Law School thought that this occasion—the 30th anniversary of the *Brown* decision (and the 20th anniversary of the passage of the Civil Rights Act)—would be an appropriate time to reflect on what has happened in the area of equal educational opportunity over the last thirty years, as well as a time to look forward—to determine what the major issues of equal educational opportunity with which our society must deal in the next decade are, and how we are to deal with those issues. Thus a three-day conference on “Educational Equality 30 Years After *Brown v. Board of Education*” was convened at the Law School, involving some 25 nationally renowned judges, lawyers, educators, and government policymakers to discuss these issues.

The list of speakers and panelists included some of those who were in the forefront of translating the principle articulated in *Brown* to a working reality, and others who are on the front lines today. In addition to the speakers, those who attended the conference were a diverse and interesting group, representing at least 13 different states and the District of Columbia. Attendees included elementary and secondary school teachers, faculty members and students from various departments at the University and from a number of other colleges and universities, attorneys, representatives

of educational and public interest groups, officials from all levels of government, parents and, of course, our own law students and faculty members.

Our objective was to bring together people with various interests and perspectives to determine what were shared areas of concern and how they might be addressed. The speakers and panelists examined how the various approaches to equal educational opportunity have developed out of the initial principle articulated in *Brown*, and assessed where our nation is today with regard to equal educational opportunity. They also proposed solutions to problems of securing equal educational opportunity, as they identified them, and discussed where *Brown*'s principles might lead in the next decade. The conference was open to the legal and educational communities and to the general public in order to share fully this exploration into the meaning of the equal protection clause as applied to the education of our citizenry. The *University of Colorado Law Review* plans to publish some of the papers as a symposium issue on *Brown*.

The Law School was very fortunate to have William T. Coleman, Jr. as the keynote speaker. Mr. Coleman, former Secretary of the U.S. Department of Transportation from 1975-1977, is presently Chairman of the Board of the NAACP Legal Defense and Educational Fund, Inc., and was one of the authors of the plaintiffs' brief in *Brown v. Board of Education* in 1954. In 1982, he was appointed *amicus curiae* by the Supreme Court in *Bob Jones v. United States* and *Goldsboro Christian Schools, Inc. v. United States*. He has served as an advisor or consultant to six presidents. Currently, he is a senior



William T. Coleman, Jr., Chairman of the Board, NAACP Legal Defense and Educational Fund, Inc., gives keynote address at “Educational Equality” Conference.

partner in the Washington, D.C. office of O'Melveny & Myers.

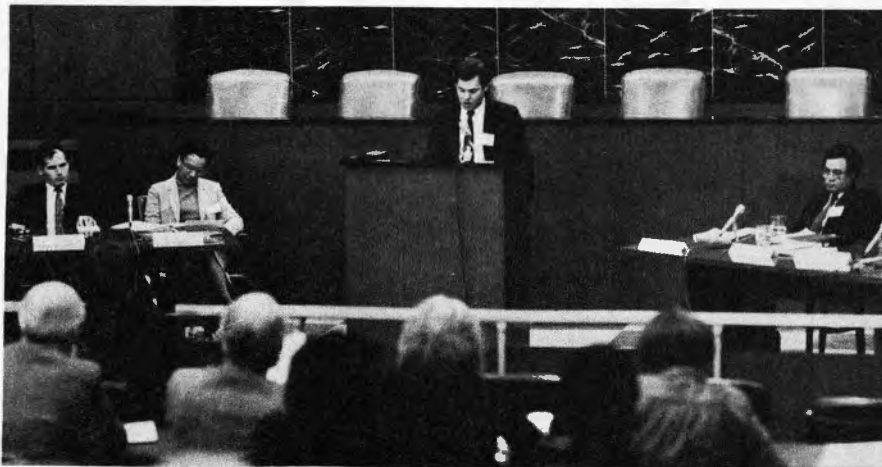
In his remarks, Mr. Coleman noted the following:

“[M]ore than any other decision in history, the *Brown* case demonstrates the enormous power of our constitutional system—how a vigorous, energetic force can be harnessed to bring about changes in the law, and one that could affect not only our communities but our daily lives, our country, and indeed the world. . . . The lasting value of *Brown*, its permanent inscription in our nation's conscience—is not its lofty legal doctrine. It is rather an ordinary case, about ordinary people and their sense of what is fair and just and right, and what is indispensable to life and the pursuit of happiness. . . .”

The Supreme Court's decision on May 17, 1954 stands as an example of the strength of the judicial system when it works. The battle for desegregation may be the only instance in history where a clearly visible minority, without the ballot, without bayonets, and without great financial resources, was able to work within the law to bring about basic social change—a change that affects all of us deeply and enriches our sense of justice and brotherhood. . . .”

He went on to note that “while other revolutions have been fought at Runnymede, Valley Forge, Bunker Hill, or won in the streets of Paris or in the media, this one was fought and won in the law libraries, in the courtrooms, and at the breakfast table in the early morning hours.” He described the hard work of a small band of lawyers that began in 1934

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Speakers at Law School's “Educational Equality” Conference: (L-R) David S. Tatel, Hogan & Hartson; Rachel B. Noel (moderator), Regent; Charles J. Cooper, U.S. Deputy Assistant Attorney General for Civil Rights; Professor Drew S. Days, III, Yale Law School.

#### Dean's Notes (cont.)

to construct a legal strategy that resulted in *Brown* in 1954. He pointed to "the importance of long-term planning, comprehensive strategy, and careful selection of cases and issues when seeking radical reform through the courts." He also noted that one must be a good common law lawyer as well as a good constitutional lawyer to do this.

Following Mr. Coleman's keynote address, there were five principal topics that the Conference participants discussed. The first topic examined the legal, political, and educational issues involved in *Minority Access to Higher Education in the Post-Bakke Era*. Included among the issues for discussion were those involving the application of Title VI of the Civil Rights Act of 1964 to traditionally black colleges in the South, the access of Hispanics to higher education, and the impact of the National Collegiate Athletic Association's rules concerning academic eligibility on minority opportunities for higher education. The principal speaker for this topic was *Drew S. Days, III*, currently on the faculty at Yale Law School. He was the Assistant Attorney General for Civil Rights, U.S. Department of Justice, from 1977-1980, and co-authored the brief for the United States as *amicus curiae* in the *Bakke* case. Other speakers included Charles J. Cooper, currently the Deputy Assistant Attorney General for Civil Rights and Jesse N. Stone, Jr., President (and former law school dean) at Southern University.

The second major topic dealt with the *Desegregation of Urban Public School Systems*. The principal speaker was U.S. Sixth Circuit Judge *Nathaniel R. Jones*. Prior to his appointment to the bench, he was General Counsel of the NAACP, in which capacity he coordinated the attack against northern school segregation and argued the Detroit school desegregation case, *Bradley v. Milliken*, before the U.S. Supreme Court. He also organized the presentation to the U.S. Supreme Court of the Dayton and Columbus school desegregation cases.

Other speakers on this topic discussed the Denver school desegregation case, the metropolitan desegregation plan in St. Louis, issues involved in desegregating a tri- or multiethnic school district, the continuing debate over "quality vs. equality" in education, and related issues. Among the speakers were Peter D. Roos, former director of education litigation for the Mexican-American Legal Defense and Edu-

cational Fund, Inc. and attorney for the Hispanic interveners in *Keyes v. Denver School District No. 1*; David S. Tatel, currently a partner in Hogan & Hartson, attorney for the St. Louis school board, and the former director of the Office for Civil Rights, HEW; Joyce A. Hughes, professor of Law at Northwestern University and formerly a member of the Chicago Board of Education; Stuart W. Cook, distinguished professor in Psychology (emeritus) at the University of Colorado, who was co-drafter of the social science appendix to the appellants' briefs in *Brown v. Board of Education*; and Charles V. Willie, professor of Education and Urban Studies at Harvard's Graduate School of Education, who has served as a court-appointed master in the Boston school desegregation case.

*Equal Access and Opportunities for Women in Education* was the third major topic, in which the legal, political, and educational issues involved in ensuring equal access for women at all levels of education were explored, focusing on the history and impact of Title IX, current and prospective litigation concerning gender-based discrimination in education, the prospects for further legislative action, and the impact of the movement on minority women. The principal speaker was *Dr. Bernice R. Sandler*, Director of the Project on the Status and Education of Women for the Association of American Colleges. She played a major role, as a key staff member of a congressional committee, in the passage of Title IX.

Some of the others who addressed this topic were Linda S. Greene, currently a visiting professor at Harvard Law School; Cynthia G. Brown, former Assistant Secretary for Civil Rights, U.S. Department of Education; and Judith L. Lichtman, Executive Director of the Women's Legal Defense Fund in Washington, D.C.

The fourth topic, *Equal Educational Opportunity for Language Minority Children*, examined issues involving language minority students today, the history of legislation and regulation in this area, and the challenges of the future. Both state and federal policies affecting language minority children were discussed. The principal speaker, *Joaquin G. Avila*, is the President and General Counsel of the Mexican-American Legal Defense and Educational Fund, Inc. Among the commentators were Federico Peña, the Mayor of Denver, and Dr. Alan L. Ginsberg, currently Director of Planning for the U.S. Department of

Education.

*Equal Access and Opportunities for Handicapped Students* was the final topic, in which the history of the extension of the equal protection clause to physically and mentally disabled students, both by the courts and through federal legislation and regulations, was discussed. Issues involving the enforcement of the Education for All Handicapped Children Act and the non-discrimination provision of the Rehabilitation Act were addressed. *Thomas K. Gilhool*, Chief Counsel of the Public Interest Law Center of Philadelphia, and lead counsel in *Pennsylvania Association for Retarded Children v. Commonwealth of Pennsylvania* (1972), which required that a free public education be provided to all mentally retarded persons, was the principal speaker. Among the panelists were Edwin W. Martin, Jr., formerly Assistant Secretary for Special Education and Rehabilitative Services, U.S. Department of Education and, prior to that, the Deputy Commissioner of the Office of Education, HEW; and Deborah Kaplan, currently Staff Attorney for the Disability Rights Education and Defense Fund, Inc.

It was a rare opportunity for our students to hear about the history of the *Brown* decision, and the extension of the principle of equal educational opportunity to disadvantaged groups other than racial minorities, directly from those who made that history and from those who continue—to quote William T. Coleman, Jr. again—"as lawyers, within our system of laws, to confront the residual vestiges of 'man's inhumanity to man,' to grapple with them, and to overcome them."



## Women in the Law Day

The Law School's Women's Law Caucus hosted the 8th Annual Women in the Law Day on March 17, 1984 at Fleming Law Building. Workshops included Women Attorneys in the Criminal Justice System, The Juvenile Court System, Business Practice, and Future Perspectives on Sexual Assault Litigation. In addition, workshops for prospective women law students covered areas such as financial aid, admissions, mock law school class, and life during law school.



## Alumni Notes

**Lawrence Thulemeyer ('32)** recently retired from the bench in La Junta, Colorado.

**Donald B. Moses ('34)**, a past president of the State Bar of New Mexico and a former state bar delegate to the American Bar Association House of Delegates, was recently elected to the Board of Directors of the American Judicature Society, a national organization for the improvement of the American court system.

**H. Vance Austin ('36)** was appointed Congressional Senior Intern by George Miller, M.C., 7th Congressional District, California. The responsibilities of the volunteer position are to be liaison between the Congressman and the senior citizens of his district. Austin, a former member of the Board of Regents, and his wife, Dorothy Hampton Austin, live in Walnut Creek, California.

**William C. McClearn ('51)** was nominated as a member of the Board of Governors of the American Bar Association at the ABA's midyear meeting. If elected by the House of Delegates in August, he will take office at the end of the 1984 annual meeting.

**Kenneth E. Barnhill, Jr. ('53)** received the Denver Bar Association's Award of Merit last summer. The award, the Association's highest honor, is presented each year. Barnhill is a member of the Denver law firm of Lohf & Barnhill, P.C. and is a leader in the development of standards of professional ethics and professional responsibility in the state of Colorado.

**Arval A. Morris ('55)** was a Visiting Professor at the Law School last Fall while on leave from the University of Washington School of Law.

**James E. Carpenter ('57)**, last year's recipient of the Law School's Distinguished Achievement Award for Industry, remains as Chairman, Presi-



James E. Carpenter ('57)

dent and Chief Executive Officer of Empire Savings, Building and Loan Association after its acquisition by Kiewit Financial Corporation, a subsidiary of Peter Kiewit Sons', Inc., of Omaha, Nebraska.

**Robert R. Kayne ('60)** has opened a general practice law office in Longmont, Colorado. He began practicing law in Boulder in 1961 and has been a resident of Longmont for the last six years.

**John A. Kintzele ('61)** was elected to the Denver Election Commission in May of 1983 to serve until July 1, 1987. He will continue to practice law as a plaintiff's attorney representing injured people. He lives in Denver.

**W. Douglas Watson ('64)** has returned from a sabbatical leave to resume his general practice in Boulder which emphasizes family and business law, personal injury, and criminal law. During the past year he taught at the Western Australian Institute of Technology and at the University of Virginia.

**Dan A. McKinnon, III ('65)**, a partner with Marron, McKinnon & Ewing in Albuquerque, was recently elected to the New Mexico Board of Bar Examiners, the governing body of the State Bar. His term expires in 1986.

**G. Bryan Morgan ('66)** who practices in Boulder with Haddon, Morgan, Foreman, P.C., has announced plans to run for a seat on CU's Board of Regents.

**Jon K. Mulford ('66)** was a visiting fellow in the Natural Resources Law Center this Spring, doing research on the sales and exchange of public lands under Section 202 of The Federal Land Policy and Management Act (FLPMA). He presented his findings June 11-13 at the FLPMA conference at the Law School (see Natural Resources Law Center article) and hopes to publish several monographs and a law review article based on his research. Mulford has a law practice in Aspen and Denver.

**Gary T. Potter ('66)**, a partner in the law firm of Veto and Potter, has been named to the board of directors of the Bank of Westminster in Colorado. His law firm specializes in estate planning, investment counseling and probate administration. He lives in Lakewood, Colorado.

**Morgan Smith ('66)**, Executive Director of the Colorado Department of Local Affairs, received the University of Colorado Distinguished Service Award at the University of

Colorado-Denver's commencement on May 19. A member of the Governor's Cabinet and long-time Coloradan, his service to the state has spanned all three branches of government, beginning with his appointment in 1967 as Public Defender in Adams County. Smith was elected to the Colorado General Assembly in 1972 and served in the House until 1978. He sponsored legislation which adopted the Nursing Home Bill of Rights, created the Hemophilia Treatment Center, established the Burn Center at the Health Sciences Center, and created a new state park in Eldorado Canyon. A Denver Post poll in 1977 named Smith as one of the top five legislators for the year. Smith served as Commissioner of Agriculture before taking his present position as head of the Department of Local Affairs.

**James C. Bull ('68)** is currently President of the Colorado Trial Lawyers Association for the 1983-84 year and was recently appointed to the Mayor's Advisory Council (of Denver).

**Elwyn F. Schaefer, Jr. ('69)** opened a new hotel in November 1982. The Cambridge Club, a luxurious hotel in downtown Denver, is the latest in a string of Schaefer's ventures, including investments in a brokerage firm, development company, insurance agency and a local restaurant.

**Pepe J. Mendez ('70)** was nominated last year by President Reagan to the 11-member Board of Directors of the Legal Services Corp. in Washington, D.C. While awaiting Congressional approval, he is continuing his law practice and is chairman of the First Congressional District Republican Committee in Denver.

**David R. Schermerhorn ('71)** is the development director of Williams Realty Developments, Inc., in Denver. He is single and living in Boulder.

**Brian T. Campbell ('72)** recently joined Fuller Commercial Brokerage Co. in Houston as a specialist in industrial properties. He has more than five years of experience in industrial and investment real estate and was previously a project manager with the Vantage Co. in Houston.

**Gary Margolin ('73)**, is a partner with Ireland, Stapleton, Pryor & Pascoe, P.C., which recently opened its Boulder law office at 1426 Pearl Street.

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## Four Alumni Among Denver's 10 Most Distinguished Men and Women

In the January 1984 issue of *Denver Business*, four graduates of the Law School, **Christina K. Bearman ('76)**, **Dan W. Herrington ('64)**, **Roy Romer ('52)**, and **Robert Zinn ('61)**, were selected to be among Denver's 10 Most Distinguished Men and Women of 1984. In selecting our graduates, *Denver Business* considered "achievement in the face of adversity, extraordinary accomplishment, integrity undaunted by great risk and service to the highest ideals of capitalism." Christina K. Bearman was cited for her extraordinary achievements at Manville Corporation (see Alumni Awards article—she received the 1984 Law School Alumni Award in April for Distinguished Achievement as Corporate Counsel), and Dan W.



Christina K. Bearman ('76)



Roy Romer ('52)

Herrington was cited for his achievements as managing partner and chief executive officer of Boettcher & Co., a Denver-based investment banking firm. We were all sorry to learn of his premature death on January 25, 1984 (see In Memoriam). Roy Romer, the Treasurer of the State of Colorado, was selected for his innovative leadership in state government and business (see Alumni Awards article—he received the 1984 Law School Alumni Award for Distinguished Achievement in the Public Sector), and Robert Zinn, a partner with Davis, Graham & Stubbs, was cited for his contributions to the general corporate and securities field, as well as for assisting companies undertaking public offerings. We congratulate our four distinguished alumni.

### Distinguished Visitors (cont.)

Henkin discussed the human rights policy of the U.S.—its ambiguities, ambivalences, and inconsistencies in relation to multilateral diplomacy with international organizations and countries, the positions of Congress and the executive branch, President Reagan's policies and President Carter's policies in this area, and rhetoric and silent diplomacy. Professor Henkin received his law degree from Harvard University. Following his graduation, he clerked for Judge Learned Hand of the U.S. Court of Appeals for the Second Circuit, and then for Supreme Court Justice Felix Frankfurter. A professor of Law at the University of Pennsylvania from 1957-62, he then joined the faculty of Columbia University, where he was professor of Law and International Law and Diplomacy, 1962-63; Hamilton Fish Professor of International Law and Diplomacy, 1963-78; and Harlan Fiske Stone Professor of Constitutional Law, 1978-79. He has been a Distinguished University Professor at Columbia University since 1979. He is the author of numerous books, including a casebook on international law (1980); *The Rights of Man Today* (1978); *Foreign Affairs and the Constitution* (1972); and *How Nations Behave: Law and Foreign Policy* (1968, 2nd edition 1979).

Charles J. Meyers, former Dean & Richard E. Long Professor at Stanford Law School and now a partner with Gibson, Dunn & Crutcher, spoke on "Today's Natural Resource Practice" on April 3, as the Law School's Distinguished Natural Resources Law Visitor. He also taught both sections of the Water Resources Law course, led a faculty colloquium on the relation of legal education to the practice of law, and met informally with students interested in natural resources law.

Professor Peter Schuck, a professor at Yale Law School and also at the Institution for Social and Policy Studies, spoke on "The Transformation of Immigration Law" at the Law School on January 30. Professor Schuck, a distinguished scholar and advocate of consumer issues, was the director of the Washington Office of Consumers Union from 1971 to 1977 and served as Deputy Assistant Secretary for Planning and Evaluation for the Department of Health, Education and Welfare from 1977 to 1979, before joining the Yale Law School faculty in 1979. He received his J.D. from Harvard Law School in 1965 and was a Graduate Prize Fellow in Government there from 1968

to 1970. He has published over thirty articles in both journals and magazines and numerous short reviews and commentaries in newspapers. He frequently is an expert witness before Congress and for governmental agencies on consumer issues.

## Conferences on Securities Law

This year the Law School will host two separate conferences on securities law and related topics. Professor Ted J. Fiklis chaired the Third Annual National Institute on Securities Regulation, May 30-June 1, which offered a broad review of issues on federal securities law. Daniel Geolzer, General Counsel of the Securities and Exchange Commission, was among those who addressed the three-day workshop. Arthur Fleischer, Jr., of Fried, Frank, Harris, Shriver & Jacobson, led a panel on "takeovers, friendly and hostile, by proxy contest, tender offers or otherwise, including leverage buy-outs."

On September 13-14, Professor Mark J. Lowenstein will offer a look at "Representing High Technology and Start-Up Companies in the 1980's." The conference will cover securities, tax, corporate and other legal issues, including professional responsibility. Among the scheduled speakers are Ann D. Wallace, Assistant Director, Division of Corporation Finance, SEC; Ralph Ferrara, of Debevoise & Plimpton; and Henry Lesser of Gibson, Dunn & Crutcher.

## What's Your Class Year?

For most law school graduates the answer is simple. Others have complications to explain: "Well, I got my degree in January of 1958, but that was because I decided to work one semester. I really belong to the Class of '57—and I missed our 25-year reunion because they didn't send me a notice!"

If your degree date doesn't match the class you "really belong to," the Law School would like to hear from you. Our new computer equipment enables us to deal with such complexities and, whatever your date of graduation, we'd like to associate you with the right classmates. You can use the "Alumni Information" tearsheet to notify us in writing, or call us at 303/492-8047.

# Alumni Notes (cont.)

**Ronald M. Martin ('73)**, a member of Spurgeon, Haney & Howbert, received the Colorado Bar Association's Outstanding Young Lawyer of 1983 Award last October. More recently, he was selected as the commercial editor of *Trial Talk*, the publication of the Colorado Trial Lawyers Association, and published with another lawyer in his office the first national article on the new bank-



Ronald M. Martin

ruptcy rules in the January 1984 issue of the *Commercial Law Journal*.

**Betsy B. Karowsky ('74)** is running in the Republican primary for a seat in the General Assembly from Greeley.

**Ronald Lawrence Lehr ('74)** was named to the Colorado State Public Utilities Commission.

**Lynne Kester-Meyer (formerly Lynne K. Daily) ('75)** who had been supervising attorney at Boulder County Legal Services, Inc., opened a law office at 595 Canyon Blvd. in Boulder on April 1.

**Mark A. Sandberg ('75)** and his wife, Kate, had a second son, Erik, on August 1, 1983. They live in Anchorage, Alaska.

**Peter Schild ('75)**, Boulder County's chief public defender the past five years, recently opened a law office at 745 Walnut Street in Boulder. He hopes to be able to spend more time with his wife, **Sherrill ('81)**, who is a public defender in Adams County, and his 10-month-old daughter. He also hopes to expand into different areas of law from those he was involved in as public defender.

**Jon D. Seigl ('75)** was elected president of the Aspen Colorado school board in May. He is an attorney with the Aspen law firm of Sax, Klein and Seigl.

**Robert D. Clark ('76)** was appointed Vice President and General Counsel of Affiliated Denver National Bank

on February 24, 1984. Prior to his appointment, Mr. Clark was in private practice with Hellerstein, Hellerstein and Shore, P.C., in Denver and was with the Land and Natural Resources Division of the U.S. Department of Justice in Washington, D.C.

**Jon F. Kottke ('76)** received the University's Outstanding Young Alumni Award on October 8, 1983 for achievement in law and for contribution to the Boulder community. He has served on the Board of Directors of the UCB Alumni Association since 1978, was president in 1980-81, is currently chairman of the Long-Range Planning Committee, and has chaired CU's Legislative Relations Committee. He is also actively involved in the Law School's fundraising efforts.

**Alex J. Martinez ('76)** was appointed by Governor Richard Lamm of Colorado to serve as a Pueblo County Court judge. He has served as a deputy state public defender since beginning law practice in 1976.

**Joseph H. Skinner ('76)** became a partner with the Denver and Grand Junction law firm of Kelly, Stansfield & O'Donnell in January.

**Mariko Tatsumoto Layton ('77)** is a stock broker for Dean Witter Reynolds Inc., in Glenwood Springs, Colorado. She also teaches an investment class at Colorado Mountain College in Glenwood Springs.

**Susan Mele ('77)** has accepted a faculty position at Ohio Northern University College of Law, where **Louis Fred Lobenhofer ('75)** is also a faculty member.

**Dennis B. Wanebo ('77)** left his job as chief deputy district attorney for Boulder County last year to begin private law practice in Westminster, Colorado as a defense attorney. The district attorney's office will still have a Wanebo, though, because his wife, **Lael Montgomery Wanebo ('82)**, recently joined the office as a prosecutor.

**Joel C. Maguire ('78)** recently became a partner with the Boulder law firm of Martin, Knapple, Humphrey & Sharp.

**Martin R. Murphy ('79)** recently moved into historically renovated law offices in Des Moines, Iowa, where he practices law with the firm of Carney, Hudson, Williams & Green.

**Jon W. Thompson ('79)** and his wife, Pauline, had a second son, Paul Henry, on October 5, 1983. They live in Flagstaff, Arizona.

**Kathleen Pulley Johnson ('80)** and **Stephen B. Johnson ('80)** were married August 22, 1981 in a large ceremony at the Flagstaff Amphitheatre near Boulder. Mr. Johnson is Assistant Mesa County Attorney in Grand Junction, and Mrs. Johnson is working with Nelson, Hoskin, Groves & Prinster. (We apologize for the incorrect marriage date in the last issue of *AMICUS*).

**Charles E. (Ed) Stirman ('80)** is practicing law in Ft. Collins, concentrating on domestic relations and civil litigation. He and his wife, Linda, had a second daughter born on Thanksgiving day, 1983.

**Bonnie Poitras Tucker ('80)** had an article, entitled "Board of Education of the Hendrick Hudson Central School District v. Rowley: Utter Chaos" published last year in the *Journal of Law & Education*.

**Cynthia L. Goff ('81)** married Professor Michael J. Waggoner on March 17. Goff practices in Boulder, and Professor Waggoner teaches tax and civil procedure at the Law School.

**Thomas J. Redden ('81)**, a sole practitioner in Ft. Collins, was recently appointed a Municipal Judge in Wellington, and was active with John Glenn's presidential campaign.

**Elizabeth L. Rocks ('81)** recently became associated with the Boulder law firm of Mehaffy, Rider, Windholz & Wilson.

**Cheryl Toman-Cabbage ('81)** is an Academic Associate at the College for Financial Planning in Denver, and recently had an article on prepared legal plans published in *The Journal for the Institute of Certified Financial Planners*.

**Mary-Margaret Bierbaum ('82)** is currently working with the district attorney's office in San Benito County, California.

**Steven D. Ellis ('82)** became associated with the Denver law firm of Robinson Waters O'Dorisio & Rapson, P.C. on March 1.

**Lauren Kingsbery ('82)** is Legal Counsel to the Colorado Association of School Boards (CASB) and Secretary of the Colorado Council of School Board Attorneys.

**Kevin McDowell ('82)** became associated with the Boulder law firm of Brotzman and Buchholz on February 1.

**Lael Montgomery Wanebo ('82)**, recently joined the Boulder County District Attorney's Office as a prosecutor.

**Daniel J. Caplis ('83)** recently be-

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#### Alumni Notes (cont.)

came associated with the Boulder law firm of Martin, Knapple, Humphrey & Tharp.

**Christine Coates ('83)** recently opened a law office at 885 Arapahoe Avenue in Boulder.

**Jay B. Davis ('83)** became associated with the Denver firm of Koransky & McCullough, P.C. on November 1, 1983.

**Lawrence DeMuth ('83)** is working at the Boulder District Attorney's Office and has responsibility for prosecuting drunk driving cases in Boulder county. Boulder recently was chosen for a pilot program by the Colorado Division of Highway Safety to increase enforcement and prosecution of drunk driving violations, and DeMuth was selected as the full-time deputy district attorney to prosecute violators.

**Andrew Michael Gaydosch ('83)** recently became an associate with the Boulder law firm of Martin, Knapple, Humphrey & Tharp.

**Ronald D. Hutchinson ('83)** became associated with the Denver law firm of Broadhurst & Petrock on October 30, 1983.

**Joan M. Norman ('83)** recently became an associate with the Boulder law firm of Lirtzman and Nehls, P.C.

**Michael D. Shangraw ('83)** recently became an associate with the Denver law firm of Lozow, Lozow and Elliott.

## Third Annual Alumni Reunion Held

The Law School held its third annual alumni reunion on April 27 in Denver. Nearly 225 people attended. D. Robert White, the author of the comic best seller *The Official Lawyers Handbook* was the principal speaker. The gathering provided an opportunity for alumni to reacquaint themselves with former classmates and to honor alumni who have made significant contributions to society since graduating from the Law School. The following seven alumni were honored for achievement in the following specific areas:

#### **Christina K. Bearman ('76)**

**For Distinguished Achievement as Corporate Counsel.** Mrs. Bearman was responsible for all the day-to-day adversary proceedings for



Timothy L. Campbell ('59), Reunion Chair for the Class of 1959, presents the class gift of \$6,612 to the Dean, commemorating the 25th anniversary of graduation from Law School.

Manville Corporation after it filed for reorganization under Chapter 11 of the Bankruptcy Code, and was named one of Denver's most distinguished women in 1984 by *Denver Business* magazine.

#### **Patricia Ann Clark ('61)**

**For Distinguished Achievement as a Member of the Judiciary.** For the past ten years, the Honorable Patricia Ann Clark has served as Judge of the United States Bankruptcy Court in Denver. She was, and still is, the only woman federal bankruptcy judge in the State of Colorado and only one of a handful in the nation holding this office. Prior to being appointed to the Federal bench, she was a partner with the law firm of Holme Roberts & Owen in Denver.

#### **Gerald Harrison ('56)**

**For Distinguished Achievement as an Executive in Industry.** Until his retirement earlier this year, Gerald

Harrison, a native of Colorado, was President and Chief Executive Officer of Stearns-Roger World Corporation, an engineering-construction firm located in Denver. He is the past president of the Colorado Association of Corporate Counsel and is a former Chairman of the General Counsels Committee of the National Constructors Association. He is a former member of the Steering Committee for Chief Executive Officers of the National Constructors Association and a member of the Board of Advisors of the International Management Masters Program at the University of Denver School of Business.

#### **Chuck Mau ('32)**

**For Distinguished Achievement in Private Practice.** Chuck Mau has had a distinguished career as an attorney and public servant in Hawaii. Currently senior partner with the law firm of Mau, White & Yee in Honolulu, he has been Deputy Attorney General of the Territory of Hawaii and a judge on the Hawaii Tax Appeal Court. He was appointed a Circuit Court Judge for the Territory of Hawaii in 1950 by President Truman, and he was instrumental in Hawaii's being admitted to the Union as the country's 50th state in 1959. Besides serving on numerous civic, community and social organizations in Hawaii, Mr. Mau is the recipient of the University of Colorado Alumni Award and the University's Norlin Award, and he estab-

(continued on p. 8)



1984 Alumni Award Recipients: (L-R) Gerald Harrison ('56), Christina K. Bearman ('76), Chuck Mau ('32), Patricia Anne Clark ('61), Sidney E. Pleasant ('28), Clarence R. Morris ('25), and Roy Romer ('52)



#### Alumni Reunion (cont.)

lished the Maru Law Scholarship Fund at the School of Law. He also serves as a Director of the University of Colorado Foundation and is a member of the University's Hall of Fame "C" Club.

#### Clarence R. Morris ('25)

**For Distinguished Achievement in Legal Education.** Clarence R. Morris has received numerous awards and degrees, and is recognized as an authority on torts and Chinese legal thought. He received his LL.M. from Columbia Law School in 1926, and then taught law for 47 years at the University of Wyoming, the University of Texas, and the University of Pennsylvania. He is currently Professor Emeritus at the University of Pennsylvania School of Law. Professor Morris has written numerous articles and has authored or co-authored seven books, including *Law in Imperial China* (1967), *The Justification of the Law* (1972), and *Morris on Torts* (2nd Edition 1980). He has been a Brandeis Fellow at Harvard Law School, a fellow at the Center for Advanced Study of the Behavioral Sciences, and a Fulbright Senior Research Fellow at Cambridge University Law School in England. In 1975, he received an LL.D. from the University of Colorado.

#### Sidney E. Pleasant ('33)

**For Distinguished Achievement as Sole Practitioner.** During his 51 years of law practice in Craig, Colorado, Mr. Pleasant has served as Craig City Attorney, Moffat County Attorney, and the District Attorney for the Fourteenth Judicial District. He is a member and former President of the Northwest Colorado Bar Association, and is a member and former Director of the Colorado Bar Association. He is also a member of the American Bar Association and Elks Lodge, and is past President of the Craig Lions Club.

#### Roy Romer ('52)

**For Distinguished Achievement in the Public Sector.** After graduating second in his class from the Law School where he was a member of the Board of Editors of the *Rocky Mountain Law Review* and a member of the winning team in the Rothgerber Moot Court Competition, Roy Romer did postgraduate work at Yale University in ethics, social policy and philosophy. A former member of the Colorado House of Representatives and the Colorado State Senate, he is currently State Treasurer of Colorado and the Governor's chief

of staff and executive assistant. Prior to assuming his current duties, Mr. Romer served as Colorado's Commissioner of Agriculture. He has served as Chairman of a task force which created the Western Governor's Policy Office as well as Chairman of the Interim Advisory Committee to the Denver Water Board. He has also served as the Governor's alternate to the Council of Four Corners Governors, Inc., and as the Chairman of the Colorado Small Business Council. Mr. Romer is currently a member of the School Budget Review Board, the Board of Directors for the Public Employees Retirement Association, and the Municipal Securities Rulemaking Board, and in 1979 co-chaired the Governor's Blue Ribbon Panel to determine Colorado's investment needs in the 1980s and 1990s.

## 1983 Graduating Class Employment Statistics

According to a survey recently completed by our 1983 graduates who took and passed the bar exam, 80.2% of our 1983 graduates have found full-time legal employment. Of these graduates, only 7.9% are unemployed and seeking work. This compares reasonably well with a similar survey of 1982 graduates who took and passed the bar exam, indicating that 84.7% of that class were employed in the legal profession and only 7.6% were unemployed and seeking work. The major difference in the employment pattern seems to be that 5.3% of 1982 graduates were employed in business and industry legal positions, whereas this year only 1.6% of the graduates were in business and industry. Also, none of the 1983 graduates are employed in legal services positions, whereas 2.3% of 1982 graduates were so employed. These changes may reflect the overall economy more than the legal profession itself. Other shifts are also evident. Of our 1983 graduates, 4.8% were employed as part-time law clerks in private practice, compared to 0.8% of 1982 graduates, and 2.4% of 1983 graduates were not actively seeking work. All 1982 graduates responding to the survey actively sought work. Of 1983 graduates, 6.7% did not respond to the survey, compared to 6.9% of the 1982 graduates.

Of the 49.2% of 1983 graduates

employed in private practice, almost half were employed by small firms of 2 to 10 attorneys. Almost sixteen percent of 1983 graduates were judicial clerks at the federal, state, and local level. (About three-quarters of the judicial clerks were women.) District or county attorneys were 7.1% of those employed and 1.6% were public defenders. The military, government agencies, and public interest groups each employed one graduate.

Of those not in the legal profession, 3 of the 1983 graduates, or 2.4%, found full-time nonlegal work and one found part-time work. This compares to 6.9% of 1982 graduates in nonlegal work. Two 1983 graduates, or 1.5%, were in full-time advanced degree programs. Only 5.2% of 1983 graduates were employed out of state compared to 11.4% of 1982 graduates.

## Development Report

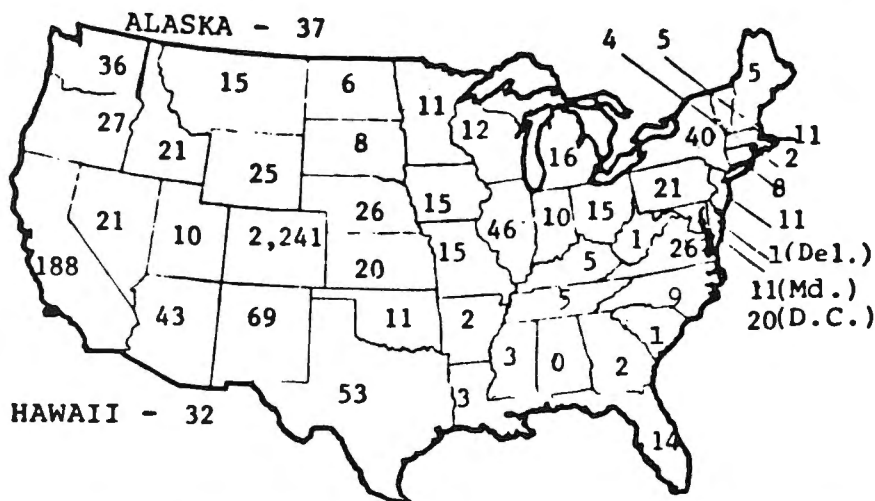
We enjoyed communicating with many of our alumni during the March phonathons. This was the last phonathon for the fiscal year, and our students successfully raised more money than we have in previous Spring phonathons. Special thanks goes to **Tom Ayers ('81)**, a four-year veteran of phonathons. We were also pleased to have the participation of Assistant Dean **Dan Vigil ('82)**.

Clyde Martz and the Natural Resources Law Center Development Committee have raised over 100% of their campaign goal! We are very grateful to the individuals, law firms, accounting firms, corporations and foundations who have generously supported the Natural Resources Law Center.

Dean Levin received a broad base of national and local foundation support for the *Brown v. Board of Education* symposium. We are very grateful to the Donald B. Anderson Foundation, the Atlantic Richfield Company, the Denver Foundation, the Field Foundation, the Harmes C. Fishback Foundation, the Ford Foundation, the New World Foundation, the Piton Foundation, and the University of Colorado Student Union for making the *Brown v. Board of Education* symposium possible.



Barbara Allar  
Director of Development



## Where Have All The CU Lawyers Gone?

This map indicates where our 3243 graduates are now located, according to our latest information. Those in the military overseas are included in the count of the state of their APO (California, New York, Washington). Others include two in Canada and one in Mexico.

## Miscellany

**Joan S. Brett ('75)**, President of the Boulder County Bar Association, presented a \$2,500 check on behalf of the Association to the Law Library last fall for the purchase of books and periodicals. (see picture)

On November 10, 1983, **Carlton Stoiber ('69)** and his wife Suzanne hosted a cocktail party in their beautiful home to introduce Dean Betsy Levin to alumni in the Washington, D.C. area. Among those attending were Professor Ted Fifiis who was visiting at American University for the 1983-84 academic year, and his wife, Vasi; Katie and **Fred G. Folsom, Jr. ('38)**; **James Knapp ('67)**, who is now Deputy Assistant Attorney General, Criminal Division, Department of Justice; and **Joe Fontana ('61)**, who is with the Washington office at Winston & Strawn, a law firm located in Chicago. **Lynda Syrop Mounts ('73)**, with the firm of Cadwalader, Wickersham & Taft's Washington office, and **Jack Simmons III ('76)**, an attorney with the Federal Trade Commission, also attended.

**John Lee Cooper ('69)**, hosted a reception in January to provide an opportunity for San Francisco area alumni to meet Dean Betsy Levin

and several members of the faculty: Professor J. Dennis Hynes, Professor Albert Alschuler, and Assistant Dean Shannon Janes. The reception was held at the St. Francis Yacht Club. The occasion provided the Dean with the opportunity to bring the alumni up to date on happenings at the Law School. Among the alumni present were **Ralph W. Bastian, Jr. ('66)**, **John C. Williams ('57)**, **Linda Votaw ('81)**, **Gloria Jean Garland ('82)**, **Morgan (Mickey) Guenther ('82)**. Mickey Guenther has joined the firm of Farella, Braun & Martel, where John Cooper is a partner. John Williams teaches business students at Golden Gate and heads a CPA firm. Linda Votaw is in private practice and Gloria Jean Garland is practicing with the firm of Furth, Fahrner, Bleumel & Mason.

**Lee R. Wills ('56)** hosted a reception for Law School alumni in the Colorado Springs area on January 17, 1984. Dean Levin and Assistant Dean Dan Vigil attended from the Law School. Although it was close to zero degrees, the following alumni braved the elements and attended the reception: **Lindsay E. Fischer ('59)**, **Tad S. Foster ('69)**, **Jane E. Freeman ('71)**, **Peter A. Goldstein ('70)**, **Donald Haney ('37)**, **Marshall C. Hjelte ('50)**, **Thomas Kennedy**



Joan Brett ('75) and Dean Betsy Levin, Fall 1983

(December '82), County Judge Jack L. Roeser ('50), Matthew B. Wills ('59), and Mervin A. (Allan) Ziegler ('70).

## Law Alumni Board Elections Held

At the Annual Meeting of the Law Alumni Board of Directors on April 27, 1984, the following were elected to a four-year term on the Board, beginning July 1, 1984:

Christina K. Bearman, 1976 (Denver)  
Christopher R. Brauchli, 1961 (Boulder)  
Gregory K. Hoskin, 1965 (Grand Junction)  
Ms. C. J. Lewis, 1980 (Boulder)

In addition, Robert A. Backus, 1964 (Denver) became Chair-Elect. Neil C. King, 1956 (Boulder), the 1983-84 Chair of the Law Alumni Board, presided over the meeting. Betty C. Arkell, 1975 (Denver) assumes the Chair on July 1, 1984.

Other members of the Law Alumni Board of Directors for 1984-85 include:

Charles L. Casteel, 1975 (Denver)  
The Hon. Richard Doucette, 1966 (Granby)  
Thomas T. Farley, 1959 (Pueblo)  
Robert W. Giacomini, 1957 (Sterling)  
Alan Heath, 1968 (Michigan)  
T. Henry Hutchinson, 1951 (Boulder)  
Garth Rogers, 1962 (Fort Collins)  
James E. Scarboro, 1970 (Arizona)  
B. Lawrence Theis, 1975 (Denver)  
Lee R. Wills, 1956 (Colorado Springs)

## In Memoriam

**Harold Edmond Bryan ('23)**, a resident of Montezuma, Iowa, recently died and left a generous contribution to the Law School in his will.

**Bernard J. Loughman ('29)** died on October 5, 1983, at the age of 84. Born in Aspen, Colorado in 1899, he moved to Ventura, California, to practice in 1930. He was active in the Knights of Columbus, was a past president of the Ventura County Bar Association, and was the youngest commissioned officer in World War I. His loyalty and love for the Law School is almost unparalleled, as evidenced by his annual contributions to the Law School for the past 30 years. He was a renowned philan-

(continued on p. 10)

In Memoriam (cont.)

thropist who will never be forgotten in Ventura.

**Donald C. Hays ('35)**, a senior partner of Gifford, Woody, Carter & Hays, and a retired partner of Sage, Gray, Todd & Sims, both New York City law firms, died on November 10, 1983 in New York City after a long illness. He was a former attorney for and member of the Board of Directors of the National Audubon Society, and was a former attorney for and member of the Players Club. He was a major in the U.S. Army in World War II and served with distinction in the O.S.S. in the European Theatre. He is survived by his wife, Ann P. Hays, a daughter and a brother.

**Michael J. Hurley ('36)** died on July 16, 1983. He was retired and living in Phoenix, Arizona.

**J. Hartley Murray ('36)** died on November 8, 1983, in Colorado Springs at the age of 71. A Springs native, Murray was a partner in the Murray, Baker and Wendelken law firm. He served with the Army during World War II and with the War Crimes Office at the Nuremberg trials from November 1945 to September 1946. He was appointed a member of the staff of U.S. Supreme Court Justice Robert H. Jackson and was awarded a Bronze Star for his participation in the trials. He is survived by his wife, Constance, and son, Peter, of Colorado Springs.

**Rolando J. Matteucci ('38)** died in December, 1983. In 1945, after World War II, he entered private practice and joined the Air Force Reserve, retiring as a lieutenant colonel in 1977. He lived in Albuquerque, N.M.

**John W. "Ty" Patterson ('46)** died in his Lakewood, Colorado home on October 14, 1983. He was a former assistant attorney general for the State of Colorado and former legislative assistant to Governor Love. He was a past president of the Pinehurst Country Club. At the time of his death, he was general counsel to Independent Petroleum Marketers.

**Edward H. Devoe ('49)** died October 19, 1983 at Saginaw, Michigan. He was a Navy veteran serving as a lieutenant commander in World War II. After graduation from Law School, he began practice in a small town in Utah. He then went back into the Navy during the Korean War, and later became a probate judge in Wexford County, Michigan. He was also administrative law judge for the Bureau of Workers Disability Com-

pensation of Saginaw County, Michigan. He once wrote Dean Edward C. King that "I am ever grateful for a solid law education from Colorado. I have long since learned that it was solid and sound. Here in the midst of nationally renowned University of Michigan graduates, I find no cause to feel the least disadvantaged. . . . Certainly, in the area of dedication and a proper sense of moral/ethical bases of the law, I'll put my money on a Colorado man anytime." He is survived by his widow, Thelma, several children and grandchildren.

**Thomas R. Walker ('50)** died October 15, 1983 after a brief illness.

**Ellis R. Ferguson ('51)** died February 8, 1984. He was a member of the bars of Colorado, Nevada, Oklahoma, and Wyoming.

We recently were informed of the death of **Robert E. Parga ('54)**, who practiced in Cortez and Montrose. He served as President of the Southwestern Colorado Bar Association in 1959.

**Dan Herrington ('64)** died unexpectedly on January 25, 1984, of a heart attack. He was managing partner and chief executive officer of Boettcher & Company, a Denver-based investment banking firm, at the time of his death. The firm expanded rapidly under his leadership, opening offices in San Francisco, California; Portland, Oregon; Anchorage, Alaska; and Seattle, Spokane, and Bremerton, Washington. Immediately following his graduation from Law School, he joined the staff of the Boulder district attorney's office. After a year, he joined a Denver law firm, Tallmadge, Tallmadge, Willson & Lamm, that specialized in municipal bonds, and in 1968 he moved to Boettcher's municipal bond department.

**Richard M. Knoebar ('74)** died December 14, 1982 in Richland, Washington.

## Parking

All visitors to the Law School are encouraged to obtain a parking sticker from the Dean's Office on the second floor of the Law School. (If you are using the Law Library, the Library desk will also have parking stickers available.) The stickers cost \$.35 and are good for the day of purchase.

## Minorities in the Law Day

On April 27, 1984, the University of Colorado School of Law hosted its first annual Minorities in the Law Day, an event created to encourage minorities to pursue a legal career. Assistant Dean Daniel A. Vigil put together the program which included as speakers **Charles Cas-teel ('75)** of Davis, Graham & Stubbs; **Ronald C. Williams ('79)** of Storage Technology, and **David Vela ('73)**, Colorado Public Defender. Denver District Judge Roger Cisneros and Barbara Kelley of Morrison & Foerster, who is currently President of the Sam Cary Bar Association, also spoke.

Among the participants were prospective law students, counselors from the University of Colorado's undergraduate Educational Opportunity Program (EOP), an administrator from the Native American Rights Fund, and current minority law students. Assistant Dean Vigil devoted the final few minutes of the session to answering questions posed by the prospective students, including questions about preparation for law school, the LSAT, admissions criteria, financial aid, support services available to students, student groups and organizations, the bar exam, and employment opportunities.

## Summer School

The Law School is offering a variety of courses taught by outstanding scholars for the 1984 Summer Session. Professor Joseph L. Sax, the Philip A. Hart Distinguished University Professor at the University of Michigan Law School, is teaching Environmental Law and is the University's Distinguished Visiting Professor for the summer term. Professor Stefan A. Riesentfeld, Professor Emeritus at the University of California at Berkeley, is teaching Creditors' Remedies. Professor Robert D. Bartels of Arizona State University is teaching Evidence. Professor Alfred F. Conard, the Henry M. Butzel Professor Emeritus at the University of Michigan Law School and a leading scholar and author on business organizations, is teaching Agency-Partnership as the Law School's Distinguished Charles Inglis Thompson Professor. Professor Lucy S. McGough of Louisiana State University is teaching Domestic Relations.



## "Giving Can Be Planned"

By Thomas B. Hunt, Director of Planned Giving, University of Colorado Foundation, Inc.

Maintaining leadership in public legal education, as does the University of Colorado School of Law, requires a continuing enrichment by alumni of the investment they made as individuals. Giving to the Law School is an important and worthy investment. Your choice to give, always a personal one, should be directed as much by your interest in supporting the value of your own study of law as well as by your financial situation. Your choice to give, however, should recognize that a plan for giving will maximize the benefit to both you and the School.

Cash contributions are the most common and, often, the most advantageous of gifts, deductible on your income tax returns for the year in which the gift is made. You may deduct the amount of cash gifts to the Law School up to 50 percent of your adjusted gross income. If you give more than the maximum allowed deductible for one year, you may deduct that excess over the next five years.

A bequest is a gift in a donor's will of any amount or form to the Law School. Charitable bequests may be designed when a new will is executed, or added to an existing will through a codicil. The extent of the bequest can be identified by stating a dollar amount, designating articles of property, or naming the School of Law as a residual legatee. The latter bequest allows the institution a percentage or all of what remains after the decedent's heirs have been provided for and other specific provisions in the will have been satisfied.

There is, however, a larger group of giving opportunities known as planned gifts. These offer distinct advantages to donors interested in long-range tax and financial benefits, a commitment to support the school in a manner and at a time that is best for the donor, and the opportunity to provide a larger gift than otherwise would be possible from income; this while providing increased financial security for the donor and his or her heirs. Such gifts, which should be discussed with representatives of the Law School and your tax advisor, include a wide variety of life income gifts which allow a charitable deduction on your in-

come tax returns for the year in which the gift arrangements are made.

Among these are the charitable remainder trusts, significant gifts irrevocably assigned to the Law School that provide you a substantial return during your life and, if you desire, during the life of a named beneficiary. The charitable remainder unitrust annually returns a fixed percentage of the trust's current market value to the donor or beneficiary. The charitable remainder annuity trust pays a fixed dollar amount each year, based on the gift's original value and agreed upon at the time the gift is given. When the unitrust or annuity trust payments are completed, the invested assets are distributed to the Law School for purposes designated by the donor.

The University of Colorado Foundation operates a pooled income fund which allows gifts in the amount of \$5,000 or more to be "pooled" for investment management. All ordinary income from the fund is paid quarterly to the lifetime beneficiaries on the basis of the number of units represented by each participating gift.

Planned gifts are an alternative to the inability to commit a substantial gift from income. This brief discussion of a complex subject is current under applicable law at the time of writing, and is designed to provide options for the alumnus or alumna, or friend, who wishes to invest in the future of the Law School. It is not intended to take the place of discussions with tax or legal counsel acquainted with the individual's circumstances or of discussions with representatives of the School. If more information is desired, please contact the Director of Planned Giving, University of Colorado Foundation, Inc., P.O. Box 1140, Boulder, Colorado, 80306 (telephone (303) 492-8988).

## Lost Alumni

The following is a list of Law School alumni we have lost touch with. If you know where/how these Law School graduates can be contacted, please call us at (303) 492-8047.

1914 Amasa Charles Smith  
1916 Grove Griffith  
Herbert A. Miller

1918 Roy Louis Cadwallader  
1920 Jose Morente  
1921 Marjorie S. Brown  
James V. Carroll  
George C. Sellery  
1922 Ivan L. Hiler  
1923 Emmett Ray Feighner  
1924 William James Shay  
1925 Samuel M. Lee  
1926 Armand Harold Blum  
Richard Alexander Huff  
Gene Kenneth Luby  
1927 Frederick Rueb  
1929 Miles McCartney  
1930 Portia Mary Lee  
1931 Max K. Troy  
1932 Gweneth W. Burke  
Dean Leslie Lachenmyer  
William G. Morrison  
Kenneth S. Ridgeway  
1933 Larue Funston Clark  
1935 Harold B. Newrock  
John Raymond Sawyer  
Loren D. Swayne  
1936 Alfred C. Watson  
1937 Thomas C. Chapin  
Martin B. Johnston  
1939 R. Frederick Sinkbiel  
1940 Robert Louise Cranmer  
Robert E. DeMott  
Fred Moman Hardy  
Joseph Colin James, Jr.  
Marion Baxter Porter  
Marquis LaVelle Smith  
Jack J. Williams  
1941 William J. Truswell  
1942 Sidney A. Emeson  
Reginald Geiser  
Frank Browne Hennessy  
1943 Robert G. Barngrove  
1944 Roger M. Saunders  
William Flinn Steens  
1945 Maurice Edward Bosley, Jr.  
Alfred Quintana  
LaVerne Freeman Walls  
1946 Lowell Martin Kietffer  
1948 Robert Fisher  
Hollis K. Martin  
Richard Y. Meacham  
Paul M. Nakagawa  
Carleton Hinckley Reed  
Clyde H. Teaman  
1949 Justin Sevier Click, Jr.  
Robert Duncan Means  
Billy Lee Smith  
1950 Francis Gabriel Hessney  
Donald Francis Meyers  
Robert Earl Moore  
Daniel P. Shadrach  
H. Hernard Shapson  
George Robert Ward  
1951 Joseph James Goggin  
1952 Harold Albert Roberts  
Paul Rogers Tally  
1953 John Mills Fontanna  
Edwin Armand Lapeire

(continued on p. 12)

## Lost Alumni (cont.)

- 1955 David T. Brown
- 1958 Colleen Kay Connelly  
Donald W. Hansen  
James Irving Peterson  
Jere Dean Tresner
- 1959 David Jerry King  
M. Van Smith  
Rolf Ulleberg
- 1961 John Paul Jones  
Gerald Jay Sandell  
Kenneth Eugene Webermeier
- 1962 Myles Edward Flint  
Leon E. Kahn
- 1963 William Glenn Fields  
Michael Greenstein  
Gary Norman Herbert
- 1964 John Stephen Gammill  
Charles Lee Gastm
- 1965 Chester A. Beaston, Jr.  
Elise Marie Martin  
Philip F. Roberts
- 1966 Charles Abney Beck  
Stephen Richard Clark  
John Darnall Drake  
Frank Erwin Johnson
- 1967 Barry LeRoy Bryant  
Riley Converse Nichols
- 1968 William Thurman Bullard, Jr.  
Sidney A. Emerson  
James Michael Iacino  
Thomas John Lehner  
George Wohar, Jr.
- 1969 Anthony Willett Lanza
- 1970 Henry William Cavallera  
Margaret Clifford  
Dennis Martin Grimmer  
Richard Paul O'Brecht  
Rodney Arthur Roberts  
Jane Canges Templeton  
Michael Jay Wood
- 1971 Jeffrey Alan Bullen  
Thomas Lee Combs  
Leroy Goter  
Ronald Joseph Koster  
Arlene Deeves McManus
- 1972 James Lewis Anderson  
Stephens Dooley  
Steven Manford Hale  
John Charles Hilgers  
Evan Garland Johnson  
Collier Kear  
Marvin Gerald Martinez  
Linda G. Niven
- 1973 Richard Curtisa Espe  
Harriet G. Olson  
Victor Ray Palmer  
Norma Louise Reyes  
Lyle Keith Rising  
Samuel Robert Shaw  
James Milan Skorich
- 1974 Janet Lee Miller  
Thomas Fenton Smith
- 1975 Newton Anthony Beckett  
David William Denton  
William R. Garibay  
Bart Macgillivray
- 1976 Michael Basil Archer  
Joseph Glen Bruce  
Allan Dennison Estroff  
Irvin Lee Foster

- Dennis B. Green  
Michael Jeffery Katz  
Larry Douglas Manion  
Judith Ann Millington (Muroya)  
Walter C. Sutton  
Christopher Anthony Taravella
- 1977 Clifford J. Barnard  
Gilberto Eduardo Espinoza  
Harry Holifield  
James T. Hungelmann  
Elizabeth Johnson  
Rhanja Lazzeri  
William Morris  
Joseph Ronald Pope  
Robert Donald Wild
- 1978 Karen Theresa Chiles  
Richard Lynn Griffith  
David Robert Gross  
James H. Massey  
Michael Clark Morlan  
Ronald Scott Rosen
- 1979 Bernadette Barbara Baca  
Katherine Lee Collins  
Gilbert Edmond Romero  
Ernest Joseph Ruybalid  
Philip Michael Smith  
Susan Jean Stophlet
- 1980 Kenneth A. Hoover
- 1981 Robert E. Brooks  
Edward Phil Martinez

## Schedule of Events

### August 2

Summer School classes end

### August 18

Summer Commencement

### August 29-September 4

Fall Registration and Orientation

### September 3

Labor Day

### September 5

First day of classes

### September 14

Law Alumni Board of  
Directors' meeting

### September 28

CBA Annual Convention Alumni  
Reception (Colorado Springs)

### September 29

CBA Annual Convention Alumni  
Breakfast

### October 13

Homecoming (Iowa State)

### October 22

Rothgerber Moot Court Finals

### November 22 & 23

Thanksgiving Holiday

### November 26

Classes resume

### November 29-30

Board of Visitors' meeting

## Faculty Notes

Professor **Albert W. Alschuler** published "Implementing the Criminal Defendant's Right to Trial: Alternatives to the Plea Bargaining System," in 50 *University of Chicago Law Review* 931 (1983). He also wrote the section on "Guilty Plea: Plea Bargaining," for the *Encyclopedia of Crime and Justice*. Professor Alschuler is a member of the Board of Trustees of the Law and Society Association, and chaired a roundtable on sentencing studies at the Association's annual meeting. He has been on leave from the Law School this past academic year. In the fall, he was a visiting faculty member at the University of Pennsylvania Law School and this spring he conducted research in Chicago under a grant from the American Bar Foundation.

Associate Dean **Clifford J. Calhoun** presented a fall faculty workshop entitled "The Federal Tax Lien and Article 9 Security Interests under the Uniform Commercial Code."

Professors **Emily Calhoun** and **Marianne Wesson** presented a fall faculty workshop and a CLE program sponsored by the ACLU in Denver on employment discrimination law. Professor Calhoun also recently published an article entitled "Statutory Attorney's Fees and Settlements in Public Interest Litigation: The Ethical Issues," 33 *Trial Talk* 27 (Jan. 1984), and another entitled "Attorney-Client Conflicts of Interest and the Concept of Non-Negotiable Fee Awards Under 42 U.S.C. 1988," in the spring 1984 issue of the *University of Colorado Law Review*. Professor Calhoun is currently Chair of the Faculty Council, which represents all four campuses of the University.

Professor **Homer H. Clark** is a member of the editorial board of the *Family Law Quarterly*. This spring, he gave a talk to the El Paso County Bar Association entitled "Inefficiency, Inequity and Incompetence?"

Professor **Richard B. Collins** was an instructor in a program on "The Rights of Indians and Tribes and Federal Indian Law," sponsored by ESG Management Concepts, in Albuquerque, New Mexico. He also spoke on the Constitution to the Boulder Valley public school teachers this spring.

Professor **James N. Corbridge** co-authored an article entitled "The  
(continued on p. 13)

#### Faculty Notes (cont.)

Unintended Impacts of Anti-Red-lining Legislation" in 12 *Journal of Environmental Systems* 341 (1983) and a book review, "World Climate Change: The Role of International Law Institutions," 23 *Natural Resources Journal* 943 (1983). He is currently Director of the Fellows Program of the Natural Resources Law Center, and was co-organizer (together with Professor David H. Getches, currently on leave) of a conference on Special Water Districts at CU. Professor Corbridge has just assumed the responsibility of mining law editor for the *Rocky Mountain Mineral Law Foundation Newsletter*.

On leave from CU for the 1983-84 academic year while teaching at American University School of Law, professor **Ted J. Fiflis** published the third edition of *Accounting for Business Lawyers* (with Paul Forster). He also was a speaker at a symposium on the regulation of tender offers at the University of Maryland, and chaired the third National Securities Law Institute, held at the CU Law School this Spring.

Professor **David H. Getches** was on leave this past academic year as director of Colorado's Department of Natural Resources.

Professor **David S. Hill** was elected to the Board of Trustees of the Law School Admission Council (LSAC) in January, 1984. He was also appointed to the audit committee of LSAC, and to the LSAC test battery work group. The latter committee is developing the LSAT test battery for the 1990 decade.

Assistant Dean **Winthrop D. Johnson** spoke to the Boulder County Estate Planning Council on "An Attorney's Perspective on Financial Planning" this spring.

The 1983-84 *Cumulative Supplement to Colorado Jury Instructions-Civil 2d*, for which Professor **Howard C. Klemme** is the draftsman and editor, was published this past spring.

Dean **Betsy Levin** published the 1984 *Supplement to Educational Policy and the Law* (with Yudof, Kirp & Van Geel). She also was the speaker at the 1984 Annual Meeting of the Boulder County YWCA on "Too Many Lawyers? The Impact on Women," and presented a paper on "The Federal Role in the Education of Special Pupil Populations in Australia" at a conference on children

with special needs at Duke University Law School. She was a panelist for the 1984 ABA Workshop for New Deans in Las Vegas as well as for the Women in Legal Education Section at the annual meeting of the Association of American Law Schools in San Francisco. She also moderated a panel of the Law and Education Section on "Public Aid to Private Schools: Constitutional and Policy Issues" at the AALS meeting. Dean Levin was elected a Fellow of the American Bar Foundation, the research affiliate of the American Bar Association. Membership in the foundation is limited to one-third of one percent of the lawyers in each state. The purpose of the foundation is the improvement of the legal system through research.

Professor **Mark Loewenstein** published two articles recently—one entitled "Section 14(e) of the Williams Act and the Rule 10b-5 Comparisons," 71 *Georgetown Law Journal* 1311 (1983), and the other entitled "Troubled Oil and Gas Situations: Securities Law and Disclosure." The latter was published as part of the materials of the 1983 Rocky Mountain energy conference.

Professor **Daniel B. Magraw** published "Legal Aspects of International Bonds" in *International Finance Handbook* (ed. by A. George and I. Giddy, 1983). Together with Professor **Hiroshi Motomura**, he was advisor to the Jessup Moot Court participants, and helped coach them to victory in the regional competitions (see article on Jessup competition). Professor Magraw presented a paper on "International Liability for Injurious Consequences Arising out of Acts Not Prohibited by International Law" at a panel on State Responsibility in International Law at the Annual Meeting of the American Society of International Law.

Professor **Alfred T. McDonnell** is currently serving as president of the board of directors of CLE, Inc.

Professor **Oscar J. Miller** was responsible for preparing bibliographic and other materials for the Rare Law Book Conference held in Littleton, Colorado. He also presented a program on rare law books to the Colorado Consortium of Law Libraries last fall. He is currently program chair for the 1984 annual meeting of the Mid-Continent Association of Law Schools.

Professor **Robert F. Nagel** published "Interpretation and Import-

tance in Constitutional Law: A Re-Assessment of Judicial Restraint," in *NOMOS XXV Liberal Democracy* (1983); "How Useful is Judicial Review in Free Speech Cases?," 69 *Cornell Law Review* 302 (1984); and "Controlling the Structural Injunction," in 7 *Harvard Journal of Law and Public Policy* (1984). His testimony before the Senate Subcommittee On Separation Of Powers, regarding the human life bill, was published in *Abortion, Society and the Law* (Butler, 3d ed.). Professor Nagel spoke on the history of the Constitution to Boulder Valley public school teachers this spring, and he was a panel member on *Courts and Social Policy* at a conference on neoliberalism held in Washington, D.C. last fall.

Professor **Courtland H. Peterson** gave the Law School's annual Austin W. Scott, Jr. Lecture last fall on "Is Full-Faith and Credit Illuminated by Gas Light?"

Professor **William T. Pizzi's Annual Survey of Colorado Law** was published recently by CLE, Inc. He also wrote the section on "Criminal Trials" for the *Encyclopedia of Crime and Justice*. This spring, he participated in a debate at the CBA mid-year conference in Denver on the topic of client confidentiality. He also led two one-hour discussion sessions on the question of whether the rights of defendants have been expanded too far as part of an all day program that the Boulder County Bar Association sponsored for community leaders. This fall, he will speak at the Colorado Trial Lawyers Association (CTLA) convention on "When, and Under What Circumstances Is It Ethical to Sue Your Former Client."

Professor **Don W. Sears** presented a fall faculty workshop on "Should Colorado Adopt CPR or Adopt the ABA Model Rules?" He was also the December 1983 Law School commencement speaker. His article, "Legal Regulation of Labor Relations: The View from the United States and the British Isles" was published by the *University of Colorado Law Review* this Spring. This fall, he will speak at the CTLA Convention on "What Trial Lawyers Should Know about the Proposed Model Rules of Professional Conduct."

Professor **Norton L. Steuben** published his 1983 *Supplement to the Teacher's Manual for Problems in the Taxation of Individuals, Partnership and Corporations* (with Turner), and the 1983 *Supplement* (continued on p. 14)



## Faculty Notes (cont.)

to *Cases and Materials on Real Estate Planning*. He was also speaker and panelist on the "Use of Public-Private Partnership," sponsored by the National Association of Housing and Redevelopment Officials; presented a paper on "Tax Planning for Real Estate Investment and Development" at the third annual Tax Institute at the University of North Carolina School of Law; and presented a paper on "Tax Implications of Contemporary Financing Techniques" at the real estate taxation conference, sponsored by the Northwest Center for Professional Education to Denver.

Professor **Marianne Wesson**, together with Professor **Emily Calhoun**, presented a CLE program on employment discrimination in Denver, sponsored by the ACLU. She also gave a talk at the Adams County, Colorado Mental Health Center on "Historical Truth and Narrative Truth."

Professor **Stephen F. Williams** published "Energy Policy in the Cold Light of Morning," 61 *Texas Law Review* 571 (1983). He also participated in a panel on "The Regulatory Status of Natural Gas Pipelines as Carriers After Deregulation of Well-head Prices," a luncheon symposium held in Denver, sponsored by the Law School's Natural Resources Law Center. He has been the George W. Hutchinson Professor of Energy Law at Southern Methodist University this past academic year.

## Part-Time Faculty

This past academic year, the Law School was fortunate to have the following persons teaching part-time:

Christine Alvarez—Legislative and Administrative Process

**Andrea Bloom ('78)**—Real Estate, Security and Conveyancing

John Carlson—Water Law

Craig Christensen—Bankruptcy

Luke Danielson—Public Lands

Professor Edward Gac—Legal Accounting

Professor David Getches—Indian Law

Winthrop D. Johnson—Law Firm Practice

**Phyllis Knight ('69)**—Professional Responsibility

**John Purvis ('68)**—Advanced Trial Practice

Anthony Renzo—First Amendment

Kathryn Reimer—Estate and Gift Tax, and Estate Planning

Judge Murray Richtel—Criminal Procedure

**Chester Schwartz ('70)**—

Commercial Drafting

James Spensley—Environmental Law

James Wade—Wills and Trusts

## Coen Lecture

Professor Charles L. Black, Sterling Professor of Law at Yale Law School, gave the 28th annual Coen Lecture on March 1 in the Courtroom. His topic was entitled "On Worrying about the Constitution." Professor Black is a noted constitutional scholar and has written and assisted in writing Supreme Court briefs in significant cases for the NAACP Legal Defense and Educational Fund, Inc., including *Brown v. Board of Education*. In addition to numerous books and articles on constitutional law,



Charles L. Black

including one on capital punishment and one on impeachment of the president, he has published several books of poetry.

The John R. Coen Lecture Series is made possible by a gift from Adrian S. Coen in memory of her husband, for many years a distinguished member of the Colorado Bar and an able public speaker.

## Placement Activities

During the fall 1983 semester, 74 law firms, government agencies, and public interest organizations interviewed at the law school, a 37%

increase from the 1982 fall semester (when 54 firms, agencies and organizations interviewed). To date, 40 of our students (mostly second year) have received job offers from fall on-campus interviews. The Placement Office is currently scheduling interviews for the fall 1984 semester. If you are interested in interviewing law students at the School of Law, please write or call us, and we will send you a reservation packet to schedule a date for your visit.

Last semester, several distinguished visitors spoke to law students regarding placement opportunities. The visitors (and their topics) included Larry L. Kyle, C.P.A., director of tax operations at Touche Ross & Co. (opportunities for lawyers in tax and business consulting); David Miller, A.C.L.U. staff attorney (practicing law in a small town/civil rights practice); A. J. Mills, Jr., a Boulder attorney (entertainment and sports law); John Parr, Director of the Center for Public-Private Sector Corporation at the University of Colorado-Denver (alternative careers for lawyers); Ann Stone of the Boulder law firm of Edwards, Terrill & Stone (forming a law firm); Craig Truman of the Littleton public defender's office (alternative careers for lawyers); and Clark E. Weaver ('69), senior vice president and secretary, Intra-west Financial Corporation (banking opportunities for lawyers).

On Wednesday, March 14, 1984, three representatives from the Committee on the Part-Time Practice of Law gave a presentation to our students. Lane Hammond, formerly employed by a local oil corporation, Cynthia Scott, of Holland & Hart, and Patricia Tisdale, deputy city attorney for the City of Arvada, spoke on the benefits and burdens of part-time employment. Each speaker presented the particular problems and advantages in the corporate sector, private sector, and public sector, respectively. The discussion focused on the dilemmas of child care while maintaining a career. The Committee is recognized by the Women's Bar Association as well as the Colorado Bar Association. The presentation was followed by a reception in the Rutledge Lounge.

Every month, our Placement Office prepares and mails a placement newsletter to alumni looking for new career opportunities. If you would like to receive a copy of the newsletter (\$5.00/6 issues - \$7.50/12 issues) or put a job notice in the newsletter for new/experienced alumni, please let us know.

## Jurist-In-Residence

The Honorable Damon J. Keith, U.S. Circuit Judge on the U.S. Court of Appeals for the Sixth Circuit, was the Law School's 1983-84 Jurist-in-Residence from March 20 through March 23. While here, Judge Keith participated in the Law School's Education Law and Federal Courts classes, served as the presiding judge for the Rothgerber Moot Court semifinals, and met informally with students and faculty. A reception in his honor was held on March 22 in the Rutledge Memorial Lounge.

For ten years prior to his appointment to the Sixth Circuit, Judge Keith was U.S. District Judge for the Eastern

District of Michigan and served as Chief Judge of the U.S. District Court during part of that period. He received his law degree from Howard University Law School and a master's from Wayne State University School of Law in labor law. Judge Keith has been president of the Detroit Housing Commission, chairman of the Michigan Civil Rights Commission, and a member of the Citizens' Advisory Commission for Equal Opportunity to the Detroit Board of Education. Chief Justice Warren Burger has appointed him to the Ethics Advisory Panel and to the Committee for the Administration of the Federal Probation System. He is also co-chair of the United Negro College Fund. Among his laurels are an award from the Afro-Asian Institute of Histadrut in Israel, the William H. Hastie Award from the Judicial Council of the National Bar Association, the Bill of Rights Award from the Jewish Community Council, the Judge of the Year Award from the National Con-

ference of Black Lawyers, and the Spingarn Medal of the NAACP. He was one of six Detroit lawyers invited to meet with President Kennedy in 1963 to discuss the role of lawyers in the civil rights movement. He has received honorary law degrees from 19 colleges and universities.

Judge Keith generously returned his honorarium to the Law School, asking that it be used for scholarships for financially needy minority students.

## MacDonnell Named New Director of the Natural Resources Law Center

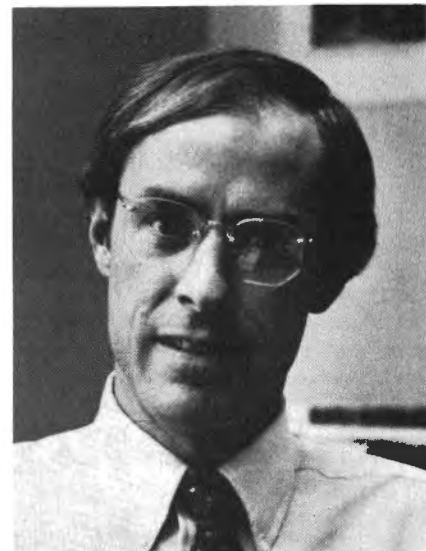
Lawrence J. MacDonnell was appointed Director of the Natural Resources Law Center on November 14, 1983. MacDonnell's educational background includes a J.D. from the University of Denver College of Law where he concentrated in natural resources law, and a Ph.D. in Mineral Economics from the Colorado School of Mines. His undergraduate training was at the University of Michigan, where he majored in political science.

Most recently, MacDonnell has been a research economist with the Denver Research Institute (DRI), where he directed and conducted a variety of research projects involving energy and resource issues. His last project at DRI was an analysis of the full economic costs, including the nonmarket social costs, of importing oil from foreign sources. He also was an adjunct professor in the Graduate School of Business and Public Administration at the University of Denver, where he taught a course in energy and environmental regulation.

Previously, MacDonnell was an Assistant Professor at the Colorado School of Mines where, he taught primarily graduate level courses in macroeconomics, environmental economics, mineral operating transactions, and natural resources policy. He also worked as a consultant to the Committee on Interior and Insular Affairs of the U.S. House of Representatives in matters relating to the public lands minerals access system. He was an intelligence officer in the U.S. Air Force. He has been a member of the Colorado Bar since 1972.

In addition to his educational and professional involvement in the natural resources area, MacDonnell

enjoys the outdoors. He has climbed extensively in the U.S., Canada and Peru. He instructed courses for the Colorado Outward Bound School. He is an active jogger and backpacker. An enthusiastic companion on many of his outings these days is his eight-year-old daughter, Megan.



Lawrence J. MacDonnell

## Natural Resources Law Center Hosts Fifth Annual Summer Program

Two conferences were presented this summer by the Natural Resources Law Center. The first was held on June 6-8, 1984, and focused on The Federal Land Policy and Management Act (FLPMA). This important piece of legislation, passed by Congress in 1976 following many years of extensive study and debate, directs the activities of the nation's major land manager—the Bureau of Land Management (BLM). The FLPMA conference brought together a distinguished group of experts to review the law itself, to consider the manner in which it has been implemented, and to discuss the key issues which have arisen under its implementation. Presentations covered the BLM planning process, land sales and exchanges under FLPMA, access to and across public lands, the effects of FLPMA on mining on the public lands, the effects of FLPMA on grazing, wilderness review, land withdrawals, and fair market value. Robert F. Burford, director of the

(continued on p. 16)



The Honorable Damon Keith, Jurist-in-Residence, 1983-84

District of Michigan and served as Chief Judge of the U.S. District Court during part of that period. He received his law degree from Howard University Law School and a master's from Wayne State University School of Law in labor law. Judge Keith has been president of the Detroit Housing Commission, chairman of the Michigan Civil Rights Commission, and a member of the Citizens' Advisory Commission for Equal Opportunity to the Detroit Board of Education. Chief Justice Warren Burger has appointed him to the Ethics Advisory Panel and to the Committee for the Administration of the Federal Probation System. He is also co-chair of the United Negro College Fund. Among his laurels are an award from the Afro-Asian Institute of Histadrut in Israel, the William H. Hastie Award from the Judicial Council of the National Bar Association, the Bill of Rights Award from the Jewish Community Council, the Judge of the Year Award from the National Con-

#### NRLC Program (cont.)

BLM, gave the luncheon talk on the first day of the conference.

The second conference, held June 11-13, 1984, continued the Center's series in the water area. This year's topic was The Federal Impact On State Water Rights. In general, water rights are a matter of state law. However, the availability and development of water are significantly affected by important federal rights, policies and programs. An outstanding group of private practitioners, government representatives and academics considered this important topic at the conference. Presentations addressed federal reserved water rights, Indian water rights, endangered species and wetland preservation, ground water, and hydro power. Robert N. Broadbent, newly appointed Assistant Secretary of Water and Science in the Department of the Interior, was the luncheon speaker on the opening day of the conference.

## CU Wins Regional Philip C. Jessup International Law Moot Court Competition

The University of Colorado Law School team won the regional competition of the Phillip C. Jessup International Law Moot Court Competition held at the University of Denver School of Law on February 17 and 18. Steven L. Jensen, a third-year law student, was declared the Best Oralist of the competition. Other members of the winning team were Jonathan A. Goodman, second year; Camron Kuelthau, second year; Robyn Meinhardt, third year; and Robert E. Schur, second year.

Competing against nine other teams from schools in the Mountain Region, which extends from California to Ohio, the Law School team had the best record after four rounds and then went on to win the championship round. Scoring was based on written briefs and oral arguments. The question argued concerned the expropriation by a developing country of a mining concession agreement and related facilities, and the correct standards to apply to compensation for that expropriation.

The Law School's Jessup team presented its trophy to the Law School

on March 15 in the Courtroom of the Fleming Law Building prior to the speech by Louis Henkin of Columbia Law School on "Human Rights and United States Foreign Policy." (See article on Distinguished Visitors.)

In April, the CU Law School team competed in the National Finals of the competition in Washington, D.C. in conjunction with the annual meeting of the American Society of International Law. Our team finished 8th out of the 12 National Division teams.

## Trial Lawyers Contribute Generously to Trial Advocacy Courses

In January, the Law School offered to 120 students an intensive Trial Advocacy course during the vacation period between semesters. In its third year, the course depends heavily on teaching by experienced trial practitioners who donate their time or teach for a modest stipend. During the spring semester this year, an advanced trial advocacy course is being taught by Boulder attorney John Purvis. Again, members of the Bar have assisted. The Law School acknowledges the generous contribution to these courses by the following firms/lawyers:

Davis, Graham & Stubbs  
Richard J. Dehncke, Esq.  
Gilda M. Tuoni of Palmer & Dodge  
(Boston)  
Sherman & Howard  
Roath & Brega  
Caplan & Earnest  
Pamela N. Hultin of Bader & Cox  
Kirkland & Ellis  
Kelly, Haglund, Garnsey & Kahn  
Hockersmith & Bennett  
James B. Breese, Esq.  
Fairfield & Woods  
Holland & Hart  
Joan Sanders & Associates (court reporters)  
Long & Jaudon  
Miller, Gray & Hale  
National Wildlife Federation  
C.U. Legal Aid Clinic  
Bragg & Dubofsky  
Colorado Public Defender's Office  
Donald E. Cordova, Esq.  
Martin & Snyder  
Brownstein, Hyatt, Farber & Madden  
Donnell, Davis & Johnson  
Federal Public Defender's Office  
Hansen & Breit  
Horowitz & Koncilja

And from the judiciary,

Colorado Supreme Court Justice William D. Neighbors  
U.S. District Judge Jim R. Carrigan

## Faculty Profile—Arthur H. Travers

Arthur Travers joined the CU law faculty in 1971 after spending a year here as a visiting professor. A graduate of Grinnell College and Harvard Law School, he practiced law with Mayer, Brown & Platt in Chicago and served on the faculty of the University of Kansas School of Law before coming to CU. Since joining our faculty he has taught a wide variety of courses, including antitrust, economic analysis of law, unfair competition, and commercial transactions. He has served on every Law School committee except admissions; he was the acting dean of the Law School during the 1973-74 academic year while the School sought a replacement for Don Sears. ("A very tough act to follow," Travers says.) The next year he was associate dean under Court Peterson.

For many years Professor Travers has been interested in the efforts of scholars to use the concepts and



Arthur H. Travers

techniques of economists to illuminate legal problems. During the 1978-79 academic year he was a Fellow in Law and Economics at the University of Chicago Law School, and more recently he has been working on a text *Economic Analysis of Law* for the West Nutshell series. "The so-called 'law and economics' movement has had a tremendous impact on how we define legal scholarship. Economic analysis certainly has not replaced traditional doctrinal analysis. At its best, it complicates

(continued on p. 17)



#### Faculty Profile (cont.)

our vision of doctrine, and it invites legal scholars who do not find economics congenial to look outside the law to other scholarly disciplines for other angles of view."

Professor Travers' work on the Nutshell was interrupted this fall when he suffered a heart attack. "It happened with almost no warning, I was preparing for the meeting of my seminar at 3:00 p.m. and within the hour I was in intensive care. The semester was about three weeks old, but my colleagues Peter Simon and Mimi Wesson rearranged their classes so that Peter could teach my Administrative Law class. I was able to resume teaching the seminar in about six weeks. The support I got from all my co-workers—the dean, faculty, and staff—and from the students meant a great deal to me. I was especially touched by the cards and letters I received from alumni." An enthusiastic jogger before his heart attack, Professor Travers was impatient to begin a rehabilitating running program. "I feel better every time I run. I'm not back to my pre-heart attack levels, but I'm making progress."

Like others who have suffered heart attacks, Professor Travers has found that he now gives more thought to how he uses his time. He makes sure that he spends plenty of time with his two daughters, Connie, a freshman at Stanford, and Anne, a junior at Boulder High. He reads widely in literature, history (especially World War II), and psychology. He has an extensive collection of books and records. Somehow he is able to retain a good bit of what he reads and sees. Hence he was asked this year to join a team participating in the Trivia Bowl held at CU; his specialties were old movies and baseball. "I had never even seen a Trivia Bowl match," he says. "I enjoyed it, but I would be a little scared if I was too good at answering the questions."

His heart attack intensified a pre-existing interest in cooking. "If one sees it as a challenge, it can be a lot of fun. For example, one of my favorite dishes is *pasta aglio e olio*. You simply saute garlic in olive oil until it is golden; add chopped parsley, fresh ground black pepper, and red pepper; and toss it with freshly cooked pasta. There is no salt or sugar or animal fat. The garlic has a beneficial effect on the blood lipids. If you substitute corn (or safflower) oil, you can get a similar effect from that with little loss of flavor. With the

right kind of crisp green salad, a nice wine, and a fruit compote for desert, you can also have a delicious, wholesome meal ready in twenty minutes."

Professor Travers tries to remain active in continuing legal education and in bar association activities. He recently served on a committee of the ABA Section of Antitrust Law that drafted a monograph on Section 8 of the Clayton Act and its treatment of interlocking directorates.

One of his students tells the story of going to Professor Travers' office hoping to borrow a volume of essays on judicial review. Despite the enormous number of books filling his office, Professor Travers knew exactly where to locate the book the student wanted. The student was even more impressed when he commented on the qualities of each of the essays contained in the book. Students greatly appreciate not only the erudition that permeates his teaching, but also his sense of humor.

## Visiting Faculty

The Law School had several distinguished visiting faculty members this year. **Ben E. Chidlaw ('55)**, a former editor of the *Rocky Mountain Law Review*, and a former partner with Holland & Hart in Denver, continued his association with the Law School. He taught Contracts I and Oil and Gas in the fall semester, and Contracts II and Property in the spring.

Philip Harris, an assistant professor of agricultural law in the Department of Agricultural Economics at the University of Wisconsin, taught Income Tax in the fall and Wills and Trusts and Agricultural Law in the spring. Mr. Harris has an undergraduate degree in economics from Iowa State University and a law degree and master's degree in Economics from the University of Chicago.

**Arval Morris ('55)**, a professor of law at the University of Washington School of Law, taught Constitutional Law and Civil Rights last fall. He holds degrees from Colorado College (B.A.) and the University of Colorado (M.A.) in economics as well as in Law. Mr. Morris has written extensively in the areas of constitutional law and legal philosophy and is the author of *The Constitution and American Education*. He has taught at Oxford and the University of Freiburg, and is the recipient of an LL.D. from Colorado College.

Barry Nakell, a professor of law at the University of North Carolina School of Law, taught Criminal Law and a jurisprudence seminar last fall and Criminal Procedure and Trial Advocacy in the spring. Mr. Nakell is a graduate of the University of Illinois and the UCLA Law School, and has written extensively in the criminal law area.

Tom Oldham, an associate professor at the University of Houston, taught Corporations and Domestic Relations this spring. He is a graduate of Dennison University and UCLA Law School, and was in private practice in Beverly Hills, California from 1974-1980.

## New Assistant Dean for Enrollment Services

Daniel A. Vigil joined the Law School last November as Assistant Dean for Enrollment Services. Dean Vigil, admitted to the Colorado Bar and Federal Bar, 10th Circuit, is a 1982 alumnus of the Law School. He is returning to the School after a one-year clerkship with Judge John F. Sanchez, a District Court judge in Denver. From 1971 to 1978, while working for Mathematical Policy Research in a study conducted for the U.S. Department of Labor, Mr. Vigil supervised a staff of 110. Dean Vigil, who is in private practice with the firm of Vigil and Bley in Denver, will fill the position on a part-time basis, assisting the Law School in its recruitment efforts and directing the Summer Diversity Program, among other duties.



Daniel A. Vigil ('82)



Rothgerber Moot Court Semi-Finals. (L-R) Lawrence W. Treece ('67), Judge Damon J. Keith, Visiting Professor Barry Nakell.

## Rothgerber Moot Court Competition

The semi-final arguments in the Rothgerber Moot Court competition were held on March 21st and 22nd. Judge Damon J. Keith heard both arguments and was joined on the 21st by Professor Peter Simon and Mr. Edwin Kahn, and on the 22nd by Professor Barry Nakell and **Mr. Lawrence Treece ('67)**. Messrs. Kahn and Treece practice law in Denver. The winning teams were Kris Hammond, Ann Kaufman and Patrick Vellone on the 21st and Deborah Cooper,

Jane Golterman and Carol Haller on the 22nd. They will face one another in the final round on October 22, 1984. The judges for the final round competition will include Judge Abner J. Mikva of the U.S. Court of Appeals for the District of Columbia Circuit, Justice Shirley Abrahamson of the Wisconsin Supreme Court, and Alex S. Keller, President-Elect, Colorado Bar Association. Congratulations are in order for the finalists and the two teams defeated in the semi-finals—Hal Bruno, Robert Kuehl and Kris Mix and Irene Tanabe, Kyle Usrey and Patrick Tooley.



Colorado Supreme Court, November 1983

## Board of Visitors

The Law School has recently established a Board of Visitors. The Board is intended to provide the Law School with a group of informed and interested outsiders who can serve as a bridge to the various communities beyond the campus. It advises the dean and the faculty in their efforts to enhance the quality of legal education for students and to promote the involvement of the Law School in the affairs of the national, state, and local communities. The Board met at the Law School for two days last November, and provided guidance and suggestions for the future growth and direction of the Law School. Members of the Board of Visitors include:

**Betty C. Arkell ('75)**, Chair-Elect, Law Alumni Board, Kirkland & Ellis, Denver (ex-officio).

**The Honorable Alfred A. Arraj, ('28)**, Senior Judge, U.S. District Court, Denver.

Boris I. Bittker, Professor, Yale Law School, New Haven, Connecticut.

William P. Cantwell, Sherman & Howard, Denver.

Frederic K. Conover, President, Denver Bar Association; Conover, McClearn, Heppenstall & Kearns, Denver (ex-officio).

Miles C. Cortez, Jr., Immediate Past President, Denver Bar Association; Welborn, Dufford & Brown, Denver (ex-officio).

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## Colorado Supreme Court at Law School

On November 16, 1983, the Colorado Supreme Court heard two arguments in the Lindsley Memorial Courtroom. The first case, *United States v. Wilkinson*, involved the forfeiture of personal property in a drug-related action. The second, *State Board for Community Colleges and Occupational Education v. Olson*, involved the standing of a college teacher to object to discontinuance of a student newspaper on First Amendment grounds. This marks the second time that the Colorado Supreme Court has heard arguments at the Law School. The seven Colorado Supreme Court Justices at the Law School included Chief Justice William H. Erickson, Deputy Chief Justice Jean Dubofsky, and Justices **Luis Rovira ('50)**, George E. Lohr, Joseph R. Quinn, **William D. Neighbors ('65)**, and Howard Kirshbaum.

## Court of Appeals Hears Cases at CU Law School

On March 6, the Colorado Court of Appeals heard three cases at the Law School, in the Lindsley Memorial Courtroom, packed with first-year students. The Court panel included Judges **Charles D. Pierce ('52)**, Donald P. Smith, Jr., and Lewis T. Babcock. Following the arguments, the judges discussed the appellate process with the students, and then attended a reception for the members of the Court and student participants of the Rothgerber Moot Court competition. Associate Clinical Professor James M. England prepared the brief in one of the three cases, *People v. Stephens*, and presented a portion of the oral argument.

## Law School Graduates Hold Judicial Clerkships

Twenty-one of our May 1983 graduates held judicial clerkships this year. The following is a list of those clerking in state and federal courts.

### **Kathleen M. Anderson**

Clerk to The Hon. Pasco Bowman  
Eighth Circuit Court of Appeals  
Kansas City, MO

### **Nancy L. Brush**

Clerk to The Hon. Joseph Quinn  
Colorado Supreme Court  
Denver, CO

### **James S. Campbell**

Clerk to The Hon. William Erickson  
Colorado Supreme Court  
Denver, CO

### **Joy L. Fitzgerald**

Clerk to The Hon. John Moore  
U.S. District Court  
Denver, CO

### **Jane E. Frey**

Clerk to The Hon. Patricia Ann Clark  
( '61)  
U.S. Bankruptcy Court  
Denver, CO

### **Lynn G. Guissinger**

Clerk to The Hon. Jean Breitenstein  
( '24)  
U.S. Court of Appeals  
Denver, CO

### **C. Michael Higgins**

Clerk to The Hon. Luis Rovira ( '50)  
Colorado Supreme Court  
Denver, CO

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## Placement Services

EMPLOYER \_\_\_\_\_ PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY & STATE \_\_\_\_\_

Please contact us about:

- ☐ Scheduling an interview on campus.
- ☐ Posting a job notice about a current opening.
- ☐ Being listed as a non-interviewing employer who wishes to receive resumes.

Name of individual to contact \_\_\_\_\_

Please submit this form to Placement Office, Campus Box 403, University of Colorado School of Law, Boulder, Colorado 80309; telephone: (303) 492-8651.

## Alumni Information

Name \_\_\_\_\_

Year Graduated \_\_\_\_\_

Address New ( ) \_\_\_\_\_

Business Address New ( ) \_\_\_\_\_

Recent Professional Activities \_\_\_\_\_

Recent Awards, Honors, Other \_\_\_\_\_

Please submit this form to Amicus Editor, University of Colorado School of Law, Campus Box 403, Boulder, Colorado 80309.

## ACKNOWLEDGMENT

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