THE LAW SCHOOL
CLINICAL PROGRAM:
THEN & NOW

As Viewed by
Practice Professor Douglas N. Frenkel, '72
Director of Clinical Programs
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LSH: In a column entitled “Robert H. Mundheim... On Being Dean,” published in the Spring/Summer 1982 issue of The Law Alumni Journal - the year you assumed the Deanship of this Law School - you set forth an agenda of high priority needs of the Law School requiring immediate attention. Among those targeted as urgent were the Faculty growth and development, the revitalization of Biddle Law Library, the refurbishing of the School’s physical plant and an examination of the Clinical Program. How close have you come over these past five-and-one-half years toward achieving solutions to what you pinpointed as major problems? Please be specific.

Dean Mundheim: I think the Law School has made substantial strides over the last five-and-one-half years. My sense is that we are now at a point where we can reassert our place in the forefront of legal education.

The continuing core of strength of the Law School is, of course, the Faculty. It provides the guidance for educational policy and the intellectual leadership of the institution. Five-and-one-half years ago, we were in the midst of seeing our most senior and distinguished Faculty retire. Lou Schwartz, Covey Oliver, George Haskins, John Honnold and Noyes Leech are among those who retired. Those departures and the attraction of other opportunities for Faculty members such as Leo Levin, Alex Capron, Buzz Arnold, Henry Hansmann, Paul Bender and Howard Lesnick produced a feeling of instability and insecurity, a feeling which feeds upon itself. Reversing this erosion in Faculty strength has been an immensely time-consuming priority of the past years. The Faculty has responded magnificently to this challenge by putting in the time needed for recruitment and retention. With this year’s very successful hiring season, I believe we have turned the corner. We have seen the return of Leo Levin and Howard Lesnick, and have welcomed to our midst two tenured Faculty members, Elizabeth Warren and Bruce Mann. We also have added two people new to teaching, who have joined our wonderfully talented group of young people who care about teaching and scholarship, and who will be the core on which our future strength will be built.

It is now necessary to devote our attention to providing an environment in which our Faculty can turn from the consuming task of institution-building to concentrating on the development of an invigorating intellectual environment which must be at the heart of a great law school.

LSH: What must be done in order to create and foster surroundings conducive to this type of growth?

Dean Mundheim: It is important that the Faculty be allowed sufficient time to pursue its scholarly activity and concentrate on its teaching. The Law School must provide adequate assistance during the summer months, and an ample amount of leave time so that Faculty may engage in the research and writing which is central to our scholarly mission. I think that we have made major strides in providing that kind of support, but a substantial amount still must be done in order to offer the level of support given by our major peer schools.

We also must encourage the collegiality by which faculty members help each other in their intellectual development. Scholarship is basically a lonely activity, but it is important to mitigate that essential loneliness with the presence of colleagues who have the time and inclination to talk about...
Equally as important as additional financial resources for the Library has been the inspiring leadership which Liz Kelly has brought to Biddle. Her leadership has resulted in a significant increase in the morale of the Library staff which communicates itself in terms of enhanced services and, in turn, the expressed satisfaction of our students and Faculty. Liz has undertaken initiatives to enhance important aspects of the Library collection. For example, she negotiated successfully to secure for Biddle the papers of Judge David Bazelon, a unique and significant addition for the Library.

LSH: You characterized the Law School as having moved back into "the forefront of legal education." Please support this statement by describing the areas of the School's greatest strengths.

Dean Mundheim: It is very difficult for law schools to be leaders in every area. Naturally, they begin to develop particular strengths as years go on. For example, for a long period of time, the University of Pennsylvania Law School has been known as one that has exceptional strength in labor law. That has been due, in large part, to the preeminence in the field of Clyde Summers and Bob Gorman. The reputation of strength in the labor law area is reflected in the fact that we are the only law school in the country which requires all first-year students to take a course in labor law.

Our close connections with the Wharton School and with the International Faculty for Corporate and Capital Market Law have given the Law School a high visibility in the international field as it relates to corporations, financial institutions and securities markets.

In the last five-and-one-half years, we have developed significant strength in at least three areas. First, with the appointment of Michael Wachter as the Director of our Institute for Law and Economics, we have developed a very lively program which draws on the combined strengths of the Economics Department, the Wharton School and the Law School. The Institute's program has added a number of courses to the Law School curriculum which are taught jointly by a law professor and a professor of economics. It has funded research and has sponsored small roundtable conferences and well-attended public conferences. The University offers us an unparalleled chance to excel in the law and economics area, and we are taking advantage of that opportunity.

No other law school has, proportionally, as many faculty members intensely devoted to the problems of the legal profession as those at our Law School. I think that among the major challenges of law schools today is the need to think through problems of the legal profession - where it is headed, how to prepare students to understand its changing aspects, how to help students determine the manner in which they will live as professionals and to reflect with them on how they can lead lives as effective lawyers while enjoying the personal satisfactions of living a full life and serving our society. We are responding to the need for leadership in this area. Two years ago, this Law School inaugurated a unique, first-year course in professional responsibility. That course requires all first-year students to spend the two weeks following Christmas vacation thinking, talking and learning about problems of the legal profession. This year, in addition to that innovation, we have launched a new Center on Professionalism which is directed by Senior Fellow, Judge Edmund B. Spaeth, Jr. That Center will continue to build on the first-year curriculum by adding courses in the second and third years, and by encouraging Faculty members to emphasize problems of professional responsibility in other substantive courses already being offered. The Center also will work with Bar Associations and law firms in meeting continuing education responsibilities in the field of professional responsibility. It also will spearhead research and writing in this area and, again, as a reflection of the great University of which we are a part, will provide the opportunity to work with other schools in examining more generally the questions of professionalism.

Another developing strength at the Law School is our growing corps of impressive Faculty in the commercial law field. The Faculty members who specialize in that area include Curtis Reitz, Mark Roe, Chuck Mooney, Elizabeth Warren, Michael Schill and John Honnold who, even though retired, still teaches a seminar on questions of corporate, commercial and securities law.

In discussing Law School strengths, I would also like to brag about the Clinical Program. Under Doug Frenkel's guidance, I think we have developed a program that is second to none in the nation. The Program has grown in the past five years so that now roughly one-half the graduating students have taken one clinical course. Doug's innovations have included the highly suc-
cessful small business clinic in which our students get practical experience as counselors. He has also instituted the popular clinic in juvenile law. In addition, Doug has stimulated us to think how we might import clinical experiences into our more traditional courses. For example, one of the most popular segments of the First-Year Professional Responsibility Program has been his exercise in negotiating an agreement. One major contribution made by the Clinical Program to our overall teaching philosophy has been that we have been forced to consider framing substantive issues in a number of so-called “regular courses.”

LSH: There has been a real revival of spirit and enthusiasm among Penn Law students. The School is energized with activity that is not necessarily classroom oriented. Can you explain the reasons?

Dean Mundheim: I think you are correct. Five years ago, the student body had, perhaps, less confidence than it does today in the Law School’s willingness and ability to meet problems. The students have been very helpful in tackling the problems which we have encountered. I sense that they share my belief that the Law School is on a definite upward trajectory and that, by working together, there is no problem we cannot solve.

Among other things, students have been active in helping to broaden activities including the presentation of numerous speakers and panel discussions, movie nights and a variety of social events which make the Law School a place where people not only want to work together but be together. The Law School has tried to facilitate that atmosphere by redecorating the Goat area so that it will continue to be an inviting place for socialization. I also think that the CSR/Dean’s series of “Perspectives,” lectures and brown-bag lunches featuring Law School Overseers, Alumni and others, has been helpful in creating excitement and in stimulating interest. That has been true whether the speaker has been Dr. Leo Steinberg, our Benjamin Franklin Professor of Art History, discussing “Women With Book: How Men Have Perceived Women Reading From The 14th Century Until Right Now” or Howard Gittis,’58, our Law School Overseer, speaking about “The Anatomy of a Corporate Takeover,” particularly, his role in the takeover of Revlon Corporation.

The students also provided the energy and commitment to launch two new law journals, a Law School newspaper, a series of public interest conferences and a variety of public service activities such as the Food Stamp Clinic. We have a talented group and an energetic student body, and that makes this Law School a great place to be.

LSH: One of your early goals was to stimulate the involvement, interest and participation of the upwards of 7600 Alumni in the activities and workings of the Law School. How successful have you been in this mission?

Dean Mundheim: Very early on, I was impressed with the great love which our Alumni have for this Law School. The School’s welfare is a continuing matter of concern for the Alumni and, time and again, they manifest their feelings for the Law School as an important factor in shaping their lives. Working with the Alumni has been one of my great joys as Dean.

I have had wonderful support from the leadership of the Law Alumni Society beginning with Bernie Borish, ’43, who was followed by Barclay Cale, ’62, Clive Cumniss, ’52, and, now, Howard Shechter, ’68. I have often turned to the Law Alumni Society for help with problems, always with gratifying results. For example, as our LL.M. Program began to grow, our population of foreign students began to increase. I asked the members of the Law Alumni Society if they would be willing to spearhead a program which would, on a one-to-one basis, offer friendship and guidance to our foreign visitors. They responded magnificently under the leadership of Bob Kendall, ’55, and Eleanor Illoway, ’83.

The Alumni Society has been interested in participating in the orientation of our first-year students by sponsoring a get-together at that critical point in the students’ contact with the Law School and, again, in providing a special Alumni welcome to the graduating body by hosting an evening for the third-year class.

The Law Alumni Society also took on the task of reviewing the School’s admissions policy. The Society’s report recognized that a great law school must run its admissions program on a merit basis, but also that our Law School should not treat Alumni as strangers when the admissions process affects their families. The Society’s report concluded that the Law School was administering the admissions process fairly and with appropriate sensitivity to Alumni needs. That kind of thoughtful evaluation is enormously helpful in inspiring confidence on a delicate but very important issue.

The Society now is turning to the special problems of Alumnae in practice. Last February, the Law Alumni Society sponsored a public program entitled “Different Destinies: Women in Law.” In mid-summer, I met with a group of Alumnae to plan a follow-up to that program. I think that we will have a vigorous and useful response to the special problems faced by women which will be helpful not only to our growing number of Alumnae but, also, will be important in facing up to problems confronting everyone in the profession.

One other aspect of Law School activity which has a special relationship to our Alumni is our Continuing Legal Education Program. In part, we have looked at that Program as a way of meeting the Law School’s continuing obligation to the legal community. Another important element to the Program is that it brings Faculty and Alumni closer together. This opportunity for Alumni to meet Faculty in their professional capacities is particularly important as we bring on new faculty. These new faculty members need to know that the legal community in which they live is lively and very interested in their being a part of that community.

LSH: You came to the Deanship with the reputation as a fundraiser. How has the Law School fared financially over the past five-and-one-half years under your aegis?

Dean Mundheim: I think that the Law School’s finances are in much better shape today than they were then. That improvement is attributable to the warm response of our Alumni and other friends, and to a healthy stock market. In 1981, the Law School’s endowment was an anemic $5,437,000; as of June 30, 1987, the endowment has grown to approximately $22 million - a more than fourfold increase. Included in this new endowment are five new chairs, which signal support for the Law School’s top priority, the building of the Faculty. The increase in the endowment is paralleled by a substantial increase in giving for current operational purposes. In 1982, Annual Giving was under $450,000 with an average gift of about $175. This past year, we finished our most successful Annual Giving campaign ever with a total of $1,274,000; the average gift has risen to $410. In addition to Annual Giving, under the energetic leadership of Sylvan Cohen, ’38, we have created the Friends of Biddle Committee which, this year, contributed more than $100,000 for Law Library acquisitions. In addition, our Institute for Law and Economics, which had a budget of zero dollars in 1982, is operating on an annual budget of over $250,000.

Two years ago, we launched a three-year campaign to raise $16.6 million for a variety of Law School purposes - endowed chairs, increased support for Biddle Law Library, financial aid and other needs. At the end of this second year, June 30, 1987, we have raised over $11.7 million. That leaves us with $4.9 million to raise this coming year. I have no doubt that we will meet our goal.

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SYMPHONY

FROM THE LAW LIBRARIAN’S WINDOW
by Elizabeth S. Kelly,
Director,
Biddle Law Library

When I was considering what aspects of change and progress have taken place at Biddle, I thought about the Library’s summer projects. During this past summer, as has been the case for three summers since my arrival, most of our undertakings had to do with space or, rather, the lack of it.

In the summer of 1984, the Library put thousands of linear feet of books into retrievable storage and, then, massively shifted and rearranged its collection. That summer of ’84 rearrangement was necessary so that the growing Library collection could be managed for a few more years within its present space and could enable high use materials to be more accessible to students and Faculty.

Actually, shifting library collections is a relatively minor and recurring aspect of library management. The smaller the library stack facility the fuller the shelves, thus the greater the need for additional time spent in shifting the collection. The Library’s management costs rise since shifting is a labor intensive operation and since book storage has both tangible and intangible costs.

Some exciting developments are taking place here at the School. We are moving in the direction of new construction which will meet the Library’s urgent needs as well as other crucial space shortfalls in Faculty offices and classrooms. The Law School now has a Building Committee, which is actively working with a fine architectural firm in developing a master plan for Law School space utilization, confirming the specifics of space needs which must be met by new construction. As this project goes forward, there will be room for Alumni participation in more ways than just financial contribution. In fact, the Law Alumni Society’s Board of Managers has had initial discussions with Dean Mundheim concerning this effort. The Building Committee welcomes your special interest in the development of competitive, state-of-the-art facilities.

There is another significant piece of good news to share concerning the rebuilding and growth of Biddle’s standing collection. The Library has received a very substantial acquisition of judicial papers amassed by Judge David L. Bazelon during his approximately forty years on the Federal Bench. These papers will be inventoried and made accessible to scholars. Watch for further news on this collection!

JUDICIAL CLERKSHIPS 1987-1988

Twenty-five members of the Class of 1987 will serve as clerks to Judges on U.S. Federal and State Courts in the coming year. Rachael E. Wurtman, ’87, will clerk for The Honorable Menachem Elon of the High Court of Justice in Jerusalem, Israel.

FEDERAL COURTS

Gail A. Robinson
Richard G. Fedder
Liran A. Gordon
Dorothy T. Artwood
Thomas G. Servodidio
Ralph M. Levene
Joseph J. Jablonski, Jr.
Sharon A. Pacock
Raymond N. Hulser
Erika W. Nijenhuis
Brian D. Doerner
Richard L. Gabriel
Charles T. Joyce
Robert W. Biddle
Leslie A. Lugo
Lisa A. Rapetti
Michael J. Yelnosky
Jennifer L. Rosato
Vernon L. Francis
Rocco C. Cipparone, Jr.
Krista J. Schoenheider
Bruce E. Reinhart
Eric D. Ashton

Hon. Sportswood W. Robinson, D.C. Circuit
Hon. Edward R. Becker, Third Circuit
Hon. Collins J. Seitz, Third Circuit
Hon. Walter K. Stapleton, Third Circuit
Hon. Francis L. Van Dusen, Third Circuit
Hon. James Dickson Phillips, Fourth Circuit
Hon. Danny J. Boggs, Sixth Circuit
Hon. J. L. Edmondson, Eleventh Circuit
Hon. James C. Hill, Eleventh Circuit
Hon. Stephanie Seymour, Eleventh Circuit
Hon. James Latchum, District of Columbia
Hon. J. Frederick Motz, District of Maryland
Hon. John F. Gerry, District of New Jersey
Hon. Thomas Pratt, Jr., Eastern District of New York
Hon. S. Arthur Spiegel, Southern District of Ohio
Hon. Daniel H. Huyett, 3rd, Eastern District of Pennsylvania
Hon. Edmund V. Ludwig, Eastern District of Pennsylvania
Hon. Thomas N. O’Neill, Jr., Eastern District of Pennsylvania
Hon. Louis H. Pollak, Eastern District of Pennsylvania
Hon. Anthony J. Scirica, Eastern District of Pennsylvania
Hon. Anthony J. Scirica, Eastern District of Pennsylvania
Hon. Norma L. Shapiro, Eastern District of Pennsylvania
Hon. Odell Horton, Middle District of Tennessee

STATE COURTS

Kenneth J. Wilbur
Jennifer K. L. Chun

Hon. Alan B. Handler, Supreme Court of New Jersey
Hon. Bernard J. Goodheart, Court of Common Pleas of Philadelphia

Transitions...Elevations, New Faculty, Visitors, Leave-of-Absence, New Administrators

The University of Pennsylvania Law School Faculty continues its pattern of growth, change and movement.

Professor David J. Shakow was promoted to full Professor of Law as of July 1. He received his B.A. and J.D. degrees, cum laude, from Harvard and an LL.M. degree in taxation from New York University Law School. From 1970-1971, Mr. Shakow clerked for Judge William B. Hastie of the United States Court of Appeals for the Third Circuit. Prior to coming to the Law School, Mr. Shakow served from 1977 to 1981 in the U.S. Treasury Department’s Office of Tax Legislative Counsel in Washington, D.C., first as attorney-advisor, then as associate tax legislative counsel and as deputy tax legislative counsel. At the Law School, he teaches tax law.

The Law School’s Faculty appointments for the year 1987-1988

Lecturer/Clinical Supervisor Patrick Johnston received his A.B. from St. Joseph’s University in Philadelphia and his J.D. from the University of Chicago Law School. He was a litigation associate with the Philadelphia firm of Dechert, Price & Rhoads from 1980-85 and was Assistant General Counsel with ARA Services, Inc., in Philadelphia from 1985. He teaches and supervises student fieldwork in the Lawyering Process course.

Professor Howard Lesnick will rejoin the Penn Law Faculty of which he was a member from 1960 until 1982, in the spring 1988 Term. His major teaching interests are in the areas of the law of work (labor law, employment discrimination, income maintenance law) and the lawyer-client relationship (professional responsibility, lawyering). Professor Lesnick spent time away from the Law School as the principal architect and in the throughgoing reexamination and restructuring of the law school curriculum at the new City University of New York Law School.
Leon Meltzer Professor of Law, A. Leo Levin,’42, has returned to fulltime teaching at the Law School after in excess of ten years as Director of the Federal Judicial Center in Washington, D.C. An Alumnus of the University of Pennsylvania Law School Class of 1942, he received his B.A. degree from Yeshiva College. He joined the Law School Faculty in 1949 and served as Vice-Provost of the University of Pennsylvania from 1965 to 1968. From 1976-78, he was a member of the Standing Committee on Practice and Procedure of the Judicial Conference of the United States. Professor Levin teaches courses in the Administration of Justice and in Civil Procedure and a Seminar (with Professor Stephen B. Burbank) entitled Selected Topics in Civil Procedure and Judicial Administration.

Professor Bruce H. Mann came to the Law School Faculty from Washington University in St. Louis. He also has taught at the Universities of Michigan, Texas and Connecticut. Professor Mann earned his A.B. and A.M. from Brown University, and his J.D., M.Phil. and Ph.D. in History from Yale. A legal historian, he also teaches Trusts and Estates.

Lecturer/Clinical Supervisor Lorilyn McKinley received a B.S. from Penn State University and worked as a mental health therapist for two years. She received her J.D. from Temple University and practiced with Community Legal Services in Philadelphia, specializing in employment and education matters. She teaches and supervises student fieldwork in the Lawyering Process course.

Assistant Professor Michael H. Schill earned his A.B. from Princeton University and his J.D. from the Yale Law School. For the year 1984-85, he clerked for Judge Marvin Katz of the U.S. District Court for the Eastern District of Pennsylvania. From 1985-87, he practiced real estate law at the New York City firm of Fried, Frank, Harris, Shriver & Jacobson. Professor Schill teaches courses in Property Law and Real Estate Transactions.

Professor Elizabeth Warren joined the Penn Law Faculty from the University of Texas where she was Professor of Law and the Jay H. Brown Centennial Fellow in Law for five years. She also has taught at the Universities of Houston and Michigan. Professor Warren graduated from the University of Houston and from the Rutgers-Newark Law School. She is the coauthor of two books on bankruptcy law and teaches Contracts, Payments Systems and Corporate Finance.

Lecturer/Clinical Supervisor Frances Wetzel received her B.A. from the University of Maryland and her J.D. from Georgetown University. She clerked for Judge Spottswood Robinson of the United States Court of Appeals for the D.C. Circuit and, from 1982 until she arrived at the Law School, was associated with the Washington, D.C. firm of Donnellus, Duvall, Bennett & Porter.

The seven Visiting Professors for 1987-1988:

Visiting Professor Steven Anderman is visiting from the University of Warwick in England. He is the Advisor to the Department of Employment on Labour Legislation and is the U.K. Consultant/Expert to the Economic and Social Committee of the E.E.C. on Competition Policy and Patent Licensing. In the spring semester, he will teach Multi-National Corporations and Foreign Ventures.

Visiting Professor George Ginsburg is a distinguished professor of Foreign and Comparative Law at Rutgers University Law School, Camden, NJ, specializing in international law and Marxist legal systems. He will teach Public International Law during the spring term.

Visiting Associate Professor Peter M. Roth, L.L.M., ’77, is a Barrister practicing in England, primarily in the field of Commercial Law. During the fall Term, Professor Roth teaches International Transactions.

Visiting Associate Professor David Rudovsky practices Civil Rights, Civil Liberties and Criminal Law in the Philadelphia firm of Kairys & Rudovsky. Professor Rudovsky was the recipient of a 1986 MacArthur Foundation Fellowship. He teaches Trial Advocacy, Criminal Process and first-year Criminal Law in the fall semester.

Visiting Professor Stanislaw Soltysinski has been a visitor to the Law School from his native Poland since 1975. He is Professor of Law at Adam Mickiewicz University in Poland, and is a member of the Legislative Council of Poland, a special body which reviews major legislative acts prior to their presentation to the Polish Parliament. During the fall semester, Professor Soltysinski teaches International Transfer of Technology and a seminar in Legal Problems in East-West Trade.

Gruss Visiting Professor of the History of Talmudic Civil Law, Haim Soloveitchik, is a noted scholar and teacher. He is an alumnus of Yeshiva University, Harvard University and the Hebrew University in Jerusalem. Mr. Soloveitchik is a specialist in medieval Franco-German history and was named to the Golda Meir Chair in Jewish History at Yeshiva University in 1978. He will teach a spring term seminar in Talmudic Law.

Visiting Professor Manfred Weiss is Professor of Labor Law and Civil Law at the University of Frankfurt. He earned his law degree from Berkeley. In addition to being one of the leading labor scholars in Germany, he is a member of the permanent committee of the Commission of the Communities to observe the development of labor law and industrial relations within the Community. In the spring semester, Professor Weiss will teach a Comparative Labor Law Seminar and a Seminar in the European Economic Community.

The following Faculty members have been named to the Executive Committee of the AALS:

Nicholas F. Gallicchio Professor of Law, C. Edwin Baker, is in New York City for the entire year at work with the ACLU.

Professors Seth F. Kreimer and Mark J. Roe are on leave during the fall semester.

Three new Administrators have joined the Law School Community:

Thomas Grexa is the Law School’s new Assistant Director of Placement and Career Planning. The former Assistant Dean of Admissions at the University of Virginia, Mr. Grexa received his B.A. degree from the George Washington University School of Public and International Affairs and his J.D. from the University of Virginia. Mr. Grexa works primarily with the LLM, graduate students, with first-year students and with students interested in working in the public interest/service employment area.

John S. Manotti has joined the Law School Development Office as Assistant Director of Annual Giving, replacing Linda Susan Hyatt. Mr. Manotti earned his B.S. degree in Liberal Studies from the Pennsylvania State University. He was an administrative assistant at the University of Pennsylvania’s Wharton School and, prior to his arrival at the Law School, was the Director of Sports Information and Promotions at the Philadelphia College of Textiles and Science. Mr. Manotti currently is enrolled in this University’s Arts and Sciences Masters’ Degree Program.

Carol G. Weener is the Law School’s new Assistant Director of Development. She has
THE CALENDAR 1987-1988

OCTOBER
Thursday, October 15

Saturday, October 17
Law Alumni Society Reception at Philadelphia Bar Association's Annual Bench-Bar Conference, Atlantic City, NJ

Monday, October 19
Alumni Class Cluster Program, "Right or Wrong? Legal Decisions, Ethical Dilemmas," Dean Mundheim, Professors Frenkel, Reitz, Spaeth, Annenberg School Forum

Thursday, October 20
The Benefactors' Dinner, The Horticultural Center, Philadelphia

Wednesday, October 21
Law Alumni Society Board Meeting, The Law School

Friday, October 30
University Benjamin Franklin Society Reception, Major Donor Recognition Dinner

NOVEMBER
Friday, November 13
Parents & Partners Day, The Law School

Tuesday, November 17
Law Alumni Society Reception, Wilmington, DE

Thursday, November 19
Board of Overseers Meeting, The Law School

The Owen J. Roberts Memorial Lecture, The Honorable Arlin M. Adams, '47, The University Museum

DECEMBER
Wednesday, December 2
Board of Visitors Meeting, The Law School

The Edwin R. Keedy Moot Court Competition, The University Museum

JANUARY
Saturday, January 9
Law Alumni Society Cocktail Reception for Alumni-in-Teaching at Annual Meetings of AALS, Miami Beach, FL

Wednesday, January 13
Law Alumni Society Board Meeting, The Law School

Thursday, January 14
Founders' Day

Thursday - Friday, January 14-15
Board of Trustees Meeting

Saturday, January 23
Mid-Atlantic Tax Conference II, University Campus

FEBRUARY
Monday, February 8 or Tuesday, February 9
Law Alumni Society Reception at Annual Meetings of the ABA, Philadelphia

MARCH
Friday, March 4
Annual Basketball Dinner for Annual Giving Volunteers [tentative]

APRIL
Wednesday, April 6
Law Alumni Day Annual Meeting, Cocktail Reception and Dinner, The Law School

Annual Giving Evaluation Meeting, The Faculty Club

Wednesday, April 27
Annual Alumni Luncheon Washington, D.C.

Professor Shechtman Receives Teaching Award

The Class of 1987 chose Assistant Professor Paul Shechtman as the recipient of the Harvey Levin Award for Excellence in Teaching. Presented annually by members of the graduating class to the professor they deem worthy of extraordinary recognition, the Award honors the memory of the late Harvey Levin of the Class of 1958. It has been made possible through the generosity of Mr. Levin's former firm - Schnader, Harrison, Segal & Lewis of Philadelphia - and of his many friends.

NEWS OF THE LAW ALUMNI SOCIETY

Society Committees Reorganize for 1987-88

The Nominating Committee is composed of Gilbert F. Casellas, '77, Chair, of the Philadelphia firm of Montgomery, McCracken, Walker & Rhoads; The Honorable Arlin M. Adams, '47, of the Philadelphia firm of Montgomery, McCracken, Walker & Rhoads; Professor Douglas N. Frenkel, '72, of the University of Pennsylvania Law School; Mansfield C. Neal, Jr., '64, of the General Electric Company, King of Prussia, PA; and Helen Pomerantz Pudlin, '74, of the Philadelphia firm of Ballard, Spahr, Andrews & Ingersoll.

The Distinguished Service Award Committee, chaired by James H. Agger, '61, of Air Products & Chemicals, Inc., also includes: E. Barclay Cale, '62, of the Philadelphia firm of Morgan, Lewis & Bockius; Clive S. Cummis, '52, of the Newark, NJ firm of Sills, Beck, Cummis, Zuckerman, Radin, Tishman & Epstein; Peter Hearm, '61, of Pepper, Hamilton & Scheetz, Philadelphia; Dale Penneys Levy, '67, of the Philadelphia firm of Blank, Rome, Comisky & McCauley; Allen J. Model, '80, of DeChert, Price & Rhoads, Philadelphia; Dean Robert H. Mundheim, ex-officio; Gail Sanger, '68, of the New York City firm of Proskauer, Rose, Goetz & Mendelsohn; and Howard L. Shecter, '68, ex-officio, of the Philadelphia firm of Morgan, Lewis & Bockius.

Annual Bar Reception In Atlantic City Honors Casellas

The Law Alumni Society will hold its annual cocktail reception during the Philadelphia Bar Association's 29th Bench-Bar Conference on Saturday evening, October 17, at Bally's Park Place Casino Hotel in Atlantic City, NJ.

The Society will be honoring its First Vice-President, Gilbert F. Casellas, '77, of the Philadelphia firm of Montgomery, McCracken, Walker & Rhoads, as the Chair of the Young Lawyers Section of the Philadelphia Bar Association.

For information and reservations, please contact Libby S. Harwitz at the Law School's Alumni Office, (215) 989-6321.

Parents and Partners Day - 1987

On Friday, November 13, first-year students, their spouses and/or friends and their parents are invited to the Law Alumni Society-sponsored Annual Parents and Partners Day.

The families of newly-matriculated law students will be afforded the opportunity to witness firsthand the Law School experience as they attend morning classes with their spouses and children. Afternoon presentations will include a message from Dean Robert H. Mundheim and a panel discussion featuring upperclass students, Faculty members and Alumni. A box lunch for students and their guests at the Goat will complete the day.

Dean and Alumnae Follow Up on February Panel

To continue exploring issues of professional and personal interest to University of Pennsylvania Law Alumnae as stimulated by the Law Alumni Society-sponsored Alumnae Panel of February, 1987, "Different Destinies: Women in Law", Dean Robert H. Mundheim and Stephanie Allen, the former
Director of Alumni Relations, and Sue Davison, the former Associate Director of Development, met with a group of local Alumni in July.

That gathering resulted in the formation of a committee led by Nancy J. Bregstein, '76, which has organized two luncheon meetings to which all Philadelphia Alumni were invited. The first luncheon, held in October, at the Philadelphia firm of Schnader, Harrison, Segal & Lewis, addressed the topic of "Life Styles and Life Choices After Law School." The second meeting, to be held in the winter of 1988, will be organized around the specific issues facing Law Alumni seven to ten years into their careers, who are looking to develop the business ties and networks of business referrals already cultivated by their male counterparts. Law School Alumni knowledgeable in these areas will share their insights and experiences with the groups.

Alumni Gatherings

During the summer and fall months, the Law Alumni Society and regional Alumni groups sponsored events geared towards maintaining close affiliations between the Law School and its Alumni. Dean Robert H. Mundheim was in attendance at all of these functions.

On Tuesday, May 19, the Washington, D.C. Alumni Association held its Annual Spring Luncheon during the meetings of the ALI at the Mayflower Hotel. After a "state of the Law School" message and an introduction by Dean Robert H. Mundheim of guest speaker, Leon Meltzer Professor, A. Leo Levin, '42, the group heard Professor Levin's stimulating lecture entitled "What Kind of Federal Judges Do We Want: The Problems of Choosing, Training and Disciplining?" (which appears in its entirety in this issue of The Journal.)

The Law Alumni Society sponsored its annual cocktail reception on August 10, 1987, for Alumni/ae attending the annual meetings of the American Bar Association in San Francisco and for those living in Northern California. Dean Robert H. Mundheim was the featured speaker at the reception which also was attended by "special guest", Professor Louis B. Schwartz, '35, who presently resides and teaches in San Francisco, Northern California Alumni Thomas R. Owens, '69, and Murry J. Waldman, '52, co-hosted the event.

The Fourth Annual Luncheon of the Past-Presidents of the Law Alumni Society was held at the University's Faculty Club on Monday, September 21. Dean Robert H. Mundheim led the valuable discussions contributed by the leadership - past and present - of the Law Alumni Society.

The John M. Olin Distinguished Speaker/Alumni Luncheon Forum Lecture

The Law Alumni Society presented its annual John M. Olin Foundation Distinguished Speaker/Alumni Luncheon Forum Lecture on October 15 at The Barclay Hotel in Philadelphia in conjunction with the University's Institute for Law and Economics.

The Honorable Frank H. Easterbrook, of the U.S. Court of Appeals for the Seventh Circuit, addressed the Alumni gathering.

NEWS FROM THE INSTITUTE FOR LAW AND ECONOMICS
Judge Easterbrook Delivers John M. Olin Foundation Distinguished Speaker/Alumni Luncheon Forum Lecture

The Honorable Frank H. Easterbrook, of the U.S. Court of Appeals for the Seventh Circuit, was the John M. Olin Distinguished Speaker at the Institute for Law and Economics/Alumni Luncheon Forum Lecture on October 15 at The Barclay Hotel. A leading proponent of the law and economics approach, Judge Easterbrook conducted an informal question and answer session with Law School Faculty and students in the afternoon at the School as part of the Olin Series requirements.

The Institute's Fall "Roundtable"

On November 6, the Institute for Law and Economics will hold a "Roundtable" entitled "The Implications of Junk Bonds: Reassessing Corporate Reorganization" from 2-5 pm in the Law School's Moot Court Room. The sponsorship of Leon C. Holt Jr., '51, enables the "Roundtable" presentation which will feature University of Pennsylvania Law School Professor, Mark J. Roe, and Harvard Law School Professor, Lucien Bebchuck.

Olin and Winston Fellows

For the 1987-1988 academic year, the Institute for Law and Economics has seven John M. Olin Fellows and five Norman and Rosita Winston Fellows enrolled in the Program.

The 1987 Owen J. Roberts Lecturer
Judge Arlin M. Adams, '47

The Honorable Arlin M. Adams, retired Judge of the U.S. Court of Appeals for the Third Circuit and Counsel to the Philadelphia firm of Schnader, Harrison, Segal & Lewis, will present the 29th Annual Owen J. Roberts Memorial Lecture entitled, "The Religion Clauses - The Past and The Future," on Thursday, November 19, 1987 at the University Museum. 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 & Rhoads, and is sponsored by the Pennsylvania Chapter of the Order of the Coif, the University of Pennsylvania Law Alumni Society and the Law School.

The Kceedy Cup
The Annual 1987 Edwin R. Keedy Moot Court Competition will be held on December 2, 1987 at the University Museum, 34th and Spruce Streets.

New Appointments to the Board of Overseers

Two Law School Alumni/ae, Chief Justice Robert N. C. Nix, Jr., '53, of the Pennsylvania Supreme Court, and Gail Sanger, '68, of the New York City firm of Proskauer, Rose, Goetz & Mendelson, will join the ranks of the Board of Overseers at the annual fall meeting on November 19, 1987. Sylvan M. Cohen, '38, has become an Overseer Emeritus and Richard P. Brown, Jr., '48 is now Chairman of the University's Medical Center Board.

The Annual Benefactors Dinner
The Horticultural Center in Fairmount Park will be the site of the 1987 Benefactors Dinner on October 20.

The New Board of Visitors

Wednesday, December 2, marks the Law School's first Board of Visitors Day - a day which has been designated to bring together a group of Law School Alumni and friends for the purpose of furthering their involvement in the workings of the Law School Community.

The Day's agenda includes attendance at classes, brown bag lunches with students, a tour of the Law School buildings and of the Biddle Law Library, a panel discussion on Professionalism and a discussion on the Law School's long-range plans for expansion and growth. The day will conclude with the Annual Keedy Cup Moot Court Competition and Dinner at the University Museum.

The Law School's New Center on Professionalism

In the two years since its inception, the Law School's successful First-Year Course on Professional Responsibility has become an important part of the School's curriculum in addition to having attracted national attention. Under the leadership of Senior Fellow, Judge Edmund B. Speth Jr., the School is developing courses, special events and teaching materials which will build on the first-year experience during the second and third years. The hope is that the aggregation of these courses, materials and programs, in the form of a Center on Professionalism, will provide a model for other law schools in the area of professional responsibility.
The Alfred L. Luongo Scholarship honors the memory of the late Judge Alfred L. Luongo, ’47, of the United States District Court for the Eastern District of Pennsylvania. Judge Luongo’s family, friends, former law clerks and colleagues have contributed over $42,000 to the Fund; his former firm of Blank, Rome, Comisky & McCauley contributed $25,000; the Judge’s Law School Class of 1947 donated $18,596, their 40th Reunion gift, to the Fund; and Alumnus Marshall A. Bernstein, ’49, pledged $5,000 to the Scholarship Fund.

The Arlin and Neysa Adams Fund for Freedom of Religion was established by Judge Arlin M. Adams, ’47, on the occasion of his 40th class reunion. The Fund, created with the Judge’s initial pledge of $50,000 and with gifts from family and friends in honor of the Judge and Neysa Adams, is to be used to defray the costs of a course or a seminar in the religion clauses of the U.S. Constitution or for lecturers on the subject.

Edward I. Cutler, ’37, donated a gift in the amount of $50,000 to the Biddle Law Library Endowment in honor of his 50th class reunion.

The Public Interest Scholarship Fund or “Adopt-a-Student” Plan is the creative answer to the problem of encouraging and enabling students to work in the area of public interest. Four Law School Alumni/ae, and a spouse and the parents of Alumni/ae - Howard Gittis, ’58, Ellis and Peggy, ’86, Wachs, Sandra and Julius Newman, and Diane and Arthur G. Raynes - have pledged $40,000 each for the payment of four Law School student tuitions with the understanding that the recipients will be engaged in public sector employment for three years of the initial five years following their graduations.

The First Annual Mid-Atlantic Tax Conference Held in May at the Law School

Presented by the University of Pennsylvania Law School in cooperation with the Section on Taxation of the Philadelphia Bar Association, the highly acclaimed Mid-Atlantic Tax Conference was planned by Law School Professor, Harry L. Gutman, and Sheldon M. Bonovitz of the Philadelphia firm of Duane, Morris & Heckscher.

The morning sessions included panels entitled “Planning for Corporate Acquisitions After the Tax Reform Act” and “Planning for Closely Held Businesses After the Tax Reform Act.” After lunch, where guest speaker, William F. Nelson, the Chief Counsel of the Internal Revenue Service addressed the group, Professor Harry L. Gutman moderated the panel discussion on “Current Issues In Partnership Taxation and Entity Characterization.” The final presentation of the day focused on “Real Estate Acquisitions, Dispositions and Financing Techniques After the Tax Reform Act.” An illustrious group of panel members were featured in the day’s activities. Law School Alumnus, Richard D’Avenio,’80, the Deputy Tax Legislative Counsel for the Department of the Treasury in Washington, D.C., was a participant in the four panel presentations.

Audio-cassettes and course materials developed from the Conference are available from Professor Harry L. Gutman at The Law School, 3400 Chestnut Street, Philadelphia, 19104-6204, (215) 898-7494 or from Caroline Simon Laden, Esquire, also at the Law School, (215) 898-9812

Mid-Atlantic Tax Conference II to be Held in January, 1988

The Second Annual Mid-Atlantic Tax Conference, presented by the University of Pennsylvania Law School in cooperation with the Section on Taxation of the Philadelphia Bar Association and organized by Law School Professor, Harry L. Gutman, and Sheldon M. Bonovitz of the Philadelphia firm of Duane, Morris & Heckscher, will take place on the University campus on Saturday, January 23, 1988.


In addition to speakers from the U.S. Department of the Treasury, the Conference panelists will be Ned Jerold Cohen, Mark Cullar, Peter Faber, Martin Ginsburg, William McKee, Ronald Perlman and R. Donald Turlington.

The $225 fee for the Conference includes program materials, an audio-cassette of the proceedings, continental breakfast, and a reception and luncheon. Registration information can be obtained by contacting Professor Harry L. Gutman at the Law School at (215) 898-7494, or Caroline Simon Laden, Esquire, also at the Law School - (215) 898-9812.

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Legal Ethics Program Offered by Law School Faculty

As part of the Class Cluster Program - a new approach to special Alumni Class programming created by the University's Department of Alumni Relations - the organized classes and the Law Alumni Society are co-sponsoring a panel discussion entitled, "Right or Wrong? Legal Decisions, Ethical Dilemmas". Scheduled for Monday, October 19, 1987 from 5:30 to 7:30 p.m. at the Annenberg School Forum, the panel participants include Law School Professor Douglas N. Frenkel, '72, Dean Robert H. Mundheim, moderator, Professor Curtis R. Reitz, '56, and The Honorable Edmund B. Spaeth, Jr.

Events like the above will involve classes in groups or clusters with seminars and activities tailored to the interests of the attendees.

The Annual Giving Kick-Off Meeting and Dinner

The annual Kick-Off event, held on September 22 at the University's Faculty Club, began at 4:30 p.m. with the general meeting conducted by Annual Giving National Chair, Larry Fox, '68. Small groups were then formed with David H. Marion, '63, who led the Firm and Regional solicitors session; Jeffrey M. Stopford, '69, who worked through attendees.

Annenberg School Forum, at which new Law School Faculty and National Reunion members; and Edward F. Beatty, '72, Dean Robert H. Mundheim, who discussed Reunion Classes. Following the meeting, Leon Meltzer Professor of Law, A. Leo Levin, '42, addressed the group, Dean Robert H. Mundheim then offered closing remarks.

Cocktails and dinner followed the meeting, at which new Law School Faculty and representatives of each present Law School class joined the gathering.

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 been brought to our attention primarily through the University news-sliping service.


Professor Geoffrey C. Hazard, Jr., a Law School Overseer, was quoted in the Stamford, CT, Sunday Advocate article of January 25, 1987 entitled, "Should Lawyers Be Corporate Directors?"

Dr. Richard G. Lonsdorf, Professor of Law and Psychiatry, was the leading author quoted in the article entitled "Ruling on 'Baby M' Won't End Controversy" in the February 2, 1987 Pennsylvania Law Journal-Reporter.

Dean Robert H. Mundheim was mentioned in the "Money Minders" section of the San Diego, California Transcript of January 20, 1987, under the article entitled, "Securities Regulation Panels To Explore Latest Methods." Dean Mundheim was quoted in the January 25 edition of the Stamford, CT, Sunday Advocate in the article, "Should Lawyers Be Corporate Directors?"

John W. Nields, Jr., '67, was the Chief Counsel to the Senate and House Committees holding joint hearings on the Iran-Contra affair. Of the many daily newspaper and magazine articles featuring Mr. Nields, his profile appeared in the "Politics and Policy" section of The Wall Street Journal in the May 7, 1987 article, "Iran-Contra Hearings Provide 'Lawyer's Dream' For Chief Counsels Who Will Guide Proceedings". He was featured in The New York Times article entitled "Nields,'Good Cop',Chafes in Exchanges."

The Honorable Louis H. Pollak, of the U.S. District Court for the Eastern District of Pennsylvania and the former Dean of the University of Pennsylvania Law School, was a subject of The National Law Journal article of February 9, 1987, "Clerks: Picking the Elite - Competitiveness Motivates 'Unseemly' System." Henry T. Reath, '48, was the subject of the editorial entitled "The Real Issue in Judicial Primary is Serving Citizens" by Edwin Guthman of The Philadelphia Inquirer. In that same article of Sunday, May 17, 1987, Guthman also mentioned Alumni Peter Hearn, '61, Seymour Kurland, '57, and Professor Curtis R. Reitz, '56.

Michael T. Scott, '76, authored the Tuesday, June 16, 1987 Philadelphia Inquirer Op-Ed Page article "FDA Must Have Pharmaceutical Primacy". The Honorable Norma L. Shapiro, '51, represented "the Court" in an interview which appeared in the May, 1987 Maine Antique Digest as part of a larger article entitled "The Court Comes Down Hard on Pooling" by Lita Solis-Cohen and Samuel Pennington.

Professor Richard Sloane, the former Biddle Law Librarian, was the author of an article which appeared in the March 17, 1987 issue of The New York Law Journal entitled "Some Old and New Remedies For Thinning Law Libraries". It was a part of the section on "Law Office Management and Operations".

Professor Clyde W. Summers was "the expert" in the February 23, 1987 Pennsylvania Law Journal-Reporter article entitled "RANDOM TESTS: Labor Law Expert Says They're Wrong".

Dean Mark Yudof, '68, of the University of Texas Law School, was mentioned in the April 18, 1987 issue of The Philadelphia Inquirer article, "Texaco's Loss is Lawyers' Gain".

YOU KNOW WHAT A WILL IS.

HERE'S WHAT IT CAN DO:

When Mrs. Caroline Zelaznik Gruss prepared her will, she included a bequest of $1 million to the Law School to permanently endow a Chair in Talmudic Civil Law, a lifelong interest. Mrs. Gruss died in January, 1987 and the bequest was promptly paid.

Today, the Law School is completing the details of the Caroline and Joseph Gruss Chair in Mishpah Choshen, which will provide for a visiting professor engaged in teaching and scholarship, joint classes open to students attending different schools at the University, Faculty colloquia and public lectures.

A new area of study has been opened to the University community because of a generous and thoughtfully drafted bequest.

You learned about wills at the Law School. But, have you thought about how a will can advance your vision of what the Law School should be? Your bequest can strengthen our scholarship in the types of law you practice, can help us explore developing legal topics, can perpetuate the memory of a favorite professor. Let us help you place your imprint on the School through your will. Write or call today for more information:

Donald G. Myers,
Director of Development,
The University of Pennsylvania Law School,
Philadelphia, PA 19104-6204
(215) 898-7489

To University of Pennsylvania Law School Alumni/ae...

After 12 years as Editor of The Law Alumni Journal and as Assistant Director of Alumni Affairs, I will be leaving The Law School to become the Director of Editorial Services and Research at the University of Pennsylvania Medical Center Development Office.

Needless to say, the warm associations and friendships that I have formed with many of you have been enduring and rewarding. Your responses to our efforts over the years always were challenging, gratifying and conducive to growth - both personally and for our publications.

My best to all.

Libby S. Harwitz
FEATURED EVENTS

COMMENCEMENT 1987

The fact that we are gathered here today says so much. It says that our democracy is working - it is working as we are free to assemble here in a public place and to say what is on our minds. It also says that the American educational system is working and - perhaps more importantly - it says that we will soon be working.” These were the words of Michael S. D’Agostino, the President of the Class of 1987 in his speech on May 18 to the families of his classmates, honored guests, Law School Faculty and passersby happening through the courtyard behind The Second Bank of The United States in Independence National Park. (The Law School and the graduating class broke with tradition this Bicentennial year and held commencement ceremonies not at 34th and Chestnut Streets, but in the heart of Philadelphia as it was in 1787.)

Dean Robert H. Mundheim welcomed the gathering and introduced Becher Atassi who, as the representative of his fellow LL.M. graduate students, expressed gratitude for the University of Pennsylvania Law School experience for the year 1986-87 describing it as "...very valuable in that it allowed us to meet with American students and non-students - to talk with them, to try to understand their views and to try to bring our views a little bit closer. There is nothing such as frankness and dialogue to restore differences whether it is on solid grounds or on misunderstandings.”

REUNION WEEKEND MAY 16-17


On Saturday afternoon, from 1:30 p.m. to 3:00 p.m., Dean Robert H. Mundheim greeted over one-hundred enthusiastic, returning Alumni with a champagne toast, a specially guided tour of the School and the Biddle Library facility and offered his vision of the University of Pennsylvania Law School of the future.

Quinquennial Reunion events were held on Saturday evening at a variety of sites in the City of Philadelphia. Dean Mundheim visited each of the parties, extending his best wishes from the Law School. The Class of 1932 celebrated its 55th Reunion in the Moot Court Room of the Law School with an elegant dinner planned by chief organizer, Raymond Pearlstine, Harold E. Kohn and Robert L. Trescher co-chaired the Class of 1937's 50th Reunion gala held at the Mosaic Gallery of the University Museum. The Class of 1942 celebrated its 45th Reunion at the Ross Gallery of the Furness Building in the University’s School of Fine Arts. Alumnus Bud (Walter N.) Read organized that gala. Through the fine planning of classmate, James P. Schellenger, the Class of 1947 celebrated their 40 years as graduates of Penn Law School at the Locust Club of Philadelphia. The Class of 1957 under the direction of Myles H. Tanenbaum, held its 30th Reunion at Bookbinder’s in Society Hill. Alumnus Richard R. Block coordinated the Class of 1962’s 25th Reunion party at the Ristorante Galleria in Queen’s Village. The Raymond Haldeman Restaurant in Society Hill was where Class of 1967 organizer, Jacob P. Hart, planned his Class’s 20th Reunion gala. The Law School Goat area was where the Class of 1972 gathered for its 15th Reunion, which was coordinated by classmate, David L. Pollack. Thomas J. Gallagher was the moving force behind the Class of 1977 gala 10th Reunion at the University of Pennsylvania’s Annenberg Center Forum. The Class of 1982 held its 5th Reunion at The Palladium, a restaurant on Locust Walk on the University campus. 1982 Alumna, Mary E. Bates organized that event.

Class President Michael S. D’Agostino’s extraordinary message to the gathering was followed by special gift presentations by 1987 Class Officer, Jennifer Rosato, to Gary Clinton, the Law School Registrar, and to Gloria Watts, the Assistant Registrar, for “their dedication, their patience and their undying enthusiasm [which] made the Law School a more humane and a more personal place to be. With them, their door was always open to answer our questions - profound, stupid, simple or hard.”

Dean Mundheim then conferred Law School Honorary Fellowship on Ira Jay Kurzban, Esquire. [Mr. Kurzban’s moving acceptance speech together with his citation appear in their entirety in this issue of The Journal.]

Commencement speaker, The Honorable Joseph R. Biden, Jr., the Senator from Delaware, addressed the graduating class. Following Senator Biden’s presentation, Constance Kessler, Coordinator of the LL.M. Students, and Margo Post Marshak, the Vice-Dean of the Law School, presented the Class of 1987 to Dean Robert H. Mundheim who awarded diplomas.

A Reception honoring the graduates was held on the grounds of the Second Bank of the United States following the Commencement ceremony.

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EDITOR'S NOTE: Practice Professor Douglas N. Frenkel, the Director of Clinical Programs, was graduated from the University of Pennsylvania, cum laude, in 1968, and from the University of Pennsylvania Law School, cum laude, in 1972. Following graduation from Law School, he served for one year as law clerk to Judge Theodore O. Spaulding of the Pennsylvania Superior Court and, then, practiced law at Community Legal Services in Philadelphia as staff attorney, supervising attorney and managing attorney.

Professor Frenkel joined the Law School Faculty in 1978. In 1980, he became Director of Clinical Programs, which have grown and thrived under his direction. He also teaches courses in Interviewing, Counseling and Negotiation, Professional Responsibility, Alternatives to Litigation and Family Law.

In the following interview, Professor Frenkel provides enlightening insights into the growing Clinical Programs in which he and the Law School take tremendous pride.

THE LAW SCHOOL CLINICAL PROGRAM: THEN & NOW

As Viewed by Practice Professor Douglas N. Frenkel, '72 Director of Clinical Programs

LSH: Please trace the history of clinical education and its evolution here at the University of Pennsylvania law School.

Professor Frenkel: Clinical education had its origins in an earlier portion of this century in a rather primitive mode. The argument for greater use of a clinical teaching methodology began to take form in the literature in the 1930's. [Our Law Review published Jerome Frank's piece entitled "Why Not a Clinical Law School?" in 1933.] Until the late 1960's, clinical education across the country was confined to "farming out" students to work under the supervision of local practitioners and to those courses that taught trial or appellate advocacy through the use of simulated exercises.

At this Law School, as at many others, the movement toward a clinical curriculum began in the late '60s. At that time, a criminal defense clinical program existed under the leadership of Tony Amsterdam, '60. In the early 1970's, the Law School had a specialized law office in the health law area as part of the Health Law Project started by the late Professor Ed Sparer. The School, however, really did not develop an in-house clinical teaching capacity until 1977 when it opened a teaching law office called the Penn Legal Assistance Office under the direction of Mark Spiegel. That marked the first time that the Law School invested in a laboratory that would allow us to carry out student fieldwork primarily as a vehicle for the study of lawyering as discreet subject matter. It also brought onto the Faculty a group of teachers interested in combining theory and practice and in developing a methodology that uses experience as the basis for intensive, structured learning. In the ten years since then, our Clinical Education Program has diversified and grown into a major part of the overall curriculum.

LSH: Did you participate in any of the clinical offerings as a student at the Law School?

Professor Frenkel: My clinical experience, if you want to call it that, was typical of what was offered in the early 70's. During my second year, I worked at the Health Law Project. In my third year of law school, I worked for several hours a week at a North Philadelphia office of Community Legal Services for a small number of credits in a Program called "Community Law and Criminal Litigation."

LSH: And this was the limit of available clinical courses at that time?

Professor Frenkel: Essentially. There were a few opportunities to work in a variety of public interest settings away from the Law School, but there was no law school supervisor, no course or literature devoted to an examination of the role or skills I was
employing, no coherent plan for learning other than the hit-or-miss "real world" experience. It did not compare at all to clinical education today.

LSH: Was this lack of interest indigenous to Penn Law School or were these programs undervalued across legal education lines?

Professor Frenkel: The situation here was typical of attitudes nationally concerning clinical education. Until the 1970's, there was a great deal of uncertainty about the overall mission of law schools (to some extent, that feeling still exists today). There was concern about giving a portion of the curriculum over to anything that had the appearance of real world practice at a time when law schools were striving to be part of the legitimate intellectual fiber of a large university. There were also some practical concerns, not the least of which had to do with the perceived expense of clinical education. There is no question that a sound "live client" clinical education program requires intensive faculty supervision which, in turn, means lower student-faculty ratios than in an ordinary classroom. To a great extent, there was little or no understanding of the pedagogical underpinnings of a serious clinical curriculum. It has only been in recent years that clinicians, through teaching and writing, have articulated the clinical contributions to the study of law. Finally, to the extent that early forms of clinical education were exclusively linked to poverty law and litigation, this served to isolate or limit student and institutional interest.

LSH: Please describe the Penn Law School Clinical Program today and the experience of students enrolled in it.

Professor Frenkel: The clinical curriculum now consists of a cluster of courses that involve both real case experience as learning vehicles and, also, simulations without real clients.

On the "live-client" side, there are several courses. We offer our original course entitled Lawyering Process, which focuses on dispute-based lawyering. Here students study the role and pre-trial skills of the litigator, while representing clients in a variety of civil matters. Students take part in simulated lawyering transactions as part of an intensive skill course before the real case work begins.

Since 1981, we have offered our Small Business Clinic in which students represent clients referred by the Wharton School's Small Business Development Center, while studying the court skills of the lawyer for an entrepreneur or business entity. Counseling, planning and drafting are stressed. No litigation is done in this course.

Since 1983, we have offered a course in child advocacy in which students are engaged in the practice and study of lawyering for non-traditional clients. There is an interdisciplinary emphasis on the lawyer's use of experts and data from other professions (for example, social work and mental health) and a comparative look at how different professionals approach conflict, especially in the family area.

Last year, we introduced a new dispute resolution course involving real cases in which students are placed in the role of mediator - a neutral role that is the subject of an increasing amount of scholarly discussion and professional examination. Students are trained in mediation skills, study role/ethical questions and, then, attempt to mediate civil disputes (up to $5,000) in the Philadelphia Municipal Court. In addition to mediation, the supervised fieldwork teaches "problem-solving" negotiation, case evaluation and argument/persuasion more effectively than our other courses. To place mediation in context, the course also requires students to observe/participate in related processes around the City including judicial settlement conferences, court-annexed and private arbitration and other so-called "alternatives" to the courtroom.

The simulation side of the program offers students a course in the study of the lawyering skills of interviewing, counseling and negotiation which is a very popular course in the curriculum. Of course, older courses have been offered here for years in Trial of An Issue of Fact and Appellate Advocacy, taught by adjunct Faculty.

The typical student experience in all of our in-house, clinical courses involves a consistent combination of theory and practice. All student casework places students on the frontline as lawyers. This work, however, is done under the intensive scrutiny and supervision of a Clinical Faculty member. For example, a student in our litigation clinic would not write a letter or draft a pleading without that document being reviewed in advance by the student's supervisor. Similarly, all client interviews are video-taped (with client consent) and critiqued, all subsequent transactions and court appearances planned with, observed by and debriefed by the student's supervisor. Every student decision is subjected to intensive analysis and scrutiny with the teacher. To maximize individual learning, each student works one-to-one with a single supervisor for the entire semester. This model applies to all "real case" courses.

All of our clinical courses have classroom study as an essential component. Students have a minimum of two and, in some courses, four hours of classroom work in which -through a combination of reading, lecture, video observation, discussion and role play -they are immersed in examining a variety of models for lawyer-skill development and in studying notions of lawyer role and competence. Seminars frequently focus on questions arising from students' real case experiences, including ethical questions, in a way that we cannot replicate elsewhere in the curriculum. We are able to study professional responsibility by dealing with students' actual resolutions (or avoidance) of dilemmas - not as how they would like to think they would behave and respond to hypothetical problems. Seminars focusing on real cases allow us to begin to develop judgment by collaborative dissection of lawyer decision-making. Finally, as these sessions involve a great deal of student control over the classroom agenda and the real need to assist a colleague in planning for a transaction or solving a problem, students are involved in the discussions intensively.

In all of these courses, students are expected to spend roughly three hours per week for every credit unit that is involved in the course. For some of our larger credit courses, students spend almost half of their academic credits or half of one week in this very intensive experience.
I ought to add that we do have a limited program of externship study that comes under the clinical curriculum. A limited number of students are placed in practice-based settings around the City and, in some cases, outside of Philadelphia in practice environments that we cannot replicate at the Law School. Examples include the local District Attorney’s office, an environmental law practice in Washington, D.C., etc. In that area, we have tightened-up the process of supervision so that we are not simply sending students out without Faculty scrutiny. We screen potential placement supervisors and their proposed program for each student as though we were hiring outside tutors for our students; once placed, we monitor the students’ experiences on a regular basis.

In addition, a criminal defense clinical course is offered by a member of the Public Defender’s Office, who devotes a substantial amount of time to teaching and supervision.

LSH: How does the University of Pennsylvania’s Clinical Program compare to that of the New York University Law School, which is the reputed model in that area?

Professor Frenkel: I assume that the NYU model you refer to is their required simulation course given in the first-year. In many ways, it is not unlike clinical (role-play, video) portions of our First-Year Course in Professional Responsibility and our upper-level Interviewing, Counseling and Negotiation course. What makes the NYU course unique is that lawyering is frontally introduced as required subject matter, taught by a substantial number of faculty through small groups and individual critique. Given our current Faculty size, this model really would not be feasible at this Law School.

LSH: You previously mentioned that students taking clinical courses try “real” cases and handle “real” clients. What criteria are used in choosing cases for the Program?

Professor Frenkel: The cases we accept are largely chosen on the basis of their compatibility with the teaching goals of the course. In the Lawyering Process course, for example, we look for a combination of intensive opportunities for lawyer-client interaction and lawyer-lawyer negotiating possibilities as well as potential courtroom experience. In addition, it is helpful if the case presents an opportunity for students to have to marshal facts in developing the case on behalf of the client. This is a skill area that is not addressed elsewhere in the curriculum which many of our students find extremely difficult. To the maximum extent possible, we seek cases that will have a relatively short life; major protracted cases do not give individual students much in the way of experience. Finally, we apply financial eligibility tests tailored to each course.

LSH: The Clinical Program at Penn Law School has traveled a painful, tenuous road to success. To what do you attribute the Program’s “acceptance” into the realm of respectability?

Professor Frenkel: Of course, those of us who have been involved in clinical teaching have always been convinced of its important place in the curriculum. Your question really deals with the extent to which the Law School has embraced clinical education institutionally. And that is probably attributable to a number of factors. The first, I think, has been our attempt to move clinical education out of the narrow confines of litigation and of litigation set in a public interest setting. By covering the broader landscape of lawyering, we certainly have reached a wider range of students. In the process, clinical education has been viewed as a complement to our broad, substantive curriculum.

Another factor has to do with the extent to which student receptivity has grown. I would like to think that the increase in the number of students who elect to take our clinical courses (including simulation courses) - and this number is now up to in the neighborhood of 60 percent of each graduating class - has had something to do with the Law School’s greater receptivity and recognition of what we have been attempting to do. Clinical courses are the Law School’s major response to widely-felt student dissatisfaction with the second and third years of law school. Our students want to learn in different modes, to have more demanded of them than writing exams or papers, to develop skills in a “safe” environment and to work with real clients in a public service setting, possibly for the first time.

I think, also, the interest of Faculty members in attempting to teach doctrine or theory in ways other than the standard case method has grown. Although these developments have taken place on a very local individual case basis, the cumulative effect has been the recognition that clinical methodology is a valuable teaching tool.

LSH: Over the years, our students and Alumni/ae repeatedly have praised the Clinical Program as “one of the best law school experiences that has ever happened” to them. How can Alumni/ae who have enjoyed this positive experience demonstrate their appreciation today?

Professor Frenkel: There are a number of levels on which we have been able to involve Law School Alumni/ae in our Program. Each year, the simulation courses that we offer bring practicing attorneys to the campus to do such things as engage in mock negotiations with students. Students find those exercises tremendously valuable and “real” learning experiences. Our Alumni/ae make continued on page 21
INTRODUCTION
by Dean Robert H. Mundheim

The Law School has signalled its particular interest in the public service responsibilities of lawyers by selecting each year an Honorary Fellow. The purposes of the award include: affirming dramatically the Law School's ideal of combining professional life with public service; honoring lawyers who have made significant contributions to the ends of justice at the cost of personal risk and sacrifice, and who can articulate the problems and satisfactions of the work of the publically engaged lawyer; and being an inspiring example for our students to emulate these men and women.

The 1987 Honorary Fellow is Ira Jay Kurzban. Mr. Kurzban is a 1976 graduate of the Law School at Berkeley. He is a partner in the firm of Kurzban, Kurzban, Weiner & Holtsberg in Florida. He has given a great deal of his time and effort to safeguarding human rights. He has particularly devoted himself to the cause of Haitians who sought refuge in this country.

His citation reads:

The Faculty of the University of Pennsylvania Law School receives and welcomes you IRA JAY KURZBAN

You have exemplified signal service to every aspect of our profession. While still a law student you helped start a foundation through which pro bono lawyers could be partly supported by their more financially secure classmates. As a partner of a law firm you have served your private clients with high professional competence. And you have manifested extraordinary devotion to civil liberties, in particular in your representation, sometimes at risk to your life, of Haitians who have sought asylum in this country, achieving results described by the court as "beyond monetary value."

We hold you in esteem and commend your example to the generation of lawyers who go forth from this school.

DEAN MUNDEIM, Members of the Faculty, honored guests, students, I was asked to speak with you today about practicing Public Interest Law. I do not believe that there is anything called "practicing public interest law." I believe that there is practicing law with courage, with a sense of morality and with a sense of justice.

Today, we live in a society that places wealth, power and intellect as its highest values: How much do you have? Who do you know? How smart are you? The traditional values, the values that we call platonic values - those of courage, wisdom, justice, temperance - seem all but erased from our consciences. Worse in a way is that they seem naive in a world that is seen as a tough world where one has to get ahead. Our colloquial expressions even echo that sentiment. We tell our friends to "go for it," the commercials tell us to "catch the wave before it's too late" and, some of us, even those committed to doing this type of work ask: "If the society emphasizes wealth, why should I tilt at windmills? If it emphasizes power, why should I side with the powerless?" Besides, with money and power it is often said, "I can help the powerless, the disenfranchised." All the platitudes in the world, it is thought, cannot feed the hungry.

Wealth, power and intelligence in that scenario become viewed as basic elements of society, as building blocks even for those who seek to help others.

Today, however, we see the disintegration of those values. Stock brokers, without moral guidance or temperance in their chase for wealth, are arrested on the floor of the New York Stock Exchange. In Washington, the powerful, who are neither temperate in their views nor just in their dispositions, face their own deepening crises. Intelligence without wisdom has made the best and the brightest of America commit blunder after blunder in Vietnam, in Iran, in Nicaragua. When faced with the moral determination and the courage of others, even the two greatest military powers in the world became powerless. In the 1960's, Dr. Martin Luther King changed forever the course of United States history, not because of any wealth, but because of the moral authority of his position.

Practicing law without practicing morality and justice is nothing but a technical exercise. The Founding Fathers of our country recognized that quite well. Like the philosophers of Ancient Greece, they recognized that being just and moral is an activity - not just a goal, but an activity. Just as we work at creating wealth, we must work at creating justice. In Federalist Seventeen, Alexander Hamilton recognized that it was not the ends of justice that counted but it was the administration of justice that he described as the "great cement of society" which impressed upon the minds of people in this country the importance of government. Morality, like justice, is an activity. You practice it. Morality is not a product that you own or a gift that you store away only to be taken out at ceremonies such as this commencement.

If you practice law without morality and justice, then you are engaged in an empty ritual. No matter how high the salary and no matter how prestigious the law firm, you should not be satisfied. I urge you to be courageous - be as courageous as you can in the practice of law. Have the wisdom to challenge authority when it is improper and the temperance to bend to it when it is not. Justice is lost when its defenders no longer have the moral courage to support it. The need for that courage is more important today than it has been at any time in the past. We live in a time when those values embodied in our Constitution and, particularly, in the Bill of Rights are precarious. I hope that you will accept the challenge, because you are truly the last defenders of liberty and equality in our society.
WHAT KIND OF FEDERAL JUDGES DO WE WANT?

THE PROBLEMS OF CHOOSING, TRAINING, DISCIPLINING

by A. Leo Levin, '42, Leon Meltzer Professor of Law

EDITOR'S NOTE: Professor A. Leo Levin, '42, returned to fulltime teaching at the Law School this fall as the Leon Meltzer Professor of Law, having retired as Director of the Federal Judicial Center on July 31, 1987. On May 19, Professor Levin, then Director of the Center, delivered the following speech at the annual Law Alumni Society luncheon held for Washington, D.C. Alumni and those attending the spring meetings of the A.L.I. In his introduction of Professor Levin to the luncheon gathering, Dean Robert H. Mundheim stated, "We are so fortunate that in 1987 we will see the return to the Faculty of the Leon Meltzer Professor of Law, A. Leo Levin. His presence adds to the strength of the teaching corps, to the fostering of research at the School and to the kind of wisdom and guidance which older members of a faculty must give to younger ones in order that the faculty matures and flowers in a most important way.

Leo, in concluding a highly regarded, oft-praised career as Director of the Federal Judicial Center, has played a tremendous part in providing educational events and activities surrounding the Judiciary. It is very appropriate that today he will speak about the kind of Federal judges we want and of the problems in choosing, training and disciplining them."

I am delighted to be here today with so many fellow Alumni/ae and am grateful for Bob Mundheim's generous introduction. I am particularly pleased to exchange thoughts on a subject in which we share a common interest, one of concern to us and to the country.

First, I would like to talk a bit about choosing judges. There is a tremendous literature on the mechanics of choosing judges - for example, through the election process (running against one's self or against an opponent) and through commissions (merit selection techniques). There is, however, a paucity in the literature on exactly what we are looking for in a judge.

What are the qualities that we are seeking through all of these mechanisms? Now, I am thinking beyond the obvious qualities of integrity, industry and tolerance. A fine article in this area was written in 1983 by Chief Justice (then Associate Justice) Rehnquist, who refers to those obvious qualities as the "Boy Scout" virtues, those that we all agree need to be considered in appointing Supreme Court Justices. Beyond that, I might say, there have been a number of capitalized statements describing the qualities needed in a judge like: one should be half-prophet, half-historian with the ability to look backward and to look forward (our former Dean, Judge Louis H. Pollak of the U.S. District Court for the Eastern District of Pennsylvania, has been described in these terms). Others have described the need for a judge to be master of both the telescope and the microscope - the telescope for looking into the distance to foresee what may be evolving, and the microscope focused on the specific facts of the individual case. These standards, however, apply primarily to United States Supreme Court appointees. What values should be required for a State Trial Bench which focuses largely on criminal cases? Surprising as this may sound to some of you, I would value a sense of compassion far more than a brilliant intellect - the ability to deal with people in an understanding manner without becoming callous or hardened. As to the Federal Trial Bench, I have been delighted with what I consider the high quality of its members. There is great variety and diversity among the judges on that Bench. That is as it should be. Of course, it is most important that a sense of quality always be a top priority, but I believe that diversity can be an enriching factor in the judicial process. We have come to accept this with respect to race and gender, but I am thinking of diversity in life experience, in ethnic origin, in socio-economic and educational background. This is most obvious at the appellate level where courts hear cases in panels of three, if not en banc; but I think that it is also true on the trial level. There is, of course, the matter of community perception and identification, but it is also useful to remember that district court judges inevitably interact and, over time, also influence each other.

No matter how effective the process of selection, there is a widely-recognized need for orientation and training for recent appointees, particularly for those appointments made at the trial level. In this age of specialization, the civil litigator may know nothing at all about criminal processes. There is no practitioner who ever has sentenced a defendant to loss of liberty - i.e. to prison - and, needless to say, that is a very different and awesome kind of experience. Even courtroom lawyers - litigators with vast years of experience who have been on the Bench for awhile - report that there is a totally new perspective with respect to case management when one sits on the opposite side of the Bench.

I would like to describe in brief a basic program that we, at the Federal Judicial Center, use in the Federal system for the orientation of newly-appointed district judges. Initially, we suggest in-court orientation which familiarizes them with such skills as how to take a guilty plea - an area in which the Federal system has some very technical requirements. We also offer four-day orientation seminars for small groups held regionally in different sections of the country. One day the seminar is held in a prison to discuss sentencing and to meet informally with prisoners to gather some sense of what affects them. Specially prepared video presentations like one on evidence, on the mechanics of trials and on the management of jury selection, etc., are offered during the remaining three days of the seminars, which are always conducted with very experienced trial judges present (by experienced I mean those who have been judges for thirty or forty years.) Because the groups are limited to five to ten newly-appointed judges, they feel free to interrupt the tapes to seek to clarify points and to exchange ideas. This intimate atmosphere allows for a very valuable experience. Most important also is that the new appointees meet their peers from throughout the country. In fact, a telephone network is thus established so that they may communicate freely with one another at any time.

The Center also arranges, within the first year of a judge's appointment, for a week-long seminar in Washington where, in addition to numerous educational activities, he or she participates in a festive dinner at the Supreme Court with the Chief Justice.

https://scholarship.law.upenn.edu/plj/vol23/iss1/1
and, usually, with at least one Associate Justice in attendance. (Believe it or not, there are Federal judges who have never before visited the Supreme Court building). The Federal Judicial Center is attempting to create a National Judiciary through a program that contributes to the process of the socialization, as well as to the education and orientation of newly-appointed judges.

Thereafter, the many continuing programs - seminars, published manuals and reports and audio-visual materials - take over.

In discussing the education of judges, I would like to mention a totally different function of continuing education which I call the "anti-burnout" function. Caseloads being what they are, the kind of nose-to-the-grindstone-just-to-keep-abreast-of-and-move-the-docket-along-burn-out I am talking about affects not only the state courts, but Federal trial courts and, sometimes, appellate courts as well. These judges have to work very hard at deciding, organizing and writing, and the time for just thinking is a luxury. This is a most serious problem. Federal judges need to retreat to college campuses and become reacquainted with the larger picture - for instance, to think about constitutional issues in the larger perspective. And judges are desirous, indeed, eager for such programs. I watched one group of judges at a University of Virginia graduate program who were forced to work double-time - their workloads demanded that they spend portions of their days writing opinions, even during the six weeks of the course.

Now, let us turn to the problem of discipline. I must say that, when there are over one thousand Federal judges and 25 to 30 thousand State judges, one can expect some bad apples. There is a tension between judicial independence and judicial accountability and responsibility. How to accommodate responsibility an accountability and the perception of the citizenry that there is responsibility and accountability with judicial independence, is a problem. The foremost authority in the country on the Federal Disciplinary System is Steve Burbank [Law School Professor Stephen B. Burbank], who is present today (therefore, I will say very little about discipline for fear of being corrected).

We do have a complex statutory pattern of discipline in the Federal system. But is it working? Quite appropriately, the Congress wants to examine the present situation to see whether the statute is indeed working and whether entrusting judicial discipline to the judiciary, at least in the first instance, is a good idea. In that connection, I have some words of caution to share with you. First, we must beware of statistics. The statistics may reflect one hundred complaints where none - or only one - survives the first stage of the process, which is dismissal by the Chief Judge of a particular circuit. Some view such data as prima facie proof that the system is working when it is not.

"To insure a good, able and honest judiciary - one of quality, one in which the citizenry can feel confidence - there has to be a great deal of involvement by members of the Bar."

Think otherwise. I regularly receive much mail registering complaints about Federal and State judges. It does not surprise me that not one of these can survive initial scrutiny under the statute. It is not simply that these complaints are sent to me, even though I have absolutely no role to play in the disciplinary process. It is that so many, or at least so many of those that are intelligible, relate to judicial decisions subject to correction on appeal - conduct specifically excluded by the statute from the purview of disciplinary proceedings. One must be exceedingly careful when evaluating statistics, but one also must be highly concerned that the system really is working.

The problem is that of assuring an appropriate balance between the need for judicial independence and the need for accountability by judges.

There is an episode still unfolding that may be instructive. This is the case of Judge Alcee L. Hastings, indicted and tried for accepting a bribe after a co-conspirator had pleaded guilty. Hastings was acquitted. However, disciplinary charges based on a related offense were brought. After extended proceedings, the Circuit Council for the Eleventh Circuit Council found that the evidence warranted referral to the House of Representatives for the purpose of considering a bill of impeachment. Pursuant to the statute, the Eleventh Circuit Council referred the matter to the Judicial Conference of the United States which, after due consideration, agreed that the evidence warranted consideration by the House of Representatives to whom the matter was referred. The judiciary certainly did not shirk its responsibilities and, to borrow a metaphor from the colloquial, the ball is now in Congress' court. Some months have passed, and it remains to be seen not only what the Congress will do, but how it will do it.

So, where does all of this lead? Is there some message that emerges from these random thoughts, some unifying theme relevant to all of us? I think there is and it is thus: To insure a good, able and honest judiciary - one of quality, one in which the citizenry can feel confidence - there has to be a great deal of involvement by members of the Bar. The organized Bar has long been an obvious resource for judicial selection. It is well known that the role of the American Bar Association is important. There are cases where suggested nominees have not been nominated simply because they learned that they would be subjected to the scrutiny of a Bar committee. Now, this does not always relate to some evil in one's background. I know that, at this time because of Bar

continued on page 22.
EDITOR’S NOTE: Joseph C. Bright, Jr., ’70, the author of Pennsylvania Taxation and partner in charge of the Tax Department of the Philadelphia firm of Drinker, Biddle & Reath, is an expert on Pennsylvania state tax laws. He is a cum laude alumnus of Harvard College and received his J.D., cum laude, in 1970 from the University of Pennsylvania Law School, where he was Managing Editor of The Law Review. From the years 1980–1981, Mr. Bright served as Chief Counsel to the Pennsylvania State Department of Revenue.

Ralph A. Mariani is a 1970 graduate of Harvard College. He earned his J.D./M.B.A. degrees from the Law School and Wharton School of the University of Pennsylvania in 1974. In 1980, he received an L.L.M. in Taxation from the New York University Law School. He is a partner in the Philadelphia firm of Duane, Morris & Heckscher and has specialized in state and local taxation for the past ten years.

In Pennsylvania Taxation, Joseph C. Bright, Jr., ’70, describes and discusses in one text all of the taxes imposed by the taxing authorities in Pennsylvania, including the taxes imposed by the Commonwealth and those imposed by the counties, cities and other political subdivisions. This, of itself, makes the text a valuable resource because the field of state and local taxation is characterized by a wide variety of taxes imposed by many different taxing authorities and is often administered in accordance with unpublished rules of thumb. Mr. Bright describes the political and historical development of this patchwork of taxation, cites the significant statutes, ordinances, regulations and administrative practices, and identifies the important cases and issues under each tax. From these sources, he derives principles which are used to explain and reconcile cases that often appear to be irreconcilable and offers guidance as to how the current issues should be resolved. He also adds his own views of the policy considerations which should be applied in evaluating and resolving current issues.

The book is organized to serve as a ready reference source. The taxes imposed by the Commonwealth of Pennsylvania are grouped in one section and those imposed by the local jurisdictions are grouped in another. The taxes are also grouped by type. The business taxes, consumption taxes and personal taxes are treated in separate subparts. Each of the chapters stands on its own and, yet, is integrated with the others with the result that some sense is made out of the system of taxation in Pennsylvania.

devoted to the taxes imposed by Philadelphia.

Although taxation is primarily a matter of statute and regulations, much of the law in the state and local tax area is a matter of judicial construction. Mr. Bright excels in dealing with this case law. The sections of the text dealing with the multifor­mity doctrine, the manufacturing exemption and the charitable exemption reflect solid legal scholarship and reasoning and raise this treatise above any other existing text on state and local taxation in Pennsylvania. These sections read like good law review articles and are particularly noteworthy because they deal with the most frequently litigated and troublesome areas of state and local tax law. Mr. Bright analyzes the issues, distills the applicable legal principles and, where possible, reconciles the cases. He identifies unsound judicial precedents and explains why they are out of step with the development of the law. The practitioners who wrestle with these cases and these issues on a daily basis will appreciate the masterful job which Mr. Bright has done in these sections of the treatise.

A good example of Mr. Bright’s skill in deriving the applicable legal principles from the case law is his summary of the charitable exemption in Pennsylvania:

Thus the special status (of the charitable exemption) can be described as follows; Charities as a group enjoy an unusually strong pre­sump­tion that they are not subject to a tax. However, in deciding whether any particular taxpayer is entitled to be treated as a charity, the rules are strictly construed against the one seeking exemption.

In the area of the manufacturing exemption, there are many cases but few firm guidelines. Mr. Bright justly criticizes some courts’ reliance on the nebulous doctrine of the “popular understanding of manufacturing” in order to determine whether the exemption is available.

In practical application, the doctrine is unpredictable and erratic. It is often invoked in connection with the announcement of a new negative rule when the taxpayer has met the previously announced test. Contradictory results are sometimes reached: Making ice was and then was not manufacturing; milling flour was not and then was; and popular understanding first did and then did not define electricity as manufacturing. In many cases, the taxpayer does not find out whether its activity is or is not within the popular definition of manufacturing until after many years of litigation.

A REVIEW

by Ralph A. Mariani, ’74

Each tax is discussed in a separate chapter, and each chapter has several subsections dealing with separate topics. The citations are placed at the end of each subsection where they are easily located. Practical information for each tax is provided such as the taxpayers, the tax base, the tax rate, the tax period, the pertinent exemptions and the applicable apportionment formulas. It is easy to obtain quick answers as to the details of each tax.

All of the taxes imposed in Pennsylvania are covered in the book. The major taxes are covered in more depth than the less important levies. The Corporate Net Income and Capital Stock taxes, Sales and Use Tax and Personal Income Tax imposed by the Commonwealth are dealt with in large chapters. Local taxes are described in more general terms, and a separate section is

Joseph C. Bright, Jr., ’70, author of Pennsylvania Taxation.

continued on page 22
Professor Emeritus George L. Haskins was honored by Law School Alumni, John Makdisi, ’74, Professor of Law at Cleveland-Marshall College of Law, who dedicated his newly-published book on Estates and Future Interests (1987) to Professor Haskins.

Professor Friedrich Kuhler, together with Dean Robert H. Mundheim co-chaired the Fourth Biennial Seminar on Multi-National Banking. Participants in the Seminar included the Vice-Chairman of Chase Bank and Citicorp, members of the managing boards of Le Deutsche, Commerz and Dresdner banks, the Vice Chairman of Barclays Bank, the Comptroller of the Currency, the Deputy Governor of the Bank of Japan, the head of Banking Supervision of The Bank of England and a member of the Swiss Banking Commission.

Dean Robert H. Mundheim, University and Bernard G. Segal Professor of Law, co-chaired the Fourth Biennial Seminar on Multi-National Banking with Professor Friedrich Kuhler (see above note). The Dean also opened the conference entitled, Social Security and Private Pensions: Proceeding for Retirement in the 21st Century, sponsored by the University of Pennsylvania’s Institute for Law and Economics with support from the Metropoli­tan Life Insurance Company, at the National Press Club in Washington, D.C. in April, 1987.

How did you like the job? “It was hard and wonderful!” What about the business of getting agreement? “That’s the amazing part of the story! In just five years, uniform international rules for sales, arbitration and carriage of goods by sea were drafted and, after vigorous discussion and many compromises, were approved without dissent.”

But you came back to Penn. Why? “That’s another story. One Friday in 1974, I was given a friendly but firm ultimatum by Dean (and ex-student) Bernie Wolfman: ‘Tell me by Monday morning that you’re coming back this year, or else.’ I came back!”

What did leaving the U.N. do to your work on international trade law? “Actually, the change worked very well. The draft laws had to run the gauntlet of world-wide diplomatic conferences, and I was able to help with these - now under the United States flag. And let me tell you about a happy Penn connection. In 1979, Peter Pfund, of our Class of 1959, was appointed to lead the State Department’s work on private international law. He has done a superb job. You might say that we ran a kind of Penn relay.”

What happened at the diplomatic conferences? “To mention only international sales, a diplomatic conference of 62 nations after five weeks of hard work unanimously approved the Convention in 1980.”

That sounds like the end of the story. “Sorry, but turning international rules into national law is no before-breakfast job. In summary, this required years of work - with the help and consideration by the ABA and other interested bodies, with hearings before the Senate Foreign Relations Committee and with final approval after an agonizing set-back from the 1986 elections. Then, wonder of wonders, in November 1986, the Senate gave its approval - 98-0!”

What about other countries? “U.S. action brought the ratifications to eleven - more than the number required to bring the Convention into force. This first batch includes countries from each region and economic system of the world - one of the many signs that world-wide approval is on the way.”

“EDITOR’S NOTE: In recognition of this work, the ABA awarded Professor Honnold the 1986 Thebege Prize for Private International Law.

Surely now you will take it easy! “The work and fun aren’t over yet. Now, lawyers and international traders want to know what in the world this new thing does. This has involved going to China, Australia, New Zealand, Canada and Germany - not to mention an ABA cross-country ‘travelling circus’.”

“Else what have you been up to during ‘retirement’? “I’ve enjoyed continuing in recent years with my research seminar here at the Law School - on international sales, of course. This helps me to keep in touch with students and Faculty colleagues. I’ve just finished a 575-page Documentary History of the Convention, and I am starting to prepare a second edition of my 1982 treatise on uniform law.”

More than thirty years to see the law go into force! Has this not been an incredibly long haul? “Not at all, at least not now at the end of the road!”

Donald G. Myers, Director of Development, was a panel moderator at the Association of American Law School section on Institutional Advancement meeting in San Francisco in August. In November, he will be on the faculty of a Council for Advancement and Support of Education conference entitled “Development for Academic Deans” in Bethesda, MD.

Professor Curtis R. Reitz, Algernon Sydney Biddle Professor of Law, was appointed by Pennsylvania Governor Robert P. Casey to a new state Judicial Reform Commission, established to recommend change which would bolster public confidence in the courts.


Professor Ralph R. Smith was voted a special commendation by the Board of Education of Philadelphia in May, 1987, for his work in developing and implementing the School District’s desegregation program. He also was named to the Board’s Oversight Committee.

Judge Edmund B. Speth, Senior Fellow and retired President Judge of the Superior Court of Pennsylvania, was named by Governor Robert P. Casey to a new Pennsylvania state Judicial Reform Commission, created to help engender confidence in the judicial system.
ALUMNI BRIEFS

The Honorable Paul Ribner, of the Philadelphia Court of Common Pleas, was endorsed by the Democratic State Committee for a vacancy on the Commonwealth Court of Pennsylvania.

'53 The Honorable Edward J. Bradley, President Judge of the Philadelphia Court of Common Pleas, participated in the Judicial Conference hosted by the Philadelphia Trial Lawyers Association in May.

Captain I. E. "Eddie" Robinson, Senior Corporate Counsel of Crystal Brands, Inc., Aston, PA, received the LEGION OF MERIT from President Ronald Reagan at a formal ceremony held at the U.S. Naval Base in Philadelphia on March 14 for "Exceptionally Meritorious Conduct in the Performance of Outstanding Services from October, 1983 through June, 1986."

'54 The Honorable Berel Caesar, of the Philadelphia Court of Common Pleas, greeted representatives from Nigeria, Argentina, Brazil, India, Yugoslavia, Pakistan, Malaysia and the United States in April as part of the "Constitutional Philadelphia" program co-sponsored and coordinated by the International Visitors Program of the U.S. Information Agency.

William A. Whiteside, Jr., chairman of the labor department of the Philadelphia and Princeton, NJ firm of Rothchild, O'Brien & Frankel, conducted two seminars for Pennsylvania and New Jersey employers in April, 1987 to inform them of newly enacted laws. Mr. Whiteside also spoke at a Temple University seminar dealing with drug testing and the workplace.

'S5 William H. Brown, III, a partner at the Philadelphia firm of Schnader, Harrison, Segal & Lewis, received the J. Austin Norris Award at the Barristers' Association's 11th annual awards and scholarship dinner in May.

David J. Kaufman, chairman of the Estates Department of the Philadelphia firm of Wolf, Block, Schorr & Solis-Cohen, was presented a Special Achievement Award by the Pennsylvania Bar Association for his work as Chairman of the Association's Real Property, Probate and Trust Law Section.

Alvin L. Snowiss, of Lock Haven, PA, firm of Snowiss, Steinberg & Faulkner is the Treasurer of the 26,000-member Pennsylvania Bar Association.

'S6 Harris Ominsky, of the Philadelphia firm of Blank, Rome, Comisky & McCauley, was appointed Secretary of the Pennsylvania Bar Institute Board of Directors. He delivered the Lecture, "Pennsylvania Tax Reform—The New Transfer Act," to a fully-subscribed luncheon sponsored by the Committee on Professional Education of the Philadelphia Bar Association in April.

A reunion of Penn Law School Alumni who clerked for The Honorable Alvin B. Ruben of the U.S. Court of Appeals for the Fifth Circuit. From left to right: Mark R. Kramer, '85; Richard O'D'Arco, '83; Judge Rubin; Professor David I. Levine, '78; and Natalie Wexler, '83.

'57 Seymour Kuriland, of the Philadelphia firm of Wolf, Block, Schorr & Solis-Cohen, received an award from the Philadelphia Chapter of the International Association of Business Communicators (IABC), honoring "Excellent Performance in Communication." Mr. Kuriland, who is Chancellor of the Philadelphia Bar Association for the year 1986-87, also spoke at the "Rest of Your Life" series sponsored by the Philadelphia Bar Association.


Jay G. Oehroch, a partner in the Philadelphia firm of Fox, Rothchild, O'Brien & Frankel, spoke at two special seminars for Pennsylvania and New Jersey employers in April, 1987, focusing on recent legislation and new judicial interpretations affecting the extensions and limitations of employers' actions. Mr. Oehroch also has spoken on AIDS in the Workplace at a seminar sponsored by his firm, and was a speaker at the annual convention of the Gernetary Association of Pennsylvania.

'59 Alexander A. Disanti, a partner in the Media, PA firm of Richard, DiSanto, Hamilton, Gallagher & Paul, has been re-elected to a three-year term in the Pennsylvania Bar Association House of Delegates.

Bernard M. Gross, of the Philadelphia firm of Gross & Sklar, was re-elected to a three-year term in the Pennsylvania Bar Association House of Delegates.

Herbert A. Vogel, of the Morrisontown, NJ firm of Vogel, Chait, Schwartz & Collins, actively practices in the areas of Municipal, Land Use and Environmental Law. This past spring, he taught Municipal Corporation Law as an Adjunct Professor at the Rutgers University Law School. He has lectured in the areas of zoning, planning, land use and other municipal law subjects for the Institute of Continuing Legal Education, League of Municipalities and Institute of Municipal Attorneys.

'62 James D. Crawford, of the Philadelphia firm of Schnader, Harrison, Segal & Lewis, was elected a Trustee of the Philadelphia Bar Foundation.

Professor Stephen R. Goldstein has been named Dean of the Law School of the Hebrew University, Jerusalem, for three-years.

'63 David H. Marion, a partner in the Philadelphia firm of Montgomery, McCracken, Walker & Rhoads, was the keynote speaker at the Pennsylvania Bar Association's Law/Media Seminar in Scranton, PA. He spoke on "Libel over Lunch," addressing recent developments in libel law.

'64 Earl T. Britt, of the Philadelphia firm of Duane, Morris & Hecksher, spoke on the reservation of rights and nonwaiver agreements at an insurance coverage seminar sponsored by the Pennsylvania Defense Institute in Harrisburg, PA in April.

Stephen A. Cozen, of the Philadelphia firm of Cozen and O'Connor, presented the rights and duties of excess carriers at an insurance coverage seminar sponsored by the Pennsylvania Defense Institute in Harrisburg, PA, in April.

Richard M. Shusterman, of the Philadelphia firm of White and Williams, discussed the rights and duties of an insurer under the CGL policy at an insurance coverage seminar sponsored by the Pennsylvania Defense Institute in Harrisburg, PA, in April.

https://scholarship.law.upenn.edu/plj/vol23/iss1/1/
Beryl Richman Dean, of Bryn Mawr, PA is Secretary of the Philadelphia Bar Foundation.

Neil K. Evans, of the Cleveland, OH firm of Hahn Loeser & Parks, was appointed by the Governor to The Board of Trustees of the Ohio Historical Society, headquartered in Columbus, OH. Mr. Evans also serves as General Counsel to The Cleveland Museum of Art.

Paul D. Pearson is now a partner in the Buffalo, NY firm of Hodgson, Russ, Andrews, Woods & Goodyear, having moved from Hill & Barlow in Boston, MA. Mr. Pearson is organizing and running a Family Law Department in his new firm.

James A. Strazzella, Acting Dean of Temple University Law School, chaired a conference workshop on tort-law reform during a three-day national conference in Philadelphia entitled “State Constitutional Law in the Third Century of American Federalism.” Dean Strazzella was honored by the Justiniian Society at a reception in Philadelphia in April.

'65 William H. Ewing, of the Philadelphia firm Han­gle, Connolly, Epstein, Chicco, Foxman & Ewing, argued two cases before the United States Supreme Court in April, 1967. The cases, Goodman v. Luker: Steel and John v. McDonnell, were argued and won by Mr. Ewing in the U.S. Court of Appeals for the Third Circuit.

Benjamin Lerner, of the Defender Association of Phila­delphia, participated in a three-day program in Philadelphia for Judges, court administrators and justice officials from 20 foreign countries which focused on the writing, evolution, and current applications of the U.S. Constitution. The program is part of Constitutional Philadelphia - an International Visitors Center Biennial project bringing thousands of U.S. Government-sponsored visitors to Philadelphia in 1987.

Sheldon N. Sandler, Chairman of the Labor Department of the Wilmington, DE firm of Young, Conway, Stargas & Taylor, was appointed a Trustee of the Jonathan Moyed CARE Fund. The Fund was established with a portion of the proceeds of a twelve million dollar settle­ment of RICO litigation against nearly 70 insurance com­panies by the Delaware State Insurance Commissioner and its Life & Health Insurance Guaranty Association. Mr. Sandler acted as counsel for the plaintiffs in the case. He also was the moderator and a featured speaker at a Labor and Employment Law Seminar sponsored by the Delaware State Chamber of Commerce, and was appointed a member of the Delaware Court of Chancery Rules Committee.

James A. Wimmer, of the Palmerston, PA, firm of Philip & Wimmer, was re-elected to a three-year term in the Pennsylvania Bar Association House of Delegates.

'66 Edward F. Mannino, a Senior Partner in the Phila­delphia and Pittsburgh firm of Baskin, Flaherty, Elliott & Mannino, opened the firm’s new Philadelphia headquarters at Three Mellon Bank Center. Mr. Mannino addressed the ALI-ABA Banking & Commercial Lending Law Program in April.

Todd S. Parkhurst, formerly of Jenner & Block, has joined Schiff Hardin & Waite in Chicago as partner in charge of the firm’s expanding Intellectual Property practice.


Ronald B. Glazer, a partner in the Real Estate Depart­ment of Cohen, Shapiro, Polisher, Sheikman & Cohen, was elected 1987 chairman of the Philadelphia Bar Asso­ciation’s Real Property Law Section.

Norman Pearlstine, of New York City, Vice-President of Dow Jones & Company, Inc., and Managing Editor of The Wall Street Journal, has been elected to the Board of Trustees of The New York Historical Society.

'68 Salvatore M. DeBunda, chairman of the Cable and Communication Law Group at the Philadelphia and Prince­ton, NJ firm of Fox, Rothschild, O’Brien & Frankel, has been elected a partner of the firm.

Robin Ficker was featured in an article in the April, 1987 issue of The Runner entitled “Track Out Back,” describing his three-lane, eleven-lap-per-mile version of Madison Square Garden’s indoor track which he had built in his backyard.

Arthur Hankin, of the Philadelphia firm of Bolger, Ficker & Weiner, addressed the staffs of Cheesman Hill Hospital and the Suburban General Hospital in Norristown, PA on the topic of “Malpractice - a Growing Concern - How to Reduce Your Chances of Being Sued.”

John O. Shirk, managing partner of the Lancaster, PA firm of Barley, Snyder, Cooper & Barber, has been elected to the Irex Board of Directors.

Dean Mark Yudof, of the University of Texas Law School, has been named as Counsel for Pennzoil in their suit against Texaco.

'70 Martin E. Lybecker has become a partner in the firm of Ropes & Gray, resident in the Washington, D.C. office. Previously a partner in the firm of Drinker Biddle & Reath, Mr. Lybecker also served as Associate Director of the SEC Division of Investment Management, and as a professor of law at the Duke, Georgetown and Buffalo law schools.

Steven Stone, of Philadelphia, was appointed Senior Vice President - General Counsel and Corporate Secre­tary at Advanta Mortgage USA in Horsham, PA. He is also a Director and past President of the Washington Square West Project Area Committee, Director of the Washington Square West Civic Association, First Vice Chairman of the Fifth Ward Democratic Committee, Director of Philadelphia, Citizens for Children and Youth, and President of the Society Square Homeowners Asso­ciation.

'71 David Kairys, of Kairys & Rudovsky has relocated his offices to 924 Cherry Street, Fifth Floor, Philadelphia, 19107. Mr. Kairys is co-Chair of the Board of Directors of Crisis Intervention Network, Inc.

'72 Ira Genberg, formerly of Stokes, Shapiro, Fussell & Genberg, of Atlanta, Georgia, has joined the firm of Smith, Gambrell & Russell.

'73 The Honorable Mark I. Bernstein was appointed a Judge of the Philadelphia Court of Common Pleas by Governor Robert P. Casey, sworn in by The Honorable Theodore A. McKee, Judge Bernstein began his court­room assignment in April, 1987.

The Honorable Edward S. G. Dennis, Jr., U.S. Attor­ney for the Eastern District of Pennsylvania, participated in a three-day program for judges, court administrators and justice officials from 20 foreign countries, focusing on the writing, evolution and current applications of the U.S. Constitution. The visit is part of Constitution Philadelphia - an International Visitors Center Biennial project bringing thousands of U.S. Government-sponsored international visitors to Philadelphia in 1987.

Michael R. Kleckman, is a partner in the firm of Guhan Sittenauer Goldfaden & Edleff P.C., 250 Park Avenue, Suite 960, New York, 10169.

Consuelo S. Woodhead has become a member of the firm of Shea & Gould in Los Angeles.

'74 Ian Comisky, of the Philadelphia firm of Blank, Rome, Comisky & McAllung, was one of five attorneys who participated in a nationally telecast American Bar Association satellite seminar on tax fraud. Mr. Comisky discussed the proposed U.S. Sentencing Commission Guide­lines.

The Honorable William W. Vogel, '33, center, the new President-Judge of the Montgomery County (PA) Court of Common Pleas, receives the gavel from Past President-Judge Richard S. Lowe, right. Stephen G. Yusem, '63, the President of the Montgomery County Bar Association, stands at the left.
John M. Fowler, has been named President and Chief Executive Officer of Gulf Insurance Company, a subsidiary of Commercial Credit Company.

H. Ronald Klasko, a managing partner at the Philadelphia firm of Abrams & Loewenstein and chairman of its Immigration Department, has co-authored a book entitled Employer’s Immigration Compliance Guide on the new employer verification and sanctions law.


The Honorable Frederica Massiab-Jackson, of the Philadelphia Court of Common Pleas, was the guest speaker at naturalization ceremonies sponsored by the Philadelphia Bar Association in March, 1987.

Manuel “Manny” Sanchez has announced the formation of a partnership with John D. Daniels under the name of Sanchez & Daniels, Suite 810, 333 West Wacker Drive, Chicago, IL, 60606.

75 Anthony C. Ching has been appointed the West Coast Litigation Counsel for Shell Oil Company in the newly established Los Angeles Office. He has also been appointed to the Editorial Board of the Executive Committee of the Litigation Section of the California State Bar and is a Judge pro tempore of the Los Angeles Municipal Court.

76 James A. Backstrom, former Attorney in charge of the Dallas Field office of the Antitrust Division, U.S. Department of Justice, has joined the Philadelphia and Princeton firm of Fox, Rothschild, O’Brien & Frankel as a member of its Litigation Department.

Jeffrey I. Pasek, a partner in the Labor Department of the Philadelphia firm of Cohen, Shapiro, Polisher, Shiekhman & Cohen, has been appointed by the Pennsylvania Bar Association to the Board of the Pennsylvania Legal Services Development Center. Mr. Pasek is also Chairman of the Pennsylvania Chamber of Business and Industry’s Legal Services Relations Committee.

Michael T. Scott, formerly a partner at Pepper, Hamilton & Scheetz, has become a partner in the Philadelphia office of Reed Smith Shaw & McClay.

77 Gilbert F. Casellas has been elected to a three-year term in the Pennsylvania Bar Association House of Delegates. He also chairs the Young Lawyers Section of the Philadelphia Bar Association.

John Jamieson, an associate in the Philadelphia firm of Panitch, Schwartz & Nadel, was a panelist addressing the annual meeting of the Philadelphia Patent Law Association. Mr. Jamieson spoke on “Review of Cases on the Subject of Obviousness”.

78 Ruth S. Landsau, of the Phoenix, Arizona firm of Streich, Lang, Weeks & Cardon, was co-Chair and a faculty member of the Arizona State Bar’s October, 1986 seminar entitled: “Beyond the Prima Facie Case: Employment Law Today.” Ms. Landsau currently specializes in labor and employment law, representing management.

78 Zygmunt A. Pines, of Philadelphia, has published “Pennsylvania Appellate Practice Procedural Requirements and Vagaries of Jurisdiction,” in the Dickinson Law Review. Mr. Pines is Assistant Chief and Senior Staff Attorney of the Central Legal Staff of the Pennsylvania Superior Court.

79 Lorraine C. Staples has returned to the Morris-town, NJ, firm of Vogel, Chair, Schwartz & Collins after a two year sabatical to live in Baton Rouge, LA, where her husband was engaged in a temporary research assignment for Exxon Corporation. In the interim, she gave birth to her first child.

80 Steven N. Cousins has become a partner in the St. Louis, MO, firm of Armstrong, Teasdale, Kramer, Vaughan & Schlaffly and is chairman of the firm’s newly formed Financial Restructuring, Reorganizing and Bankruptcy Department. Mr. Cousins is the youngest attorney to head a department within the firm.

Kristin Ramage Hayes was sworn in as an Assistant U.S. Attorney, assigned to the Criminal Division in Philadelphia. She has been the director of litigation and special projects at the Redevelopment Authority of Philadelphia since September, 1986.

81 Nancy J. Hopkins, of the Norristown, PA, firm of Gerber & Gerber, was elected to serve a three-year term as a Director on the Pennsylvania Bar Institute Board.

Dennis A. Williams, of Mr. Laurel, NJ, has been named Assistant Counsel to United Jersey Banks.

Walter H. Schumacher was promoted to Associate Counsel at Campbell Soup Company’s Headquarters in Camden, NJ, where he has been Assistant Counsel since 1981. Previously he was an associate in the Philadelphia law firm of Morgan, Lewis & Bockius.

82 Paul N. Allen has joined the Philadelphia firm of Obermayer, Rebmann, Maxwell & Hippel.

Douglas N. Caudle has become associated with the firm of Hoyle, Morris & Kerr in Philadelphia.

83 Abi Lisa Cohen, of Philadelphia, has become associated with the firm of Montgomery, McCraken, Walker & Rhoads in the Environmental Section of the Litigation Department.

Leslie C. King, III, has relocated his offices to 1048 Paseo de Peralta, Post Office Box 9831, Santa Fe, New Mexico, 87504. His practice is limited to Bankruptcy, Business Reorganization, Loan Restructuring and related Debtor-Creditor Law.

Kazuhiko Shimada, LL.M., of Tokyo, Japan, has joined NTT International Corporation providing engineering and consulting services of telecommunications and data processing systems.

Mark Suprenant, of St. David’s, PA, is associated with the Philadelphia firm of Montgomery, McCraken, Walker & Rhoads in the Business Department.

84 Phillip G. Steck, of New York City, is an Assistant District Attorney in Manhattan with the Special Narcotics Prosecutions Bureau. He was formerly associated with the firm of Whittemore, Osterman & Hanna in Albany, NY.

85 Rachel Buchman Lipshutz and Mark Lipshutz were married on November 1, 1986 in Tamarac, FL.

Cheryl R. Saban, of New York City, has joined the firm of Paul, Hastings, Janofsky & Walker as an associate in the firm’s Employment Department.

86 Professor Edward B. Shils, the Founder and Director Emeritus of the Sol C. Snyder Entrepreneurial Center of the Wharton School of the University of Pennsylvania, announced the $50,000 Shils/Zeidman Fellowships in Entrepreneurship providing grants for needy U.S. minority students, students from Israel and students from countries in the developing world.

87 Fredicka D. Vagaries, of Philadelphia, has been elected to serve a three-year term as a member of the Executive Committee of the Philadelphia School of Law.

88 Steven A. Schwartz has been appointed the Executive Director of the Friends of the Philadelphia School of Law.

89 Ronald E. Scheetz, of Philadelphia, has joined the law firm of Montgomery, McCraken, Walker & Rhoads in the Business Department.

Professor Frenkel: It’s always nice to hear things said in a positive light. I’d like to think that some of the design changes that we have made in the last few years have anticipated developments in our profession and have been responsive to students’ learning goals. My hope is that we can continue to develop clinical teaching in ways that will be embraced by the Faculty as a whole and will increasingly occupy a central place in the curriculum.

THE LAW SCHOOL CLINICAL PROGRAM
Continued from page 13

major contributions to those courses (and have a good time in the process).

We also have had Alumni/ac occasionally coming on to the Clinical Faculty on a "sabbatical" basis, a development which has been mutually beneficial in the few instances in which that has occurred.

Finally, in the last few years, a separate Friends of Clinical Education Alumni Giving Fund has been created to provide financial support for the expansion of this part of the curriculum. It has been very gratifying to see the extent to which alumni and others interested in clinical education have supported this Fund.

LHF: How do you envision the future of clinical education and Clinical Programs at the University of Pennsylvania Law School?

Professor Frenkel: I think that clinical methodology will continue to play an increasing role in the overall curricula of most law schools. In terms of specific expansion, the next major step is the increased integration of clinical methodology (that is, role-based experiential teaching) into the traditional classroom. I think that this will be true here at Penn and at other law schools. I also see an expansion of "live client" vehicles as law schools grapple with the need to justify the three-year course of study, and to vary the learning modes offered in the upper-level curriculum.

Finally, there seems to be growth in overall student participation in work-based experiences off-campus, both for credit and for pay. We may see more and more effort made to use this data and experience in the classroom.

LHF: Dean Robert R. Mundheim stated in his "From the Dean" column featured in this issue of The Journal, "Under Doug Frenkel's guidance, I think we have developed a Clinical Program that is second to none in the nation." This glowing compliment must be a wonderful boost to your professional ego.

Professor Frenkel: It’s always nice to hear things said in a positive light. I’d like to think that some of the design changes that we have made in the last few years have anticipated developments in our profession and have been responsive to students’ learning goals. My hope is that we can continue to develop clinical teaching in ways that will be embraced by the Faculty as a whole and will increasingly occupy a central place in the curriculum.

https://scholarship.law.upenn.edu/pjl/vol23/iss1/1
IN MEMORIAM

'12 Walton Clark, Jr.  
Warwick, RI  
April 14, 1987  

'16 Aaron Weiss  
Kingston, PA  
April 8, 1987  

'17 Edward Davis  
Philadelphia, PA  
June 29, 1987  

D. Herbert Reigner  
Reading, PA  

'24 The Honorable  
Robert N. C. Nix, Sr.  
Philadelphia, PA  
June 22, 1987  

'25 Mortimer E. Graham  
Erie, PA  
April 8, 1987  

Henry N. Paul, Jr.  
Philadelphia, PA  
March 27, 1987

27 George M. Northrop  
Newburgh, NY  
April 15, 1987  

28 Arthur M. Harrison  
Atlantic City, NJ  
April 26, 1987  

29 Joseph D Byars  
Lancaster, PA  
March 20, 1987  

30 Robert E. L. Johnson  
Gibson Island, MD  

31 The Honorable  
Samuel J. Roberts  
Erie, PA  
June 5, 1987  

32 Richard M. Beshlin  
Warren, PA  
April 24, 1978  

The Honorable Israel Packel  
Philadelphia, PA  
July 8, 1987  

Maurice B. Saul  
Everett, WA  

37 Leonard F. Markel, Jr.  
Norriskton, PA  
April 18, 1987  

38 John Drew  
Pittsburgh, PA  
February 7, 1982  

John Sehnabel, Jr.  
Lansdale, PA  

J. Harry Covington, III  
Washington, D.C.  
April 28, 1987  

39 James Alonso Quigley  
Houston, TX  
April 17, 1987  

40 Thomas M. H. Broomall  
Woodlyn, PA  
April 7, 1987  

William P. Gregory, Jr.  
Green Village, NJ  
April 12, 1987  

Edwin P. Rome  
Gladyne, PA  
July 2, 1987  

46 Leonard R. Apfelbaum  
Sunbury, PA  
March 11, 1987  

54 Richard van Roden  
Gainesville, FL  
April 19, 1987  

57 G. F. Harrington, Jr.  
Scenery Hill, PA  
March 5, 1987  

65 Louis Kurland  
Wynnewood, PA  
April 7, 1987  

69 Jay R. Baer  
Narbeth, PA  
April 24, 1987  

Thomas H. Sunday  
West Chester, PA  
May 25, 1987  

78 Dr. Mollyanne K. Marks  
Ventnor, NJ  
October 5, 1983  

79 Susanne Curran Donovan  
Newark, DE  
April 25, 1987  

81 Carol Lipetz Weisenser  
Minneapolis, MN  
March 10, 1987  

89 Richard Allan Post  
Millbrook, NY  
May 13, 1987

FEDERAL JUDGES...
Continued from page 16

involvement, persons who have been offered or have been discussed as likely to be offered particular appointments have raised the question, “Can I survive the process of examination by my peers at the Bar? Does my record reflect that level of experience and of quality to warrant approval?” And many of these people are quite prepared to turn down the opportunity if or when the answer is negative. So you see, Bar involvement is exceedingly important.

The availability of information about the judiciary is so necessary. Take, for example, the question of resources. Although courts cost very little, additional financial support is typically needed at both State and Federal levels. This is a matter of Bar responsibility, a matter for the interest of the citizenry, a matter of appreciation that support is needed for a variety of things. Should bankruptcy courts be backlogged because Congress does not appropriate funds for judgeships already authorized? Should the courts be denied computer support that lawyers consider essential? Is it important that there be a group interested in the courts not solely because of their personal involvement but because of their concern for the public welfare - a group that is ready to offer support and be certain that basic information concerning the courts is readily available? The quality of the judiciary depends on that kind of interest and support. It is the job of the lawyers to avoid the risk of easy self-satisfaction when walking out of a courtroom. It also is the role of the lawyers to be aware of the need for proper procedures, including appropriate disciplinary procedures.

More than that, lawyers should be aware - as so many citizens cannot be - of what is at stake in terms of the quality of our judiciaries. In our society, the courts have made a tremendous difference in the quality of life. The quality of justice has been referred to as a hallmark of civilization - something that we must not forget or take for granted. The risk of deterioration is a real one, but I prefer to think rather of the opportunity, the challenge, the vision of what still can be.

I am reminded of a concluding statement of Edmond N. Cahn, a great professor of law, who spoke of the future at the close of one of his books: “I see a world where no nation is accounted strong except in justice, rich except in compassion or secure except in freedom and peace.” I would like to hope that all of us recognize that ours is an important role to play and to hope that we are ultimately successful in our quest for justice and compassion in a world of freedom and peace.

Pennsylvania Taxation
Continued from page 17

Mr. Bright also adds his thoughtful comments on whether the taxes or cases are consistent with sound policy objectives. These comments are often far-sighted and, hopefully, will prod the development of the law in the right direction. His discussion of the preemption doctrine, whereby local governments are prohibited from taxing what is already taxed by the Commonwealth, is a sensible call for rethinking the division of taxing power in Pennsylvania.

The harm done by the prohibition encourages second-rate taxes, administrative wastefulness and litigation. Under Act 1965-511, the Commonwealth gets first pick of the types of taxes. Presumably it will pick the fairest, most broadly-based and most easily administered. Probably, it has done just that in imposing the Corporate Net Income Tax, the Sales and Use Tax and the Personal Income Tax. Inevitably, that leaves the second best for the localities. Little is gained by forcing localities to feed on the scraps from the Commonwealth’s table of taxes...There is no good reason why localities should be put to the trouble of inventing and administering whole new tax systems when well-developed state systems are available for adoption.

Pennsylvania Taxation is a unique work. It is a comprehensive reference tool which can be used by the general practitioner as an introduction to an unfamiliar area of law. It reflects a high caliber of legal scholarship which will be relied on by those who specialize in the field in advising and representing their clients. It will not be long before this book will be widely recognized as the leading treatise on state and local taxation in Pennsylvania.
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