August 2017

The Nebraska Transcript, Spring 2017, Vol. 50 No.1

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Moberly named College’s 17th dean

Also in this issue:
College looks to the future with RLOP, ULOP pipeline
Hurwitz named co-director of LL.M. program
College adds Wittlin to faculty
Moberly accepts deanship after successful year as interim dean

Professor Richard Moberly has been appointed interim dean following the departure of Susan Poser.

Wittlin joins faculty

Professor Maggie Wittlin joined the faculty in the fall.

Programs address access to justice needs across the state

RLOP and ULOP aim to create and strengthen student pipelines to the College while also addressing the need for lawyers across the state.
By the time this lands on your desk, summer will have arrived here at Nebraska Law. I am happy to report it was a busy and productive year.

As the cover indicates, I became the 17th dean of the College of Law on April 1, 2017. After serving as the interim dean for the last year, I am now honored and excited to serve the faculty, students and alumni in this role. I learned many things during my year as interim dean, but the most important lesson was one I already knew: Nebraska Law is ideally situated to succeed and thrive in today’s educational environment.

With that said, challenges abound. As you have read in previous issues of this magazine, law schools across the nation have been battling an application crisis. Fewer students are choosing to pursue a law degree. This drop in applications impacts our enrollment and exacerbates the need for attorneys who work in rural areas and with underserved populations.

Nevertheless, this challenging environment can lead to unique opportunities for Nebraska Law. For example, shortly after I began as interim dean, I had the good fortune of meeting Lyle Koenig, ’72, at an alumni reception in Beatrice. At that event, Lyle suggested to me that the Law College ought to implement a program similar to one that has been successful at the University of Nebraska Medical Center: the Rural Health Opportunities Program. This suggestion sent me on a path and the rest, as they say, is history. The Rural Law Opportunities Program (RLOP) was born. Not long after, I was reporting to an alumni advisory board about this new program, and member Ross Pesek, ’10, suggested I might pursue another similar program at the University of Nebraska at Omaha to increase the number of first generation students who become lawyers and ultimately serve underserved populations. Thus, the Underserved Law Opportunities Program (ULOP) was born. I encourage you to take the time to read about these two programs on pages 20-21 of this issue. Both programs will have a significant impact on the College of Law and the state of Nebraska. Both programs were the result of alumni suggestions and illustrate the importance of alumni engagement.

In fact, the support of our alumni has never been more critical. Whether you support us financially, hire our students or volunteer for our programming, every interaction you have with your alma mater makes us stronger. Thank you for all that you have done for Nebraska Law. I look forward to working with you as your next dean.

I learned many things during my year as interim dean, but the most important lesson was one I already knew: Nebraska Law is ideally situated to succeed and thrive in today’s educational environment.
Faculty Notes

Jack M. Beard
Assistant Professor of Law
Professor Jack Beard was elected to the board of directors of the American Branch of the International Law Association (ABILA) and, on a panel, presented "New Satellite Technologies and the Challenges for Space Law Evolution" at the ABILA International Law Weekend at New York City. At the 9th Annual University of Nebraska Washington, D.C., Space Law Conference, he presented on a panel "Space Situational Awareness and Orbital Debris." He recently served on a panel of experts at a workshop sponsored by the International Committee of the Red Cross and the Harvard Law School Program on International Law and Armed Conflict, addressing “The International Legal Implications of Military Space Operations,” at the U.S. Naval War College in Newport, Rhode Island. Beard continued his work with the U.S. Strategic Command (STRATCOM), presenting “Deterrence in a Globalized World: Laws and Norms in Cyberspace” at a STRATCOM-sponsored academic alliance symposium on Deterrence and Assurance. He also led training sessions on national security, space and cyber law topics for the STRATCOM Strategic Leadership Fellows Program. He was honored at an event at the U.S. Capitol in Washington, D.C., for his work as a senior Department of Defense lawyer and principal legal advisor to U.S. delegations responsible for drafting, negotiating and implementing international agreements related to the Nunn-Lugar Cooperative Threat Reduction Program, a multi-billion-dollar program assisting states of the former Soviet Union in the dismantlement and non-proliferation of weapons of mass destruction. Beard has been notified that he is being granted tenure and promoted to the rank of associate professor.

Eric Berger
Associate Dean for Faculty and Professor of Law
Professor Eric Berger’s new article, “When Facts Don’t Matter: Congressional Findings and Constitutional Decision Making,” was accepted for publication by the BYU Law Review. It is scheduled for publication in the fall of 2017. Berger also participated in Drake Law School’s 2017 Constitutional Law Symposium on President Obama’s Constitutional Legacy. His contribution was titled “The Constitution in the Age of Political Dysfunction.” He also presented a working paper on the fluidity of history and originalist constitutional theory at the Wisconsin Discussion Group on Constitutionalism at the University of Wisconsin Law School and at the Seventh Annual Loyola Constitutional Law Colloquium at Loyola University Chicago School of Law. He participated in several Constitution Day events and panels at the University of Nebraska–Lincoln, the University of Nebraska at Omaha and Lincoln Public Schools.

Kristen M. Blankley
Associate Professor of Law
Professor Kristen Blankley spoke at the 2016 Symposium on Ethics in ADR at The Ohio State University Moritz College of Law on issues of collaborative law. Her paper, “ Agreeing to Collaborative in Advance?,” regarding pre-dispute agreements to engage in collaborative law, will be published in a forthcoming edition of the Ohio State Journal on Dispute Resolution. In addition, Blankley spoke at the Penn State Law Yearbook on Arbitration and Mediation 2017 Symposium on issues of arbitration regulation by federal agencies. Her forthcoming article titled “The FAA vs. Anti-Arbitration Agency Regulation: A New Frontier” will be published in the 2018 version of the newly-titled Arbitration Law Review.

Eve M. Brank
Associate Professor of Psychology and Courtesy Professor of Law
A paper by Professor Eve Brank, Kate Fox, and Victoria Kaspar, ’18, titled, “Songs You Know by Heart: Alcohol, Promiscuous Sex, Drugs, and Escape in Jimmy Buffett’s Music,” appeared in Popular Music History. Brank and her students also have two

Robert C. Denicola
Margaret R. Larson Professor of Intellectual Property Law
The Twelfth Edition of Professor Robert Denicola’s textbook on Copyright was published in May by Foundation Press.

Justin (Gus) Hurwitz
Assistant Professor of Law
Professor Gus Hurwitz was appointed co-director of the Space, Cyber and Telecommunications Law Program in January 2017. He published “Blacklining the FCC’s Editorial Privilege,” 23 Michigan Telecommunications and Technology Law Review 149. His article “Encryption Congress mod (Apple + CALEA)” is forthcoming in the Harvard Journal of Law and Technology, and “Cyberensuring Security” will be published in the Connecticut Law Review. He also has book chapters forthcoming on telecommunications regulation (Wolters) and understandings of technology in classical liberal thought (Cambridge). In recent months, he has presented work at the University of Connecticut, Notre Dame University, City University of Hong Kong, Ohio State University, University of Pittsburgh, Duquesne University, University of Arizona and University of Pennsylvania. In addition, he organized a large conference on state, local and regional issues in cybersecurity at the College of Law, which drew an audience of approximately 80 guests and featured speakers from about 10 universities and research institutions.

Brian D. Lepard
Harold W. Conroy Distinguished Professor of Law and Director of the LL.M. Program in Global Legal Practice
Professor Brian Lepard is the editor of Reexamining Customary International Law published by Cambridge University Press. The book includes a chapter by Lepard on international human rights law, a chapter by Professor Anna Shavers on women’s rights and a chapter by Professor Frans von der Dunk on space law. Lepard signed copies of the book at the Annual Meeting of the American Society of International Law in Washington, D.C. More information about the book can be found at www.cambridge.org/Lepard.

Colleen E. Medill
Robert and Joanne Berkshire Family Professor of Law
Professor Colleen Medill was appointed by the U.S. secretary of labor to the Employee Benefits Security Administration ERISA Advisory Council for a three-year term. She received the John E. Weaver Award for Teaching Excellence from the UNL Office of Academic Affairs in recognition of her innovative teaching materials and techniques, which have made a national impact on the legal academy by integrating doctrinal theory and the development of professional legal skills. Medill published two articles, “Regulating ERISA Fiduciary Outsourcing,” 102 Iowa Law Review 505, and “ERISA Subrogation after Montanile,” forthcoming in the Nebraska Law Review. She also spoke on “Recent Developments in ERISA Litigation” at the Best of NATA CLE Program at the Nebraska State Bar Association Meeting, and on “Reinforcing Student Understanding of Substantive Property Law through Skills Exercises” at a special program of property law professors hosted by West Academic Publishing in conjunction with the Annual Meeting of American Law Schools.
Richard E. Moberly
 Dean and Richard and Catherine Schmoker Professor of Law

Professor Richard Moberly was named dean of the College of Law on April 1, 2017, after having served 14 months as the interim dean. The National Institute of Trial Advocacy published the 5th edition of Moberly’s evidence course materials, Evidence in Context, and the 6th edition of his course materials for a combined evidence and trial advocacy class, Problems and Materials in Evidence and Trial Advocacy. He spoke on “Whistleblowing and Confidentiality” at the 23rd Annual Institute for Law & Economic Policy Symposium in Naples, Florida.

Harvey S. Perlman
Harvey and Susan Perlman Alumni Professor of Law

Professor Harvey Perlman was appointed as an adviser to the American Law Institute’s Project on Sexual and Gender-Based Misconduct on Campus: Procedural Frameworks and Analysis. He also was selected as chair of the Study Committee on a Uniform Right of Publicity Act by the Uniform State Law Commission. He led a group of 11 law students to China in May for two weeks to study comparative Chinese law at Xi’an Jiaotong University in Xi’an, China.

Josephine R. Potuto
Richard H. Larson Professor of Constitutional Law

Professor Josephine (Jo) Potuto had two articles published: “Two, Four, Six, Eight: What Can We Now Regulate? The Regulatory Mentality and NCAA Satellite Camps (et al),” 35 Quinnipiac Law Review 101, and “The Once and Future of College Sports and the NCAA,” 6 Arizona State Sports & Entertainment Law Journal 85. She also wrote a short piece for Jurist regarding an antitrust settlement involving the NCAA. She presented two papers at a symposium at LSU. One was on “The First Amendment in the Context of Sports.” The other was on “Baseball Hitting and Legal Writing.” The latter paper will be published in the Louisiana Law Review under the title, “Swinging at the Facts.” Potuto participated in a Federalist Society panel as a responder to Radley Balko, of The Washington Post, regarding prosecutorial misconduct. Potuto also was a member of ALI constituent groups to review draft Model Penal Code sections on Sexual Assault and a draft restatement on Gender-Based Sexual Misconduct on Campus.

Matthew P. Schaefer
Veronica A. Haggart & Charles R. Work Professor of International Trade Law and Director of Space, Cyber and Telecommunications Law Program

Professor Matt Schaefer’s article, “The Contours of Permissionless Innovation in the Outer Space Domain,” was accepted by and will be published in volume 39 of the University of Pennsylvania Journal of International Law. The article’s recommendations on how Congress can best fill the regulatory gap over new on-orbit space activities, such as lunar research facilities, satellite servicing and asteroid mining, while complying with U.S. international obligations and encouraging innovation, were presented to the Congressional Subcommittee on Space, Science, and Competitiveness on May 23, 2017.

Anthony B. Schutz
Associate Professor of Law

Professor Anthony Schutz continued his work in agriculture and state constitutionalism. He lectured at Drake Law School as part of its two-day student summit on food law with Harvard Law School’s Food Law and Policy Clinic. He also provided his annual environmental law update to a plenary session of the American Agricultural Law Association at its annual symposium in Oklahoma City.
Closer to home, he worked on issues surrounding a proposed state constitutional amendment creating a right to farm. This work involved the legislature and producer groups, including presentations in Valentine and Lincoln. He gave a presentation on landowner liability issues in Chadron in conjunction with UNL’s Center for Great Plains Studies and wrote a plain-language description of the legal standards involved in landowner liability that the center distributes as part of its programming. He and Peter Longo, ’83, spoke in Kearney about the state constitution on Statehood Day, celebrating Nebraska’s sesquicentennial. Schutz also presented CLE programs in Ogallala and Lincoln. The Lincoln presentation was part of the Water Law CLE the College of Law and the Nebraska Water Center held in October.

Anna Williams Shavers
Cline Williams Professor of Citizenship Law
Professor Anna Shavers was appointed to serve a two-year term as a public member of the Administrative Conference of the United States (ACUS). ACUS is an independent federal agency dedicated to improving the administrative process through consensus-driven applied research, providing nonpartisan expert advice and recommendations for improvement of federal agency procedures. She received the College of Law’s 2017 Alumni Council’s Distinguished Faculty Award. She published “Using Customary International Law to Improve Women’s Lives” in Reexamining Customary International Law, edited by Professor Brian D. Lepard. Shavers served as chair of the UNL Interdisciplinary Conference on Human Trafficking and spoke at the UNL Future of the Humanities Symposium on “The Role of Law and Humanities in Teaching International Gender Issues.”

Jessica A. Shoemaker
Assistant Professor of Law
Professor Jessica Shoemaker published her article, “Complexity’s Shadow: American Indian Property, Sovereignty, and the Future,” 115 Michigan Law Review 487. This article was positively reviewed in Jotwell: The Journal of Things We Like Lots. This semester, Shoemaker gave three significant invited presentations related to her scholarship: “Economic Justice and American Indian Property Law,” at the University of Virginia School of Law’s inaugural Shaping Justice Conference; “Farm Land Tenure: Development Challenges and Opportunities in Indian Country,” at the Agriculture and Food Law Section’s program at the Association of American Law Schools Annual Meeting in San Francisco; and “The Public Parts of Private Property,” presented on the plenary stage at the Midwest Fish & Wildlife Conference in Lincoln. Shoemaker also joined the new editorial board of Great Plains Research and was selected as a founding fellow of the Rural Futures Institute at the University of Nebraska. Shoemaker has been notified that she is being granted tenure and promoted to the rank of associate professor.

Ryan P. Sullivan
Assistant Clinical Professor of Law

Adam Thimmesch
Assistant Professor of Law
Professor Adam Thimmesch published “Transacting in Data: Tax, Privacy, and the New Economy,” 94 Denver Law Review 145. His article, “Tax Privacy?,” recently was accepted for publication in the Temple Law Review. Thimmesch received the Professor of the Year Award from the upper class law students and was notified he is being granted tenure and promoted to the rank of associate professor.

Professor Steve Willborn published “Reasonable Accommodation in the United States” in The Bulletin of Comparative Labour Relations, a Dutch law journal. He also completed his work as the reporter (main drafter) of the Uniform Wage Garnishment Act, which was approved by the Uniform Law Commission and the American Bar Association. Willborn served as chair of the American Bar Association Accreditation Site Visit Team for Vanderbilt University Law School, as chair of the Institutional Research Board for the NCAA, and as a member of the Scope and Program Committee of the Uniform Law Commission, which makes recommendations about the uniform laws to be drafted in future.

Professor Maggie Wittlin published “The Results of Deliberation,” 15 University of New Hampshire Law Review 161. Wittlin received the Professor of the Year Award from the first-year class.

Professor Sandy Zellmer presented an article on “Takings, Torts, and Background Principles” at the Vermont Environmental Law Works-in-Progress Colloquium and at the Vermont-Tulane Takings Conference in New Orleans. The article, which addresses flood-related claims against the U.S., will be published by Wake Forest Law Review. She also presented a paper on “The Changing Nature of Private Property Rights to Federal Resources” at the Rocky Mountain Mineral Law Foundation (RMMLF) Special Institute on Public Lands, in Santa Fe, New Mexico. Zellmer continues to provide training for federal land managers at the Carhart Federal Wilderness Center, and she is working on an interdisciplinary project on federal wildlife management funded by the Aldo Leopold Center at the University of Montana. She recently was appointed to the executive boards of the RMMLF and the Society for Wilderness Stewardship. Zellmer will be on leave in 2017-18 during her appointment as distinguished visiting professor at the University of Montana College of Law.

Michelle Harner, most recently professor of law at the University of Maryland Francis King Carey School of Law and director of its Business Law Program, has been named by the U.S. Court of Appeals for the 4th Circuit U.S. bankruptcy judge for the District of Maryland.

Follow the faculty at http://law.unl.edu/faculty-administration
Professor Justin (Gus) Hurwitz was named the co-director of Nebraska Law’s Space, Cyber, and Telecommunications Law Program, effective January 1, 2017. Hurwitz will work alongside the program’s current director, Professor Matthew Schaefer, and the program’s executive director, Elsbeth Magilton, ’12, to continue growing the telecommunications and cyber components of the program. While building on the foundation that is already in place, Hurwitz’s initiatives will focus largely on telecommunications and cyber law, including substantial focus on cybersecurity and interdisciplinary work at the intersection of law and policy.

“Gus has proven himself to be key in building the telecommunications and cyber aspects of our curriculum,” Dean Richard Moberly said. “His willingness to champion initiatives aimed at growing this program will help move the Law College forward in these important fields.”

His first administrative projects include the program’s annual spring conference and creation of an engineering-specific Master of Legal Studies program track. The spring conference will differ from previous years and focus solely on state, local and regional issues in cybersecurity.

Magilton explained, “Having individual leadership in key areas of our program is important to our current students and alumni as they establish themselves as leaders in their fields.” She added, “Our legacy of training attorneys within the Department of Defense is also strengthened by highlighting our expertise both in space and in cybersecurity. Professor Schaefer and I are very pleased to welcome him into the administrative leadership role of the program.”

Hurwitz joined the College of Law faculty in 2013 as an assistant professor of law. His work builds on his background in law, technology and economics to consider the interface between law and technology and the role of regulation in high-tech industries. In 2015, the National Law Journal named Hurwitz a Cyber Security & Data Privacy Trailblazer.
This fall, the College of Law welcomed its newest faculty member, Maggie Wittlin. She received her J.D. from Yale Law School. Following her graduation, she clerked for two federal judges, first on the U.S. District Court for the District of Connecticut, then on the U.S. Court of Appeals for the Second Circuit. Wittlin worked for about a year at Patterson Belknap Webb & Tyler, a midsized firm in New York City, where she focused on patent litigation. Before coming to Nebraska, she was an associate in law at Columbia Law School, where she taught legal writing to foreign LL.M. students and worked on her own research. Prior to law school, Wittlin was a science writer.

These experiences led her to Nebraska Law, where she teaches Civil Procedure and Evidence. “There’s no better crash course in civil procedure than a trial court clerkship,” Wittlin exclaimed. “I’ve loved getting to spend so much time thinking about civil procedure and evidence this year. They’re such great subjects and, as my students can surely attest, I get a little worked up about them sometimes.”

Starting next year, Wittlin will add to her course load, teaching Criminal Adjudication, a “bail to jail” criminal procedure course.

Wittlin’s enthusiasm for the subject matter she teaches is evident to the students in her classes. Earlier this spring the 1L students presented her with the “Outstanding 1L Professor Award” after a vote of the class. The feeling is mutual.

“My students are just the best. They’re such smart, diligent, lovely people, and I want every one of them to succeed tremendously,” said Wittlin.

My students are just the best. They’re such smart, diligent, lovely people, and I want every one of them to succeed tremendously.

In addition to teaching, Wittlin has an ambitious research agenda. “My research focuses on evidence and decision-making. Specifically, I use theoretical, mathematical and empirical methods to examine how various legal actors – judges, juries, lawyers and citizens – should and do make decisions.

“For example, in a recent paper, Hindsight Evidence, I developed a theory for when courts should consider evidence of an action’s outcome as proof that the person who caused that outcome made a good or bad decision,” Wittlin explains. “For decades, legal scholars and courts have warned of the dangers of hindsight bias – the tendency to view an event as more likely or predictable after it happened than it actually was before it occurred. Judges confronted with outcome information often say that outcomes are completely irrelevant to evaluation of ex ante behavior. I argue that outcome information is often valuable, probative evidence, and that judges and scholars should not be so quick to discount it.”

While not entirely new to teaching and research, Wittlin is new to the Midwest. “I’ve never before lived anywhere but the east coast; I’m totally new to the state! Lincoln’s a nice-sized city: big enough that everything you need is here, small enough that it’s all within a 15-minute drive.

“The Vietnamese food scene is excellent. I love the herd of bison at Pioneers Park. And it’s nice to see some stars on occasion. There are no stars in Manhattan.”
Richard Moberly, the University of Nebraska College of Law’s interim leader for more than a year, has accepted appointment as its permanent dean.

Executive Vice Chancellor Donde Plowman announced the appointment, which was approved by the Board of Regents on April 4.

“Richard Moberly is an energetic leader, experienced educator and recognized scholar who has forged a reputation of supporting and building excellence within the College, throughout the University and across the state,” Plowman said. “He has an exciting vision for Nebraska Law that will continue to elevate the College and the University. The state’s flagship law school is in excellent hands and I could not be more excited about the future.”

Moberly’s appointment followed a brief, targeted search in which he was the only candidate – a process requested by the College’s faculty. Longtime faculty member, Rob Denicola, explains, “When Richard became interim dean, many of us thought he would simply act as a caretaker, keeping the College running day to day until we could find a permanent dean. Instead, he immediately tackled some difficult long-term budget issues, developed new student recruitment initiatives,
created a new third-year legal clinic, and turned out to be an enthusiastic and effective fundraiser for the College. When we spoke with students, alumni and our administrative staff, they were all as impressed as we were with his energy and talents. That made him an obvious choice for the permanent position. Plus, he actually seemed to enjoy the job!”

Moberly has taught at Nebraska Law since 2004. He was named associate dean in 2011 and became the College’s interim dean in February 2016. He succeeds Susan Poser, who left the university in January 2016 to become provost at the University of Illinois-Chicago.

“I am excited to lead the College of Law and to continue to build upon its incredibly solid foundation,” Moberly said. “My year as interim dean reaffirmed my belief that the College of Law has enormous support throughout the state and the University, which helped me see great potential for its continued growth. By talking with alumni and friends of the College all year, I began to see how their support could lead to more opportunities for the College to impact policy and law, as well as educational opportunities for our students.”

During his time as interim dean, Moberly worked to establish programs aimed at growth potential for the College in terms of its size and diversity. This spring, Nebraska Law launched the Underserved Law Opportunities Program, a partnership with the University of Nebraska Omaha to encourage students in underrepresented communities to pursue a legal education.

Last fall, the College began the Rural Law Opportunities Program, in which Nebraska Law works with Wayne State College, Chadron State College and the University of Nebraska at Kearney to jointly recruit incoming freshmen from rural Nebraska to pursue legal careers outside of the state’s metropolitan areas. Both programs, according to Moberly, are indicative of what can happen when alumni engage with the College’s mission.
“I really want to hear from our alumni. I want to know the problems they are facing in their work and their communities, and I am interested in the law school playing a role in thinking of solutions.

“One of the most important programs we implemented this past year — our Rural Law Opportunities Program — was suggested to me by an alumnus, Lyle Koenig, ’72, at an alumni event. Another alumnus, Bob Caldwell, ’96, has helped me see the benefits his legal training gives him every day in the business world, which spurred me to think about enhancing our programming and recruitment efforts related to business.

“I am from Atlanta and a litigator by training, so issues related to rural communities and business are not immediately apparent to me. But I work hard at listening, and, when great ideas come my way, I try to implement them and get results,” said Moberly.

Throughout the interview process, Moberly made clear his intentions to continue to engage alumni from across the state and the country. If alumni support of his dean candidacy is any indication, he has tremendous ability and skill in this regard. Moberly received resounding support from alumni of all ages and stages of life.

Letters of support identified the many different qualities that help Moberly relate so well to different types of people. “His communication style — which mixes academic rigor, appreciation for multiple perspectives, and a warm, engaging personality — results in meaningful working relationships with students and alumni,” wrote Jan Gradwohl, ’54. “Richard makes others feel at ease. He is a master at involving others in conversation.”

“Richard has one of the finest minds I know and always stretches our discussions to new levels,” added Senator Patty Pansing Brooks, ’84. “[He] is able to engage others in discussions on topics from esoteric to the practical, from the mundane to the entertaining.”

Jim Nearhood, ’72, of Scottsdale, Arizona, wrote, “Richard is a fine gentleman, very articulate, engaging and enthusiastic. He immediately impressed me with his easy approach and friendly style.”

I really want to hear from our alumni. I want to know what problems they are facing in their work and their communities, and, I want to be invited to be a part of thinking of solutions.
Another Scottsdale resident, Greg Gillis, ’86, also sent a letter of support that spoke to Moberly’s genuine interest in students and alumni alike. “Richard’s keen insight and ability to spot an individual’s traits that they themselves may not have recognized is a vital attribute allowing Richard to encourage those with whom he interacts to perform at an even higher level.”

Established in 1891, the College of Law is a prestigious regional institution with a growing national reputation. Many of the 31 faculty at the College are nationally known for their scholarship and law reform activities. The College provides more than 340 students with a rigorous and challenging education. Graduates compete well in national employment markets and pass the bar examination at rates above both state and national averages.

In the past year, Nebraska Law was named the nation’s Best Value Law School for the second straight year by National Jurist magazine. The College has seen solid enrollment growth and recently opened the Marvin and Virginia Schmid Clinic Building, a 16,000-square-foot, $5 million, privately funded addition to McCollum Hall.

“These successes are key examples of the important role our alumni play in the success of Nebraska Law,” said Moberly. “Of course, alumni can always help financially. The new Schmid Clinic Building was entirely funded by private donors who saw the need to enhance the learning space for our clinical programs. Our scholarship donors are pivotal to our future. We are in a brutally competitive environment for admissions, and scholarship money helps us attract the best students, who are the foundation of what we do and the future of the Law College.”

Moberly’s actions back up his assertion that students are the foundation of the College. Upperclass law students have voted Moberly “Professor of the Year” twice, and several voiced their support of him throughout the interview process.
“I cannot imagine a better person for the job of dean than Richard Moberly,” said Max Rodenburg, ’17. “He is adored by current students and alumni alike. [Professor] Moberly helps foster the incredible learning environment and positive culture that we are so proud of at the law school.” Paloma Contreras, ’19, agrees, and describes the effort Moberly made to learn about the experiences of minority students at the College of Law. “He listened, made us feel heard, and showed a genuine concern for our experiences and encounters. This meant the world to me.”

In addition to teaching evidence and employment law, for the law school,” he said.

“I personally think we have opportunities to expand our pipeline of students by recruiting more students from rural areas, more students with diverse backgrounds and more students interested in using their law degree as a foundation for careers other than being a lawyer, such as being an entrepreneur, a banker or real estate developer. So, in my view, we need to continue emphasizing a broad range of professional skills, both in the classroom and through our extracurricular opportunities.”

The law and lawyers will play a role in solving every problem facing the world today. So, a great law school will be engaged in solving those problems by collaborating with other bright minds in several disciplines - and the University of Nebraska presents the perfect place for such collaborations.

Moberly is an active scholar who researches issues related to whistleblowing and the law of secrecy. He has published numerous articles and book chapters on whistleblowing, including research on national security whistleblowers and codes of ethics, as well as an empirical study of Sarbanes-Oxley retaliation claims.

He has testified before the U.S. House of Representatives, spoken internationally on whistleblower protection and also co-edited The International Handbook on Whistleblowing Research (2014). The U.S. secretary of labor has twice appointed Moberly to the Whistleblower Protection Advisory Committee of the Occupational Safety and Health Administration.

This distinguished record of excellence both in research and in teaching resulted in Moberly winning the College Award for Distinguished Teaching and, in 2014, the College of Law Alumni Council presented him with the Distinguished Faculty Award.

Because he has served as the interim dean for the last 14 months, Moberly was uniquely situated to hit the ground running. “My initial plan is to work with our faculty and administrators to collaboratively create a strategic vision Sound like a big vision? It is. But Moberly does not stop there and instead turns his attention to the opportunities that lie within the University more broadly.

“We need to enhance our connections with other parts of the University and firmly place ourselves at the center of the research happening throughout the broader academic community in Nebraska,” said Moberly.

He explains further, “The law and lawyers will play a role in solving every problem facing the world today. A great law school will be engaged in solving those problems by collaborating with other bright minds in several disciplines – and the University of Nebraska presents the perfect place for such collaborations.”

Moberly recognizes, however, that this ambitious vision requires more energy than he alone can provide.

“Of course, those are just my ideas. The reason I like working collaboratively with my colleagues at the College of Law is because, collectively, we are smarter than any one person. I expect they will bring their own ideas to our strategic planning process, and we will be better for it.”
In spring 2016, the Space, Cyber and Telecommunications Law Program received unanimous final approval to launch three Executive Certificate programs, now enrolling for the fall 2017 semester. The Executive Certificate tracks build upon Nebraska Law's successful LL.M. and J.S.D. degrees, offered both on campus and online, in the areas of space, cyber and telecommunications law. The Executive Certificates are designed for practicing attorneys interested in specializing and expanding their expertise in one of these emerging areas. The 12-credit-hour, 2-year program is designed to allow certificate students to take only the courses pertinent to their direct interests and needs.

"We understand practicing attorneys can't always take time away for a full 24-credit-hour program, and they just want the information specific to their exact needs. Our goal is to cater to busy professionals who want to specialize or brush up on these new and developing fields," said the program's executive director, Elsbeth Magilton, '12. "Students will select one of three certificate tracks: (1) Space Law, (2) Cyber and Cyber Security Law, or (3) Cyber and Telecommunications Law," she explained.

The Space Law Certificate focuses on the study of the laws and regulations that impact most any activity taking place at an altitude of about 62 miles or higher. This encompasses all national and international law governing activities in outer space. This ranges from innovative new industries, such as commercial space flight, to scientific endeavors, such as experiments heading to the International Space Station, to the business sector and aerospace companies launching satellites, to military applications. Attorneys specializing in space law learn a unique mixture of international, U.S. administrative and industry specific law, policy, history and economics. Space law touches every practical step of getting any object or person into space, from conception to launch to re-entry.

Cyber and Cyber Security Law Certificate students study the relationship to the law of technological and electronic elements, including computers, software, hardware and information systems. Cyber law encompasses commercial industries and private company data, as well as a vast number of military operations. From the Target hack, to cloud storage, to cyber warfare, the law interacts with technology in every practicable way. Attorneys who specialize in cyber law are on the cutting edge of what has been called "The Wild West," because regulation and policy lag behind advancements in technology.

Cyber and Telecommunications Law Certificate curriculum covers every electronic communication and all broadcasting across the United States. This subject matter is heavily regulated by federal law and the Federal Communications Commission (FCC). Despite a long regulatory history and significant federal laws, telecommunications law is not an area without controversy. Google is now spending more money lobbying in Washington, D.C., than any oil company. From net neutrality to cable contracts to spectrum management, the world of telecommunications law is growing and changing with technology.

These certificates are only open to those who already have a J.D. or a foreign law degree. Additionally, there is a strong preference for applicants to have a minimum of three years' prior legal experience.

All executive certificate credits may be completed online or in-person. As with the online LL.M. program, certificate students who take courses online will participate live, synchronously, via our online classrooms.

Magilton said the program is instrumental to these industries and future innovations that could improve them. "We saw a gap in education for working professionals in these areas. It's our goal to fill that gap and help experienced attorneys power innovation."
Volunteer

The College of Law is looking for alumni volunteers for the upcoming school year. If you would like to volunteer your time and talents, contact Molly Brummond (molly.brummond@unl.edu).

More information about possible opportunities is available at law.unl.edu/get-involved.
Do your part!

IF EVERY ALUMNUS DID THREE SIMPLE THINGS, THE UNIVERSITY OF NEBRASKA COLLEGE OF LAW COULD SEE TREMENDOUS CHANGE.

ATTEND AN EVENT

The College of Law social calendar is always a full one - tailgates, reunions, CLEs and more. Come back and visit with other alumni, meet our current students and engage with the College. Your attendance and participation strengthens the Nebraska Law network.

VOLUNTEER

We are always looking for volunteers to enhance the student experience. Whether you are local or live five states away, here are a few ways you can volunteer and stay connected to the College:

Be a mentor and help students bridge the gap between the theory and practice of law | Serve as a competition judge | Serve as a network for our students and the career development office | Give advice to today’s students by serving on a panel or attending a networking event | Help us recruit new students

GIVE A GIFT

The College of Law depends on the generosity of our alumni and friends to help provide scholarships to students, maintain our facilities, allow students to participate in competitions and bring in dynamic programming.

Gifts of any amount demonstrate your commitment to the College of Law and our mission of educating future lawyers and leaders.

LAW.UNL.EDU/ALUMNI
Space, Cyber & Telecom Law Program hosts Advanced Operational Law Conference

In early September, the Space, Cyber and Telecommunications Program and its partner NSRI (National Strategic Research Institute), a U.S. Department of Defense University-Affiliated Research Center (UARC), coordinated with the Judge Advocate General of USSTRATCOM to plan and host the inaugural Advanced Operational Law Conference. The conference was aimed at educating JAG attorneys at all levels across the USSTRATCOM combatant command in areas of strategic operational law — space, cyber and nuclear. On the first day of the conference, command attorneys received classified briefings of the current threats in these arenas. On the next two days, participants were mixed with members of the legal academy to expand the thoughts guiding legal discussion in military settings. Diplomats and policy makers were added to groups in an effort to illustrate the highly-policy-driven nature of non-traditional warfare.

Through the Law College’s unique relationship with NSRI, faculty members were able to engage with these military attorneys and expose them to innovative thoughts on these underserved topics. Professor Jack Beard was invited by the USSTRATCOM Judge Advocate General (JAG) to present his work on cyber operations and the application of the law of armed conflict to cyber activity. Students of the program were also in attendance at the conference and gained valuable insight into military thought and, in some cases, their eventual assignments. Overall, the discussion was lively. Based on after-action feedback, the event was extremely appreciated by the attorneys as an opportunity to be exposed to academic thought on these topics. Moreover, the event was lauded as a great success by both NSRI executive director Gen. Bob Hinson and the USSTRATCOM JAG Col. Mike Schmit.

The conference will be held again in September, 2017. Details are forthcoming.
The University of Nebraska College of Law is rolling out a new strategy to reduce the state’s shortage of rural lawyers by drawing upon students from Nebraska’s numerous small towns and farms.

Through the new Rural Law Opportunities Program (RLOP), the Law College will work in partnership with Wayne State College, Chadron State College and the University of Nebraska at Kearney to jointly recruit incoming college freshmen from rural Nebraska to pursue legal careers outside of Nebraska’s metropolitan areas.

The undergraduate institutions will provide free tuition and, if the selected students maintain a 3.5 grade-point average and achieve a predetermined score on the Law School Admissions Test based on the College of Law’s current admission standards, they will be admitted automatically to the College of Law. Participants also will receive programming, support and mentorships from the Law College while they’re pursuing their bachelor’s degrees.

“I think of it as part of a multi-pronged effort to encourage lawyers to practice in rural Nebraska,” said Richard Moberly, dean of Nebraska Law. “This will help increase access to justice and encourage economic development, both of which involve having accessible legal services.”

Many areas of the state face critical shortages of lawyers. According to the Nebraska State Bar Association, 31 of Nebraska’s 93 counties have three or fewer lawyers in the county and 11 have no attorneys at all. This shortage creates additional hardships for people in rural areas who need a lawyer’s help developing an estate plan, handling a divorce, buying a home or business, enforcing a contract or resolving a criminal charge.

Lyle Koenig, ’72, a Wayne State College and College of Law alumnus who has practiced mostly in the Beatrice and Hebron areas during his 44-year career, said he has witnessed a tremendous decline in the number of “country lawyers” during the past two decades.

“Now, it really seems to be like pulling teeth. It just seems impossible to get people to come out (to rural areas),” Koenig said.

As co-chairman of the bar association’s Rural Practice Initiative committee, Koenig is helping lead efforts to remedy the problem. Koenig said it makes sense to him that a student from rural Nebraska would be more willing to consider a legal career in a rural area.

Koenig grew up in Wisner. After graduating from Nebraska Law, he launched his career as a trial attorney in Hebron. He and Moberly were honored for their efforts in developing the program during the Nebraska State Bar Association’s annual convention in October 2016.

“In cooperation with Wayne State College, Chadron State College and the University of Nebraska at Kearney, they have created and put into place the nation’s only ‘RLOP,’” said Thomas M. Maul, ’80, a Columbus attorney and former president of the state bar association. “I believe, years from now, people will look back on the
Around the College

implementation of this program as the defining event for getting lawyers to return to rural Nebraska to practice law."

After earning their law degrees, the new attorneys would be expected to return to rural Nebraska to launch their careers.

The Rural Law Opportunities Program is modeled after a similar program created by the University of Nebraska Medical Center more than 25 years ago. Robert Bartee, the medical center's vice chancellor for external affairs, said the Rural Health Opportunities Program was developed in conjunction with the Rural Health Education Network when rural health practitioner numbers began falling during the 1980s farm crisis.

“The overriding thing we learned is that you have a much better chance of having a graduate go back to a rural area if they’re from a rural area,” Bartee said.

Since 1990, more than 420 students have graduated from the health care version of the program, with 65 percent remaining in Nebraska and 73 percent of those who remain in Nebraska working in rural areas.

The American Bar Association lists Texas, South Dakota, Vermont, Oregon, Iowa, Wisconsin and North Dakota as states that have launched programs to increase legal services in rural areas. Their approaches include offering legal services via videoconferencing or teleconferencing; resources, support and incentives for lawyers who work in rural areas; fellowships, internships and clerkships for law students; and bus tours to give new lawyers and law students opportunities to meet attorneys in rural practices. Nebraska offers the same programs, and the RLOP is an innovative way to supplement them.

Nebraska Law continues to participate in the bar association's Rural Practice Initiative, a comprehensive effort that includes paid clerkships in nonmetropolitan areas and bus tours to give aspiring lawyers a sense of what it's like to work in a small law firm. The bar association also will lobby next year to renew funding for a student loan forgiveness program for lawyers who practice in rural areas.

Koenig initiated the effort to create the Rural Law Opportunities Program after he and his wife, Carol, met a Rural Health Opportunities program student while attending a concert at Wayne State.

“A light bulb kind of came on: ‘Why in the world don't we have a program like that for law?’” Koenig explained.

When University of Nebraska Omaha and College of Law alumnus Ross Pesek, ’10, heard of the RLOP, he immediately thought the same general structure could be used to encourage students in underrepresented communities to pursue legal education. Thus, the College of Law sought a partnership with UNO. This spring, the institutions launched the Underserved Law Opportunities Program (ULOP). Qualified first-generation or bilingual college students who have a record of community service will receive scholarships to attend UNO as undergraduates.

Just as with RLOP, participating students will be accepted into the College of Law upon graduation if they maintain a minimum 3.5 GPA throughout undergraduate coursework and achieve a minimum score on the Law School Admissions Test.

“There is no question Nebraska has a need for bilingual attorneys and attorneys who will practice law in the public interest. This is an important step toward meeting that need,” said Moberly.

“Our state will benefit from this program just as much as our students,” said Jonathan Benjamin-Alvarado, assistant vice chancellor for student affairs at UNO. “Our hope is that these students will go on to practice law in underserved communities, meeting a pressing need of the greater Omaha metropolitan area and Nebraska as a whole.”

Students enrolled in the program will be paired with a peer mentor and intern with a nonprofit organization that provides legal services. Participants also will have the opportunity to attend special College of Law programming and meet one-on-one with College of Law representatives. Admission interviews began this spring.
Stephanie Stacy, ‘91, addressed the Class of 2017 graduates and their guests at winter commencement ceremonies held in Hamann Auditorium at the Nebraska College of Law on Friday, December 16, 2016.

A member of Nebraska Law’s class of 1991, Stacy is a justice on the Nebraska Supreme Court, representing the 1st Judicial District. Prior to her appointment in 2015, she served on the district court bench for the 3rd Judicial District from 2011 until 2015. Stacy was a partner at a Lincoln law firm from 1993 until 2011, and served as a judicial clerk for the Honorable David L. Piester, ‘72, magistrate judge from 1991 until 1993.
Nebraska Ombudsman Marshall Lux and his team were known for operating quietly out of the public's view. But the report he wrote and released in January 2014 commanded attention from the governor and members of the Legislature's Judiciary Committee.

He drafted that report, detailing the tragedies surrounding Nikko Jenkins, when he felt the circumstances were so compelling he couldn't resist the moral obligation to write about them.

He has written those detailed reports several times in recent years. But it was the Jenkins report that boosted the profile of Lux and his independent group that handles citizen complaints about the actions of state agencies.

Jenkins, then 27, killed four people in Omaha over a 10-day span in 2013, shortly after his July 30 release from prison.

Lux pointed out in his 62-page report Jenkins’ need for, but lack of, mental health treatment, and the prison system’s negligence in not heeding the many warnings from not only Jenkins, but his family, psychiatrists, a Parole Board administrator and others, that the inmate had disturbing problems. He wrote about the dangers in releasing offenders, especially one so deeply troubled, straight from solitary confinement to walking free among the public.

Sadly, Lux concluded, he could give no comfort to the families of Jenkins’ four murder victims, or even give them a rationale for why their loved ones were lost.

The truly big questions about fate and bad fortune, the unpredictability of life, grief, loss, gratuitous violence...
Our Alumni

and the shadowy depths of the human psyche were beyond the ombudsman’s reach and scope, he wrote.

“In the end, all we really have to offer is the truth, at least as truth is reflected in the records of Mr. Jenkins’ adult incarceration.”

Then-Gov. Dave Heineman didn’t like what Lux had to say. He hurled accusations that Lux was soft on crime. He argued the ombudsman cared more about criminals than victims and their families.

But the report was a wake-up call for senators, who saw it as a case study in all that was going awry with the prisons. They followed up by creating the Department of Correctional Services Special Investigative Committee.

“That would have been the match that lit the fuse that became the committee,” said former Sen. Steve Lathrop, who chaired it.

Senators subpoenaed Corrections officials and Heineman to testify, and recommended changes and the firing of certain administrators.

Since then, Marshall Lux has become the Legislature’s E.F. Hutton. When he talks, senators listen.

He knows when to sound the alarm and say something’s really wrong, Lathrop said, and then distill and articulate the problems.

* * *

In Lux’s eighth-floor office in the Capitol tower is a framed 1956 Lincoln Evening Journal clipping with a picture of his dad, a Roca town clerk also named Marshall Lux.

The photo shows six men sitting in a coal-heated grain elevator office discussing hometown business.

“What you’re not seeing in this picture is that way over here in the corner, I’m sitting, probably,” Lux said, “because I used to go to these things.”

Those meetings were his first exposure to government, and he loved to listen and learn as the adults talked, argued and resolved town business.

Lux grew up an only child in that mostly untroubled community of 120 then, 14 miles south of Lincoln.

“It was good. I kind of felt like I was living the last classic American childhood,” he said.

That peace-filled life framed a lot of who Lux became.

His father owned Lux’s Tavern in Roca. In the 1950s and ’60s, Lincoln was dry on Sundays, and people would travel to county taverns on Sunday afternoons for a beer.

“I spent many hours there just sitting, watching them play pitch and listening to them talking about sports, hunting and all that you hear in places like that,” Lux said. “Every so often I’d steal a Pepsi and a sack of Kitty Clover potato chips so that I didn’t starve to death.”

He thinks he may have grown up a little sooner in that atmosphere.

Lux’s classmates in elementary and middle school numbered about 30. In his teen years, he moved on to a bigger venue: Lincoln High School.

“That was kind of a shock.”

After that, he entered the University of Nebraska, majoring in political science, and came out the other end in 1973 with a law degree.

A clerkship with Nebraska Supreme Court judges gave Lux his first exposure to life at the Capitol.
By the late ’70s, he was working for the state Parole Administration as a hearing officer. Then a job opened at the state Ombudsman’s office, which at the time was four full-time people working on cases, and two office staff.

Ombudsman Murrell McNeil, who Lux described as a conscientious, careful person, retired a couple of years later, and Lux was appointed to succeed him in 1981, becoming only the second ombudsman in its then 10-year history.

Lux is in his 36th year now, with a staff of 18 and an annual budget of $1.5 million. And the job, he said, is more interesting than ever.

Those who have worked closely with Lux describe him as confident, but never a showboat. Serious, straightforward. A man of intellect who believes in practical solutions.

Besides giving his views on the Nikko Jenkins fiasco, Lux has registered how he and his staff saw last year’s Tecumseh Mother’s Day riot. And, in the early 2000s, he wrote about inmates’ medical care concerns.

“That was such a mess, obviously screwed up and no one in the department wanted to do anything about it,” he said. “If you’ve got any conscience at all, you’ve got to do something about it.”

Lux is a good leader for the men and women who are the problem-solvers for people involved with Nebraska’s state agencies, said Jerall Moreland, deputy ombudsman for institutions. He allows the expertise of the team to shine through.

“He has a very strong sense of humanity,” Moreland said.

In dealing with inmates, Lux said he tries to ignore the facts that got them there.

“The issue for us is, what happens now? So, in that respect, we just see them as people. And everyone’s an individual,” Lux said.

He also has a good sense of what citizens need in navigating bureaucracies, Moreland said.

In the office, Lux forge an environment of trust, said Julie Rogers, ’99 state inspector general for child welfare.

“And it is very exciting to work in an environment like that,” she said.

His concern extends to the Legislature, which he sternly supports and watches over.

Lathrop said the ombudsman’s job became more important during the Heineman administration, as the governor cut the budget and shaved spending at Corrections and the Department of Health and Human Services. The consequences of that cutting, and the mismanagement and various scandals that ensued, were first investigated by Lux’s office.

“That makes his role maybe more important than it’s ever been because the Legislature was being told, ‘Everything’s fine. We’re able to manage with what we’ve got.’ And in reality, things were turning into a big mess,” Lathrop said.

But Lux was drilling down and telling the Legislature that what they were hearing from the agencies was not the whole story.

When he’s not working, Lux and his wife, Janet, have season tickets to Nebraska baseball games. And he has not missed a Husker home football game since 1969, when he was a senior in college.

“I’m pretty proud of that,” he said. “There’s been some times lately when it’s been hard to go. But I enjoyed this last season.”
Always the political thinker, he said when the team has leadership he doesn't agree with, "I am not above wishing that they might lose a game or two, if you know what I mean."

Bo Pelini, one would suppose, wasn't exactly the thinking man's coach.

“I had some hard years there.”

But he believes Mike Riley is smart, personable, and not going to embarrass the program.

* * *

Lux hasn’t read a novel in some time. But he’s a history buff, and has read seemingly every book written about the Titanic.

“It’s almost as if it were the creation myth of our modern society, except that it’s not a myth,” Lux said.

In the twilight of the gilded age, many people living lavish lives were on that ship, he said, suffering from a terminal case of overconfidence in how their world worked.

They did not understand the vulnerabilities of their society and their technology, and their ability to control events. And they had tremendous misplaced confidence in their captain, he said.

The lessons: You have to be careful where you place your confidence. You have to expect that people are going to make mistakes, Lux said.

He used the story as an analogy in his report on the Tecumseh riot, and he sees its parallels to the bureaucracy he has been observing the past 35 years.

Government and its complement of administrators, bureaucrats, police, firefighters and teachers must be relied on to make society work. But those administrators and agencies are mistake-prone and have inherent weaknesses, including protecting their own interests, even if they’re not the same as the public’s interests, he said.

“They’re not terribly creative,” he said. “There’s a prejudice against change. Ideas don’t flow up from below very well.”

Lux is keeping an eye on the changes in Gov. Pete Ricketts’ two key departments: Health and Human Services and Corrections.

“With Corrections, we’ll see how it goes,” he said. “It still has a long way to go.”

* * *

Lux’s appointment as Ombudsman must be renewed every six years—recommended by the Executive Board and voted on by the Legislature—and this year is the last of his current term. [Lux was reappointed for a six-year term in February 2017.]

He just turned 68 and has not decided how long he plans to continue in the role.

Executive Board Chairman Bob Krist has asked Lux to stay on another term, and to consider in that time who he would recommend to replace him, and then to mentor that person.

The office is key for the Legislature.

“Anybody who has issues, problems, brings it to their senators, and we know we’re not the experts, and we go to where the experts are,” Krist said.

The preponderance of that capability and experience is in the Ombudsman’s office, he said.

“His individual leadership style is going to be very difficult to replace.”
Join us for the 2017 Alumni Reunion!
Whether you join us for all of the festivities or only certain parts, the College of Law faculty, administration and staff would love to see you.

September 22 & 23, 2017

2017 Nebraska Law Alumni Reunion


September 23, 2017
Nebraska vs. Rutgers

More information is available at law.unl.edu/reunion.
1890s

John J. Pershing, 1893, commander of the American Expeditionary Force during World War I, was named #13 on the list of “150 Notable Nebraskans” by the *Lincoln Journal Star*.

John J. Pershing

1930s

J. Lee Rankin, ’30, who served as U.S. solicitor general and chief investigator for the Warren Commission investigating the death of President John F. Kennedy, was named #94 on the list of “150 Notable Nebraskans” by the *Lincoln Journal Star*.

J. Lee Rankin

1950s

Ted Sorensen, ’51, chief aide and speech writer to President John F. Kennedy, was named #8 on the list of “150 Notable Nebraskans” by the *Lincoln Journal Star*.

Ted Sorensen

1960s

Kermit A. Brashear, ’69, has joined the Omaha law firm of Vandenack Weaver. He advises boards of directors and management as general and special counsel. Brashear was a member of the Nebraska Legislature from 1995 to 2007, and he served as its speaker from 2005 to 2007.

Kermit A. Brashear

1970s

Ben Nelson, ’70, former Nebraska governor and U.S. senator, gathered with 35 of the judges he appointed as governor at a recognition dinner at the Omaha Press Club.

Ben Nelson

Dennis Burnett, ’73, an adjunct professor of law with Nebraska Law’s Space, Cyber and Telecommunications Law Program, testified before the U.S. House of Representatives Science, Space and Technology Subcommittee on “Regulating Space: Innovation, Liberty and International Obligations.”

Dennis Burnett

Jere M. Knoles, ’73, author of *Individual Retirement Accounts Handbook*, published by Institute for Business Planning, retired to Las Vegas after practicing law in Omaha for several years.

Jere M. Knoles

Damon T. (Dan) Bahensky, ’77, a partner in the Kearney law firm of Parker, Grossart, Bahensky, Beuck, Bowman & Symington, has been elected to the Nebraska Community Foundation board of directors.

Damon T. (Dan) Bahensky

Fred Kray, ’77, a semi-retired lawyer in Gainesville, Florida, received the ABA’s Tort Trial
and Insurance Practice Section's Excellence in the Advancement of Animal Law Award for 2016. The award recognizes a member of the section's Animal Law Committee who, "through commitment and leadership has advanced the humane treatment of animals through the law." Kray has helped shape dangerous-dog laws through litigation, scholarship and blog posts. He maintains a website, Pit Bulletin Legal News, and co-authored a book, Defending Against Dangerous Dog Classifications.

**Steven Moeller,** '79, retired from the Department of Environmental Quality, effective January 19, 2016.

**1980s**

**Jose Soto,** '84, was honored with the Erasmus Correll Award by the Women's Foundation of Lincoln and Lancaster County. The award is given to a man who has supported women's issues. Soto is vice president of Equity and Diversity at Southeast Community College.

**Joe Strecher,** '84, a former U.S attorney for Nebraska, was appointed by Sen. Ben Sasse, R-Neb., to an advisory committee to review candidates for offices such as U.S. attorney and U.S. marshal.

**Tom Briese,** '85, was elected to the Nebraska Legislature, representing the 41st District.

**1990s**

**Amie C. Martinez,** '94, an attorney with the Lincoln law firm of Anderson, Creager & Wittstruck, achieved Board Certification as a family trial advocate by the National Board of Trial Advocacy (NBTA).

**John R. Freudenberg,** '95, was selected by Nebraska Gov. Pete Ricketts to serve as a county court judge for the Third Judicial District. He formerly was Criminal Bureau chief at the Nebraska Department of Environmental Quality. The award recognizes a member of the section's Animal Law Committee who, "through commitment and leadership has advanced the humane treatment of animals through the law." Kray has helped shape dangerous-dog laws through litigation, scholarship and blog posts. He maintains a website, Pit Bulletin Legal News, and co-authored a book, Defending Against Dangerous Dog Classifications.

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Attorney General’s Office, a partner at Smith, King & Freudenberg in Gordon, and Sheridan County attorney.

Dan Torrens, ’96, joined Righi Fitch Law Group in Phoenix, Arizona. Torrens, who is of counsel to the firm, is a civil litigator who practices in the areas of personal injury, commercial litigation and ADR. He remains a member of the American Board of Trial Advocates.

Bryan Robertson, ’92, joined the private client group of U.S. Bank as vice president and trust relationship manager. Robertson is located at the bank’s Lincoln Main location. He is also an adjunct professor at Nebraska Wesleyan University, where he teaches individual and corporate income tax courses.


Thomas W. Fox, ’98, joined the Lincoln law firm of Keating, O’Gara, Nedved & Peter as an associate attorney. His practice focuses on labor and employment law and civil litigation. He was formerly Lancaster County deputy county attorney and County Court judge.

2000s

Jodi Fenner, ’00, is a senior specialty product management director for Anthem Insurance. She works with the company’s various state health plans and partners across the U.S. to develop and implement programs for individuals with developmental disabilities. Fenner lives in Norman, Oklahoma.

Glen Parks, ’01, was appointed coordinator of the Nebraska Human Trafficking Task Force (NHTTF) by the Attorney General’s Office. Parks spent nine years in India, fighting sex trafficking there as legal director of an anti-human trafficking organization and helping develop a border monitoring strategy for Tiny Hands International, a group stopping human trafficking across the Nepal-India border.

Julie Karavas, ’02, formed Karavas and Krantz, with offices in Lincoln and Boulder, Colorado. Her practice focuses on estate planning, business succession, probate and related tax and business matters.

Rick Kubat, ’02, a government relations attorney with the Metropolitan Utilities District of Omaha, was accepted into the Nebraska Water Leaders Academy, a one-year program that provides leadership training and educates participants about the vital role rivers, streams and aquifers play in the economic sustainability of the state.

David Rasmussen, ’04, was named a shareholder in the Lincoln law firm of O’Neill Heinrich Damkroger Bergmeyer & Shultz. Rasmussen conducts a general transactional practice assisting clients with business and commercial transactions, corporate law and securities compliance, real estate transactions, technology issues, business succession and estate planning issues.

Kevin Corlew, ’05, was reelected to the Missouri House of Representatives. Corlew is of counsel with Shook, Hardy & Bacon in Kansas City, Missouri.

Daniel Dawes, ’06, received the 2017 Health Equity Advocate Award from Families USA in honor of his...
exceptional advocacy and commitment to eliminating racial and ethnic disparities and achieving health equity for all. Dawes is the executive director of government affairs and health policy at Morehouse School of Medicine in Atlanta, Georgia, and author of 150 Years of Obamacare. He also is a lecturer on health law and policy at the Satcher Health Leadership Fund and co-founder and principal investigator of the Health Equity Leadership and Exchange Network (HELEN), which is a national network of health equity champions.

Jessica Feinstein, ’06, was elevated to principal in Jackson Lewis’ Omaha office. Feinstein specializes in representing U.S. and multi-national companies in employment-based immigration.

Monica L. Freemen, ’07, was named a partner in the Lincoln law firm of Woods & Aitken. She concentrates her practice in the areas of construction law and commercial litigation.

T. Jake Hinkins, ’07, founder of Anderson Hinkins in South Jordan, Utah, and his wife Lindsey welcomed a beautiful little girl, Julia Ann, to their family on December 5, 2016. In 2016, Hinkins co-authored the book Utah Business Law for Entrepreneurs & Managers. He also was named to The National Trial Lawyers Top 40 Under 40 in 2016 and The National Trial Lawyers Top 100 in 2017. He was named to Utah Business Magazine’s Legal Elite for Civil Litigation in 2017 and a Rising Star in General Litigation for Super Lawyers in the Mountain States for 2017. In 2016, he received the Client Satisfaction Award from the American Institute of Personal Injury Attorneys.

Brenda (George) Smith, ’07, of Elkhorn, a founding partner in the Dvorak & Donovan Law Group in Omaha, was selected as a 2016 recipient of the Midlands Business Journal’s 15th annual 40 Under 40 award.

Jennifer Bear Eagle, ’08, was named in-house counsel for the Oglala Sioux Tribe.

Christopher S. Conry, ’08, opened Conry Law in the Houston, Texas, area.

Ross Gardner, ’08, was elevated to principal in Jackson Lewis’ Omaha office. Gardner represents management in all aspects of traditional labor law and employment litigation.

Kristi Boswell, ’09, was recognized during Women’s History Month for her contribution as a woman involved in agriculture by #WomenInAg. Boswell is director of congressional relations at the American Farm Bureau Federation in Washington, D.C. Her area of expertise is farm labor and food safety issues.

Jennifer Clements, ’09, was named assistant county attorney in Freeborn County, Minnesota. She was formerly deputy Lincoln County attorney in Nebraska.

Adam Barney, ’10, was named a partner in the Lincoln law firm of Cline Williams Wright Johnson & Oldfather. He focuses his practice on commercial litigation matters.

Adam Bates, ’10, was named a partner in the West Des Moines, Iowa, law firm of Peddicord Wharton. His practice focuses on trial advocacy and litigation, specifically workers’ compensation and insurance defense.

Gregory Frayser, ’10, was named a partner in the Lincoln law firm of Cline Williams Wright Johnson & Oldfather. His practice is a mix of transactional and litigation matters related to secured transactions.
Kimberly Lawton, ’10, was elected district attorney in Bayfield County, Wisconsin.

Brock D. Wurl, ’10, was named partner at Norman, Paloucek, Herman & Wurl Law Offices in North Platte, where he has worked since graduating from the College of Law. Brock’s primary areas of focus are personal injury, workers’ compensation, real estate litigation, adoption and Social Security Disability Insurance.

James Boesen, ’11, joined INSPRO Insurance’s Omaha office as an account executive.

Jordan T. Glaser, ’11, was named a partner at the Peters Law Firm in Council Bluffs, Iowa, where he has worked since graduating from the College of Law. Glaser devotes his practice entirely to litigation, specifically in the areas of personal injury, workers’ compensation, criminal defense and dissolution of marriage.

Jonathan Gardner, ’11, was appointed assistant district attorney for New Mexico’s Second Judicial District, which encompasses the Albuquerque area.

Garrett A. Lutovsky, ’12, was named a senior associate with the Omaha law firm of Engles, Ketcham, Olson & Keith. He has been an associate with the firm since 2012 and practices in the firm’s workers’ compensation group.

Brian Copley, ’13, was promoted to partner at the Lexington, Nebraska, law firm now known as Heldt, McKeone & Copley.

Trevin Preble, ’13, joined The Bradley Law Office in Grand Island.

Bijan Koohmaraie, ’14, was appointed counsel for the Committee on Energy and Commerce of the United States House of Representatives. He previously served with the Nebraska Attorney General’s Office.

Ryan McIntosh, ’14, an associate attorney with Mattson Ricketts Law Firm of Nebraska City, was accepted into the Nebraska Water Leaders Academy, a one-year program that provides leadership training and educates participants about the vital role rivers, streams and aquifers play in the economic sustainability of the state.

Lisa M. Shifflet, ’15, has joined the McCook law firm of Mousel, Brooks, Schneider & Mustion. Her practice focuses primarily on family law.

Loguen Blazek, ’16, is serving as legislative aide to Nebraska Senator Bruce Bostelman.

Sarah Duchnak, ’16, joined the Omaha office of Kutak Rock as an associate attorney. She is a member of the tax credit practice group. She represents participants in the affordable housing credit industry.

Nelly F. Greenberg, ’16, joined the litigation department of the Omaha law firm of Lamson Dugan & Murray as an associate attorney.

Christopher T. Gruber, ’16, joined the Lincoln law firm of Keating, O’Gara, Nedved & Peter as an associate attorney. His practice focuses on general litigation with a special emphasis on personal injury and professional liability.

Matthew Marvin, ’16, joined the Omaha office of Kutak Rock as an associate attorney. He is a member of the corporate department, working primarily in the intellectual property and information technology group.
Stephen Murray, ’16, joined the Omaha office of Hennessy & Roach as an associate attorney.

Allison K. Rockey, ’16, joined the Omaha office of Copple, Rockey, McKeever & Schlecht as an associate attorney.

Justin Sheldon, ’16, joined the Kearney, Nebraska, law firm of Jacobsen, Orr, Lindstrom & Holbrook as an associate attorney. His areas of practice include general business, trademark, employment, estate planning, civil litigation, criminal and civil law.

Brianna Sorensen, ’16, opened a legal practice in Lincoln while also working as a law clerk for her father Mahlon Sorensen, ’74, who serves as city attorney for both Essex, Iowa, and Shenandoah, Iowa.

Lily Spader, ’16, was named program assistant/attorney for the NSBA’s Volunteer Lawyers Project Team (VLP).

Nathan J. Stratton, ’16, has joined Stratton, DeLay, Doele, Carlson & Buettnner in Norfolk, Nebraska, as an associate attorney. His practice focuses on criminal defense, civil litigation and general practice.

Lyle E. Wheeler, ’16, joined the Lincoln law firm of Keating, O’Gara, Nedved & Peter as an associate attorney. His practice focuses on business transactions, tax law and general corporate litigation. Wheeler has been appointed by Sen. Ben Sasse, R-Neb., to an advisory committee to review candidates for offices such as U.S. attorney and U.S. marshal.

Spencer Wilson, ’16, joined Yost Law firm in Fremont.

Be sure to let the Alumni Relations Office know of your accomplishments, life changes, and new opportunities. Alum Notes may be submitted by visiting the website (http://law.unl.edu/alumni/transcript_note) or emailing molly.brummond@unl.edu.
In Memoriam

1930s
Edmund Hollstein, ’38, passed away peacefully in his sleep at the Pioneer Manor Nursing home in Hay Springs, Nebraska, on December 31, 2016. He was 104 years old. Hollstein attended George Washington University Law School before graduating from the College of Law in 1938. He practiced law in Rushville, Nebraska, for more than 60 years, interrupted only by his service in the U.S. Army during World War II. Hollstein received an Honorary Doctor of Law degree from Chadron State College.

1940s
Dale Clinton Tintsman, ’47, died on February 17, 2017, at his home, The Landing, in Lincoln. He was 97 years old. He served in active duty in both World War II and the Korean War. In 1962, he retired as a colonel in the Nebraska Air National Guard. He began his business career as an investment banker. In the summer of 1981, he started Tintsman and Company, which became First Mid America Securities, with 16 offices across the Midwest. In 1976, he joined Iowa Beef Processors as president and CEO. He retired from the board in 2000. Tintsman was elected a member of the Nebraska Business Hall of Fame.

Richard G. Folda, ’49, passed away on November 26, 2016, at the age of 93. He was an Army Air Force pilot during World War II, flying B-24s, B-25s and B-29s. After graduating from the Law College, Folda joined his father in the operation of the Folda Insurance Agency and Schuyler Federal Savings and Loan, in addition to practicing law. Folda served as president of Heritage Federal Savings Bank, the Nebraska Savings and Loan League and the four-state Midwest Savings Conference. For eight years, he served as Schuyler city attorney and for many years served as president of the Schuyler Board of Education.

Royce Neil Harper, ’49, passed away on September 12, 2016, at the age of 93. During World War II, the Army placed Harper in engineering school at Bradley University in Peoria, Illinois, and then sent him to La Jolla, California, where he trained as part of the 96th Infantry Division, known as the “The Deadeyes,” which later made two amphibious landings at Okinawa and Leyte in the Pacific Theater. Harper worked for State Farm Insurance in Grand Island for 16 years. In 1968, he moved to Lincoln, where he served as assistant attorney general. After his retirement at age 82 and until he was 90, Harper handled cases and offered pro bono aid for Nebraskans in need of legal assistance.

1950s
John J. Blake, ’50, passed away on November 5, 2016, at Rosewood Care Center in Galesburg, Illinois. He was 93 years old. He was a member of the U.S. Air Force during World War II. From 1950 to 1955, Blake worked for the Galesburg law firm of Stuart, Neagle & West. In 1955, he opened Blake Law Office. He served as the Galesburg city attorney from 1953 to 1957. He resigned in 1957 to begin securing right-of-ways for the waterline from Oquawka to Galesburg. In 1962, Blake went to work for the law firm of Nelson & Gustafson that later became Nelson, Gustafson & Blake. He retired on December 31, 2013, at the age of 90.
James Richard Hancock, '59, passed away on March 14, 2017, at the age of 85. From 1952 to 1954, Hancock served in Heidelberg, Germany, for the U.S. Army Counter-Intelligence Corps. He worked for the Scottsbluff law firm of Wright, Simmons & Harris until 1971, when he went into practice on his own. He served as president of the Scotts Bluff County Bar Association.

Philip Sorensen, '59, died on February 12, 2017, at the age of 83. Sorensen was lieutenant governor of Nebraska from 1965 to 1967 in the administration of Gov. Frank Morrison. He was the Democratic Party’s gubernatorial nominee in 1966. Prior to his political career, he served as law clerk to U.S. Judge Robert Van Pelt from 1959 to 1960, and then practiced law in Lincoln until 1965. From 1973 to 1995, Sorensen was a professor of law at Ohio State University, serving as Presidents Club professor of law and director of the Center for Socio-Legal Studies. He became emeritus professor of law in 1995. Besides his political, legal and education careers, he was accomplished in the art of stone sculpting.

1960s


Clayton Yeutter, ’63, passed away on March 4, 2017, in Potomac, Maryland, after a four-year battle with colon cancer. He was 86 years old. Yeutter served as U.S. secretary of agriculture under President George H.W. Bush, beginning in 1989. Before that, he served as U.S. trade representative under President Ronald Reagan, leading negotiations for what later became NAFTA. Beginning in 1991, he served as chairman of the Republican National Committee and as counselor to President Bush. He also served as chief of staff for Nebraska Gov. Norbert Tiemann and as president and CEO of the Chicago Mercantile Exchange. In recent years, he served as a senior adviser at the international law firm of Hogan Lovells in Washington, D.C., a position he retired from in December 2015. In March 2015, Yeutter made a $2.5 million gift to UNL to establish an international trade and finance institute.

Raymond Baker, ’67, died on March 22, 2017, at his home in Columbus, Nebraska, at the age of 82. Baker was in the private practice of law in Columbus for many years, interrupted for a time to serve as Platte County attorney.

Bryce Bartu, ’68, passed away on November 6, 2016, at the age of 80. He practiced law in Seward until 1977, when he was appointed district court judge for the Fifth Judicial District by Gov. Jim Exon. He retired in 1995.
Samuel Percival Baird, ’69, passed away on February 2, 2017, in Lincoln, at the age of 72. After practicing law in Lincoln, Baird returned to his hometown of Superior, Nebraska, to be president and CEO of the Farmers State Bank & Trust Company. Upon retiring from the bank, he was appointed the director of banking for the State of Nebraska. Baird also served as the president of the Nebraska Bankers Association, as a director of the Kansas City Federal Reserve, on the executive committee of the Government Relations Council for the American Bankers Association and as a member of the University of Nebraska Foundation finance committee.

1970s

Terry Joseph Adams, ’71, died on March 27, 2017, at the age of 70. After his graduation from the Law College, Adams moved to Phoenix, Arizona, where he served briefly with the City Prosecutor’s Office before joining the Maricopa County Public Defender’s Office. He has recently retired after 45 years of service.

W. Wesley Lubberstedt, ’71, died on March 22, 2017, at Brookdale Senior Living in Lexington, Nebraska. He had served as a 2nd lieutenant in the United States Army. After his graduation from the Law College, he joined the Cook & Cook Law Office in Lexington. He opened his own practice in 1979. Lubberstedt served as Lexington city attorney for many years, as well as Lexington school attorney. He was instrumental in the formation of the Lexington Community Foundation.

L. Jay Gildersleeve, ’73, passed away on August 18, 2016, at the age of 69. After his graduation from the Law College, Gildersleeve clerked for Judge Harry Spencer at the Nebraska Supreme Court. He then entered private practice in Auburn, Nebraska. In 1978, he returned to Lincoln to work for the Nebraska State Board of Educational Lands and Funds as deputy director and general counsel. He later served as the agency director for several years until retiring in 2009.

Arthur “Art” Richard Langvardt, ’74, passed away on February 8, 2017, in Doniphan. He practiced law for 42 years, 38 of which were in Hastings, Nebraska, with the Langvardt, Valle & James Law Firm.

Joyce M. Pocras, ’76, of Lincoln and Sun Lakes, Arizona, passed away on October 3, 2016, at the age of 78.
B. Joseph Dromsky, ’78, died on October 2, 2016, in Augusta, Georgia, at the age of 82. Dromsky was commissioned into the United State Air Force in 1954 and retired as a lieutenant colonel in 1975. While serving in the Air Force, he received the Distinguished Flying Cross and served two tours in the Vietnam War. Dromsky was the assistant administrator of the Georgia War Veterans Nursing Home when he retired in 1998, after 17 years on the staff.

Lori A. Zeilinger, ’79, died at Chase County Community Hospital as a result of an automobile accident. She operated Zeilinger Law Office in Ogallala and has practiced law in Western Nebraska for 35 years. In 1994, she moved to Grant to serve as Perkins County attorney.

1980s

Eugene Larson Martin, ’85, passed away at Bryan Medical Center in Lincoln on February 1, 2017, at the age of 76. In addition to his law degree, Dr. Martin received a Ph.D. in microbiology from Rutgers University. He joined the Microbiology Department at UNL as an assistant professor in 1975 and retired as an associate professor of Biological Sciences in 2008. He received numerous teaching awards for his teaching of both graduate and undergraduate courses in microbiology. He also was honored for his teaching contributions to the nursing program at the University of Nebraska Medical Center and as a visiting professor at St. George’s University in Grenada.

1990s

Lance Christian Carlson, ’95, died on February 8, 2017, at Osmond General Hospital in Osmond, Nebraska. He was 47. After his graduation from the Law College, Carlson joined Craig Monson, ’72, and Mark Behm in Randolph, Nebraska, as part of the firm Monson, Behm & Carlson. In 2004, he purchased his partners’ interest in the firm and practiced as Carlson Law Office. He also served as city attorney for Randolph and Wausa, Nebraska.
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