

# Penn Law Journal

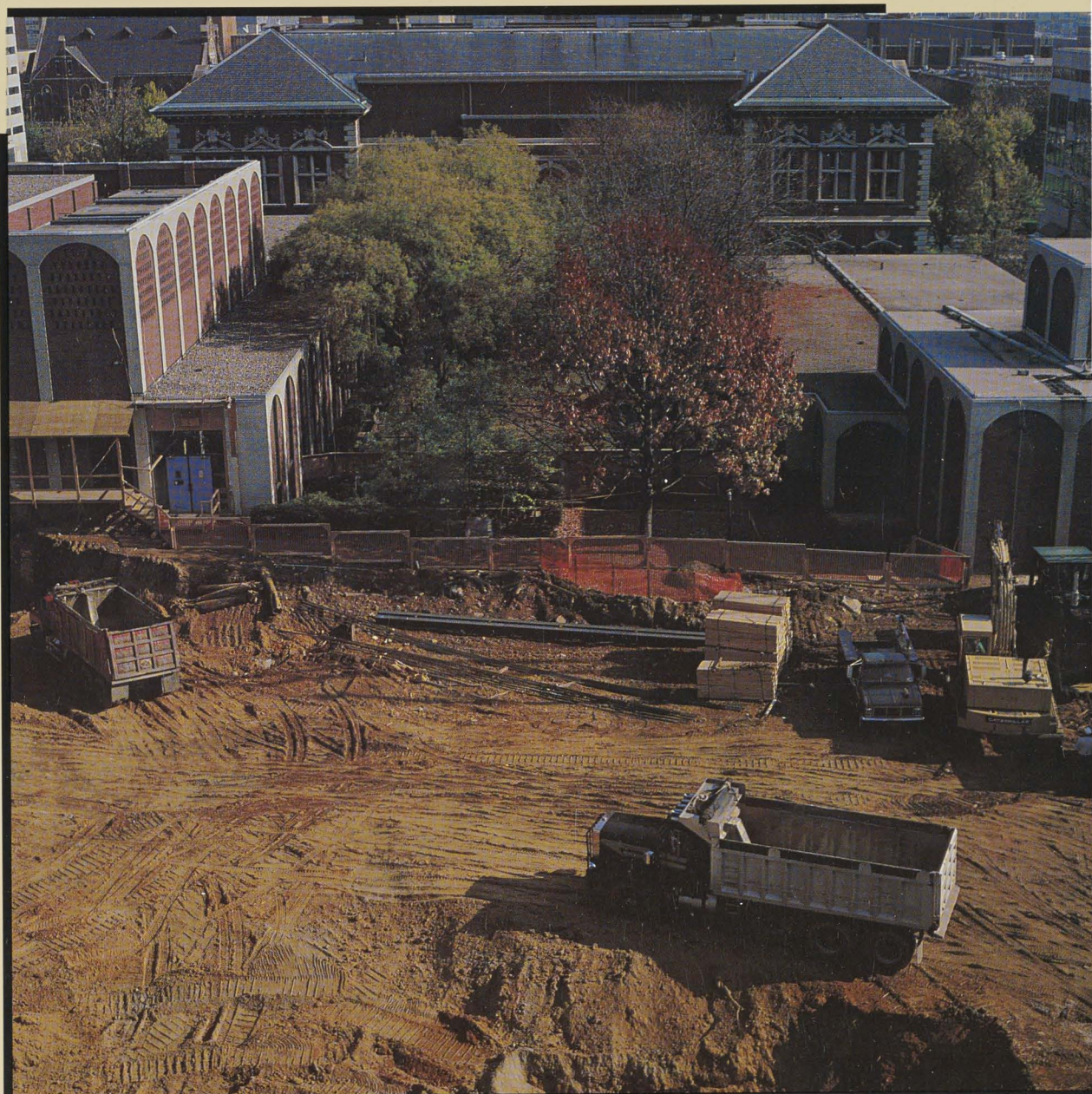
FEBRUARY

1992

VOLUME

XXVII

NUMBER I



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The *Penn Law Journal* is a biennial publication of the Law Alumni Society of the University of Pennsylvania Law School. Inquiries and corrections should be directed to the Editor, University of Pennsylvania Law School, 3400 Chestnut Street, Philadelphia, PA 19104-6204.

EDITOR

Jo-Ann M. Verrier '83

DESIGN

The Office of Mayer & Myers  
Philadelphia, PA

ASSISTANT EDITOR

Joanna M. Wright C'92

SIDEBAR EDITORS

Edward Blume '94, Jennifer Fox '94,  
Max McIntosh '93

ARTICLE EDITORS

Teresa Kwong '94, Jamie L. Palter '92,  
Joanna M. Wright C'92

NEW YORK CORRESPONDENT

Robert C. Schneider '79

ASSISTANTS

Lucille Caniglia, Huong Dinh C'94

PHOTOGRAPHY CREDITS

Gregory Benson, cover, pages 1, 12;  
Tommy Leonardi, 4, 5, 11; Hinda  
Schuman, 5, 7, 8, 9, 10, 18, 23; Custom  
Foto Studio, pages 16, 21, 24; University  
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Colin S. Diver, *Dean*

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# Contents



Indeed, construction on the Law School's new building is underway! Both cover shot and the above photograph, taken last fall, give an overview of the site in relation to Lewis Hall and the Courtyard. Plan to join in Alumni Weekend -- May 15-17, 1992 -- and see for yourself the progress on this important and impressive project.

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OWEN J. ROBERTS  
MEMORIAL LECTURE

*Mr. Justice Ismail Mahomed of the Supreme Court of South Africa*

On January 23, 1992, Ismail Mahomed, the first Black appointed to the Supreme Court of South Africa, addressed more than 300 alumni, faculty, students, and friends as the Annual Owen J. Roberts Memorial Lecturer after an introduction by The Honorable A. Leon Higginbotham, Jr.

Speaking eloquently and powerfully about the world's interest in the dismantling of apartheid in South Africa, Mahomed detailed the recent strides of The Convention for a Democratic South Africa. As Co-Chair of this coalition of 19 interest groups, including representatives of the DeKlerk government, Mahomed described the position paper signed by 17 of the Convention members and its goals for democracy and enfranchisement in South Africa.

Mahomed noted the problems and pitfalls facing his country in reaching these goals, but movingly stated his hopes and faith in the positive beginnings of the work of The Convention.

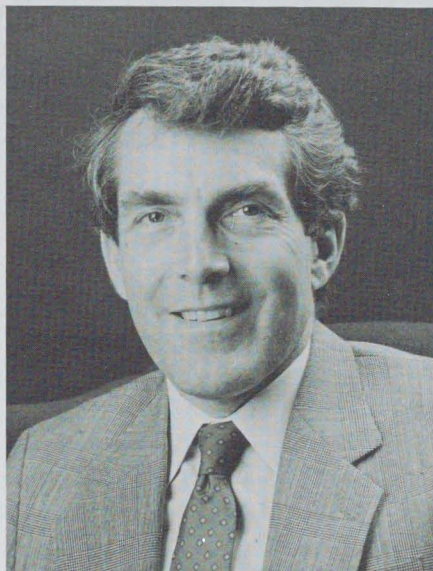
After the Lecture, the crowd returned to the Law School for a reception where alumni and students spoke informally with Justice Mahomed. A dinner for 100 alumni, faculty, and guests followed in the Great Hall.

The Owen J. Roberts Lecture, which features prominent speakers at the Law School on an annual basis, is supported by an endowment from the law firm of Montgomery, McCracken, Walker and Rhoads and is sponsored by the Pennsylvania Order of the Coif and the Law Alumni Society.



# From the Dean

## MILESTONES



Dean Colin S. Diver

Institutions change incrementally, often imperceptibly. Yet, one can often look back and identify a moment, a short period of time, that stands out as a watershed in the evolution of an institution.

I think we will see the summer and fall of 1991 as such a period. As I look back at the events of the past six months, I see unmistakable evidence that a genuine transformation is under way.

The most dramatic evidence is the start of construction on the new library building. In May we ceremonially broke ground on the project and construction began in earnest in July, with the demolition of the Law Dorms and Stern Dining Commons. The project really gathered momentum throughout the fall, as the site was excavated, the caissons were drilled, and the foundation forms were erected. Now, each passing day brings us fresh glimpses of a future we could

scarcely have imagined a few years ago.

But there have been other important milestones this fall as well, many of them chronicled in this issue of the *Journal*. In August, four superbly qualified new faculty members joined our ranks, bringing to 18 the number of scholars who have joined the faculty in the past six years. Few law schools have ever undergone such a dramatic transformation in their faculty in such a short time. The consequence of that transformation is evident in the increased volume and enhanced quality of publications and professional activities described in the Faculty Notes columns of recent *Journal* issues.

In October, we announced an increase in the goal for the Law School Campaign, from \$45 million to \$52 million. This increase is significant for two reasons. First, it signifies the success of our Campaign fundraising efforts. To date — just half way through the five year campaign — we have passed the \$38 million milestone. Second, the programmatic focus of the additional \$7 million — support for faculty and scholarships — symbolizes the shift in emphasis, now that the building is under way, from infrastructure to direct investment in the excellence of our teaching, research, and students.

Finally, in December Judge Arlin Adams stepped down as Chair of the Law School's Board of Overseers, after serving in that crucial capacity with great distinction for over six years. He was succeeded by Charles A. Heimbold, Jr. '60, who brings to the post the same enthusiasm, energy, and vision that characterized Arlin's leadership of the Board. A former lawyer at Milbank Tweed & McCloy, and now Executive Vice President of Bristol

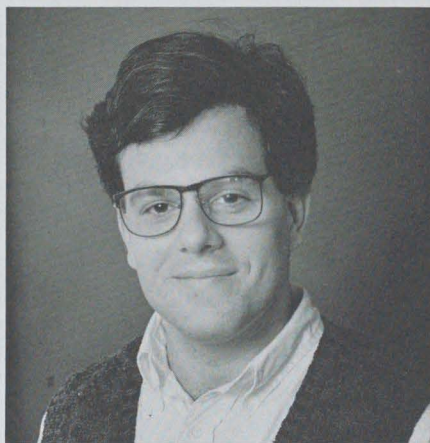
Myers Squibb Company, Charles Heimbold exemplifies the combination of legal, business, and policymaking skills that future graduates of this Law School must possess.

Each of these events is significant in its own right, but together they assume an even greater significance as symbols of institutional transformation. We hardly need to be reminded, in these turbulent times, that we must harness change or it will drag us painfully into an unwelcome future. Those of us in education, especially legal education, must build a new kind of intellectual capital for a new kind of world — a world that is increasingly multicultural, contentious yet interdependent, technologically complex and dangerous. Such a world will require the ability to communicate effectively across cultural divides, to utilize the techniques of diverse disciplines, to have a secure sense of the moral foundation and limits of action, to find consensual solutions in the midst of heightened conflict.

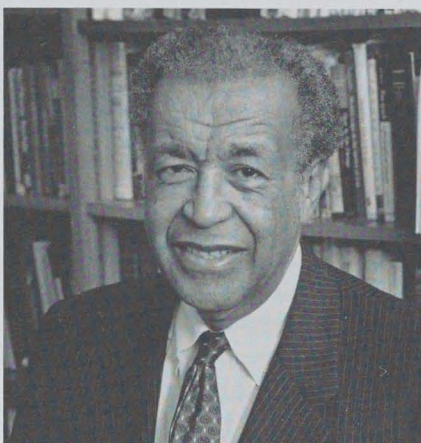
Our job, as legal educators, is to build a base of knowledge, through research, for meeting that challenge, and to prepare the professionals, through teaching, who will undertake it. Our ambition is to do that job as well as anyone. The events of the past six months indicate to me that we are right on course.

A handwritten signature in dark ink that reads "Colin Diver". The signature is written in a cursive, slightly slanted style.

# Symposium



*Assistant Professor Jeffrey Lange*



*Hon. A. Leon Higginbotham, Jr.*

## FACULTY APPOINTMENTS

As announced to alumni by Dean and Bernard G. Segal Professor of Law Colin S. Diver in his October 1, 1991 letter, the Law School faculty includes four prestigious appointments made during the 1990-91 academic year.

William Ewald, an Assistant Professor of Law who visited the Law School in 1990-91, holds a B.A., an A.M. in mathematics, and a J.D. from Harvard. An internationally acclaimed expert on the philosophy of mathematics, he now turns his scholarship to issues in comparative legal theory. This semester, Professor Ewald teaches in European Legal Thought. His comparative law background is a valuable resource to LL.M. students, and last semester Professor Ewald presented Introduction to the American Legal System to the foreign students.

Professor of Law Leo Katz comes to Penn from the University of Michigan

Law School. His specialty is criminal law, and in a presentation before the Law School's Board of Overseers last semester, he presented his cogent theory as to how the study of criminality assists in our understanding of many larger social issues. He will present the 1L Criminal Law course this semester, as well as an upper level course in Law and Morality.

Assistant Professor Jeffrey S. Lange joins the faculty with an interest in economic analysis of policy issues in tort, products liability, insurance and environmental law. He holds B.S., A.B., and M.S. (in mathematical economics) from Stanford University and a J.D. from Yale. A former clerk to The Honorable Anthony M. Kennedy at the Ninth Circuit Court of Appeals, Professor Lange teaches Corporations.

Finally, The Honorable A. Leon Higginbotham, Jr., former Chief Judge of the United States Court of Appeals for the Third Circuit, has accepted an appointment as Senior Fellow. Known to

many alumni as a fine teacher and mentor, Judge Higginbotham will be continuing his groundbreaking research on the legal framework of race relations while teaching at the Law School. Last semester, he worked with students in his seminar, Race, Values, and the American and South African Legal Processes.

Another faculty development of note is the appointment last September of Stephen B. Burbank as the first Robert G. Fuller, Jr. Professor of Law.

The Fuller Chair was endowed in 1989 by a gift from Robert G. Fuller, Jr. '64. In endowing a professorship at the Law School, Mr. Fuller wished to honor the qualities that he associated with the faculty members who made the greatest impression on him as a student — demanding classroom teaching, probing scholarship of direct relevance to the practicing bar and bench, and service to the profession.

In announcing the appointment of Professor Burbank to the Fuller Chair, Dean Diver noted: "Steve Burbank perfectly exemplifies these qualities." A nationally renowned expert on civil procedure and judicial discipline, he has published many influential articles in leading scholarly and professional journals, served as member of or consultant to numerous policymaking and advisory boards, and testified before Congress on major legislative reforms. As a result of the adoption of Professor Burbank's recent recommendations to Congress, a National Commission on Judicial Discipline and Removal has been established, and the Speaker of the House of Representatives has appointed Professor



*Professor Stephen B. Burbank, left, joins Robert G. Fuller, Jr. '64 at the Annual Benefactors Dinner. Burbank has been named the first Robert G. Fuller, Jr. Professor of Law.*

Burbank to the Commission (see *Penn Law Journal*, January 1991, pp. 13-15).

The Law School is privileged to have Stephen B. Burbank as the first Robert G. Fuller, Jr. Professor of Law.

#### ADMINISTRATIVE APPOINTMENTS

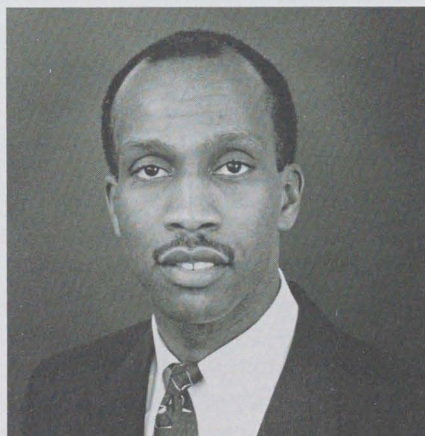
After 19 years, Assistant Dean Frances Spurgeon retired as the Law School's admissions officer last semester. In accepting the praise of Dean Diver and gathered faculty, staff, and students, Assistant Dean Spurgeon noted her enjoyment of working with the faculty to admit the highest quality students to the University of Pennsylvania Law School. "I estimate that I have admitted more than 4,000 students to the Law School, and that I have awarded \$14,000,000 in scholarship funds."

Dean Diver noted the great advances in admissions policies during Assistant Dean Spurgeon's tenure, including the increased diversity of admittees and the fine-tuning of the process. As a token of thanks from alumni and from the Law School administration, Dean Diver presented a University rocking chair to Mrs. Spurgeon, who plans to use her retirement to enjoy family and community activities.

Assistant Dean Spurgeon stayed on

to assist in her successor's transition period. In August, Dean Diver announced the appointment of Glen L. Glenn as the new Assistant Dean of Admissions and Financial Aid. Mr. Glenn comes to Penn from Rutgers University School of Law in Camden, where he served as Assistant Dean for Student Affairs. Previously, Assistant Dean Glenn was Director of Admissions at Loyola University School of Law and Assistant Director of Admissions at Xavier University in Cincinnati.

A native of Cincinnati, Assistant Dean Glenn received his B.A. magna cum laude from Xavier University in 1977 and his J.D. degree from Ohio State University College of Law in 1980. "It's very exciting to be part of the Penn



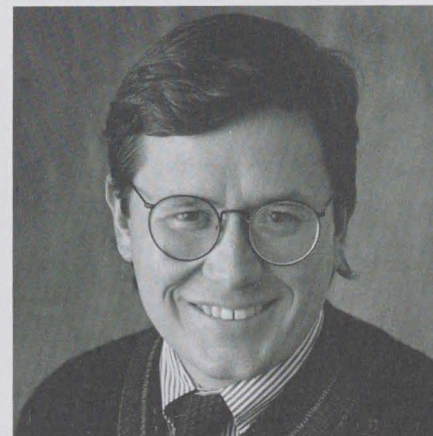
*Assistant Dean of Admissions and Financial Aid Glen Glenn*

community. I'm looking forward to the challenges inherent in the admissions operation, and I am overwhelmed by the enthusiastic welcome I've received."

Also last semester, Margo Post Marshak announced that she would be leaving the Law School to accept the position of Vice President for Student Affairs at New York University. Since 1981, Vice Dean Marshak has served thousands of Penn Law students and their diverse needs. A trusted counsellor and confidante, Vice Dean Marshak provided a rudder to many students as they navigated their Law School career.

At a farewell celebration last December, Clyde Summers, Jefferson B. Fordham Professor of Law Emeritus, expressed the sentiments of many alumni in thanking Vice Dean Marshak for assisting those who, without her help, may never have survived "the life we give them at Law School". To the applause of many well wishers, Dean Diver presented Vice Dean Marshak with a bronze replica of the statute of Benjamin Franklin seated comfortably on a modern day park bench that adorns Locust Walk.

As part of a reorganization of the functions of Vice Dean Marshak's office, Dean Diver announced the appointment of Assistant Dean and Registrar Gary Clinton as Assistant Dean for Student Affairs. Assistant Dean Clinton will be responsible for advising, counseling individual students on academic and personal matters, administering the Law



*Assistant Dean for Student Affairs Gary Clinton*

School's academic and disciplinary codes, and working with student organizations.

In announcing the reorganization, Dean Diver remarked: "We are enormously fortunate to have, in Gary, a person who can carry on the outstanding service to students rendered over the past ten years by Margo Marshak. In his twelve years in the Law School's Registrar's Office, Gary has earned the respect and confidence of thousands of students for his judgment, compassion, and wit. I know you join me in congratulating Gary on his new assignment." For his part, Assistant Dean Clinton noted: "After twelve years in the Registrar's Office, I am looking forward to my new position, which will allow me to grow and to more fully utilize the skills I've developed in my own graduate education. I am grateful for the confidence Dean Diver has displayed in me, and am pleased to continue my happy association with the Law School."

Continuing the tradition of service and excellence in the Registrar's position will be Gloria Watts. Ms. Watts has served as Assistant Registrar since 1982, and Dean Diver notes: "During this time, Gloria has earned the respect of students, faculty, and staff alike for her courteous, professional, and dedicated service. She is the ideal successor to Gary Clinton in this position."

The Registrar's Office is available for inquiries regarding transcripts, etc., at (215) 898-6427.

### 1991 JUSTICE WILLIAM J. BRENNAN, JR. AWARD — LORALYN MCKINLEY

The Philadelphia Bar Association's nationally acclaimed Volunteers for the Indigent Program presented its Justice William J. Brennan Jr. Award to Clinical Instructor Lorallyn McKinley. The Award, which noted Ms. McKinley's "tremendous service to the poor of the City," is presented to an individual attorney on an annual basis. Ms. McKinley accepted the honor from United States Supreme Court Justice Harry Blackmun at a ceremony last

November. Justice Blackmun visited with other members of the Law School faculty later in the day.

### LAW ANNUAL GIVING UPDATE

Charles E. Dorkey III '73, National Chair, has established an alumni advisory board for Law Annual Giving. In the interest of improved communication with the growing alumni volunteer network (which today totals over 250 alumni) and the inclusion of more alumni in decision making and leadership roles, he has named the following seasoned veterans to leadership positions:

Fred Blume '66, Philadelphia Regional Chair; Mitchell Brock '53, Benjamin Franklin Society Chair; Lawrence Finkelstein '76, National Reunion Chair; Lawrence J. Fox '68, National Class Agent Chair; David B. Pudlin '74, Philadelphia Regional Delegate; James J. Sandman '76, General Regional Delegate; Jane Taylor '84, New York Regional Delegate; Gregory Weiss '69, New York Regional Chair; and Caroline Werther '86, Participation Chair.

The Campaign Goal for this fiscal year is \$1.8 million. Through January 15, \$976,475 in unrestricted gifts and pledges has been raised from 1584 alumni and friends. We are deeply grateful to all who have already made their contribution. If you have yet to participate in Law Annual Giving 1991-92, please remember that every gift is important. Our Campaign year ends June 30, 1992.

### RONALD L. RUTENBERG '57 PROGRAM IN LAW AND ENTREPRENEURSHIP

Friends, colleagues and classmates of Ronald L. Rutenberg '57 have established a memorial in his name, to be housed in the Law School's Institute for Law and Economics. The Ronald L. Rutenberg Program in Law and Entrepreneurship will examine the impact of law on entrepreneurial activity, specifically on legal developments which either encourage or impede such activity. Professor of Law and Economics and Director of the

Institute for Law and Economics Michael L. Wachter noted that the Rutenberg Program will increase the Institute's focus on the role of the law in entrepreneurship and will encourage closer collaboration between the Institute and the Wharton School's Sol C. Snider Entrepreneurial Center.

On December 3, 1991, the Institute hosted its first Rutenberg event. The Honorable William T. Allen, Chancellor of the Delaware Court of Chancery, presented "Corporate Takeovers and Our Schizophrenic Conception of the Business Corporation."

The Institute will continue the Rutenberg Series; call (215) 898-7719 for further information.

### LAW ALUMNI SOCIETY MISSION AND BYLAWS COMMITTEE

At the beginning of his term last year, Society President John F. DePodesta '69 announced his intention to form a Mission and Bylaws Committee to examine the programs and goals of the Society and assess their appropriateness to the Law School and alumni. In recognition of his outstanding service as National Chair of Law Annual Giving, Mr. DePodesta requested the service of Jeffrey M. Stopford '69, Society Board member, as Chair of the nascent committee.

Mr. Stopford will be working with Nicholas J. Nastasi '67, Michele L. Tuck '83, and Murry J. Waldman '52 on a Mission Statement and new bylaws for the Society. The Committee welcomes the input of alumni in its efforts. If you have ideas as to what activities the Society should be dedicating its efforts, please direct them in writing to:

*Jeffrey M. Stopford '69, Chair  
Law Alumni Society Mission and Bylaws Committee  
University of Pennsylvania Law School  
3400 Chestnut Street  
Philadelphia, PA 19104-6204*



## AT THE LAW SCHOOL

### *The Keedy Cup*

On December 5, 1991, the Law School enjoyed the annual Keedy Cup Finals. A most distinguished panel of judges, Hon. Phyllis A. Kravitch '44 of the United States Court of Appeals for the Eleventh Circuit presiding (see page 35), Hon. Andrew Christie '49, Chief Justice of the Delaware Supreme Court, and Hon. Nathaniel R. Jones of the United States Court of Appeals for the Sixth Circuit, heard *Lee v. Weisman* (now pending before the United States Supreme Court).

For the petitioners, Bart E. Cassidy '92 and Kurt F. Gwynne '92 argued that a non-sectarian solemnization, which included the words God and amen, offered at a public high school graduation ceremony was not violative of the Establishment Clause. Lawrence D. Rosenberg '92 and Robert A. Strumwasser '92 offered the respondent's position that the words uttered were supplication and prayer, and violated the Establishment Clause, particularly in light of the public school setting.

In announcing the Court's decision in favor of petitioners, Judge Kravitch complimented the excellent presentations of both teams. Justice Christie echoed Judge Kravitch's remarks. In noting each team's ability to answer the Court's questions and steer the reply back to their presented arguments, he recounted a tale from a moot court competition during his days at the Law School, where one of the competitors unwisely reprimanded a member of the bench: "If you would just hold your questions, Your Honor, and let me make my argument."

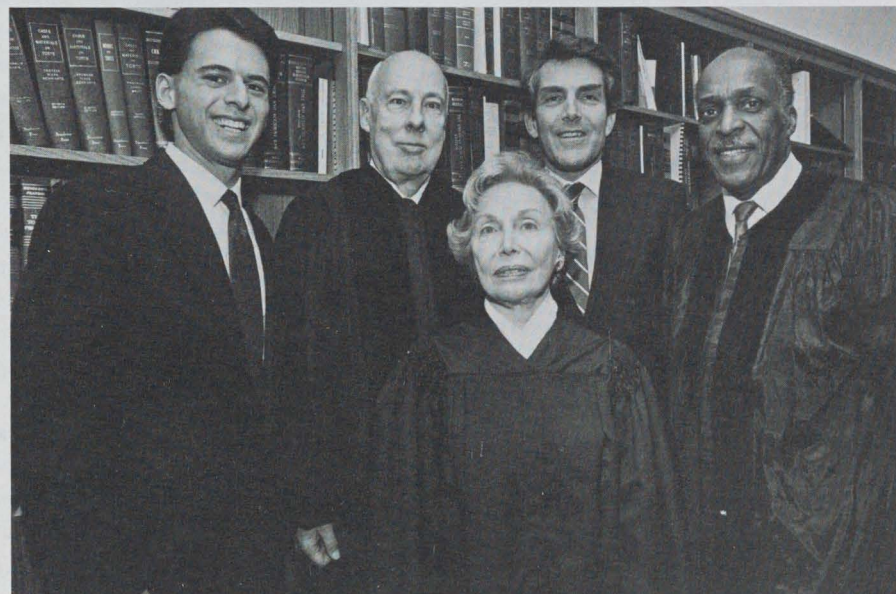
The Law Alumni Society offers its congratulations to all of the Keedy Cup Finalists.

### *National Moot Court Competition*

Beyond the Law School, a team of Penn Law students, Lauren Liss '92, Stephen J. Levy '92, and Edward A. Mas '92, entered this year's National Moot Court Competition and met with great success.



*Bart E. Cassidy '92, left, and Kurt F. Gwynne '92, winners in this year's Keedy Cup Competition.*



*David S. Wachen '92, far left, Chair of the Keedy Cup Moot Court Board, and Dean Diver join the Keedy Cup Competition jurists. From left: Hon. Andrew D. Christie '49, Hon. Phyllis Kravitch '44, and Hon. Nathaniel Jones.*

The team won in preliminary rounds and the quarterfinals before losing, in a close decision, in the regional semifinals held in the United States District Courthouse in Washington, D.C.

The team argued, alternatively for petitioner and respondent in each level of competition, a copyright fair use case involving the right to a jury trial where statutory damages are awarded. Finding the exercise exhilarating, competitor Lauren Liss noted: "It was a good

practical lesson in oral advocacy. The judges' criticism is very insightful, and I found their remarks very helpful."

Congratulations to this motivated group of students from the Law Alumni Society.

## THE ANNUAL BENEFACTORS DINNER AND RECEPTION

This year's Benefactors Dinner, held at the Four Seasons Hotel in Philadelphia, hosted those donors of \$2500 and above at a festive event. With inspired wit and warmth, Dean Diver welcomed more than 135 benefactors and their guests. He then introduced Myles H. Tanenbaum '57, Chair of the Campaign for Penn Law, who praised those in attendance for their generous support and asked all to reconsider their commitment to the Campaign.

After dinner, Law Alumni Society Awards Committee member Beryl Richman Dean '64 introduced this year's James Wilson Award recipient, Bernard G. Segal '31: "Those of us who came to Penn Law after 1931 have been presented in Bernard G. Segal a most inspiring and fitting role model. His professional accomplishments, community and government service, his life-long commitment to civil rights, ethics in practice, and world peace, are legendary."

Mr. Segal's remarks upon receiving the Wilson Award called upon his listeners to hear the call to public service and professionalism as practitioners. We reprint his remarks at right.

The Law School hosted the first annual Benefactors Reception, for donors to the Law School of \$1000-2499, in the Cassatt Lounge of the Rittenhouse Hotel on October 29, 1991. The enthusiastic and energized crowd enjoyed cocktails and hors d'oeuvres as well as the encouraging remarks of Dean Diver and Campaign Chair Tanenbaum. More than 150 benefactors and their guests mixed with faculty and staff at the event.



*Alumni and friends enjoy the annual Benefactors Dinner in Philadelphia.*

*At the Benefactors Dinner and the Benefactors Reception, Myles Tanenbaum, Chair of the Campaign for Penn Law, announced that the tremendous support of alumni and friends of the Law School to date has inspired the Law School to increase its Campaign goal from \$45 to \$52 million. In light of the success of the fundraising efforts for the Law School's new building, the additional \$7 million will be earmarked for people-oriented, intellectual pursuits: additional faculty chairs, teaching and research endowments, and additional financial aid dollars.*

*For more information about the success of the Campaign and your part in it, please call Assistant Dean and Director of Development Donald G. Myers, (215) 898-7489, or Associate Director of Development Carol G. Weener, (215) 898-9438.*



*Alumni at the Benefactors Reception.*

Dean Diver, Mrs. Dean, and other friends of our most highly esteemed Law School:

Before I respond, I must express my wife's and my sadness that her illness prevents her, a pioneer in the causes of civil rights and services for the poor, from being present on this occasion. She has asked me to convey her best wishes to all of you.

Thank you, Mrs. Dean, for your generous presentation. After that eulogy, it hardly seems respectable for me to remain vertical.

My heart tonight is filled with sentiment. I am moved and proud to be the recipient of this most meaningful Law Alumni Award.

It is particularly gratifying to receive an award named for James Wilson — signer of the Declaration of Independence, major architect of the Constitution, one of the six original Justices of the Supreme Court and the first lecturer in law at this University. He is truly one of the greatest legal figures in the nation's history.

Unfortunately, the tyranny of the time prevents my recounting the highly significant role our Law School has played in furthering the interests of our legal profession and its usefulness to our society. However, it is appropriate for me to mention at least the creation, in 1987, of the Center of Professionalism which, under the direction of Judge Spaeth, has

already instituted highly significant innovations.

I applaud the most recent requirement that in each of his or her second and third years, every student devote 35 hours to pro bono representation. Hopefully, this innovation will be followed by other law schools in substantial numbers.

Over the years, lawyers have used their talents and their training to meet public needs. Time allows me little leeway to give you more than a few examples. On June 21, 1963, at a meeting attended by over 200 members of virtually every group comprising the legal profession, except, of course, Judges, President Kennedy created the Lawyers' Committee for Civil Rights Under Law. The Committee promptly established a law office in Mississippi, and then arranged for lawyers from northern law firms to come down for one month each to provide representation of black persons. After a short period, encouraged by cooperation of the officers and the Board of Governors of the Mississippi State Bar, courageous Southern Judges were inspired to brave the ire of friends and neighbors to make the 14th Amendment a reality for black citizens. Today, the Committee effectively continues its activities.

During the 1970s, lawyers turned to the long-neglected task of providing a legal service program for the poor, alienated from our system of justice. Eager lawyers across the nation, including young lawyers, began to represent the poor; indeed, many of them were trained at this Law School. Most significant: in 1969 and 1970 enormous strides were made by the American Bar Association in broad new areas of legal concern. Many of these areas of concern are now also engaged in by other national organizations of the legal profession, as well as by state and local bar associations. The advance in the past three decades has been truly enormous.

During the 1980s, when human rights rose to the fore of the international agenda, there were many in the profession who led the opposition to apartheid, who went on missions to protect the

disappeared in Argentina, the banned in South Africa, and the imprisoned in Eastern Europe.

Despite these very laudable advances, regrettably they have been far too infrequent. There are few times in our history when lawyers have been held in so low repute by the general public. Lawyer bashing is a common occurrence. It has been observed that jokes about lawyers are the most politically acceptable these days. Of course, much of this particular criticism is unfair. Lawyers did not cause the proliferation of drugs, the persistence of poverty, the prevalence of prejudice, the perils of violence and other conduct disturbing to our society.

Nevertheless, there is just criticism as well. For the sad fact is that too many lawyers have not met their responsibilities. Too few have opted to serve the public good. Too many have diminished the profession's status by commercialism and greed, by parochialism and arrogance. Too many are apathetic to the ills that our profession can and should address. Worse still, ethical misconduct, justly subject to condemnation, has

substantially increased. These conditions urgently call for our attention and redress. I have no doubt that the organized Bar, supplemented by the dedicated individual service of a large number of highly motivated and skilled members of the profession, can significantly improve the situation.

The examples I have given of lawyers who have addressed the critical issues of our time, lawyers who, in the memorable words of Justice Holmes, have learned to "live greatly in the law," should more and more inspire others to do likewise. I pray that this will be the direction of an increasing number of members of the legal profession in the years ahead.

And now, as I resume my seat, I reiterate my appreciation for the James Wilson Award.

*The Awards Committee of the Law Alumni Society invites all alumni to consider recommendations for the Society's annual awards. Please see page 43 to learn how you can participate in this important process as we continue to honor the accomplishments of our colleagues.*



*Bernard G. Segal '31, center, accepts the James Wilson Award for Service to the Profession from Beryl Richman Dean '64 and Dean Diver. His eloquent remarks upon accepting the Award are reprinted above.*

## LAW ALUMNI SOCIETY EVENTS

The Law Alumni Society's Annual Parents and Partners Day hosted family members of fully half of the Class of 1994 for a morning at the Law School. Family members were welcomed to the first year Torts classes of Dean Diver and Professor Clyde Summers. Elizabeth Slusser Kelly, Professor and Library Director, and her staff presented an overview of Biddle Law Library's current and future plans, including a tour of the present Library space.

Students then rejoined their families in Room 100 for a panel discussion, featuring a discussion of curriculum by Professor Robert A. Gorman, and presentations by Todd Cox, Amy Kim, and Ann Zedd, all extremely accomplished members of the Class of '92. Three alumni, Fred Blume '66, Dennis Flannery '64, and Michael J. Rotko '63 — all parents of students in the Class of '94 — addressed the group, presenting an overview of their career paths, and emphasizing the joys that their professional lives have provided.

On November 21, 1991, the Law Alumni Society hosted a reception during the Philadelphia Bar Association's Annual Bench/Bar Conference, taking place in Philadelphia for the first time in many years. During the reception, Law Alumni Society Awards Committee Chair Jerome B. Apfel '54 presented the Alumni Award of Merit to Robert C. Heim '72, Chancellor of the Philadelphia Bar Association. In accepting the Award, Mr. Heim noted that he felt strongly committed to Penn Law, and related how he had applied to the Law School while serving in the United States Navy. While still aboard ship, Mr. Heim received notice that his service was being extended, and he apprehensively wrote to Arnold Miller, then Admissions Officer at the Law School. The letter he received in return — stating "Dear Bob: When you're ready, we'll be here." — launched the satisfaction and pleasure in his Law School experience that Mr. Heim proudly exhibits today.



*Parents and Partners Day featured, from left, Fred Blume '66, Dean Diver, Edward Blume '94, Dennis Flannery '64, Kelly Flannery '94, Michael Rotko '63, and Thomas Rotko '94.*

Alumni events on the West Coast were likewise warmly received. Dean Diver spent a week visiting with alumni in California, beginning in San Francisco. There, Murry J. Waldman '52 hosted area alumni at his firm for lunch with Dean Diver. Later in the week, alumni in Los Angeles selected from two events: a lunch at Arnold & Porter hosted by James Sandman '76, and a second on the following day at Mitchell Silberberg & Knupp, hosted by Edward M. Medvene '57. At this lunch, Dean Diver presented the Alumni Award of Merit to Marshall A. Rutter '59, a long-time supporter of Law School activities on the West Coast. Mr. Rutter and Curtis Graham '77 are contemplating a spring event for Penn Law alumni in Los Angeles. Interested? Please call Jo-Ann Verrier '83 at the Alumni Office, (215) 898-6303.

In January, the Law Alumni Society and Dean Diver hosted a luncheon during the annual meeting of the Association of American Law Schools in honor of Robert A. Gorman, Kenneth W. Gemmill Professor of Law and the outgoing President of the AALS. Penn Law alumni in law teaching joined Penn faculty and friends of Professor Gorman. An interview with Professor Gorman discussing his Presidency and an excerpt

from his writings to the AALS membership follow at page 16.

Alumni participated in many Law School events throughout the fall semester. The Law Alumni Society's newly formed Speakers Bureau assisted the various student groups in identifying panelists and speakers for brown bag lunches, receptions, and conversations. The Equal Justice Foundation enjoyed a panel discussion, "Surviving on a Public Interest Salary", featuring Sharon Dietrich '84, Charles McPhedran, who completed his third year of law school with the Class of '90, and George Shotzbarger '78. Alumni have offered divers expertise and information to the foreign LL.M. students this academic year. In October, John Chou '84, Sharon Gornstein '84, Gary Tennis '80, and Valerie West '83 offered mock interviews in a discussion organized by Career Planning and Placement Counsellor Susan Toler. At this program, John DePodesta '69 offered practical advice to the students on what U.S. law firms might be attracted to in the foreign job applicant.

As a further aid to the LL.M. students as they undertake their job searches, alumni have offered to do individual mock interviews. The

following alumni are working with an LL.M. candidate on interviewing techniques: Karen Engstrom '89, David Folts '85, Ronald Karam '83, Daniel Markind '83, Robert Natalini '86, Melissa Rudolph '86, J. Michael Russell '85, John Terrill '76, and Kenneth Trujillo '86.

If you are interested in working with or getting to know an LL.M. student, please call 898-6303.

### THE LAW SCHOOL'S BOARD OF OVERSEERS

The Law School's Board of Overseers honored its outgoing chair, the Honorable Arlin M. Adams '47, at its meeting last November. On behalf of the Board, Sylvan M. Cohen '38 expressed sincere appreciation for Judge Adams' dedication and commitment to the Law School as chair of the Overseers. In honor of this service, the Arlin M. Adams Public Interest Scholars Program has been instituted. A generous donation of \$500,000 from the Annenberg Foundation initiated the Fund, which will sponsor the tuition of Public Interest Scholars at the Law School.

Charles A. Heimbold, Jr. '60 has assumed the chair of the Board for its coming term (see page 36 for Sidebar Profile). Also joining the Board are Marcia D. Greenberger '70 (see page 37 for Sidebar Profile), Arthur Raynes, Esq., and Michael J. Rotko '63.

### PENN LAW RUGBY FOOTBALL CLUB — ANNUAL ALUMNI REUNION

On April 12 and 13, 1991, the Penn Law Rugby Football Club held its fourth annual Reunion Weekend. Attending the reunion and pictured above (in no particular order!) are Ed Berg '89, Gary R. Carney, Jr. '87, Michael Ceramella '87, James T. Duncan '90, Marc Ginsky '88, George A. Greenslade, III '87, Mark Gross '90, Ray N. Hulser '87, Daniel Isales '88, Andrew S. Margolis '87, Robert J. McCarthy, Jr. '87, John McConnell '90, James Mitchell '88, John F. O'Riordan '90, John V. O'Hara '90,



*Friends of Hon. Arlin M. Adams '47 join him for a farewell luncheon as he completes his term as Chair of the Overseers. Pictured from left: Mr. and Mrs. Robert Dunlop, Ambassador and Mrs. Walter Annenberg, Judge Adams, Dr. Mary Ann Meyers, Mrs. Arlin Adams, Dean Colin S. Diver, Provost Michael Aiken.*



*Penn Law Rugby Alumni at their Annual Reunion.*

Christopher A. Parlo '88, Andrew Reif '90, Bruce E. Reinhart '87, Jason Scherr '90, and William Zimmerman '90.

The festivities kicked off on Friday night with a party for the returning alumni and the 1990-91 squad hosted by Andy Margolis. On Saturday afternoon, in a hard-fought battle, the alumni beat last year's squad 10 to 6. The '90-'91 squad was gracious in defeat; that night, its president, Tom Ayres '91, hosted a party for all.

This year, the fifth annual Rugby Football Club Reunion Weekend will be

held on Friday night and Saturday, April 10 and 11, 1992. Penn Law Rugby Football Club Alumni will receive more details in a mailing in March.

# Calendar

## FALL 1991



## FEBRUARY 1992

*Friday and Saturday, February 28 and 29*  
Edward V. Sparer Conference in Public Interest Law  
Issues in Housing and Homelessness  
*The Law School*

*Friday and Saturday, February 28 and 29*  
"Anything Goes"  
The Light Opera Company  
For ticket information, call Laura Gasser '92 at (215) 898-9571.

## MARCH 1992

*Thursday, March 5*  
Alumni Reception, New York  
*America* - 7:00 p.m. until 9:00 p.m.

*Thursday, March 19*  
Law Review Banquet  
Hon. A. Raymond Randolph, Jr. '69  
United States Court of Appeals for the District of Columbia Circuit  
*The Franklin Institute*

*Friday, March 27*  
David Berger Conference in Complex Litigation  
*The Law School*

## APRIL 1992

*Thursday, April 2*  
Conference on Capital Markets  
Journal of International Business Law  
*The Law School*

*Friday and Saturday, April 10 and 11*  
Sadie T. Alexander Conference  
BALSA Alumni Lunch  
*The Law School*

*Wednesday, April 8*  
Law School Board of Overseers Meeting-  
10:00 a.m. until 4:00 p.m.

*Friday and Saturday, April 10 and 11*  
Fifth Penn Law Rugby Alumni Weekend  
For details, call Andrew S. Margolis '87  
at (215) 732-8047

*Monday, April 13*  
Irving R. Segal Lecture  
Kenneth Starr, Solicitor General of the United States - 4:00 p.m.  
*The Law School*

Law Alumni Society Board of Managers Meeting - 5:30 p.m.  
*The Law School.*

## MAY 1992

*Wednesday, May 13*  
Alumni Lunch, Washington, D.C.  
*Mayflower Hotel*  
Noon until 1:30 p.m.

*Thursday, May 14*  
Alumni Reception, New Jersey  
*Bally's Park Plaza - Atlantic City*

*Friday through Sunday, May 15-17*  
Alumni Weekend

*Friday, May 15*  
University-wide Alumni/Faculty Exchanges

*Saturday, May 16*  
Alumni/Faculty Exchanges continue with two at the Law School  
10:00 a.m. until 11:30 a.m.

State of Penn Law Lunch for All Alumni  
*The Goat* at Noon  
Distinguished Service Award to be presented to Myles H. Tanenbaum '57  
Law Alumni Society Annual Elections

*Quinquennial Class Celebrations*  
Evening Events  
For information about the event planned for your class, members of the Classes of '32, '37, '42, '47, '52, '57, '62, '67, '72, '77, '82, and '87 can call the Alumni Office - (215) 898-6303. Your formal invitation will arrive in March.

*Sunday, May 17*  
All-Class Brunch  
*The Law School*  
11:00 a.m. until 1:00 p.m.

*Monday, May 18*  
Commencement  
*The Academy of Music*  
2:00 p.m.

# *Penn Lawyers*

## INVOLVEMENT IN OUR CHANGING WORLD

Here, we consider the work of several alumni in the international arena. John F. DePodesta '69, a partner at Pepper, Hamilton & Scheetz' Washington D.C. office, is currently consulting with several former Soviet republics as they move toward privatization of their economies. Nessim Levy '67 uses his legal skills in his family owned exporting business; here, he discusses opportunities in the expanding international marketplace. K.W. James Rochow '71 and James D. Morris '75 are both involved in educating developing nations in issues in environmental law.

Certainly, we do not attempt to be comprehensive in these profiles; many of our alumni are involved in important work throughout the globe. We look forward to hearing from you with news of your involvement, or that of your classmates, abroad.

### **John DePodesta '69**

John F. DePodesta '69 occupies a unique position in the area of international law. Having served as general counsel in charge of reorganizing the bankrupt Penn Central Railroad between 1971 and 1976, and as general counsel for Consolidated Rail Corporation for three years thereafter, DePodesta gained unparalleled experience in the deregulation and subsequent privatization of this country's railroad industry. This experience has afforded DePodesta an insider's perspective on the process by which governments alter regulations to create privatization opportunities. DePodesta has since drawn on his understanding of this process in working on projects similar to the ConRail venture in several former Soviet republics, Chile, Argentina, and many African nations.

According to DePodesta, three trends have accelerated American law firm's augmented multi-national role: the worldwide capital shortage, the collapse of socialist economies, and the World Bank and International Monetary Fund's conditioning of loans to developing nations upon their governments' efforts at privatization. DePodesta noted that the globalization of the economy has enabled his firm to represent both domestic and foreign clients in ways formerly not open to it. For instance, fifteen years ago, American firms may have represented foreign corporations investing in the United States economy. Today, by contrast, these firms not only aid foreign clients within the United States, but also represent entities seeking private sector opportunities worldwide.

Drawing on his privatization

experience at ConRail, DePodesta's most significant involvement to date has been his consultation with the former Soviet Republic. In June 1991, DePodesta gave a two-day seminar on privatization to Russian managers of state-owned enterprises and Russian officials at the republic and union levels. He currently represents the Republic of Tadjikistan in its efforts to privatize mining operations in that republic. To prepare a government for privatizing a sector of its economy, DePodesta and his colleagues advise on the elements of a legal and regulatory "enabling environment" required to attract financing. Noting that it took seventeen years to privatize the railroad industry in the United States — a country endowed with a strong free-market economy — DePodesta states that the privatization process can be a long and complex one, especially in nations without such a free-market foundation.

### **Nessim Levy '67**

Nessim Levy came to Penn Law in 1964 in lieu of business school, even though he knew he would be joining his family's business upon graduation. Level Export Sales Corporation is the international sales representative for this country's largest producer of denim and corduroy fabrics. In his role as President of the company, Levy sells their product in the international market, negotiating deals, and assessing credit risks.

Currently, most of Level's business is with western European countries. "There is a large demand for consumer goods in eastern Europe; the difficulty lies in their present inability to pay for



*Nessim Levy '67*

the goods in convertible hard currency. We are clearly in a transition with regard to these countries. While we are interested in going into these developing market places, we will need adequate compensation to do so.”

Levy notes that his legal education has proven very valuable to him in his business. “Law school helps discipline your mind, and teaches you to analyze situations and clearly express your thoughts in writing, all useful in business. We do retain legal counsel but, to my advantage, I understand what is going on at both ends of the table.” Levy’s experience at a session of Harvard Business School’s Owner President Management program reaffirmed his belief that law school was the “right choice”. “I learned the business portion well enough hands on, and my education at the Law School has complimented my skills.”

As far as American competition in the world marketplace, Levy has this to say: “Many firms that could do business overseas just don’t make the effort. Law schools can open up these markets by training lawyers in international business law. I see this happening at Penn and at other law schools, and it is a healthy trend. Appropriately trained legal counsel can encourage U.S. companies to take advantage of the growing opportunities worldwide.”

#### **K.W. James Rochow '71**

Serving as an Assistant Attorney General of Pennsylvania after graduation, where he worked in environmental regulations and enforcement, Rochow had the opportunity to attend and speak at an environmental law conference held at Stanford between United States and Japanese delegates. The Japanese representatives were esteemed people from government and universities, and Rochow’s curiosity in the subject matter was piqued.

Following the conference, Rochow applied for and received a fellowship from the Japanese government to study environmental law — specifically, environmental litigation and dispute resolution — and to serve as Visiting Scholar at Tokyo’s Hitotsubashi University in 1983 and 1984. Rochow’s growing expertise resulted in his appointment as staff expert to a United Nations agency, the Economic and Social Commission for Asia and the Pacific (ESCAP). In this post, he prepared a conference for Asian environmental experts and compiled monographs describing the system of law and environmental regulation in each of the ESCAP countries.

Today, Rochow continues his expertise, broadening his perspective to what he describes as the “emerging field” of international environmental law. The author of more than fifteen articles in the



*K. W. James Rochow '71*

field, he is currently co-authoring a coursebook, scheduled for publication in 1992. He recently coordinated and lectured at a program funded by the United States Agency for International Development and conducted and developed by the Environmental Law Institute and the Institute for International Education at which representatives from countries in Africa, Asia, and Latin America engaged in extensive study of issues in environmental law.

“The field of international environmental law is in a critical phase of formation, stuck between archaic 19th century nuisance principles and more sophisticated, prevention oriented systems that are as yet only half formed. Moreover, solution of environmental problems in the international arena is inhibited by the lack of an international agency with any regulatory or enforcement authority. Additionally, while virtually all countries have something that resembles environmental regulation on paper, there is a distinct lack of enforcement, both at the national level and, more importantly, at the local level, where the real work of implementation and enforcement takes place.” Rochow’s work — he now has a consulting and legal practice in environmental and regulatory law and policy — continues to grow as the field develops.

#### **James D. Morris '75**

James Morris '75, too, lectures in the international environmental law area, and worked with Rochow on the recent intensive Environmental Law Institute program. Morris notes that much of what needs to be taught in environmental protection is of general applicability. “Groundwater is groundwater, and it must be protected universally.”

Morris, a full time environmental law practitioner, has recently lectured in other Environmental Law Institute programs as well. He spent two weeks in Hungary presenting a variety of exercises designed to raise issues in environmental protection, particularly as it relates to groundwater, and later meeting with representatives of the general assembly and various agencies charged with





*James Morris '75*

protecting human health and the environment. Morris notes that the Hungarian government — facing monumental transformation in many areas, particularly related to defining what public and private property are and in privatizing its industry — also faces unique problems in protecting its resources. For example, abandoned Soviet army bases have been deeded to the Hungarian people by the Soviets, but with no provision to clean these properties, which in fact have housed extremely dangerous facilities such as chemical manufacturing plants.

“Hungary faces ongoing problems. The air quality in the country is stunningly bad, both from its own industry, with factories built without anything approaching environmental controls, but also due to incredible transboundary pollution from the other eastern European countries. Hungary suffers incredible air pollution, one half of which is transboundary; it also sits below most of industrialized Central Europe on the Danube, creating problems of environmental control across national boundaries. I expect our consultation there to be ongoing.”

At the Law School, interest in international law courses runs high. During the 1990-91 academic year, a group of students interested in pursuing an exchange with a foreign law school organized the International Legal Exchange Project (ILEP). Led by Oded Salomy '92 and Ben Erulkar '92, the group worked through the Citizens Exchange Council to contact law schools in Russia and initiate a reciprocal program. Last spring, seven Penn Law students visited Moscow and St. Petersburg, where they spent time with law students, professors, and governmental officials in both cities.

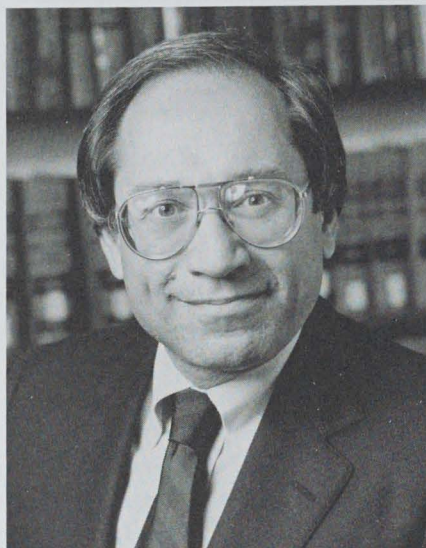
The students were then able to organize the return trip of Russian students last fall. Eight visitors saw New York, Philadelphia, and Washington, D.C. under the auspices of ILEP. During their extremely busy stay, the group toured Ellis Island, visited a courtroom while a trial unfolded, surveyed City Hall in Philadelphia, attended a professional basketball game, and toured Washington. There, Ellen Kohn '79 gave the group a warm welcome at the Steptoe & Johnson offices.

The success of the return visit inspires the ILEP students. “Our goal is to institutionalize the program here at Penn. Those of us interested in international law truly profit from an immersion in the culture of a foreign country, even for a brief visit,” notes David Lazarus '92. “We’re also building lasting relationships — I’m looking forward to reconnecting with one of our visitors last semester on our next trip abroad.”

Professor Charles W. Mooney, Jr. is the Law School’s representative to the Provost’s Council on International Programs. He includes the ILEP efforts as one of the many opportunities for law students to be involved in international projects at the Law School. In addition to the many core courses, such as Domestic & International Sales and International Trade Regulation, students can choose from some intensive seminar experiences in the field, studying with such esteemed professors as Dr. Friedrich Kubler, who holds a joint appointment at the Law School and at the Institute of Banking Law at the University of Frankfurt.

“This year, a group of interested faculty members have been holding a series of informal meetings to discuss international and comparative law issues. We’re also quite involved in international legal education through our graduate studies program, in which students from throughout the globe take their LL.M. degree. These students bring their culture and experience to the Law School in important way.”

# Faculty Excerpts



Robert A. Gorman

## A CONVERSATION WITH ROBERT GORMAN, *Kenneth W. Gemmill Professor of Law*

Robert Gorman, Kenneth W. Gemmill Professor of Law, one of the most popular faculty members here at the Law School, joined Penn in January of 1965. Although his accomplishments during this period have been many, one notable distinction is his service as president of two influential educational institutions. In 1981-82, Professor Gorman served as president of the American Association of University Professors, founded in 1915. He is currently completing a one year term as president of the American Association of Law Schools, founded in 1900. He is only the second person to have held both offices in the organizations' histories. Professor Gorman, who has an A.B. and LL.B. from Harvard University and enjoyed one year of study at Oxford University, speaks with us about his past experiences, particularly those of his current office, and how they have shaped his thoughts and teaching over the years.

*After 27 years in legal education, what is still attractive to you about teaching?*

After all those years in the classroom at Penn, I still love teaching. For one thing, the quality of our students is superb. As the years have gone by, classroom discussions have become increasingly like conversations with my own faculty colleagues. The Socratic method keeps me on my toes and helps me to refine and advance my thinking. I also find it exciting to keep abreast of the new case

and statutory developments in the fields I teach. They offer a constant challenge to identify new issues to be explored and new ways to approach them in the classroom.

*What interested you most in taking on the Presidency of the Association of American Law Schools?*

Since joining the Penn faculty, I have been very interested in the structure of the curriculum, and in the varieties of teaching methods and teaching materials. Legal education has changed enormously in the past twenty-five years, with the emergence of entire new areas of legal regulation, of clinical legal education, and of new interdisciplinary and theoretical approaches to law. Every law school should periodically reassess its curriculum and its approaches to teaching. I thought that the AALS would be an attractive forum in which to pursue these developments on a larger scale, beyond Penn.

*Has the AALS done so?*

Of course, it is not possible to reform legal education, or the curriculum in particular, in a short time in a single institution — let alone in 158 law schools that are members of the AALS. But the AALS clearly makes a mark through its professional development programs, in which faculty in particular subject areas, from law schools across the country,

meet for two days or five days to discuss new developments in teaching and scholarship. The Association is also on the verge of developing an information "clearinghouse," accessible by computer, which could provide all law schools with information about curricular innovations throughout the country, in first-year programs, clinical education, skills training, interdisciplinary courses, legal-writing programs and the like.

*How has your unique service as President of both the AALS and the American Association of University Professors shaped your teaching and other activities at Penn?*

I think the influence has gone in both directions, and that my experiences at Penn have at least as much shaped my work with the two organizations. For example, the AALS — which, in combination with the American Bar Association, accredits American law schools — is concerned about improving the quality of legal education. The ABA tends to focus on the training of practicing lawyers, while the AALS is more concerned with the quality of teaching and scholarship at a law school, with the vitality of the intellectual life there. Because I have been teaching for so long at a high-quality institution, which has always exemplified the best in teaching and scholarship, I am better able to assess the quality of other law schools and to appreciate areas of strength and weakness.

*What about your service with the AAUP?*

With the AAUP, on the other hand, my principal activities have related to academic freedom issues. The AAUP is concerned with issues affecting faculty on all campuses in the U.S., and in all kinds of academic disciplines, not just law. I currently chair the AAUP Committee on Academic Freedom and Tenure, and my activities there have recently come into play here at Penn. As you may know, the University has over the past couple of years been developing its policies on racial harassment, and in particular its guidelines for harassing and

offensive speech. I was consulted by College Hall as those guidelines were being developed. My work with the AAUP has also given me a better appreciation of the role of collective bargaining as one means of enlarging the role of the faculty in higher education, and that has enriched my teaching of Labor Law.

*You stated that law schools have changed through the years. Have law students?*

Very much so. The principal differences through the years have related on the one hand to idealism and public service, and on the other to professional placement and success. Around 1970, in the period of the Vietnam War, our students were greatly concerned about the use of their legal education to promote social justice and to consolidate the gains of the civil rights movement. Their call for "relevance" in legal education and for participation in setting law school policies has left a lasting effect — in other law schools as well as our own. The past few years have witnessed a re-birth, I think, in social concern among our students. Our public-service requirement has tapped into those student values. To a considerable extent, however, they are being put to the test by the current down-turn in opportunities for young lawyers. More students, quite understandably, are focusing greater attention on landing remunerative jobs. But one salutary byproduct of the shrinking opportunities at the larger private firms has apparently been a greater willingness on the part of our students to seek employment in smaller firms, in smaller towns, in public-interest organizations, and in government.

*Does the law school have a legitimate role in the moral education of its students?*

Very much so. In part through its formal curriculum, but at least as much in the less tangible dynamics of the classroom, and in all sorts of interactions between students on the one hand and faculty and administrators on the other, a law

school helps shape the moral values of our students — even though, concededly, those values have very largely been shaped by their previous life experiences. I recently addressed these issues in a President's Message written for the AALS quarterly Newsletter. [Editor's Note: This message is reprinted below, with AALS permission.] The process of moral education continues after our students leave law school and enter the practicing profession; their seniors and their peers in practice have a continuing obligation to encourage public service and to aid in instruction toward the ethical practice of the law.

*In today's society, a "moral lawyer" is seen as somewhat of an oxymoron. What is your response to that view?*

It is ridiculous to think that a lawyer cannot be successful and moral at the same time. Surely there are some lawyers — as there are doctors, accountants, and even members of the clergy — who practice their profession without adhering to moral standards. But there is no reason why ethical conduct and the successful practice of the law cannot be reconciled, and I should think that a reputation for the former can commonly contribute to the latter.

THE LAW SCHOOL AND MORAL EDUCATION

Robert A. Gorman



Professor Robert Gorman, center, joins Professor A. Leo Levin, left, to congratulate Alumni Award of Merit recipient Robert C. Heim '72.

My purpose in this brief essay is to take note of the variety of circumstances in which the law school — in part through the faculty but also through its administration and staff — engages in behavior that communicates to our students (or applicants or graduates) institutional and personal values that are pertinent to preparation for the legal profession.

The informational material that a law school distributes to its applicants should give a scrupulously honest portrayal of the school, its program, its student body and faculty, and its mission and accomplishments. AALS membership bylaw 6-2(c) provides that “A member school shall deal fairly with applicants for admission,” and this has been interpreted to include the communication of accurate information about the academic qualifications and attrition rate of students and the employment patterns of graduates. Schools must resist the temptation unduly to overstate their positive features and to understate or

ignore their weaker points. This requirement of candor should extend as well to other publicly distributed information, including statements made in law school catalogues about the content and availability of courses and programs, and information provided to those engaged in the dubious business of “ranking” law schools.

Accuracy in communications from all law school administrators — from admissions through career services — sets a standard of integrity in the mutual dealings between the institution and its students. There is an instrumental, pragmatic justification as well, as there usually is in support of sound ethical imperatives: An applicant or student given inaccurate information may become frustrated and disappointed as a student and disgruntled and unsupportive as an alumnus or alumna.

Just as the school should provide a model of ethical behavior, it has the educational responsibility to make it clear that such behavior is expected of students (at least in their school-related activities). For example, as students move toward entry into the job market (which, for students at many law schools, takes place as early as their first semester), the law school should make clear that their dealings with potential employers — from providing information about grades and activities, to seeking compensation for trips, to dealing with multiple offers — should be shaped by honesty, by attention to the concerns and interests of one’s classmates, and by attention to the reputation of one’s school and its staff and faculty. These expectations simply parallel the guidelines for behavior that our alumni will be expected to honor as members of the legal profession.

The school should also enforce by every reasonable means the expectation

that students will engage in legal work outside the school for no more than twenty hours per week (a limitation that is mandated by the accreditation standards of the American Bar Association). Students and law firms should be reminded that they are expected to take this requirement seriously. Faculty members should also demonstrate a comparable commitment to a full-time intellectual and professional community. Thus, frequent undertakings away from the school that result in dislocations of class schedules, or in limited availability for conferences with students and colleagues, are inconsistent with this commitment.

Formal instruction in the professional responsibilities of lawyers is, by virtue of an ABA accreditation standard, a required feature of the law school curriculum. Increased attention to this instructional agenda is evident not only in "Professional Responsibility" and "Legal Profession" courses but also in the exploration of these issues in the more "standard" substantive classroom courses and in a variety of clinical programs and courses. But simply to teach about the base-line canons of professional behavior, to be learned by rote, is itself value-laden and can convey an unhappy ethical message. We do better when we encourage a critical assessment of those canons and an appreciation of the more aspirational dimensions of individual and public service.

Even those of us who do not explicitly teach professional ethics do so through our behavior and our treatment of students and issues in the classroom. As teachers and mentors we are thrust into the position of role models; students draw from us inferences about behavioral and attitudinal norms within the larger legal profession. Of course, most of us have distanced ourselves from the practice of law, the ultimate destination for the overwhelming number of our students; and they will soon enough find other professional role models (lawyers, government officials, philanthropists, religious leaders). But, during a particularly intensive formative period, we law faculty members are for our students a

reflection or model of the profession.

In our capacity as conscientious teachers, charged with creating a constructive learning environment, we should — in the words of the AALS Statement of Good Practices — "treat students with civility and respect and . . . foster a stimulating and productive learning environment in which pros and cons of debatable issues are fairly acknowledged"; and we should also "nurture and protect intellectual freedom for [our] students." Pursuit of these lofty pedagogical imperatives will not always be easy.

There is a long-mooted controversy about the extent to which it is sufficient to air the various positions on all sorts of vexing policy and ethical issues, leaving it up to our students to sort out a direction of their own, or whether in addition we have a responsibility to communicate our own views and values. The former strategy creates the risk of inducing a moral aimlessness on the part of our students, a sense that the legal profession and the legal system are indifferent to ethical concerns. The latter strategy brings the risk of inculcating our own private ethical value system, alienating some of our students and chilling independent thought by others. Studies of law students clearly document the former result — a decline in ethical sensitivities as students move through law school. Does that warrant an attempt at rectification by moving toward a more outspoken role for faculty in the classroom?

Other dilemmas have emerged for legal educators in the past decade, which has witnessed a laudable increase in racial, ethnic and gender diversity among our students. This diversity has resulted in the incorporation in classroom discourse of differing attitudes, experiences, values and concerns — which in turn impose an obligation on faculty and students, with faculty members at the fore, to balance candor and forthright expression with sensitivity and mutual respect. The former qualities are to be valued in social and professional life generally, and are particularly at the heart of the academic enterprise even

when (or especially when) communicating controversial ideas. The latter qualities must be preserved both as ethical imperatives and as part of an institutional environment that is welcoming and inclusive.

What is the responsibility of the faculty member when a student takes a position in classroom discussion that is viewed by others as insensitive, disrespectful and stigmatizing? Much has been written on university campuses in recent days about the proper institutional response to provocative confrontational insults based on race, color, gender, national origin, disability or sexual orientation. When the stigmatizing comment is made in the classroom — where one normally presumes a serious instructional enterprise under the control of a faculty member familiar with the pertinent arguments and sensitivities — academic-freedom concerns seem to me to point strongly toward a response that takes not a punitive form but rather the form of rebuttal and education.

In some instances, such rebuttal and education are best handled in private conversation with the insensitive speaker; but in many others, it will be proper (if not indeed morally required) to capture the teaching moment, with the instructor making his or her best intuitive judgment (as we constantly do in the classroom) whether the most effective rebuttal should come from the faculty member or from the students themselves. Some will regard this as an invitation to faculty abuse of the podium and of one's authoritative position within the law school community, and in some particular instances that may be so; but as a general matter, I believe otherwise.

Equally challenging is the teacher's response to the opposite classroom phenomenon — the student's *refusal* to take a position that might be perceived as insensitive and disrespectful. (Herein, of so-called political correctness.) This refusal may be rooted either in a genuine affinity with the group that would be criticized, or in a concern for one's own reputation and friendships. Self-imposed

restrictions on candid, but pertinent, classroom speech are for the most part counterproductive. They inhibit the educational process, for the reluctant or fearful nonspeaker as well as for his or her peers.

What is the appropriate response of the faculty member to the student who refuses, for example, to advocate an assigned position (in the classroom or in a moot court exercise) that he or she regards as offensive or insulting? It might be a refusal to argue that a lesbian couple is inherently unfit to be awarded custody of a child, or that a “streetperson” can constitutionally be denied the right to beg in the public subways.

Many, if not most, of us would justify the unwelcome assignment of roles by invoking the school’s educational mission and responsibility, as reflected in a program conscientiously and “neutrally” designed to provide instruction in subject matter and skills. It would be impracticable if not impossible to pursue those aims if each of several hundred students was permitted to opt out of playing roles that are assigned in a vast number of pedagogical settings.

But do these asserted values of expertise, authority and efficiency trump that of the student’s conscientious objection? The instructor should also point out that the reluctant student as putative attorney does only a disservice to the favored social group (lesbian couples and streetpersons) as potential client if the student is unable to prepare and present the opposing arguments with as much intellectual and literary persuasiveness as the best adversary could. Moreover, the student should be reminded that our system of legal representation, and our imperative of justice even for the unpopular, requires that the public — and especially the attorney — appreciate that a lawyer’s personal beliefs need not be congruent with those of the client (particularly when the “lawyer’s” role is assigned as part of an educational exercise in law school).

The responsibilities (and inevitability) of faculty members undertaking

ethical instruction embrace as well such professional values as dedication, commitment, initiative, punctuality, effort, rigor and responsible cooperation — in a word, self-discipline — whether in pursuit of a client’s interests or in pursuit of the public good. These values, as much as writing and analytical skills, bear upon professional competence. Law faculty should make conscious efforts — in matters such as student preparation, the rigor of classroom discourse (which need not be accompanied by a Kingsfieldian manner) and the completion of work in a timely fashion — to signal to our students that these virtues are central to one’s tasks and responsibilities as a professional. We must also, of course, remember (to paraphrase Karl Llewellyn) that such discipline may ultimately prove trivial or indeed dangerous if not complemented by other virtues such as integrity, respect, humility, the capacity for self-education, and a commitment to improving the law and promoting justice.

“HELP THE CHILDREN. FIX THE SYSTEM.”

Ralph Smith



Ralph Smith

*Ralph Smith's involvement with the children of Philadelphia has a history — through his service as chief of staff in the School District and most recently as special advisor to the Mayor of Philadelphia on children's issues. Out of this service, Professor Smith identified the need for a system-wide examination of how, societally, we care for our young people.*

*Thus was born the Philadelphia Children's Network. Working as Executive Director of the Children's Network, Professor Smith continues his groundbreaking work encouraging this system-wide audit, analysis, and redesign of the supports we provide to children.*

*Last semester, Professor Smith received a three-year grant from Warren V. Musser and the Warren V. Musser Foundation to continue his efforts. At a lunch in honor of his generous recognition of Professor Smith's work, Mr. Musser praised the novel endeavors of the Philadelphia Children's Network, noting: "The future of our city depends on efforts like these."*

*Here, in a rewrite of his remarks in acceptance of Mr. Musser's gift, Professor Smith describes the Philadelphia Children's Network, its goals, and its aspirations.*

I. “Help the children. Fix the system.” This slogan captures the mission and spirit of the Philadelphia Children's Network, a non-profit organization started in the spring of 1990. The “children” are the preschool children in Philadelphia and cities like Philadelphia across the nation. The “system” is that crazy quilt of agencies and organizations, programs and policies which purport to serve those children.

That this nation's children need help becomes increasingly clear as each new report comes replete with the grim statistics on teen pregnancy and parenting (a fifteen-year high in 1990), infant mortality (worse in urban America than in many of the so-called developing countries), early school failure (one out of four first graders being failed), and school dropouts (more than 50 percent for urban youth). At the same time, the experts confirm that more is known now than ever before about what works. Successful programs, they tell us, must be preventative, comprehensive, community-based, family-focused, child-centered, empowering and culturally sensitive. And, while not nearly as much as it should, this nation is spending billions of dollars on these child-serving agencies and programs. Moreover, every survey disputes the notion that Americans have grown callous and indifferent to children. We do care.

So this question arises: *How can we care so much, know so much, spend so much and, yet, accomplish so little, leaving so many children in such dire straits for so long as to compromise their chances to develop into fully functional and productive adults, parents and citizens?*

Seeking the answers to that question has propelled the Philadelphia Children's Network's work and agenda.

Children are in trouble because their families are in trouble. And the

systems put in place to support families and to protect children when families fail do not work and cannot work. Contrary to the clear evidence of research, experience and intuition, today's child-serving systems are fragmented and not holistic, crisis-driven not pro-active, and child centered instead of being family-focused. Not surprisingly, these systems are ill-suited for the challenges posed by dysfunctional families and deteriorating communities. The inability of these systems to achieve their goals is “neither temporary nor aberrant, but chronic and structurally determined.” *Permanently Failing Organizations*, Marshall W. Meyer and Lynne G. Tucker (Sage Publications, 1989). What is presented, in brief, is a state of “permanent failure” — persistence without performance.

Faced with system failure, some yearn for divine intervention or charismatic leadership. Others become converts to a secular religion called privatization and still others place their faith in inter-sector “collaboratives” seeming to hope that whether by osmosis or contagion, mere association with the private sector or the universities will transform today's failures into tomorrow's successes.

By eschewing these strategies and opting to “fix the system”, the Children's Network travels the path less chosen and thus still upon uncharted terrain. Along the way, much has been learned. Not all of that learning can be translated into cognizable lessons. And even those lessons when distilled often prove to be ephemeral, illusive, contingent and conditional. And, yet, there is enough there to commend the enterprise — enough of a trail to justify continued pursuit.

II.

The Children's Network's public sector system change agenda is organized around three focus objectives (two "substantive" and one "strategic") geared to improving the lot and life chances of young children. The substantive objectives are: promoting school readiness and re-engaging young fathers with their children. The strategic objective is that of fostering coordination within and among the child-serving systems. All three objectives are sought to be advanced by developing local capacity, insisting upon stake-holder involvement, ensuring accountability, and promoting collaboration (another of the "C" words now very much in vogue).

*School Readiness*

School-ready children is the first of the national education goals. According to President Bush and the nation's governors, the nation's children should be school-ready by the year 2000. *America 2000: The President's Education Summit with Governors, Joint Statement* (1989). Getting there from where we are today will be no small task. In schools across the nation, far too many children come to school weary survivors of the journey from birth to school, bringing with them undetected, undiagnosed and untreated physical ailments, vision and hearing impairments, developmental delays and emotional scars. It is true that schools and teachers must be held accountable for teaching the students they have and not just those they would like to have. Nevertheless, their jobs could be eased significantly if the primary health care, day care, early education, parent training and family support systems worked to ensure a child ready to learn and caregivers prepared to support that learning.

*Father Re-engagement*

All available evidence suggests that children in single-parent mother-only families are at considerable risk of poverty and the consequent diminution of life chances. And yet, a review of existing family policies and programs would reveal an operating assumption

that fathers who are unwilling or unable to provide financial support for their children are worthless and dispensable. Having yielded successive generations of father-free families, this assumption is being re-visited. Without disputing the potential and viability of any of the other interventions being explored, the Philadelphia Children's Network has committed to a strategy of seeking to afford young children the benefit of both parents. How to encourage, support and enable fathers to become and remain engaged in caring about and for their children is a worthy challenge for an enlightened public policy.

*Coordination of Systems*

Services for children and families are either claim-based, shame-based, or both. What's more, once the claim is made and the shame endured, service delivery mechanisms constitute a maze to be negotiated by the astute, the persistent, and the lucky. This is no accident. Service delivery is fragmented because the systems are fragmented. The major programs are run by different federal agencies and state departments and financed by different funding streams and operationalized by different, inconsistent and sometimes conflicting regulatory regimes. Like the myth of the General Strike, "system integration" may be the ideal never to be achieved (and perhaps far more attractive as aspiration than as reality). However, it should be possible to promote coherence by designing child-serving systems characterized by a high degree of coordination, meaning that all the various services are included (comprehensive), properly sequenced (compatible), and delivered with persistent high quality (cooperative) relationships. *Coordinating Human Services*, Michael Aiken et al. (Jossey-Bass Publishers, 1975). Accomplishing this as part of an overall transformation of a public housing agency is a task as daunting as it is essential.

III.

The early returns are coming in. Progress is being made in all three areas. As importantly there are concrete examples of collaborative work among agencies previously estranged or simply indifferent to each other's mission and concerns.

The Children's Network is actively involved in building local capacity to expand Headstart and Headstart-type early education programs with "wrap-around" services such as day care and family literacy; in connecting newborns to primary health care providers and health insurance options; and in enabling family day care homes to provide developmentally appropriate care for children and training and support to parents and other primary care-givers. The peer support group, intensive case management, and "fatherhood" curriculum with its values clarification activities are contributing demonstrably to "developing" young fathers into caring parents. And a consensus has emerged around a conceptual design for a coordinated family support system — a design which provides both a comprehensive service delivery model and a structure sufficiently formal, durable, and pervasive as to move inter-agency and inter-sector collaboration beyond adhocacy.

As noted above, while it is far too early to offer definitive "findings" there have been learnings, some of which have found expression in the tenets comprising the "philosophy" of the Children's Network.

- The system is part of the problem; therefore, changing the system must be part of the solution.

- All aspects of the child and youth-serving system should be accountable for making measurable progress toward the twin goals of improving service quality and accessibility and of producing healthy, school-ready children.

- Children and youth exist within their families and communities. Dysfunctional families and communities produce dysfunctional children. Therefore, development of healthy children



requires improved family functioning, promotion of family self-sufficiency, and nurturing of supportive neighborhoods.

- Successful programs require stakeholder involvement and support. By bringing these individuals together for consideration and resolution of specific issues, a much needed process of education, information exchange, and mutual understanding to improve effectiveness and efficiency is put in motion.

- Viable strategies for system change are best developed in the crucible of practice, where the issues of scale, appropriateness, centrality to mission, and replicability may be addressed and resolved.

- Public-sector system change is difficult but by no means impossible. Absence of traditional incentives, highly delineated agency boundaries, and other conditions common to the public sector are challenges to be confronted and overcome.

#### IV.

A closing note on what was really the first of all lessons. Conceptually as well as programmatically, system change is hard work. Public sector system change is harder still. These systems are like elephants — slow to change.

Trainers shackle young elephants with heavy chains to deeply imbedded stakes. In that way the elephant learns to stay in its place. Older elephants never try to leave even though they have the strength to pull the stake and move beyond. Their conditioning limits their movement with only a small metal bracelet around their foot — attached to nothing.

*Teaching the Elephant to Dance, The Manager's Guide to Empowering Change*, p. 2, James Belasco (Plume Books 1989).

A few years ago I had a vivid recollection of watching a childhood favorite, a television series on submarine

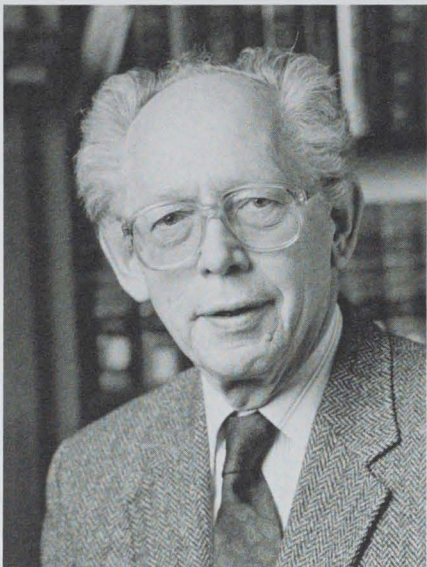
warfare. I recall wondering why, having seen the oncoming torpedo, the captain simply did not turn the battleship out of its path. I learned the answer in due course. But it was not until I started working to promote system change that I *understood* just how difficult it would have been to turn that battleship out of harm's way.

Purporting to seek (and even more impertinently, to promote and facilitate) public sector system change as a non-profit, non-government agency is to adopt a strategy having far more skeptics than supporters. There are certainly enough weeks of frustration and days of despair to confirm the skeptics' worst prognostications. But there are also the moments when progress though slow is discernible, when cynics are exposed as recovering believers willing to suspend disbelief "just one more time." These are the moments when the mind's eye can see the battleship slowly turning and, on its deck, elephants poised to dance.



*At a luncheon in honor of his three-year gift of \$50,000 a year to the Law School in support of Ralph Smith's work, Warren V. Musser, left, joins Professor Smith and Dean Diver.*

CONVERSATION WITH CLYDE W. SUMMERS,  
*Jefferson B. Fordham Professor of Law Emeritus*



*Clyde Summers*

This year marks an impressive milestone in the distinguished career of Clyde Summers, Jefferson B. Fordham Professor of Law Emeritus. Professor Summers, who joined the University of Pennsylvania Law School faculty in 1975 after teaching at Yale Law School, the University of Buffalo Law School, and the University of Toledo Law School, celebrates his 50th year in law teaching. In this candid interview, Professor Summers reflects on his teaching experiences.

*When did you decide to teach?*

I first considered teaching as a career at the University of Illinois Law School when different groups of students asked me to tutor or help them review for various courses. I enjoyed doing that and seemed successful at it.

Three weeks before I was supposed to begin graduate work at Columbia University, the University of Toledo Law School offered me a teaching position. They needed someone immediately because their recent accreditation depended on the hiring of another faculty member. I was one of the few candidates available on short notice and started teaching 10 days after accepting the position. My classes were contracts, property, and negotiable industries. The students were night students and older; I was the youngest one in the class. I enjoyed teaching so much that I decided that this was the best of all possible worlds — to get paid for what I enjoyed most.

*How has law school instruction changed in the past 50 years?*

When I began, teaching law involved almost entirely pure case method, reading cases to find the supposedly clear rules of law and applying those rules to fact situations. Now the approach is

much broader, integrating non-case legal material with an emphasis on statutory material and information from the social sciences — economics, sociology, and political science. The supposed clear rules of law are now recognized to be ambiguous, conflicting, and incomplete so that the answers to particular fact situations are much more uncertain. Uncertainty has always existed, but when I started teaching most lawyers, judges, and teachers persuaded themselves that the law was certain to the extent that they actually believed in the certainty of law.

Teaching law today is more difficult. One has to get students who arrive at law school assuming that the law has clear definite rules to realize the law's ambiguity. When they do realize it, they tend to move to the other extreme of viewing law as being arbitrarily dependent on judges' whimsy. Although judges' view-points influence decisions considerably, the law does have real substance. Law professors face the difficulty of helping students balance what is stable with what is uncertain in the law. Teaching in that respect has become much more complicated.

*Are there any changes in the legal curriculum that you would like to see take place?*

One change that I think would be useful is a greater emphasis on helping students understand how the law works in practical terms. Legal rules have different meanings for various groups of people. For example, most people cannot afford to have their problems solved through litigation. More attention needs to be devoted to the question of whether a particular legal rule has meaning if people cannot use it. The law school curriculum should focus more on different ways of resolving disputes instead of the litigation process which is too expensive.

Another change would be more emphasis on the legislative process, and what legislative changes may be needed in the ones we study. Our curriculum is still so heavily oriented toward studying appellate court opinions that law students learn little about the legislative process—how statutes are developed, how specific words get into statutes, and how one can achieve things through legislation.

A third change involves professional ethics. Students should be confronted regularly with the ethical, moral consequences of legal rules. Legal instruction should go beyond asking them what are the legal rules to asking what should be the legal rules, beyond recognizing how lawyers behave to how they ought to behave.

*Have you changed your approach to teaching?*

To the extent that the perspective of the law has changed, my teaching, and most teaching, in law school has also changed. But my basic approach has not changed significantly in the sense that I still predominantly use the Socratic method to try to help students learn and find their own answers and to discuss issues.

*How have students changed over the years?*

The character of student bodies shifts from time to time. In some periods, students are vocation-oriented, concerned about the kinds of jobs that they will get and relatively unconcerned about social problems. But in other periods, they are concerned about social problems, wanting to use their legal training to achieve social change rather than focusing on how much money they will make.

Today's students are more preoccupied with what jobs and salaries they will get upon graduation. They are less concerned with inquiry into their responsibility as members of a profession or even viewing law as a profession rather than as a method of making money.

At least three sources explain this motivation. First, the high cost of education makes students think in terms of financial costs and financial rewards. Debts may compel students to seek jobs based on pay. Second, the profession itself has made profits the bottom line. Law firms' stress on billable hours and high hourly rates emphasize financial rewards. Third, today's law students were raised in a climate of self-seeking attitudes disowning social responsibility, epitomized in the slogan "greed is good." One might say that they are victims of the "eighties".

*How have students' approach to law school changed?*

When I began teaching at Toledo, probably half the students were union members. Another quarter came from working class backgrounds, whereas few of the students here have any union background or even industrial work experience. Because of the different backgrounds of the students here, they have different approaches to studying law and different attitudes as to how the law should deal with social problems.

Students today are much better prepared when they come to law school. They have better educated parents, a better undergraduate education, and a greater familiarity with sociology, political science, economics, etc. Yet, they are as cloistered as ever, and more cloistered than in the 1960s and much of the 1970s, when students had a greater awareness and concern with social and political conditions. In this respect, today's students are not much different from the students in the 1950s.

Such generalizations, of course, do not apply to all students. There are committed students who see law as having a social purpose. It just seems that there are fewer of these students than in the past. The great bulk of students has always been interested in law as a means of making a living. Now, however, there's more concern with how much money they will make. Their goals in terms of financial rewards are significantly higher.

*Do you have different expectations of your students today?*

I expect a significantly higher quality of work, particularly with respect to independent research, from my students today than from my students at Yale 35 years ago, partly because they come to law school better prepared. I expect more because students now can do more, so I push them to do their best.

*What do today's students do with their legal education?*

Certainly far fewer students enter government work that ten years ago and much fewer than thirty to forty years ago. Similarly, twenty years ago, students more actively pursued public interest jobs.

Up until last year, large law firm jobs seemed to have an overwhelming attraction to students. That appeal has dimmed somewhat because those jobs are not as available and many of the big firms are so profit-oriented that jobs with them are insecure. Big law firms have lost some glamour by portraying themselves as machines that will discard young associates to make more money. In this respect, the practice of law has changed radically in the last 20 years. Big firms have become big business. As institutions, many have become almost devoid of a sense of professional responsibility regarding client selection and treatment of associates.

*How does today's law school atmosphere compare to when you started teaching?*

The intellectual atmosphere is substantially better because students arrive at law school more academically prepared. At Penn Law, partly because of the physical design of the building, students tend to congregate informally, e.g., by the Goat, which encourages intellectual exchange.

I think that students have come to treat and consider faculty members as being more remote. When I started teaching at Yale, which is smaller than Penn, students often invited faculty

members to student events and treated them as part of their social group. However, a sense of separateness between these two groups seemed to grow out of the student rebellion and tension of the late 1960s and early 1970s. At that time, some students believed that the faculty had nothing to teach them and that the study of law was a fraud. Some of the consequences of that period still exist at law schools.

*What are some rewarding aspects of your teaching career thus far?*

One thing, not surprisingly, is receiving teaching awards. It is a rewarding feeling to know that you are successful at a career to which you have devoted yourself. It is always a good feeling to know that students really grasped what you tried to teach them beyond the technical rules of law. It is always reassuring when, on rare occasions, former students communicate that they appreciated your class and they have found what they learned there useful. Hearing from former students is very rewarding.

*What is your advice to students interested in teaching law school?*

I have had substantially the same level of satisfaction and enjoyment from teaching at every school where I have taught. In some respects, I enjoyed teaching at Toledo more than at the other schools because the students there had a consuming interest in learning the law with the limited time and energy they had to study. They were night students, older with families, and working full time. I had the feeling that they were always trying to do their best. They wanted to practice law rather than spend their lives in factory or clerical jobs, without any motivation for large salaries.

The end quality of a legal education provided at different law schools is not nearly as discrepant as people may imagine. There are excellent students at Penn, Yale, Buffalo, and Toledo. The

difference is only in their numbers. To students interested in a teaching career, I would advise them not to discount teaching at any law school because it lacked "prestige". If you enjoy teaching, you will enjoy teaching at any law school.

Also, those who want to teach should not restrict themselves as to the subjects they will teach. Over the years, I have taught twenty-five different courses, apart from one-shot seminars, amounting to seventy to seventy-five different credit hours. I enjoyed teaching property as much as constitutional law, and sales as much as torts. I now enjoy teaching contracts as much as labor law. The joy is not in the subject matter but in the process of teaching. If you don't enjoy the classroom, perhaps you belong somewhere else.

*What are your future plans?*

I have enjoyed teaching at every school where I have taught. After two years at Toledo I decided, in 1944, that when I retired I wanted to retire to teaching. And I did exactly that in 1989. [Editor's Note: Despite Professor Summers' "retired" status, he continues to teach a full complement of courses, including 1L classes, as an Emeritus faculty member.]

At the present time, I have no plans but to continue teaching. Why should I stop doing what is great fun?

# Docket

## CONSTRUCTION UPDATE



*Architect's rendering of new Law School building facing east on Lewis Quadrangle. Davis, Brody and Associates.*

In this edition, we converse with Associate Professor of Law and Library Director Elizabeth Slusser Kelly, chair of Law School's Building Committee, about the new Law School building.

*For those who have not been to Biddle Law Library in some time, can you explain the "why" of our new building?*

There are two lenses through which to view the need for this new building. The first relates to the present, to physical drawbacks of our current space. Although the current Library is architecturally historic and its neo-Georgian spaces always make people take a deep breath of admiration, the space is functionally difficult to use as a modern library. Overall, the amount of study space we have is grossly insufficient, the stack study

spaces we do have are windowless and fairly depressing, and we do not have alternative study environments such as lounge seating or group study rooms.

Continuing difficulties with air circulation and immoderate heating and cooling make the Library inhospitable for study; Biddle's collection ages excessively in the extremes of temperature we experience. Biddle's staff and its users experience the discomfort of these fluctuations in temperature, and the working conditions for staff are otherwise unacceptable as well.

The second lens through which we might want to look in examining the need for our new building is that of the obligation to offer in a tangible way a strongly competitive research and teaching environment. For the sense of place that Penn has to offer to future

students to rival that conveyed by the magnificent Lewis Hall, it is necessary to pursue aggressively a responsible vision for the future. If the builders of Lewis Hall at the turn of the century hadn't had the foresight to aspire to quality, generations of Penn Law students would not have the remarkable sense of place we know so well. It's important for us to have this same foresight for the next several generations of law students.

*What features will contribute to this "sense of place" for future law students?*

The first floor boasts non-Library facilities that will be a wonderful addition to the Law School. A new 70-person classroom with horseshoe seating — a space approach successfully used in other schools to contribute to classroom dialogue — will feature excellent acoustics and up-to-date video technology, and will offer students the ability to use computer notebook systems.

The building will also feature a dining facility, with one large and one small diningroom. A la carte and meal service will be available all day during the week. Many alumni tell us that the informal exchange opportunities afforded by a dining hall was a valued experience, and we are hopeful that this facility will enable informal faculty/student encounters and the opportunity for students to spend time with one another outside the classroom. There will also be a student lounge in the new building to supplement the Goat.

Also located in the new building will be the high traffic student service offices — the Registrar and Career

Planning and Placement Offices. There will also be two small seminar rooms available for class and meeting space, and our law journals, the *University of Pennsylvania Law Review*, the *Journal of International Business Law*, and the *Comparative Labor Law Journal*, all have office space on the first floor. A modern computer teaching laboratory, accessible from the second floor Library space, will also be located on the first floor.

Access to the second floor will be by elevator and by a new formal staircase. The Sylvan M. Cohen '38 Gateway will provide entry into Biddle, and the people and information resources necessary to efficient use of the Library will be conveniently located inside the Gateway. Biddle reference librarians, the electronic catalog of the Biddle collection and the ever shrinking portions of the card catalog, and a variety of electronic and print indexes to subsets of Biddle's collection will be located here. The Cohen Gateway is a two-story space, with 20 foot windows looking into the expanded courtyard and overlooked from the third floor stacks.

This second floor will boast a vaulted reading room featuring wood shelves with seating for close to 50 students using current journals and reserved materials. A rare book suite will display and hold the Law School's notable rare book collection, most acquired before 1940, that includes a rich continental collection and an impressive early English collection that currently gets considerable traffic from scholars. We are pleased about two additions to the collection — the papers of Judge David L. Bazelon of the United States Court of Appeals for the District of Columbia Circuit, and the papers of A. Leo Levin '42, Leon Meltzer Professor of Law Emeritus. The Library's media and microform center and a recording studio, where students can film mock arguments and exercises in negotiation for critique and review, will also be located on the second floor.

The third, fourth, and fifth floors are essentially stack space. The north, south, and east perimeters of each

feature custom carrels and table seating for students, all with computer accessibility and all adjacent to window space. The light feeling of the stacks will be created by ivory steel shelving with honey ash end panels. The west wall of each floor will offer group study rooms and private and semi-private rooms that will be allocated to visiting scholars, graduate students, and students working on special projects.

The fourth floor will include a special research center for our foreign and international collection, and a second reading room above the Cohen Gateway. This reading room will also be a two-story space, with a balcony on the fifth floor surrounding it. These two-story spaces are evocative in their own way of the wonderful double height spaces in Lewis Hall.

All told, the new Library will boast seating for 480 students (our current capacity is near 320) in a serene, light, functional environment designed to be memorable for the students who spend time there.

*To what amenities can our graduates look forward when using Biddle Law Library in their practice?*

The sophistication of the new Library enterprise will make consultation via computer a very simple exercise for attorneys from their offices. Borrowing materials, either by electronic transfer or by messenger, will be even easier than it is today.

The attorney who comes to Biddle will find a limited number of private spaces available which offer telephone and telefax communications capability.

*Editor's Note:* Increasing numbers of alumni report their satisfaction with the EX-LIBRIS service, which provides Biddle's excellent collection to all in response to telephone request. Call Merle Slyhoff at Biddle for further information (215) 898-9013.

*How will the building mesh with the Law School we know today, both in external architecture and on the interior?*

Externally, we have made what I think is a successful attempt to match the brick of Lewis Hall with a modern brick. This brick will be laid in the same pattern — a Flemish bond, featuring a dark header every other brick.

With that said, I must note that we are not trying to compete with the architectural grandeur of Lewis Hall. We looked for a complimentary mass, and sought to create memorable spaces which are contextually sympathetic to the University's architecture. The five-story section of the building is set back from the Sansom Street edge in a way that respects the intimate dimensions of the surrounding buildings on that block. On the north side of the building, the classic iron fencing surrounding Lewis Hall will be continued to the western edge of the building, clearly identifying the space as the University of Pennsylvania Law School.

On the interior, we will be using materials that have been successfully used throughout campus, such as a green Burlington slate for the first floor flooring. The high-tech windows will keep out the glare and ultra-violet rays of the sun and afford excellent thermal insulation.

The building will also complete the quadrangle around our Courtyard, which will be expanded into a two-terrace space featuring chairs and tables at the western edge, with the quiet features of the current Courtyard preserved to the east. Interior access through the building around the quadrangle will be possible.

As you know, alumni contributions to the funding of this new building have been indispensable. Likewise, the input of students and recent alumni to the design process has been very valuable.

In many ways, the library is the laboratory of the law school. I think we have designed an impressive new physical space in which the next generations of law students can tackle their studies and research, and to which they can return as alumni with pride.

# Faculty Notes

**Regina Austin '73**, *Professor of Law*, back at the Law School after a semester visiting Stanford Law School, has authored the following publications: "Black, Brown, Poor and Poisoned: Minority Grassroots Environmentalism and the Quest for Eco-Justice", co-authored with Professor Michael Schill, *Kansas Journal of Law and Public Policy* (1991); "The Black Community', Its Lawbreakers, and a Politics of Identification", *Southern California Law Review* (forthcoming May 1992); and "Black Women, 'Sisterhood', and the Difference/Deviance Divide", *New England Law Review* (forthcoming 1992).

Professor Austin also presented an introductory torts class at the Northeast Regional Law Library Conference's "Law School in a Day" program.

**C. Edwin Baker**, *Nicholas F. Gallicchio Professor of Law*, has recently been involved as lead or co-lead attorney for two American Civil Liberties Union cases winning favorable appellate court decisions: *Sulzer v. Environmental Control Board*, 566 N.Y. 2d 595 (1991) (finding a number of constitutional free speech and due process violations in a statute restricting postings on public property); and *Lamont v. Woods* (2nd Cir. Oct. 1991) (upholding the propriety of establishment clause challenges to federal grants to religious schools outside the United States).

Professor Baker will publish "Advertising and a Democratic Press," examining the effect advertising has on the non-advertising content of the mass media, *University of Pennsylvania Law Review* (forthcoming). Last summer, his

Op-Ed piece, "First Amendment Protection for Gays" appeared in *The New York Times* (July 27, 1991). Professor Baker also participated, as an invited presenter, in two conferences on free speech, Freedom of Speech in Honor of Franklin Haiman at Northwestern University, and Freedom of Speech at the Thomas Jefferson Center in Virginia.

**Stephen B. Burbank** was named the first Robert G. Fuller, Jr., Professor of Law (see page 4). In September, Professor Burbank was a moderator and panelist at the 54th annual Third Circuit Judicial Conference, for which he served on the Planning Committee. He is the co-author of two articles forthcoming in the *Emory Law Journal*. Professor Burbank presented a paper on federal judgments law at the annual meeting of the Association of American Law Schools. This paper will be published in the *Texas Law Review*. Professor Burbank also participated in a panel discussion of recent Supreme Court decisions at a workshop of Ninth Circuit Judges in January, 1992. He has been appointed a special master in the national asbestos multidistrict proceedings before Federal District Judge Charles Weiner.

The national media continues to seek Professor Burbank's expertise on Rule 11 of the Federal Rules of Civil Procedure. *The California Lawyer* recently referred extensively to Professor Burbank in an article on the Rule's chances for meaningful reform ("The Rule 11 Ruckus", May 1991).

**Colin S. Diver**, *Dean and Bernard G. Segal Professor of Law*, serves as chair of the Pro Bono Committee of the American Bar Association's Section of Legal Education and Admissions to the Bar. Dean Diver also participated as a panelist discussing "The New Public Law" at the annual meeting of the Association of American Law Schools.

Dean Diver received the Florence Anthony Sanson Patriotism Award at the 1991 Flag Day Luncheon sponsored by The Women's Committee of the Philadelphia Flag Day Association.

**William Ewald**, *Assistant Professor of Law* (see page 4) has completed the text of his two volume work on the foundations of mathematics for Oxford University Press. He is now working on a book about the development of the civil law system.

**Douglas N. Frenkel**, *Practice Professor and Clinical Director*, spoke on "Externships — Teaching Professional Responsibility" at the May 1991 Clinical Conference of the Association of American Law Schools in Washington D.C. Professor Frenkel also served as a panelist on "Ethics and Librarianship" at the November 1991 Northeast Regional Law Library Conference in Philadelphia.

**Robert A. Gorman**, *Kenneth W. Gemmill Professor of Law*, (see p. 16 for interview and excerpt) spoke at a seminar on copyright issues in the information industry. The Federal Judicial Center recently published Professor Gorman's monograph on Copyright Law in its series of publications for members of the federal bench.

IN MEMORIAM

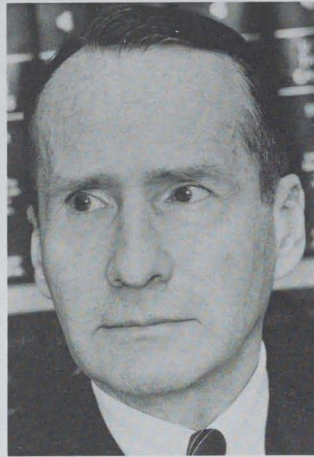
**Lani Guinier**, *Associate Professor of Law*, has published "Of Gentlemen and Role Models", 6 *Berkeley Women's Law Journal* 93 (1991) and "No Two Seats: The Elusive Quest for Political Equality," 77 *Virginia Law Review* 1413 (1991). She has also written a chapter entitled "Voting Rights and Democratic Theory: Where Do We Go from Here?" which will be included in *The Voting Rights Act in Twenty-Five Year Perspective*, C. Davidson and B. Grofman eds. (forthcoming, 1992).

Professor Guinier chaired and presented a paper at the Third Annual Critical Race Theory Workshop at the University of Colorado Law School last summer. *The Los Angeles Times* (October 9, 1991) quoted Professor Guinier for her views on women's reactions to the charges of sexual harassment during the Clarence Thomas confirmation hearings.

**Hon. A. Leon Higginbotham, Jr.**, *Senior Fellow*, has recently presented, with S.S. Ngcobo, "Seeking Pluralism in Judicial Systems: The American Experience and the South African Challenge." Judge Higginbotham discussed the article at the Presentation to the Constitutional Committee of the African National Congress, the Centre for Applied Legal Studies, the University of Witwatersrand, and the Lawyer's Committee for Civil Rights Under Law, February 1991.

Judge Higginbotham's forthcoming publications include, "The 'Law Only As An Enemy': The Legitimization of Racial Powerlessness through the Colonial and Antebellum Criminal Laws of Virginia", written with A. Jacobs, *University of North Carolina Law Review* (1992); and "Yearning to Breathe Free': Barriers and Options to Freeing Slaves in Colonial and Antebellum Virginia", (1992), written with F.M. Higginbotham.

**John O. Honnold**, *William A. Schnader Professor of Law Emeritus*, recently published a revised, enlarged (700-page) edition of his treatise *Uniform Law for International Sales under the 1980 Vienna Convention* (2nd Ed., Kluwer Law and



*George L. Haskins, Algernon Sydney Biddle Professor of Law Emeritus, died peacefully at his home in Hancock, Maine on Friday, October 4, 1991.*

*Professor Haskins, a graduate of Harvard University and Harvard Law School, joined the Penn Law faculty in 1946, and spent almost forty years teaching courses in property, decedents' estates, wills, and legal history. He is the author of more than 80 articles and ten books on legal and historical subjects, and in 1958 was appointed to write a volume in the eight-volume history of the United States Supreme Court.*

*Active in his scholarship up until the time of his death, Professor Haskins most recently served at Cleveland State University as the visiting Baker-Hostetler Professor of Law, where he taught last*

*academic year in conveyancing, constitutional law, and comparative law.*

*A legendary figure at the Law School, George Haskins is remembered by generations of Penn Law alumni as a caring and interested teacher. Kathy L. Echternach '83, who assisted Professor Haskins with his summer research while in law school, recalls: "He was a kind man with a great interest in my scholarship and professional advancement. Professor Haskins was a mentor in the true sense of the word — ready to discuss legal issues and offer advice on my plans for the future." Shirley Kline Bennett '73, in attendance from California at a memorial service for Professor Haskins held in Philadelphia on November 1, 1991, noted: "George Haskins was one of a kind. Distinguished in every endeavor, he was a person of selfless dedication. He illuminated the legal horizons for us at Penn as one of the great law professors of all time."*

*Students and alumni were an important part of Professor Haskins life; in writing a letter of thanks to William L. Glosser '54 for Glosser's words of congratulations upon his retirement, Professor Haskins stated: "My career has constantly been nurtured by the responses and friendships of former students. I owe almost as much to their interest and stimulation as I do to the subjects I have taught and to the lawyers with whom I have worked."*

*Professor Haskins is survived by his wife, Gertrude Haskins, a stepdaughter, and a stepgrandson. Condolences can be addressed to Mrs. Haskins at P. O. Box 97, Hancock, ME 04640.*

Taxation Publishers, 1990). The Convention is now ratified by thirty-two countries, including the U.S., and Professor Honnold has been called the "architect" of the historic Convention.

In addition, Professor Honnold has completed a chapter on UN lawmaking for a multi-author volume sponsored by the American Society of International Law.

Last spring Capital University awarded Professor Honnold an honorary Doctor of Laws degree for his work on unification of international commercial law.

**Heidi M. Hurd**, *Assistant Professor of Law*, spent two weeks in Budapest this past June giving a series of lectures on Tort Law and Theory to Eastern European lawyers, legislators, and legal academics as part of the summer course on Democracy and Rights sponsored by Columbia University and Hungary's Organization for Democracy After Communism.

Professor Hurd spent the rest of the summer working on topics surrounding the adjudication of civil disobedience and wrote an editorial on tort reform for the *San Diego Union*.

She is currently visiting for the year



as an Assistant Professor of Philosophy at the University of Iowa, where she is teaching Ethics and Political Philosophy. Professor Hurd gave a talk to the University faculty in early December called "Justifiably Punishing the Justified", and also gave a talk in January to the faculty of the Northwestern University School of Law called "The Morality of Immoral Adjudication."

**Leo Katz**, *Professor of Law* (see page 4), is working on a series of pieces related to the law of theft: "Blackmail," recently presented at a workshop at the University of Virginia; "Credit and Blame," presented at the American Political Science Association; and "Form and Substance," presented at the annual meeting of the Association of American Law Schools.

**Elizabeth Slusser Kelly**, *Associate Professor of Law and Director of Biddle Law Library*, recently authored "A Glossary of Water Related Terms," a section of the new edition of the multi-volume series *Water and Water Rights* (Michie Company, 1991).

Professor Kelly also served as a member of the Planning Committee for the Deans and Library Directors Workshop held at the AALS Annual Meeting in San Antonio in January 1992.

**Seth Kreimer**, *Associate Professor of Law*, acted as co-counsel to the plaintiff in *Planned Parenthood of Southeastern Pennsylvania v. Robert Casey*, 947 F.2d 682 (1991) a challenge to limiting provisions in Pennsylvania's Abortion Control Act. In a landmark decision, a panel of the Third Circuit Court of Appeals ruled that *Roe v. Wade* is no longer the law of the land, and imposed a new standard in upholding all mandated restrictions except the law's husband-notification provision. Professor Kreimer and his co-counsel's petition for certiorari in the Supreme Court of the United States has been granted.

**Friedrich Kubler**, *Professor of Law*, published the Third Edition of his textbook on *German Comparative Law*,

lectured frequently in Sao Paulo, Brazil on mass media and on corporate law, commented at a New York Conference on "Corporate Governance and Institutional Investors", and, upon the invitation of the Vietnamese Ministry of Justice, taught a seminar to government experts on "The Legal Framework of a Private Economy" in Hanoi.

In addition, Professor Kubler was a faculty member of the Law Session on American Law and Legal Institutions at the Salzburg Seminars in American Studies and chaired a conference in Berlin on the development of mass media in the former Eastern Germany. Professor Kubler has also chaired, together with Former Dean and University Professor Robert H. Mundheim, the Third Multinational Banking Conference in Switzerland.

Professor Kubler has returned to the Law School this year, teaching European Community Law as well as Legal Issues in International Finance.

**Jeffrey S. Lange**, *Assistant Professor of Law*, (see page 4), has co-edited the treatise, *Law & Economics* with Jules Coleman (Dartmouth Publishing Co., 1991).

Professor Lange has also written a review of Cass Sunstein's *After the Rights Revolution* to be published in *Ethics* (forthcoming July 1992).

**Howard Lesnick**, *Jefferson B. Fordham Professor of Law*, co-authored the article "The Wellsprings of Legal Responses to Inequality: A Perspective on Perspectives" published in the *Duke Law Journal*, Vol. 1991:431.

Professor Lesnick gave a symposium on "Critical Perspectives on the Intersection of Law, Religion and Ethics" in Saint Paul, Minnesota. He also presented "Legal Responses to Inequality" at an Inter-University Consortium on Poverty Law in Oxford, Mississippi.

Professor Lesnick is completing his coursebook, *Being a Lawyer: Individual Choice and Responsibility in the Practice of Law*. The book will be published by West Publishing Co. in the fall of 1992.

**A. Leo Levin '42**, *Leon Meltzer Professor of Law Emeritus*, recently participated in a forum on Court-annexed Mediation run by the United States District Court, Eastern District of Pennsylvania.

**Bruce Mann**, *Professor of Law*, whose area of expertise is American legal history, continues his work on his long-term book-length project on debtors, creditors, and republicanism in the Revolutionary era — a legal, social, and intellectual history of debt, debtors, and bankruptcy. The project grows in part from his previous work on the transformation of debt litigation from the end of the seventeenth century to the middle of the eighteenth, and on the social and economic context and significance of that transformation.

**Charles W. Mooney, Jr.**, *Professor of Law*, has published "Interim Report on the Activities of the Article 9 Study Committee", co-authored with W. Burke and S. Harris, in 46 *The Business Lawyer* (1991). This work arises from Professor Mooney's service as a Reporter for the UCC Permanent Editorial Board's Article 9 Study Committee. Also in this regard, he prepared written materials for an ALI-ABA symposium, The Emerged and Emerging Uniform Commercial Code.

Professor Mooney has also co-authored with Prof. Atsushi Kinami of the Tokyo University Law faculty, "Transfer, Pledge, Clearance and Settlement in the Japanese and United States Government Bond Markets," 12 *University of Pennsylvania Journal of International Business Law* (forthcoming 1991). His article "Property, Credit, and Regulation Meet Information Technology: Clearance and Settlement in the Securities Markets" appeared in *Law and Contemporary Problems* (1991). Additionally, Professor Mooney has worked with Professor Honnold on new editions of casebooks, *Cases on Sales and Sales Financing*, (6th ed., Foundation Press, 1992), and *Security Interests in Personal Property* (2d ed., Foundation Press, 1992).

**Michael S. Moore**, *Leon Meltzer Professor of Law*, completed *Act and Crime: The Philosophy of Action and Its Implication for Criminal Law*, recently accepted for publication in The Clarendon Law Series of the Oxford University Press. The book is a continuation of Jeremy Bentham's great project of laying down the philosophical background in action theory necessary to write a criminal code. This is the first time that more than one book by the same author has been accepted into The Clarendon Law Series.

Professor Moore also wrote an editorial regarding the natural law issue in the debate surrounding the Clarence Thomas confirmation, "Unnatural Brawl Over Natural Law", published in the September 3, 1991 issue of *The Los Angeles Times*. This editorial resulted in Senator Biden asking the judge to compare his natural law views to those of Professor Moore.

He also taught his annual seminar on jurisprudence for judges at Dana Point, California which is sponsored jointly by the California Judges Association and the State of California.

Professor Moore is a visiting professor this academic year, at Northwestern University Law School for the fall semester and in the Medical School and the College of Law at the University of Iowa in the spring.

**Stephen J. Morse**, *Ferdinand Wakeman Hubbell Professor of Law and Associate Dean*, presented the keynote address at a symposium on Forensic Psychiatry sponsored by the Institute of Law, Psychiatry & Public Policy of the University of Virginia.

In the forthcoming book *Diversity of Normal Behavior*, co-edited by D. Offer and M. Sabshin (Basic Books), Professor Morse co-authored with L. Roth and R. Wettstein a chapter entitled "The Legal Concept of Normality".

**Gerald Neuman**, *Professor of Law*, has had two recent publications: "Whose Constitution?," 100 *Yale Law Journal* (1991) and "Immigration and Judicial Review in the Federal Republic of

Germany", 23 *New York University Journal International Law & Politics* 35 (1990).

Professor Neuman has also authored "We are the People': Alien Suffrage in German and American Perspective," 13 *Michigan Journal of International Law* (forthcoming February 1992), which will also have a German version. The article will be published in a book on constitutional reform in Germany.

**Curtis R. Reitz '56**, *Algernon Sydney Biddle Professor of Law*, worked on an *amicus curiae* brief of the Pennsylvania Bar Association in the case of *Baylson v. Disciplinary Board of the Supreme Court of Pennsylvania*, filed in the United States Court of Appeals for the Third Circuit.

He also completed the sixth edition of a casebook with Professor John Honnold entitled *Sales and Sales Financing* (Foundation Press, 1992). Professor Reitz presented a draft report of the Standards Committee of the Criminal Justice Section of the ABA in August, entitled "Criminal Justice Standards, Chapter 18, Sentencing".

**Edward B. Rock '83**, *Assistant Professor of Law*, has published "The Logic and (Uncertain) Significance of Institutional Shareholder Activism", 79 *Georgetown Law Journal* 445 (1991). His most recent article is entitled "Corporate Law Through An Antitrust Lens," which explores the overlap and borderline between corporate law and antitrust *Columbia Law Review* (forthcoming March 1992).

Professor Rock has given several presentations in past months. In May, 1991, he spoke at the Columbia Law School's Conference on the Future of Corporate Governance on the role of institutional investors in corporate governance. In August, 1991, he presented the Center on Professionalism's program "Conflict and Confidentiality: Trouble at Upper Black Eddy" to the American Bar Association's Section of Business Law at the annual meeting in Atlanta. Finally, in January, 1992, Professor Rock spoke to the annual

meeting of the Association of American Law Schools' Section on Business Associations on the role of institutional investors in corporate governance.

**David Rudovsky**, *Senior Fellow*, co-authored a report for Helsinki Watch, "Human Rights in Northern Ireland" (October 1991), following a fact-finding visit to Northern Ireland in January, 1991.

Rudovsky also presented an introductory criminal law/criminal procedure class at the "Law School in a Day" program, presented at the Northeast Regional Law Library Conference.

**Michael Schill**, *Assistant Professor of Law*, presented his paper, "Deconcentrating the Inner City Poor", at the Olin Foundation Symposium on the Law and Economics of Urban Issues held at the University of Virginia. Additionally, he co-authored with Professor Regina Austin "Black, Brown, Poor and Poisoned: Minority Grassroots Environmentalism and the Quest for Eco-Justice," *Kansas Journal of Law and Public Policy* (Summer 1991).

**David J. Shakow**, *Professor of Law*, has been working on producing a teacher's manual and computer programs for use with his recently published corporate tax casebook, *The Taxation of Corporations and their Shareholders* (Foundation Press, 1991). Professor Shakow is revising an article summarizing a study he did of small case procedure in Tax Court, suggesting that litigants resolve cases more quickly, and with similar results, when they choose a small claims procedure. Additionally, Professor Shakow is drafting an article discussing the special place that cash holds in the tax law.

He also completed a short piece discussing the special problems the computer raises in connection with students' "original" essays. The article deals with large legal databases and word processing programs which make it easier for students to plagiarize the work of others and cover their tracks.

**Reed Shuldiner**, *Assistant Professor of Law*, will publish "A General Approach to the Taxation of Financial Instruments" in the *Texas Law Review* (forthcoming 1992). In August, he presented "Interest Disallowance and Allocation Rules" at a seminar sponsored by the Fund for Tax and Fiscal Research at Harvard Law School.

**Ralph R. Smith**, *Associate Professor of Law*, presented, with Professor Robert Engs, chair of the history department, a 90 minute discussion to the University community focusing on the judicial and legislative implications of Clarence Thomas' nomination.

Aside from his teaching responsibilities at the Law School, Professor Smith continues his involvement with the Philadelphia Children's Network and served as Executive Assistant to Mayor Wilson Goode throughout his term, a position that involved planning and policy development for the City of Philadelphia on children's issues.

**Susan P. Sturm**, *Associate Professor of Law*, has recently published "A Normative Theory of Public Law Remedies," 79 *Georgetown Law Journal* 1355 (1991). Professor Sturm is also a member of the Internal Review Board of Public/Private Ventures. In addition, she has a major grant from the Edna McConnell Clark Foundation to study the current status of and future potential for litigation challenging conditions of confinement in prisons, jails, and juvenile facilities.

**Clyde W. Summers**, *Jefferson B. Fordham Professor of Law Emeritus*, celebrating his 50th year in teaching (see page 24), recently received the Employee Advocate of the Year Award from the National Employment Lawyers Association.

In September, 1991, Professor Summers attended the World Congress of the International Society for Labor Law and Social Legislation, held in Athens, Greece, and was elected chair of the North American Region.

He also testified as an expert witness for the government in a RICO

suit brought against the New York Longshoremen based on claims of organized crime control and coercion.

Professor Summers was quoted in the October 7, 1991 issue of the *Chicago Tribune*, in an article titled "Teamsters Reformers Beat the System," as well as in the August 18, 1991 issue of *The New York Times* in an article titled "Mulling the Idea of Affirmative Action for Poor Whites."

**Michael L. Wachter**, *Professor of Economics, Law, and Management and Director of the Institute for Law and Economics* has published extensively in the areas of law and economics, collective bargaining, and labor market analysis. He recently completed two papers: "Union Threat Effects and Nonunion Wage Differentials" and "Does Labor Law Protect Rent-Seeking by Firms or Unions." The former paper was presented at a Harvard Law School seminar in December.

**Elizabeth Warren**, *William A. Schnader Professor of Law*, is completing a book on the theoretical underpinnings and pragmatic constraints of the bankruptcy process to be published in 1992 for the Federal Judicial Center for use by federal judges. In addition, she has made two additional videotapes for the ALI in their series to educate lawyers about bankruptcy issues.

Professor Warren received a grant from the National Conference of Bankruptcy Judges to support her empirical research about the debtors who file for bankruptcy. In July she testified by invitation at the Senate Judiciary Committee's hearings on proposed changes in the bankruptcy laws. Professor Warren also spoke on "Developing a Scholarly Agenda" at a Workshop on Bankruptcy sponsored by the Association of American Law Schools.

Professor Warren and her co-author Professor Jay Westbrook have completed the second edition of their widely used casebook, and have written a new Teacher's Manual to accompany the book.

Professor Warren was featured at

the Fifth Annual Lawyers Convention of the Federalist Society's presentation of "Individual Responsibility and the Law". She continues to serve on committees for the Association of American Law Schools, the National Bankruptcy Conference, the Eastern District of Pennsylvania Bankruptcy Steering Committee, and on the Editorial Board of the *American Bankruptcy Law Journal*.

In addition, Professor Warren has done a number of newspaper, radio, and local TV interviews over the last year. Last spring she was featured on ABC News and she was recently mentioned in Jane Bryant Quinn's column in *Newsweek*. She was also quoted in a UPI press release as saying that New York's courts are being swamped by personal bankruptcies because Americans are "living on the plastic edge."

Closer to home, University President Sheldon Hackney has named Professor Warren Moderator of the University Council, which requires that she preside over all UC meetings.

**Barbara Bennett Woodhouse**, *Assistant Professor of Law*, has authored "'Who Owns the Child?': Meyer and Pierce and the Child as Property," 33 *William and Mary Law Review* (forthcoming 1992).

# Alumni Briefs

**'29 Irvin Stander**, founder of the Philadelphia Bar Association's Workers Compensation Committee and chair of the organization for nine years, celebrates his 85th birthday on December 6, 1991. Stander has been a lawyer for 62 years, a Commonwealth employee for 35 years, and a Workers' Compensation referee since 1972. He has also been a faculty member at Temple University's Continuing Education program, as well as a lecturer at Widener University's Law School. Stander recently received the Obermayer Educational Award from the Philadelphia Bar Association.

**'36 David Berger**, of the Philadelphia firm Berger & Montague, acted with New York attorney Stanley Nemser in engineering the settlements of the "subclass B" securities litigation claimants in 25 class actions and more than 100 non-class actions against the Wall Street investment firm Drexel Burnham Lambert. Berger noted that he is "proud of the result." On August 9, 1991, Judge Milton Pollack of the U.S. District Court of southern New York with Bankruptcy Judge Conrad

gave final approval to the settlement. (*The Legal Intelligencer*, 8/13/91)

**'37 Edward I. Cutler** has recently been presented with a resolution by the Florida Board of Bar Examiners for the completion of his service last October as a five-year member of the Board. Cutler is continuing his service as a member of the American Judicature Society Board of Directors, after his re-election at the Society's annual meeting in Atlanta.

**'47 Robert H. Malis**, a partner in the law firm of Mesirov Gelman Jaffe Cramer & Jamieson, participated as a panelist at a workshop on "Fire Loss Claims: Arson as the Defense" at the 23rd Annual Conference of the Pennsylvania Trial Lawyers Association.

**'48 Henry T. Reath**, counsel to the firm of Duane, Morris & Heckscher, is this year's recipient of the Fund for Religious Liberty Award given by the American Jewish Congress.

**'49 Marshall A. Bernstein**, a partner with Bernstein, Bernstein & Harrison and president of the Philadelphia Bar Foundation, has been named as a Life Fellow of the Pennsylvania Bar Foundation. (*The National Law Journal*, 9/30/91)

**'49 Robert I. Morris** of the Philadelphia law firm Morris Adelman & Dickman, has been named president-elect of the Commercial Law League of America. The League is an international organization of over 5000 attorneys and other experts in credit and finance actively engaged in the field of commercial law, bankruptcy and reorganization. (*The Legal Intelligencer*, 8/22/91)

**'49 Murray L. Schwartz** is to be named interim vice chancellor for Academic Affairs at the University at California at Santa Barbara, pending approval by the UC Board of Regents. Schwartz, who has more than three decades of experience at the University as a UC faculty member and administrator, will assume the post July 1, following his retirement from UCLA. UC Santa Barbara Chancellor Barbara S. Uehling said that he would bring to UCSB "a rare

combination of administrative accomplishments, scholarly distinction, and experience in UC academic governance."

**'51 Christopher Branda, Jr.**, a recently retired partner of the firm Dechert Price & Rhoads, has been appointed director of the graduate tax program and professor of law at Temple University School of Law. (*The National Law Journal*, 9/9/91)

**'51 Hon. Norma L. Shapiro** participated in a program celebrating the Bicentennial of the Bill of Rights. The program reflected upon the first 200 years of the historic document and its impact in protecting individual freedoms and promoting equality under the law. Shapiro focused on the Bill of Rights in the next century.

**'53 Joseph H. Foster**, a partner in the law firm of White & Williams, has been named president of the Lawyers Club, serving through 1992.

**'53 Edward W. Silver**

became of counsel to the firm of Astor, Weiss & Newman. Silver, formerly of his own firm, Silver & Silver, has served as director, officer and general counsel of the Franklin Mint, the National Historical Society and the National Commemorative Society. In addition, Silver and his wife Barbara recently represented Daniel Blain, Jr. at an auction at Sotheby's in London, England, for the sale of one of the most important and valuable collections of Chinese stamps in the world. The collection sold for a record of almost 2,000,000 pounds (\$3,600,000).

**'53 S. Donald Wiley** has been elected to the Board of Directors of the H. J. Heinz Company. Prior to his retirement from Heinz in 1990, Wiley served on the Heinz board of directors and as its senior vice president, general counsel, and secretary from 1972.

**'56 Dolores K. Sloviter**, recently appointed Chief Judge of the Third Circuit Court of Appeals, delivered her first State of the Circuit address at the Circuit's annual conference. Sloviter suggested that the District and Circuit judges consider a program for judges to renew their minds. Sloviter stated: "We must seek to rescue ourselves from devoting our energies exclusively to case dispositions and turn some of our efforts to the intellectual tools needed to solving our problems correctly." (*The Legal Intelligencer*, 9/13/91)

**'57 Hon. Stephen J. McEwen, Jr.**

a Pennsylvania Superior Court Judge, had his essay, "The Protester: A Sentencing Dilemma", included in the *Notre Dame Journal of Law, Ethics & Public Policy*. This particular volume, (Volume 5, Issue No. 4, 1991), was devoted to the subject of civil disobedience. McEwen's essay is a sequel to his article, "The Defense of Justification and its Use by the Protester" published in the Fall, 1986, issue of the *Dickinson Law Review*.

**'57 Stephen I. Richman**, a partner in Washington law firm of Ceisler Richman & Smith, addressed the delegates and members of the International Association of Industrial Accident Boards & Commissioners (IAIABC) at its annual meeting in Halifax, Nova Scotia. His lecture, titled "Reasoned Decisions and Reasons for Reasoned Decisions," had been one of two papers presented to explain and to support a proposed new standard for adjudicators deciding workers compensation cases. Richman also addressed the Conference on Environmental and Occupational Diseases at Sugarbush, Vermont, with a lecture entitled "Legal Aspects of Occupational and Environmental Lung Disease for the Pathologist."

**'57 Myles Tanenbaum** received the Lifetime Achievement Award given by the Wharton Real Estate Center in recognition of his significant contributions to the field of real estate and real estate education. Over 75



*The Honorable  
Phyllis A. Kravitch*

'44

*When the American Bar Association decided in 1991 to honor women lawyers whose careers encompassed not only professional excellence but also the support, mentoring, and encouragement of other women attorneys, it began a nationwide search. ABA members, local bar associations, law schools, and other professional organizations were all invited to nominate candidates. In the end, the ABA's Commission on Women in the Profession had more than 200 nominees from which to select five honorees. One of these esteemed five, selected as the first recipients of the Margaret Brent Award, is The Honorable Phyllis A. Kravitch '44.*

*Upon her graduation in 1944, Judge Kravitch, a member of the Law Review, was rejected for several federal and United States Supreme Court clerkships because of her sex. She returned to Savannah and began an active trial practice at a time when Georgia had no female judges, no women on juries, and few female lawyers. In her practice and in her civic service, Judge Kravitch consistently pursued the rights of minorities and women. She represented blacks seeking the right to vote in the Democratic white primary in Georgia in the 1940's and, as a member of the County Board of Education from 1949-1955, her advocacy resulted in eliminating sex and race based salary discrepancies.*

*In 1975, Judge Kravitch was elected President of the Savannah Bar Association. A year later, the citizenry elected her the first woman Superior Court Judge in the state. In 1979, President Carter appointed Judge Kravitch to the United States Court of Appeals for the Fifth Circuit, making her the third woman appointed a United States Circuit Judge. Since 1981, upon the split of the Fifth Circuit, she has been a judge on the Eleventh Circuit Court of Appeals.*

*Judge Kravitch has also been active in the establishment of a shelter system for victims of domestic violence, the Savannah Area Family Emergency system (SAFE), and assisted in the rewriting of Georgia's laws to make them gender neutral. She serves as a member of the Emory University Law School Council and on the Visiting Committee of the University of Chicago Law School.*

*The Law Alumni Society offers its esteem and congratulations to Judge Kravitch upon her receipt of the Margaret Brent Award.*

representatives of the real estate community and academia attended the dinner where Tanenbaum accepted the award. Tanenbaum is currently chair of Arbor Enterprises, located in Bala Cynwyd, PA. He is also president and managing general partner of EQK Green Acres, L.P., as well as a member of the Board of Universal Health Realty Co.

**'59 Richard C. Csaplar, Jr.**, has been named of counsel to the Boston firm of Day, Berry & Howard.

**'59 John J. Lombard, Jr.**, a partner in the law firm of Morgan, Lewis & Bockius, has been elected a member of the Board of Trustees of La Salle College High School. La Salle, founded in 1858 and located in Wyndmoor, Pennsylvania, is a college preparatory school for boys operated by the Christian Brothers. Lombard is a graduate of La Salle College High School and former President of the school's Alumni Association.

**'60 John J. Aponick, Jr.**, a partner in Rosenn Jenkins & Greenwald, received the 1991 Defense Lawyer of the Year Award from the Pennsylvania Defense Institute.

**'60 Frederick Cohen**, a partner in the law firm of Blank, Rome, Comisky & McCauley, has been elected to a one-year term as first vice chair of the Pennsylvania Bar Association Family Law Section. The section's charge

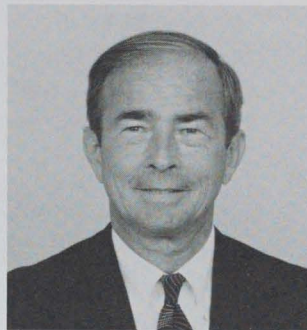
is to monitor the development and practical working of the law relating to marriage, divorce, non-support, domestic relations, adoption and juvenile delinquency. Cohen also addressed "Tax Aspects of Divorce" at the Pennsylvania Bar Institute seminar. The program dealt with questions of alimony and child support, retirement and group health benefits, tax returns, property transfers, and ethical questions that may arise in divorce matters.

**'61 Bernard Glassman**, a partner at Blank, Rome, Comisky & McCauley, is serving a one year presidency of the Probate Section of the Philadelphia Bar Association.

**'61 David F. A. Norcross**, a partner in the law firm Montgomery, McCracken, Walker & Rhoads, is travelling to Moscow as part of a delegation sponsored by the National Republican Institute for International Affairs. The group teaches contemporary campaign techniques to aspiring Soviet politicians.

**'64 John R. Arney, Jr.** has joined the firm Sand Gibbs Marcu & Smilk in the general practice of law. (*The Legal Intelligencer*, 6/21/91)

**'64 Robert G. Fuller, Jr.** and **Alan Steinberg** completed an ascent of New Hampshire's 6,288-foot Mt. Washington, the highest peak on the Eastern seaboard. Fuller, active in the Appalachian Mountain Club, has



*Charles A. Heimbold, Jr. '60*

*Charles A. Heimbold, Jr. is looking forward to giving something back.*

*After graduating from the Law School in 1960, Heimbold took a job with the New York law firm of Milbank, Tweed, Hadley and McCloy, where he worked until 1963. In June of that year, Heimbold joined Bristol-Myers as a staff attorney in its legal department. In order to specialize his legal education for his endeavors at Bristol-Myers, he proceeded to get a Master of Laws Degree from New York University in 1965.*

*In deciding to take advantage of the opportunity to work for a large corporation, Heimbold recalls looking forward to handling the legal issues of one employer rather than many clients. He admits that, in doing so, he became "subject to the vicissitudes of the economy", and feels fortunate to have chosen a successful company.*

*At the time Heimbold joined Bristol-Myers it was doing approximately \$200 million in sales; now it does over \$11 billion as Bristol-Myers Squibb. Having served as Director of Corporate Development, Vice-President of Planning and Development, Senior Vice-President, and now Executive Vice-President, it is safe to say that Heimbold has played a role in the success of the company.*

*Heimbold credits much of his own success to the Law School. "I especially enjoyed its small size, which gave me more of a chance to interact with many of my classmates as well as the faculty." Having recently accepted the position of Chair of the Law School's Board of Overseers (see page 11), Heimbold's interaction with the Penn Law community will be larger than ever.*

*Heimbold has great esteem for the leaders of the Law School and believes that "Dean Diver's program to strengthen the Law School is an extraordinary one aimed at keeping Penn Law School among the very best." He expects to assist in the development of, and fundraising for, the new library, a facility which he feels will be a wonderful asset to an already outstanding institution.*

*The foundation of Heimbold's legal career was built on Sansom Street. The library now being built on Sansom Street, he hopes, will be the foundation of excellent legal careers for years to come.*

*—Edward Blume '94*

scaled many of the 4,000-footers in Maine and New Hampshire, while Steinberg has explored the challenges of the Delaware Water Gap.

**'64 Marian Nease** has recently gone into private practice concentrating on real estate retirement housing. Nease also serves as chair for the Florida Continuing Care Advisory Counsel. Nease's practice is located in Boca Raton, Florida and she represents several prominent people, including the tennis champion Steffi Graf.

**'65 Harvey Bartle III**, formerly a partner in the law firm Dechert, Price & Rhoads, has been named District Judge of the United States District Court for the Eastern District of Pennsylvania.

**'65 Alan M. Lerner**, a partner in the Philadelphia law firm of Cohen, Shapiro, Polisher, Shiekman and Cohen, addressed "Why an Employee who is Terminated Brings a Lawsuit" at the 1991 Employment Law Forum, a day-long conference designed to provide Human Resources professionals, business owners, and management and supervisory personnel with information on key issues in Human Resources Management and current developments in employment law. Lerner has also been elected to the Lower Merion Township Board of Education.

**'66 Francis X. Gindhart** is leading a Technical Assistance Team to the Constitutional Court of the Czech and Slovak Federal Republic

from the Central and East European Law Initiative of the Section of International Law and Practice of the American Bar Association. He accomplished the initial needs assessment for that new high court during a recent visit to Prague and Brno. Gindhart, a Fellow of the Institute for Court Management, is the clerk for the United States Court of Appeals for the Federal Circuit.

**'66 Stephanie W. Naidoff**, vice president and general counsel of Thomas Jefferson University, is serving as co-chair of the transition team for newly elected Philadelphia mayor Edward Rendell.

**'66 Joel Sachs** has recently been elected chair of a New York State Bar Association Program entitled "Wetlands - Federal, State and Local Regulation." He had also been a featured speaker on another State Bar Association Program entitled "State Environmental Quality Review and Land Use." Sachs is with the law firm of Plunkett & Jaffe, P.C., with offices in New York City and White Plains, and he specializes in environmental law.

**'67 Donald G. Gavin**, principal with Wickwire Gavin, addressed the annual meeting of the American Bar Association in Atlanta. Gavin was one of the featured panelists in a special program on Environmental Law.



*Marcia D.  
Greenberger '70*

*When Marcia Greenberger graduated in 1970, she was one of the few women in her class. Today she sits as one of three women on the Law School's Board of Overseers. It is a fitting position for Greenberger, who has spent most of her professional career working to advance the interests of women through the law.*

*Greenberger is the founder and co-president of the National Women's Law Center, a nonprofit organization whose purpose is to protect and advance women's legal rights. The Center advocates women's interests through litigation in federal courts, participation in agency rule-making proceedings, testimony before Congress, work with coalitions, and legal research and analysis. The Center began as an outgrowth of the Women's Rights Project at the Center for Law and Public Policy, a project which Greenberger started in 1972.*

*The issues which the National Women's Law Center addresses are often those inciting public passion — abortion, the "glass ceiling", sexual harassment. "In most of what we do, the issues are subject to controversy. While people may agree with our analysis, they do not always agree with our conclusions," says Greenberger.*

*Recently, in an unusual move for the Center, Greenberger testified before Congress in regard to Clarence Thomas' Supreme Court nomination. "We felt that his record was very troubling with respect to women's legal rights," says Greenberger, and that the potential consequences of his appointment were so serious as to warrant a public statement. Greenberger's undertakings have graced the news previously; in 1989, she, with co-counsel, won a \$14 million settlement of a sex and race discrimination suit against a major Chicago bank.*

*Greenberger did not begin her professional career as a legal advocate of women's rights, but spent two years at Caplin and Drysdale, specializing in tax law. While the move to public interest work seemed like a huge career change at the time, it turned out to be a logical step. "My background, as unrelated as it might have seemed, became very relevant. For example, the National Women's Law Center analyzes tax policy, as a way of helping women and their families."*

*In regard to the Law School itself, Greenberger is grateful. "In many ways it was the most important thing that ever happened to me. It gave me my career. I was able to see lawyers working on public policy issues. I have enormous gratitude and affection for Penn and all that it has done for me."*

— Jennifer Fox '94

Discussing the issue of “Who Should Pay for Environmental Claims — The Difference of Perspective?”, Gavin presented his views on the environmental liability of contractors.

**'67 William A. Macan IV**, a partner at Morgan, Lewis & Bockius, spoke at Leasing Digest's Annual Crossborder Asset Finance Conference in London recently. Macan, a leading authority in the Foreign Sales Corporation arena, addressed the two day conference on “Tax Treatment of the FSC Transaction”. He is also the author of “Tax Aspects of Equipment Leasing,” a chapter contained in the Practicing Law Institute book *Equipment Leasing, Leveraged Leasing*, published in 1977 and updated in 1980 and 1988.

**'67 Dennis Replansky**, a partner in the law firm of Blank, Rome, Comisky & McCauley, has been named a Life Fellow of the Pennsylvania Bar Foundation. Replansky is currently vice chair of the Pennsylvania Bar Association Corporation, Banking and Business Law Section, and former chair of its Bankruptcy Law Committee.

**'67 William V. Strauss**, a senior partner and chair of the real estate and finance department at the Cincinnati law firm of Strauss & Troy, has been named to the board of directors of Suburban Federal Savings Bank. Suburban is one of Cincinnati's largest thrifts.

**'67 Dennis R. Suplee**, a partner in Schnader, Harrison, Segal & Lewis' Litigation Department, has been elected to the firm's Executive Committee for a period of three years. Suplee is the co-author of *Deposition Handbook: Strategies, Tactics and Mechanics* (Professional Education Systems, Inc., 1988) and is also co-author of *Expert Witnesses: A Handbook for Litigators* (Pennsylvania Bar Institute, 1991).

**'68 Salvatore M. DeBunda** joined the firm of Pelino & Lentz as a director concentrating in the areas of corporate and communications law. DeBunda resides in Huntington Valley with his wife Carol who is the director of the Career Counseling Center at Penn State, Ogontz Campus. (*The Legal Intelligencer*, 6/18/91)

**'68 David H. Lissy**, vice president of Ames Department Stores, Inc., Legal Services, has been additionally named general counsel and corporate secretary. Lissy continues to coordinate Ames' Chapter II-related legal activities.

**'69 Stewart R. Dalzell**, has been appointed District Judge of the District Court for the Eastern District of Pennsylvania. Dalzell, formerly of the firm Drinker, Biddle & Reath, practiced for twenty-one years in their litigation department before his appointment. Dalzell is the third member of the class of '69 to become a federal judge, joining A. Raymond Randolph of the U.S. Court of Appeals for the District of Columbia Circuit and Jay C.



*Manuel  
Sanchez '74*

*Manny Sanchez has a vision. His vision is that a racially, ethnically and gender diverse law firm can successfully compete with any law firm - producing work of as high a quality and at a competitive cost. In April of 1987, Manny turned his vision into reality with the founding of Sanchez & Daniels.*

*Manny worked for thirteen years, the last of which were spent as an equity partner, at Hinshaw, Culberston in Chicago. He started his firm with no clients or files and built his practice from scratch. Today, Sanchez & Daniels is the largest minority-owned law firm in Chicago. Sanchez & Daniels boasts eighteen lawyers, of whom nine are men and nine are women. There are six Hispanics, three Asians and two African-American lawyers in the firm.*

*Speaking like a proud parent, Manny describes Sanchez & Daniels as a litigation boutique that includes negligence, professional malpractice, products liability employment, construction, commercial, civil rights and trademark infringement law among its practice areas. The United States of Mexico, Chrysler, DuPont, and General Motors are included among the firm's major clients.*

*Manny grew up near downtown Chicago. Coming to Philadelphia and the University of Pennsylvania was a major transition for him. An indication of how well he made the transition is that he served as President of the Class of 1974. Manny fondly remembers his days at Penn, and talks about the many good friends he made during Law School. "An untold number of doors have been open to me as a Penn graduate."*

*Despite his dedication to his firm, Manny finds time to be involved in many community service activities. Currently, he serves as the three times elected National Secretary of the Hispanic National Bar Association. He also serves on the Executive Committee of the American Bar Association's Minority Counsel Demonstration Program, which seeks to promote minority law firms among Fortune 500 companies. An interesting dedication of Manny's is his service as the Police Commissioner of the Village of Lisle, Illinois.*

*Manny Sanchez is not only a man with a vision; he is a man whose life expresses accomplishment of his dreams.*

*— Maxwell D. MacIntosh '93*



Waldman of the District Court for the Eastern District of Pennsylvania.

'69 **Stephen Young** became Director - New York Office of both the American Council of Life Insurance and the Health Insurance Association of America. As such, his primary responsibility is to present the industry's viewpoint on relevant issues to the media. Young has appeared in this capacity on *The MacNeil-Lehrer Report*, the *CBS Evening News*, *ABC Business World*, and *CNN Moneyline*, among other television and radio programs.

'70 **Steven Stone** has recently been elected to the board of directors of the Pennsylvania Financial Services Association. Stone is currently senior vice president, general counsel and corporate secretary to ADVANTA Mortgage Corp. USA, a nationwide home equity lender based in suburban Philadelphia.

'71 **Robert O. Hills**, executive director for national customers and policy at the pharmaceutical firm Merck, Sharp, and Dohme, was the recipient of the Chairman's Award. Hills developed a system that grants lower prices for medicines to state Medicaid programs.

'71 **Andrew Jay Schwartzman**, executive director of the Media Access Project in Washington, D.C., will receive the Everett C. Parker award, given to an individual whose life's work embodies the principles and values of the public interest in telecommunications.

'71 **Theodore A. Young**, formerly a senior partner at Dilworth, Paxson, Kalish & Kauffman, has joined Fox, Rothchild, O'Brien & Frankel as a partner in the corporate department. Young's practice encompasses a broad range of business, securities and banking matters for middle market as well as national companies. Louis Fryman, Fox, Rothschild's managing partner commented, "Ted Young is a seasoned attorney with an excellent reputation. We are proud to have him join the Fox, Rothchild team and look forward to a successful future together."

'72 **Theodore Eisenberg**, Professor of Law at Cornell Law School, has published "The Effects of Intent: Do We Know how Legal Standards Work?" which he co-authored (*The Cornell Law Review*, 1991.) Additionally, Eisenberg's empirical study of judge and jury trials has been accepted for publication by *The Cornell Law Review*, and his second empirical study on product liability has also been accepted for publication by *The UCLA Law Review*.

'73 **W. Jeffrey Garson**, an attorney specializing in creditors' rights, has become a partner in the law firm of Cohen, Shapiro, Polisher, Shiekman, and Cohen.

'73 **Joseph E. Murphy** has been elected to the board of directors of the Delaware Valley chapter of the American Corporate Counsel Association. Murphy is also an associate editor of and contributor to the newly-

formed *Corporate Conduct Quarterly*. In addition, Greenwood Press recently published Murphy's second book, co-edited, *Corporate Lawbreaking and Interactive Compliance* (1991).

'74 **Ian M. Comisky**, a partner in the litigation department of the law firm of Blank, Rome, Comisky & McCauley, will address the American Bar Association's Eighth National Institute on Criminal Tax Fraud & Money Laundering. Comisky will speak particularly on federal sentencing guidelines.

'74 **Jonathan W. Delano**, formerly chief of staff to Congressman Doug Walgren, became a partner of the firm of Eckert Seamans Cherin & Mellott. Delano will join the firm's government relations practice.

'74 **Arlene Fickler**, a partner at Hoyle, Morris & Kerr, will chair "Religion in the Public Schools," a legal seminar for school board solicitors and superintendents. Primarily a commercial litigator, Fickler's community activities have permitted her to keep abreast of developments in the First Amendment area. In particular, she represented the American Jewish Congress and the National Jewish Community Relations Advisory Council before the United States Supreme Court.

'74 **H. Ronald Klasko**, a partner with the business group and chair of the immigration service group in the Philadelphia office of Dechert Price & Rhoads, has been reappointed to a one-year term of the American Immigration Lawyers Association. He is a past national president of AILA and previously served two one-year terms on the American Bar Association's Coordinating Committee on Immigration Law. Klasko has also had his article "Immigration of Religious Workers Under the Immigration Act of 1990", published in the Forum section of the *Legal Intelligencer*, 6/24/91.

'74 **John Makdisi**, formerly associate dean and professor of law at Cleveland State University's Cleveland-Marshall College of Law, has been named dean of The University of Tulsa College of Law. "John Makdisi will be an outstanding dean... He combines commitment to legal scholarship with extensive experience as an administrator," said George H. Gilpin, Jr., who will become the University's provost and vice president for academic affairs.

'74 **Hon. Frederica A. Massiah-Jackson**, who has presided in the Philadelphia Court of Common Pleas since 1983, has been elected to the Foundation Board of the Philadelphia Heart Institute at Presbyterian Medical Center. The Institute is a comprehensive regional referral center for the diagnosis, treatment, and prevention of heart disease. Before being appointed to

Timothy M.

Cook '78

*Timothy M. Cook, a member of the Class of 1978, died October 22, 1991. Serving as executive director of the National Disability Action Center — a foundation he personally established — at the time of his death, Mr. Cook's brief career encompassed years of service to the handicapped community.*

*As a staff lawyer in the civil rights division of the United States Department of Justice, Mr. Cook took the Department to task for what he claimed was insufficient enforcement of the Rehabilitation Act of 1973. In protest, Mr. Cook resigned from the Department, and returned to Philadelphia, where he worked at the Public Interest Law Center.*

*In that post, a successful challenge he initiated made headlines when the South Eastern Pennsylvania Transportation Authority (SEPTA) agreed to install elevator access at the Olney Terminal on the Broad Street subway line. Mr. Cook also initiated litigation that resulted in a decision, upheld by the Third Circuit Court of Appeals, that the rights of handicapped people to use public transportation can not be limited by the expense involved to the carrier.*

*In 1989, Mr. Cook began the National Disability Action Center. There, he continued his efforts on the part of the disabled. In one notable case, litigation initiated by Mr. Cook established the right of the blind to serve in the foreign service.*

*Tim Cook himself was disabled by a fused knee joint that caused him some mobility loss. Nonetheless, he pursued an active life and dedicated himself to the plight of others less fortunate. His medical history prevented Mr. Cook from obtaining life insurance, and his commitment to the success of the National Disability Action Center included his foregoing a salary last year. He is survived by his wife, Geraldine Heneghan, and a one-year old son, Phillip, as well as his parents, Mr. and Mrs. Fred Cook, four sisters, and two brothers. Donations to The Tim Cook Fund, established to assist Mr. Cook's immediate family with their current and anticipated expenses, can be mailed to: Michael Kadish, Citibank, 425 Park Avenue, New York, NY, 10043.*

the bench, Massiah-Jackson was a corporate and civil litigation attorney with the firm of Blank, Rome, Comisky, & McCauley. As a judge, she has served in the civil trial division and in adult criminal court.

'75 **John E. Fitzgerald III** has been serving as a lecturer for the California Bar Association Continuing Education of the Bar Program.

'75 **Michael B. Lang**, Libra Professor of Law at the University of Maine School of Law, co-authored the treatise, *Federal Tax Elections*, recently published by Warren, Gorham & Lamont. Lang also led a seminar on tax elections at the 38th Annual Colby Estate Planning and Tax Institute held in July at Colby College.

'75 **Lawrence White** has been named University counsel for Georgetown University.

'76 **Eric L. Frank**, of the law firm Miller & Miller, recently appeared on the Philadelphia television program *Eyewitness Newsmakers*. Frank discussed the recent national and local upsurge in consumer bankruptcy filing and described, in general terms, how bankruptcy may be an effective legal remedy for financially over extended consumers. Frank has an extensive bankruptcy practice. In 1990, he and David A. Searles, Esquire, successfully co-counseled the first consumer bankruptcy case heard by the United States Supreme Court since 1978. (*The Legal Intelligencer*, 9/17/91)

'76 **Barbara R. Hauser** has joined the Minneapolis law firm of Gray, Plant, Mooty, Mooty & Bennett, P.A. Hauser is a member of the International Bar Association and of the Union Internationale Des Avocats. She is also a founding member of the Minnesota World Trade Center and a member of the French-American Chamber of Commerce.

'76 **Bruce S. Katcher**, a partner with Manko, Gold, and Katcher, has been appointed to the rules committee of the Environmental Hearing Board of Pennsylvania. The agency hears appeals of actions taken by the Department of Environmental Resources.

'77 **Gilbert F. Casellas**, a partner at Montgomery, McCracken, Walker and Rhoads, has been appointed to the American Bar Association's Commission on Opportunities for Minorities in the Profession. The Commission is designed to develop and promote minority legal education opportunities and increase minority hiring and retention in law firms.

'77 **Anita L. DeFrantz** is President of the Amateur Athletic Foundation of Los Angeles as well as a member of the International Olympic Committee, the U.S. Olympic Committee Executive Board, and the Board of Directors of the Atlanta Committee for the Olympic Games. In addition, she is a member of the NOW Legal Defense and Education Fund and the Martin Luther King Legacy Association.

Notably, DeFrantz received the bronze medal in rowing in the 1976 Olympic Games.

'77 **Thomas J. Gallagher**, a partner of the law firm Wolf Block Schorr & Solis-Cohen, authored *Financing Real Estate Projects*, the latest volume of a multi-volume series written by leading tax practitioners and published by Commerce Clearing House. Gallagher's book provides a comprehensive explanation of the many issues involved in real estate financing. (*The Legal Intelligencer*, 6/5/91)

'77 **Robert D. Lane, Jr.**, chair of the real estate group at Pepper, Hamilton & Scheetz, has been elected president of the board of directors of the Philadelphia Volunteer Lawyers for the Arts (PVLA). PVLA is a non-profit agency that provides support for artists in need of legal help by recruiting and training volunteer attorneys, who furnish free legal assistance to more than 1,000 low-income artists and cultural non-profit organizations each year.

'77 **Richard A. Matasar** has been appointed dean of Chicago-Kent College of Law. Matasar served as associate dean at the University of Iowa College of Law and had been a member of its faculty from 1980 to 1991.

'78 **Thomas M. Palay**, a law professor at the University of Wisconsin Law School, has recently had his book, *Tournament of Lawyers: The Transformation of the Big Law Firm*, published by the University of Chicago Press.

The book is co-authored by Marc Galanter and traces in detail the rise of America's largest law firms, suggesting that the very success of those firms has led the profession toward the transformation it now faces.

'78 **Carol A. Springer, M.D.**, has just announced the birth of her fourth child and third son, Shaun Springer Rosecan, on January 3, 1991. Springer is a practicing ophthalmologist in Juno Beach, Florida.

'79 **Dr. Burkhard Bastuck**, of Bruckhaus Wesrick Stegemann, has recently been named a resident partner in the firm's newly opened office.

'79 **Joseph C. Crawford** joined the firm Wolf Block Schorr and Solis-Cohen as a partner in the firm's litigation department. "I am extremely pleased to announce that Joe Crawford, one of Philadelphia's most accomplished litigators, has decided to join Wolf Block," said Robert M. Segal, co-chair of the Philadelphia law firm. (*The Legal Intelligencer*, 9/6/91)

'79 **Clyde E. Gumbs**, a former vice president with the Bank of New York, joined the California company Advanced Consumer Marketing Corp. (ACMC) as president and chief operating officer. Mr. Gumbs has also been named chief executive officer of Western Computer Group, Inc. (WCG), ACMC's principal subsidiary. ACMC, the nation's thirteenth largest African-American owned industrial service company, is

one of IBM's largest black-owned PC dealers. In his ten years with the Bank of New York, Gumbs served both as corporate finance specialist in the credit division and legal counsel. In 1989, he opened his own business consulting practice.

'79 **Steven J. Insel**, formerly of counsel of the firm of Sachs & Phelps, has become of counsel to Jeffer, Mangels, Butler & Marmaro. (*The National Law Journal*, 9/9/91)

'79 **Michael J. Ossip**, a partner of the firm Morgan, Lewis & Bockius, spoke at a two-day seminar on "Understanding Personnel Law for Managers, Supervisors and Employers." Topics included discrimination laws, health and safety issues, and wrongful termination.

'79 **M. Kelly Tillery**, senior partner with Leonard, Tillery & Davison, chaired a panel discussion at the annual fall meeting of the International Anti-Counterfeiting Coalition in Sarasota, Florida. The panel, entitled with "Practical Aspects of Intellectual Property Litigation and Seizures," featured Tillery and three other prominent intellectual property lawyers from around the country discussing topics related to securing and implementing injunctions and orders of seizure in intellectual property cases.

'79 **Marcia J. Wexberg** has become a partner in the Cleveland law firm of Calfee, Halter, and Griswold.

'80 **Richard D'Avino** spoke at the recent program "Tax Strategies for Corporate Acquisitions, Dispositions, Financings, Joint Ventures, Reorganizations, and Restructurings." The program focused on the tax issues presented by the entire spectrum of major corporate transactions. D'Avino is with General Electric Capital Corporation.

'80 **Joyce S. Meyers**, a shareholder in the Philadelphia law firm of Miller Dunham Doering & Munson, has been appointed to the Executive Board of the Philadelphia Chapter of Women in Communications, Inc. (WICI). WICI is a national organization of communications professionals dedicated to promoting high professional standards and First Amendment rights and responsibilities in the communications industry. Meyers has practiced and published extensively in the field of First Amendment and communications law.

'80 **Garold E. Tennis** has recently been named Executive Director of the National Commission on "Measured Responses to Achieve a Drug-Free America by 1995." The commission was created by Congress in 1988 and received funding this year. Tennis was selected by the Director of the Office of National Drug Control Policy, Governor Robert Martinez, appointed by the commission, and approved by the White House.

'81 **Kevin R. Cunningham** has been named to partnership with Ballard Spahr

Andrews & Ingersoll in Philadelphia. Cunningham is a member of the firm's public finance department and concentrates his practice on health care finance, municipal revenue bond finance, and structured finance.

'81 **Kyra Goidich McGrath** has been promoted to director of Project Development and Coalitions for the Southeastern Pennsylvania Transportation Authority (SEPTA). McGrath has most recently been appointed to the Planning Commission of Lower Merion Township and the Board of Advisors for Penn State Great Valley.

'82 **Andrea G. Asaro**, has established the firm of Rosen, Bien, and Asaro in San Francisco.

'82 **Peter W. Laberee** joined Ballard Spahr Andrews & Ingersoll as an associate in the business & finance department. Laberee's experience is primarily in the areas of banking and corporate law.

'82 **Patrick T. Ryan** has been named partner at Montgomery, McCracken, Walker, and Rhoads.

'82 **Jane E. Siegel**, a San Francisco attorney, became a partner in the law firm of Hanson, Bridgett, Marcus, Vlahos and Rudy.

'83 **Lynn R. Axelroth** has been named partner of Ballard Spahr Andrews & Ingersoll. Axelroth is a member of the firm's real estate department. She is also chair of the Philadelphia Bar

Association Committee on Partnerships, Section on Business Law. Several of her articles concerning tenant fit-out work have been published in real estate journals as well.

'83 **Susan Laiken Kruger** and her husband, Robert M. Kruger, '82, announce the birth of their first child, James Evan, on November 3, 1990.

'83 **John (Jack) P. Pierce**, a member of Saul, Ewing, Remick & Saul's real estate department, has become a partner with the firm. Pierce handles a broad range of real estate matters with special emphasis on commercial leasing, residential and commercial development, and investment.

'84 **Harriet L. Dichter**, executive director of the Maternity Services Program of the City of Philadelphia, is leading the fight to reduce infant mortality. In a lead editorial, *The Philadelphia Inquirer* (September 23, 1991) noted Dichter and her team of 50 community volunteers in their Healthy Start effort. A multimillion dollar grant written by Dichter has been funded by the federal government to combat infant mortality by addressing both the problem of making care more available as well as educating and motivating often troubled, and sometimes drug-addicted, young women to act responsibly.

'84 **Donald C. Eversley** has been quoted extensively in *The New York Times* (Sunday, September 1, 1991) concerning his involvement

in the Black Rock Coalition. Eversley, an entertainment-industry lawyer who is the coalition's executive director, spent the last four years trying to interest record companies in black rock musicians. The coalition, a 200-member nonprofit organization formed six years ago as a support group for these musicians, believes that the audience for such music has yet to be tapped.

'84 **Herman A. Manuel**, formerly counsel at the Federal Deposit Insurance Corporation, has joined the firm of Meserve, Mumper & Hughes, as a partner in their newly opened Washington office.

'84 **Gerald J. Schorr** joined the firm of Astor, Weiss & Newman. Schorr has published several articles on matters related to divorce practice, has moderated numerous programs on family law for the Pennsylvania Bar Association, and is currently the chair of the Equitable Distribution Committee of the Family Law Section of the Philadelphia Bar Association.

'84 **Jodi J. Schwartz**, lives in New York City and practices tax law at Wachtell, Lipton, Rosen & Katz, where she recently became a partner. She is married to fellow alumnus, Steven F. Richman '84, who is an analyst with Elliott Associates, L.P., an investment management firm. Schwartz has remained very involved with Penn, serving as co-chair and co-founder of the Council of Recent Graduates, a member of Steering

Committee of the Trustee's Council of Penn Women, and gift chair of the Class of 1981, which recently broke 10th reunion records for both dollars and donors at the undergraduate level.

'85 **Charles Bender**, an associate in the Philadelphia firm Mesirov Gelman Jaffe Cramer & Jamieson, participated as a faculty member in a seminar on the Pennsylvania Sales and Use Tax sponsored by the National Business Institute, Inc. The seminar hoped to provide taxpayers and their tax advisors with the necessary tools to minimize their Sales and Use Tax costs.

'85 **Nathan B. Ploener** has recently become an associate with the firm of Raynes McCarty Binder Ross & Mundy. (*The Legal Intelligencer*, 9/20/91)

'85 **Herbert S. Wolfson** is currently serving as an associate with the law firm of Baker and McKenzie in Riyadh, Saudi Arabia. Wolfson specializes in work relating to the reconstruction of Kuwait.

'86 **Daniel R. Guadalupe**, an associate with Norris, McLaughlin & Marcus, recently became the president of the Hispanic Bar Association of New Jersey. Guadalupe has also been appointed chair of the 1992 Hispanic National Bar Association's Convention, as well as Adjunct Professor of Law at Seton Hall Law School in Newark, New Jersey.

'86 **James W. O'Brien** joined the firm Drinker Biddle & Reath as an associate in its tax department. Since 1987, O'Brien has concentrated in multistate, state and local taxes, with emphasis on Pennsylvania, New Jersey and Delaware tax matters. (*The Legal Intelligencer*, 6/24/91)

'86 **Christopher F. Wright**, an attorney with Pepper Hamilton & Scheetz, has been elected to a three-year term on the advisory board of the Application Development Center. The ADC is a non-profit program of the University City Science Center that promotes the economic growth and development of technologies of the computer software industry in the Delaware Valley. (*The Legal Intelligencer*, 6/25/91)

'87 **Neil R. Shapiro**, an associate in the real estate department of the firm, Weil, Gotshal & Manges, has become engaged to Ivy Miller and will be married in January of 1992.

'87 **Michael A. Smerconish** has been appointed Regional Administrator for the Department of Housing and Urban Development. As Regional Administrator, Smerconish will oversee all federal housing programs in Pennsylvania, Delaware, Maryland, Virginia, West Virginia and the District of Columbia.

'87 **Ferrier Stillman**, an associate specializing in family law in the Baltimore office of Semmes, Bowen &

Semmes, participated in a one-day seminar entitled "Family Law", designed to provide up-to-date information in this rapidly changing area of the law. Stillman has recently been appointed a member of the subcommittee on marital property, alimony and child support of the Governor's Family Law Task Force. Stillman has also done Congressional case work on child support and child abuse.

'88 **Ernesto A. Lanza** joined the law firm of Ballard Spahr Andrews & Ingersoll as an associate in the public finance department. Lanza will enter the firm with three years of experience, particularly in the area of tax-exempt financing.

'88 **Abigail R. Simkus** will become an Assistant United States Attorney in the Organized Crime Division of the United States Attorney's Office in the Eastern District of Pennsylvania. Simkus previously had been an associate in the litigation department of the Philadelphia firm Dechert, Price & Rhoads.

'89 **Karen L. Johnston** has joined the law firm of Parcel, Mauro, Hultin & Spaanstra, P.C., of Denver, Colorado, as an associate.

'89 **Alan Jay Ominsky, M.D.**, a full-time trial attorney with the Philadelphia and Montgomery County, PA, law firm Bernstein Bernstein &

Harrison, recently had a series of articles published by *The Legal Intelligencer* concerning new developments in the law of medical malpractice and the roll of the physician-attorney in medical malpractice litigation.

'91 **Karon M. Coleman**, a recipient of Penn's Loan Forgiveness Program, is currently working for Legal Services of Greater Miami as a housing rights advocate.

'91 **Donna K. Palmer** and '91 **Theodore F. Rodriguez** joined the Cleveland firm of Baker & Hostetler, Counselors at Law as associates.

## NOMINATIONS SOUGHT FOR LAW ALUMNI SOCIETY AWARDS

*The Awards Committee of the Law Alumni Society invites your participation in identifying candidates for the Society's three categories of recognition. Please address your recommendations, including nominee, class year and Award category, for the following awards to:*

Jerome B. Apfel '54, Chair  
*The Law Alumni Society Awards Committee, University of Pennsylvania Law School  
 3400 Chestnut Street, Philadelphia, PA 19104-6204*

*THE ALUMNI AWARD OF MERIT - Presented to alumni in recognition of their professional achievement and/or support of the Law School, the Award of Merit is given at Society events throughout the year. Last year's recipients were Robert C. Heim '72, Chancellor of the Philadelphia Bar Association, and Marshall A. Rutter '59, a tremendous supporter of Law School activities on the West Coast.*

*THE DISTINGUISHED SERVICE AWARD - Presented to an alumnus, alumna, or other friend of the Law School on an annual basis during Alumni Weekend, the Distinguished Service Award recognizes loyal support of the Law School and its programs. This year's recipient, Myles H. Tanenbaum '57, will receive the Award during the State of Penn Law Lunch on May 16, 1992, to which all are invited.*

*THE JAMES WILSON AWARD - This Award, in its third year in 1992, is presented to an alumnus or alumna for service to the profession. Candidates should be esteemed for their work during their legal career. The Wilson Award, presented to Robert M. Landis '47 in 1990 and to Bernard G. Segal '32 in 1991 (see page 8), is awarded at the Benefactors Dinner in October of each year.*

*For further information about the Award categories or about the Committee's work, please call Jo-Ann M. Verrier '83, Director of the Alumni Office, at (215) 898-6303.*

IN MEMORIAM

'24 John G. Bechtel  
Wilmington, DE  
October 4, 1991

'27 Harry Friedman  
Jenkintown, PA

'29 Edward J. Darreff  
Philadelphia, PA

'29 Frank P. Kumpitch  
Groton, CT  
August 19, 1991

'29 Frank Slattery  
Wilkes-Barre, PA  
June 6, 1991

'30 George M. Brodhead  
Chestnut Hill, PA  
October 23, 1991

'30 George C. Denniston  
Philadelphia, PA  
October 25, 1991

'31 Richard R. Bongartz  
Westport Harbor, PA

'31 W. Albert Sanders  
Rydal, PA  
October 20, 1991

'32 Harold J. Conner  
Philadelphia, PA  
September 6, 1991

'33 Edward First  
New York, NY

'33 Harold E. Martin  
Lancaster, PA  
October 2, 1991

'34 Arthur L. Adams  
Philadelphia, PA  
October 10, 1991

'34 A. Arthur Miller  
Rydal, PA  
October 2, 1991

'34 Julius Weisglass  
Houston, AR  
July 24, 1990

'34 Edwin E. Weller  
Haverford, PA  
July 21, 1991

'36 Christian C. F. Spahr  
Bryn Mawr, PA  
August 6, 1991

'36 Karl H. Strohl  
Scranton, PA  
September 29, 1991

'36 E.D. Trexler, Jr.  
Wyomissing, PA  
June 17, 1991

'38 John W. McCormick  
Wilkes-Barre, PA  
September 12, 1991

'44 Harry M. Bellinger  
San Antonio, TX  
July 17, 1991

'48 Charles M. Donnelly  
Yardley, PA  
October 10, 1991

'52 Kiefer N. Gerstley  
Wyncote, PA  
October 30, 1991

'57 William W. Cancelmo  
Philadelphia, PA  
September 27, 1991

'66 Andrew D. Steiner  
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October 2, 1991

'67 John J. Stubbs, Jr.  
Shadyside, PA  
September 19, 1991

'78 Timothy M. Cook  
Washington, D.C.  
October 21, 1991

ERRATA

The Editor and the Development Office apologize for the following errors in the 42nd Annual Report of Giving, issued in October 1991:

*Duffield Ashmead III '58 is an Edwin R. Keedy Associate in the 1990-91 Law Annual Giving Campaign.*

*Mark R. Kramer '85 was inadvertently omitted from the Class of 1985 donors list.*

*Robert E. Mensel '82, noted in Alumni Briefs for the publication of his article, "Kodakers Lying in Wait": Amateur Photography and Right of Privacy in New York, 1885-1915" in the American Quarterly, is an Adjunct Professor at Seton Hall University Law School.*

*James Strazzella '64, listed as a contributor with his classmates, made his gift to the Honorable Max Rosenn '32 Scholarship Fund. Professor Strazzella notes Judge Rosenn as a "unique friend [whom I] admire and respect a great deal."*

*Mark Weinstein '68 is a member of the Benjamin Franklin Society for Law Annual Giving 1990-91.*

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