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SYMPOSIUM

FORTY-YEARS LATER

by George L. Haskins, Algernon Sydney Biddle Professor of Law Emeritus

Last April, Dean Mundheim came to my office to remind me that my "retirement" was not far away, and he courteously insisted that he be allowed to give a small informal luncheon in my honor—"just ourselves and maybe two or three of your lawyer friends." Under the circumstances, it was difficult to say no. He knew that I, as well as some others, have objected to formal departing celebration dinners and gifts, which in the past have laid unconscionable taxes on other Faculty members and on the staff. I had hoped that in addition to downtown lawyers, a few students might be included at the luncheon, but there was "no room at the inn," which was already reserved and overcrowded.

I had thought that the occasion would be light-hearted, especially since it broke up a special Faculty meeting, and with that in mind it occurred to me on my walk to the Faculty Club that a short parody, in Latin, of Shakespeare's speech for Caesar's funeral might be appropriate if I were called up to salute "amicil collegii, professores erudit ac ignoranties..." However, the Dean was more serious and, being opposed, as he said, to long speeches, he made no reference to my writings or to my contributions to the Bar in antitrust and other cases, but emphasized the joy of teaching and the warm responses of my students. He even told us that one former student had named his son for me. It behooved me to make a more serious, though totally unprepared, response. I said that I had never really believed I would reach the mandatory retirement age at Penn. There had been too many offers to go elsewhere to law schools of highest renown, yet behind me had lurked the constant admonition of Dean Keedy, while living, "Do you really think, George, that the 'X' School is better than ours? That their students are brighter or more congenial?" The late John Dickinson, the noted lawyer, political scientist and professor of constitutional and administrative law at Penn, as well as Vice President-General Counsel of the Pennsylvania Railroad, had in mind early in the 1950's that I should follow in his footsteps, as he had followed in the paths of George Stewart Patterson and Henry Biddle, to combine teaching at Penn with an active law practice. A decree, which went forth from the Administration, precluded that route even though for 22 years I was permitted to continue as Consulting Counsel to the Railroad and, hence, to be involved in several rate and antitrust cases (e.g. the Southern and Southwestern Divisions Cases, the Seaboard Lines cases and the Noerr Motor Freight Case). Later, I became a Vice-President and Director of a mutual fund in New York. Law practice, via an occasional invitation to join a private law firm, continued to be tempting—most notably an offer in the 1960's to become General Counsel of a very large multi-national corporation which wanted me on board before I had completed a book already under contract. Ultimately, the lure of teaching and scholarly writing prevailed. Even when earlier, in the 1950's Justice Owen J. Roberts assured me that if I would accept an offer to become Dean of the Pennsylvania Law School and that the entire Law Board (then our governing body) would support me, I was not tempted. Somewhat later, Justice Frankfurter bluntly told me, when I sought his advice on another matter, that I had a duty to myself "and to this Court" to continue writing and teaching.

The foregoing, much of part of my impromptu speech, is not intended as autobiography, much less an ego-trip, but rather as indicative of temptations that can beset law teachers, and why I did not believe I would "retire." Even when I was leaving the Army in 1946 at the end of the War, there were five clear options open: to accept an immediate promotion and permanent position in the Army, to return...
to private practice in Boston, to join the foreign department of the Chase Bank in New York and then Paris, to remain in the State Department as special assistant to the Secretary and - least rewarding financially - to join the Law Faculty at Penn. I sought the advice of the late Dean Acheson, who, though he had hoped I would remain at State, said that he believed that teaching would be the wisest choice - "a far, far better thing that I can do," he concluded, paraphrasing a famous phrase of Charles Dickens.

So I am still here, after completing 40 years of teaching, one year as Instructor in the Department of Sociology at Harvard, then thirty-nine steps to statutory senility at Penn. To my credit, I have countless friends and acquaintances among former students in Philadelphia and elsewhere. Always, I have had more friends among present and former students than among the Faculty and, with the former, I tend to lunch or talk between or after classes. Indeed, shortly before his death, George Santayana - then in his late 80's- advised me to "stay with the young, your students. They are more congenial, less arrogant, more stimulating."

Racked up are ten books which I have authored or co-authored, over eighty published articles on legal, political, economic and historical subjects. Four others are now in press, and then there are lectures and addresses I have given, others to be given. Several articles have been quoted from or relied on by other scholars and, even more rewarding, by judges in appellate court decisions. Many of my addresses have been heard and read in English, French or German not only in this country but in Europe from Athens to Vienna, Paris, London and Dublin. In August of this year, I spoke in Stuttgart, Vienna, Paris, so that I began long since to relish the accomplishments and traditions of my Down-East home in Maine. Though I cherish the companionship of fishermen, boat-builders, sea-captains and others in my parents, I have next to no close relatives as my native Boston, so that I began long since to relish the companionship of fishermen, boat-builders, sea-captains and others in my down-East home in Maine. Though I cherish the accomplishments and traditions of my Down-East home in Maine. Though I cherish the accomplishments and traditions of my parents, I have next to no close relatives and their children, are taking the place of family ties. For several years I have worked at night on a collection of essays, "Paths to the Sea," and that should be reviewed and completed. Perhaps I should resume sculling on the Schuykill in a singles shell. I am disinclined to start a new family and to plan on coaching "little league" baseball. I am disinclined to resume sheep-farming, but inclined to serve occasionally as a salvage consultant. There are quantities of general reading still to catch up on, to say nothing of keeping abreast of the doings of J. R. Ewing and the machinations at Falcon Crest. If there are a few old scores still to settle, it is more constructive to look forward with no backward glance at those who have strutted and fretted their hours upon the stage. Itinerant actors tend to disappear and "leave not a rack behind." If I were to be asked which of the many honors I have felt most privileged to receive while in Philadelphia, there would probably be four: first, to have held the Algernon Sydney Sydney Biddle Professorship, the oldest of the Law School's endowed chairs and given to me by Dean Wolfman; second, to have had the opportunity to write and to have published a portion of the History of the United States Supreme Court, for which I received an award from the Pennsylvania Chapter of the Order of the Coif; third, to have been twice nominated by Dean Freedman for the coveted Lindbach Teaching Award; and fourth, for my election to the Legion of Honor of the Chapel of the Four Chaplains for service to all regardless of race or religion.

Hence, with the memories of past and present friendships, of intellectual stimuli continuing and not forgotten, and with the facilities of the Law School still available to me, I regard it as a duty and an affirmation of faith to remain loyal to the Law School as an institution which has helped bring to fruition so many of my professional goals.

From The Law Library Window by Elizabeth S. Kelly, Director of Biddle Law Library.

How has the Library changed in the past few months? One change is the newly remodeled entrance area: the Sylvan M. Cohen Gateway to Biddle Library architecturally makes a statement about the Library's significance. It says the Library is an important legal research library which is up-to-date, functional and serene. The new Gateway, completed in December 1985, was named to honor Sylvan M. Cohen whose advocacy of the Library's needs has not only been tireless and unstinting, but gratifyingly successful.

Returning Alumni/ae who survey the Sylvan M. Cohen Gateway should understand that it is representative of many other changes, some highly visible and some less obvious—changes made possible, in large part, by increasing gifts made by Friends of Biddle and by greater Law School financial support. The visible changes in the Library include: the new book security system; the reorganized and refurbished Sharswood and Goodrich Reading Rooms; the recently published Library Guide and Instructional handouts; the monthly list of new titles in a computer-generated format; the developing video taping and viewing center - courtesy of the Class of 1954 - and the computerized serials and law reviews control system.
includes the microfiche editions of the 
Statutes in Force (Great Britain) at $2,870; 
the Archive Publications of the National 
Conference of Commissioners of Uniform 
State Laws at $850; the newly acquired 
U.S. Congressional Committee Hearings 
Index, 1833-1969 costing $11,880; and 
additional micro-computers for student use. 
The Law School is getting ready for the 
Super Gala Birthday Party, benefiting the 
Law Library, set to take place June 7 at 
the Law School. The Gala Committee, co-
chaired by Alma Cohen (Mrs. Sylvan M.) 
and Lynn Tobias (Mrs. Glen), has put 
together a Dinner-Dance which will 
captivate your eyes, ears and palate. Space 
limitations have dictated that only the first 
200 couples can be accommodated. Mark 
Davis' orchestra will play in a tented Law 
School Courtyard surrounded by an elegant 
and splashy black and white decor. I look 
forward to seeing many of you there. 

The 1986 Roberts Lecture - 
February 19 
Professor Geoffrey C. Hazard, Jr., Nathan 
Baker Professor and Professor of 
Management, School of Organization and 
Management at the Yale University Law 
School and a member of the University of 
Pennsylvania Law School Board of 
Overseers, will deliver the Law School's 
27th Annual Owen J. Roberts Memorial 
Lecture, "Above Principle: Considerations 
in the Legitimacy of Judicial Law-Making," 
on Wednesday, February 19 at the 
University Museum, 34th and Spruce 
Streets. 
Established to honor the late Owen J. 
Roberts, the 11th Dean of the University of 
Pennsylvania Law School and an Associate 
Justice of the U. S. Supreme Court, the 
Lecture is supported by an endowment 
awarded by the Philadelphia firm of 
Montgomery, McCracken, Walker and 
Rhoads, and is sponsored by the Order of 
the Cof, the University of Pennsylvania 

Placement Director Clark Retires 
After eighteen years of sterling service to 
the University of Pennsylvania Law School 
Community as Director of Placement 
Services, Helena F. Clark retired on 
Miss Clark began her career at the 
University of Pennsylvania twenty-five years 
ago in the Office of the Dean of Women 
where, subsequently, she became that 
Office's Assistant Director of Placement. In 
1964, she was invited to organize a 
placement facility at a university in India, 
which was founded on the concern that 
promising Indian students were being lured 
to foreign countries. Miss Clark succeeded in 
developing a placement program there that 
promoting access to American companies with 
branch offices in India. 
In 1968, then University of 
Pennsylvania Law School Dean Jefferson B. Fordham, 
appointed Miss Clark to head and create the 
placement program at the Law School, 
which evolved into one of this country's first 
professionally-staffed law school placement 
offices. Miss Clark was the founder and 
organizer of "Four-in-One," a concept 
which combined the four Philadelphia area 
law schools to share placement activities 
ranging from job fairs to placement 
conferences, etc. In 1971, she helped to 
establish the National Association of Law 
Placement (NAALP), for which she served 
as President for the year 1974-75 and 
representative to the College Placement 
Miss Clark's unique abilities over the years 
enabled the establishment of important 
inroads in the history of Penn Law School's 
Placement Program.
Parents and Partners Day

On November 1, 1985, over two hundred first-year students and their parents, spouses and/or friends attended a new program that now will become an annual Law School event. The highly-successful Parents and Partners Day offered families of newly-matriculated law students the opportunity to witness firsthand the Penn Law School experience.

From 9:00 - 10:00 a.m., Professor Clyde Summers' fascinating class in Contracts was open to the first-year students and their families and guests. Following a refreshment break, the group gathered for Torts and the energetic teaching style of Professor Regina Austin, '73. A panel discussion from 12:00 - 1:30 p.m. featured Professor John O. Honnold who, in the absence of Dean Robert H. Mundheim who was hospitalized, welcomed the guests and described "The Law School and the Legal Profession Today"; Professor Hank Gutman discussed "A Tradition of Excellence and Continuity at the Law School"; Law School Alumni, Bernard M. Borish, '43, Clive S. Cummins, '52, and Ronald White, '76, offered their experiences in the legal profession speaking on "Life After Law School"; and Class of 1986 third-year students - Patty Shwartz, Joaquin Mendez, Steven C. Baker and Dale Kerester - discussed "The Big Chill!" or "Getting There is Half the Fun," describing their impressions having survived three years of Law School.

A box luncheon concluded the activities.

News of the Law Alumni Society

The 1986 Law Alumni Society Luncheon Forum


Mr. Brown, a partner in the Philadelphia firm of Schnader, Harrison, Segal & Lewis, chaired the eleven-member Special Investigation Commission which publicly examined the confrontation between the City of Philadelphia and MOVE. In his timely, informative Luncheon Lecture, Mr. Brown shared his experiences as head of the Commission and offered insights into the mechanics of this highly-charged, controversial investigation.

New Society Committees

The 1986 Alumni Placement Committee

Chaired by Paul P. Welsh, '66, of Morris, Nichols, Arsht & Tunnell, Wilmington, Delaware, the Alumni Placement Committee has been restructured to better service Penn Law School students applying for positions.


The 1986 Award Selection Committee

which is chaired by Raymond K. Denworth, Jr., '61, includes Harry P. Begier, Jr., '64; Marshall A. Bernstein, '49; E. Barclay Cale, Jr., '62; E. Ellsworth McMeen, III, '72; Howard L. Shecter, '68; and The Honorable Carolyn E. Temin, '58.

The Dean Lunches with Past Society Board Members on November 12, 1985.

Dean Robert H. Mundheim met with Law Alumni Society Past Officers and Board Members to apprise them of the present "state of the Law School." The luncheon, which is the second of its kind, enables former Law Alumni Society officers to remain in touch with the School and its current activities.

The Law Alumni Society Cruise—Sail...Learn...Relax, etc.

The Law Alumni Society has arranged a seminar in the U. S. Virgin Islands departing from Fort Lauderdale, Florida on Saturday, April 12, 1986. Travel will be on the new cruise ship, The Costa Riviera. The price to each participant, including airfare, will be $1,385. Of the price of passage, $285 will be a charitable contribution to the Law School, deductible for federal income tax purposes. An exciting opportunity in the company of friends and colleagues is anticipated by all.

For information, contact:
Stephanie-Kallen
Director, Law Alumni Affairs
University of Pennsylvania Law School
3400 Chestnut Street
Philadelphia, PA 19104-6204
(215) 898-6303

Great Ideas About Giving To The Law School

Put Your Treasures to Work......

A gift of paintings provided important funding for the School of Veterinary Medicine. Jewels helped fund the School of Dental Medicine; antique silver, a clinical center in the School of Medicine. Priceless book collections have enriched Van Pelt Library.

You too can put your treasures - paintings, sculpture, antiques, coin collections, or other personal property of value - to work for The Law School and gain attractive tax advantages as well.

If you are considering such a gift, please contact Donald G. Myers, Director of Development, University of Pennsylvania Law School, 3400 Chestnut Street, Philadelphia, 19104-6204.

Published by Penn Law: Legal Scholarship Repository.
Alumni Gatherings

During the Fall and early Winter of 1985-86, the Law Alumni Society, numerous Regional Alumni Clubs, some Reunion Classes and the Alumni leadership of various cities sponsored events geared to attracting Alumni and their guests. The "Inside Law School" Program also was taken to the West Coast in January.

In September 1985, Alumnus David H. Marion, '63, was honored by the Law Alumni Society at a Reception held during the Annual Conference and Exposition of the Philadelphia Bar Association in Atlantic City, N.J. Society President Clive S. Cummis, '52, presented Glady Learn and Gladly Teach by Martin Meyerson and Dilys Pegler Winegrad, to Mr. Marion, who served as Chancellor of the Philadelphia Bar Association for the year 1985.

The Class of 1937 held its annual Reunion dinner in October at the home of The Honorable and Mrs. Harry A. Takiff.

Clive S. Cummis, '52, left, President of the Law Alumni Society honors Philadelphia Bar Association Chancellor, David H. Marion, '63, at the Association's Annual Conference and Exposition.

Also in October, Dean Robert H. Mundheim was the honored guest at a gala Alumni reception in Tokyo, Japan. Hosted by Toshiro Ochi, LL.M., '84, with the assistance of Kouji Nagao, LL.M., '84, the event was attended by University of Pennsylvania Law Alumni and their guests who live and practice in Japan.

The Dean also was present at events attended by the Alumni leadership of various cities. On October 2 and December 4, 1985, luncheons with Alumni leaders were held in Philadelphia. Samuel F. Pryor, III, '53, hosted a successful luncheon attended by the New York Alumni leadership at the Wall Street Club on November 26.

Wilmington, Delaware Alumni attended a Reception at the Rodney Square Club on November 12, 1985. Biddle Library Director, Professor Elizabeth S. Kelly spoke to the gathering and presented the acclaimed Biddle film. Also on the evening's agenda was the presentation of the Alumni Award of Merit to The Honorable Andrew D. Christie, '49. Hosts for the event included Wilmington Alumni: O. Francis Biondi, '58, William F. Lynch, II, '49, A. Gilchrist Sparks, III, '73, E. Norman Veasey, '57, and Paul W. Welsh, '66.

University of Pennsylvania Law Alumni-in-Teaching and Penn Law Faculty present at the Annual Meetings of the American Association of Law Schools in early January 1986 attended the Law Alumni Society's Annual Breakfast where, this year, Dean Robert H. Mundheim honored and presented copies of Glady Learn and Gladly Teach by Martin Meyerson and Dilys Pegler Winegrad, to Alumni who presently serve or formerly have held the office of law school dean.

Dean Robert H. Mundheim and Professor Robert A. Gorman presented the "Inside Law School" Program to Alumni residing and practicing in California. The Program, which has been given previously in New York, Washington, D.C. and Philadelphia, was offered to San Francisco Alumni at a luncheon on January 21, 1985. That evening, "Inside Law School" was presented to Los Angeles Alumni at a Cocktail Reception organized and hosted by Douglas C. Conroy, '68.


New Jersey Alumni Dinner to Feature Senator Lautenberg

The University of Pennsylvania Law Alumni-in-Teaching and their guests from Northern and Southern New Jersey will join for dinner on Monday, February 24, 1986 at the Hyatt Regency, New Brunswick. Addressing the group will be the United States Senator from New Jersey, Frank R. Lautenberg. Alumni wishing to attend the dinner may call Stephanie Kallen, Director of Law Alumni Relations, (215) 898-6303.

The Overseers' Meeting—November 1985

The University of Pennsylvania Law School Board of Overseers met on November 19-20 for their annual fall meetings. At dinner on Tuesday evening, November 19, the Board separated into three committees to hear reports on Placement from Assistant Professor Gary Francione; on Admissions from Assistant Dean Frances Spurgeon and Professor Richard G. Lonsdorf; and on Curriculum from Professor Robert A. Gorman. Selected students from the Law School Community were in attendance at the dinner meetings in addition to some Faculty and administrative staff.

On Wednesday at breakfast in Biddle Library's Goodrich Hall, the Overseers were presented a report on the progress and future plans of Biddle Law Library by Director, Professor Elizabeth S. Kelly. Dean Robert H. Mundheim offered the Dean's Report to the Board which was followed by the Development statement by Overseers' Chair, The Honorable Arlin M. Adams, '47. James D. Crawford, '62, the National Chair for Law Annual Giving for the years 1985-1987, presented his report.

The Overseers joined in executive session prior to luncheon at the Faculty Club, where University of Pennsylvania Provost and Professor of Law, Thomas Ehrlich, addressed the group. The Board's Annual Spring Meeting will be held on April 2 and 3.

June 7, 1986
Cocktails, dinner and dancing at the Law School

"Save the date"
BIDDLE LAW LIBRARY CENTENNIAL 1886-1986

News from the Institute for Law and Economics

Pew Grant Awarded to Institute

The J. Howard Pew Freedom Trust has awarded a grant of $300,000 to the Institute For Law and Economics for use over the next three years.

http://scholarship.law.upenn.edu/plj/vol20/iss3/1
The Award, however, does involve a challenge: A grant of $125,000 is forthcoming for the first year; $100,000 will come in the second year in receipt of equal funds and, in the third year, $75,000 will be awarded—also in receipt of equal funds. The Trust potentially can generate $475,000 in funds for the Institute.

The “Tax Conference” and “The Roundtables”
The Law School’s Institute for Law and Economics sponsored two important and enlightening programs in November 1985. The primary event, the Novem­ber Law Tax Conference, organized by Law School Professor Harry L. Gutman, was to emphasize the importance of pending tax legislation on the business community. The featured speaker was David H. Brockway, Esq., Chief of Staff, Joint Committee on Taxation. The Conference Panel, all of whom formerly worked at the U. S. Department of the Treasury for Tax Policy, included William M. Goldstein, Esq., Drinker, Biddle & Reath, Philadelphia; John M. Samuels, Esq., Dewey, Ballantine, Bushby, Palmer & Wood, Washington, D.C.; James W. Wetzler, Vice-President, Bear Sterns and Company; and University of Pennsylvania Professor, Alan J. Auerbach. Conference attendees included Chief Executive Officers from numerous Delaware Valley regional corporations.

The Roundtable of November 15 entitled “Issues in Collective Bargaining: The Law and Economics Approach” aimed to merge legal and economic analysis through an examination of Labor Law. Papers were presented by Robert Z. Lawrence, a Senior Fellow at the Brookings Institute; Douglas L. Leslie, Professor of Law at the University of Virginia; and Professor Michael L. Wachter, Director of The Institute for Law and Economics.

The spring Roundtable on “Financial Markets Regulation” will be held March 26, 1986 and is being organized by Law School Dean Robert H. Mundheim and Professor Almarin Phillips. These Roundtable programs are funded by the United Parcel Foundation.

The “New” Discussion Paper Series
The Institute is initiating a Discussion Paper Series aimed at gathering a compendium of articles and papers in the many areas of Law and Economics and distributing them to practicing lawyers, economists, policy-makers and academic researchers.

The 1985 Benefactors’ Dinner
Members of the Benjamin Franklin Society and other Law School benefactors and their guests were honored at a gala dinner on Tuesday evening, October 29, 1985. The Great Hall of the Philadelphia Colleges of the Arts at Broad and Pine Streets was the site of the annual “appreciation” dinner for major donors to the Law School. The Honorable Arlin M. Adams, ’47, the Chair of the Law School’s Board of Overseers, welcomed the gathering in the absence of Dean Robert H. Mundheim, who was hospitalized. Following an elegant dinner, Professor Curtis R. Reitz, ’56, led the group in a spirited, updated Law School version of “Trivial Pursuit” — how many people really knew or remembered Mrs. Palsgraf anyway? Peter Solmsen, ’59, President of the Philadelphia Colleges of the Arts, and Clarissa Solmsen attended the dinner and greeted the guests.

Professor Curtis R. Reitz, ’56, leads a game of Trivial Pursuit at the annual Benefactors’ Dinner.

Perspectives 1985
Dean Robert H. Mundheim and the Council of Student Representatives have initiated a new lecture series aimed at enriching the quality of life at the School, featuring distinguished University Professors, Alumni and other members of the Law School Board of Overseers. The presentations, which are offered to the entire Law School community, have taken the form of large lectures as well as intimate group situations.

The Law School Overseers, who are appointed by the University of Pennsylvania Trustees to monitor the Law School on their behalf, are all law graduates who have built successful careers and are interested in sharing their expertise and interests with the Law School Community. In late September, Myles H. Tenenbaum, ’57, the owner of the Baltimore Stars Football team discussed “Professional Football: Competition on the Field and in the Courts.”

Stephen A. Cozen, ’64, of the Philadelphia firm of Cozen, Begler & O’Connor, came to the School in October to discuss, informally, his area of specialty, Insurance Law.

Our New Assistant Director of Development
CarolAnn Murray joined the Law School Development Office in October, having replaced Alis S. Corboy, now at the University of Pennsylvania School of Medicine and Hospital. Ms. Murray, an Alumna of Trenton State College, was a Development intern at the College of the University of Pennsylvania prior to her arrival at the Law School. As Assistant Director of Development, Overseer Marvin Schwartz, ’49, Senior Litigator at Sullivan and Cromwell, New York, was the guest at a “brown-bag lunch” answering questions concerning the changing nature of the law firm practices. In late October, Julius L. Chambers, an Overseer who is Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc., presented the lecture, “Reshaping the Nation’s Civil Rights Agenda” [see reprint of the speech in this issue of The Journal].

University Professors are individuals recognized by the University of Pennsylvania Trustees as exceptionally distinguished members of the academic community whose interests are not limited to a single discipline. In October, University Professor and Benjamin Franklin Professor of Molecular Biology, Dr. Robert E. Davies, spoke on “Life and Death: What? Where? When? How? and Who Decide?” In November, University Professor of Psychology and Visual Science, Dr. Dorothy Harvich-Jameson, discussed “Problems of Perception and How They Relate to Evidence.”

The Lectures have been well-attended and enthusiastically received.

The Sylvan M. Cohen Gateway to Biddle Library
Completed in December 1985, the new Gateway to Biddle Library bears the name of Sylvan M. Cohen, ’38, a loyal, dedicated Alumnus of both the Law School and the College of the University of Pennsylvania. The bronze plaque which graces the Gateway reads: “This information access area, The Gateway to Biddle Library, honors Sylvan M. Cohen, Overseer, Chairman of Friends of Biddle, and tireless advocate of the Law School and the University of Pennsylvania.”

A reception and luncheon marking the dedication of the Sylvan M. Cohen Gateway to Biddle Library, given in Mr. Cohen’s honor, was held on December 18, 1985.
she is responsible for the Annual Giving Firm Solicitation Program and for staff support for the Clinical Education Program. She also is assistant to the Director in cultivating Major Gifts.

John Peter Zenger: A Symposium to Commemorate the 250th Anniversary of His Trial and Vindication

The University of Pennsylvania Law School, The Philadelphia Bar Association and The Annenberg School of Communications combined forces in October to mark the 250th Anniversary of the landmark Zenger Trial. The Symposium which they presented explored contemporary issues in libel law and freedom of the press.

Symposium organizer, Law School Dean Robert H. Mundheim, opened the program which was held at Penn’s Annenberg School of Communications. Session 1 entitled “Crisis of Government: Zenger Today” featured main speaker, Professor Frederick F. Schauer, of the University of Michigan Law School. Law School Professor Stanley N. Katz moderated a panel which included Professor Vincent A. Blasi of Columbia University Law School and Diana Daniels, General Counsel, Newsweek Magazine. In Session 2, “Government Restrictions on Dissemination of Information,” Professor Cass R. Sunstein of the University of Chicago Law School was the main speaker.

Biddle Library Pre-Gala Events

Lynn and Glen A. Tobias, ’66, graciously hosted a party on the 50th floor of Mr. Tobias’ New York City office of, Bear Stearns & Company in early November to help generate interest in the June 7 celebration commemorating the Biddle Library’s 100th Gala Birthday Party. Lynn Tobias co-Chairs the gala with Alma (Mrs. Sylvan M.) Cohen. Biddle Library Director, Professor Elizabeth S. Kelly attended the pre-gala party and presented the Biddle Library film to assembled guests.

In late January, Julius and Sandra Newman entertained Law School Alumni, and parents of past and present law students and their friends at a dinner aimed at promoting the Biddle Gala.

The 100th Birthday celebration will be held at the Law School, featuring cocktails in the tented courtyard, an elegant dinner and music by the Mark Davis Orchestra.

Faculty Sabbaticals—
The Spring Term

Professor Robert A. Gorman, Kenneth W. Gemmill Professor of Law, is on sabbatical funded, in part, by the Markowitz Fund—established to honor the memory of the late Jerome L. Markowitz, Class of 1953. Professor Gorman will continue his work in the area of Labor Law and related issues.

Associate Professor Regina Austin, ’73, is on spring sabbatical, utilizing the time for the completion of writing projects.

Dean Mundheim Visits China

At the invitation of the Government of the People’s Republic of China, Dean Robert H. Mundheim traveled through Beijing, Shanghai, and Xian in mid-October visiting law schools and courts along the way.

Under the auspices of Columbia University’s Committee on Legal Education Exchange with China (CLEEC), the Dean was joined by the law deans of Georgetown, New York, and Stanford Universities, the

The Calendar

**Wednesday, February 19**

The Owen J. Roberts Memorial Lecture

The University Museum

**Monday, February 24**

New Jersey Alumni Dinner

Hyatt Regency, New Brunswick

**Tuesday, March 18**

Washington DC Luncheon

with Dean Mundheim & Alumni

**Tuesday, March 18 through Thursday, March 20**

Phonothon for Quinquennial Classes

**Wednesday, March 26**

Institute For Law and Economics

Roundtable on “Financial Markets Regulation,” The Law School

**Thursday March 27**

Law Alumni Society Reception, Chicago

**Wednesday, April 2**

Board of Overseers Dinner

**Thursday, April 3**

Board of Overseers Meeting

**April**

Law Alumni Day Cocktail Reception and Dinner

**April**

Law Alumni Society Annual Meeting

**April**

Law Alumni Society Annual Meeting

**Thursday, April 17**

“Inside Pennsylvania”

http://scholarship.law.upenn.edu/plj/vol20/iss3/1
1986

Thursday May 1
BFS Reception, New York City

Friday, May 2
Law Alumni Society - sponsored Third-Year Class Party

Thursday, May 8
Law Alumni Society Reception at Pennsylvania Bar Association Meetings Hershey, PA

Wednesday, May 14
Law Alumni Society Luncheon in Washington, DC during ALI Meetings

Friday, May 16
Law Alumni Society Reception at New Jersey Bar Association Meetings, Atlantic City

Saturday, May 17
Quinquennial Reunion Class Open House, The Law School 1:30–3:00 p.m. Quinquennial Class Parties, Evening

Monday, May 19
Law School Commencement

May
New York Alumni Chapter Dinner

Saturday, June 7
Biddle Library Gala Dinner Dance, The Law School

Thursday, June 12
Law Alumni Society Board Meeting, The Law School

SAVE THE DATE!

JUNE 7, 1986

cocktails, dinner and dancing at the Law School
to celebrate the 100th anniversary of The Biddle Law Library

University of California at Berkeley and at Los Angeles, and the Universities of Chicago, Washington at Seattle and Wisconsin at Madison.

"China is interested in American legal education," says Dean Mundheim "because it is now rebuilding its legal structure after the abolition of lawyers and laws in 1966 during Mao's cultural revolution. The Chinese are even sending students to pursue J.D. degrees in the United States."

A spokeswoman from CLEC remarked that the People's Republic is redeveloping a statute law system based on the Soviet model. They are looking, however, to borrow pedagogical elements of American legal education to use in instructing students in their new legal code.

University of Pennsylvania Law Students Aid MOVE Commission

Thirteen Penn Law students volunteered their services to the Philadelphia Special Investigation Commission during its Fall 1985 hearings on the confrontation between the City of Philadelphia and MOVE.

Penn Law School Professor Michael Madow coordinated the students' involvement which ranged from stapling and copying to legal research and analysis. One of the students was assigned to prepare the Commission's reply to the challenges made by the Fraternal Order of Police; another conducted legal research for the Commission in the areas of subpoena power, legal liability and possible challenges to the Commission's proceedings. Most of the volunteers received course credit for their efforts.

Convened by Philadelphia Mayor W. Wilson Goode, the Commission was charged with determining precisely what occurred during the catastrophic events of May 13, 1985 that resulted in the deaths of several MOVE members, and in the devastating fire that destroyed a three-block area. William H. Brown, III, '55, who chaired the eleven-member Commission which included University of Pennsylvania Law School Alums Henry S. Ruth, Jr., '55, and was composed of religious, business and community leaders from the Philadelphia area, described his experience at the 1986 Law Alumni Society Luncheon Forum Lecture Series in January, 1986.

1986 University Award of Merit Goes to Robert Allman, '42

The University of Pennsylvania's coveted Organized Classes Award of Merit was given to Law School Alumnus Robert G. Allman, '42, during Founders' Weekend on January 17, 1986.

One of six recipients honored with the Award, Mr. Allman's presence at University events was cited as a visible symbol of his Alumni loyalty.

Overseer Higginbotham Receives Grant for Study of Race and Law

The Rockefeller Foundation has awarded a three-year $300,000 grant to the Sociology Department of the University of Pennsylvania to continue a landmark study of the effects of the U.S. legal system on race relations.

The project, which is headed by The Honorable A. Leon Higginbotham of the U.S. Court of Appeals for the Third Circuit and a Law School Overseer as well as Lecturer in Law and an Adjunct Professor of Sociology, is expected to last 20 years and is intended to produce the most encyclopedic, comprehensive study ever of race and the American legal system.

Judge Higginbotham has been engaged in the study since the early 1970's - the first phase having led to the publication in 1977 of his award-winning book, In The Matter of Color. The current grant will lead to the publication of one or two books examining the details of slave law, state-by-state, in the South from American Independence in 1776 through the Emancipation of all slaves in 1865.

The Law School's New Memorial Gifts Program

In response to an interest expressed by Alumni, the Law School has begun a Memorial Gifts Program. Designed in conformity with the usual approach to such programs, the Law School's Memorial Gifts Program is a way of remembering loved ones, classmates and colleagues who have died. Beyond this, however, it is designed to celebrate joyous occasions such as birthdays, anniversaries, notable religious milestones or good fortune.

Gifts may be allocated for general operations, scholarships, purchase of library materials or for other purposes. Every contribution is acknowledged with an official receipt to the donor and is deductible for income tax purposes. In addition, a card is sent to the family of the deceased or to the person being honored, which does not mention the denomination of the gift.

If you wish to discuss a particular allocation, write or telephone the Development Office, (215) 898-7489.
Law Alumni Day - April, 1986

Distinguished Service Award to be Presented on Law Alumni Day – 1986

The University of Pennsylvania Law Alumni Society’s Annual Law Alumni Day will be held in April, 1986 at the Law School.

Festivities begin with the Law Annual Giving Evaluation and Planning Meeting at 1:30 p.m. At 5:00 p.m. in Room 100, the Society’s Annual Meeting will take place, officiated by President Clive S. Cummins, ’52, who will deliver the Society’s yearly report. Mr. Cummins also will present the Society's Distinguished Service Award, which is conferred upon University of Pennsylvania Law School Alumni or Faculty whose careers demonstrate those qualities of character, intellect, and social and professional responsibility which the Law School attempts to nurture.

The Quinquennial Reunion Classes will report on the progress of their Class gifts, as well as their Reunion celebrations which will take place on May 16 and 17. Outgoing Board members will be acknowledged, followed by the election of the new slate of Law Alumni Society Managers.

Cocktails in the Great Hall at 6:00 p.m. will be followed by the traditional Law Alumni Dinner and guest speaker at the Goat at 7:00 p.m.

Reunion Weekend - May 16-17, 1986

Quinquennial Reunion Classes will hold gala parties on Friday and Saturday evenings, May 16 and 17, at the following locations in the Philadelphia area. (The asterisk * denotes Friday evening parties; all other celebrations will be held Saturday evening).

<table>
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<tr>
<th>Class</th>
<th>Reunion Site</th>
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<tbody>
<tr>
<td>1931</td>
<td>*The Locust Club of Philadelphia  1614 Locust Street</td>
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<tr>
<td>1936</td>
<td>The Locust Club of Philadelphia  1614 Locust Street</td>
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<tr>
<td>1941</td>
<td>The Palace Hotel of Philadelphia (tentative)  18th &amp; The Parkway</td>
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<tr>
<td>1951</td>
<td>*The Aronomink Golf Club</td>
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<td>1956</td>
<td>The City Tavern  2nd &amp; Walnut Streets</td>
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1961 The Barclay Hotel  Rittenhouse Square  
1966 Betsy Z. Cohen’s Farm  Highspire Road Lyndell, PA  
1971 The Warwick  17th and Locust Streets  
1976 College of Physicians of Philadelphia  19 South 22nd Street  
1981 The Law School  The Goat and Courtyard

Quinquennial Classes not mentioned are in the process of finalizing their Reunion plans.

Penn Law People in the News

This Journal feature highlights members of the Law School Community (Alumni, Faculty, Overseers, Students, etc.) whose appearances in the news media have come to our attention primarily through the University news-clipping service.

Robert Carswell, member of the Law School Board of Overseers and the Senior Partner heading Shearman & Sterling’s 12-partner management committee, was the subject of an extensive article in the April 8, 1985 issue of The Legal Times of Washington entitled, “Carswell at Helm of U.S. Shearman.” Also quoted was Law School Dean Robert H. Mundheim, who served under Mr. Carswell as General Counsel to the U. S. Treasury.


Germaine Ingram,’71, of the Law School’s Clinical Law Faculty, was the subject of The Washington Post, August 16, 1985, article “Jazz Tap Pyrotechnics,” describing her “alternate” career as a member of the Philadelphia Tap Dancers and that troupe’s appearance at the Smithsonian Institution last summer.


The Honorable Frederica Massiah-Jackson, ’74, of the Philadelphia Court of Common Pleas and a member of the Law Alumni Society Board of Managers, was profiled in The Philadelphia Observer article of May 13, 1985 entitled, “Frankly Speaking.”

Dean Robert H. Mundheim was the subject of The Legal Intelligencer’s “The Philadelphia Lawyer” special feature of August 26, 1985. The article was titled, “Dean Robert Mundheim: A Study in Professional Responsibility.”

The Honorable Murray M. Schwartz, ’55, of the U. S. District Court for the District of Delaware, was the subject of an article entitled, “Schwartz: ‘I Just Call It As I See It,’” describing his controversial eleven years on the Federal Bench.

Michele Silverman, ’86, was a subject in “Summer Associate: From Clients to Concerts” which appeared in The National Law Journal article of September 9, 1985, describing her summer work experience in the Philadelphia firm of Schnader, Harrison, Segal & Lewis.

Professor Ralph S. Spritzer was quoted in the October 10, 1985 Philadelphia Daily News article “Hard Issues Obscured By Rhetoric,” concerning the MOVE hearings.

Professor Clyde W. Summers was mentioned in “Washington Window,” the February 13, 1985 article which appeared in The Southern California Teamster.

Professor Michael L. Wachter, the Director of the Law School’s Institute for Law and Economics, commented on the emergence of high-tech and service jobs in the New England area in the July 29, 1985 Christian Science Monitor article, “New England’s Once-Faltering Economy is in the Chips.” He also was quoted in the August 1, 1985 issue of The Christian Science Monitor in the article “Postal Workers Put Their Stamp on Wages.” The Wall Street Journal of November 5, 1985 “Speaking of Business” feature quoted Professor Wachter in “It’s Time To Start Thinking About Next Year.”

Professor Alan Watson, was featured in the “Bar Talk” Section of the The Pennsylvania Law Journal Reporter of May 6, 1985.

The University of Pennsylvania Law School Clinical Program and Practice

Professor, Douglas N. Frenkel, ’72, were featured in The Legal Intelligencer article of July 1, 1985 entitled, “U. of P. Law Students ‘Client Conscious’: Clinical Program Handles Real Cases.”
The Thomas Jefferson Lecture
October, 1985

Professor Spiro Simitis of Johann Wolfgang Goethe - Universitat, West Germany, delivered the University of Pennsylvania Law School's Annual Thomas Jefferson Lecture entitled "Reexamining Privacy Concepts in an Information Society."

A leading expert in the area of privacy and a distinguished labor lawyer, Professor Simitis has served as Ombudsman for the State of Hesse in Germany. In that connection, he has been concerned with the protection of privacy in a world in which data-collection and data-dissemination play an increasingly important role.

Professor Simitis stated in his Lecture that "privacy is an old and venerable subject. Generations of lawyers have dealt with its most different aspects. The number of cases is countless; the list of statutes - long and impressive. Yet private research only recently described the situation as being in hopeless disarray, the whole debate qualified as ultimately futile." Professor Simitis further discussed the morality surrounding the issue of data-collection, the modes in which personal information is collected and used, and the roots and history that have led to the situation which exists in modern society.

Continuing the practice of all Thomas Jefferson Lecturers, Professor Simitis remained at the Law School the day after his public lecture to offer and to attend classes, and to meet informally with University of Pennsylvania Law School students, Faculty and Alumni.

Sponsored by the Jefferson Bank and the Philadelphia firm of Spector, Cohen, Gadon & Rosen, the Thomas Jefferson Lecture Series is fashioned after the Olive Wendell Holmes Lectures at Harvard, the William Carpenter Lectures at Columbia and the Thomas M. Cooley Lectures at Michigan. In keeping with the formats of these institutions, a distinguished scholar, judge or legal practitioner is invited to the school to deliver lectures which deal with fundamental questions of law and jurisprudence in addition to meeting with members of the law school community.

The 1985 Edwin R. Keedy Moot Court Competition

The Final Round determining the Annual Keedy Cup Title was held on November 18 at the University of Pennsylvania Museum. The Court was composed of distinguished justices: The Honorable Alvin B. Rubin, the U. S. Court of Appeals for the Fifth District, presiding; The Honorable Thomas N. Carpenter; Chief Justice, U. S. Court of Appeals for the Fifth District; and The Honorable Alvin B. Rubin, The Honorable Thomas N. Carpenter; Chief Justice, U. S. Court of Appeals for the Fifth District, respectively. The Petitioners were represented by Bird, Golden, Deluca, and Cohen, while the Respondents were represented by Bird, Golden, Deluca, and Cohen. The case was United States v. Morgan.

Two State officers received a complaint that target shooting was taking place at a public park. Going to the scene, they heard sounds resembling automatic weapons fire. Morgan was seen loading guns into the trunk of his Cadillac. A bystander told the officers that Morgan had machine guns and other weapons in the trunk, and that he and his companions had threatened to "kill any law that tries to arrest them." The officers thereupon left to obtain reinforcements.

Subsequently, ten officers proceeded to the Morgan home, surrounded it, flooded the house with spotlights and summoned Morgan with a bullhorn. Morgan appeared at the door, pistol in hand. After repeated orders to surrender it, he put it down inside the door and went outside. Morgan was thereupon arrested and the house searched. The only weapon found to violate any statutory firearm requirement was the .45 caliber pistol inside the door.

The United States District Court granted Morgan's motion to suppress the pistol in question, ruling that there had been time to obtain an arrest or search warrant. The Court of Appeals affirmed.

On petition of the government, the Supreme Court has granted review. Petitioner presents the questions of whether law enforcement officers who have probable cause to believe that a suspect committed a felony must obtain a warrant before inducing the suspect to leave his house so that they may arrest him, when the officers effect the arrest without entering the house; whether, assuming that officers violate the Fourth Amendment when they summon a suspect from his house without a warrant, a weapon that the suspect carries to the door with him should be treated as a fruit of the improper arrest; whether the Fourth Amendment exclusionary rule should be modified so as not to bar the admission of evidence seized in the reasonable belief that the warrantless arrest of a felony suspect did not violate the Fourth Amendment.

The briefs and oral arguments presented by both Teams were acclaimed by the Court as "very, very fine" and the decision for the winning side was "very, very close."

The Victors, however, were Harris and Rudolf, who argued for the United States of America, with Lewis and Souza as the Finalists.

In his final comments, Judge Rubin remarked how "the quality of today's proceedings far exceeded the performances that he has seen with cases argued by highly-priced counsel. There is no substitute for unstinting, intensive effort."
EDITOR’S NOTE: Professor Levin, an Alumnus of the University of Pennsylvania Law School Class of 1942, received his BA degree from Yeshiva College. He joined this Law School’s Faculty in 1949 and served as Vice-Provost of the University of Pennsylvania from 1965-1968.

Presently the Director of the Federal Judicial Center in Washington, DC, Dr. Levin served as Executive Director of the Commission on Revision of the Federal Court Appellate System from 1973 to 1975. From 1976-1978, he was a member of the Standing Committee on Practice and Procedure of the Judicial Conference of the United States. As Director of the Federal Judicial Center, Professor Levin maintains contact with the Standing Committee, the Rules Advisory Committee and Congressional Committees responsible for oversight of the rule-making process.


University of Pennsylvania Law Alumni regularly ask for and about Professor Leo Levin. What follows is the latest update on his life and his present work directly from the “man” himself.

—LSH

LSH: I once was present at a “classic” Leo Levin classroom lecture. Your energy and vitality level as well as your ability to convey material were astounding. Are you a “natural” or is there a formula for being a good teacher?

Professor Levin: I am complimented at your suggestion that I am a good teacher. For years, we have had and continue to have tremendous students at Penn Law School, and special interrelationships develop between teacher and student that make the job so rewarding. As a former student at the Law School myself, I had the benefit of experiencing some greats as my teachers—some of whom made suggestions as to how I might go about doing the job effectively. The late Jim Chadbourn (Professor James H. Chadbourn), in particular, who was here for many important years in terms of the School’s development (from 1936 to 1950), had the marvelous knack of demanding rigor but making learning fun as well. His methods clearly emphasized skill development and, yet, he did not embarrass or attempt to make anyone unhappy. Chadbourn’s students faced up to difficult, technical questions as well as policy questions but he tried not to make them feel uncomfortable. I always have tried to follow that model. In my early years of teaching, I vividly remember Chadbourn telling me that it was at the informal gatherings of Faculty and students—in those days, it was at law club dinners—that a teacher would find out what was really going on. Students “let their hair down” at these events. Such socialization is an essential and important ingredient in trying to do things that are mutually useful and pleasant, and in developing strong teacher-student bonds.

One other consideration has to do with the people with whom one works. Years ago, Carl Llewellyn once challenged a friend at Columbia to choose, in his own mind, the best member of that faculty. Said Llewellyn, “Without knowing whom you have chosen, I will assert that the worst possible law school is composed of 30 teachers exactly like that person.” He was saying that part of what a law school should seek is diversity, difference in approach and orientation—both pedagogical and substantive. This important factor enables a school’s professors to complement one another.

LSH: You already have indicated Professor Chadbourn as one of your role models. What other memorable Penn Law Faculty were your teachers?

Professor Levin: There were many great ones like: Ned Keedy, who later became Dean of the School; William Mikell, also a former Dean, whose grandson was my student years later; both men were great in the Criminal Law as well as in other areas; and Herbert Goodrich, a former Dean who later went on to the Third Circuit, was a fine teacher.

LSH: How have you and Mrs. Levin adjusted to life in Washington and to high-level government?

Professor Levin: Well, I don’t know that my position requires much adjusting to “high-level government,” but adjusting to any level is a process. We continue to adjust and to deal with the situation. There is a job to be done—and I try my best to do it.

People are and have been exceedingly supportive, particularly, the Federal Judges and the Justices with whom I work. I guess that if they think that one is trying, then they try to help. That is the key.

As far as life in Washington is concerned—socially and otherwise—there seem always to be new and interesting experiences. Nevertheless, my wife and I often tell one another that the most exciting and satisfying feature of the city is that people from all over come to visit, and that includes quite a few of our friends from Philadelphia. We had formed so many exceedingly rewarding and gratifying friendships while living in Philadelphia. One of our sons and a daughter-in-law still live in the Philadelphia area, and there is no way that we can readily forget our pleasant, stimulating experiences as residents of Philadelphia.

LSH: Describe your role as Director of the Federal Judicial Center.

Professor Levin: Basically, the way to describe my particular role is to understand a bit about the structure of the Center. The Federal Judicial Center is divided into four main departments. The division of education serves the 16,000—plus members of the Federal Judicial System, by sponsoring educational programs for appellate judges, trial judges, bankruptcy judges and magistrates in addition to clerks of court, deputy clerks, probation officers, middle level management and others. In addition to facilitating workshops and seminars, we offer publications and, most exciting, an extensive media program with video and audio tapes. Recently, after some very complex, comprehensive crime-control
legislation was passed, we presented a four-hour video satellite program on the subject which was telecast to thirty locations. It was viewed by more than 2,200 people and, as part of that program, open telephone lines were available with questions coming into Washington to our faculty who came from as far as California, Texas, the Northwest, the Pacific Northwest and New England to volunteer their expertise. The program was videotaped, and we estimate that it has already been seen by more than 6,000 people. These new audio-visual techniques have become a very exciting aspect of our normal educational offerings.

Our operation also includes a research division in judicial administration. Some of the products of that department include descriptions of various innovations as well as rigorous, empirical evaluations of how certain programs are working.

The Center also has an extensive computer development program. We are at the point of substituting electronic docketing for paper dockets in certain courts, and we have evaluated and approved the use of electronic mail for many of the appellate courts that have three-judge panels with the judges’ chambers in as many as three different cities.

We have a support service which offers advisories to the judges on new developments at the appellate level and another that makes it possible for judges to share innovations in case management and office management. We also have developed a computerized index of, what we call, “fugitive materials.” These are either unpublished speeches or published speeches that are inadequately indexed; for example, the Chief Justice might cover many topics in one wrap-up report, which is entered into the “fugitive materials” index. This service has proven quite useful.

Each of the Center’s departments is staffed with able, indeed, terrific people. The judges, who receive absolutely no extra remuneration for lecturing, writing and/or reviewing materials for us, have been incredibly supportive. We call on scores of them and so many are willing to help.

I try to keep abreast of the workings of the Center in addition to a fair amount of lecturing and writing. My main task, of course, is administrative - making suggestions for innovations, coordinating programs already in place and keeping the operation moving forward. It is a fun, diverse and challenging position.

 Professor Levin: We presently are evaluating a program that had its genesis in Philadelphia. For some thirty years, the State of Pennsylvania had been implementing court-annexed arbitration, which is one popular method of alternative dispute resolution. The Federal Court of the Eastern District of Pennsylvania began this program about seven years ago, and we did an empirical evaluation of it as well as of some other programs. Most recently, the Congress allotted money to the Federal Judicial System in order that the program - with all sorts of variations and on an experimental basis - be expanded to eight additional District Courts. We are going into those Courts attempting to discover how litigants and lawyers will react to this important new trend and development. Both the Chief Judge of the U.S. District Court for the Eastern District of Pennsylvania, Alfred L. L. Lugo, an Alumnus of the University of Pennsylvania Law School’s Class of 1947, and judge Raymond T. Broderick, who serves as the Chairman of that Court’s Committee on this project, have lectured rather widely for the Center on how the program works, its advantages, and on what they perceive as some of the ways it has been improved over the years.

A number of other projects in which we presently are involved are simply descriptive of different types of developments. In the past, we have done massive studies of District Court litigation in a District Court Series, and we have written up mediation programs in different places. Out of our Research Division, we have been doing a great deal of work on new statutory developments in the criminal law. One project involves the monitoring and evaluation of programs on drug aftercare in connection with the Probation Division of the Administrative Office of the United States Courts. One of our publications from the Research Division, resulting from recent Congressional legislation in the crime control areas, has been reprinted a number of times. In fact, over 10,000 copies are now in print as a result of the tremendous demand.

We are constantly doing research in the development of computer applications. A massive study was done about a year ago on electronic court reporting, and the use of four-channel audio tapes as distinguished from regular court reporters. The results of this study were significant in that some action was taken by the Judicial Conference on this matter.

 Professor Levin: It is difficult to choose. I would say that our educational projects have proven very significant. We constantly are getting positive feedback from judges who have found them extremely helpful and useful in trials of cases, etc. There is no doubt that the automation projects are going to have a lot of impact. Some of the research projects, which were begun prior to my appointment and completed afterwards, have affected the Federal Rules of Civil Procedure, for example, and have resulted in some amendments.

LSH: To what extent are you and the Center independent? Are there any difficulties or restraints as a result of the views and expectations of the Federal Judiciary?

 Professor Levin: The Congress created the Center as an independent agency within the Federal Judicial System. We have our own eight-person board, by statute, chaired by the Chief Justice of the United States and one other permanent member - the Director of the Administrative Office of the U.S. Courts. The remaining six board members are Judges - two appellate, three district and one bankruptcy - who serve for four-year non-renewable terms. We approach the Congress every year for our appropriation and, to that extent, the Center is independent. The six judges who sit on the Center’s Board, however, are elected by the Judicial Conference of the United States, and I regularly report to that Conference. As a result, an interrelationship exists among all of us. Actually, I do think the Center has an appropriate degree of independence balanced by our relationship with various people in the judicial system.

LSH: How do you view the future of the organization?

 Professor Levin: I view it quite optimistically. It is fair to say that we are doing more and more on every level. The judicial system is becoming larger, the number of judges is increasing, the demands on us are increasing, people are constantly giving us feedback that our programs are worthwhile. All of this is the heart of the future of the Center.

LSH: To what extent is your interaction with the Chief Justice?

 Professor Levin: We have a lot of contact with one another. As I mentioned before, by statute, Chief Justice Burger chairs the Federal Judicial Center’s Board, and he is a very active chairperson at that. He likes to
be kept informed of everything that is going on, has bright ideas on judicial administration and has made tremendous contributions in this area. He believes strongly in judicial education and in computerization. The Chief is an exceedingly thoughtful man. On a personal level, he is very anxious to be helpful to others.

LSH: Whom do you see as the future personnel of the U. S. Supreme Court?

Professor Levin: I really do not know. I have found it most helpful not to speculate, but I do love to have people tell me all kinds of predictions. All of the present Justices have been supportive of the Center in various ways - at Center functions, etc. - but, personally, I do not have the vaguest idea of what tomorrow will bring to the Court.

LSH: Your involvement in the controversial 1982 ATO issue represents your continuing commitment to the University of Pennsylvania. What motivated your participation in this difficult situation?

Professor Levin: University of Pennsylvania President [Sheldon] Hackney and Provost [Thomas] Ehrlich asked me to perform the service, and I felt it my duty to accept. I understood that a number of other very logical and, no doubt, superior alternatives to myself were ruled out simply because they had been involved in other phases of the case. The procedure was set up by Judge Lois Forer, of the Philadelphia Court of Common Pleas, who really had handed down from the Bench a number of requirements with regard to the selection of the person who was to hear the case and with regard to procedures, etc. It was from a sense of obligation that I accepted the appointment. I felt that if called upon, I should respond. I owe a lot to the University of Pennsylvania.

LSH: The tribute paid you by the Family of Alumnus Stephen A. Cozen, '64, (The Cozen Family Faculty Development Fund to Honor Professor A. Leo Levin), of which the Law School is the beneficiary, reaffirms your impact as a beloved and popular professor for the past thirty-seven years. Although you still come here regularly to teach seminars, do you miss full-time teaching? What courses do you teach?

Professor Levin: Your figures frighten me! Basically, the School has grown over the years in the sense of a much larger Faculty. I have the sense that the School has added some exciting, high-quality people who bode very well for the future. Students change almost from year-to-year. One is never quite certain how much they are changing because the world is changing, or how much our perceptions are changing because we are bringing different eyes to the same phenomena. Most certainly, the Law School is changing. I think that we have great leadership in Bob Mundheim and the sense abroad seems to be that we are ready, as a School, for a great surge forward.

Of course, many things did not exist forty-five years ago at the School. There have been many major developments since that time like: the expanded number of Faculty teaching a greater variety of available courses; new departments in the School like the Institute For Law and Economics; the Journal of Comparative Business and Capital Market Law; the administrative position of Assistant Dean for Alumni Affairs; and, of course, The Law Alumni Journal. In part, these innovations have developed because Penn Law School is a national law school in a way that it simply was not some forty-five years ago, when I registered as a student. Demands on it today are so different.

LSH: It seems that the legal profession is forever the object of society's strict scrutiny and censure. From your vantage, how do you view the worth of the profession today and its prospects for the future?

Professor Levin: I have the greatest respect for the role of lawyers in our society. If we look historically on the impact made by the judiciary - particularly the Federal judiciary - and on the quality of life in this country, one can see its enormous, beneficent and beneficial contributions. Too often, we do not give credit to the lawyers who make these things possible. Under our system, cases begin with lawyers. Judges do not go roaming around looking for causes and cases. Lawyers bring to the judges and shape their cases creatively. One just needs to examine the career of a man like our former University of Pennsylvania Law School Dean, Judge Louis H. Pollak, of the U.S. District Court for the Eastern District of Pennsylvania. Judge Pollak's extraordinary career with the NAACP, then, in academia and, now, with his work on the Federal Bench, is an example of how this runs. But, too often, I think that society does not give quite enough credit to lawyers - to those operating in the vineyards and not necessarily working only on social causes. Law is not an easy profession. It requires rigor and creativity and a sense of justice. It is my happy opinion that University of Pennsylvania Law Alumni, as a group, have made tremendous contributions on a number of fronts. They are great people - professionals with a sensitivity and an awareness of larger issues, who bring to the profession a very high level of quality which ultimately makes possible the advancement of society.

http://scholarship.law.upenn.edu/plj/vol20/iss3/1
Reshaping The Nation’s Civil Rights Agenda

by Julius L. Chambers, Director-Counsel, NAACP Legal Defense and Educational Fund, Inc. and member, the University of Pennsylvania Law School Board of Overseers

I appreciate the opportunity to address you this evening. I understand that my presence is to inspire and to motivate, to bring you more in touch with a member of the Law School Board of Overseers and to engage you, at least briefly, in some of the challenging issues facing the legal profession today. I am honored and humbled with the challenge.

A year ago last July [1984], I left the practice of law in Charlotte, North Carolina where I had founded the State’s first interracial law firm. As a result of the previous 20 years of handling civil rights cases as part of my private practice, I have become intimately involved with a number of developing issues of that day and of today. That experience led me to accept the challenge to become Director-Counsel of the NAAACP Legal Defense Fund in New York. My association with the Fund goes back to 1965 when Marion Wright Edelman and I became the first legal interns under The Fund’s legal training program. Later, I had the privilege of serving as President of The Fund for 10 years. I mention all of this so that you may see the context in which I place the topic of my discussion with you: the efforts and means of the Reagan Administration to reshape the Nation’s civil rights agenda in its own ideological image, using the Justice Department as its principal tool.

This effort is broad in scope and touches civil rights and civil liberties provisions embedded in the Constitution, Federal civil rights statutes, and Executive branch regulations and Presidential orders designed to protect the rights of women and minorities.

Soon after the Administration took office, officials of the Justice Department announced their opposition to traditional remedies in school desegregation and employment discrimination cases. In May 1981, then Attorney General William French Smith came to Philadelphia and spoke against affirmative action measures to remedy employment discrimination. In January 1982, the Administration revoked the IRS ruling which denied tax exempt status to private schools that maintain racially discriminatory practices and policies on the basis of religious doctrines.

Following the 1984 elections, efforts to overturn 25 years of civil rights policies accelerated and broadened. Today, Attorney General Meese justifies his actions on issues of race discrimination with a spirited defense of America’s promise of a color-blind Constitution and color-blind enforcement. This turns civil rights laws upside down and makes a mockery of the spirit and meaning of the Fourteenth Amendment by asserting that it was intended to protect white males from “reverse discrimination.”

Rather than debate the merits of affirmative action, the Attorney General compares its supporters with those in the past who defended slavery as “good not only for the slaves but for society.”

When the Leadership Conference on Civil Rights provided testimony to the Congress, showing errors in William Bradford Reynolds’s statements about the Justice Department’s civil rights policies, the Attorney General denounced the civil rights community as a “pernicious lobby.” Just as earlier in his career he had denounced the American Civil Liberties Union as a “criminal’s lobby!” In an interview in The U.S. News and World Report, he reflected that only people who are guilty of crimes are police suspects and, therefore, there is no need for Miranda v. Arizona. A number of journals have reported his views regarding so-called “activist” judges and Supreme Court Justices. His notion that the Constitution must be “strictly” interpreted according to the intent of its framers which only he and those who agree with him have been able to divine, and his suggestion that 60 years of precedent holding that the Fourteenth Amendment incorporates certain basic protections of the Bill of Rights against encroachment by the states, rests on an “intellectually shaky foundation” and is “constitutionally suspect.”

Early this month [October 1985], Justice Brennan spoke at a symposium at Georgetown University and, in words far more eloquent than mine, took issue with the views espoused by the Attorney General. Among other things, he said: “There are those who find legitimacy in fidelity to what they call ‘the intention of the Framers.’ In its most doctrinaire incarnation, this view demands that Justices discern exactly what the Framers thought about the question under consideration and simply follow that intention in resolving the case before them. It is a view that feigns self-effacing deference to the specific judgements of those who forged our original social compact. But, in truth, it is little more than arrogance cloaked as humility. It is arrogant to pretend that, from our vantage, we can gauge accurately the intent of the Framers on application of principle to specific, contemporary questions…”

There has been an ongoing debate in The New York Times over the Administration’s policies for selecting judges based on their positions on abortion, affirmative action and school prayer. We have seen a series of new judges of impeccable ideological purity, and some in their mid-30’s with little experience
as practicing attorneys, being appointed to
the Federal Bench where they will remain
well into the next century.

Various of the Administration’s policies
have been defended as being no different
from policies followed by prior liberal
administrations. It is argued that they
simply are seeking to redress an alleged
imbalance, that if their critics were in office
they would be doing exactly the same thing,
just on the other side of the
ideological fence.

I disagree with this defense of their
actions. These ideologically-based assaults
are at variance not only with past
Democratic administrations, but with the
policies and practices of past Republican
administrations as well. What is going on
now at the Department of Justice is
fundamentally different from what has gone
on in earlier administrations, whether
liberal or conservative. No previous
administration has elevated strict adherence
to a common ideological approach over
important institutional concerns.

The views and policies of the Attorney
General raise serious questions concerning
the appropriate role that the Department of
Justice should play. It has not been the
custom, in the past, to shut out of its
deliberations views and arguments that do
not mesh with a pre-ordained ideology, nor
to stack the judiciary with judges pre-
committed on important constitutional
issues, particularly when their views are at
odds with current Supreme Court decisions.
The Department of Justice, as the first line
enforcer of the Constitution and laws of the
United States, undermines public confidence
in the institutions of law by publicly
attacking established and long-standing
legal principles.

With regard to the appointment of Federal
judges, it is simply not true that prior
administrations have, on a systematic
basis, appointed judges based on their
views on specific politically and
ideologically charged issues. The one
possible exception occurred early in our
history when, on the eve of leaving office
and in the context of the first time there
had been a change in political power in the
new republic, the departing Federalists
packed the courts with persons who would
hold back the invasion onslaught of the
Jeffersonian hordes. Other than that
instance, there has never been, to my
knowledge, the systematic selection of a
majority of Federal judges based on
ideology.

President Jimmy Carter, for example,
sought diversity on the Federal Bench and
appointed more minorities and women than
all other presidents put together. That
administration, however, had no ideological
litmus tests and appointed conservative,
liberal and moderate judges. Even Franklin
D. Roosevelt’s court-packing plan had
as its target only the Supreme Court. FDR
sought to end interference with the exercise
of Federal power during the crisis of the
Great Depression - the appointees
themselves representing a range of views
and backgrounds on a variety of issues.

The focus on a particular ideology, to the
exclusion of other voices, is what is
different about this Administration. An
illustration of its effects can be seen in the
Government’s amicus curiae briefs in the
Supreme Court in cases raising civil rights
and civil liberties issues. It is a fact that,
with a few minor exceptions, this
Administration has used its wholly
discretionary amicus authority consistently
to take anti-civil rights and anti-civil
liberties positions before the High Court.
Just this Term, for example, it has filed
amicus curiae briefs which have: endorsed,
despite its alleged goal of achieving a color-
blind society, the power of prosecutors to
strike Blacks from juries solely because they
are Black; endorsed the technique of
defendants in civil rights cases of extorting
waivers of attorneys’ fees in exchange for
relief to clients; attacked the principle that
race-conscious remedies can be used to
correct proven discrimination; argued, on
the other hand, that if Blacks are able to
elect their quota of candidates or one Black
official, they cannot prove a violation of the
Voting Rights Act; and urged that Roe
v. Wade be overruled.

Typically, in past administrations,
whether liberal, conservative or middle-of
the-road, there has always been a variety
of competing voices. Thus, the Criminal
Division of the Department of Justice,
regardless of how liberal the administration
was, had an institutional interest in pro-
prosecution positions. The Civil Division
and the Civil Service Commission (now the
Office of Personnel Management) had
institutional interests in pro-employer
positions in civil rights cases. On the other
side, there was the Civil Rights Division of
the Department of Justice and the Equal
Employment Opportunity Commission.
Finally, there was the United States Civil
Rights Commission, an independent agency
overseeing the entire Government. Thus, in
a particular case, competing interests
would be heard and the Solicitor General or
Attorney General would resolve the
question at the highest level.

In some instances, such as the DeFunis
case, the EEOC and the Civil Service
Commission fought to a standstill and no
brief was filed. In other instances, such as
the Bakke case, the ultimate result of the
expression of conflicting opinions was a
brief somewhere in the middle but basically
supporting the principle of affirmative
action.

In the present Administration, however,
there are no or very few voices on the civil
rights side. This has been true of the Civil
Rights Division from the beginning. The
Civil Rights Commission now has been
destroyed as an effective independent voice
and is simply a mouthpiece for the
ideological positions of the Administration.
The EEOC, after having taken
an independent position initially on affirmative
action, has now shifted over to the side of
Mr. Reynolds and Mr. Pendleton.

Competing voices are silenced, shut out
or punished. Within the Administration,
dissent is limited. Those whose ideological
commitment is lukewarm, such as Margaret
Heckler, are pushed out. There are
clocked attacks on organizations outside
the Administration that disagree with its
policies and practices. Mr. Meese has made
no secret of his desire and efforts to
abolish legal services for the poor; he has
pushed for legislation that would severely
curtail the award of attorney fees to
organizations such as The Legal Defense
Fund, particularly in cases where the
Federal Government is a defendant -
even though his ardor cooled on this bill until
after his private lawyers collected
thousands of dollars for defending him
against charges of conflict of interest while
he was on the White House staff, at which
point he reintroduced it. He has been
relentless in efforts to end funding for what
he terms “left” organizations such as legal
defense funds and other groups active in
social welfare issues of which he
disapproves.

Since the Administration hears nothing
but its own views it only takes positions
that are consistent with them. The results,
however, are bad institutionally. Instead of
an Executive (and, possibly, in the future a
Judiciary, if the Administration’s views are
implemented) that represents the diversity
of our society and which hears and weighs
competing views, there is a monolithic
adherence to one accepted point of view.

In order to fully understand what is going
on in the Administration, it is essential to
understand the ideology underlying the
views advanced in particular cases. Thus,
Mr. Meese’s position that the Incorporation
decisions of the Supreme Court are
wrong is much more than a theoretical dispute
over the Fourteenth Amendment - a dispute
which was effectively resolved many years ago. Rather, Mr. Meese does not want the Fourteenth Amendment to incorporate the rights guaranteed by the Bill of Rights and, particularly, does not want the Amendment's provisions applied to the states because he is hostile towards the First, Fourth, Fifth and Sixth Amendments. His underlying purpose is to limit the scope and importance of the Bill of Rights, particularly as they affect state practices.

The Attorney General's tactics are new but the conflict itself is an old one. It is between the Jeffersonian ideal of liberty and self-government, and the conservative ideal of government by an elite; between those who favor a limited government in order to protect the rights of minorities, whether political or racial, and those who favor a limited government in order to allow the dominant economic interests to exercise their power free of restraint; between those who believe in the principles incorporated in the Bill of Rights because they believe that a democratic government is founded on an informed citizenry, and those who wish a limited view of the application of Constitutional rights because they do not want an informed citizenry that will oppose its policies. It is, in short, a conflict between those who believe in and those who are hostile to a truly free and democratic society. And, from the perspective of one who has spent over 20 years practicing civil rights law, it seems that we are fighting battles we thought had been won years ago, diverting precious time and resources from the struggle to eliminate today's more complex forms of discrimination.

Just as I believe the law represents the best hope for developing new approaches and new solutions, I know that today's law students represent the best hope for our future success in realizing the ideal of justice in an integrated society. My own experiences have taught and have shown me that the law and lawyers can be effective catalysts in changing the world in which we live. When I graduated from law school, it was commonplace for Blacks and other minorities and women to be passed over for jobs, denied equal chance for education, and told expressly or by implication, that they were incapable of heading a school or a school system, of being a mayor or a governor or a member of Congress, of being the president of a bank or the President of the United States. While we have not reached a millennium, we have made progress in addressing many of these problems and I do not think we will go back to the pre-Brown era.

Our challenge today, however, is greater than any we have experienced since Brown. The need for lawyers who will devote time and energy and who will commit their efforts to civil rights and civil liberties is critical. For this reason I take every opportunity possible to speak to law students and law graduates to plead for their involvement in this effort. Your skills and talents, your energy and commitment can make a difference in making this a better society for all Americans.

The Case For Bequests

The greatness of the University of Pennsylvania Law School is due in no small part to the gifts in time and money of its Alumni and friends. Faced with intense economic pressures, the Law School more than ever needs the support of its Alumni and friends to enable it to continue to provide leadership in legal education.

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'I give, devise, and bequeath to the Trustees of the University of Pennsylvania, a non-profit corporation organized and existing under the laws of the Commonwealth of Pennsylvania, the sum of $_______ to establish the _____ Fund at the University of Pennsylvania Law School. The property comprising this Fund shall be used for _____.

The more limited the designation of the bequest, the more important it is to add a provision such as the following:

'If, in the future, the Trustees of the University should determine that it is no longer practicable to use this Fund, or the income from this Fund, for this specific purpose, it may be used for other needs of the University's Law School. It is my hope that these new uses will reflect the interests of the donor and the spirit of the original gift.'

*If the bequest is for property other than cash, this wording may be replaced by "all my right, title, and interest in the following property: (insert description)." If it is a residuary bequest, one may insert "all rest, residue, and remainder of my estate."'

For more information: Donald G. Myers, Director of Development, University of Pennsylvania Law School, 3400 Chestnut Street, Philadelphia, Pennsylvania 19104 (215) 898-7489.
The Government Rescue of a Troubled Enterprise

by Dean Robert H. Mundheim, University Professor of Law and Finance*

Fortunately for me I do not have the broad brief in comparative law which has been undertaken by some of the previous speakers. I have been given a more modest assignment: to speak about the Chrysler Loan Guarantee program as an example of United States Government aid for the re structuring of a troubled, large multinational corporation. I do not bring to that assignment any specific academic credentials, but I did serve as General Counsel to the United States Treasury and to the Chrysler Loan Guarantee Board during the negotiation of the Chrysler Loan Guarantee program.

Although the United States Government has provided aid to troubled enterprises, the Government's role in the Chrysler case was relatively unusual and caused substantial debate. Even in the Democratic Carter Administration, the dominant American view was that troubled companies should be subject to the discipline of the market place and not be 'bailed out.'

The Chrysler restructuring was done outside the bankruptcy process. Chrysler could have been allowed to go bankrupt with the United States Government playing a role in a reorganization managed by the bankruptcy court. This technique was followed in the reorganization of the Penn Central, another major U.S. business failure of relatively recent times. Bankruptcy was not chosen in the Chrysler case, in part, because lenders were uncertain about the status of some of their claims (particularly about the status of their loans to the relatively sound Chrysler Financial Corporation) and were, therefore, not prepared to force Chrysler into bankruptcy. In addition, bankruptcy was seen as endangering the ability of Chrysler to remain as a viable operating entity, with particular damage to its ability to produce and sell its front-wheel drive or K-car. As an economic matter, it was thought that the early production of K-cars for sale in the American market might retain, for American manufacturers, a product which would otherwise be lost to foreign competition.

The Chrysler case was the third of a handful of major troubled situations in which the United States Government intervened before bankruptcy to try to set the failing entity back on its feet. In each of these cases, special legislation authorizing the intervention had to be passed. In other words, in each of these cases both Congress and the President had to agree that governmental intervention was necessary. The first case was the Lockheed Loan Guarantee Program. Under it the United States Government guaranteed $250 million in loans to the Lockheed Corporation, a large defense contractor. The second case involved New York City. Congress authorized Federal seasonal financing for New York City in 1975 and authorized guarantees for longer term borrowings in 1978. Chrysler was the third case, the authorizing legislation passing in December 1979.

In mentioning these three special cases, I do not mean to suggest that there are not other situations in which the United States Government stepped in to provide financial assistance to troubled companies. For example, First Pennsylvania Bank, the oldest bank in the United States and the bank of which I became a Director in 1980, received a package of $375 million of government assistance, $175 million of private bank financing, and a private bank credit line of $1 billion in 1979, at about the same time that the Chrysler loan guarantees were authorized. The governmental financing was provided by the Federal Deposit Insurance Corporation, a federal agency which guarantees payment to insured depositors in the event of a bank failure. The judgement to effect a reorganization in place of liquidation reflected a concern about the ripple effects of a liquidation which could damage other financial institutions and a conclusion that it would be cheaper in the long-run to nurse the bank back to health. The Federal Deposit Insurance Corporation model raises the question, to which I will return at the end of my presentation, of whether creation of an agency empowered to provide financial assistance to troubled companies would be generally desirable.

Why did the United States Government take the unusual step of supporting legislation to permit intervention in the Chrysler situation? Chrysler was one of the largest U.S. companies. In 1977 it was the tenth largest company in the United States; in 1978 it was the seventeenth largest.

Increased unemployment from a Chrysler bankruptcy (including ripple effects) was projected by then Treasury Secretary G. William Miller to be at least 75,000 in 1980 with an additional 100,000 expected in the following year. Unemployment concentrated heavily in Detroit, Michigan, and among Blacks. I think it not irrelevant that Michigan was to be the scene of an important primary election in which President Carter was particularly interested.

A Chrysler failure also meant that there would be direct governmental expenditures for unemployment compensation, welfare payments and food stamps. There was also a potential need to honor government guaranteed pension obligations to Chrysler workers and a projected loss in tax revenues. The public cost of a Chrysler bankruptcy was estimated at at least $3 billion and probably a good deal more. Thus proponents of federal intervention argued that the Government would have to spend a substantial amount of money, in any event, and that it might be reasonable under the circumstances to invest some in trying to resuscitate the company.

There was also concern about the impact of a Chrysler bankruptcy on the stability of the financial markets. The memory of the disruption in the commercial paper market of the Penn Central failure was still fresh in people's minds.

The loss of Chrysler would also leave the United States with only two major domestic automobile companies, General Motors and Ford. That result posed antitrust-type considerations.

Finally, as I mentioned previously, there was the fear that the United States would permanently lose more of the growing market for front-wheel drive, fuel efficient cars to foreign competition. The market for the purchase of cars is essentially a repeat market. Thus, loss of a share of the market to foreign competition likely would result in a long term loss of customers. Since Chrysler was farthest ahead of the American manufacturer with production of a front-wheel drive sedan, there was a strong...

*EDITOR'S NOTE: Dean Mundheim delivered the following address to the German Association of Comparative Law at Gottingen.

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impetus not to do anything which would delay its availability to the U.S. consumer. Bankruptcy at the very least would delay Chrysler's ability to produce the K-car. There were other reasons supporting the judgement to have the Government intervene and the legislation passed relatively easily in December 1979. The 271 to 136 margin in the House, and the 53 to 44 vote margin in the Senate contrasted with the one-vote margin in the Senate and the three-vote margin in the House supporting the earlier Lockheed loan guarantee.

I would now like to look at the terms under which government aid was made available. One of Chrysler's early proposals for aid was in the form of a provision to carry back its losses for an extended period and to set it off against previously earned profits, thus entitling it to a refund of taxes paid years before. In effect this proposal would have given Chrysler a blank check; that is, money without any conditions. This proposal reflected Chrysler's preferred alternative. Not surprisingly the government did not look favorably upon this proposal.

The United States Government believed that any help to Chrysler should be on a one-time basis in order to provide a reasonable prospect that a healthy company would emerge. There was a clear determination not to emulate the experience of some countries by embarking on a continuing program of pouring money into an enterprise as a way of keeping unemployment down. In addition, the Government was determined to extend help only as part of a package in which other parties directly interested in the health of Chrysler would also make a contribution. Thus the Government wanted a careful, detailed analysis of how much aid would realistically be needed to put Chrysler back on its feet and a sense that, with such aid, Chrysler could, as a business matter, make a success of it in a competitive environment.

The analysis concluded that Chrysler would need $3.5 billion, an amount higher than the early and rather hastily put together Treasury or company estimates of what would be needed to rescue the company. The Chrysler Loan Guarantee Act of 1979 created the Chrysler Loan Guarantee Board and authorized it to approve the issuance of up to $1.5 billion in Federal loan guarantees. The Board was comprised of the Secretary of the Treasury, the Chairman of the Federal Reserve Board and the Comptroller General. The authority to issue guarantees was subject to a number of very important conditions. First, Chrysler had to obtain at least $1.43 billion in non-federally guaranteed assistance. Five hundred million dollars of that aid was designated in the statute as being required to come from U.S. banks, financial institutions and other creditors. Four hundred million dollars was to be available in new loans or credits (plus extension of the full principal amount of loans outstanding as of October 17, 1979). In addition, the U.S. banks had to provide $100 million in concessions. The statute also provided that foreign banks, financial institutions and other creditors had to extend $150 million in assistance in addition to extending their loans outstanding as of October 17, 1979. These provisions embodied the principle of proportional sharing of the burdens among the major lenders (although, as you will notice, there was no requirement for concessions from the foreign lenders). In addition, the banks privately agreed that all banks must participate and that no bank would be bought out. The principle of all-or-none was an important response to a situation in which there were hundreds of bank creditors, and in which there was always the temptation for some banks to hold out from a restructuring agreement in the hope that their position would be carefully bought out by other banks who were anxious to conclude the restructuring.

The statute provided that the balance of the $780 million should come from a variety of other sources: $250 million from state, local and other governments; $180 million from suppliers and dealers; $500 million in asset sales; and $50 million from the sale of additional equity securities. The specificity of these statutory requirements was softened by giving the Loan Guarantee Board the right to modify the amount required from any category of contributor as along as a total of $1.43 billion was raised. Although not absolute, the statutorily announced benchmarks provided an important negotiating backdrop. For example, it seemed pretty clear that Congress expected the Board to get the prescribed amounts from the banks and, in fact, their contributions were ultimately valued at $642 million - $8 million short of the expected amount.

The insistence on financial contributions from parties other than the United States Government was designed to serve a number of purposes. For example, the request for new commitments, especially from the financial community, was designed to provide some assurance that private, experienced parties were making the judgement that Chrysler's operating and financing plans made business sense. The force of that consideration was somewhat diminished in light of the fact that the banks put up no new money. The "new" money they did put up consisted of lending interest payments which had not been made or were deferred. In addition, Congress thought it unfair (and politically unthinkable) for only the United States Government to take a risk at this stage of Chrysler's life.

You will have noticed that $1.5 billion plus $1.4 billion do not add up to $3.5 billion. The gap was closed by a provision in the statute which required a substantial contribution from Chrysler's employees. The statute said that $587 million were to be provided from this source, $642 million from the organized work force and $125 million from employees not represented by a labor union. Satisfaction of the requirements of this provision was a sine qua non for the issuance of any federal guarantees. There was no flexibility to modify the requirement in any respect. I am not sure that these amounts could have been bargained out with labor in the absence of an inflexible congressional mandate.

In addition to the mandated non-federal contributions, the statute also contained...
provisions which tried to assure that the United States Government would never lose any money as a consequence of its investment. The Congress reasoned that the United States would be the newest risk taker and that, therefore, it should be entitled to a first lien on all of Chrysler’s property. The only exception would be in the case of state governments which would also be new lenders to Chrysler and should be given an opportunity, equal to that of the United States Government, to protect their positions. The Government’s basic protection was, of course, its view that Chrysler would emerge from the reorganization as a going concern, able to operate profitably without resort to government aid in the future.

This condition would be implemented by requiring Chrysler to submit a satisfactory operating plan for the current fiscal year and for three following years “demonstrating the ability of the corporation to continue operations as a going concern in the automobile business and after December 31, 1983, to continue such operations as a going concern without additional guarantees or federal financing.” This was a rolling requirement and continued until the guarantees were no longer outstanding. This requirement allowed the Board and its staff to review the projected shape of Chrysler’s business. Chrysler had the first opportunity to develop the operating plan but it ultimately had to answer the questions of and sometimes make changes to satisfy its “governmental partner.” The Government’s authority to review and require changes in the operating plan provided leverage to force a downsizing of the Company. Lee Iacocca, Chrysler’s President, and the Chrysler management would have preferred to see the Company remain as a full-line automobile company, and they strongly resisted the Government’s pressure. Ultimately, however, they had to accede to it. A review of the operating plan also created an opportunity for the staff to create the kind of annoyances to management (e.g., forcing the company to dispose of its corporate jets) which would make Chrysler anxious to pay off the loan as quickly as possible and to discourage others from seeking similar assistance.

The operating plan also was required to be accompanied by the submission of a satisfactory financing plan which met the needs of the corporation as reflected in the operating plan. Prior to issuing any guarantee, the Board had to make a judgement that the prospective earning power of the corporation, together with the character and value of the securities pledged, furnished reasonable assurance that the guaranteed loans would be repaid according to their terms.

The conditions in the Chrysler Loan Guarantee legislation were more precisely defined and more demanding than the conditions in either the Lockheed or the New York City legislation. Thus, even though the legislation was easier to secure than the Lockheed or the New York legislation, it does not constitute an attractive precedent for other troubled companies. Indeed, when Chrysler was getting federal aid, American Motors Corporation and, possibly, Ford could also have used help; however, they did not make a serious effort to acquire it. Similarly when Philadelphia and Cleveland were in serious financial difficulties, the prospect of meeting loan guarantee conditions stimulated the interested parties to work out their own salvation.

I now wish to turn briefly to a question I raised earlier. Does the experience of ad hoc governmental intervention in Chrysler suggest the need for a more regularized governmental approach to the problem of the large troubled company? In the depressed economic conditions of the early 1980’s, there were a number of calls for such an approach. For example, Felix Rohatyn, a partner of Lazard Freres, called for the establishment of a Modern Reconstruction Finance Corporation, an adaptation to modern times of an agency created in the 1930’s to deal with the need to provide help in several critical areas of the private sector, particularly to banks and railroads. Interestingly, Lee Iacocca has recently embraced this idea. Proponents of the idea look at the experience of Chrysler and conclude that the Executive and the Congress tend to be so swayed by short-term political considerations that they would permit government aid in situations not justified by economics analysis and on terms less stringent than would seem appropriate. They see a tough-minded, investment-banker-like organization as able to respond to requests for aid in a technically expert, business-like fashion. They also believe that such an agency would be a more effective negotiator of the terms on which aid would be extended. My own reactions to this type of proposal is cautious. Institutionalizing the bail-out process would likely encourage it. If a modern Reconstruction Finance Corporation is in place, it is going to try to make deals not to turn them down. In contrast, the ad hoc political response which I have previously described has not led to a series of financial bail-outs.

It is unclear to me whether a first rate staff can be recruited for an agency whose announced purpose is to act only on a standby basis, with a primary mission of discouraging deals. In contrast, at the time of Chrysler when we put together the Treasury team which had the lead in representing the United States Government, there were a number of extraordinarily able people in the Treasury who had experience with work-outs. For example, Deputy Secretary Robert Carswell was the senior partner of a major New York law firm which actively represented banks in work-outs. Luke Lynch, an Assistant General Counsel of the Treasury, had spent a considerable amount of time as a work-out lawyer during his time in private practice. Roger Altman, Assistant Secretary for Domestic Finance, had been a partner in Lehman Brothers and Brian Freeman, who became the Executive Director of the Chrysler Loan Guarantee Board staff, had gained experience in the Lockheed loans. Secretary Miller was an experienced business executive who, as Chief Executive Officer of Telextron, had worked on a proposed merger of Telextron and Lockheed. In addition to people in the Government who can be called upon to work on such a special project, the Government also can retain needed special assistance from the private sector. For example, Treasury retained the accounting firm of Ernst & Whinney to review the operating and financing plans prepared by Chrysler. It also found an ex-American Motors Corporation Officer, John Secrist, to serve as its expert consultant on the automobile industry. Finally, the Treasury turned to a major New York law firm to help it negotiate and draft the voluminous documentation needed in the restructuring.

Finally, I doubt that the judgements on bail-outs turn primarily on technical points. Whether or not to bail out a specific company or industry embodies important political questions (e.g., should the Government cushion shocks in New York City, Philadelphia, or Detroit; should the United States be willing to lose domestic employment to foreign competition; should the Government support Chrysler and, perhaps, disadvantage Ford or General Motors). The resolution of these questions involves the balancing of interests, and such balancing is best done within and should not be insulated from the political process.


Professor Robert A. Gorman is now the Law School's Kenneth W. Gemmill Professor of Law. The second edition of his Casebook, Copyright For The Eighties, co-authored with Alan Luttman and Jane C. Ginsburg, was published in May 1985 by The Michie Company. He was the recipient of a grant for research in labor law, donated to the Law School in memory of Jerome Markowitz by his classmates of the Class of 1953 which will be used for Mr. Gorman's spring sabbatical. Professor Gorman was a principal speaker at a symposium on legal education held at the New York Law School in April 1985. His comments will be published as an article in the forthcoming symposium issue of The New York Law School Law Review.

Professor Gorman was present at the Philadelphia Volunteer Lawyers for the Arts Meritorious Service Award, principally for offering a Law School course and seminar on Law and the Arts in conjunction with PVLA attorneys.

Mr. Gorman offered a series of lectures for the Law School's Continuing Legal Education Program on Copyright Law in the fall 1984 semester, and a series of lectures on Labor Law in the spring 1985 semester. Professor Gorman spoke on the subject of legal education and the Law School curriculum to several Alumni gatherings devoted to the "Inside Pennsylvania Law School" program, including those in New York and Washington, D.C.

During summer of 1985, he served as Visiting Professor at the University of Iowa College of Law, where he offered a course on Labor Law. Two University of Pennsylvania Law School Alumni - Richard Matasar, '77, and Michael Green, '75, are members of the Iowa Law Faculty.

Professor Gorman has been reappointed to a three-year term as Judge on the World Bank Administrative Tribunal. The Tribunal, created in July 1983, is an international judicial body with jurisdiction to decide employment grievances by staff members of the World Bank. He continues to serve as a member of The Council, the governing body, of the American Association of University Professors, and as a member of the Executive Committee of the University of Pennsylvania Chapter of the AAUP.

Professor Harry L. Gutman participated as an instructor, in September, 1985 at an American Association of Law Schools Workshop on teaching tax law. He addressed the question of how best to integrate tax policy considerations into courses on federal wealth transfer taxation. In October, Professor Gutman was a lecturer at The Wharton School "Tax Conference" where he discussed recent legislation regarding employees fringe benefits, interest free loans, limitations on the deductibility of expenses for personal use property, cafeteria plans and golden parachute arrangements. He also appeared as an invited witness before the Senate Finance Committee on the subject of individual alternative minimum taxes.

Professor Gutman has been appointed to the Board of Advisors of the Wharton School Tax Conference and the NYU/IRS Continuing Professional Educational Program.

Professor George L. Haskins, Algernon Sydney Biddle Professor of Law Emeritus, wrote the article ""Lay Judges and Magistrates"" for the Colonial Society of Massachusetts Publication, 1985. His book, Law and Authority in Early Massachusetts, went into revised paperback in 1985 (Early handbook editions and printings were of 1960, 1967, 1977). His article ""Crisis in Constitutional Law"" was printed in 1985 by the Publication Societe Jean Bodin, Brussels, Belgium: ""The Rule of Law in Colonial America and Its Antecedents in the English Puritan Revolution"" was published by the Tijdschrift Voor Rechtsgechiedenis, (January 1986, The Netherlands, Volume 54). In August 1985, Professor Haskins spoke before the Association Internationale d'Histoire du Droit et des Institutions in Stutgart, West Germany, in conjunction with the Congress of 16th Historical Sciences, on ""The English Puritan Revolution and its Effects on the Rule of Law,"" to be published in 1986. He spoke in Atlanta, Georgia in January, 1986 on ""The Silences of Our Legal Heritage"" at the First Annual Lecture on legal history, sponsored by the Supreme and Superior Courts of the State of Georgia. Dr. Haskins has been reelected as the only American Director of the International Association for the History of Law. He will serve a five-year term from 1985-1990.

A volume entitled The Literature of American Legal History by New York University School of Professors William E. Nelson and John P. Reid, has been dedicated to Professor Haskins for his efforts at creating ""the discipline of American legal history."

Professor Alan C. Levin was a member of the Federal Judicial Center, was the guest speaker at the dedication ceremonies of the Fanny and Samuel Korman Hillel House of the University of Pennsylvania in September 1985.

Dean and University Professor of Law and Finance, Robert H. Mundy was delivered the paper "Government Rescue of a Troubled Enterprise: An Analysis of the Chrysler Case", to the German Association of Comparative Law at Gottenburg. It appears in this issue of The Law Alumni Journal. In September, 1985, Dean Mundy was a Faculty member at the Pennsylvania Institute course entitled "Counseling the Board of Directors in the Takeover Situation."

Donald G. Myers, Law School Director of Development, has agreed to serve on the Nominating Committee of the AALS Section on Institutional Advancement.

Professor Clyde W. Summers, Jefferson B. Fordham Professor of Law, addressed the Labor and Employment Law Section of the New York State Bar Association at its 10th anniversary meeting in Bermuda in October, 1985, on the subject of "The Wrongful Discharge Statute New York Needs." He was a panelist for the Plenary Session entitled "The Labor Law Curriculum of the Future" discussing what should be taught in the area of Labor Law in the future - at the Workshop on Labor and Employment Law for the Association of American Law Schools in October, 1985, in Washington, D.C. Also, in October 1985, Professor Summers delivered the David C. Baum Memorial Lecture on Civil Liberties at the University of Illinois College of Law. His topic: "The Privatization of Personal Freedoms and The Enrichment of Democracy: Some Reflections from Labor Law."

Professor Alan Watson was the General Editor heading a team of scholars who translated into English The Digest of Justinian, which original was edited by people appointed by Justinian I (483-565), the ruler of the Byzantine Empire. The Digest is a streamlined version of works by Roman jurists of the period from the First Century to the Third Century A.D. Professor Watson's compiliation of legal materials, one of the most important in the world, was published in November 1984, in four volumes, by the University of Pennsylvania Press.
ALUMNI BRIEFS

'27 Harold H. Hoffman has been retired since 1975 and resides in Hamden, Ct.

'28 Guy G. de Furia is semi-retired and a senior partner in Frenfeld & de Furia of Media, PA.

'36 Alfred W. Hesse, Jr., of Gladwyne, PA, is currently working to rehabilitate the homes of disadvantaged people in South Philadelphia.

'37 Edward L. Cutler, of the Tampa, Florida firm of Carlin, Fields, Ward, Emanuel, Smith & Cutler, P.A., has been appointed to the membership of the Florida Board of Bar Examiners by the Supreme Court of Florida.

'38 James N. Robertson is partially retired and resides in Media, PA.


'47 Robert M. Landis, of the Philadelphia firm of Dechert, Price & Rhoads, has been reelected to the Board of Directors of the American Jewish Community Service organization for improvement of the courts.

'53 Professor Philip Schuchman was appointed the first Robert E. Knowlton Scholar at Rutgers Law School-Newark and was honored during ceremonies on October 3, 1985. A recognized authority in the field of bankruptcy and creditors' rights, Professor Schuchman received the State University of New Jersey Presidential Award for Distinguished Public Service.

The Honorable Berel Caesar, of the Philadelphia Court of Common Pleas, was presented with the Philadelphia Bar Association's Third Annual Leon J. Obermayer Award by Mayor Horwitz, Chairman of the Obermayer Award Committee, and Frank E. Hahn, '55, of Obermayer, Rebmann, Maxwell & Hipsel.

'55 David J. Kaufman, of Huntingdon Valley, PA, has been appointed to the newly-created position of Managing Partner at the Philadelphia firm of Wolf, Block, Schorr & Solis-Cohen.

The Honorable Dominic T. Marrone, of the West Chester firm of McEiffe, Harvey, Gallagher, O'Donnell & Feitnerman, Ltd., was recently elected to the Chester County Historical Society Board of Directors.

'57 Richard M. Rosenbloom, a partner and member of the Management Committee of the Philadelphia firm of Blank, Rome, Comisky & McCauley, was inducted as a Fellow of the American College of Trial Lawyers during the Organization's annual meeting in London.

The Honorable Earl Simmons, Jr., of the Municipal Court of Philadelphia, was presented the Honorable Francis K. McClanahan Award at the St. Joseph University's Annual Award Dinner in November, 1985 in recognition of his distinguished accomplishments in the field of Law. Judge Simmons was presented the award by his classmates. The Honorable Stephen J. McEwen, Jr., '57.

The Honorable Carolyn Engel Temin, of the Philadelphia Court of Common Pleas, attended the Seventh Annual Conference of the National Association of Women Judges held in Minneapolis, Minnesota in October, 1985.

'59 Herbert L. Olivieri of Philadelphia is President of Pat's, King of Steaks, Inc. and Olivieri Prince of Steaks, Inc. on South Street.

'61 Paul R. Anapol, Chairman of the Philadelphia firm of Anapol, Schwartz, Weiss & Schwartz, P.C., has been re-elected President of the Philadelphia Trial Lawyers Association.

'62 Richard R. Block, of the Philadelphia firm of Reich & Block, has been appointed to the Rules Committee of the Pennsylvania Joint Family Law Council. He has lectured this winter on "How To Win Support Cases." and his article "Divorce Arbitration" was published in the fall of 1985 by Harcourt Brace in his book entitled Contemporary Matrimonial Law Issues.

'63 Hugh N. Fryer, of Greenwich, CT, has joined the firm of Fryer and Ross, 551 Fifth Avenue, New York, 10176.

Faith Ryan Whiteley was sworn in as Ambassador to Switzerland by President Ronald Reagan in a White House Rose Garden ceremony on April 24, 1985 and received praise from President Reagan for her "loyal and effective service."

Captain Stephen G. Yusem, a partner in the firm of Wood, Hurst, Reems & Zelkoff, Norristown, PA and President-Elect of the Montgomery County Bar Association, is the current Inspector General of Naval Reserve Readiness Command Region Four. He has been selected for promotion to the rank of Commander in the Naval Reserve.

'04 Stephen A. Cozen, of the Philadelphia firm of Cozen, Begler & O'Connor, has been named Vice-Chair of their property owners' unit. Corporate America Billion Dollar Takeovers, Ballinger Publishing Company.


Sheridan P. Hunt, Jr., formerly of Keckstine, Shapiro, Breslin & Wolkoff, in his own firm located at 105 Aria Road, Medford, NJ in Old Town Square, Office G-1.

Edward F. Mannino, a senior partner in the Philadelphia firm of Dilworth, Paxson, Kalles & Mannino, has been appointed to two high posts in the American Bar Association's Section of Litigation. He was named co-Chairman of the Committee on Business Tort Litigation and a member of the Editorial Board of the Litigation Journal, the official quarterly publication of the Litigation Section.

Leroy S. Maxwell, Jr., of the Wayneboro, PA firm of Maxwell, Maxwell, Dick & Walsh, was elected President of the Franklin County Bar Association.

'07 Donald G. Gavin, a partner in the firm of Wickwire, Gavin & Gibbs, P.C., with offices in Virginia, Wisconsin, Utah, and California, has expanded his Washington, D.C. offices to Two Lafayette Centre, 1133 21st Street, N.W., Suite 500.

William Barton Gray, of the Burlington, VT, firm of Shrehey, Brue & Gray, has been elected to the Board of Directors of the American Judicature Society, a national organization for improvement of the courts.

Robert T. Talbot-Stern, of Westport, Connecticut, has taken a "sabbatical" to be a Visiting Scholar at the Institute of Advanced Legal Studies, University of London. His duties include teaching, doing research, and engaging in private practice for some U.S. clients.

Marvin M. Witofsky, formerly Counsel, CBS Records, Group Vice-President Business Affairs, CBS Records International and Chief Counsel for the Pennsylvania Department of Banking, is now practicing at Park Avenue Attorneys, 337 Park Avenue, New York 10017 and specializing in Entertainment and Sports Law.

'68 Salvatore M. De Bunda, joined the Philadelphia firm of Fox, Rothschild, O'Brien & Frankel as Chairman of their Cable and Communications Law Group.

Frank A. Orban, III, Associate Counsel, International Legal Affairs, Armstrong World Industries, Inc., Lancaster, PA, and Chairman of the American Corporate Counsel Association's International Legal Affairs Committee, has been appointed a member of the U.S. Department of State's Advisory Committee on International Law.

N. Philip Wardwell presently serves as the Chief of the Corporate Bureau in the office of General Counsel, New York State Department of Environmental Conservation.


The Honorable Janette Burnett Fisbach was appointed Judge of the Denver County Court effective in August 1985.

Stephen G. Young joined the New York City law firm of Simon, Levy & Borendorf, specializing in commercial work. Mr. Young previously was the supervisor in the Department of Broadcast Standards and Practices of ABC Television and contributed an article which appears in the October, 1985 edition of Entertainment Law and Finance.

'70 Howard L. Dale, of Jacksonville, Florida, is Treasurer of the Florida Bar Foundation. A member of the Jacksonville Historic Landmarks Commission, he was the recipient of a special award for pro bono service from the Jacksonville Bar Association.

Sandra Sherman, of Washington, DC, has been elected to the first Executive Board of the newly-created Society for Literature and Science, a multi-disciplinary organization founded to encourage the study of relationships among literature, science, technology and the arts.

'72 Adrian L. Di Luzio is practicing at 1505 Keilam Place, Mineola, NY, specializing in Criminal Law.

'73 Joseph P. Covello of Clarks Summit, PA, was elected to the Board of Governors of the Pennsylvania Trial Lawyers Association.

Michael J. Donahue formed the partnership Donahue, McCaffrey, Siemore & Tucker, P.O. Box 534, One Court Street, Exeter, New Hampshire.

Kenneth S. Kamlet, of Washington, D.C., assumed the position of Environmental Program Director for the Central Region of URS Corporation, a large engineering, environmental services and consulting firm.

Richard S. Rosenstein is a partner at Godston & Stors, P.C. in Boston. He and Ellen M. Rosenstein, '75, reside in Newton, MA.

Ronald M. Soskin received a Master's Degree in Taxation from New York University Law School in 1983 and has joined Baskin, McKimney & Evans, Indianapolis, Indiana, as a tax attorney.

'74 Peter Bernbaum has joined the firm of Blodin, Schutz & Abramowitz, 360 Lexington Avenue, New York and Lake Success, Long Island.

Professor J.T. Barton Carter was granted tenure and was promoted to Associate Professor at the Boston University College of Communications.

Phyllis M. Fineman has been appointed Vice-President, Special Account Management of the Morgan Bank in New York City.

http://scholarship.law.upenn.edu/plp/vol20/iss3/1
Alumni Briefs continued.

H. Ronald Klaske, of the Philadelphia firm of Abrahams and Loewenstein, has been elected Second Vice-President of the American Immigration Lawyers Association. Mr. Klaske was also a Quarter-Editor of the recent publication Immigration Law and Procedure Reporter (Matthew Bender, 1985).

'75 Jacob G. Braun, has been promoted to the position of Manager in the New York City office of the international public accounting firm of Peat Marwick, Inc.

Medford J. Brown, III is a partner in the firm Mastersen, Braufeld, Himsworth & Maguire, Norristown, PA, doing primarily defense litigation.

Robert W. Freedman, of Philadelphia, has joined Hansen Properties, Ambler, PA as Vice-President of the parent company.

Armond J. Gagliardi joined the Chase Manhattan Bank as a Vice-President in charge of funding operations in Rio de Janeiro, Brazil.

Professor Michael Green received tenure and was promoted to Professor of Law at the University of Iowa.

Thomas J. Keele, of St. Louis, MO, has been named a tax partner in Touche, Ross & Company. He and his wife, Marilyn, are expecting their second child in May, 1986.

Professor Michael C. Lang is a Professor of Law at the University of Maine School of Law and will be a Visiting Professor of Law at the University of San Diego School of Law for the Spring 1986 semester, teaching in the graduate Tax Program.

Professor W. Richard Sherman, of Philadelphia, is an Assistant Professor of Accounting at Rutgers University.

'76 James A. Backstrom, Jr., of Dallas, Texas, received a National Service Honor Award in October, 1985 for outstanding performance as Chief of Antitrust Division of the U.S. Department of Justice in Dallas, TX.

John F. Cambria, of Brooklyn, NY, is a partner in the New York City firm of Jones, Hirsch, Connors & Ball.

Thomas D. Campbell, of Alexandria, VA, is the President of his own consulting firm Thomas D. Campbell & Associates, Inc., 517 Queens Street, dealing in government relations and publications for major domestic corporations.

Edward H. Merves, of Philadelphia, is Vice-President and General Counsel of Penninvest and Properties, Inc., Radnor, PA, real estate syndication firm.

Jeffrey I. Pasak, of Ardmore, PA, and the Philadelphia firm of Cohen, Shapiro, Polwiser, Shiekman & Cohen, presented an address on Union Violence as an Unfair Labor Practice to the American Trucking Association Human Resources Department at its annual meeting, Scottsdale, Arizona, in October 1985.

Andrew M. Urban, of Newton, MA, and of the Philadelphia, D.C. firm of Mintz, Levin, Cohn, Adler & Green, P.C., was named Chairman of his firm's Hiring Committee.

'77 Michael D. Berman has become the Vice-President and General Counsel of Continental Wingate Construction Company, a 20-year old real estate company engaged in development, syndication, management and general construction (primary multi-family housing).

Gilbert F. Casellas, a partner in the Philadelphia firm of Montgomery, McCracken, Walker & Rhoads, has been appointed to the American Bar Association's Special Committee on the Delivery of Legal Services.

Gordon E. Goodman, of Tyler, Texas, has been named the new President of Esperanza Transmission Company, a subsidiary of Eskey Inc.

David F. Simon, of the Philadelphia firm of Wachtell, Block & Sois-Cohen, was a course planner for "Practice in the Philadelphia Court of Common Pleas" presented by the Court, the Pennsylvania Bar Institute and the Philadelphia Bar Association.

Mark R. Sussman, of the Hartford, Connecticut firm of Murtha, Cullina, Richter & Pinney has been appointed Chairman of the Connecticut Bar Association's Conservation and Environmental Quality Section.

George B. Wolfe is a corporate partner at Nelson, Mullins, Grier & Scarborough, a firm with offices in Columbia and Myrtle Beach, South Carolina. He serves on the Board of Directors of the Committee of 100 and also on the Columbia Advisory Board for South Carolina Federal Savings Bank.

'78 C. Thomas Biddle, Jr., of Houston, Texas, has joined Mayer, Brown & Platt as partner-in-charge of all oil and gas transactions in the Houston office.

Brian P. Flaherty, of Philadelphia, has rejoined the Philadelphia firm of Wolf, Block & Sois-Cohen as a member of the firm's Litigation Department.

Henry R. F. Griffin, of Washington, D.C., has joined the Office of General Counsel of the Federal Home Loan Bank Board.

Professor David I. Levine, of Oakland, CA, has been promoted to Associate Professor of Law at the University of California, Hastings College of the Law (San Francisco, CA).

Timothy A. Manzone of Philadelphia, completed his Post-Baccalaureate Premedical Program College and is a first-year medical student at College of Pennsylvania College.

James A. Okeke, of Chicago, has joined the law firm of Rosenberg & Estis, P.C.

Kyra A. Godich, of Philadelphia, is now the Associate Director of the Center for Greater Philadelphia at the University of Pennsylvania.

Cassandra N. Jones, of Washington, DC, is a trial attorney in the Tax Division Criminal Section of the U.S. Department of Justice. Her article, "LAND Banking and Mr. Laurel II - Can There Be A Symbiotic Relationship," appeared in the Spring 1984 edition of the Rutgers Law Journal.

Victoria Lee has joined the New York City firm of Weil, Gotshal & Manges.

Philip R. Recht, of the Los Angeles firm of Marritt, Phillips, Rothenberg, Tinney & Phillips, has been elected to the Board of Governors of the Century City Bar Association in Los Angeles County, CA.

Karen Pelz Strauss and Scott Strauss of Washington, DC, celebrated the birth of their first child, Daniel Benjamin, on August 6, 1985.

'82 Ruben Martino, of New York City, works in the South Bronx as a staff attorney at BBNX Legal Services. He has a son, Ruben Anthony.

Obenga A. Oyebode, LL.M., of Lagos, Nigeria, has joined the firm of Ajumogobia & Okeke, which will, henceforth, be known as Ajumogobia, Okeke & Oyebode, 25 Boyle Street, Onikan, Lagos.

'83 James R. Haslem is a third-year banking associate at Milbank, Tweed, Hadley & McCloy, New York.

Torsien Lange, LL.M., has recently joined the German multinational corporation BASF as its headquarters in Ludwigshafen/Rhine F.R.G. as sales manager of its South and East Asia/Australia Division, looking after BASF subsidiaries and joint ventures in that region.

Joan M. Lourd married Timothy Rell in September, 1985 and currently resides in Bala Cynwyd, PA.

Myriam T. Bouchard, of Bryant, Virginia and Keith W. Helsley, of Linda works in the
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