

WILLAMETTE LAWYER

The magazine of the first law school in the Pacific Northwest

Fall 2005

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Willamette's Pioneering Law and Government Program

This issue is dedicated to David R. Kenagy.

DEPARTMENTS

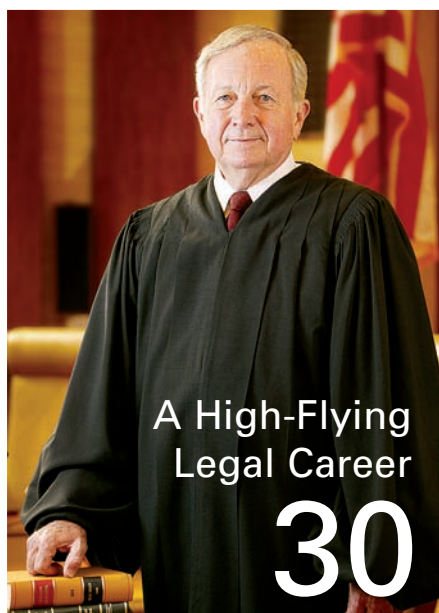
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Forging a Path
for Others



WILLAMETTE LAWYER

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DEAN'S MESSAGE

*Dear Alumni and Friends,*

As we begin the 122nd year in the history of the College of Law, we have every reason to anticipate a great year ahead.

For the third consecutive year, our Office of Admission broke all previous records. In a year in which applications to law schools nationally and regionally declined, applications to Willamette increased by 23 percent over the previous year to reach the highest number (1,554) in the school's history.

Continuing our relentless pursuit of excellence, we decided to decrease rather than increase the number of admission offers, thus producing the most selective entering class in the school's history — 145 bright, enthusiastic, eager-to-learn students. Another record is the percentage of women students — 54 percent. This is the first year in which the number of women students has exceeded that of men. The previous high was 48 percent in 2001 and 1997.

Joining us in welcoming the new students are the two latest additions to the faculty, W. Warren Binford and Paul Diller. Professor Binford (profiled on p. 9) directs the Clinical Law Program, while Professor Diller (profiled on p. 8) teaches Property and State and Local Government.

Law and Government is the theme of this issue. From its inception, the College of Law has had a unique relationship with government. Located in the capital of a state known for its proclivity and

capacity to innovate in matters of government, the College of Law is also in unusual physical proximity to the key institutions of state government and law — the Oregon Capitol and the Oregon Supreme Court. As this issue illustrates, Willamette faculty and students have been crossing the street that literally and figuratively separates law and government and have mastered and improved both. The alumni profiled in this issue are some of the latest exemplars. They have served the public well, and we are proud to call them our own.

One of the people who more than any other has helped strengthen Willamette's ties with state government is Associate Dean and Oregon Law Commission Director David R. Kenagy (profiled on p. 16). But, of course, David has done much more than that for Willamette. He came to Willamette in 1991 for a position that in his words had a very short and simple job description: to "help the dean." Not only did he help the dean who hired him, he has helped every dean thereafter, especially myself. More importantly, he has helped Willamette University and the College of Law and its students become stronger and aim higher, even as his own physical strength was beginning to decline. David is not one to let adversity impede his service of noble causes. With admiration and affection, I am pleased to dedicate this issue of the *Willamette Lawyer* to David Kenagy in honor of his myriad contributions to the College of Law.

With my best wishes,

Symeon C. Symeonides
Dean and Professor of Law

Major Gifts to the College of Law

Legal Clinic Endowment



For the fourth consecutive year, Willamette University College of Law has received gifts totaling more than \$2 million for the endowment of the college.

Last year an anonymous donor gave \$1 million to endow the Clinical Law Program. That donor also pledged an additional

\$1 million gift if the college can raise matching funds by December 31, 2005.

In June 2005, Mr. and Mrs. S. Michael Rodgers JD'68 helped the college move closer to meeting that challenge with a generous donation of \$100,000 for the Clinical Law Program. Rodgers, a former trustee, is a founding partner of Rodgers Deutsch & Turner in Bellevue, Wash. His gift has been instrumental in helping the college reach its goal of raising \$1 million by the end of 2005.

Thanks to the support of alumni like Rodgers and Maribeth Collins H'93, a life member of the Board of Trustees who provided a \$500,000 gift for the clinic, the college has reached 65 percent of its goal. If the Clinical Law Program endowment is to be fully funded, the College of Law must secure another \$350,000 for the program by the end of 2005.

Since 1991 the Clinical Law Program has offered practical legal experience to Willamette's law students, who provide legal assistance to needy Oregonians under the direction of full-time clinical supervising attorneys. If the matching funds are obtained, the endowment for the Clinical Law Program would total \$3 million — the largest programmatic endowment in the history of the law school.

Recent Grad Helps Fund Loan Repayment Program

During the summer of 2005 the College of Law received a major gift from a recent graduate, W. Parker Lee JD'01. Lee, who works in private business, generously committed \$250,000 to fund several College of Law projects.

Lee has donated \$100,000 for the Professor Carlton J. Snow Memorial Scholarship Fund and \$25,000 for support of the Law and Business Program. In addition, he has pledged \$125,000 over the next five years to fund the Loan Repayment Assistance Program, which assists law graduates who work in public interest jobs by partially repaying their student loans.

"It is gratifying and inspiring to see such a recent graduate able and willing to make such a big investment in his law school," said College of Law Dean Symeon C. Symeonides.

Professor Nafziger Directs Research at The Hague



Professor James A. R. Nafziger was selected to lead the Hague Academy of International Law's Centre for Studies and Research this past summer. The academy's program, which is held in the Peace Palace in The Hague,

Netherlands, includes legal scholars and practitioners from around the world. The academy is the epicenter

of distinguished scholarship and education in public and private international law.

Participation in the research program is highly competitive and open only to qualified jurists with notable experience and recognized scholarship in international law. Under the guidance of Professor Nafziger, participants investigated a critical area of international law. The focus of the 2005 program was "The Cultural Heritage of Mankind."

Class of 2008 Most Selective in WUCL's History

The College of Law Admission Office received a record number of new student applications for the Class of 2008. For the third consecutive year, College of Law applications increased by more than 20 percent over the previous year. For the semester starting fall 2005, Willamette received 1,554 law school applications — a 23 percent increase from 2004 and a 107.5 percent increase since 2002.

While Willamette received the highest number of law student applications in the school's history, law student applications across the country decreased 1.4 percent from the previous year. Also significant, the



College of Law's acceptance rate dropped for the first time to 35 percent, making the Class of 2008 the most selective in the history of the college.

"We are pleased with this progress," said College of Law Dean Symeon C. Symeonides, "but we continue to aim higher."

On August 17, 2005, the College of Law welcomed the Class of 2008 to campus with a three-day new student orientation. The 145 law students who compose the first-year class represent 75 undergraduate institutions in 23 states. Among them, 54 percent are women, and 11 percent identified themselves as persons of color. Twenty-six percent of the incoming class reported an alumni connection to Willamette.

Dean's Book Lauded as a 'Brilliant Contribution to Legal Theory'



In May 2005 the *Michigan Law Review* published its annual "Survey of Books Related to the Law," which included a review of a book by College of Law Dean Symeon C. Symeonides. In her review, Professor Louise Weinberg, holder of the Bates Chair in Law at the University of Texas, characterized Symeonides' book as a "brilliant contribution to legal theory, an impressive, original, one-of-a-kind book."

Symeonides' book, *The American Choice-of-Law Revolution in the Courts: Today and Tomorrow* (Leiden/Boston 2003), is part of the prestigious, century-old series *Recueil des Cours* of the Hague Academy of International Law, where Symeonides lectured in 2002. The book's second edition, which Symeonides

has just completed, will be the pilot of a new series called "Hague Academy Classics" to be launched in 2006.

In her 39-page review of this book, which discusses the development of American conflicts law in the last 50 years, Weinberg praised the author's "formidable erudition" and "characteristically evenhanded" treatment of this difficult subject.

"No one else could have written this book," the reviewer noted, "[n]or could it have been written by anyone without Symeonides' intimate familiarity with current American conflicts cases ... [and] European as well as American theory."

The reviewer concluded: "This is not only a most original monograph, not only a major contribution to the literature, not only a fine course in conflict of laws, not only a treatise from which sophisticates and novices alike can learn much, not only an intellectual adventure, but quite simply a book one can very much enjoy reading."

College of Law Commencement 2005



On Sunday, May 15, 2005, 134 students graduated from Willamette University College of Law in the school's 119th commencement and hooding ceremony.

Willamette University President M. Lee Pelton led the conferring of degrees, while College of Law Dean Symeon C. Symeonides presented two Master of Laws degrees and 132 Doctor of Jurisprudence degrees. Bonnie B. Allen JD'68 introduced the commencement speaker, the Honorable Faith Ireland. Justice Ireland, a 1969 graduate of the College of Law and a retired justice of the Washington Supreme Court, used the opportunity to share with the new graduates sound advice on launching their legal careers and maintaining balance in their lives.

Hamilton Hernando Emery IV graduated *summa cum laude*; Krista Noelle Hardwick and Kristen Gienger Williams both graduated *magna cum laude*.

Law for Law's Sake

"Studying law is like peeling an onion," said Paul A. Diller, "you just keep peeling and peeling until you whittle down to a solution." Diller, an assistant professor of law at Willamette University College of Law, said the elusive nature of law is what drew him to teaching. "As a student of law, you must be comfortable with ambiguity, because often there is no black letter law to rely on. I want to help students understand that in many legal cases there are no right answers. You just have to mold out of them a coherent legal answer for your client."

Diller's interest in constructing solutions from amorphous subject matter led him to the study of economics and applied science with a concentration in public policy at the University of Pennsylvania in Philadelphia. "Economics involves the study of incentives that affect human behavior," he explained, "which provides a useful way to examine the world." He soon determined that, as a broad social science, economics is limited in the answers it can provide. "Economics is more than just quantitative," he explained, "so you need to rely on something else to make the more normative judgments at its foundation. In this way, the study of economics is much like the study of law."



After earning his undergraduate degree, Diller accepted a position in the macroeconomics division of the Congressional Budget Office in Washington. He spent close to a year researching major policy issues, from consumer credit and national savings rates to trends in employment and foreign trade. Although the job fulfilled his lifelong dream of working on public policy issues in Washington, the experience also showed him a more pragmatic side of economics not gained in his academic studies. "I soon realized how economics can be manipulated to produce the political results you want," he said.

Diller's interest in public policy, however, was not diminished. He soon enrolled in the University of Michigan Law School in Ann Arbor, where he served as articles editor for the *Michigan Law Review*. He also was named a Clarence Darrow Scholar and a winner of the Henry M. Campbell Moot Court Competition. After graduation, Diller accepted a judicial clerkship with Chief Judge Edward R. Becker of the U.S. Court of Appeals for the Third Circuit. "It provided me with a rare opportunity to see the judicial system from the inside," he said. "I was part of the decision-making process; not a lot of lawyers get to participate in those activities at the federal level."

When his clerkship ended, Diller returned to Washington and accepted a job with the U.S. Department of Justice in the federal programs branch of the civil division. As a trial attorney for the DOJ, he represented federal agencies and officials in cases involving constitutional, administrative and international law. "The DOJ gave me more autonomy than corporate legal work might have," he said. "It allowed me to stay oriented in public interest while handling my own cases. It allowed me to make important strategic decisions on cases early in my career."

According to Diller, working at the DOJ allowed him to engage in both theoretical and prosaic matters of law. "I was able to take an intellectual approach in my work on

Continued to p. 36

A Broader Appreciation for Law



Every summer when she was young, W. Warren Binford's father would pack up the family for a month-long road trip. "He would drive to the end of our street, turn to us and say, 'OK, where to?'" These excursions took Binford to almost all 50 states and allowed her to see a side of life her childhood in Los Angeles otherwise would not have provided. "Those trips really gave me an appreciation for others — that we are all part of a larger world community," said Binford, who recently joined the Willamette University faculty as an assistant professor of law and director of Willamette's Clinical Law Program.

Much of Binford's career has been dominated by a desire to help others and an interest in child advocacy. "I have a fear of living a wasted life," she explained, "of not creating a better world, especially for children." Binford's devotion to children developed into an interest in education and educational reform.

After earning an undergraduate degree from Boston University, she took a job teaching inner-city kids in Los Angeles. "I was devastated by what I saw in South Central compared with my own experiences," she said. Determined to find a way to make a difference, Binford

returned to BU and enrolled in a graduate teaching program. "Earning a master's degree in education allowed me to build my credentials so that I would be credible in the dialogue on educational issues. It gave me a new level of expertise for discussions, so I could come to the table as an informed contributor."

Binford's interest in advancing public policy on education soon led her to the study of law. In between her first and second years at Harvard Law School, she worked for the International Red Cross in Geneva, Switzerland, and the Croatian Red Cross, working for child victims of war. She also spent a summer with the Red Cross of Japan, training doctors and nurses to work with children in crisis and child victims of war.

Following graduation, Binford took a job with Pillsbury Winthrop LLP in Sacramento, Calif. Although she spent the majority of her time working in corporate law, she served on the firm's pro bono committee and volunteered as a court-appointed special advocate (CASA) for children. "I've worked for more than five years with high-risk foster kids," she explained, "those abused or with no solid, long-term foster placement, those at special risk of falling through the cracks."

As a CASA, Binford serves as "the voice of the child" within the court system. She currently works with two foster children. "Until recently, I worked with a third, but she's left the system, moved on. This past summer, I was maid of honor at her wedding," she said, of the happy ending to the girl's troubled past.

Given Binford's devotion to others, it is not surprising that she ultimately decided to leave the world of corporate law. "I worried that I was becoming too comfortable with the power and money that came with the job," she said. "I was afraid I'd lose touch with what is most important in life. I wanted to return to teaching and to focus my life on helping others in need," she said, of the decision that brought her to Willamette University College of Law.

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❧ WILLAMETTE'S PIONEERING ❧
LAW AND GOVERNMENT PROGRAM





THE WILLAMETTE CENTER FOR LAW AND GOVERNMENT

was established in 2002 to promote the impartial study and understanding of federal-state and government-citizen relations in the United States. The center administers a multifaceted program with the overarching goal of promoting the study and practice of public law, including constitutional, administrative and legislative law.

Through its Certificate Program in Law and Government, the center provides students with an academic emphasis in the field of public law. The certificate program offers 19 hours of specialized study as part of the 90 hours required to earn a Doctor of Jurisprudence degree. The goal of this certificate program is to allow students to develop an understanding of the laws regulating governmental institutions at the national, state and local levels. The program also provides an understanding of the ways in which public policy is made and modified and the means of effectively influencing formulation of law and public policy.




Another important purpose of the certificate program is to enhance student career opportunities in public law through a specialized course of study and externships in government agencies and nongovernmental organizations. Students take courses in constitutional and administrative law, legislation, state and local government, state constitutional law, and public policy studies, as well as specialty seminars in areas such as natural resource law, land use regulation and employment discrimination. These courses are designed to give students a foundation in all aspects of public law practice. Graduates of the certificate program are readily qualified to work not only for legislatures and state agencies, but also for private law firms with a regulatory practice.

The center also serves as a forum for the study of public law issues by sponsoring conferences and seminars and a yearly writing competition to encourage the scholarly study of public law issues. Center faculty also work with the Oregon Law Commission, as well as state and local agencies, as resources for public officials. In this capacity, College of Law faculty have provided training for state legislators, worked on critical law reform issues, and assisted with the drafting of legislation and state regulations.

The Willamette Center for Law and Government exists primarily due to the inspiration, foresight and generosity of three important individuals, without whom the center would not exist. Former Oregon Supreme Court Justice Hans Linde was the inspiration for the center. Linde is often identified as one of the nation's top-50 jurists of all time. He has built a career studying, critiquing, and advancing legislation and public law. In addition, when joining the college in 1999, Dean Symeon Symeonides recognized that the law school possessed a number of strengths that would make a program in public law possible — an outstanding reputation, an involved faculty, established relationships with and access to governmental

agencies, and an enviable location across the street from the seat of Oregon state government. All this culminated with the extraordinary generosity of Ken Peterson JD'80, whose endowment of the center in 2002 made its existence possible and its future secure. For more information about the gift presented to the College of Law by Peterson and his wife, Claudia, please see the fall 2002 issue of *Willamette Lawyer*.

Although still relatively new, the center already has achieved a number of milestones. In March 2005, the center sponsored a well-received symposium on federalism that focused on overlapping federal/state regulations. The previous year the center sponsored a conference on administrative law in conjunction with the Association of Administrative Law Judges. Speakers included Oregon Supreme Court justices W. Michael Gillette and Rives Kistler.

The center has provided countless benefits for Willamette law students, including career events emphasizing public law. The center also has sponsored three writing competitions on issues related to federalism, alternating between undergraduate students and scholars, with the fourth competition scheduled for spring 2006. These competitions promote the study of public law while enhancing Willamette's name among scholars and prospective law students. College of Law students also have enjoyed externship opportunities in various public and private agencies, including the federal district court, the Oregon appellate courts, the Oregon attorney general's office, the governor's office and the state legislature. Thanks to these opportunities, a number of center graduates have gone on to jobs in related fields. 

— Steven K. Green

Professor Steven K. Green is director of the Willamette Center for Law and Government.



☆☆☆☆☆ Devout Defender of the First Amendment ☆☆☆☆☆

Take a quick look at College of Law Professor Steven Green's genealogy and you will no doubt conclude he is the black sheep of the family. Green comes from a long line of clergyman that includes his father, brother, uncle, grandfather and great-grandfather. Although the associate professor of law did not directly choose a life of religious service, his career has kept him deeply embedded in family tradition. Green has remained true to his Baptist roots — and stayed in the good graces of his family — by working to safeguard religious freedom in the U.S. and preserve the separation of church and state.

Green said he believes the government should remain neutral on religious questions, leaving issues of God, faith and worship to be decided by individual citizens. "Separation of church and state is good for both religion and government," he explained. "I believe strongly that government use of religion tends to degrade religion. The division of church and state provides protection to both institutions."

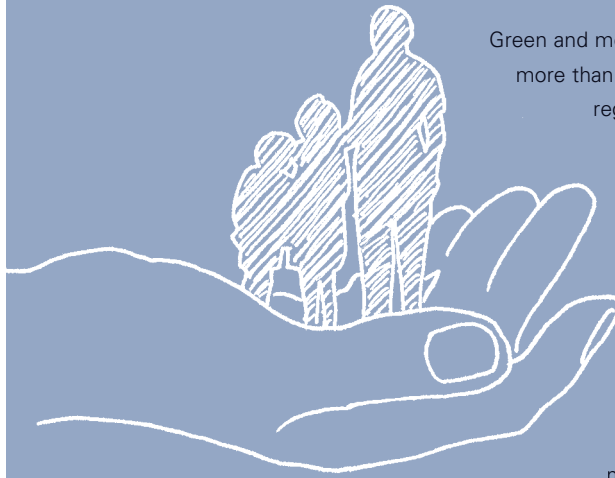
"I never thought I'd be a lawyer," Green said. "But law school is a great foundation for public policy work." As such, he followed a somewhat circuitous route to his legal career. After earning his law degree from the University of Texas at Austin, Green went on to pursue his interests in "the intersection of religion, law and government" by earning a master's degree in religious studies and a doctorate in American constitutional



Charitable Choice Reform

A primary goal of the Welfare Reform Act of 1996 was to encourage greater privatization in the delivery of government-funded social services. Charitable Choice provisions, a cornerstone of this Act, expressly prohibit any non-profit or faith-based organization from using federal funding for religiously infused social services. In 2001, the Oregon Law Commission established a work group to examine the funding of religious charities to determine what regulations, if any, were needed to govern charitable organizations' delivery of social services to Oregonians. Willamette University Associate Professor of Law Steven Green led the charge.

"Religious organizations have a long history of providing social services, which is OK if you respect the boundaries of the Constitution," said Green. "My experience has been that most religious organizations want to do the right thing — to help people in need."



Green and members of the Oregon Law Commission work group spent more than two years identifying the various state and local laws, regulations, and official policies and procedures that govern participation in and access to government programs and grants by non-profit social service organizations. Their goal was to determine whether the regulations and policies were consistent with federal and state constitutional law.

"I had great experiences meeting administrators in the Department of Human Services and seeing the inner workings of Oregon state government," Green stated. "Oregon, with all its faults and budget restrictions, is trying to do the right thing and help people in need, as are most of the religious organizations."

and religious history, both from the University of North Carolina at Chapel Hill.

"I always liked history and political science," he said, "but the study of political science is too geared toward quantitative analysis and statistics. I am more interested in philosophical and historical rationales," he said, explaining why he ultimately decided to return to lawyering, which he defines as the combination of legislative and ethical processes in lawmaking.

Green spent four years at Vermont Law School working as a visiting professor while completing his dissertation. He taught criminal law, as well as a seminar on separation of church and state issues. He then moved to Washington, D.C., and spent 10 years working as the legal director for Americans United for Separation of Church and State, a religious liberties watchdog group.

Green said this opportunity allowed him to conjoin his academic background with First Amendment issues almost exclusively.

At Americans United, Green was directly responsible for directing both litigation and legislation efforts. "I spent about one-third to one-half of my time doing policy work on Capitol Hill, talking about legislation and strategizing, working collaboratively with the legislative staff," he said. During this time he served on an informal advisory board to the Secretary of Education, helping to establish guidelines on religious expression in public schools. He also worked with the Department of Justice on religious discrimination issues. In addition, Green has testified before Congress and various state legislatures on First Amendment issues.



Given his background, Green was a natural choice to head the Certificate Program in Law and Government, which is designed to help students develop an in-depth knowledge of the ways in which public policies are made and modified, as well as a capacity to influence the creation of law at local, state and national levels. “I can’t conceive of teaching what I do without having had this experience,” he said. “Having professional experience in policy making has allowed me to understand how the law-making process works, how policies are formulated,” added Green, who joined the Willamette University faculty in 2001 with the desire to share this understanding with future lawmakers.



In the classroom, Green leads heated discussions on the theory of lawmaking and the role of the lawmaker. “We talk a lot about what is effective in influencing the legislative process — which changes in different instances,” he explained. “My background allows me to bring specific issues I worked on to the classroom. It informs the way I approach the materials. It helps me get students to look at materials from a practical sense.”

Green, however, does not use the classroom to proselytize. Rather, he utilizes his knowledge and experience as a springboard for larger discussions of public policy issues and the role of lawmakers. “Anyone interested in teaching these subjects will have a personal perspective,” he acknowledged. “But it is important to understand and acknowledge all sides of an argument — that there is validity in all perspectives. The important thing is to inspire students to think of these issues, to approach them critically, analytically. When you learn to respect people on opposite sides of these issues then, in doing


so, you also learn the weaknesses of your own arguments.”

In addition to teaching and directing the Willamette Center for Law and Government, Green advises on key legal cases that pique his interest. Since coming to Willamette, he has served as co-counsel on several cases presented to the U.S. Supreme Court and has written a number of amicus briefs. Most recently, an amicus brief prepared by Green was cited by Supreme Court Justice John

Paul Stevens in his dissenting opinion on the Court’s decision to allow a Ten Commandments display on government property in Texas. This decision was delivered alongside an opposite ruling in a different case disallowing the Ten Commandments on public grounds in Kentucky.

“Separation of church and state is good for both religion and government. I believe strongly that government use of religion tends to degrade religion.”

— Professor Steven Green

Despite the fact that much of his career has been focused on separation of church and state issues, Green said he believes the experience he brings to the classroom transcends this particular “societal hot button.” “I have a particular area where I have worked in policy, but the skills and knowledge I’ve gained in the process have application across multiple areas,” Green said. “There are so many applications of a law degree. That’s why the Certificate Program in Law and Government is so important. It provides opportunities for students to realize the wide breadth of their legal education. It shows students the many ways they can use their legal skills to work more holistically for the betterment of society on policy questions that are so fascinating.” 



Building ☆☆☆☆ ☆☆☆☆ Better Laws

“Statutes are like bridges,” explained David Kenagy, associate dean of the

College of Law and executive director of the Oregon Law Commission.

“If you appropriate money to build them, then you must also maintain them. The law is the same; it must be changed to stay current.”

Kenagy said he believes the Commission fills a critical void in the lawmaking process because it provides a continuous and impartial program of law reform. Established in 1997 by the Legislative Assembly, the Commission is tasked with keeping Oregon laws up to date. Under this directive, law reform involves a number of activities: simplifying, clarifying, modernizing, and sometimes consolidating legislation. In addition to research and revision of existing laws, the Commission also proposes significant new laws not likely to be advanced by traditional interest groups.

“Most legislation is driven by economics,” Kenagy explained. “The Commission steps into those areas where there is no one to pay the fees involved in implementing law reform. For the Commission, the process is not driven by economics, but by expertise — by those people interested in making our laws better, making them work better.”

According to Kenagy, the idea for the Commission was born of Hans Linde, a retired justice of the Oregon Supreme Court and a distinguished scholar in residence in the College of Law. Kenagy, however, became an early champion of the cause and proved instrumental in giving the concept legs. “When the



“David is very thoughtful, energetic and diplomatic; he had the political and diplomatic skills needed to get the Commission off the ground.”

— Dean Symeon C. Symeonides

Commission was first seeking funding, Dave walked the halls of the legislature, explaining the vision,” said Wendy Johnson, deputy director of the Oregon Law Commission. “He worked tirelessly to build enthusiasm and set expectations for the Commission.”

“The idea of faculty being involved with law reform, with the community of Oregon, just made sense,” Kenagy said. After three years of campaigning for support, he finally saw the Commission funded by the legislature in April 2000. Kenagy noted that he was aided throughout the process by relationships with many long-time friends of the university, including Congressman Bob Smith BA’53, H’98.

Not long afterward, Willamette University College of Law Dean Symeon C. Symeonides appointed Kenagy executive director of the Commission. “I knew David would do an excellent job in the position,” Symeonides said. “He was ideal for the position. David is very thoughtful, energetic and diplomatic; he had the political and diplomatic skills needed to get the Commission off the ground.”

Johnson noted that Kenagy has played a critical role in raising the visibility and prominence of the Commission over the years. “To have the governor, members of the legislature, and lawyers and judges bringing items to the Commission for reform — we never envisioned that,” she said. “For this school to be able to help the state in this manner wouldn’t have happened without Dave Kenagy’s leadership.”

Kenagy said that helping to establish the Oregon Law Commission at the College of Law was “the culmination of a promise he made long ago” to then-Dean Robert Misner, who hired Kenagy to serve as associate dean of administration in 1991. At the time, Kenagy was given a clear title, but an amorphous job description. “When I came on as associate dean, Bob

said to me, ‘There’s much to be done here, will you help me?’” explained Kenagy.

Just as Kenagy’s role in helping the dean has grown over time, so has his portfolio of job functions. On numerous occasions he has served as a critical

liaison between the College of Law and the university. In 1999, he was tapped by Willamette University President M. Lee Pelton to help develop the university’s strategic long-range plan. “It was a moment in my time at the university when I felt most useful,” Kenagy said. “We got organized, set a direction and watched it evolve. Since that time I have been able to help the law school by maintaining relationships within the university as a whole and with our loyal and supportive alumni.”

Kenagy’s primary responsibility to “help the dean” took on an unexpected dimension in 1994 when he was named interim dean of the college, a position he held for two years. “I hope those years helped raise our expectations for the law school,” he said. “An essential distinction to remember is that there is the office of the dean and the person who happens to be there. The office is what has the dignity. The person is just the occupant. The office of the dean is what must be preserved and protected.”

During his tenure as interim dean, Kenagy said he focused on developing the core strengths of the college. “What emerged from those two years was an understanding of our need to build strengths in particular areas, including law and government,” Kenagy said. “It was mostly a time of determining what path we would follow to become a better law school. As an offshoot of that, we asked ourselves what it means to be a law school situated in a capital city.”

One of the first initiatives to stem from that period of self-examination was the Law and Government Certificate Program. According to Kenagy, the certificate program was designed by the faculty to provide law students with a major educational experience in a particular area of law. Given the




college's close proximity to the state legislature, the program was a natural development. "It is a fertile field in which we find ourselves, a marvelous laboratory," he said, of the few hundred yards that separate the College of Law from the Capitol complex.

"Most lawyering is done on the outside looking in," he said. "What we are doing through the Law and Government Program is demystifying the law for our students — letting them into the inner sanctum of how laws are created." Kenagy said he believes this experience provides students with a huge degree of insight into the law and enriches their educational experience. "If a lawyer has the good fortune to be involved in the law creation process in a specific area of the law, that lawyer will forever be an expert in that area; that can be a career-making experience."

Dean Symeonides also credits Kenagy with rescuing the Willamette Clinical Law Program when the federal grant money used to establish the clinic was scheduled

to run out. "David identified and built a relationship with an anonymous donor that eventually produced a magnificent gift to the clinic that has allowed its good work to continue," Symeonides said. The anonymous donor provided a set amount of money over a number of years, allowing the university time to build a budget to support the Clinical Law Program. "This is just another example of all the good work that David has done for the university — work he has done quietly, modestly and without making waves."

Looking back over his 15-year tenure as associate dean of the college, the decidedly modest Kenagy said he sees nothing particularly remarkable about his efforts to establish the Oregon Law Commission at the College of Law and to improve the core strengths of the school. "It all goes back to my first day on the job when I was charged with helping the dean improve the law school," he said. "I have just done what I was hired to do. All I do is wear a great big catcher's mitt and catch the results of the good deeds of our faculty and the dean." 

IN HIS OWN WORDS: Genesis of the Oregon Law Commission



Hans A. Linde is considered by many to be the father of the Oregon Law Commission. Linde, a retired justice of the Oregon Supreme Court, is a distinguished scholar in residence at the College of Law. In the spring of 1984, he outlined his idea for an Oregon "law revision commission" in an article for the *Willamette Law Review* (Vol. 20:2). He recently sat down with *Willamette Lawyer* to explain how the idea was conceived.

I've always been interested in the legislature as the democratic law-making institution, although laws are not its main product. Usually it must focus on budget-making. It is especially rare for legislators to take up problems in areas of law that randomly affect individuals and private transactions, but which do not affect any organized interests. No one in government feels responsible for flaws in private law; courts are left to improvise solutions in intermittent lawsuits. Litigating lawyers sometimes may prefer it that way.

The law commission idea is that a permanently staffed independent commission could best tackle what a part-time, biennial legislature with frequently changing members cannot, because the commission would have time, continuity and some distance from the lobbyists.

The Oregon Law Commission's design assumed that it would mainly consider issues that no other agency would resolve or bring before the legislature. It made Oregon's law school deans and the Chief Justice standing members of the Commission to encourage law faculty experts, as well as judges, to propose topics for systematic attention. But this has happened only rarely, as in conflicts of law projects and in the law of judicial review. Most projects, in fact, have been proposed by legislative and executive branches of government.

Linde has served as a commissioner of the Oregon Law Commission since its inception in 1997.



A Brief History of the Oregon Law Commission

The Oregon Law Commission was created in 1997 when the Legislative Assembly recognized the need to provide a non-partisan continuous professional program of law revision, reform and improvement for the state. With Oregon's legislative sessions focusing more and more on producing a balanced budget, there is less time for the law-making branch of government to fix and improve the law. Special interests and lobbyists are not generally motivated to advance bills to update the law, make the law easier to follow or fill gaps in the law. Rather, special interest groups look to advance more sexy policy measures, as well as those providing a significant economic impact for their clients.


The projects the Commission takes on generally require the expertise of a variety of players. The Commission provides expertise and a consensus-building forum for discussing and improving the law. Its sole authority is to recommend legislation to the Legislative Assembly.

The Commission was first funded in 2000. Since that time, Willamette University has matched the state's dollar contribution in a 50/50 public-private partnership. Housing the Commission at the Willamette University College of Law has made this public-private partnership very cost effective for the state and has provided another important component to the school's Law and Government Certificate Program.

The Commission comprises 13 commissioners who include appointees or designates from all three branches of the government, the three Oregon law schools and the Oregon State Bar. This group of legal experts provides leadership and experience that cannot be found elsewhere in the state. The Commission staff is of a modest size and provides executive, administrative and research support for the Commission. The Commission, however, is able to recruit and utilize hundreds of lawyers, judges and others who volunteer their expertise to assist with the Commission's law reform projects.

The Commission has increased the number of its law reform projects each session, and the complexity and importance of the Commission's projects continue to grow. The Commission recommended four bills in 1999 — the Commission's first session. This year the Commission recommended 23 bills, which covered varied areas of law, including automobile insurance, juvenile law, child support, civil rights, civil procedure, eminent domain and welfare reform.

Over time, the importance of the Commission's projects has grown. For the 2007 session, the Commission is already working to overhaul state and local government ethics, government bonding, paternity establishment and criminal background check provisions of the Oregon Revised Statutes. In addition to clarifying the law, the Commission's projects have other benefits, including increased efficiency, better government, decreased litigation, improved public safety and cost savings.

Years ago, few legislators, judges and lawyers knew about the Oregon Law Commission. Today, more and more do — and they now come to the Commission both to ask for help and to provide expertise in fixing neglected, broken and often complicated areas of the law. 

— Wendy J. Johnson

Wendy J. Johnson JD'98 is deputy director of the Oregon Law Commission.



Law Reform Activities of WUCL Faculty

The College of Law has a rich history of faculty involvement in law reform. Listed below are highlights of faculty members' key legislative activities.

Gilbert Carrasco

- ⊙ Chair, Legal and Legislative Issues Committee, Hispanic National Bar Association, Washington, D.C., 1982-89, 1992-93

Vincent Chiappetta

- ⊙ Chair, Internet Commission for the state of Oregon, which recommended legislation and non-statutory government action; prepared the Internet Commission Report, 2000
- ⊙ Oregon State Bar Committee on the Uniform Electronic Transactions Act and Uniform Computer Information Transactions Act

Robin Morris Collin

- ⊙ Testified on Oregon SB 542, establishing an environmental justice task force in the state of Oregon, 2005

Jonathan Eddy

- ⊙ Washington State Bar Association Business Law Section's committee to review the Uniform Commercial Code, Articles 1, 2, 2A, 5, 7 and 9, 1995-present
- ⊙ Advised U.S. Agency for International Development (USAID) in Indonesia on a variety of corporate and commercial law reform measures, 2001-02; Ministry of Justice in Jakarta, Indonesia, Financial Intelligence Unit, on anti-money laundering and counter-terrorist legislation, 2003-present
- ⊙ Worked with the U.S. Department of State's Division of International Narcotics and Law Enforcement and Kabul University to revitalize Afghanistan's legal education system, 2004-present
- ⊙ Consulted with the U.S. Department of Commerce, Commercial Law Development Program, to advise the governments of Bahrain, Qatar and Oman on issues of corporate, commercial and insolvency law

Kathy Graham

- ⊙ Oregon State Bar committee to rewrite ORS 107.104 regarding the settlement and enforcement of settlement terms of dissolution suits, 2001
- ⊙ Oregon Professional Panel for Analysis of Medical Professional Liability Insurance, 2004

Steven Green

- ⊙ Helped draft the federal Religious Land-Use and Institutionalized Persons Act of 2000 and the U.S. Department of Education guidelines on religious expression in public schools, 1995 and 2000
- ⊙ Advised the Clinton White House on implementation of Charitable Choice
- ⊙ Wrote the Oregon Law Commission report on Oregon faith-based initiatives
- ⊙ Testified before Congress and the state legislatures of Florida, Maryland, New Mexico, Vermont, Wisconsin and Oregon on free speech and freedom of religion issues
- ⊙ Public Policy Board of Ecumenical Ministries of Oregon, the legislative arm of EMO
- ⊙ Public Commission on the Oregon Legislature, considering the restructure of the state legislature

Edward Harri

- ⊙ Oregon State Bar's Appellate Process Review Committee, 2003-04; Workers' Compensation Section Legislative Subcommittee, 2001-present
- ⊙ House of Representatives' Appellate Court Structure work group, 1993-94
- ⊙ Oregon Court of Appeals work group, helping to develop rules and procedures for district court appeals, 1976-77

M.H. Sam Jacobson

- ⊙ Advised Bulgaria's Ministry of Justice's Council of Ministers and the Parliamentary Committee on anti-corruption measures
- ⊙ Advised Bulgarian Parliament on anti-corruption measures and "culture of integrity" issues

Peter Letsou

- ⊙ Oregon State Bar Association task force considering adoption of the 2002 Uniform Securities Act

Hans A. Linde

- ⊙ Council of the American Law Institute; Public Commission of the Oregon Legislature; Oregon Law Commission
- ⊙ Advised the Chinese government on administrative law reforms for the National People's Congress and Chinese statutes to provide government compensation for losses caused by official negligence or unlawful acts

James A.R. Nafziger

- ⊙ Reporter for the Oregon Law Commission's project on codification of conflict of laws
- ⊙ U.S. Department of State's Advisory Committee on International Law
- ⊙ Drafted reports for the Committee on Cultural Heritage Law, International Law Association, 1996-2002

Edwin J. Peterson

- ⊙ Oregon Law Commission subcommittee on auto insurance law

Susan Smith

- ⊙ Testified before the Environment and Natural Resources Superfund Reform Committee
- ⊙ Testified before Congress on election reform; on the House Energy and Commerce subcommittee on investigations and oversight related to federal facilities

Jeffrey Standen

- ⊙ Governor's work group to revise Oregon sentencing laws

Symeon C. Symeonides

- ⊙ Rapporteur and chairman, Codification of Louisiana Conflicts Law, Louisiana State Law Institute, 1984-1991 — drafted a new codification of the law of conflict of laws, which was enacted into law in 1991 and now forms Book IV of the Louisiana Civil Code
- ⊙ Rapporteur and chairman, Revision of the Law of Leases, Louisiana State Law Institute, 1992-2003 — drafted a project for the revision of the law of leases, 2003, which was enacted into law in 2004 and now forms Article 2668-2729 of the Louisiana Civil Code
- ⊙ Rapporteur, Codification of Puerto Rico Private International Law, Puerto Rican Academy of Legislation and Jurisprudence, 1987-91 — drafted a project for the codification of Puerto Rican private international law (1991), which is pending before the Puerto Rico Legislature
- ⊙ Advisor to the European Parliament on proposed Regulation on the Law Applicable to Non-Contractual Obligations ("Rome II"), 2004-05
- ⊙ Consultant to Republic of Tunisia, Ministry of Justice, advising the Ministry on new Code of Private International Law, 1998; and to Comisión Conjunta Permanente para la Revisión y Reforma del Código Civil de Puerto Rico, 2002-05
- ⊙ Advised on the Russian Civil Code, Central and Eastern European Law Initiative (CEELI), American Bar Association, 1992-95; on the Estonian Civil Code, CEELI, ABA, 1992-94; on Code of Private International Law, Republic of China Private International Law Society, 2005

Jennifer Todd

- ⊙ Committee reviewing court accounting methods in Oregon's Uniform Trial Court Rules, 1999-2001
- ⊙ Oregon Uniform Trust Code study committee, 2002-05

Valerie Vollmar

- ⊙ Organizer and co-chair, Oregon Uniform Trust Code Study Committee, 2002-05, which led to enactment of the Oregon UTC in 2005



Thinking About the Constitution

The past few decades have revealed a disturbing trend in our modern constitutional order: our willingness to delegate all questions of constitutional meaning to the courts. Today, Americans no longer engage in independent, thoughtful examination of the Constitution. Rather, individuals simply wait for an authoritative statement from the U.S. Supreme Court about what the Constitution means. This dependence on the court system is especially prevalent in legislators and executive officials, who tend to regard the courts as the exclusive agent of constitutional meaning.




Lawyers litigating cases understandably and properly focus on judicial doctrine, but this reliance on judicial interpretations of the Constitution increasingly influences how executive and legislative officials think about the Constitution. This reliance on judicial interpretations would not be so disturbing if it was not wholly at odds with the historical role of the courts in our democratic government. *Marbury v. Madison* established the principle of judicial review, but Chief Justice Marshall only declared that the courts, like the other political branches, had the right to think about the Constitution. He did not arrogate to the judiciary some special or supreme position.

Thomas Jefferson, Andrew Jackson and Abraham Lincoln all rejected the suggestion that they were obligated to await or blindly accept the judiciary's interpretation of the Constitution. In fact, after the U.S. Supreme Court ruled that, under the Constitution, African-Americans could not be citizens and that Congress could not prohibit slavery, Abraham

Lincoln issued the Emancipation Proclamation, freeing the slaves. Needless to say, Lincoln would have been incensed had he been told that his only recourse was to persuade the Supreme Court to change its mind about the legal status of African-Americans.

To be sure, over time the nation has come to accept that the courts occupy a special role in interpreting the Constitution. Courts are able to address difficult questions of constitutional meaning in a dispassionate, learned and sophisticated fashion. For this reason, we acknowledge (as Lincoln did not) that the Supreme Court occupies a special, privileged position when it comes to interpreting the Constitution. Moreover, the courts often have the last word on a host of constitutional disputes, if for no other reason than that elected officials accept the courts' decisions.

Our commitment to the rule of law and political stability justify this deference, but deference and blind obedience are two different things. When the courts go astray — as they have and will — our elected officials must remember (like Jefferson, Jackson and Lincoln) that the Constitution is as much their responsibility to protect and defend as the courts'.

In short, the Constitution belongs to all of us, not just the courts. Indeed, constitutional change, including change in judicial doctrine, has come about precisely because presidents and members of Congress have refused to accept that the Supreme Court's view is necessarily the right view. The Constitution does not mean whatever and only what the courts say it means. Rather, judicial doctrine may imperfectly or even erroneously approximate the true meaning of the Constitution. Thinking about the Constitution in this fashion is undoubtedly challenging, but living in a constitutional democracy and serving as a member of the bar in it require no less. 

— Norman R. Williams

Norman R. Williams is an assistant professor of law at Willamette University College of Law.



Law Reform and the Classroom: The Oregon Uniform Trust Code

During the last 20 years, trusts have become an increasingly useful and important estate planning tool. People who want to leave money or property to family members who are minors or severely disabled use trusts to provide for ongoing financial management. Older individuals use revocable living trusts to plan for possible incapacity prior to death and to avoid probate at death. Trusts also can be useful for tax planning, Medicaid planning and many other purposes.

Unfortunately, trust law has been slow to catch up with recent developments. Few Oregon statutes exist, and case law is sparse. As a result, trust settlors, beneficiaries, trustees and their lawyers cannot predict the outcome on trust law issues. Often, the only alternative available is to go to court, but even courts have to turn for guidance to secondary sources such as the Restatement of Trusts and the Bogert and Scott treatises. This problem has become increasingly acute because many trusts now have contacts with more than one state.

In 2000, however, the National Conference of Commissioners on Uniform State Laws approved the Uniform Trust Code (UTC), the most comprehensive uniform act in the trusts and estates field in more than three decades. As of July 2005, 15 states had adopted some version of the UTC and almost every other state was engaged in studying it.

The study process in Oregon lasted nearly three years. It culminated on June 29, 2005, when Governor Ted Kulongoski signed Senate Bill 275, the Oregon Uniform Trust Code ("Oregon Code"), which becomes effective on January 1, 2006.



Many law professors serve the public and the profession by becoming involved in law reform efforts. My primary focus as a teacher, scholar and member of the legal community has been in trusts and estates. Because of my interest in this area of the law, I volunteered to organize the Oregon UTC Study Committee and to serve as its co-chair. Involvement in law reform can be an invaluable experience for any lawyer, but for a law professor it is of particular benefit in the classroom.

A professor who devotes time to law reform obviously acquires a deeper understanding of developing law.

The study committee spent two years reviewing and analyzing the UTC and the Comments explaining its provisions. We compared the UTC not only with existing Oregon law, but also with existing law in other states and with changes already made to the UTC in states that had enacted some version of it. We heard the views of bankers and probate judges, as well as attorneys. Finally, the committee made policy decisions about the better approach on particular issues.

This kind of process creates a familiarity with evolving law much greater than the knowledge



that can be acquired from merely reading statutes, Comments or law review articles. A broader perspective on developing law, whether communicated in the classroom or by means of a casebook, is valuable to students no matter where they intend to practice.

Students can and should learn in law school that lawyers are uniquely qualified to help improve the law. They should be encouraged to participate in the law reform process. A law professor is in an ideal position to cultivate volunteers for future law improvement projects, but the professor must first have a practical understanding of how legislation is developed and enacted.

My own experience with proposed legislation was relatively limited before Oregon began to consider the UTC. The development and enactment of the Oregon Code provided a perfect education in every step of the legislative process.

“Many law professors serve the public and the profession by becoming involved in law reform efforts.”

— Professor Valerie Vollmar JD’75


The critical first step in the legislation development process is identifying key interest groups and selecting the right people to work on the project. In the case of the UTC, the key interest groups were bankers, probate judges, and estate planning, elder law and tax attorneys. The 12 study committee members included representatives from each of these groups, as well as a lawyer from the Oregon State Bar’s department that handles legislative affairs.

After committee members were chosen, the study committee spent several months educating itself about the issues addressed by the UTC and possible approaches to resolving those issues. We actively solicited the views of everyone who might have an interest in trust law. We spent a year discussing the

proposed legislation provision by provision, arriving at compromises when necessary. Ultimately, the committee unanimously endorsed the draft Oregon Code.

The first step in the legislation enactment process was obtaining the endorsement of the Oregon State Bar Board of Governors, which allowed Senate Bill 275 to be introduced early in the legislative session. The study committee spent several months negotiating with Legislative Counsel over the precise language of the bill. Finally, the committee submitted oral and written testimony at the legislative hearings and agreed to a last-minute change to the bill’s language to stave off an unexpected objection to a minor provision. Despite the committee’s three years of intense effort and the complete lack of opposition in the legislature, the governor did not sign the Oregon Code until late in the session.

The benefits that law students gain when their professors become involved in law improvement include a deeper understanding of developing law, greater familiarity with the legislative process

and personal commitment to law reform efforts. Professors expand their circle of personal contacts and raise the law school’s profile not only by engaging in law improvement projects, but also by speaking and writing about the law and law reform. In turn, these activities help attract outside experts to speak in the classroom and participate in symposia and lecture series, all of which enrich students’ legal education. In some cases, professors’ activities even open the door to externship or clerkship opportunities for their students. In short, both professors and students benefit when law professors engage in law reform. 

— Valerie J. Vollmar

Valerie J. Vollmar JD’75 is a professor of law at Willamette University College of Law.



Public Policy Research at Willamette

Since 2003 law students considering a run for public office, careers in the public sector or work in advocacy organizations have joined their management school counterparts in learning the basics of policy analysis by enrolling in Public Policy Studies. A required course for the Law and Government Certificate Program, Public Policy Studies is taught by Professor Laura Leete, the Fred H. Paulus director of public policy research at Willamette.



Leete's course gives students an understanding of the theories and methods underlying public policy analysis. Covering an array of diverse topics, such as cigarette tax, school choice, utility regulation and the Endangered Species Act, the course enables law students to explore substantive policy aspects related to the complex legal issues they are examining in other courses. Class discussions are enriched by the range of training and perspectives brought to the table by the mix of JD, LLM, MBA and joint-degree students enrolled in the course.


An economist by training, Leete directs Willamette University's Public Policy Research Center. Policy analysis and research are by nature cross-disciplinary and draw especially heavily on disciplines in law, management and the liberal arts. Thus, while physically housed on the liberal arts side of campus, the center has ties to all three schools at the university. Center staff work to foster public policy analysis and discussion across campus to create policy research opportunities, to place students in public policy related internships outside the university and to advise students interested in pursuing careers in

related fields. Robert Collin, the center's senior research scholar, also teaches a number of courses in the College of Law. His research on environmental justice spans the intersection of law and policy.

In keeping with its mission, in recent years the center has sponsored a variety of campus-wide conferences and forums on policy issues. Recent events have covered such topics as Oregon's Measure 7, forest management policy and Oregon's high rate of hunger. The center also has received

research grants and contracts from national, state, and local foundations and agencies. Center faculty, staff and students have collaborated with state and local agencies on research projects that included an examination of the federal Workforce Investment Act, the development of community well-being indicators, and food stamp program outreach methods in nearby schools.

The center seeks to facilitate the university's relationship with Oregon's leadership in the governor's office and legislature, which are located just a stone's throw away from the university. At the beginning of the 2005 legislative session, the center hosted a two-day Leadership Institute in conjunction with the Atkinson Graduate School of Management. This institute was created for and attended by Oregon's newly elected state senators. An important institute event was a presentation on Oregon's Constitution by Hans Linde, a distinguished scholar in residence at the College of Law.

More information on the center can be found at www.willamette.edu/publicpolicy. 



Laboratories of Democracy: Federalism and State Independency

This past spring, the Willamette Center for Law and Government and the *Willamette Law Review* sponsored a symposium on federalism entitled “Laboratories of Democracy: Federalism and State Independency.” Symposium organizers assembled an exciting and distinguished group of speakers, who brought both academic and practical expertise to a wide range of discussions on federalism.


Erwin Chemerinsky, a member of the Duke Law School faculty and author of numerous books on federal jurisdiction and constitutional law, gave the first keynote address. Speaking to symposium attendees through a video feed from the East Coast, Chemerinsky addressed what he referred to as “the Rehnquist Court’s federalism revolution.” He noted that at the height of its federalism revolution — when it revived the Tenth Amendment as a limit on federal power — not all the Court’s decisions were in favor of states’ rights.

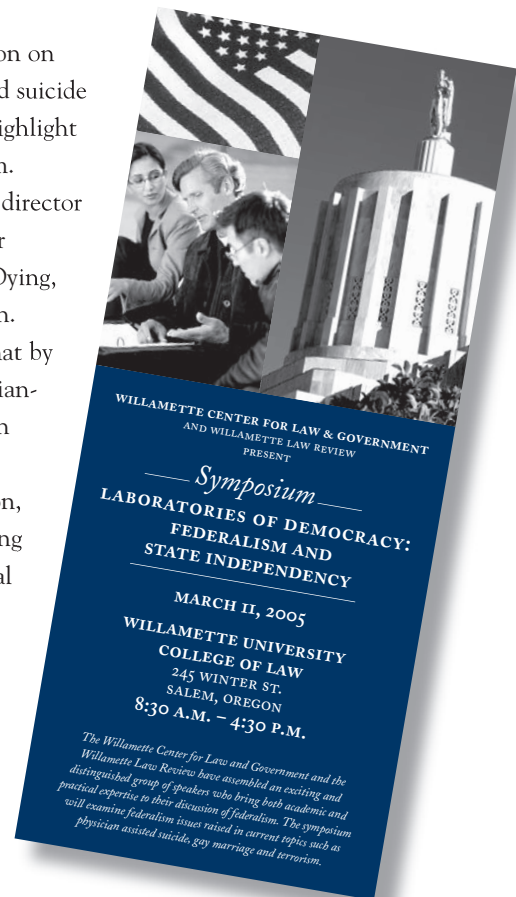
The second keynote address was presented by R. Shep Melnick, professor of American politics at Boston College. Melnick defended federalism, noting that states’ rights are essential for promoting democratic self-government within an extended republic. He believes that when judges refuse to consider federalism issues when making decisions, they remove citizens’ incentive for participating in government.

The symposium included three panel discussions on states’ rights issues. A panel on gay marriage rights was led by David Cruz, professor of law at the University of Southern California Law School. A second discussion, which focused on legal issues related to domestic terrorism, was led by Susan Herman, professor of law at Brooklyn Law School.

A panel discussion on physician-assisted suicide proved to be a highlight of the symposium. Kathryn Tucker, director of legal affairs for Compassion in Dying, led the discussion. Tucker argued that by exploring physician-assisted suicide in a regulated and controlled fashion, Oregon is fulfilling one of the central purposes of our federal system. She noted that informed debate by citizens is central to the democratic process and to the careful investigation of this complex subject.

Special guest speaker, the Honorable Jay S. Bybee, of the U.S. Court of Appeals for the Ninth Circuit, offered “Reflections on the Tenth Amendment” to close the symposium.

The fall 2005 issue of the *Willamette Law Review* (Vol. 41:5) includes selected presentations from the federalism symposium, as well as related articles. More information about the special federalism issue can be found on the College of Law Web site at www.willamette.edu/wucl/lawreview/. 



The Washington Insider

For the past 34 years, Stanton D. Anderson JD'69 has been a key player in national political affairs and one of the who's who of Republican politics. While many of his peers were just starting their careers, Anderson, executive vice president and chief legal officer for the U.S. Chamber of Commerce, was working at the White House as a staff assistant to President Richard M. Nixon.

"I was the No. 2 guy in White House personnel operations," Anderson said, "responsible for staffing for the president. At the time there were thousands of appointments to be made." Anderson said he spent much of his time preparing decision memos recommending candidates for appointment. "It was my responsibility to write memos to the president explaining who a person was," he explained. "The memos had lots of white space so the president could write notes about the candidates. After sending him memos for a lot of guys from big-name schools, I got one back that said, 'No more Ivy Leaguers. Get me more guys like you.'"

The adopted son of a Baptist minister, Anderson spent his early childhood in Salem, Ore. After earning his undergraduate degree in business and economics from Westmont College in Santa Barbara, Calif., Anderson worked for a management consulting company in San Francisco and a trade association in Washington, D.C. After the trade association, he became national director of the Young Republicans Association. In 1966, he returned to Salem to run for Congress. "I dropped out of the campaign after about a year," he said. "I just didn't like retail politics — dealing with voters."

Having ended his bid for office, Anderson found himself in Salem with no clear career path, but a sustained interest in politics. Despite being raised near

Willamette University, Anderson said his enrollment in the College of Law was "purely accidental." A close friend of his had enrolled in the law school, so Anderson decided to follow along. Anderson said he enjoyed his first year at the college, but was convinced he had not done well on his exams. Without waiting for his test scores, Anderson dropped out of school and took a job with the local telephone company.

"I never thought about law school again," he said. "Then, about the time grades came out, I was driving by Willamette with my wife. We got stopped by a train right in front of the law school, so my wife told me to go get my grades. I didn't want to look at them because I thought I had done very poorly. When I finally did, I realized I was ranked third in my class. I had to petition to get back into school."

Anderson completed his law degree on schedule, graduating from the College of Law in 1969. Immediately afterward, he headed to Washington. Once there, he took a job in the Nixon White House. Anderson said the job proved instrumental in teaching him the ins and outs of big league politics. "I learned how all the pieces of the government fit together," he explained.

That education paid off in 1973 when he was appointed deputy assistant secretary of state for congressional relations under Henry Kissinger. Anderson served as a critical liaison between the U.S. Department of State and Congress. "In those days, Congress was just beginning to become involved



Photo by Ian Wagreich
Copyright © U.S. Chamber of Commerce

in foreign policy,” he explained. “Now, obviously, Congress is more active in those matters. But this was before — around the time of the Vietnam War.”

As the White House turned into a hotbed of controversy, Anderson decided to take a break from politics. In 1975 he joined the Washington, D.C., firm of Surrey & Morse as an associate attorney; he made partner two years later. Anderson left the firm in 1980 when he was asked to serve on Ronald Reagan’s presidential campaign staff. “As deputy political counsel, I helped run conventions and deal with business issues of the campaign,” he said. “I dealt with a wide range of general campaign issues.” The day after Reagan won the election, Anderson was tapped to work on his transition committee.

When President Reagan took office in January 1981, Anderson embarked on a new career as well. He and two colleagues started their own law firm, Anderson Hibey & Blair. Despite working in private practice, Anderson remained firmly footed in Washington politics. “The firm was principally involved in representing clients with issues they had before the federal government,” he said. “We helped them solve problems related to different government offices.”

Throughout the next 15 years Anderson represented a number of famous clients. None, however, was as infamous as Ferdinand Marcos. Anderson worked as the personal attorney for Marcos and his wife, Imelda, from the time the former president of the Philippines was driven into exile in 1986 until his death three years later. Marcos, who was suspected of looting billions of dollars from the Filipino treasury, was indicted for embezzlement by a U.S. court. “It was very interesting work,” Anderson said, “determining whether he should stay in the U.S. or leave, determining what, if anything, he was guilty of.” A year after Marcos’ death, his wife was acquitted of all charges.


In 1995 Anderson chose to dissolve his firm and become a partner in McDermott Will & Emery. Anderson heads up the firm’s Government Strategies Group, advising clients on their government affairs. In addition to his role at McDermott, Anderson is

executive vice president and chief legal officer for the U.S. Chamber of Commerce, the world’s largest business federation and a major client of his firm. Anderson leads the Chamber’s legal reform efforts and defense of business interests in the courts. “I had represented the head of the Chamber as his personal lawyer,” he explained. “When the Chamber got involved in legal reform, they hired me to work on key projects.”

“I never took a back seat to guys from bigger name schools. I think the breadth of education at Willamette is better than at many Eastern schools.”

— Stanton Anderson JD’69

Of the many cases and projects Anderson has tackled in his 34 years in Washington, he is most proud of his work on the Class Action Fairness Act of 2005. The Act grants federal courts jurisdiction over certain civil actions when the amount in question exceeds \$5 million. “It is the first piece of important legal reform in 15 years,” Anderson said. “The Act makes it more difficult for the trial bar to file frivolous class action cases, and it gets you before higher caliber judges. It’s a way to get out of ‘home cooking’ — so corporations get fairer treatment.”

Anderson believes his success in Washington has had a little to do with confidence and a lot to do with luck. “Having good friends in the right places can be as equally important as any education you receive,” he noted. Despite having moved to the nation’s capital straight out of law school at Willamette, Anderson said he has never felt out of place in Washington. “I got a good education at Willamette,” he said. “In my work, I’m dealing every day with guys from Harvard and Yale. Most people might have an inferiority complex about that, but not me. I’ve always felt well prepared and never took a back seat to guys from bigger name schools. I think the breadth of education at Willamette is better than at many Eastern schools. You’re better prepared to deal with a wide range of issues.” 

Forging a Path for Others

Norma Paulus LLB'62, H'99 keeps a small statue of a lion on a desk in her downtown Portland home. The statue, dated October 1981, was given to her by the northeast Portland Lions Club when she was inducted as their first female member. The next day, Paulus, who was Oregon's secretary of state at the time, was visited in her office at the Oregon Capitol by the president of the statewide Oregon Lions Club. He had come to ask Paulus to return the Portland club's gift. He did not think the statue — or membership into the club — should have been given to a woman.

Over the course of her career, Paulus faced many similar battles due to her gender and her determination to challenge the status quo. During her tenure in the Oregon House of Representatives, from 1971 to 1977, she met 11 other female legislators who struggled with similar challenges. The 12 female legislators united across party lines to fight long-standing — and sometimes subtle — forms of discrimination against women. "It was more difficult at that time for women to enter the fields of engineering, medicine and athletics," she recalled, "and Oregon laws discriminated heavily against women."

The 12 female legislators took action by voting together on a bloc of legislation of important women's issues. They made great strides for women's equality throughout the state, reducing discrimination in a wide range of Oregon laws that encompassed crime, property, affirmative action, pensions, tax and numerous other issues. "Oregon was recognized as a leader in the women's movement because of what we accomplished so quickly," Paulus said.

Paulus attributes much of her success in government to the legal education she received at Willamette's

College of Law. Paulus said she was inspired to attend law school while working as a legal secretary for the Oregon Supreme Court. She began taking classes on a part-time basis while also working at the Court. During the years that Paulus attended Willamette, only four other women were attending the law school; she had only one class with another woman. Regardless, Paulus said Willamette provided a friendly environment and that she was treated as an equal by her peers.

Paulus faced significant sexism, however, when she decided to jump headfirst into politics in 1969. She ran for the Oregon

House of Representatives in a county-wide election. She said that at the time Marion County was "an eclectic community with Willamette University, a monastery, a nunnery, state workers, farmers, unionized paper workers, Chicanos and old-believer Russians."

"As a tall, blonde and slender female, I knew that I would lack credibility with many of these groups," said Paulus. "But my law degree did give me credibility with the all-male audiences that I spoke with." Paulus credits her law degree with teaching her to think critically. "My legal education taught me the art of analytical thinking," she said. "In all of my government positions, I saw systems and problems that needed to be realigned. Because of my legal education, I had the skills to do it," Paulus said. The people of Marion County agreed and elected her to office.

Not only did Paulus possess the skills needed to excel in government, but she also had a passion for the work. "I've always been drawn to politics," she said. "I was class president in school and was always organizing things," she recalled. In high school, she and other politically minded friends worked on Adlai Stevenson's presidential campaign. Not surprisingly, Paulus' own career in government did not end with her three terms as a state representative.

In 1976, Paulus ran in a statewide race and was elected the first female secretary of state in Oregon. She served two terms — and made history in the process. It marked the first time a woman was elected to a major state office in Oregon. A decade later, Paulus was appointed by President Ronald Reagan to oversee the 1986 Filipino presidential elections — because she had been so successful fighting election corruption as Oregon's secretary of state.

Paulus missed becoming Oregon's first woman governor by a slim margin in 1986. After the election, Governor Neil Goldschmidt appointed her to the Northwest Power Planning Council, where she was able to put her passion for environmental concerns to good use. She also had the opportunity to make critical reforms to Oregon's public education system during two terms as superintendent of public instruction. Her achievements in this position were later recognized by President Bill Clinton, who appointed Paulus to the National Assessment Governing Board for Education.


Paulus' passion for education is evident when she describes her experiences working as superintendent of Oregon's public schools. "Prior to my tenure," Paulus said, "a belief system was imbedded in the schools that there were some kids who just could not be expected to learn. I strongly believe that a student's ability to learn is based on the quality of instruction he or she receives — not on where he comes from or how poor his family is." In accordance with her beliefs, Paulus implemented uniform standards of education for every school in Oregon — from the metropolis of Portland

to the tiny coastal town of Alsea — a move that was far ahead of its time.

Motivated by a desire to serve the people of Oregon, Paulus also has worked at the Oregon Historical Society and with other organizations to advance education in the state. During her tenure at the Historical Society, Paulus built a cutting-edge history project for kindergarten through 12th-grade students that won a first-ever national award from the American Library Association. Paulus plans

to help develop similar programs with the Oregon Coast Aquarium in Newport, High Desert Museum in Bend and World Affairs Council of Oregon.

After 35 years spent serving others, Paulus shows no signs of giving up public life. She keeps the Lions Club statue on her desk to remind herself how much work still needs to be done — and how far she's come in her own right. Recalling that fateful visit from the Lions Club president who asked her to return the lion statue, Paulus

said she stood her ground and kept the gift. She now keeps it as a reminder that "what the legislature gives, the legislature can take away." Throughout her career, Paulus has remained determined to fight for change when it is needed. By channeling her passions into action, she has left her footprint on Oregon's history. 

— Jocelyn West Compton

Jocelyn West Compton JD'04 joined the College of Law staff earlier this year as assistant to the dean.



A High-Flying Legal Career

During his first two years as chief justice of the Oregon Supreme Court, Wallace P. Carson Jr. JD'62 visited every court in Oregon's state court system — but did so at a slower pace than he was used to. In addition to his full-time legal career, Carson served for 34 years in the U.S. Air Force as a jet fighter pilot and a Judge Advocate General's (JAG) Corp. officer. When he was appointed chief justice of the Court, an increasingly tight budget meant he had limited travel funds for visiting courts in the outermost regions of the state. Carson was left to sluggishly journey by car, which substantially lengthened his travel time. It took two years, but Carson finally made a visit to all Oregon state courts. His determination to personally visit the courthouses, judges and staff in each region clearly demonstrates his devotion to serving the people of Oregon.

Carson is humble about his role on the Oregon Supreme Court, as he is about his years of public service in other government arenas. His lifetime of public service began in college; he enrolled in the ROTC at Stanford University. He received his commission at graduation and immediately enlisted for three years of active duty. His military service took him to both post-war Korea and Taiwan. Afterward, Carson enrolled in Willamette University's College of Law. But his military service did not end when he started law school. Throughout his legal career and until his military retirement 15 years ago, Carson held a number of positions in the U.S. military. In addition to flying jets and serving as a ground control intercept officer during active duty, he also was a JAG officer of the U.S. Air Force Reserve and served in the Oregon Air National Guard, where he advanced to the rank of brigadier general.

Carson's career in state government took shape while he was a student at the College of Law. He said of all his classes, Legislative Workshop aided his legal career the most. The course was taught by Sam R. Haley, who was an adjunct professor at the time. Haley, who also worked as counsel to the legislature, had been hired to revise the Oregon statutes. He

helped categorize Oregon law into the current Oregon Revised Statute system. "In the days before electronic research, Professor Haley taught me how to break into the statutes," Carson said, adding that the research skills learned from Haley have been useful throughout his career.

Following his graduation from Willamette in 1962, Carson began working full time in private practice in his family's Salem, Ore., law firm, which was founded by his grandfather in 1889. "In the back of my mind," said Carson, "I always thought that I might run for

office. I was active in school politics, running for class office every year in grade school through college. And during my undergraduate years at Stanford,

the university was a hotbed of political activity."

Three years after earning his law degree, Carson was recruited to run for a seat in the Oregon House of Representatives by Bob Packwood, who was a state representative at the time. He won that election and served two terms in the House, including one as majority leader. He won elections for the Oregon Senate in 1970 and 1974, and participated in his last legislative session in 1977. "It was a kinder and gentler period of time, even with partisan flare-ups," said Carson, of his 11-year legislative tenure. "We served

"I believe adamantly in the strength of all three branches [of government] and the value of the judicial system."

— Wallace Carson Jr. JD'62

as stewards of the environment and were reasonably successful at doing that, passing Oregon's bottle bill, beach bill, greenway bill and significant land use planning legislation."


By the end of his legislative years, Carson was devoted to serving in state government. In 1977, he moved to the Oregon judicial branch, accepting an appointment by Governor Robert Straub to the Marion County Circuit Court. Five years later, Carson was appointed by Governor Victor Atiyeh to the Oregon Supreme Court. He has had overwhelming public support in later judicial elections. After nine years on the Supreme Court, Carson also gained the support of his fellow justices, who elected him chief justice in 1991, 1997 and 2003. Carson has held the office of chief justice for 14 years — longer than any previous chief.

"Serving as chief justice is a three-hat job," he explained, "consisting of administration, work with judges and staff, and legal research and writing." But Carson has risen to the challenge. Under his leadership, approximately 94 percent of the cases decided by the court have been unanimous decisions. "I see the usefulness of dissents or concurrences from the Court of Appeals because they showcase a split or turn of events," added Carson. "But unanimous decisions by the Supreme Court provide Oregon with consistent law and, therefore, the law becomes more stable."

Carson delights in the collegial spirit found among the Court's justices. "Some of my best memories are of the Court meeting to discuss a case and ending with the group crafting an opinion," Carson remarked. Even in this high-tech age, the entire Court still meets in person to discuss pending opinions, rather than relying on e-mail.

With Carson's help, the court has developed an analytical model for deciding new common law. "The court will only announce new common law if a principle of the law or some extraneous force has changed," he said. "It will not change established law solely because the people on the Court have changed."

As an administrator, Carson helped steer the Oregon Judicial Department through a staggering financial crisis by creating and serving on the department's Budget Reduction Advisory Committee. This committee recommended significant cuts to stay within the ever-shrinking budget. The committee advised eliminating small claims cases, leaving court staff vacancies open and closing all Oregon courts on Fridays. Despite all his hard work, these cuts were disappointing to Carson in many respects. "When the judicial system shuts down, it is the shutting down of a crucial public service," he explained.

"I believe adamantly in the strength of all three branches [of government] and the value of the judicial system," said Carson, who not only talks about this value, but also proves it in his actions. With more than 40 years of government work in all three branches of government, Carson has lived a life of public service — and will leave a great legacy for Oregon's citizens. 

— Jocelyn West Compton

Jocelyn West Compton JD'04 serves as assistant to the dean.



Oregon's High-Profile Agency Reformer

Brenda Peterson Rocklin JD'81 keeps a carved piece of two-by-four wedged between her computer keyboard and monitor. It states simply and unequivocally: "No Sniveling." Rocklin, president and chief executive officer of SAIF Corp. in Salem, Ore., said the sign helps her stay focused on the job at hand — and keeps her attitude in check — during trying times. "When there is work to be done, you just have to roll up your sleeves and do it," she said. "You can blame others, complain or say that change is hard. But at the end of the day, you still have to get it done."

Rocklin said her strong work ethic stems from a childhood spent toiling on her parents' farm in Jerome, Idaho. "They are very hardworking people," she said. "I get that from them." After earning her undergraduate degree in journalism from Idaho State University, an emerging interest in politics led her to Willamette University College of Law. "I liked that Willamette is in the seat of Oregon government," she said. "I wanted the opportunity to see the political process at work."

During her second and third years of law school, Rocklin clerked at the Oregon Department of Justice, where she gained hands-on experience in criminal law. The externship provided her with a clear career goal. "After the clerkship, I knew I wanted to try cases," she explained. After graduation Rocklin spent two years in Pendleton, Ore., working as a deputy district attorney. She then returned to the DOJ as an assistant attorney general and spent the next 18 years securing her reputation as a tough but fair prosecutor.

Between January 1984 and December 2002, Rocklin held nine different positions with and worked in four divisions of the DOJ, including administration, appellate, criminal justice and civil enforcement. Around the midpoint of her career at the DOJ, she served as attorney-in-charge for the industrial accident

section at the State Accident Insurance Fund (SAIF Corp.). The experience would prove portentous; eight years later she would be appointed president of the company and asked to steer it through a series of difficult reforms.

Over the years Rocklin has become the person in Oregon to call when a public agency is broken and in need of substantial repair. Three times in the past three years she has been handpicked by Oregon

governors to tackle high-profile and politically charged agency cleanups.

In December 2002, Rocklin was appointed by Governor John Kitzhaber to overhaul the Oregon Lottery, which the state relies on to finance public education and other publicly funded programs. The Oregon Lottery raises an estimated \$325 million for the state each year. "At the time I was appointed to direct the Lottery," she explained, "there was a critical administrative expense audit of how the Lottery was spending its money. The governor asked me to take a look at what was going on relative to expenses — travel, off-site meetings, cell phone charges, things like that." Rocklin was tasked with overhauling operations and communicating the value of change to Lottery employees.

Rocklin said she achieved two major victories at the Lottery. "In a short period of time, I was able to turn around the administrative expense issue — the 'fix it' part of the job," she said, noting that a secretary of state audit confirmed all expenditure issues had been resolved. She is equally proud that during that difficult time the Lottery saw an increase in revenue as well. "The legislature asked the Lottery to bring in an additional \$108 million during the 18 months I was there," she said. "And we were successful. We focused on new ways to

increase revenue, including creative advertising, innovative games and additional lottery machines. This allowed the state to receive the additional money it was counting on.”

The second call came from Governor Ted Kulongoski in September 2003, when he appointed Rocklin to serve on the newly revamped Public Employees Retirement Board. Rocklin and four other board members were tasked with implementing significant public employee retirement reforms enacted by the 2003 Legislature. Rocklin currently is vice chair of the board.




In August 2004, Governor Kulongoski called on Rocklin again — this time to lead another public agency in the spotlight, SAIF Corp. A not-for-profit public corporation, SAIF is the leading provider of workers’ compensation insurance in Oregon. At the time Rocklin was appointed interim president, the organization was under investigation for a number of alleged ethics violations. There was also an ongoing contempt investigation. Rocklin was charged by the governor with conducting a top-to-bottom review of operations and rebuilding the company’s credibility.

That credibility was tested in the fall of 2004 when voters were asked to decide if the publicly held company should be sold off. “That was an extremely stressful time — waiting to see what would happen with the ballot measure,” she recalled. “It failed in all 36 counties.” Less than a year after taking office, Rocklin was named the permanent head of the company. Rocklin’s long-term appointment to SAIF is a testament to her ability to raise the bar of public accountability within the corporation.

Although her career has shifted from the courtroom to the boardroom, Rocklin said her legal education has helped her immensely in recent years. “The training I received at Willamette has been invaluable,” she explained. “At both SAIF and the Lottery, I walked into a lot of litigation that I had to get past quickly. Knowledge of litigation has allowed me to read cases and rules and have a good grasp on the legal issues at hand.

“The way you learn to think in law school also

is important,” she added. “You are very focused on facts and are able to hear both sides of an argument.” Rocklin said that in her current position at SAIF, she tries to examine all sides of an issue before forming a judgment. “I expect my staff to do some give and take on issues and to tell me the pros and cons of a situation,” she said. “I learned that at Willamette — that the best decisions come from hearing both sides before making a decision.”

Although she has spent the past few years heading up high-profile agency reforms, Rocklin said she thrives on the stress and long hours that come with public service work. “Odd as it sounds, I get balance in my life from my job,” said Rocklin, who routinely logs double-digit hours, six days a week. “At the end of every day, I like to feel that I’ve helped somebody — whether it is a crime victim, an injured worker or someone benefiting from the state-raised lottery revenue. That’s the part of the job that defines me. And that’s enough for me.” 

The Senate's Tax Man

Albert Einstein once said the hardest thing in the world to understand is the income tax. If this is true, then Mark Prater JD'84 must be a genius. Prater, chief tax counsel for the U.S. Senate Committee on Finance, has spent the past 15 years maneuvering his way through the political relativity of tax law in Washington.



Prater was instrumental in ferrying President Bush's tax-cut package through the Senate Finance Committee in 2001. "It was a watershed bill with across-the-board rate reductions," he explained. "It brought changes in family tax relief, retirement security, education, and estate and gift taxes — broad-based changes." As majority chief tax counsel, Prater played a critical role in planning how to "set the table" for the Senate's review of the

package. "We planned the Senate's review of all the major tax reform issues and set up hearings on their components," he explained. He added that much of his time was spent analyzing reform issues and advising the Finance Committee chairman on the benefits and drawbacks of each.

An attorney and a certified public accountant, Prater said his love of "the orderliness of numbers" is inherited. His father, now retired, was an accountant and systems analyst. "My father's work really interested me," he said. "We have lots of numbers people on both sides of my family. I'm a product of those genes." Following in his father's footsteps, the third-generation Portlander enrolled in the accounting program at Portland State University, his parents' alma mater. After earning his undergraduate degree, he turned his attention to law school.

When deciding which school to attend, Prater said he received a lot of advice

from people in Portland about which of the three Oregon law schools would suit him best. "The word from other people was that Willamette was better for students interested in business and taxation," he said. "Among those in the Portland law community, Willamette has a good reputation." Prater said he chose Willamette because he believed it would teach him "the practical side of the law" and because the research and writing program was known to be strong.

For Prater, studying law at Willamette proved to be the perfect intersection of his interests in tax law, accounting and public policy. “I’ve always been focused on the policy side of law,” he said. “I remember when I was writing my admission essay for Willamette, I talked about tax policy issues that interested me — why certain tax rules are there and how they fit into the law. Those topics still interest me.” Following his first and second years of law school, Prater clerked for a Portland litigator, where he gained valuable experience in business law and judicial proceedings.

Prater graduated from the College of Law in 1984, then moved back to Portland to begin his legal career. After practicing with Touche Ross for two years and earning his CPA license, he enrolled in the University of Florida’s LLM program in taxation.

“It was a great time to study tax law,” he said, “because the 1986 Tax Reform Act substantially changed the tax code.” After completing his degree, Prater returned to Portland to practice tax law with Dunn, Carney et al. He remained with the firm for three years before moving to Washington, D.C., to pursue his longtime interest in public policy.

Prater initially joined the minority staff of the Senate Finance Committee under Bob Packwood of Oregon. “I wanted to work inside the policy-making arena in Washington,” he said, explaining the move to Washington. “I figured I would be there about two years, but the bug kind of bites you. You have a chance to participate in making policy and advising on ideas, on molding them into law. That’s a great opportunity.”

Since 1990 Prater has served three committee chairmen, whose power has shifted with each major election. He currently works on the majority staff of Chairman Charles Grassley, a republican from Iowa. As senior counsel to Senator Grassley, Prater said his primary responsibility is to advise the Finance Committee and present options on legislative issues. “When the committee works on a project, it is important to know all aspects of what


they are considering,” he explained. “I talk to folks and reminded them, ‘We’re making law here.’ You don’t want to do something unless you know all the consequences.”

That diligence has served Prater well in Washington, where he has learned to wade through murky political waters unscathed. “In politics, people need to understand what is going on and where everyone stands on an issue,” he said. “You need to know early on, ‘Are you with me or against me?’” Prater said that knowledge comes partly from training — presenting issues, explaining issues and learning to take some heat — and partly from expecting the unexpected. Despite all his experience, Prater said he is still surprised by something every day.

“Since the 2000 elections, the majority knows better where it should assert its status and when to compromise. Over time you get a feeling for how things are going to play out — and you get a sense of humor about it.”

— Mark Prater JD’84

“Washington has always been partisan at times,” he explained. “But in the Senate, if you don’t have 60 votes, nothing happens. Since the 2000 elections, the majority knows better where it should assert its status and when to compromise. Over time you get a feeling for how things are going to play out — and you get a sense of humor about it.”

Although Prater still considers Portland his home, he has no immediate plans to leave his position with the Finance Committee. He said his job is the perfect convergence of accounting and law. “It’s a great job for a tax lawyer because we’re taught to figure out the rules,” he said. “In this job, you get to figure out how the rules will be shaped. There’s no other job like that. Making the rules in tax is a unique responsibility.” 

New Faces at the College of Law



Jocelyn West Compton JD'04 joined the College of Law staff in February 2005 as assistant to the dean. After graduating *summa cum laude* from the law school, Compton worked as an associate at the Portland law firm of Miller Nash LLP, where her practice emphasized business and corporate law. While a law student at Willamette, she served as executive editor of the *Willamette Law Review*, was active in moot court competitions, and worked as a student mentor and teaching assistant.

Compton earned her undergraduate degree from the University of Oregon. She has been actively involved in the Salem community for several years as a coach and mentor for high school youth.




In July 2005, the College of Law welcomed **Cathy McCann JD'02** to its staff as associate director of alumni relations. McCann holds a BA in journalism from the University of Oregon and worked in several public relations positions before attending law school. A member of the Oregon State Bar, she worked in private law practice in the areas of family law, personal injury and criminal law before joining the College of Law staff.

Diller, continued from p. 8


cases involving the constitutionality of federal statutes and regulations, like the constitutionality of copyright laws protecting foreign authors," he explained. "But I also was able to do more fact-based legal work, which was less philosophical because it involved more traditional lawyering — like depositions and discovery." Diller added, however, that he did not always personally agree with some of the issues the office handled. "At the end of the day, you're doing the administration's bidding," he said.

Motivated by a desire to address legal issues he truly believes in and to pursue "law for law's sake," Diller left Washington for the world of academics. "Working in academics allows you to argue for the side you think is right," he explained. "And it gives you the freedom to pursue views you want to advance within the legal community." He joined the College of Law faculty in the summer of 2005.

Diller, who teaches Property and State and Local Government Law, appreciates the opportunity to engage his students in philosophical discussions of legal issues. "I want to help them understand that where there is no black letter law, there are infinite shades of gray to examine." 

Binford, continued from p. 9

"Willamette really serves as an intersection for me; I can pursue my interests in education and educational reform, international children's rights, and service to community and children in need," stated Binford, who teaches the Business Law Clinic and co-teaches the General Civil Practice Clinic and the Externship seminar. She is also busy developing a 10-year strategic plan for the Clinical Law Program, which assists disadvantaged populations and non-profit corporations with legal issues and provides externship placements for law students. Second- and third-year law students serve as the primary contacts for clinic clients. They draft motions and argue cases under the supervision of clinic staff.

Just as her father's unmapped road trips provided her with a broader view of the world, Binford said she believes the law clinic will widen Willamette students' appreciation for the law. "The clinic is more than just a great way for students to build their resumes before leaving law school," she explained. "It can really rock their worlds — alter their perceptions of their role in society and the power they will have as lawyers. For some students, this experience can change their entire career path." No doubt, Binford will be there, providing support and guidance as they find their way. 

The Judicious Balance of School and Family

Walking by a study carrel in the law library, it would be easy to mistake Joshua Lute for just another student preparing for class. But the self-possessed 26-year-old is not your ordinary law student. Lute, a second-year student at the College of Law, deftly balances his school work with a home life that includes a wife and four children. Despite his many responsibilities, Lute has been highly successful; he is ranked in the top of the class of 160 students.


Lute decided to go to law school in part because of the pressing need to support his growing family and because of his interest in dispute resolution. After earning his undergraduate degree from Oregon State University, Lute worked for the district attorney's office in Corvallis, Ore. Lute said it was difficult to leave the security of a position with benefits in order to enter law school. But he and his wife, Melanie, decided that going to law school made good sense in a number of ways. It was a risk they were willing to take because it meant pursuing a dream they had for their future.

Lute credits much of his success to Melanie, who stays home to care for their twin boys Nathan and Jeremiah, 4, and their daughters Anna, 2, and Samantha, 8 months. Lute said Melanie works harder than he does, raising their children and performing the household duties. He understands that her job is difficult — especially when he is gone for long hours. He said she is a “phenomenal support” to him and that he could never have gone to law school without their strong partnership.

His other secret to success has been to treat his classes and his time preparing for them like a job. His routine is to go to school early in the morning every day of the work week and to return home at 5 p.m. for dinner

with the family. After dinner, Lute spends time with his children before putting them to bed — then is back at the books again. Although he spends six to eight hours studying on Saturdays, he tries to devote all of Sunday to the family.

This past summer, Lute took advantage of the College of Law's close proximity to the state government complex and clerked in the Special Litigation section of the Trial Division of the Oregon Department of Justice. Lute said he enjoyed his clerkship because he is interested in learning more about what he calls the “practical part” of law. He also enjoyed seeing how the law he has learned in school is translated into legal issues that are part of real disputes. Lute's goal after graduation is to clerk for a federal district court judge.

Although Lute said that for now he and Melanie are more limited in terms of the time they have for each other, he knows their investment is worth the price. One thing seems certain: Thanks to Lute's success balancing work and family, he should have some great opportunities in his future. 

— Kathy T. Graham

Kathy T. Graham is associate dean for academic affairs and a professor of law at Willamette University College of Law.



WUCL Alumni with Positions in Government

Willamette University College of Law alumni are actively involved in government and public service throughout the United States. A select few are shown below.



From left to right:

Bruce M. Botelho BA'71, JD'76 mayor of Juneau, Alaska

Kelly A. Cole JD'96 majority counsel, House of Representatives Committee on Energy and Commerce, Washington, D.C.

Elizabeth S. Harchenko BS'72, JD'76 director of the Oregon Department of Revenue, Salem

Jay R. Inslee JD'76 member, U.S. House of Representatives, First Congressional District, Wash.

Lisa A. Murkowski JD'85, U.S. senator, state of Alaska

Kerry R. Tymchuk BA'81, JD'84 chairman, Oregon Lottery Commission, Salem

Gregory P. Zerzan BA'93, JD'96 former deputy assistant secretary, U.S. Department of the Treasury, Washington, D.C.



Paul J. DeMuniz JD'75 justice, Oregon Supreme Court, Salem

John A. Jelderks BA'60, JD'64 U.S. magistrate judge, U.S. District Court, Portland, Ore.

Otto R. Skopil Jr. BA'41, LLB'46, H'83 judge, U.S. Court of Appeals, 9th Circuit, Portland, Ore.

19 | 60s |

Rolf T. Olson JD'69 of Salem, Ore., was elected Area I director for the National Council of State Boards of Nursing during the group's annual delegate assembly, held August 1-5 in Washington, D.C. Olson, who will serve a two-year term, is a board member of the Oregon State Board of Nursing. He had been in private practice in Salem for 27 years before retiring from the law in 1997.

19 | 70s |

Mary K. Hughes JD'74 of Anchorage, Alaska, has been appointed senator Lisa Murkowski's Alaska state director. Hughes will coordinate the senator's Alaska offices and outreach to Alaska communities and organizations. Hughes was a partner in the firm of Hughes Thorsness Gantz Powell & Brundin until her appointment in 1995 as municipal attorney for the city of Anchorage. Hughes currently serves as vice chair of the Board of Regents for the University of Alaska and is a

member of the Board of Trustees of the University of Alaska Foundation and of Willamette University.

Nelson E. Hunt JD'78 of Chehalis, Wash., was elected superior court judge for Lewis County. Hunt served for 17 years in the county prosecutor's office and spent nine years in private practice.

James P. Swanger JD'79 of Vancouver, Wash., was presented with the 2004 Judge William Nevins Award in recognition of his "distinguished service in public legal education." The Nevins Award was created by the Washington Judges' Foundation to honor those members of the judiciary who display extraordinary dedication to the judicial branch of government. Swanger was appointed to the district court bench as a commissioner in January 1999. He teaches a Street Law class at Hudson's Bay High School and started the Fort Vancouver High School Student Traffic Court. He also was recognized for his educational efforts with various civic groups and years of teaching law-related courses at Clark College and WSU-Vancouver.

19 | 80s |

Jeffrey S. Jones JD'80 of Wilsonville, Ore., has been appointed to the Clackamas County Circuit Court by Governor Ted Kulongoski. Jones runs a private law practice in Canby, Ore., and is an adjunct professor of evidence at Lewis & Clark College in Portland. He will fill a vacancy created by the retirement of the Hon. Patrick D. Gilroy.

Michael W. Shackelford BS'78, JD'81 of Portland, Ore., has been re-elected managing partner at Ater Wynne LLP, a position he has held since 2001. His practice focuses on general corporate law and corporate finance transactions, including venture capital financings and mergers and acquisitions.



Steven R. Stocker JD'81 of Spokane, Wash., was voted president-elect of the Washington Defense Trial Lawyers at their

annual meeting in July. Stocker is a principal with Stamper, Rubens, Stocker and Smith PS. His practice focuses on medical malpractice,

Nena Cook Serving as President of Oregon State Bar



Willamette University College of Law alumna Nena Cook JD'91 serves as president of the Oregon State Bar. OSB presidents are elected by the OSB Board of Governors and serve a one-year term. As head of the 13,000-member professional organization, Cook has presided over OSB meetings and participated in a number of outreach opportunities for the organization.

Cook, who heads Portland's Sussman Shank LLP's employment law group, is considered one of Oregon's most powerful female attorneys. At age 38, she is the youngest OSB president ever elected and one of only three female presidents in the association's 70-year history.

In July 2005, the *Portland Business Journal* honored Cook with a "Best of the Bar" award, identifying her as a standout in her field of law. Six of the 19 Portland-area attorneys honored were Willamette University College of Law graduates.

CLASS ACTION



Barbara A. Jacobson JD'82 of Tigard, Ore., was named partner in the Portland office of Preston Gates & Ellis LLP. Jacobson focuses on representing both public- and private-sector clients in a broad range of real estate law matters, including complex real estate transactions, real estate development, foreclosure work, and a variety of land use, zoning, permitting, environmental and financing issues. In addition, she counsels clients on labor and employment matters.

products liability defense, insurance defense and commercial litigation.

Theresa L. Wright JD'81 of Portland, Ore., was one of the recipients of the Multnomah Bar Association's 2005 Merit Award. Wright currently serves as a mentor and a member of the MBA Court Liaison Committee. In addition, she has chaired the MBA Judicial Screening Committee and served on several MBA committees. In 1992 she received the Outstanding Volunteer Award from the Volunteer Lawyers Project. Wright currently chairs the civil subcommittee of the Multnomah County Family Violence Project at Legal Aid and is a volunteer for the Children's Representation Project.

Jeffrey G. Condit JD'82 of Portland, Ore., a partner with Miller Nash LLP, was appointed to a four-year term on the Columbia River Gorge Commission by Oregon Governor Ted Kulongoski.

Lynette I. Hotchkiss JD'82 of Lake Forest, Calif., has been named senior vice president, senior legal counsel of Mavent Inc. She joined the company in 2002 and has more than 23 years of experience in lending, real estate, corporate and general

business law. Hotchkiss oversees the legal integrity of the Mavent Expert System and the Mavent Compliance Console (MC2) for the company, which is a leading provider of automated compliance solutions for the financial services industry.

Gregory E. Struxness JD/MBA'82 of Portland, Ore., has been elected chairman of Ater Wynne LLP, a West Coast law firm with offices in Portland, Seattle and Menlo Park, Calif. Struxness focuses on general corporate and securities law. He has chaired Ater Wynne's corporate finance group since 2000.

Brian C. Erb JD'89 of San Francisco, Calif., has been named partner in the firm of Ropes & Gray LLP. Erb comes to the firm from Wilson Sonsini Goodrich & Rosati.

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Michelle S. Druce JD/C'90 of Portland, Ore., is now with AVP Compliance in Beaverton, Ore.

John H. Glover JD'90 of Spearfish, S.D., an associate professor of American Indian Studies at Black Hills State University, was recently

selected to serve as a global issues workshop instructor for Global Youth Village. Global Youth Village is an international summer camp where young adults from around the world come together to learn about and discuss development issues, prejudice, peace building and community action. Glover will serve as one of four global issues instructors at the camp.

Jennifer Simpson Robertson JD/C'93 of Bellevue, Wash., serves on the Bellevue Planning Commission and was recently elected a precinct committee officer in the King County Republican party. Last year Robertson was elected a delegate for the Washington state Republican convention.

Dan Grinfas JD/C'94 of Salem, Ore., has joined the Labor and Employment section of Stoel Rives LLP in Portland. He will counsel employers and conduct management and employee training on employment-related issues.

Ming Ye JD'94 of Shanghai, China, recently assisted in a program launch wherein the Salem, Oregon-based company Supra Products became the sole supplier of an access control and key management security system that will be used on all street mailboxes in China to reduce mail theft. Ye is a partner in the Shanghai Keenmore Law Office.

Ted A. Bernhard JD'95 of Portland, Ore., was one of the recipients of *The Portland Business Journal's* "40 Under 40" Award, which recognizes the 40 most accomplished, influential and civic-minded young executives in Portland. Bernhard is a corporate and securities lawyer with Stoel Rives LLP and a member of the firm's Corporate and Technology Ventures practice groups. His prac-

tice focuses on providing counsel to entrepreneurs, directors, venture capitalists and investors involved with rapid growth businesses in the Pacific Northwest.

Christopher J. Nye JD'95 of Seattle, Wash., recently returned to the practice of law after serving as the director of program development for Law Seminars International. Nye's private practice will focus on complex commercial litigation.

Craig P. Wagnild BS'89, JD'95 of Honolulu, Hawaii, is the hiring partner at Bays Deaver Lung Rose & Baba. **Karin L. Holma JD'89** is a partner at the firm, and **Jennifer R. Sugita JD'03** is an associate.

Gregory P. Zerzan BA'93, JD'96 of Washington, D.C., has resigned as acting assistant treasury secretary for financial institutions. Zerzan had worked for the U.S. Department of the Treasury's Office of Domestic Finance since March 2003. He plans to return to Oregon, where he was in private legal practice before working as counsel to U.S. House committees from 1997 to 2003.



Tara M. (Mikkelsen) Hendison JD'97 of Portland, Ore., a vice president and trust officer for Allen Trust Company, was

recently named to the board of the Albertina Kerr Centers. She will serve a three-year term.

Guy R. Jeffress JD'97 of Falls Church, Va., recently joined the firm of Greenstein, DeLorme & Luchs PC. His practice will focus on real estate transactions, including development and financing issues.

Craig P. Lindsay JD'97 of Silverdale, Wash., has opened his own law office in Silverdale. Lindsay runs a general practice encompassing several areas of law and has extensive litigation experience. He was formerly a deputy prosecutor in Kitsap County, Wash., for several years.

Abigail E. (Beacham) Sheldon JD'97 of Wasilla, Alaska, has been promoted to assistant supervisor for the Alaska Public Defender Agency.

Steven G. Blackmer JD'96 of Pittsburgh, Pa., was named partner in the firm of Willman & Arnold LLP. Blackmer will be spearheading growth of Willman & Arnold's Corporate Practice Group. He will take on larger and more complex cases in the areas of corporate and transactional law, as well as environmental litigation, toxic torts, hazardous materials and substances, insurance coverage, and insurance defense. Blackmer also has taken a leadership role in the firm's defense group, which is nationally recognized for coordinating strategic large-scale toxic tort defense matters. Blackmer and his colleagues will continue to serve as liaison counsel for all asbestos litigation in Allegheny County.



Michael E. Adams JD'98 of Sweet Home, Ore., has been appointed to the Planning Commission by the Sweet Home City Council. Adams is in private practice and specializes in real estate, estate planning, business succession planning and general business law.

Kathleen M. Fischer JD'98 of Elizabeth City, N.C., is an assistant professor at Elizabeth City State University. She teaches oceanography and environmental science, conducts research in coastal and wetland areas, and incorporates environmental policy issues and state and federal regulations into courses. Fischer is a member of the University of North Carolina Marine Sciences Advisory Board and the Alternate-Pamlico National Estuary Program Science and Technical Advisory Panel.

Peter J. Johnson JD'99 of Seattle, Wash., has left the Philadelphia, Pa., firm of Heckscher, Teillon, Terrill & Sager to join the Trusts and Estates Group in the Seattle, Wash., office of Davis Wright Tremaine LLP.

Calliste (Flynn) Warfield JD'99 of Portland, Ore., has been named a board director of the Multnomah Bar Association Young Lawyers Section. Warfield is with Hoffman Hart & Wagner LLP and practices in the area of professional liability defense. She has served on the Young Lawyers Section CLE Committee and was its chair in 2004-05. Warfield is a member of the Oregon Association of Defense Counsel and the Defense Research Institute.

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Christina L. McMahan JD/C'00 of Roseburg, Ore., has been named director of the Douglas County

**Office of Gift Planning**

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Willamette's Office of Gift Planning can help you increase the efficiency of your clients' charitable gifts. We can provide specific illustrations of charitable remainder trusts, lead trusts, gift annuities and other gift vehicles that are tailored to your clients' specific circumstances. We would be pleased to do this for you — or just answer your questions — regardless of your clients' intended charitable beneficiaries. If Willamette is an intended beneficiary, the University can help you facilitate your clients' objectives, including serving as trustee and making available the investment expertise of our plan administrator/partner, U.S. Trust Company.

Shannon Christianson and Steve Brier have approximately 20 years of combined experience in the practice of law and gift planning. We look forward to hearing from you.

Juvenile Department, effective June 1. McMahan previously served as a deputy district attorney with Deschutes County, where she handled juvenile matters.

Christian C. Stephens JD'00 of Salt Lake City, Utah, has moved from the Natural Resources Division to the Environment Division of the Utah Attorney General's Office. Stephens is counsel to the Utah Division of Air Quality.

Alison (Gschwendtner) Hohengarten JD/MBA'01 of Bend, Ore., was named the Central Oregon Builders Association (COBA) Associate of the Year for 2004.

Jeffrey J. Richmond JD'01 of Portland, Ore., has been named an associate for Marger Johnson & McCollom PC. Richmond combines extensive technical and engineering expertise with law credentials. His technical expertise ranges from digital image processing and electronic technologies to semiconductor processing and networking applications. He maintains an extensive patent prosecution docket and focuses on high technology inventions.

Benjamin P. Thomas JD'01 of Salt Lake City, Utah, has been named an associate in the Business, Tax and Estate Planning Practice Group at Strong & Hanni. Prior to joining the firm, he practiced business, litigation, insurance defense, real estate

and estate planning law with Suitter, Axland PLLC and with Dixon & Truman.

Juan J. Aguiar JD/MBA'02 of Quito, Ecuador, is managing an outsourcing company called Petro Personnel; working as an attorney/translator for his company, Aguiar Law Group; and teaching negotiation and dispute resolution at his undergraduate university.

Teresa D. Miller JD'02 of Salem, Ore., was selected by Portland General Electric to serve as its lobbyist for state governmental affairs. Before joining PGE, Miller worked at the Oregon Capitol for four consecutive legislative sessions. Most recently, she worked for six

years as a lobbyist for the Tresidder Company, a Salem-based government-relations firm.

Deborah G. Trant JD'02 of Salem, Ore., co-authored with **Grant Cook JD'05**, also of Salem, a chapter on permanent injunctions for the ABA treatise *Trademark Remedies*, to be published in 2005.

Shilla H. Kim JD'03 of Vancouver, Wash., has joined the firm English, Lane, Marshall, Barrar, Stanhke, and Vanderwood PLLC as a public defender.



Severin A. Carlson, JD'04 of Reno, Nev., has joined the firm of

Kummer, Kaempfer, Bonner & Renshaw as an associate. His practice will be based out of the firm's Reno office, which concentrates on serving the business community and working to provide legal representation for business customers statewide. Prior to joining the firm, Carlson practiced law in Salem, Ore.

Ann Davison JD'04 of Seattle, Wash., has opened the Law Office of Ann Davison. She previously spent two years on the sports agent side and six years in the front office of the Seattle SuperSonics before entering the legal field. Davison's general practice areas include immigration, contract law, business law, entertainment law, estate planning and real estate. She will provide immigration services for foreign athletes and staff at the professional and semi-professional level. She also will assist with the immigration needs of individuals' families.

Melissa M. Dooley JD/MBA'04 of Carson City, Nev., has been clerking at the Nevada Supreme Court and was recently accepted to New York University School of Law's LLM in Taxation program. Following completion of the program, she intends to return to Reno, Nev., and focus her practice on estate and tax planning and trust administration.

Marriages

Heidi L. Neel JD'92 married Andrew Biggs on Sept. 25, 2004.

Melinda (Buel) Brown JD'00 married **Michael P. Brown BS'92** on June 8, 2002. The couple now resides in Petaluma, Calif.

Martin A. Engel JD'00 married Melissa McGrady in Las Vegas, Nev., on October 28, 2004. The couple now resides in Anchorage, Alaska.

Family Additions



To **Gregory R. Nyhus JD'91** and wife **Katharine M. (Smith) Nyhus JD'98** of Tigard, Ore., a son, Andrew Henry, born June 9, 2004, weighing 8 pounds, 5 ounces. He joins big brother David, 3.

To **Joel L. Auger BS'89, JD'92** and wife Heidi of Tualatin, Ore., a son, Ben Lawrence, born March 1, 2004. He joins big brother Thomas.

To **Lisette F. Carter JD/C'93** and husband Tim Durkin of Spokane, Wash., a son, Carter Bennett, born Jan. 3, 2005. He joins big brother Matthew.

To **Paul S. Kibel JD'93** and wife **Karen M. Stefonek JD'94** of Alameda, Calif., a daughter, Helen Stephens, born Feb. 25, 2005.

To **Jennifer (Simpson) Robertson JD/C'93** and husband Scott of Bellevue, Wash., a daughter, Abigail Isobel Constance, born Dec. 28, 2004. She joins big sisters Katherine, 7, and Madeline, 3.

To **Anthony R. Miller JD'97** and wife **Camelot J. Lindauer JD'98** of Mountain View, Calif., a son, Maxwell, born Dec. 1, 2004.

To **Abigail E. (Beacham) Sheldon JD'97** and husband Jess of Wasilla, Alaska, a son, Sherman Cole, born Aug. 29, 2004.

To **Eric A. Faas JD'98** and wife **Cheryl M. (McRae) Faas JD'98** of Gilbert, Ariz., a son, Ethan Eric, born Oct. 22, 2004. He joins his brothers Nick, 8, and Cameron, 3, and sister Mary Jane, 5.

To **Lawrence A. DeAngelus JD/C'99** and wife **Karen L. (Eschholz) DeAngelus JD/C'99** of Schenectady, N.Y., a daughter, Rachel Lione, born Nov. 11, 2004.

To **James M. Maldonado JD'99** and wife **Michelle L. (Gray) Maldonado BS'93, MBA'99** of Phoenix, Ariz., a son, Grayson James, born Nov. 21, 2004.

To **Amy L. (Smith) O'Donnell JD/C'99** and husband Kevin of Denver, Colo., a daughter, Emma Elizabeth, born March 31, 2005.

To **Christian C. Stephens JD'00** and wife Jennie of Centerville, Utah, a son, Daniel Breslin, born March 17, 2005. His paternal grandfather is **Cole P. Stephens BA'50**.

To **Alison (Gschwendtner) Hohengarten JD/MBA'01** and husband Erich of Bend, Ore., a son, Carson West, born Feb. 12, 2005.

To **Shawn Aaron Young JD'04** and wife Donna Weth of Fort Worth, Texas, a son, Shawn Aaron Young II, born March 25, 2005, weighing 9 pounds, 1 ounce.

In Memoriam

Gordon H. Moore AB'42, LLB'48 of Tigard, Ore., died March 9, 2005, at age 86. He is survived by a daughter and two brothers.

John M. Copenhaver AB'47, LLB'50 of Bend, Ore., died Feb. 4, 2005, at age 80. He is survived by his wife, Suzanne; two daughters and three sons; 11 grandchildren; and seven great-grandchildren.

Robert P. Jones LLB'52 of Portland, Ore., died April 16, 2005, at age 77. He is survived by his wife, Anne; a daughter and two sons; a sister; seven grandchildren; and one great-grandchild.

Wayne M. Thompson BA'55, JD'58 of Bend, Ore., died Nov. 17, 2004, at age 74. He is survived by his wife, Pat; a son and daughter; a brother; and four grandchildren.

William J. Keys JD'68 of Palm Desert, Calif., died April 27, 2005, at age 61. He is survived by his wife, Nora; two sons and a daughter; and three grandchildren.



Martin W. Rohrer BA'68, JD'74 of Portland, Ore., died June 12, 2005, at age 58. He is survived by his

wife, Kathleen; his two daughters, Michelle and Shannon; two sisters; and three brothers.

Michael J. Kranzush JD'76 of Seaside, Ore., died Dec. 21, 2004, at age 53. He is survived by his wife, Ann; a son and daughter; his father; a sister; and one grandson.

Kim E. Dupuis JD'79 of Edmonds, Wash., died Jan., 4, 2005, at age 51. He is survived by a daughter, his father and a brother.

Deborah Dealy-Browning JD'81 of Portland, Ore., died Oct. 31, 2004, at age 54. She is survived by her mother, two brothers and a sister

Bradley D. Doucette JD'83 of Tucson, Ariz., died April 29, 2003, at age 45. He is survived by his wife, Suzane, and two stepdaughters.

Joseph E. Monaco JD'89 of Portland, Ore., died Aug. 2, 2003, at age 47. He is survived by his mother, a brother and a sister.

Brett P. Allison JD/C'95 of Idaho Falls, Idaho, died June 28, 2005, at age 38. He is survived by his four children, three stepchildren, his mother, two sisters and two brothers.

Guidelines

If you have information you would like to submit for Class Action, please send it to:

*Willamette University
College of Law
Office of Alumni Relations
245 Winter Street SE
Salem, OR 97301*

Or send an e-mail to:
wu-lawyer@willamette.edu

Please print or type all submissions in the interest of accuracy. If something has been written about you in a newspaper or other publication that you would like mentioned in Class Action, please prepare and submit a brief summary of the original piece.

It is the practice of Class Action not to print pregnancy or engagement announcements, nor candidacies for political offices, due to the lag time between receiving such information and the publication dates. The *Willamette Lawyer* reserves the right to edit or omit any information submitted.

We welcome photographs for possible use, depending on space and photo quality. Please send a self-addressed, stamped envelope if you would like your photo returned.

KEY

JD = Doctor of Jurisprudence

LLB = Bachelor of Law (equivalent of JD)

LLM = Master of Law

MM = Master of Management, Master of Administration

MBA = Master of Business Administration

H = Honorary Degree

C = Certificate in Dispute Resolution, International and Comparative Law, Law and Government or Law and Business

BA = Bachelor of Arts

BS = Bachelor of Science



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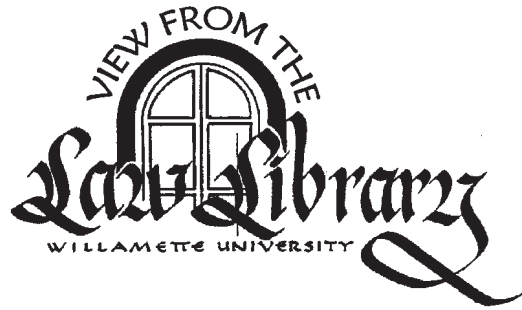
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For more information about table sponsorship, call Sandra Chiodo toll free at 866-777-8422 or email schiodo@willamette.edu.

If individual tickets are available, they will go on sale Monday, October 17. Check www.willamette.edu for more information as the date draws near.



Knowledge of the Law

“There is no jewel in the world comparable to learning and no learning so excellent for both Prince and subject as knowledge of laws.”

— Sir Edward Coke (1552-1634)

In an absence of legal texts, and with that thought in mind, Sir Edward proceeded to write his four-volume treatise, *Coke’s Institutes of the Laws of England*, so named because he intended that “they should institute and instruct the studious, and guide him in a ready way to the national laws of England.” Volume 1 was the first law book to arrive in the colonies in 1647 and has been referred to by succeeding generations of lawyers as *Coke on Littleton* (*Littleton on Tenures*, published in 1482, was the first law book to be printed in England).

A century later Colonial lawyers added another four-volume set to their sparse libraries, namely, Sir William Blackstone’s *Commentaries on the Laws of England*. Sir William’s lectures at Oxford, many of which were written late at night with a bottle of port before him in order to “correct or prevent the depression sometimes attendant to close study,” provided the impetus for this monumental achievement.

On this side of the Atlantic, James Kent (1763-1847) did for American jurisprudence what Blackstone did for England. He was the first professor of law at Columbia Law School, a New York Supreme Court justice and author of *Kent’s Commentaries on American Law*, yet another four-volume set.

Joseph Story (1779-1845), a contemporary of James Kent, was the eldest of 18 children and at age 32 the


youngest man ever to sit on the U.S. Supreme Court. He was one of the founders of Harvard Law School and a professor, jurist and celebrated author who, as a matter of passing interest, embarked upon a legal career “for lack of apparently anything better to do.” His prodigious output of commentaries on the law soon inspired other jurists to set pen to paper.

At the founding of the Willamette College of Law in 1883, knowledge of the law required burning the midnight oil to read the works of Bispham, Blackstone, Chitty, Cooley, Greenleaf, Kent, Parsons, Pomeroy, Story, Washburn and Wharton, along with a limited number of statutes and a rapidly expanding number of court opinions.

When the first encyclopedia of American law, *Cyclopedia of Law and Practice*, was published in 1900, approximately 750,000 American court opinions already had been published.

By 1920, Professor Fred Hicks, Yale law librarian, noted that “the books themselves, breaking all restraint, advancing in ever-widening array, and losing few by the wayside, seem about to overwhelm the whole legal profession by sheer weight of numbers. They must be subdued to order and put to work to avoid chaos.”

And so they have.

In the 21st century, the great meteoric shower of law literature begun in the 1880s now continues to light up the night sky in cyberspace, and knowledge of the law is advanced through a wide spectrum of legal resources available through our Web page at www.willamette.edu/law/longlib/. 

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Last year an anonymous donor gave the College of Law \$1 million to endow the Clinical Law Program. If the College of Law can raise another \$1 million for the law clinic by December 31, 2005, this generous donor will give another \$1 million to the program. **So \$1 million + \$1 million = \$3 million.**

The Clinical Law Program, under the direction of full-time supervising attorneys, provides legal assistance to Oregonians in need while offering practical legal experience for our law students.

We need your help now — before time runs out on this generous offer. Any gift you can make for the endowment of the Clinic Law Program will ensure the good work of the law clinic will continue. Gifts and pledges can be funded with stocks, bonds, real estate or cash.

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