

The magazine of the first law school in the Pacific Northwest | Spring 2008

WILLAMETTE LAWYER

BLACKSTON'S
COMMENTARIES

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RIGHTS
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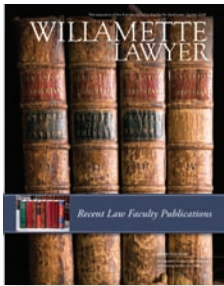
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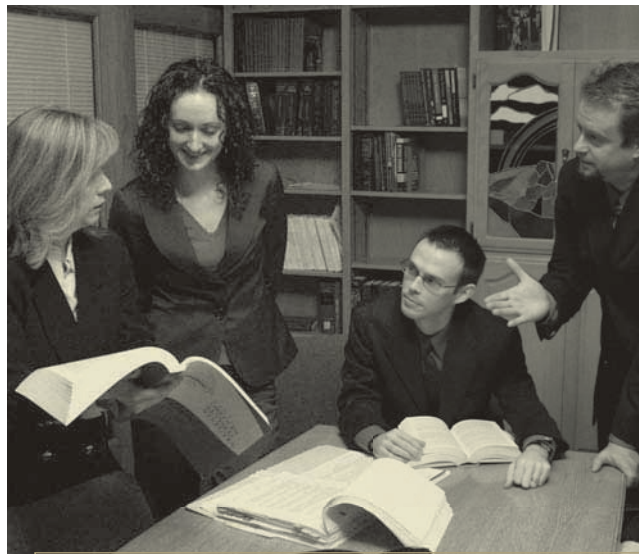
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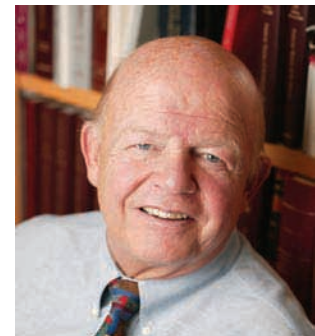
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WILLAMETTE LAWYER

Spring 2008 • Vol. VIII, No. 1

Dean

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Willamette Lawyer is published by the College of Law and the Office of Communications for constituents of Willamette University College of Law, the first law school in the Pacific Northwest.

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This publication is partially supported by contributions to the Law Annual Fund.

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Dean Symeon C. Symeonides

Dear Alumni and Friends,

Excellent teaching has always been the hallmark of Willamette University. This has not changed, nor will it. What has changed is the increasing expectation that, in addition to being good and caring teachers, our professors must be productive scholars, contributing their fair share to the advancement and dissemination of knowledge.

Simply put, this is our obligation to the legal profession. Its fulfillment does not at all detract from our continuing obligation to give our utmost in the classroom. Great teaching and strong scholarship are not mutually exclusive; in fact, they go hand in hand. Research and publication sharpen a professor's knowledge and dexterity in the classroom. This is not an "either/or" proposition. We refuse to choose between being fine teachers and productive authors. We can and must be both.

As this issue of *Willamette Lawyer* illustrates, our faculty has met and exceeded this expectation: In the last seven years, the total number of books, articles and other academic writings produced by our faculty has increased by 98 percent over the previous seven-year period. (See page 5 for more details.) Among these publications are seven national casebooks used for teaching in other law schools, 25 treatises or monographs for judges and practitioners, and 180 scholarly articles in law reviews. Through these publications, our 25-member faculty has had a much more influential voice than our numbers might suggest.

During next year's celebration of the 125th anniversary of the College of Law, we will honor the past contributions of Willamette's master teachers — among them Isaac Homer Van Winkle, Roy M. Lockenour, John C. Paulus, Edwin W. Butler, Ross R. Runkel, Claudia Burton, Robert Art and Carlton Snow — who, since 1883, have helped produce some of the best lawyers in the region and the nation. While we honor these great professors, we also should recognize the multiple accomplishments of the master teachers *and scholars* currently serving on the Willamette law faculty. This issue of the *Lawyer* is a small testimony to their accomplishments.

With my best regards,

Symeon C. Symeonides
Dean and Professor of Law



Willamette Leads Northwest Schools in Bar Passage

Seven years ago, the Willamette law faculty adopted a series of new and more rigorous academic standards designed to increase the academic prowess and achievement of students. The new measures began producing significant and immediate results, as evidenced by our students' heightened success on the Oregon and Washington state bar exams.

In all five summer Oregon State Bar exams administered since 2003, WUCL graduates who took the exam for the first time passed at higher rates than all other exam takers. Equally notable, Willamette's average for the five-year period was 13.3 points higher than for the previous five-year period. See chart 1.

In 2004, our graduates passed at a rate of 84.9 percent — 13 points above the average for all other exam takers. This marked Willamette's highest margin from the state average since 1980. In 2007, our passage rate was 86.4 percent, the second highest margin for the same 27-year period. See chart 2.

Willamette's second-time takers also have fared better during the last few years. Since 2004, students who took the Oregon bar exam for the second time have passed at higher rates, which helped keep the overall WUCL rate above the state average. See chart 3.

Willamette graduates have consistently exceeded the state average on the Washington State Bar exam as well. Our average passage rate for first-time takers throughout the last four years is 80.8 percent — almost two points higher than the state average. See chart 4.

Among first-time takers of the 2007 exam, 85.2 percent of WUCL students passed. The state average was 79.8 percent.

Chart 1: Bar Passage in Oregon
(Five-Year Averages)

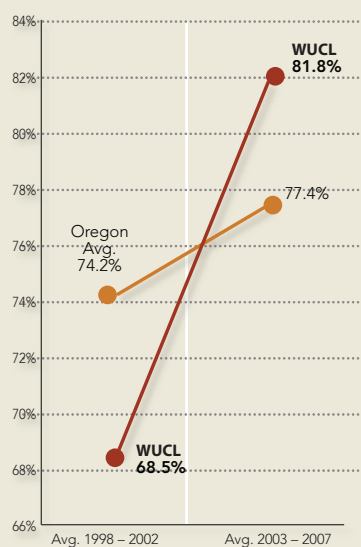


Chart 2: Bar Passage in Oregon
(First-Timers)

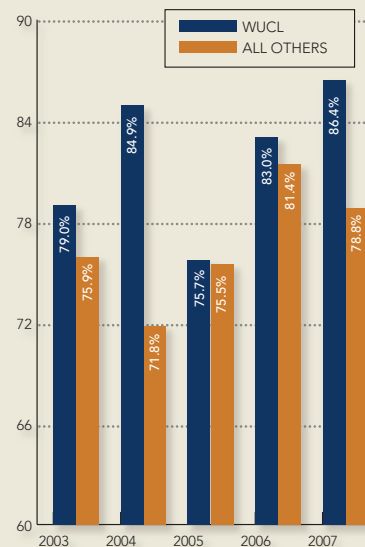


Chart 3: Bar Passage in Oregon
(First Timers and Repeaters)

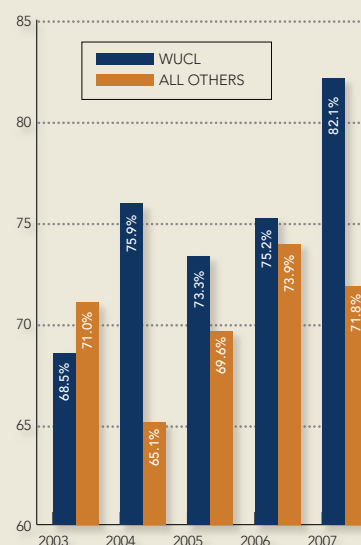
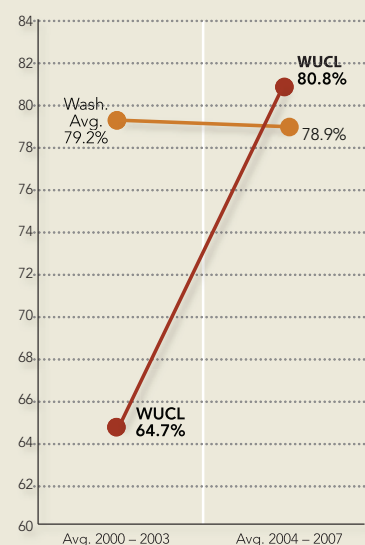


Chart 4: Bar Passage in Washington
(First-Timers)



College of Law Plans 125th Anniversary Celebration

This fall Willamette University College of Law will kick off a yearlong celebration in recognition of the school's 125th academic year, 2008–09.

Founded in the early days of the Oregon Territory, Willamette has long been closely associated with the beginning of law and government in the region. It housed the first session of the Legislature to meet in Salem and served as home to the first court in the territory under the auspices of the United States. Established in 1883, Willamette's law school was the first in the Pacific Northwest and second in the West. One hundred and twenty-five years later, the college continues to push the frontier of legal education.

The law school's 125th Anniversary Celebration will commence on Friday, Sept. 12, 2008, with a visit by U.S. Supreme Court Justice Ruth Bader Ginsburg, who will participate in the building dedication of the law school's new Oregon Civic Justice Center.

Located on the corner of State and Winter streets, the stately structure has a rich history in Salem. Opened in 1912, the building served as Salem's first public library until the early 1970s, when it was purchased by the YWCA. Willamette bought the building in 2003.

The College of Law has spent more than a year renovating the structure, with invaluable assistance from a number of generous donors and foundation grants. Several of the programs slated to move into the new Oregon Civic Justice Center help connect the law school with state government and the broader legal community,

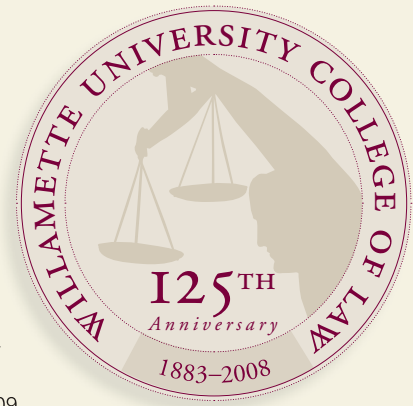
including the Clinical Law Program, the Oregon Law Commission, and the Center for Law and Government.

Following the dedication ceremony and a day spent with law faculty and students, Ginsburg will present the first lecture in Willamette's 2008–09

Atkinson Lecture Series, which has welcomed world leaders, authors, actors, scientists and educators to campus since its founding in 1956. Preceding her lecture, Ginsburg will receive an honorary Doctor of Laws on behalf of the Willamette University Board of Trustees. More information on this event will be available this summer.

Coinciding with Ginsburg's visit will be the law school's annual reunion weekend, which will be held Sept. 12–14, 2008, in Salem. The classes of 1958 and prior, 1968, 1978, 1983, 1988 and 1998 all will be honored. Events will include a golf outing on Saturday morning and private class dinners Saturday night.

We hope you will plan to attend these outstanding 125th Anniversary Celebration events, which will continue throughout the year, honoring the College of Law and its long history of providing outstanding legal education and bar leadership.



Justice Ruth Bader Ginsburg



*Photograph by Steve Petteway,
Collection of the Supreme Court of the United States*

An associate justice of the U.S. Supreme Court, Ruth Bader Ginsburg received her B.A. from Cornell University, attended Harvard Law School and received her LL.B. from Columbia Law School. She served as law clerk to Judge Edmund L. Palmieri of the U.S. District Court for the Southern District of New York from 1959–1961.

From 1961–1963, Ginsburg was a research associate and then associate director of the Columbia Law School Project on International Procedure. She served as professor of law at Rutgers University School of Law from 1963–1972 and Columbia Law School from 1972–1980, as well as a fellow at the Center for Advanced Study in the Behavioral Sciences in Stanford, Calif., from 1977–1978. She was instrumental in launching the Women's Rights Project of the American Civil Liberties Union in 1971, was general counsel of the ACLU from 1973–1980 and served on its national board of directors from 1974–1980.

Ginsburg was appointed a judge of the U.S. Court of Appeals for the District of Columbia Circuit in 1980. President Clinton nominated her to be an associate justice of the Supreme Court, and she was seated on Aug. 10, 1993.

Law Faculty Publications

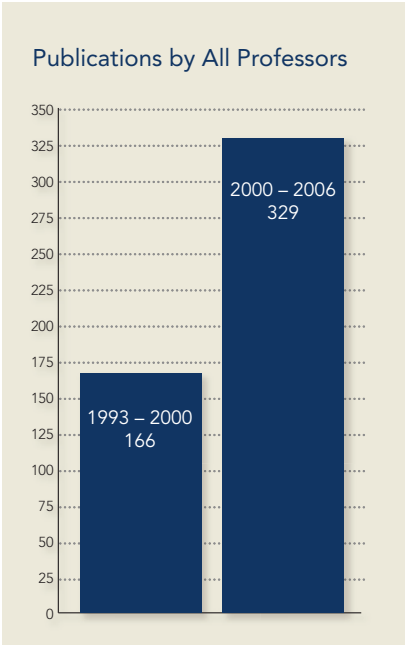
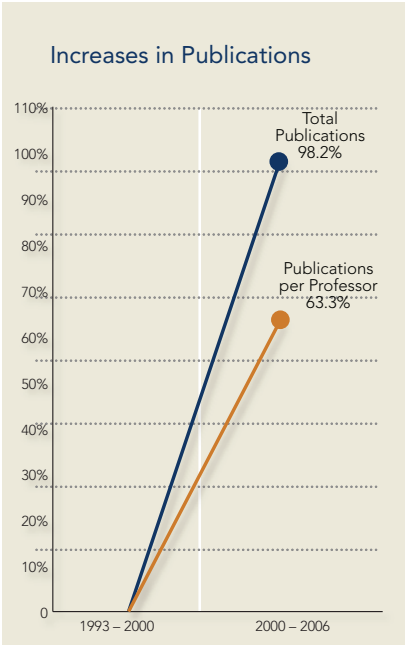
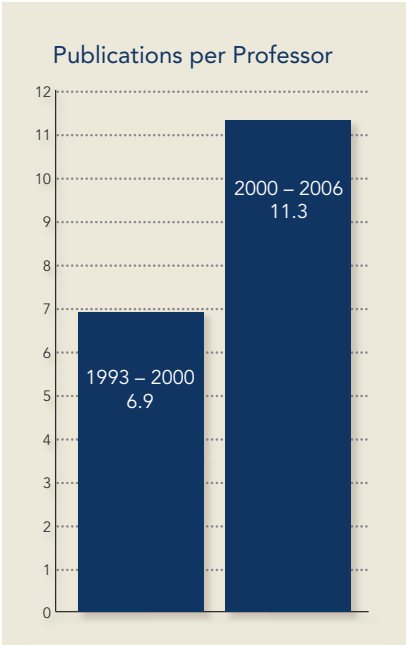
A crucial benchmark of a law school’s academic excellence is the quality and scholastic vigor of its faculty. By this measure, Willamette University College of Law stands among the very best law schools in the country.

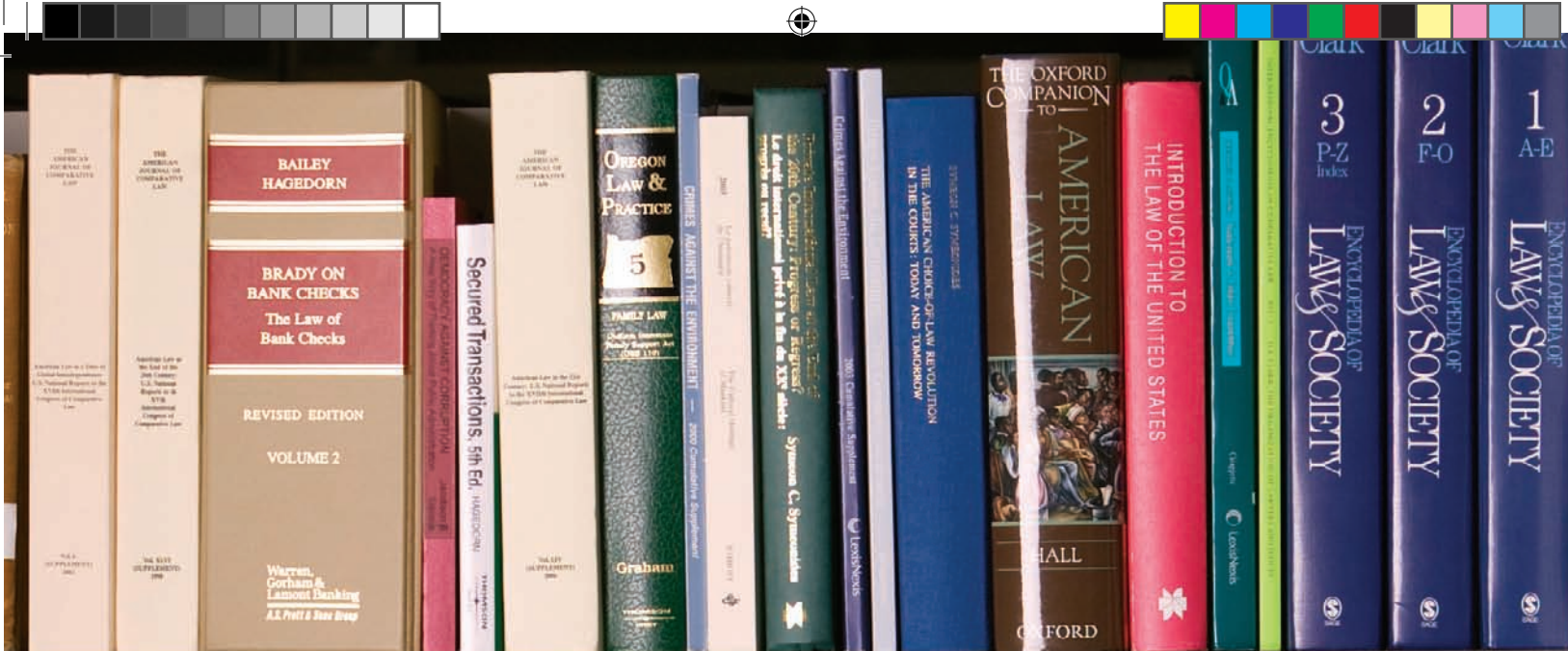
In addition to having compiled enviable professional records and experience prior to joining the faculty, our law professors are accomplished and productive members of the academic community.

While teaching remains the faculty’s primary mission, it is not their only responsibility. The advancement and dissemination of knowledge through research and publication is a basic obligation of all scholars, including those who teach. Research and publication enhance one’s ability to be a good instructor.

The teacher-scholars of Willamette’s law school take this obligation very seriously. In the last seven years, the faculty has almost doubled the number of publications produced in the previous seven-year period. The following table and charts show this dramatic increase:

Total Publications			Publications per Professor		
	1993–2000	2000–06	Increase		
Books	25	33	33.0%	1.04	1.14
Articles	108	180	66.7%	4.5	6.21
Other	33	116	251.5%	1.38	3.97
Totals	166	329	98.2%	6.92	11.3





Recent Publications



LAURA I APPLEMAN

Articles/Chapters/Other Writing

Retributive Justice and Hidden Sentencing, forthcoming 68 OHIO STATE LAW JOURNAL__ (2007).

Rethinking Retribution: Understanding Punishment Theory After Blakely, FEDERAL SENTENCING REPORTER, Vol. 18, No. 4 (2006) pp. 247-249.

Please Don't Squeeze the Client, LEGAL TIMES, Vol. XXIX, No. 42 (October 16, 2006).

Reports of Batson's Death Have Been Greatly Exaggerated: How the Batson Procedure Enforces a Normative Framework for Legal Ethics, 78 TEMPLE LAW REVIEW 101 (2005).

The Ethics of Indigent Criminal Defense Representation: Has New York Failed the Promise of Gideon?, 16.4 PROFESSIONAL LAWYER (2005).

The Rise of the Modern American Law School: How Professionalism, German Scholarship, and Legal Reform Shaped Our System of Legal Education, 39 NEW ENGLAND LAW REVIEW 251 (2005).



W. WARREN H. BINFORD

Articles/Chapters/Other Writing

When Free Expression Gets Expensive: Legalities, Liabilities, and Realities, in THE ROLE OF FREEDOM OF EXPRESSION IN A MULTICULTURAL AND DEMOCRATIC SOCIETY (Jennifer L. Jopp ed., 2008).

Seeking Best Practices Among Intermediate Courts of Appeal: A Nascent Journey, 9 JOURNAL OF APPELLATE PRACTICE AND PROCESS (Spring 2007).



RICHARD BIRKE

Articles/Chapters/Other Writing

Verdicts and Pleas: The Role of Trial in Promoting Cooperative Negotiation in Criminal Practice, MARQUETTE LAW REVIEW (forthcoming 2007).

Mediation, in ENCYCLOPEDIA OF LAW AND SOCIETY: AMERICAN AND GLOBAL PERSPECTIVES (David Clark ed., Sage Publications 2007).

Settlement, in ENCYCLOPEDIA OF LAW AND SOCIETY: AMERICAN AND GLOBAL PERSPECTIVES (David Clark ed., Sage Publications 2007).

Review, "Stumbling on Happiness" by Daniel Gilbert, in INTERNATIONAL ACADEMY OF ARBITRATORS NEWS, Winter 2007.

Decision Trees Made Easy, in LAWYER NEGOTIATION (Folberg and Golann 2006).

Psychology and Dispute Resolution, in DISPUTE RESOLUTION (Folberg and Golann 2005).

Quarterly Reviews in DISPUTE RESOLUTION ALERT: Fall 2007, "The Power of a Positive No" by William Ury; Summer 2007, "Stumbling on Happiness" by Daniel Gilbert; Spring 2007, "The Accidental Mind" by David Linden; Winter 2006, "Best Dispute Resolution Work of 2006" by various authors; Fall 2006, "Us and Them" by Bruce Berreby, Summer 2006 "The Strategy of Conflict" by Thomas Schelling, Spring 2006 "Beyond Reason: Using Emotions as You Negotiate" by Roger Fisher and Daniel Shapiro; Winter 2005, "Best Dispute Resolution Work of 2005" by various authors; Fall 2005, "The World is Flat" by Thomas Friedman; Summer 2005, "What's Fair: Ethics in Mediation" by Carrie Menkel-Meadow; Spring 2005, "Blink" by Malcolm Gladwell.



GILBERT PAUL CARRASCO

Books

EVERYDAY LAW FOR LATINO/AS (with S. Bender, R. Aldana and J. Avila) (Paradigm Publishers forthcoming 2008).

CIVIL RIGHTS LITIGATION: CASES AND PERSPECTIVES (WITH R. BROOKS & M. SELMI) (3RD ED. CAROLINA ACADEMIC PRESS 2005), with Teaching Manual (2006)

(Supplements 2006 and 2007).

SEXUALITY AND DISCRIMINATION: A RIGHTS AND LIBERTIES PERSPECTIVE (Carolina Academic Press 2005).



VINCENT CHIAPPETTA

Books

QUESTIONS & ANSWERS: TRADEMARK & UNFAIR COMPETITION (Lexis/Nexis 2007).

Articles/Chapters/Other Writing

Employee Blogs and Trade Secrets: Legal Response to Technological Change, 11 NEXUS: A JOURNAL OF PUBLIC OPINION 31 (2006).

Suite of CALI Copyright Lessons (2005): *Architectural Works, Compilations, Fixation Requirement, Public Performance and Display Rights*, and *Useful Articles*; www2.cali.org/index.php?fuseaction=lessons.home.

**DAVID S. CLARK****Books**

ENCYCLOPEDIA OF LAW AND SOCIETY: AMERICAN AND GLOBAL PERSPECTIVES (David Clark ed., 3 vols. Sage Publications 2007).

AMERICAN LAW IN THE 21ST CENTURY: U.S. NATIONAL REPORTS TO THE XVIIITH INTERNATIONAL CONGRESS OF COMPARATIVE LAW (ed., with J. Reitz) (2006).

Articles/Chapters/Other Writing

The Modern Development of American Comparative Law: 1904–1945, 55 AMERICAN JOURNAL OF COMPARATIVE LAW 587 (2007).

Introduction, American Society of Comparative Law, and Comparative Legal Systems, in ENCYCLOPEDIA OF LAW AND SOCIETY: AMERICAN AND GLOBAL PERSPECTIVES lxvii, 61, and 224 (David Clark ed., 3 vols. Sage Publications 2007).

American Participation in the Development of the International Academy of Comparative Law and Its First Two Hague Congresses, 54 AMERICAN JOURNAL OF COMPARATIVE LAW 1 (Supp. 2006).

Development of Comparative Law in the United States, OXFORD HANDBOOK OF COMPARATIVE LAW, ch. 5 (Reimann & Zimmermann eds., Oxford University Press, 2006).

The Story of Early American Comparative Law, in FESTSCHRIFT LIBER AMICORUM TUGRUL ANSAY: ZUM 75. GEBURTSTAG 33 (Arkan & Yongalik eds., Kluwer Law International 2006).

Establishing Comparative Law in the United States: The First Fifty Years, 4 WASHINGTON UNIVERSITY GLOBAL STUDIES LAW REVIEW 583 (2005).

**ROBIN MORRIS COLLIN****Books**

FRAMEWORKS FOR THE FUTURE — ENCYCLOPEDIA OF SUSTAINABILITY, 3 vols. Greenwood Press (forthcoming 2008).

Articles/Chapters/Other Writing

Sustainability and the Challenges of Race, Gender and Poverty to Contemporary Scientific Cultures, PUBLICATIONS OF THE

BAVARIAN AMERICAN ACADEMY (forthcoming 2008).

Step by Step: Environmental Justice in Oregon, LEWIS & CLARK ENVIRONMENTAL LAW JOURNAL (forthcoming Spring 2008).

Brown and Me: Brown's Theory of an Educational Remedy for Citizenship, 9 HOWARD SCROLL: THE SOCIAL JUSTICE LAW REVIEW 73 (Spring 2007).

Introduction to LatCrit IX Joint Symposium: Community Organizing and Direct Activism, 102 VILLANOVA LAW REVIEW 260 (2006).

The Apocalyptic Vision, Environmentalism, and a Wider Embrace, 13.1 INTERDISCIPLINARY STUDIES IN LITERATURE AND ENVIRONMENT (2006).

Environmental Reparations for Justice and Sustainability (with Robert W. Collin), in THE QUEST FOR ENVIRONMENTAL JUSTICE, HUMAN RIGHTS AND THE POLITICS OF POLLUTION (Bullard ed., 2nd ed., Sierra Club Books 2005).

Forever Wild, Forever Free: Sustainability and Equity (with Robert W. Collin), in FROM LANDSCAPE TO TECHNOSCAPE: CONCEPTS OF SPACE IN AMERICAN CULTURE (Benesch & Schmidt eds., Rodopi 2005).

**KEITH CUNNINGHAM-PARMETER****Articles/Chapters/Other Writing**

Fear of Discovery: Immigrant Workers and the Fifth Amendment, 40 CORNELL INTERNATIONAL LAW JOURNAL 27 (2008).

**PAUL A. DILLER****Articles/Chapters/Other Writing**

Intrastate Preemption, 87 BOSTON UNIVERSITY LAW REVIEW 1113-76 (2007).

**JEFFREY C. DOBBINS****Articles/Chapters/Other Writing**

The U.S. Supreme Court's Review of Oregon State Court Decisions in the First Half-Century of Statehood, 1859–1909, OREGON APPELLATE ALMANAC (2006).

**KATHY T. GRAHAM****Books**

FAMILY LAW, OREGON LAW AND PRACTICE VOL. 4 & 5 (THOMPSON-WEST 2005), SUPPLEMENTS 2007.

**STEVEN K. GREEN****Books**

RELIGIOUS FREEDOM AND THE COURTS (Baylor University Press 2008), with Ronald B. Flowers and Melissa Rogers.

Articles/Chapters/Other Writing

Church and State in the Nineteenth Century, in Derek H. Davis ed., OXFORD HANDBOOK ON CHURCH AND STATE IN THE UNITED STATES (Oxford University Press, 2008).

In Bad Faith: The Corruption of Charitable Choice, in Marci Hamilton ed., *FUNDAMENTALISM AND THE RULE OF LAW* (MacMillan Pub., 2008).

Reconciling the Irreconcilable: Military Chaplains and the First Amendment, 110 *WEST VIRGINIA LAW REVIEW* __ (2007).

Religious Liberty as a Positive and Negative Right, 70 *ALBANY LAW REVIEW* 101 (2007).

A "Spacious Conception": *Separationism as an Idea*, 85 *OREGON LAW REVIEW* 443 (2006).

Religion Clause Federalism: State Flexibility Over Religious Matters and the "One-Way Ratchet", 56 *EMORY LAW JOURNAL* 107 (2006).

"Bad History": *The Lure of History in Establishment Clause Adjudication*, 81 *NOTRE DAME LAW REVIEW* 101 (2006).

A "Legacy of Discrimination?" *The Rhetoric and Reality of the Faith Based Initiative: Oregon as a Case Study*, 84 *OREGON LAW REVIEW* 725 (2005).

Federalism and the Establishment Clause: A Reassessment, 38 *CREIGHTON LAW REVIEW* 761 (June 2005).



RICHARD B. HAGEDORN

Books

BRADY ON BANK CHECKS (WITH H.J. BAILEY), TWO VOLUMES (REV. ED., THREE ANNUAL SUPPLEMENTS, A.S. PRATT/SHESHUNOFF 2000–2007).

SECURED TRANSACTIONS IN A NUTSHELL, 5TH ED., THOMSON-WEST 2007).

THE LAW OF DEBTORS AND CREDITORS (WITH SMITH, CRANDALL AND DICKERSON), TWO VOLUMES (REV. ED., PLUS ANNUAL SUPPLEMENT, THOMSON-WEST 1991–2005).



M. H. "SAM" JACOBSON

Books

APPELLATE ADVOCACY: PERSUASIVE WRITING AND ORAL ARGUMENT (rev. ed. forthcoming 2008).

DEMOCRACY AGAINST CORRUPTION: A NEW WAY OF THINKING ABOUT PUBLIC ADMINISTRATION (with M. Slavova, Sofia University) (2006).

LEGAL ANALYSIS AND COMMUNICATION (2006).

Articles/Chapters/Other Writing

A Checklist for Drafting Good Contracts, J. ALWD (forthcoming Fall 2008).

The Beauty of the Verb: Creating a Picture in Every Sentence, 67 *OREGON STATE BAR BULLETIN* 11 (October 2007).

The News Media: Protector of Democracy or Business?, PROCEEDINGS OF THE ANNUAL ACADEMIC CONFERENCE ON POLITICS, ADMINISTRATION AND THE LAW (2006).

Elections Under Democracy, BULGARIAN LAWYER (2006).



PETER V. LETSOU

Books

CASES AND MATERIALS ON CORPORATE MERGERS AND ACQUISITIONS (ASPEN LAW & BUSINESS 2006).

Articles/Chapters/Other Writing

Sarbanes-Oxley Section 404 and the Small Public Company, 30 *OREGON BUSINESS MAGAZINE* 47 (September 2007).

THE DILEMMA THAT SHOULD NEVER HAVE BEEN: MINORITY FREEZE-OUTS IN DELAWARE (WITH HAAS), 61 *BUSINESS LAWYER* 25 (2005).



JAMES A.R. NAFZIGER

Books

2005: *THE CULTURAL HERITAGE LAW OF MANKIND* (with Tullio Scovazzi) (2007).

Articles/Chapters/Other Writing

The Principles for Cooperation in the Mutual Protection and Transfer of Cultural Material, 8 *CHICAGO JOURNAL OF INTERNATIONAL LAW* 147 (2007).

Panel: Protecting the Cultural Heritage in War and Peace, 5 *SANTA CLARA JOURNAL OF INTERNATIONAL LAW* 486 (2007).

Art and Archaeology of Afghanistan: Its Fall and Survival (review of book edited by Juliette van Krieken-Pieters), 14 *INTERNATIONAL JOURNAL OF CULTURAL PROPERTY* 267 (2007).

Choice of Law in the Light of Democratic Values, JUSTICE IN PARTICULAR: Festschrift in Honor of Professor P.J. Kozyris 249 (2007).

The Development of International Cultural Law, AMERICAN SOCIETY OF INTERNATIONAL LAW, PROCEEDINGS OF THE 100TH ANNUAL MEETING 317 (2006).

Foreword, THE PROTECTION OF THE UNDERWATER CULTURAL HERITAGE (Sarah Dromgoole ed., 2nd ed. 2006).

Religion and Security: The New Nexus in International Relations (review of book edited by Seiple and Hoover), 21 *JOURNAL OF LAW AND RELIGION* 243 (2006).

Report, Committee on Cultural Heritage Law, International Law Association (as Chair) I.L.A., REP. SEVENTY-SECOND CONFERENCE 337 (2006).

United States Migration Law: Essentials for Comparison (with Chris N. Okeke), 54 *AMERICAN JOURNAL OF COMPARATIVE LAW* 531 (Supp. 2006).

The Future of International Sports Law, 42 *WILLAMETTE LAW REVIEW* 861 (2006).

A Prologue to Oregon's Codification of Choice-of-Law Rules for Tort Actions, in TRADITION AND INNOVATION OF PRIVATE INTERNATIONAL LAW AT THE BEGINNING OF THE THIRD MILLENNIUM 125 (L. Pereznieta Castro, T. Treves, & F. Seatzu eds. 2006).

Lex Sportiva, THE COURT OF ARBITRATION FOR SPORT 1984–2004 (I. Blackshaw, R. C.R. Siekmann, & J. Soek eds. 2006).

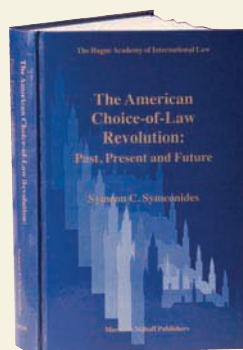
Stanford Law Review Calls Symeonides a “Conflicts Giant”

The Stanford Law Review recently published a laudatory review of Dean Symeon C. Symeonides' latest book, *The American Choice-of-Law Revolution: Past, Present and Future* (2006).

Authored by Hillel Y. Levin and published in 60 *Stanford Law Review* 247 (2007), the review stated, “*The American Choice-of-Law Revolution: Past, Present and Future* offers the finest, most rigorous account of conflicts doctrine as it functions in the courts, as well as a penetrating and thoughtful analysis on how the doctrine should evolve...

“(T)he conflicts giant Dean Symeon C. Symeonides ... presents his findings with marvelous clarity, which, standing alone, is a gift to anyone who grapples with conflicts theory. To lay plain what courts actually do with the doctrine is an enormous achievement, for it demystifies a complex doctrinal area and provides actual guidance for scholar, judge, and practitioner alike.”

Revolution is Symeonides' 19th book. His next book, *American Private International Law*, was released by Kluwer International in March 2008. That same month, Symeonides delivered a lecture about his book at Stanford Law School.



Baseball's Doping Crisis and New Anti-Doping Program, 2006/1-2 *INTERNATIONAL SPORTS LAW JOURNAL* 10.

Circumstantial Evidence of Doping: BALCO and Beyond, 16 *MARQUETTE SPORTS LAW REVIEW* 45 (2005).

The Good Word(s) from Fritz Juenger, Friedrich K. Juenger, *CHOICE OF LAW AND MULTISTATE JUSTICE* xlvii (Special ed. 2005).



TERRANCE O'REILLY

Articles/Chapters/Other Writing

Principles of Efficient Tax Law: Apocrypha, 27 *VIRGINIA TAX REVIEW* (forthcoming 2008).

Contract Theory On and Off the Grid, 92 *VIRGINIA LAW REVIEW* 1581 (2006).



JEFFREY STANDEN

Books

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New Law Scholarship Funds **for Students**

In an exciting new development for financial aid at Willamette University College of Law, alumna and trustee Mary K. Hughes JD'74 and her husband Andrew Eker have established the Alaska Law Scholarship Fund, with an endowment gift of more than \$100,000. This gift was made in recognition of the long history of connections between students and alumni in Alaska and the College of Law.

Such alumni connections have included a federal district court judge, a U.S. senator, the longest sitting attorney general in Alaskan history, and countless other public officials and private citizens, who have made a significant difference in the lives and governance of Alaskans.

At present, more than 160 attorneys in Alaska received their law degrees from Willamette, and several current WUCL law students call Alaska home. Starting with the fall 2008 semester, the new scholarship will be awarded to select first-year law students who come to Willamette from Alaska. The Alaska Law Scholarship Fund will do much to ensure that WUCL's historic pipeline of great students from Alaska will continue to flow for generations to come.

This new endowed scholarship fund is the law school's first with a specific geographic preference and the second in the past year to give preference to a specific group of students. In 2007, a series of scholarships were initiated under the banner "Women of Willamette (WOW) Law Scholarship Fund," which will provide endowed scholarship support to female law students.

The Alaska Law Scholarship Fund was celebrated at a WUCL alumni reception, which was held in Anchorage on April 9th. The WOW Law Scholarship Fund will be celebrated at special alumni events that will be held this spring in Portland, Seattle and Salem.



Increasing the number and size of endowed scholarships continues to be an important priority in the law school's ongoing First Endowment Campaign. To date, the College of Law and its alumni and friends have raised close to \$12 million toward WUCL's \$15 million goal. The beauty of endowed scholarships — like the Alaska Law Scholarship Fund and the WOW Law Scholarship Fund — is that in addition to helping Willamette attract talented law students, the corpus is never spent. Instead, it is invested and grows over time, producing a "yield" that provides the awarded funds. As the fund grows, so do the scholarship awards.

— Mike Bennett BA'70 is director of Development and Alumni Relations.



25% by 125!

For the 2006–07 fiscal year, which ended May 31, 2007, 16 percent of WUCL alumni made some kind of financial gift to the school. While still far short of the 25 percent participation we seek, this figure represents a new high for alumni participation throughout the past 25 years. As the College of Law embarks on its 125th Anniversary Celebration in the fall of 2008, we encourage more law graduates to join the growing ranks of alumni who are providing annual financial support to the school.





Loan Repayment Program Aids Public Interest Lawyers

"When I first applied to law school I knew that I wanted to be in a field that helped people, and law was one way that I knew I could contribute to society in a meaningful way," said Ashley A. Burns JD'05.

"When I first walked into a legal aid office, I saw a place where attorneys were actually doing it," she said. "They weren't dressed in fancy suits, and they didn't have a nice office or a lot of resources, but they took their job very seriously. They not only took pride in their work but really cared about their clients."

A family law specialist, Burns was able to pursue a career in public interest law thanks to the College of Law's new Loan Repayment Assistance Program (LRAP). Rolled out last spring, the program was designed to aid graduates working in public interest law by reducing their student loan debt. Through the program, the college lends eligible candidates money to help repay their law school student loans. If the loan recipient works in a qualifying position for at least one year, the LRAP loan may be forgiven.

"The LRAP loan has alleviated a great deal of financial stress for me and my family," said Burns, who accepted a position with the Frank H. Hiscock Legal Aid Society in Syracuse, N.Y., after graduation. "The LRAP has allowed me to stay current with my loan payments and other expenses and focus on my work."

Patrick B. Cates JD'05, one of the three recipients of program funding in 2007, went to work for Georgia Legal Services in Gainesville following law school. As a legal aid attorney, Cates provides critical legal assistance to low-income and indigent clients. "I represent clients who have issues involving food stamps, Medicaid, unemployment income, and temporary assistance for needy families," he explained. "I also represent domestic violence victims at temporary protective order hearings and clients who live in public housing."

Recently, Cates successfully negotiated with the public housing authority to help a client's disabled son avoid eviction from public housing. "It gave me a sense of satisfaction to advocate for my client on an issue with such important considerations," he said.

According to Cates, Willamette's loan repayment program has enabled him to work in an area of law he feels enthusiastic about by reducing his financial worries. "I am paying so much interest every month on my student loans," he explained. "With the LRAP program, I can make larger loan payments each month, while still saving a little money."

John C. Howry JD'05, an attorney with Southern Oregon Public Defenders in Medford, Ore., said the LRAP loan has enabled him to continue working in a "woefully underfunded" field. "I am not making anywhere near the salary of my counterparts at the district attorney's office," he said. "Our office is a private nonprofit law firm with a government contract, so we don't get state benefits like medical or retirement. Without LRAP programs, public defense offices could not retain experienced attorneys. And our clients suffer when an experienced attorney leaves."

"The LRAP loan has allowed me to continue working in public defense, which is a cause I feel strongly about," he added. "The service we provide is important not only to our clients but to the criminal justice system as a whole."



W. Parker Lee

The College of Law's Loan Repayment Assistance Program is made possible by a generous contribution from Willamette University law graduate W. Parker Lee JD'01 and ongoing smaller gifts from other donors.

The LRAP is open to all alumni who graduated after April 2005 and who currently work in public interest law. For more information, call Career Services at 503-370-6057, send an e-mail to law-LRAP@willamette.edu or visit www.willamette.edu/wucl/careers/repayment/.



CLIMBING MOUNTAINS

AT WILLAMETTE UNIVERSITY

I have always loved climbing mountains. Part of it is the challenge: An engaging challenge can focus one's mind, body and energy to the point of transcendence. There also is the risk: One can fail, and failure could be life altering, or worse. There is the humility: Humility is born from confronting one's weaknesses, limitations and errors, as well as the power of elements that surround us over which we have no control.

And then of course, there is the view — the view of the world from thousands of feet above the sea while one's legs are numb from seemingly endless steps and one's throat is parched from the cold and the thirst and the sharpness of gulping air that is barely there. But, oh, what a view from the top of the world when seen by the power of one's effort.

These last three years I have learned that renovating the Clinical Law Program is a lot like climbing mountains. We chose our summit goals. We surveyed both the faculty and student body to determine which mountains they wanted to climb.

We learned that many of our students want clinical experiences to be part of their legal education, and they are hungry for a greater variety of clinical offerings. Faculty indicated that they want the Clinical Law Program to complement and further strengthen the school's innovative programs of study. Therefore, a decision was made to work toward launching a clinic for the certificate programs in business law, sustainability law, law and government, dispute resolution, and international and comparative law.

Once we decided where we were going, we sat down together to map out our course for getting there. Funded by a Hewlett grant from President M. Lee Pelton, five faculty members, two administrators and one student met over the course of a summer to develop 10-year strategic plans for the Clinical Law Program and the Externship Program. Both of these plans then were distributed to the full law faculty.

After our journey was mapped out, we began selecting our team of climbers. One of the greatest delights in organizing the climbing team was the number of students who wanted to join — and continue to want to join — as we climb higher toward our goals. Prior to Willamette's renovation of the Clinical Law Program, there were occasions when only a small handful of students might enroll in the clinic. Now, we frequently see upward of 20 students trying to register for the program in a single semester. We hope this number will continue to increase.

What is especially surprising about the increase in enrollment is that it occurred simultaneously with the implementation of much more rigorous academic standards in the Clinical Law Program. A higher number of clinic-related hours are required for academic credit — 52 hours per unit. Students also are required to attend weekly meetings with the faculty member supervising each clinic subject area assigned to the student teams (students work in teams of two or more). Students must attend two hours of class per week and give formal presentations about their cases to the rest of the class. Finally, they are required to compile a portfolio of their legal work so that they have a fledgling forms file to take with them into practice.

Of course, what makes the Clinical Law Program offerings unique is that they are not exclusively academic: Clinic students gain practical experience handling real-life legal work on the front lines under the supervision of Willamette faculty. We have made this aspect of the clinic more challenging and engaging as well.

Clinic students now act as lead counsel on the vast majority of the legal matters handled through the program. Students are the ones who typically appear in court and at nonprofit client board meetings, although a faculty member is always with them. Clinic students research and write the first few drafts of letters, discovery documents, contracts and briefs. They interview clients and negotiate with opposing counsel. Each month, they are responsible for drafting and updating strategy memoranda for all of the legal matters we handle, reflecting on how the matter has progressed and what we need to do next in light of progress and changes.

As much as possible, we try to teach our students the love and art of lawyering by allowing them to taste and feel and

live the life of the lawyer — at least for 13 weeks. For about one-third of our clinic students, 13 weeks is not enough. Thus, we added an advanced clinical offering that allows students to return for a second semester to gain a deeper, broader experience in the practice of law. Some students are surprised to discover that they have an affinity for a practice area they had never considered, while others find affirmation for career goals they set long ago. It is the privilege of witnessing these views — into the hearts and minds and lives of new lawyers as they rapidly grow and develop — that makes this particular climb so rewarding.



"As much as possible, we try to teach our students the love and art of lawyering by allowing them to taste and feel and live the life of the lawyer."

W. Warren H. Binford

There is still a long way to go. We will be moving into the newly renovated Carnegie Building later this year, and for the first time in the Clinical Law Program's 22-year history, the program will be housed with other law school programs. We must continue to raise the funds necessary to pay for the renovation of the Carnegie Building and for the further development of the Clinical Law Program's endowment, which funds a significant portion of the program's current improvements. We are anxious to expand further.

We recently completed a national search for a permanent professor with stellar credentials to teach in the Clinical Law Program, and we are launching new clinics. This semester, we are piloting a sustainability law clinic. We are hoping to identify funding to make this a permanent offering, as well as for clinics in the areas of international and comparative law, dispute resolution, and law and government.

Three years into our climb, we can only catch a glimpse of the summit on clear days. Most of our time is spent identifying and overcoming the immediate challenges that face us. That is fine most of the time. I learned long ago that one reaches the top of a mountain one step at a time. But on those clear days when we see where we are heading, we are so joyful we feel like running. Then we remember that we would miss the journey we are on and the wonderful views each step of the way. And so we continue, step by step, onward and upward.

— W. Warren H. Binford is director of the Clinical Law Program and Externship Program.



CLINICAL LAW PROGRAM



Professor W. Warren H. Binford and Hayley J. Stevens





LEARNING BY DOING: THE CLINICAL LAW PROGRAM

Imagine a law school that actually sends its graduates out the door with hands-on experience representing real clients. At Willamette University College of Law, students enrolled in the Clinical Law Program have the chance to work on a wide range of actual cases — from filing a provisional patent application for 14-year-old science fair winners to helping a woman whose ex-boyfriend hired a hit man to kill her.

“People treat us as though we’re lawyers,” said third-year student James B. Fisher, who, like the 20-plus other students in the clinic, handles cases and legal transactions for low-income clients and nonprofit organizations. Clinic clients are often referred to the program by local judges, attorneys and agencies. “It has been a great experience to deal with clients and real legal issues.”

While the College of Law has had a Clinical Law Program since 1986, the program gained solid footing several years ago when two things happened: An anonymous donor sponsored a matching gift arrangement that resulted in a \$3 million endowment for the program’s Civil Practice Clinic and, partly as a result of this funding, the college was able to attract a new program director.

Professor W. Warren H. Binford, a dynamo with a law degree from Harvard University and a passion for the disadvantaged, especially children, oversaw the clinic’s 2005 move from a remodeled dormitory on campus to a suite of former law offices on Church Street. She also reorganized the formerly multidisciplinary clinic into five specific practice areas.



Lonnn Johnston and Professor W. Warren H. Binford

Binford personally supervises the child and family advocacy clinic and co-supervises the general civil practice clinic with Visiting Assistant Professor David A. Friedman, who also oversees the business law clinic. Professor Valerie J. Vollmar is in charge of the trusts and estates clinic. A pilot clinic in sustainability law is supervised by Professor Susan L. Smith.

"Student interest is pretty evenly divided among the programs," said Binford, who noted that even the trusts and estates clinic has its exciting moments.

Last spring she got a call from Salem Hospital on a Friday afternoon: A single dad with two children was dying of cancer and would not make it through the weekend. Was there anyone at the clinic who could help? A clinic student worked with Vollmar well into the night so the client could sign documents Saturday morning that enabled him to provide for his children before he died, Binford explained.

Even students enrolled in the general civil practice clinic have the chance to handle cases in highly specialized areas. Second-year student Emily J. Pringle, who is leaning toward a career in mental health, disabilities and/or administrative law, approached Binford about handling a disability case. "She said she had one and then asked if I wanted to come in and interview the client the next day," Pringle recalled. "She just lets you take the reins."

"I think it is fine for students to work on a couple of high-impact or complex cases where their professor is lead, but students benefit most from cases where they get to be lead," said Binford, who meets with her students weekly.

In addition to a disability case, in which a judge had asked the clinic to represent a person for whom guardianship was being sought, Pringle has advised the board of directors for a nonprofit and helped a disabled, divorced father gain some parental rights.

"The practice of law is something you can't learn in a book ... It can only be learned through actually doing it."

Prior to law school, Pringle, a Nebraska native, was a case manager in Portland for adolescents on parole or probation. She said the adult clients she represents through the Clinical Law Program differ from her juvenile clients in several ways.

"The juveniles had to do what you say or go back to jail," she pointed out. "And they had other resources, like their teachers. Law clients just have you to rely on. A lot of them haven't had lawyers in the past. They haven't had legal situations come up; they're more nervous. It's a little bit scary because I'm only second year, but I like it."



Hayley J. Stevens, a third-year student in the general civil practice clinic, received her undergraduate degree in electrical engineering from the University of Florida before heading to Willamette. "I wanted to utilize my engineering degree without being a practicing engineer," she said. "A career in intellectual property will provide that."

Stevens said she heard about the clinic from Binford, who previously had gotten her a summer job with a Washington, D.C., patent law firm through the college's Externship Program, which Binford also directs as part of the Clinical Law Program.

At the clinic, Stevens has worked with nonprofits and on consumer protection cases. She also has gained intellectual property experience through the clinic, where she has worked with four ninth-grade girls who placed in a national science competition with their design for a system to light up highway emergency evacuation routes. "They can't afford someone to do patent work for them," Stevens said. "We're doing a provisional patent application; it reserves the date for them and gives them more time [to do the actual application]."

James R. Huddleston, a second-year student from San Diego, has worked on four clinic cases, all involving family law. One of his cases, a child custody modification that was expected to go to trial, has been going on for two years. "I believe six to eight of my predecessors have also handled it," he said, adding that family law's "emotional volatility" makes for a new experience every day. "Lots of times there's vindictiveness. Having children in the matter complicates things exponentially."

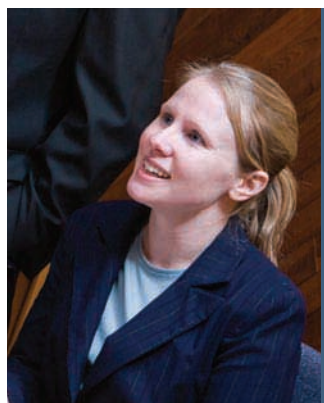
While Huddleston said that becoming engaged with clients on a personal level helps him circumvent that hostility, the bottom line is clear: "Domestic relations can go sideways at any time."

That doesn't deter him. "I'm trying not to constrain my choices, but I'm naturally more drawn to family law," said Huddleston, who majored in psychology at Oregon State University. "That's been reinforced by my clinic activities."

Lonn T. Johnston, a third-year student from Portland who worked in the family law clinic with Huddleston fall semester, said the experience had exactly the opposite effect on him. "Not family law," said Johnston, when asked about his post-law school plans.

"Family law is people at their worst," said Johnston, who is planning for a career in civil litigation. At the clinic, he has handled cases involving divorce, child custody and child support. "I didn't like dealing with people who were at that part of their lives, especially when it involved kids."

Binford noted that Johnston was enrolled in the clinic when it was representing a woman whose ex-boyfriend had hired a hit man to kill her. While the clinic students prevailed and the ex-boyfriend now is in jail on criminal charges, another student saw him make a threatening gesture toward Binford at the deposition. The law school subsequently installed a high-tech security system in the program's offices.



"Law clients just have you to rely on. A lot of them haven't had lawyers in the past. They haven't had legal situations come up; they're more nervous. It's a little bit scary because I'm only second year, but I like it."

Emily J. Pringle

"A lot of the family law cases we handle are extremely violent and complex," Binford said. "They're not always the best cases to use to introduce students to the practice of law. We're trying to reduce the number of family law cases so that we have more capacity for students to work on other matters. We'll still handle some complex family law cases, but we'll probably limit them to protective orders, child advocacy and adoptions so students can be lead on the cases and get in and out in one or two semesters."

Johnston's clinic experience with family law did far more than just point him away from that specialty. "I learned how to interact with people professionally by — quite literally — practicing," he said. "You don't usually get that in law school. If I had been a clerk in a regular practice, I would have been writing memos. I probably won't go anywhere I'll have that kind of responsibility again for quite a while."

Fisher, a third-year student in the business clinic, had plenty of responsibility even before attending law school. He worked as a pilot and as a representative for an insurance company that handles aviation-related claims. "I wanted to deal with some form of aviation litigation, representing pilots or working with the Federal Aviation Administration," he said of his decision to attend law school.

For Fisher, the clinic is both a way to gain more experience and to give back to the community. "When you're practicing, it's not always feasible to deal with the kind of clients you deal with at the clinic," he said.



From left: Professor W. Warren H. Binford, Hayley J. Stevens, James B. Fisher, James Huddleston, Emily J. Pringle

Fisher has worked with Friedman on issues affecting nonprofits and on some consumer fraud cases through the clinic's partnership with the Oregon Department of Justice's Consumer Protection Section. He appreciates the opportunity to work on consumer protection cases because he's helping clients "who ordinarily don't have recourse, almost like a class action case."

"You're going after someone who has harmed someone a little bit, but — put together — it equals a lot of harm," he noted.

Caren Rovics, an assistant attorney general (AAG) who has worked with clinic students on consumer protection cases since fall 2006, said the impetus for the partnership was money — or the lack thereof. "We really had come into a fiscally difficult time," she said. "We didn't have the resources to investigate and prosecute those businesses that were targeting the Latino community. We sent notices to Willamette, and they were very interested."

As a result of the partnership, Binford and Friedman have been designated special attorneys general, which Rovics said gives them the same authority as any AAG.

Rovics' role includes advising three to four students per semester and lecturing on consumer law. "I go over the law pretty quickly, because what they're there to do is practice," she said. "The practice of law is knowing how to ask focused

questions related to the businesses' conduct and to draft narrowly tailored AVCs [assurances of voluntary compliance]," she said of the settlement agreements that resolve many consumer protection cases.

"I see students wearing several hats — enforcement officers, investigators and standing in the role of the attorney in drafting the AVC or complaint and carrying the matter to judgment," she said. "They're on the front line of investigation and litigation. I see the transformation from theory to practice."

"The practice of law is something you can't learn in a book," Rovics added. "It can only be learned through actually doing it. I'm amazed at the wide range of law that's covered by the Clinical Law Program that students get to participate in. They are really getting a thorough and firsthand experience of what it means to practice law. I don't think you'd get this elsewhere."

— Janine Robben is a Portland-based freelance legal writer.

Clinic Investigation Leads to Multi-State Fraud Lawsuit

Willamette law students spent more than a year investigating four California corporations and an individual who allegedly engaged in unlawful trade practices, including misleading marketing of an English language instruction course and unconscionable collection tactics. The investigation culminated last August when Oregon Attorney General Hardy Myers announced the filing of a \$1.2 million lawsuit spanning 12 states.

The lawsuit alleged that the defendants advertised “free” English language instruction course materials and later charged the consumers exorbitant shipping and handling fees. They also repeatedly demanded payment for products that some consumers never ordered or received. Thereafter, the defendants falsely represented themselves as debt collectors and lawyers, threatening legal action in an effort to extract more money from the victims. In all cases, the victims owed nothing.

The case initially stemmed from complaints filed with the Oregon Department of Justice (DOJ), which passed the complaints onto Willamette’s Clinical Law Program for investigation. In 2006, Professor W. Warren H. Binford, director of the Clinical Law Program, and David A. Friedman, visiting assistant professor of clinical legal studies, were deputized special assistant attorneys general by the DOJ. Under their supervision, students enrolled in the Clinical Law Program have helped the DOJ investigate and prosecute numerous civil cases involving financial fraud and consumer protection issues.

Clinic students began work on the unlawful trade practices case in the fall of 2006. Third-year student Elan Martinez was involved in the initial investigation and coordinated efforts with local police. Jared D. Boyd, also a 3L, conducted legal research on the admissibility of certain evidence. Laurie Nelson, a May 2007 law graduate who is fluent in Spanish, translated affidavits and served as a liaison to consumers involved in the case. In addition, third-year student Lonn Johnston drafted the complaint.

Friedman supervised the students’ work and filed the civil case in Marion County Circuit Court in conjunction with the financial fraud and consumer protection attorneys from the DOJ.



Standing, from left: Students Laurie Nelson, Jared Boyd and Lonn Johnston; Seated, from left: Professors W. Warren H. Binford and David A. Friedman

In October 2007, a Marion County Judge ordered three of the corporations and the individual to pay more than \$1 million in civil penalties and restitution to eight Spanish-speaking victims from the Willamette Valley.

“This case would not have gone this far without the tenacity of our students,” Binford noted. “They encountered roadblock after roadblock, but refused to give up. The students enlisted the help of both local and federal authorities to shut down this fraudulent scheme. I am quite impressed by our students’ work and especially the results they achieved.

“This case demonstrates the potential law students have to advance justice for members of their communities, even early in their careers, and to discover firsthand the awesome power of the law,” she added. “Many of our law students are committed to public service and using their legal training to protect vulnerable members of our society. Willamette’s partnership with the DOJ allows them to act on that commitment in a meaningful way.”

REACHING THE SUMMIT:

Becoming a Top Trial Lawyer

"I'm an artifact," said William A. Barton JD'72, who has litigated more than 500 trials in his 35-year career. "I'm a product from a time of days gone by that's now extinct. There's no way young lawyers can ever acquire that kind of experience again. There aren't many cases being tried. The landscape has changed."

Barton, senior partner in the Newport, Ore., firm Barton & Strever PC, said that nowadays a trial attorney is lucky to get in one or two trials a year. "That's not the way I was raised; I used to have two or three a week," he said, voicing a concern shared by most trial attorneys about the significant decline in jury trials, which compose less than 2 percent of all cases filed.

"If your goal is to become a trial attorney, it's a hard place to get to now," agreed Christopher I. Brain JD'73, partner in the Seattle firm Tousley Brain Stephens PLLC.

"It's difficult to get the experience. In large firms, it's not uncommon to have litigator partners who have no actual trial experience."



Early Exposure Was Key

Brain gained trial experience in his first few years of practice. His background was in conflict resolution for businesses, and around the time he went into a partnership with two other lawyers in the late 1970s, the Seattle real estate market heated up.

"I spent a lot of time in court as a young man," said Brain, noting that legal issues always come into play with owners, developers, contractors and businesses with property. "It was a very busy time, and it provided me with tremendous experience at a fairly young age. We didn't have mediation then. It was *mano a mano*: You settled cases by dealing with them, or you went to trial. I spent 10 to 12 weeks a year in trial in the mid-'80s."

Paul L. Stritmatter JD'69, partner in the Hoquiam, Wash., firm Stritmatter Kessler Whelan Coluccio, also acquired trial experience during his early days of practice. Immediately following his graduation from Willamette University College of Law, Stritmatter joined his father's law practice. The elder Stritmatter had two trials scheduled, so the younger Stritmatter was given a slip-and-fall case. He won.

"I thought I'd tried a good enough case," Stritmatter said. "I asked for \$13,800, but the jury awarded \$14,000 — \$200 more than I'd asked for. I was quite thrilled by that." Over the next few weeks, Stritmatter received calls from other lawyers asking if he would take their cases to trial. "I found out a lot of lawyers don't even like to go into the courtroom."

Many of the cases he took on were difficult — and he got more and more of them. "All of the sudden, I found myself trying a lot of cases," he explained. "And I was having some really nice successes."

The Snowball Effect

Stritmatter, Barton and Brain found that big wins in crucial cases helped propel their careers into unique specialty areas for which each has been widely recognized as being among the best in the profession.

Barton spent most of his first decade of practice in criminal defense. But when he prevailed in a sexual abuse case against the Boy Scouts of America in the mid-'80s for \$3.7 million, the case turned his practice almost overnight into one representing plaintiffs claiming sexual abuse or psychological injuries.

Likewise, Stritmatter took many divorce cases early in his practice. But when he sued the city of Aberdeen, Wash., over a roadway design flaw, the case opened up a new area of the law for him and brought a lot of publicity.

"Nobody really thought this was a good case," he said, explaining that the case involved young people killed and injured in a car crash while speeding. But Stritmatter thought it was a strong case of negligence by the city, and he won on appeal. "At the time, it was not part of injury law to sue a city," he explained. Suddenly, he was asked to speak around the state. Within eight or nine years, he was handling only plaintiffs' injury law cases.



"The better you get, the better cases you get. That almost guarantees you won't go to court. You become a victim of your own competence."

William A. Barton JD'72

Brain had a similar experience. In the mid-'80s, he served as lead counsel for a large hospital development company in multistate ownership management disputes. It became the first declaratory judgment action tried in the state of Mississippi and further established Brain's expertise and reputation in complex business litigation.

Characteristics of a Strong Litigator

When Stritmatter faced his first trial, he relied partly on skills learned in a course at Willamette. "One important thing Willamette gave me was a trial law course," he said. "I had been a plaintiff's lawyer in that. I pulled my file for the course to help me with the case."

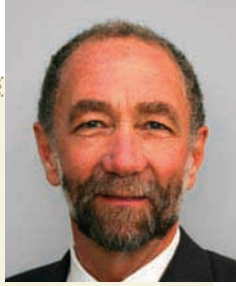
"I got a great education at Willamette and made lifelong friends there," the Washington native said. "I was there three weeks, and I knew I was where I should be. I loved the law, the way it was taught."

"Willamette's goal was to teach you to be a lawyer," observed Brain, who, unlike Stritmatter, had left his hometown of Seattle somewhat reluctantly. "Within a short period, I began to enjoy Willamette. It allowed you to get to know your classmates. It was a pretty close class that way, with camaraderie."

Barton, who frequently speaks to law classes at Willamette, spent his earliest years in Alaska, where his father was a bush pilot. Barton said his dad was a "risk-taking" raconteur. Both traits must have rubbed off on the son, because after the family moved to Alsea, Ore., a small logging town in the Coast Range, a high school teacher predicted that the younger Barton would become a lawyer. "Being a plaintiff's jury trial lawyer was a natural fit," Barton said.

"The most important thing is being able to sit down with your client and figure out what the important goals are and how to get there. You have to be extremely quick on your feet."

Christopher I. Brain JD'73



According to Barton, becoming a successful trial attorney is "an alloy of liking people, tenacity, solid clinical skills, enjoying public speaking, intuition, not being averse to risk, and finally — the *sine qua non* — judgment." Barton, who studies and employs psychology in his cases, enjoys the pressure of the job.

"I believe I outprepare and outwork my opponents every time," said Stritmatter. "Second, I really care. I'm really committed to my clients and the impact [of their case] on their lives. I've always considered that an asset."

Once, when he was representing a client who became a spastic quadriplegic as a result of a severe injury, Stritmatter rented the nursing home bed next to the client and stayed there for 24 hours to better understand what the client experienced. He did not tell the jury about his own stay in the nursing home, but he was able to convey to them more effectively what he had learned.

"Third, I just am able to develop a good rapport with juries as I explain the facts to them," he added. "Jurors like me; I like jurors."

Brain said success is partly being in the right place at the right time, as is being able to recognize your luck and take risks. "The most important thing is being able to sit down with your client and figure out what the important goals are and how to get there," Brain said. "You have to be extremely quick on your feet. I have the ability to take a case and condense it into three or four primary issues and figure out where I want to go. According to Brain, doing so ensures he spends time and money on what's most important in a case.

Effects of the Drop in Trials

The decline in the number of cases going to trial has both upsides and downsides for experienced attorneys. "Because a number of lawyers lack experience in litigation, they process cases to death," observed Brain. "You go through that all the time, dealing with lawyers who are inexperienced and/or inflexible. They're losing track of the goals of the profession. What you see today is a procedural focus rather than a proactive one to get to a goal, a resolution."

On the other hand, he pointed out that with fewer experienced trial attorneys, the trial work tends to go to those who have experience. "We do a lot of work from referrals from other attorneys, because people are seeking experience," said Brain.

"The better you get, the better cases you get," Barton explained. "That almost guarantees you won't go to court. You become a victim of your own competence." An example from his own career was a 2004 case asking the Archdiocese of Portland for \$125 million in punitive damages for a former altar boy allegedly sexually abused by a priest. The defendant declared bankruptcy the same morning Barton was to take the case to court.

Advice for Aspiring Trial Attorneys

When students ask Stritmatter for advice on pursuing a career as a trial attorney, he tells them that being able to express yourself well is vital. "Become comfortable standing up in front of a judge and a jury," he said. "You really need to develop a passion for oral advocacy. You've got to feel this in your heart and in your gut. If you do, I would encourage anyone to be a trial lawyer."

Although fewer cases go to trial each year, Brain tells students: "You can get there. It's a longer process than it used to be. If you want to get on a faster track, work in a smaller firm to gain experience quicker. Look for a firm that does trial work. Look for firms with a philosophy that fits you." For his own firm, he seeks associates who have good judgment and are "able to analyze what's important."

Barton, who has made an avocation of mentoring young trial lawyers, said he advises them: "Learn to ask, 'Why?'" and work on your people smarts, not just your book smarts. All the excellent plaintiffs' jury trial lawyers I know are passionate about their work, care about people, work hard and are comfortable with risk. Most people are risk-averse."



"I believe I outprepare and outwork my opponents every time. I'm really committed to my clients."

Paul L. Stritmatter JD'69

Enthusiasm apparently is an essential trait as well. "I love going to work every day," said Stritmatter. "Having an impact on peoples' lives, generally the most important issue in their lives — I like that challenge, that responsibility."

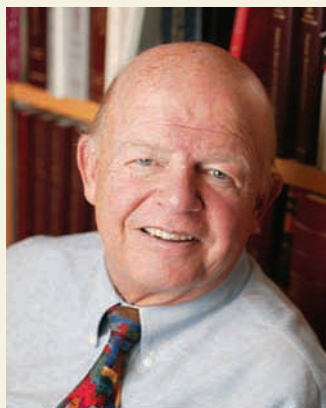
"I was born to do what I do," noted Barton. "It's really a calling, not a job. Being a plaintiff's jury trial lawyer allows me to be a social architect or engineer. My lawsuits and verdicts drive public policy. This is a privilege, and I try to always remember this."

— Cliff Collins is a Portland-based freelance legal writer.

Willamette's Intensive Trial Practice Program

In a deserted hallway of Willamette's law school, students quietly huddle around a stack of papers and bulging three-ring binders. The group fervently discusses strategies as the words "direct," "cross-examination" and "closing arguments" are whispered amidst the shuffling of papers.

These students are among a select few who choose to endure 14-hour days, strenuous legal exercises and long nights to complete the College of Law's Intensive Trial Practice. The program enables second- and third-year students to gain critical hands-on trial practice and advocacy skills. Twice a year, enrollment in the weeklong intensive trial practice program is open to students who successfully completed Evidence, the prerequisite course. In addition, an annual semester-long trial practice course is offered.



The program was the brainchild of Professor Leroy Tornquist, who developed the program at the University of Chicago in 1972 and brought it to Willamette in 1978.

"The 1972 program was so successful that we started the Court Practice Institute and taught the intensive

course to judges and lawyers throughout the nation," Tornquist said. "The course revolutionized the way trial practice was taught throughout the country. Before then, it was not an experiential course; it was taught only through lecture."

A typical day in Intensive Trial Practice includes courtroom exercises, group trial preparation and lectures. The class culminates with students presenting a case in front of a sitting Oregon judge and citizen jury. Jurors and witnesses are members of the law school and greater Salem communities. "The interactive approach has proven to be extremely popular among students," Tornquist said.

"The course revolutionized the way trial practice was taught throughout the country. Before then, it was not an experiential course; it was taught only through lecture."

The program's popularity is partly due to the high caliber of legal professionals who help teach the course. Well-known judges and trial attorneys from across the United States participate in the program, including William Bauer, former chief judge of the Seventh Circuit U.S. Court of Appeals, Phillip Auerbach, a top trial attorney from the East Coast, and Gino DiVito, a former justice of the Illinois Appellate Court. Many of Oregon's finest legal professionals also participate in the program, including Chief Justice Paul J. De Muniz JD'75, Justice W. Michael Gillette, Judge Rick McCormick, Judge Glen Baisinger JD'74, Judge Don Dickey JD'72 and Judge Terry Leggett, among others.

Guided by these skilled trial lawyers and judges, selected for their experience and teaching ability, students gain invaluable knowledge of the jury trial system, ensuring they enter the legal profession well prepared to succeed in the courtroom.

— Alex Evans is a member of the Class of 2009.



An Invitation to Change: Refocusing on the Jury Trial

The fall 2007 issue of *Willamette Lawyer* magazine included an article on alternative dispute resolution (ADR) that touted the benefits of mediation and arbitration over the traditional jury trial. It called ADR “the new bedrock of the American legal system.” I take exception to that view. I also am concerned that many advocates of non-trial dispute resolution feel compelled not only to laud the advantages of alternatives, but to bash the trial system in general and jurors in particular.

I am on the panel of judges that provides an orientation speech to the 150 to 200 jurors summoned to the Multnomah County Circuit Court every morning. I tell the jurors that people have fought and died for the right to a jury trial. There are good reasons that the right to a jury trial in civil cases is guaranteed by both the Seventh Amendment to the U.S. Constitution and Article I, §17 of the Oregon Constitution.

The Value of the Jury Trial

Many methods of dispute resolution could not exist without the backdrop of trials as the ultimate failsafe. Whether a party says “yes” to a mediated settlement is always driven, at least in part, by a consideration of what will happen if they don’t, including a verdict at the conclusion of a trial. If jury trials go away, where is the incentive to settle?

Many mediators use the actual results of tried cases, especially jury verdicts, to advise the parties of the outcome they should expect — and the likely risks — if they cannot settle the case. A similar dynamic occurs in court-annexed arbitration, where a trial *de novo* is available. The arbitrator is usually trying to guess what a jury would do. The lawyers, in advising their clients whether to appeal an arbitrator’s award, must make the same determination. Cases often settle on the eve of trial because the parties are forced to ask themselves how the evidence will look to a group of people from their community who don’t know them and are unbiased and neutral — in other words, how it will look to a jury.

There are cases that cannot and should not be settled. These cases need to be decided by a group of people representative of their community. Sometimes views of the facts are so divergent that you need a jury to figure out who is telling the truth. Sometimes



justice means that a defendant who is not liable should not have to pay anything to the plaintiff, not even “a penny for tribute.” Sometimes justice means that a plaintiff should not take less than full compensation for his or her injuries.

A sufficient number of civil cases need to be decided publicly so our appellate courts can continue to develop the common law. However, at a much more basic level, we need to know what the community norms really are for the behavior of a “reasonable person.” Jurors tell us how our community values a particular type of injury. There is no marketplace to establish a price for “pain and suffering.” Sometimes, especially in the mass tort context, the parties need to try a handful of cases to learn how a jury is likely to look at the facts and assess damages so that the other cases can be settled.



No Doubt, the Jury Trial System Is in Trouble

Jury trials as a form of dispute resolution are not extinct, but they are endangered. I am deeply concerned about the disappearance of the small percentage of cases that used to be tried. I keep reading that the civil jury trial is dying because it is too expensive and takes too long. But why? Who is driving up the expense and keeping cases from coming to trial sooner?

To borrow from the bard, the fault is not in our stars, but in ourselves. Increasingly, I see lawyers who know only how to do discovery and motion practice. It is apparent from many of the motions I hear that lawyers conduct these preliminary stages of litigation in a ritualistic way that is increasingly detached from what is needed to evaluate the case or prepare it for trial. The result is needless expense and delay.

"Litigation" has become detached from "trial practice." I suspect that the same phenomenon underlies the rise in expensive and time-consuming prehearing practice in arbitration — the lawyers don't know how to do anything else. There are many lawyers who have never tried a civil jury trial, but are now litigation partners in their firms. Those lawyers do not possess the courtroom experience needed to advise their clients on how to evaluate the risks of a trial. Worse, there are lawyers who pressure their clients to settle because the lawyer, consciously or unconsciously, is afraid to go to trial.

The problem is compounded when there are fewer and fewer judges with civil trial experience to guide the process. In Oregon, there are special education efforts underway to address this concern. There were 18 new judges in the most recent new judge seminar presented by the Oregon Judicial Department. Only two of those judges had ever tried a civil case to a jury as a lawyer.

It was not always so. Lawyers used to try many cases with very little motion practice or formal discovery. They got to trial quickly and without exorbitant expense to the client. Why aren't lawyers advising their clients that they don't have to file every conceivable motion, take a deposition of every person who may have heard of the case, or request every document they can imagine?

I also fear that the notion of what a good trial lawyer is and does has become distorted, furthering a false dichotomy between those who engage in "litigation" and those who engage in "alternative" dispute resolution. The very best lawyers I have seen in trial, like the very best lawyers I have seen in mediation, are focused on a

positive outcome for their clients. Such lawyers are cooperative in discovery, file very few motions, make almost no objections at trial and sometimes say "no questions" on cross-examination. Their blood pressure stays low, and they have great personal and professional relationships with opposing counsel.



"I am deeply concerned about the disappearance of the small percentage of cases that used to be tried. I keep reading that the civil jury trial is dying because it is too expensive and takes too long."

An Invitation to Change

I have called upon my colleagues on the bench to examine the ways we may be contributing to the rising cost of the jury trial and delays in resolution through trial. I now call upon lawyers to thoughtfully consider the necessity of much of their discovery and motion practice and to conduct litigation as efficiently and expeditiously as possible. And I call on Willamette to teach them how. We have made great progress in maintaining professionalism by teaching lawyers the importance of explaining to clients why "Rambo" litigation tactics are not in their best interest. It is now time for lawyers to explain to their clients why excessive motion and discovery practice, even if conducted politely, may not be in their best interest either. If so, I believe we can reverse this trend of lawyering the jury trial to death.

— Janice R. Wilson BA'76, JD'79 is a Multnomah County Circuit Court judge in Portland, Ore.

Rose Spends Summer **Working in Bangladesh**

While many of her classmates held summer clerkships in law firms across the Pacific Northwest, Hadley W. Rose traveled to the People's Republic of Bangladesh to help end poverty. A member of WUCL's Class of 2008, Rose spent her summer working with the Grameen Bank and its founder, Muhammad Yunus, which shared the 2006 Nobel Peace Prize for a "micro-credit" project that has brought significant economic and social development to the region by providing small business loans to villagers.

Rose traveled to Bangladesh under a scholarship from the Willamette University Public Interest Law Project (WUPILP) and documented her experiences in a special column for her hometown newspaper, the *Island Guardian*. The following excerpt from her column provides insight into Rose's daily life and work in Bangladesh:

Today, I took my first trip to a village in Manikganj. The village was about 40 miles from Dhaka, which takes two hours by treacherous taxi. The odd part about "rural" Bangladesh is that the country is so overpopulated that even the rural areas are full of people, and the roads are full of cars, trucks, buses and rickshaws. The buses are packed to the brim and are often tipping over to one side. The trucks are large and clumsy, painted brightly like the rickshaws, and often carrying a few men as passengers on top of any cargo they are also carrying.

After arriving at the village, we were able to meet the branch manager and ask him about how he ran the branch. His branch has been in existence for 23 years and is one of the oldest Grameen Bank branches. Because the branch is so old, there are many success stories of families coming out of poverty, starting out by buying one small piece of land, then a few cows, and then a new house and a bus.

After talking with the branch manager in his office, we walked to the group meeting. This was the first time I really experienced the heat of Bangladesh. Although we walked less than half a mile, the sun feels closer here, and the air is very tropical and humid. When I finally sat down, I realized the utility of the scarf around the chest and neck as a handkerchief for my wet face.



All the women are formed into groups of five, and these groups essentially create the peer pressure that takes the place of collateral in the loans; if one woman doesn't pay back her loan, then no one in the group gets to take out another loan. This tends to work quite well in Bangladeshi culture, and the repayment rate for Grameen loans is about 98 percent.

Part of the Grameen model is the "16 Decisions," which are essentially the Grameen social agenda. A woman who does not follow the decisions will be at the whim of her group and may be disallowed from taking another loan. The decisions range from environmental issues to family planning, education and democratic principles. The women were all in agreement that the most important of the 16 Decisions was the prohibition on giving or accepting a dowry. They said that they now have more confidence and their husbands include them in family decision making.

Overall, the women were very positive and enthusiastic about the changes in their lives since joining with Grameen Bank. They didn't stop smiling as they told us about their lives and their families now that they have been given a chance to succeed through Grameen loans.

WUPILP was established in 1992 to help future lawyers recognize the inequities in the legal system and dedicate their professional lives to creating a more just society. For information on how you can contribute to the program, please contact Mike Bennett BA'70 at 503-370-6761.



Benevolent Traveler

"To be head of Willamette Law Review was not a dream I had when I first started law school," said Hadley W. Rose, editor in chief of the journal. "But after working on Law Review during my second year, I started to understand the potential of the opportunities I've had in my life. I decided I needed to make the most of those opportunities."

Rose's vision for success has never been shortsighted — or self-serving. She has traveled the world to help bring new opportunities to people in need. "I believe a person with professional experience can have an important impact on others," she said.

Rose first traveled abroad while on break from Pennsylvania State University. During the summer of 2004, she spent three weeks in the Republic of Ghana in West Africa as a volunteer with the Navigators, an interdenominational mission group. "We focused on mentoring people in their spiritual growth and discipleship," she said of her work in Africa.

Rose completed her bachelor's degree in English literature at the end of 2004 and soon began planning for a career in law. "I started researching legal careers during my final year of college," said Rose, who considered several schools before deciding on Willamette University College of Law. "I grew up in Salem, so I was familiar with Willamette University. The law school offered me a good scholarship. That, plus the low living expenses, made Willamette an easy choice."

Since enrolling in WUCL in the fall of 2005, Rose has immersed herself in a wide range of extracurricular programs, including Moot Court and Willamette Law Review. She also has served as a volunteer tutor in the Street Law Program, which provides public legal education to students at an alternative high school in Salem. "The school is for young mothers who had to drop out of regular high school," Rose explained. "The program teaches them the basics of criminal law, family law and how to protect their individual rights."

In December 2005, Rose got another stamp in her passport when she traveled with a friend to the Kingdom of Morocco in northern Africa. While there, Rose volunteered at a local orphanage. The experience underscored the obvious discrepancies between her own childhood and those of many Moroccan children. "My first image of the children was of rows of crying babies laid out on the

floor," she said. "We helped care for the babies and played with the older kids."

As a 2L, Rose worked on a research project that changed her life. She wrote a paper on the Grameen Bank, which provides small, low-interest loans to villagers in the People's Republic of Bangladesh. Rose was so impressed with the program that she applied for a summer internship with the bank. Before long, she was off to Bangladesh — where she spent two months working with local villagers, primarily women, learning to start their own businesses. "I really liked that the bank's founder created a program that meets the cultural needs of the people," Rose said. "I wanted to learn from people who really thought through their problems and developed solutions for themselves."



"My self confidence has skyrocketed since coming to law school. I see so much potential in my legal training."

When Rose returned to Willamette for her final year of law school, she took over as editor in chief of Willamette Law Review. "It was a big step for me," said Rose, who manages all aspects of journal production and a large staff of editors. "My self confidence has skyrocketed since coming to law school. I see so much potential in my legal training. I have confidence I can look at a problem and use the knowledge gained from my law degree to solve it."

"My parents always told me that I can do whatever I want," said Rose, who hopes to land a job with a firm specializing in small business or corporate law after she graduates in May. "I believed them when I was young, but in high school I lost that idea. Law school has allowed me to believe it again, to believe in myself."

Legal Biz Whiz

"You don't choose to be in-house counsel for the lifestyle," said Cynthia L. Pevehouse JD'87, senior vice president and general counsel of Allianz of America Corp. "I work harder now than I did when I was logging thousands of billable hours at a firm. It's a different career path in the law; I become a business partner in a company with expertise in law.

"I love the path I've taken, but when I got out of law school and entered the law firm environment, I thought I had made a mistake," said Pevehouse, who initially wanted to be a writer. She studied journalism and literature at Eastern Oregon State College and served as editor in chief of the college paper. By the time she graduated, however, her career plans had changed.

"I started thinking about how I would make a living for myself," she explained. "I didn't know any lawyers, but the law seemed interesting to me. I thought a law degree would give me a great breadth of opportunity. Willamette was well regarded by my college professors, so that helped me decide where to go."



Following graduation from the College of Law, Pevehouse accepted an associate position in the Portland office of Lane Powell Spears & Lubersky, where she worked primarily on Federal Employer Liability Act litigation. After several years, she left the firm to pursue her interest in international and comparative law. She was soon lured back to Lane Powell with an offer to work in the maritime practice group. "I took the job as a stepping stone to work in international transactions in Japan," said Pevehouse, the daughter of a U.S. Air Force officer who spent her childhood in Tokyo.

Pevehouse spent more than a year in Japan before returning to the States and refocusing her career on in-house work. After whetting

her appetite on a corporate counsel position with Canon Inc., she held a succession of corporate counsel jobs in the technology industry at the peak of the tech boom, including Compaq Computer Corp. She was appointed to her first general counsel position at Ask Jeeves Inc. and then moved onto a similar position with Polycom Inc.

"These jobs gave me a legitimate seat at the table with senior management," said Pevehouse, who, unlike many in-house attorneys who perform back office functions in companies, takes a more strategic approach. "To be successful in today's corporate environment, you need to understand the goals and initiatives of a company and be able to develop business solutions. I look at the big picture for larger business opportunities."

"You need to be open to all opportunities. You have to be willing to venture into the unknown and take risks. If you do, you never know what you might come upon."

After 10 years with high-tech companies, Pevehouse was offered a position with Fireman's Fund Insurance Co., a subsidiary of Allianz of America Corp. "Working in the insurance industry just sounded so boring," she said, "but it's actually exciting because the industry is highly complex and heavily regulated."

In January 2006, she joined Fireman's Fund as vice president and associate general counsel. Four months later, she moved up to the top spot — general counsel. In February 2007, she was promoted again to senior vice president, general counsel and corporate secretary of Allianz of America Corp. "I am part of a six-member executive management team that oversees a \$20 billion enterprise," she explained. "I thought tech companies moved fast, but the insurance industry is just as quick and fascinating."

Reflecting on her success in the business world, Pevehouse said that her career has followed a different path than she imagined when she first worked in litigation. She considers it a good life lesson: "You need to be open to all opportunities. You have to be willing to venture into the unknown and take risks. If you do, you never know what you might come upon."



Reaching Back to Help Others

"I arrived at law school with an extremely 'black and white' mindset," said A. Richard Vial JD'81, a partner in Vial Fotheringham LLP in Portland. "I was a cocky Mormon boy who thought he knew everything."

After a few months, however, Vial began to see how narrow his perspective on the world had been. He met law professor and divinity school graduate Carlton Snow, who taught Contracts at Willamette, and the two became fast friends. "He helped me manage the ambivalence that comes as a law student when you realize you don't know everything, when you realize there are a lot of gray areas in life," Vial said of his mentor.

A California native, Vial grew up in a small town in southern Oregon and was the first in his family to attend college. Vial initially majored in music at Brigham Young University, but he switched to accounting after a two-year religious mission to Japan. "I studied accounting as a pre-law major," he said. "My goal all along was to go to law school."

Vial enrolled in law school at Willamette in 1978. "I knew I wanted to practice real estate law in Oregon, so it made sense that I would attend law school here," said Vial, who had worked as a real estate agent in college to support his wife, Paula, and their growing family. During law school, Vial had the opportunity to clerk in the condominium section of the Oregon Department of Real Estate. The clerkship introduced him to the concept of homeowner associations, which is now his specialty.

Following law school, Vial worked for the public accounting firm of Touche Ross in Salem. He then joined the firm of McLaughlin, Gunnar, Woods & Wilcox, where he specialized in real estate law. After five years with the firm, Vial established Meyer, O'Malley and Vial with two partners. In 1991, he started a solo practice, Vial and Assoc. PC. Now Vial Fotheringham LLP, the firm employs 15 lawyers and has offices in Portland and Salt Lake City. Approximately 90 percent of his practice is in condos and planned developments. Most of his cases are construction related.

"Every day I get to contemplate the issues of community in these varied mini-municipalities," he said. "Whether it is assisting with a difficult meeting or pursuing claims related to defective construction, balancing the common good with the rights of the individual is fascinating."



Despite his many professional accomplishments, Vial considers his greatest success seeing his grandchildren, laughing and happy. The Vials have six birth children, seven adopted Vietnamese children and 22 grandchildren. "I've been blessed beyond any dreams I had," Vial said. "And I feel a responsibility to use that wisely for our family, our neighbors and the world."

Vial's dedication to others clearly extends to Willamette. In addition to participating in the law school's Mentor Program, he provides clerkships to students interested in real estate law. "Our firm has grown almost exclusively by hiring law students as clerks between their first and second years," he explained. "Willamette made a big difference in my life. The school has a unique spirit about it. That's why I'm drawn back to it, stay connected to it."

"BYU was a great place to get grounded, and Willamette was a great place to find wings."

Vial and his wife solidified that connection last year when they created The Vial Family Scholarship Fund for law students, preferably those from their alma mater, Brigham Young University. "I had a sheltered Mormon upbringing that was helped tremendously by my coming to Willamette," said Vial, a former bishop of his local ward who remains active in and deeply committed to the Church of Jesus Christ of Latter-day Saints. "In law school, I experienced diversity in thought and learned a great deal from others with different experiences than myself."

"An education from BYU, combined with one from Willamette, will allow students to gain new perspectives in a way that is truly powerful," he said. "BYU was a great place to get grounded, and Willamette was a great place to find wings."

Class Action



Lawrence B. Rew JD'61 of Pendleton, Ore., recently was ordained as an Episcopal priest. He will serve the Eastern Oregon Diocese of the church, which is the second largest geographical diocese in the Episcopal Church. Rew practiced law for many years in Pendleton prior to this second career.

Daniel A. Ritter JD'65, formerly of Salem, Ore., was honored posthumously at the Marion County Bar Association's annual awards dinner, held Jan. 24 at Creekside Golf Club. Ritter received the Carson Award for Service to the Community.

Robert E. Maloney JD'67 of Portland, Ore., has been re-elected chairman of the board for the Oregon Independent College Foundation. Maloney is a shareholder at Lane Powell PC.

John L. Hemann JD'68 of Salem, Ore., received the Professionalism Award at the Marion County Bar Association's annual awards dinner, held Jan. 24 at Creekside Golf Club. Hemann, a former partner at Garrett Hemann Robertson PC, recently retired after a long and distinguished career in family law.



Richard L. Barron JD'70 received the Wallace P. Carson Jr. Award for Judicial Excellence at the Oregon State Bar annual awards dinner, held Dec. 7, 2007, at the Benson Hotel in Portland. Barron was appointed circuit court judge for the 15th Judicial District (Coos and Curry counties) in 1980 and has served as presiding judge since 1981.

Thomas Fender III JD'71 of Olympia, Wash., has been awarded the Pro Bono Publico Service Commendation by the Washington State Bar Association. Fender is the former vice chair of the Intercity Transit Authority. He retired in January after serving over two terms as a citizen member. In March, Fender will start his new public service position as a business member of the Thurston County Transportation Policy Board.



Jeffrey M. Batchelor JD'72 of Portland, Ore., recently was included

in the 2008 edition of *The Best Lawyers in America*. Batchelor was recognized by his peers for his work in commercial litigation, alternative dispute resolution, appellate law and personal injury litigation. He is a partner at Markowitz, Herbold, Glade & Mehlhaf PC.

Donald W. McCann JD'75 of Salem, Ore., received the Carson Award for Service to the Bar at the Marion County Bar Association's annual awards dinner, held Jan. 24 at Creekside Golf Club. McCann is a partner at Swanson, Lathen, Alexander & McCann PC in Salem.



Kathy A. Peck JD'77 of Lake Oswego, Ore., recently was inducted into the

College of Labor and Employment Lawyers. Membership is by invitation only. It honors a select group of lawyers who have demonstrated through the practice of labor and employment law that they, among other qualifications, represent the highest professional and ethical standards; have provided sustained, exceptionally high quality services to clients, bar, bench and the public; and have taught and/or published

writings on labor and employment law. Peck is a partner at Williams Zografos & Peck PC in Lake Oswego.

Angel G. Lopez JD'78 of Portland, Ore., received the Honorable Paul J. De Muniz Award at the Oregon Hispanic Bar Association's second annual awards dinner in February. The award is given to an individual who exemplifies the spirit of professionalism and who has made significant contributions to the Latino community. The inaugural award was presented last year to Oregon Supreme Court Chief Justice Paul J. De Muniz JD'75. Lopez is a partner in the firm of Squires & Lopez PC.

Michael E. Holland JD'79 of Albany, Ore., has been named the Howard Cherry Outstanding Community College Administrator of the Year by the Oregon Community College Association. Holland has spent more than 30 years in education and currently serves as vice president for administration and student affairs at Linn Benton Community College.

The firm of **Paul E. Saucy BA'75, JD'79** of Salem, Ore., was recognized for its pro bono work at this year's Marion County Bar Association annual awards dinner, held Jan. 24 at Creekside Golf Club. Saucy works with his daughter **Lauren K. Saucy JD'03**. Their law clerk is **Ryan T. Carty BA'04, JD expected spring 2009**. The firm focuses on family law.

Jeffrey C. Thede JD'79 of Lake Oswego, Ore., has formed a new law firm with **Conrad L. Moore BA'59**, David C. Culpepper, David M. Munro and Amy Silliman. Thede Culpepper Moore Munro & Silliman LLP will emphasize estate and trust planning, as well as administration, charitable planning, tax-exempt organizations, business planning and taxation. The office is located in downtown Portland.



Paul T. Tsukiyama JD'81 of Honolulu, Hawaii, has been named director of the Office of Information Practices, the state agency that oversees the implementation and administration of Hawaii's open record laws, by Gov. Linda Lingle. Tsukiyama previously was responsible for the labor and personnel section of the city and county of Honolulu's Corporation Counsel Department.

R. Paul Frasier JD'84 of Coquille, Ore., has been appointed to the position of Coos County district attorney by Gov. Ted Kulongoski. Frasier has been a prosecutor in Coos County for 17 years and had been the chief deputy district attorney since 2001.

James F. Hensel JD'85 of Lake Oswego, Ore., has been appointed chief executive officer of Metro One Telecommunications Inc., a developer and provider of enhanced directory assistance and other telecom services. Hensel comes to Metro One from Columbia Ventures Corp., where he served as senior vice president.



Jeffrey D. Eberhard JD'87 of Tualatin, Ore., has been named a

fellow in the Litigation Counsel of America Honorary Society. Fellows are chosen upon merit, achievement in litigation and superior ethical status. Membership is by invitation only and represents less than one-half of 1 percent of American lawyers. Eberhard is managing partner of Smith Freed & Eberhard PC in Portland.



Russell D. Garrett JD'88 of Lake Oswego, Ore., has been named shareholder-in-charge in Bullivant Houser Bailey's Vancouver office. Garrett joined the firm in 1997 and became a shareholder four years later. He will continue his practice in commercial litigation, representing creditors and bankruptcy trustees.



Summer R. Gleason JD'92 of Wilsonville, Ore., has been appointed senior assistant attorney general in the criminal and civil rights section of the trial division of the Oregon Department of Justice.

Stephen L. Tabor JD'92 of Stayton, Ore., was ordained as a permanent deacon for the Catholic Church at a special mass held Nov. 3, 2007, at St. Mary Cathedral of the Immaculate Conception in Portland. He earned a Master of Arts in pastoral ministry from the University of Portland in 2006. He is also a practicing attorney in Stayton, Ore.

Peter E. Meyers JD/C'93 and **Sally J. Jeffers JD'94** of Seattle formed a new law firm with another partner in November 2007. Durham Meyers Jeffers PLLC is located in the Greenlake neighborhood. Meyers' practice focuses on plaintiffs' personal injury and litigation. Jeffers' practice focuses on trusts and estates.



Paul D. Migchelbrink JD'93 of Portland, Ore., has joined the firm of Farleigh

Witt as a member of the corporate and securities and real estate practice groups. He will maintain a diverse business practice, emphasizing corporate and commercial matters

and real estate. Migchelbrink previously was partner at the law firm of Hagen O'Connell.

Jacob A. Heth JD'94 of Portland, Ore., has been named partner at Davis Wright Tremaine LLP. Heth's practice focuses on business transactions.

Ted A. Bernhard JD'95 of Portland, Ore., has been named a managing director at Cascadia Capital, a Seattle-based national investment bank that serves emerging growth companies in sustainable industries. Bernhard comes to Cascadia from Stoel Rives LLP, where he was the founder and managing director of the energy ventures group, a member of the technology ventures group and chairman of the solar group.

Scott O. Carter JD'95 of Klamath Falls, Ore., has formed a new general practice law firm with Sarah V. Potter named Carter and Potter PC.

Valeri L. Love MBA'92, JD'95 of Eugene, Ore., has joined the law firm of Gleaves Swearingen Potter & Scott LLP as an associate. Love previously served as an assistant district attorney for Lane County and will work in the firm's litigation practice.



Jet Harris JD'96 of Eugene, Ore., along with two other attorneys,

opened the law firm of Skinner Lopata Harris LLC in Eugene in December 2007. Her practice will include business and commercial litigation, real estate litigation, medical malpractice and personal injury. Harris previously practiced law in Atlanta, Ga., as a litigation associate and recently relocated with her family back to Oregon.

Charles A. Sinsel IV JD'97 of Clarksburg, W. Va., has joined the business department of Steptoe

& Johnson. He will practice in the firm's Clarksburg office. Sinsel will focus on the areas of health care, corporate law, business transactions, contracting and employment law.

Tara R. Lawrence JD'98 of West Linn, Ore., has joined the firm of Gevurtz Menashe Larson & Howe PC. Her practice will focus on divorce cases, with an emphasis on property division and divorces involving small business owners. Lawrence is the former Sherman County district attorney.

Karla H. Alderman JD'99 of Portland, Ore., has been appointed assistant attorney general in the appellate division of the Oregon Department of Justice. She previously worked for a Portland law firm.



Chris S. Burnett JD'99 of Beaverton, Ore., has joined the Portland firm of Gevurtz

Menashe Larson & Howe PC as an associate. His practice will focus exclusively on family law.

Kelly M. (Newton) Walsh JD'99 of Vancouver, Wash., was named a "Rising Star" in the Winter 2008 issue of *Washington Law and Politics*. The honor was given to outstanding attorneys 40 years old and younger who have practiced law for 10 years or less. Walsh practices commercial and business litigation at Schwabe Williamson & Wyatt PC.

Karrie A. Zeits JD'99 of Traverse City, Mich., has been named city attorney for Traverse City. She previously worked for the law firm of Sondee, Racine & Doren.



Jeffrey B. Haendler JD'00 of Portland, Ore., recently was named partner at the intellectual property law firm of Klarquist Sparkman LLP in Portland. His practice focuses on prosecuting both American and international patent and trademark applications, negotiating and preparing technology licensing agreements, and performing patentability, patent infringement and validity analyses.



Shelly Strong Jamieson BA'96, JD'00 of Salem, Ore., has joined the firm of

Garrett Hemann Robertson PC. She represents employers in the design and implementation of employee benefit plans and consults on ERISA compliance matters. She assists employers with qualified retirement plans, executive compensation packages, and health and welfare benefits. Jamieson has been in private practice focusing on employment law for the last six years.

Mark J. Kohler JD'00 of Cedar City, Utah, recently finished a book, *Lawyers are Liars: The Truth About Protecting Our Assets*. Kohler posits that most lawyers are not liars, but some are, and that there are individuals who are not attorneys who use that charge to sell the unsuspecting public asset protection structures or strategies that are outright lies. The book explains strategies that will work to protect a person's assets. Kohler is a partner in the firm Kyler Kohler & Ostermiller LLP and is a national speaker in the areas of business, estate and tax planning.



Class Action (continued)

Tatiana A. Perry JD/C/MBA'00 of Portland, Ore., has been made a partner at Tonkon Torp LLP. Perry practices securities and corporate law, including mergers and acquisitions. She works with both private and public companies, with special emphasis on financial institutions and money managers. A portion of her practice focuses on forming and maintaining investment funds and advising clients on matters of SEC and FINRA compliance.

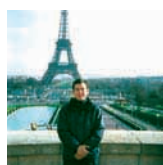


Travis S. Prestwich JD'00 of Salem, Ore., has been named a

shareholder at the firm of Swanson, Lathen, Alexander & McCann PC. He served as a law clerk for the firm during law school and joined as an

associate following graduation. His practice will continue to emphasize personal injury litigation.

Christopher C. Cramer JD'01 of Edmonds, Wash., has joined the firm of Beresford Booth PLLC as an associate. He previously worked for attorney Michael A. Goldfarb.



Juan J. Aguiar JD/MBA'02 of Quito, Ecuador, has been promoted by his company,

Schlumberger, to the position of contracts manager for Europe, the Caspian region and Africa. Aguiar will be responsible for managing a team of more than 15 contracts managers and analysts covering 46 countries. He will be based in Paris, France. Schlumberger is a leading oilfield services company.

Jacob C. Briem JD/C/MBA'02 of Provo, Utah, has joined Strong & Hanni as an associate in the firm's commercial litigation practice group. Briem previously worked for the U.S. Office of Special Counsel.

Marisol R. (Ricoy) McAllister JD/MBA'02 of Portland, Ore., recently joined the firm of Barg Tom PC in Portland as a partner. She previously worked for Ball Janik LLP in Portland.

Ashlee J. Munson JD/MBA'02 of Portland, Ore., has started her own company, Sixpence Co. In addition to working as a full-time attorney, Munson is bringing back the age-old tradition of presenting brides with a sixpence coin (last minted in 1967). It is said that the lucky sixpence, worn in the bride's left shoe during the wedding, brings newlyweds a lifetime of good health, happiness,

wealth and wedded bliss. You can visit her company's Web site at www.sixpenceco.com.

Eleanor C. Beatty JD'04 of Molalla, Ore., recently was named partner in the general practice firm of Koho & Associates, now known as Koho & Beatty LLC. Beatty specializes in family law and estate planning. The firm is located in Keizer, Ore.

Tanya C. O'Neil JD'04 of Eugene, Ore., has joined the firm of Hershner Hunter LLP as an associate. She will specialize in business and commercial litigation.

R. Tyler Friesen JD'05 of Salem, Ore., has joined the law firm of Saafeld Griggs PC in the firm's business and acquisitions practice group. He recently obtained his LL.M. in taxation from the New York University

WUCL Alumni Named Oregon Super Lawyers

Each year, Willamette University College of Law is well represented in *Super Lawyers*, an annual publication that identifies the top 5 percent of attorneys across the country, as chosen by their peers and through the independent research of *Law & Politics* magazine.

Willamette is proud of the 73 law alumni who were recognized as Oregon Super Lawyers for 2007. The law graduates listed below made the Super Lawyers Top 50.

William A. Barton JD'72 (Top 10)
Barton & Strever PC, Newport

Jeffrey M. Batchelor JD'72
Markowitz Herbold Glade & Mehlhaf PC, Portland

Larry A. Brisbee JD'67
Brisbee & Stockton LLC, Hillsboro

William B. Crow JD'61 (Top 10)
Schwabe Williamson & Wyatt PC, Portland

Henry H. Hewitt JD'69
Stoel Rives LLP, Portland

Albert A. Menashe JD'76
Gevurtz Menashe Larson & Howe PC, Portland

William F. Schulte Jr. JD'66
Schulte Anderson Downes Aronson & Bittner PC, Portland

Daniel H. Skerritt BA'65, JD'68
Tonkon Torp LLP, Portland

Edward J. Sullivan JD'69
Garvey Schubert Barer PC, Portland

Jeffrey C. Thede JD'79
Thede Culpepper Moore Munro & Silliman LLP, Portland

Super Lawyers is available to the public as an annual supplement in various newspapers and magazines, such as *The Oregonian*, *Washington Law & Politics* and *The New York Times*. For more information, visit www.superlawyers.com.



School of Law. His practice will focus on business formations, contract negotiation and drafting, business sales and acquisitions, as well as representing taxpayers with disputes involving state and federal tax issues.

Kimberly A. Sugawa-Fujinaga JD'05 of Portland, Ore., has joined the firm of Greene & Markley PC as an associate. Her practice will focus on debtor/creditor law and commercial litigation.

William O. Kessler JD'06 of Edmonds, Wash., has joined the firm of Beresford Booth PLLC in Edmonds as an associate. His practice focuses on business law, real estate law, litigation, estate administration and estate planning.



Nathan K. Boderman JD'07 of Salem, Ore., joined Saalfeld Griggs PC as

an associate in the firm's real estate land use practice group. His practice will focus on assisting companies and individuals in real estate transactions and land use planning.



Steven M. Hitchcock JD/C'07 of Salem, Ore., joined Saalfeld Griggs PC as

an associate in the firm's corporate practice group. His practice will focus on business formation and maintenance, business sales and business acquisitions.

Ted K. Martin JD'07 of Nyssa, Ore., has joined the Vale, Ore., law firm of Butler & Looney PC. His practice will offer general legal services with a focus on litigation.

John T. Miller JD'07 of Portland, Ore., has joined Dunn Carney Allen Higgins & Tongue LLP as an associate in the firm's business group.

Raymond W. L. Mutchler JD'07 of Everett, Wash., has opened up his own law practice. His focus will be on family law and the tenant side of landlord-tenant issues. He also volunteers with the Housing Justice Project, which represents low-income individuals in unlawful detainer show-cause hearings.

Laurie A. Nelson JD'07 of Lebanon, Ore., has joined the law firm of Gleaves Swearingen Potter & Scott


LLP in Eugene as an associate. Her practice will focus on estate planning.



Lucas W. Reese JD'07 of Salem, Ore., has joined Garrett Hemann

Robertson PC as an associate after clerking for the firm for two years during law school. He consults with public and private clients on employment issues and represents them in civil litigation.

Annie L. Robertson JD'07 of Portland, Ore., has joined Lane Powell Spears Lubersky LLP as an associate in the firm's business practice group. Previously, Robertson worked as a law clerk in the civil enforcement division at the Oregon Department of Justice.



WILLAMETTE UNIVERSITY

THE FIRST UNIVERSITY IN THE WEST

LAW REUNION WEEKEND

SAVE THE DATE

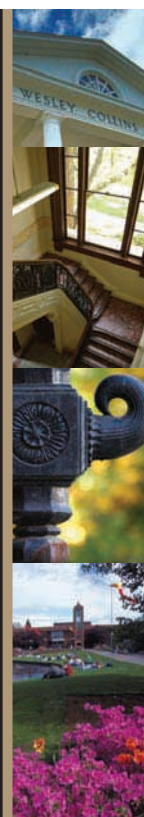
Sept. 12-14, 2008

SALEM, OREGON

WUCL REUNION WEEKEND 2008 WILL BE HELD SEPT. 12-14, 2008, IN SALEM. THE CLASSES OF 1958 AND PRIOR, 1968, 1978, 1983, 1988 AND 1998 WILL BE HONORED.

If you are interested in helping plan your class reunion, please call Cathy McCann Gaskin at 1-800-930-2586.

This weekend was chosen so that reunion attendees may participate in the College of Law's 125th Anniversary Celebration, featuring U.S. Supreme Court Justice Ruth Bader Ginsburg. Events will include golf on Saturday morning and private class dinners Saturday evening.







Maria C. Schmidtkofer JD'07 of Stayton, Ore., has joined Saalfeld

Griggs PC as an associate in the firm's estate planning practice group. Her practice will focus on estate planning, estate and trust administration, and business succession planning.

Randall W. Snow JD'07 of Salem, Ore., has joined Harris Wyatt & Amala LLC as an associate. Snow's practice areas are personal injury, wrongful death, insurance law and criminal defense.

Marriages



Mary E. Watson JD'97 married David P. Thomas on Sept. 22, 2007. The couple enjoyed a wonderful honeymoon in France and Germany and now reside in Boise, Idaho.

Shelly M. Strong BA'96, JD'00 married Eric William Jamieson on July 7, 2007. The couple reside in Salem, Ore.

Catherine M. McCann JD'02 married Brian R. Gaskin in Salem on Sept. 14, 2007. She is now a proud stepmother to Joshua, 15, and Marilyn, 12.

Justin M. Reiner JD'04 married Lenore Deffner on Oct. 13, 2007. He met Lenore while traveling in Mykonos, Greece, the summer after graduation from law school. They reside in Germantown, Md.

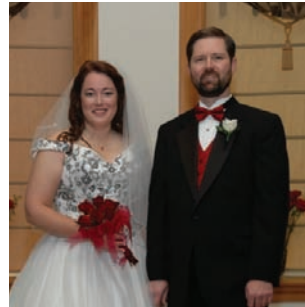


Yvonne E. Schindler JD'05 married **Tobias N. Tingleaf JD'07** in Salem

on Oct. 6, 2007. The couple live in Wilsonville, Ore.



Alycia K. Huskins JD/C/MBA'06 is proud to announce her marriage to Adam Bleeker on Oct. 6, 2007, at Vineyard View Bed and Breakfast in Hood River, Ore. The couple reside in the Portland area.



Laurie A. Nelson JD'07 married Glen Metzler on Oct. 6, 2007, at the McMinnville Grand Ballroom. The couple honeymooned in Hawaii and now reside in Lebanon, Ore.

Family Additions



To **Vesna (Ostojic) Dodge JD'02** and husband Brendan of Battle Ground, Wash., a daughter, Ella Penelope, born April 4, 2007.



To **Marisol R. (Ricoy) McAllister JD/MBA'02** and husband Alan of

Portland, Ore., a boy, Henry, born May 19, 2007.

To **Patrick C. Mulvihill JD'02** and wife Kirstie of Edmonds, Wash., a daughter, Madelyn Erin, born April 21, 2007. *Note: Incorrect information was announced in the fall 2007 edition. We apologize for the error.*



To **Jocelyn J. (West) Compton JD'04** and husband Eric, a daughter, Eliza Grace, born Aug. 27, 2007. She joins brother Marshall. Her proud grandfather is **Charles G. "Greg" West JD'72**.



To **Michael T. Greene BS'96, JD/C'04** and **Wendy R. (Paulson) Greene BS'97** of Reno, Nev., a daughter, Ava Camille, born July 17, 2007.



Jonathan H. Bauer BA'01, JD'05 and wife Anne welcomed a daughter, Margaret, on Dec. 6, 2007. She joins brother Maxwell, age 6.

In Memoriam

Asa L. Lewelling LLB'39 of Salem, Ore., passed away on Sept. 7, 2007. He is survived by his wife Shelley, daughters Linda and Rory, and son Michael. He was preceded in death by son Ross.

Walter M. Riess LLB'48 of Bakersfield, Calif., passed away on May 31, 2007. He is survived by his wife Marjorie and daughters Alice and Melissa. He was preceded in death by his sons Mike, Allan and Charles.

Warren H. Albright BA'50, LLB'52 of Corvallis, Ore., passed away on June 9, 2007. He is survived by his wife Maxine; daughter Sarah; and sons Bob, Pat, Evan and Stuart. He was preceded in death by son Richard.

Robert M. Heil BA'50, LLB'54 of Charbonneau, Ore., passed away on April 21, 2007. He is survived by his wife Billie, son David, daughters Cathy and Barbara, and stepchildren Dione and Bob.



John F. "Jack" Weisser LLB'55 of Salem, Ore., passed away on Oct. 25, 2007. He is survived by his wife Dorothy (Engelhart) BA'53, daughter Lynn and son Herb.

Alvin A. Davis BA'57, LLB'58 of Milton Freewater, Ore., passed away on June 27, 2007. He is survived by his wife Lois and son Gary.

Justin M. Smith LLB'62 of Medford, Ore., passed away on June 24, 2007. He is survived by a son and a daughter.



Elizabeth A. Lidbeck LLB'63 of Salem, Ore., passed away on Sept. 16, 2007. She is survived by daughters Nancy and Jean. She was preceded in death by her husband William.



Daniel A. Ritter JD'65 of Salem, Ore., passed away on Oct. 11, 2007. He is survived by his wife Armande; sons Benjamin, Julien and Damien; and daughter Katharine.

James G. Kincaid JD'73 of Mill Creek, Wash., passed away on Sept. 20, 2007. He is survived by his wife Susan, sons Joseph and Bradley, stepson Scott, and stepdaughter Jennifer.

Dana A. Anderson JD'75 of Portland, Ore., passed away on Aug. 30, 2007. He is survived by his wife Nancy and son Matthew.

Edwin N. Storz JD'76 of Ridgefield, Wash., passed away on May 20, 2007. He is survived by daughter Katie and sons Benjamin, Ryan, Christopher and Anthony.

Glenda Green JD'77 of Soap Creek Valley, Ore., passed away on Nov. 13, 2007. She is survived by her husband Dick, daughter Elizabeth and son Bruce.

Frank O. Diarmit JD'81 of Gervais, Ore., passed away on Oct. 17, 2007. He is survived by his wife Yvette.

Mark A. Lange JD'83 of Mt. Vernon, Wash., passed away on Sept. 2, 2007.

Joyce G. Pearson JD/C'89 of Arcadia, Calif., passed away on Sept. 18, 2007.

Elizabeth A. Gordon JD'90 of Colfax, Wash., passed away on July 19, 2007.

William W. Anderson III JD'94 of Alexandria, Va., passed away on July 24, 2006. He is survived by his wife Christine, daughter Eliza May and son Carter Bennett.



Berkeley Lent JD'50 of Las Vegas, Nev., passed away at his home on Nov. 11, 2007. He was 86.

Lent served in the U.S. Navy from 1942 to 1945 and went on to earn a bachelor's degree from Reed College before attending Willamette University College of Law. After graduation, Lent worked at the Bonneville Power Administration

from 1950 to 1953 and then worked in private practice until he became a judge in 1971.

Lent was elected to the Oregon House of Representatives in 1956 and went to the Senate in 1967. Four years later, Gov. Tom McCall appointed Lent to the Multnomah County Circuit Court. He was elected to the Oregon Supreme Court in 1976 and served as chief justice for more than a year, starting in 1982. Lent retired from the Court at the end of 1988. He worked as a senior judge, mediator and arbitrator for many years before moving to Las Vegas with his wife Joan in 2002.

He is survived by his beloved wife, and between them they have six children: Patricia, Deidre, Eric, Terry, Scott and Suzanne.



Submission Guidelines

Class Action Contact

Information for Class Action should be submitted to:
Cathy McCann Gaskin, Associate Director of Alumni Relations
Phone: 503-370-6492 E-mail: wu-lawyer@willamette.edu

Willamette Lawyer
Willamette University College of Law
245 Winter Street SE
Salem, OR 97301

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

Submission dates are January 15th for the spring issue and July 15th for the fall issue.

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. *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.

Editorial Contact

Please direct comments, suggestions and reprint requests related to *Willamette Lawyer* to: Anne Marie Becka, Communications Director
Phone: 503-370-6760 E-mail: wu-lawyer@willamette.edu

Job Listings

If you have a position opening, we invite you to post a job for alumni or current students using our online job posting system. Just follow the link to the WUCL Office of Career Services "For Employers" page at www.willamette.edu/wucl/careers/employers/. Under the title "Recruiting," click on "Post a Job Opportunity." You will be directed to a registration page where you then can choose "Register and Post a Free Local Job."

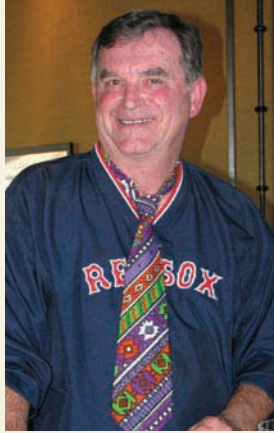
Career Services is happy to accept job postings or accommodate on-campus interviews at any time. For specific questions about posting a job or setting a date to interview on campus, contact Deborah Mosman at dmosman@willamette.edu.

Key

JD = Doctor of Jurisprudence
L = Non-degreed
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 & Comparative Law, Law & Government, Law & Business, or Sustainability Law
BA = Bachelor of Arts
BS = Bachelor of Science

Class of 1972 Gathering

The Class of 1972 met at Salishan Sept. 7–8, 2007, for a weekend of reminiscing and great activities. Friday night kicked off with an informal happy hour, and Saturday evening featured a wild salmon potlatch barbecue and a slideshow assembled by Norman J. Smith JD'72. Charles G. West JD'72 did much of the legwork for getting the group together and asked members of the class to bring the ties made for them during school by their classmate, Paula K. Casey BA'69, JD'72.



Clockwise:
 Charles G. West JD'72, coordinator of the weekend events
 D. Michael Mills JD'72, Gary D. Allen JD'72, Carol Allen and Leslie Mills
 James L. Sellers JD'72, David A. Hilgemann JD'72 and Dennis G. Corderman JD'72
 John K. Hoover BA'69, JD'72 and J.P. Harris II JD'72
 John O. Linde JD'72 and Ronald L. Coleman JD'72



Reno Reception Feb. 27, 2008 Silver Peak Restaurant and Brewery

Clockwise:

Joshua P. Gang JD'04 and Richard P. Schulze JD/MBA'94

Jack S. Grellman JD'70 and Bonnie Grellman

Severin A. Carlson JD'04; Katheryn L. Yetter JD/C'97; Robert J. Simon JD'04; Michael T. Greene BS'96, JD/C'04

Phylis Myles, director of Career Services at WUCL; Connie J. Steinheimer JD'79; Jeffrey A. Ostomel JD'79; Michael Bennett BA'70, director of Development and Alumni Relations at WUCL



Boise Reception Feb. 13, 2008 Bardenay Restaurant

Clockwise:

Edward G. "Ted" Chester BS'80, JD'86 visits with Stephanie N. Guyon JD'99

A. James Balkins JD/MBA'79 and Henry C. Rudolph JD/MBA'03

D. Dale Mammen JD'67; R. Thomas Gooding BA'55, LLB'58; E. Gene Stunz BS'57, JD'59

David P. Claiborne JD'02; Nicole C. Trammel BA'03, JD'07; Phylis Myles, director of Career Services at WUCL; Brent T. Wilson JD'02



**Portland Reception
Feb. 20, 2008
Red Star Tavern and Roast
House**

Clockwise:

Russell D. Garrett JD'88 and Professor Dean Richardson

Marva Fabien, coordinator of Professional Development and Multicultural Affairs at WUCL, and J. David Bennett JD'71

Barry W. Engle BS'91, JD'95; Michelle DaRosa JD/C'07; Professor Gilbert Carrasco

Mark L. DeLapp JD'83 and E. Walter VanValkenburg JD'78



**Seattle Reception
Feb. 21, 2008
Hotel 1000**

Clockwise:

Robert P. Brouillard JD'90 and Jeffrey B. Wells JD'75

Joseph A. Grube JD'96 and Paul-Stephen Aita JD'96

Greg L. Gottainer JD/C'04 and Rick T. Applegate JD/MBA'05

Faith Ireland JD'69 and Jennifer L. Miller BA'97, JD/MBA'01





Neither drams, pints nor flagons — to say nothing of the dismal London weather — detained them from their self-appointed rounds at the Old Bailey, Kings Bench, Chancery Courts and the local pubs, including the Cittie of Yorke at 22 High Holborn and the Olde Bell at 95 Fleet Street. Upon their skills and quills fell the destiny of the common law. Plowden and Coke were among the most famous. Barnardiston and Keble were among the not so famous. They were scribes, one and all, who found profit in publishing summaries of the points of law contained in the oral arguments and judgments made and given in the king's courts.

The practice, begun in the late 13th century, was, as Edmund Plowden put it in the preface to his [italic]Les Commentaries, ou les Reportes[end italic], first published in 1571, “to commit to writing what I heard, and the judgment thereupon, which seemed to me to be much better than to rely upon treacherous memory which often deceives its master.” This was especially true of memory clouded by drowsiness or a flask or two....

Barnardiston was known to nap over his notebook in the court, and Lord Mansfield forbade his work to be cited, “for it would only be misleading students to put them upon reading it.” As for Keble, C. J. Willes spoke of him as a “reporter who seldom enlightens anything.” Justice Park said he “burned his copy, thinking it not worthwhile to lumber his library with trash.”

Others were known to nip a few before engaging in the arduous task of putting pen to paper. At a trial on the proper taxation of brandy, historian William Holdsworth credits biographer Roger North (1653–1724) for this story about the highly regarded Saunders:

The specimens were handed about, and the judges tasted, the jury tasted, and Saunders seeing the phials moving, took one, and set it to his lips and drank it all off. The court, observing a pause and some merriment at the bar about Saunders, called to Jeffries to go on with his evidence.

“My lord, we are at a full stop and can go no further,” he said.

“What’s the matter?” asked the chief.

“Mr. Saunders has drunk up all our evidence,” Jeffries replied.

The Law Reporters

In 1765 the system of private reporting gave way to court licensed private reporting. In 1865, court licensed private reporting gave way to official law reporting published by the Incorporated Council of Law Reporting for England and Wales as directing body for the Law Society (solicitors), the General Council of the Bar (barristers) and the Inns of Court.

Subsequently, the great body of “named” court reports from 1285 to 1865 were reprinted in one set known as the [italics]English Reports – Full Reprint[end italics]. Citations found in court decisions to Ad.&E., Barn & Cress, and PL. can all be found in the 178-volume *English Reports – Full Reprint*.

We are fortunate to have a complete set with accompanying wall chart where researchers can conveniently convert the volumes of the many “named reporters” to the corresponding volume numbers in the *Full Reprint*.

The enterprising scribes of the common law, both esteemed and vilified, live on in the law library.



The Honest Lawyer pub at 59 Lodge Rd. in Southampton, England



College of Law Alumni Pop Quiz

Test yourself: Which of the following statements about Willamette University College of Law are not true?

- (1) Since 1998–99, tuition costs at Willamette have risen less than those of other public and private law schools in the United States.
- (2) Since 1998–99, WUCL has increased its scholarship aid to students by 126 percent per student.
- (3) U.S. Supreme Court Justice Ruth Bader Ginsburg will visit Willamette in 2008.
- (4) WUCL was the first law school in the West.
- (5) One in five (20 percent) of WUCL alumni provide financial support to the law school each year.

Answers:

- (1) True — The average annual cost of legal education has risen from \$14,754 to \$25,227 at public schools (79.5 percent) and from \$20,709 to \$30,520 at private schools (55 percent). The cost of legal education at Willamette rose from \$18,897 to \$25,400 (38 percent). We provide a private law school education at the same price as most public schools.
- (2) True — WUCL has dramatically increased scholarship aid to students while also reducing the rate of tuition increases.
- (3) True — Justice Ginsburg will visit WUCL in September 2008. Justice Sandra Day O'Connor visited the law school in September 1992.
- (4) False, but close — Founded in 1883, WUCL is the second oldest law school in the West (after Hastings), but we are the oldest in the Northwest. In 2008, the college will celebrate its 125th anniversary.
- (5) False — While law alumni donor participation increased during the 2006–07 year to approximately 16 percent, fewer than one in five WUCL alumni make an annual gift. We would like you to help move us closer to 25 percent participation by making a gift to the College of Law this year.

25% BY 125!

Join us in our "25% by 125" giving campaign and become an active partner in our efforts to continue to strengthen Willamette University College of Law.

For more information on contributing to the Law Annual Fund or on using appreciated stocks, bonds or real estate to fund a law school gift, contact Mike Bennett BA'70 at 503-370-6761 or mbennett@willamette.edu.



*During Reunion Weekend
this fall, Willamette
University College of Law
will kick off a yearlong
celebration in recognition of
the school's 125th academic
year that will include a visit
by U.S. Supreme Court
Justice Ruth Bader Ginsburg.*



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