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The Nebraska Transcript

UNIVERSITY OF NEBRASKA COLLEGE OF LAW FALL 2001 Vol. 35 No. 2



Dean Steven L. Willborn and
Chancellor Harvey S. Perlman

The Nebraska Transcript

UNIVERSITY OF NEBRASKA COLLEGE OF LAW FALL 2001 Vol. 35 No. 2

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New Dean Steve Willborn Sees College's Mission as 'Changing Trajectory of Students' Lives'

Add Steven L. Willborn's name to those of Roscoe Pound, William Seavey, Henry H. Foster, Frederick Beutel, David Dow, Henry M. Grether, Jr., John William Strong, Harvey Perlman and others who have served as dean of the College of Law. Who would serve as the College's 15th dean was revealed in March when Senior Vice Chancellor for Academic Affairs Rick Edwards announced, "After a national search that involved some very strong candidates, Steve Willborn emerged as the best choice to lead the College of Law." Willborn, who had been serving as the College's interim dean, officially began his deanship on July 1.

Willborn joined the Law College's faculty in 1979 after three years of law practice in Cleveland, Ohio. He is a native of Wisconsin where, following in the footsteps of his cheesemaker father, he is licensed to make cheese. He received his B.A. degree from Northland College in Ashland, Wis., and



his J.D. and M.S. degree in counseling from the University of Wisconsin in Madison in 1976. While he was at Wisconsin, he served as an editor of the *Wisconsin Law Review*.

At the Law College, where he is Richard C. and Catherine Stuart Schmoker professor of law, Willborn has specialized in labor and employment law. He is the author of five books, including a leading textbook on employment law, and has written numerous articles and book chapters. He has been a Fulbright scholar at the Institute of Advanced Legal Studies at the University of London; a visiting scholar at the Australian National University in Canberra, the University of Toronto and Lincoln College at Oxford University; and a visiting professor at the University of

Michigan Law School. Willborn served as reporter for the Uniform Management of Public Employee Retirement Systems Act promulgated by the National Conference of Commissioners on Uniform State Laws.

College of Law Deans

William Henry Smith	1891-1893	Edmund O. Belsheim	1950-1960
Manoah B. Reese	1893-1903	David Dow	1960-1966
Roscoe Pound	1903-1907	Henry M. Grether, Jr.	1966-1977
George P. Costigan, Jr.	1907-1909	John William Strong	1977-1981
William G. Hastings	1909-1920	Harvey S. Perlman	1983-1998
Warren A. Seavey	1920-1926	Nancy B. Rapoport	1998-2000
Henry H. Foster	1926-1943	Steven L. Willborn	2000-
Frederick K. Beutel	1946-1950		



Dean Willborn shows the Law College faculty plans for the expansion and remodel project.

He is a three time recipient of the College's Distinguished Teaching Award. He is married to Elizabeth Hazen Willborn and has three daughters – Emily, Anne and Jane.

Professor Rob Denicola, who chaired the dean search committee, said about Willborn's appointment, "Steve stood out even among an extremely strong pool of candidates. The search committee's conversations with law

faculty and attorneys from around the country confirmed Steve's reputation as one of the country's top scholars on Employment Law. We also know from experience that he has the energy and personality to be an effective leader. Most important, I think everyone at the College has confidence in Steve's judgment. We know he'll keep the Law College moving forward."

The new dean is excited about being able to continue the work he started in his year as interim dean. He noted, "Many good things are happening at the Law College and the combination is leading to a real sense of momentum and enthusiasm." One of these is the expansion and remodeling of the College's building "although it will be burdensome for the next couple of years." Another is the College's identification as one of the University's priority programs. And, of course, "the new chancellor of the University thinks highly of us, and we of him."

Willborn intends to further this momentum and enthusiasm by building on the College's many strengths. He told the TRANSCRIPT, "The law school world these days is very competitive. Every day, I seem to get information from one school or another about how wonderful its faculty is, how great its students, how innovative its programs. And much of it seems directed toward a particular ranking scheme used by one major publisher. There's much waste in this, obviously, but we live in this world and have to be aware of it. My main approach to this is to do my very best to keep my focus on the underlying quality of the Law College itself, and not on the surrounding hype, and to count on that underlying quality to shine through. We must constantly look at who

we are and how we're doing, not for the ranking systems (although doing well on them may be a byproduct of our efforts), but to make us a better place. We are a great teaching institution, but we can do even better. We have a great faculty, but we need to do more to facilitate and support their research and to bring in fresh new people with new ideas and perspectives. We have very good students, but we can do even better in attracting the best from Nebraska and elsewhere."

Another of the College's strengths is its loyal corps of graduates, and going around the country talking with alums has been one of Willborn's joys during his year as interim dean. He said, "The alums I talked to always had memorable and remarkable stories – about being called on in class the first time; about eccentric professors; about friends and classmates – and related them with enthusiasm and nostalgia. And I don't think their fond memories of the place were all due to the fact that they were young at the time."

What would lead a professor with a strong national reputation as a scholar and a teacher to take a detour and venture down the road of law school administration? For Willborn, there is a strong sense of mission that comes from his own life experience. "I am a strong supporter of good public law schools like Nebraska for very personal reasons," he said. "I'm a product of a good public law school, and the education I got there dramatically changed the trajectory of my life. I think that's the primary business we're in: To take the people entrusted to us and change the trajectory of their lives." ■



Willborn with former Supreme Court Justice and current Kauffman Legal Writing Fellow D. Nick Caporale.

Former Dean Harvey Perlman Appointed UNL Chancellor

By Robin Hadfield

In March, University of Nebraska President Dennis Smith named as chancellor of the University of Nebraska-Lincoln Harvey Perlman, a 1966 graduate and faculty member of the College of Law, as well as its dean from 1985 until 1998, who had been serving as the University's interim chancellor. The TRANSCRIPT took this opportunity to speak with Perlman about his new and old duties.

TRANSCRIPT: How did being dean of the Law College prepare you for your new position as chancellor?

Perlman: There are some issues that arise in the administration of any higher education unit that are transferable from the law school to this position. Since I had no administrative experience prior to being dean, it was probably an essential experience for this position. I can think back and think of some things that upon reflection I wish I would have done differently at the College of Law that I will now probably do differently here – they may turn out worse, I don't know. You have a knowledge base about how universities are run and how universities' budgets are constructed and interactions with the University of Nebraska Foundation, the Alumni Association, and all those kinds of things that are essential to this job. Fund-raising experience, which I had before, is certainly relevant to this job.



TRANSCRIPT: Has your viewpoint of the Law College changed now that you've seen it from a more systemic viewpoint?

Perlman: I don't think so. The Law College is still, from here, one of the strong academic units on campus. I think the change of perception that I've had is that I think there are other units on the Lincoln campus that are equally as

strong. At times we sat out at the law school thinking that the rest of the University was dragging us down. I don't think that now.

TRANSCRIPT: The J.D. program has been named a priority program. What does that mean and how was it chosen?

Perlman: The list of priorities we currently have are essentially dean priorities. We asked each dean to give us their priorities so one can't at this point make much out of the fact that the J.D. program is listed. We will have a process over the summer and fall of next year in order to permit those programs that are now listed to apply for funds. The units we fund will then be campus wide priorities as opposed to college priorities.

TRANSCRIPT: Do you have any thoughts on Steve Willborn being named as dean of the Law College?

Perlman: I'm delighted that he was. I guess I'd have to say that – I'm one of the ones who appointed him. I think everyone who watched his performance as an

interim was impressed. It is a transition from being a faculty member to becoming a dean. There are some rough edges that I had to smooth down when I transitioned there and I assume Steve had some. It looks like Steve is actively involved in the bar and doing fundraising and as far as I know is administering the College in a sensible and efficient way. He has a strong national reputation, which is important in that position.

TRANSCRIPT: You played an important part in the Law College's expansion and remodel project. Are you still involved in any way?

Perlman: Steve keeps me informed and, as I would with any academic unit, I'm still trying to help with the fundraising side. I expect to come back to the law school so I have a keen interest in what the faculty offices look like.

TRANSCRIPT: Do you have a time frame for when that will happen?

Perlman: No, it will be a while. Unless people get sick of me.

TRANSCRIPT: How did you decide to step down as dean?

Perlman: That was easy. Actually, it wasn't easy, it was hard, because I should have done it a year or two before I did. At some point, you just get tired. You realize when you look back over a year and say, "Did I do everything I should have done for the College?" When the answer came back, "No," the question was, "Well, why not?" The answer was "because I just didn't want to do it anymore." When those answers come to you, you know it's time. I suspect the same thing will happen here unless something happens out of my control.

TRANSCRIPT: Have you gotten any feedback about being named chancellor when you're a Nebraska native and a majority of your academic experience was gathered here?

Perlman: I'm not under any illusion that 10 years ago I could have been appointed to this position. There was a concurrence of events – certainly Graham Spanier's leaving after 4 years and James Moeser leaving after 4½ years – that created an environment in which people were open to the candidacy of an internal candidate. Five years before, 10 years before, the chances of that would have been very slim. I can't make anything out of that other than the timing was right.

TRANSCRIPT: It's been a fairly common adage that a university will not hire persons who received their degrees from that institution. Is that changing?

Perlman: That's an accurate description of how many universities are and will be again. I wouldn't want to be an internal candidate who really wanted this job after I leave. It's interesting, though, because I am running into a small number but more and more universities that have turned inside in the last few years for leadership. Maybe it's a trend. There are benefits and there are costs [to hiring internally].

TRANSCRIPT: Many media reports address the "brain drain." What is your feeling about the idea that students leave Nebraska to attend college?

Perlman: It depends on the context in which you ask the question. Certainly the Law College doesn't like to lose highly gifted undergraduate students to universities outside the state of Nebraska. As chancellor, I hate to lose National Merit finalists and top scholars as undergraduates who go some other place. From a state perspective, the issues are more complicated. The issue is, "Do they come back?" What about highly talented students who come here to school from another state – who represent the brain drain of another state? The facts are that Nebraska imports college students; it doesn't export students. This is at the undergraduate level. And it's not that all the good students are leaving and all the bad students are coming here, although I don't know what the balance is. The ultimate question that needs to be asked is whether we're able to keep good Nebraska students going to school here. It is a very complex question. It involves in part the quality of the institution as perceived by them. There's a certain element that we'll never be able to compete with. There is a kind of social perception in some families in some areas that children, whether gifted or not, ought to go to a private fancy school and we're not a private fancy school and we never will be.

TRANSCRIPT: What challenges have you faced as chancellor?

Perlman: The biggest personal challenge is keeping up with this job. I really am on a very steep learning curve. There are a lot of things that I don't know and there are some things that are more difficult to get my hands around. The Law College was easier in some ways because I knew what a law school was like. There weren't a lot of issues that came to me that I didn't

understand. I might not have understood them perfectly. And I might not have dealt with them correctly, but I've got to learn a lot about the sciences and about other disciplines in order to make good decisions. That's a challenge.

TRANSCRIPT: What are your goals as chancellor?

Perlman: The general established goal is to make the University better. I think we know what that requires. It requires that we enhance our efforts at research and continue to maintain the high quality of our undergraduate program. It requires us to be a more active contributor to the economic development of the state of Nebraska. Now those are easy to state. How we get there is not a product of a grand vision but a product of small decisions being made in the right direction. And there are an awful lot of small decisions to be made and I hope I can push them in the right direction.

TRANSCRIPT: Has your relationship with the state legislature changed now that you are chancellor?

Perlman: Yes. As dean of the Law College I had very little contact with the legislature. But as a legal academic, I had a lot of contact with them because I was very involved in legislative matters, trying to get bills passed. From this position, I have contact in terms of informing them about things going on at the University and responding to their questions and concerns.

TRANSCRIPT: Did your previous experience as a legal academic help you with the legislature when your role changed to chancellor?

Perlman: Yes. I have a lot of former students down there for one thing. They don't always agree with me as much as they used to when I was the teacher. I knew a lot of the senators before coming here.

TRANSCRIPT: What have you found to be fun about serving as chancellor?

Perlman: Everything's fun. Well, most of it's fun. You wouldn't do this job if you didn't find it fun. That doesn't mean it isn't frustrating at times. It doesn't mean that there aren't crises that you wish didn't occur. It's an extraordinary challenge to try to move an institution like this in a direction and I have I think a fairly modest view of how much a chancellor can impact a campus, a



University of Nebraska President L. Dennis Smith congratulates UNL Chancellor Harvey Perlman at Perlman's installation ceremony on August 23, 2001.

university. Even given that modest view, it's quite a challenge to make the decisions that contribute to quality. I guess one of the surprises is how much I've enjoyed interacting with undergraduate students since I haven't done that since I was an undergraduate. That's not to say anything against law students. I enjoyed law students as well, but for a long time I didn't think I would be particularly interested

in undergraduates. It's a fascinating age and really an important one.

TRANSCRIPT: Any other words of wisdom for College of Law alumni?

Perlman: One of the great fortunes of the Law College is that it has a very supportive alumni base – supportive both in terms of private giving support, in terms of counsel, political support, concern about the law school and a continued connection with the law school. We always thought a) it was great and b) it was because we were a small intimate place in which those kinds of relationships could be sustained in an easy way. I guess the happy discovery is that the University at large has extraordinarily supportive alumni who have very strong feelings for the place, and an awful lot of them have built their relationship with the University not on the basis of athletics but on the basis of their academic experience and are just as excited and enthusiastic about hearing some of the academic successes as hearing about the football team. ■



Breaking Ground

College's
expansion &
remodel

project features
majestic reading
room, Schmoker
courtyard, Kauffman
Legal Writing Suite,
Berger-Harnsberger
Faculty Wing, Kutak
Rock Computer Lab,
Rankin Archive

The long-anticipated expansion and renovation of the Law College building began early in the fall. The project involves the addition of 27,000 square feet to the building and the renovation of another 53,000 square feet.

Two new sections will be added to the building. A two-story extension that will be used as library and office space will be constructed on the east. The centerpiece of the east addition will be a majestic reading room with a 20-foot high ceiling and a large glass wall that will provide a picturesque view of the open fields to the east.

The other new section will be a connector between the Welpton Courtroom and McCollum Hall that will house offices, including the new Harold W. Kauffman Legal Writing Suite. From this new section, one will be able to enter the new outdoor courtyard that will be constructed to the north.

Further renovations will be done to the library, which will be completely refurbished and have new stack space added in the basement, and to existing faculty offices.

The expansion and renovation will serve several purposes. First, and perhaps most importantly, the project will insure that the Law College is housed in a

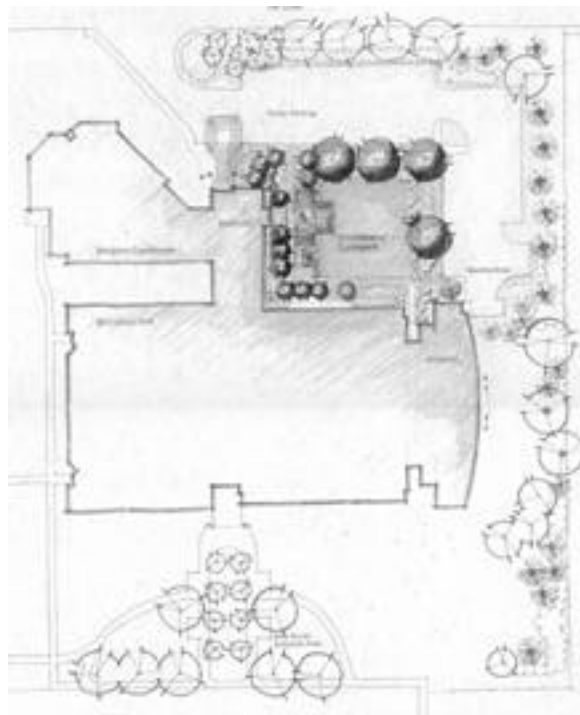




modern, up-to-date facility. To a degree that would have been unimaginable only a few years ago, a modern law school revolves around the new communication technologies. The project will provide a building that is completely wired for data and power, so that students, faculty and the public will be able to access this new technology throughout the library. Wireless access will also be available.

The new addition will also provide the room necessary for the College's ever-expanding collection of materials. And, because of the generous donation from the Kauffman family, it will provide ample space for the College's well-respected legal writing program, as well as for other important programmatic functions.

Of course, it is vital that the new and renovated spaces not only be functional but that they be attractive and comfortable as well. The new reading room, the courtyard and other features of the expansion and remodel project will be inviting places for the College's students, faculty, alumni and guests to work, study and socialize and should assist the College in continuing to attract highly gifted faculty members and students.



The building project is budgeted to cost \$8.2 million, and almost all of it has already been provided by generous alumni and friends. A small portion (less than 2 percent) has been contributed by the State and another small part of the total cost is yet to be raised.

"The construction is scheduled to take about 18 months," said Dean Steve Willborn. "There will be many inconveniences during this period. But we hope to have a grand opening ceremony and many room opening ceremonies during the spring of 2003. We hope you are able to join us for this new and exciting development in the history of the Law College."

Some of the features included in the project include:

■ **The Richard C. and Catherine Schmoker Courtyard.** The Courtyard will be located on the northeast side of the Law College and furnish about 6,750 square feet of usable space. Thanks to a generous donation by the Schmoker family, it will provide an inviting entrance to the College and a bright

and attractive space for a variety of activities. On pleasant days, students will study and socialize in the Courtyard, using it as an extension of the College's library and lounge spaces. For special events, the Schmoker Courtyard will be transformed into a spacious party room with a circus tent, tables and special lighting. No matter how it is used, the Courtyard is sure to be a central feature of the Law College, contributing in an important way to the exciting environment created by the newly renovated facility.

■ **The Reading Room.** The Reading Room will be spacious and filled with natural light. Located on the second floor, the room will have 20-foot ceilings and abundant natural light flowing in from above and from the dramatic floor-to-ceiling glass wall overlooking the open fields to the east. Inside, the room will afford a quiet and dignified space to study, harkening back to the wood-paneled libraries of ages past, and yet contain all the accouterments of modern life, such as data and power connections and wireless capability. Viewed from the outside, the Reading Room will present a dramatic view

of the College, representative of both its modern and historic stature. According to Willborn, "The Reading Room will stand above and apart from the bustle of the rest of the Law College. No doubt it will be a central image and symbol of the College for decades to come."

■ **The Harold W. Kauffman Legal Writing Suite.** This suite of four offices will provide central and attractive office space for the College's highly regarded legal writing program. Named after one of Nebraska's best legal writers and a graduate of the College, the suite will be on the main corridor of the north addition and face the lovely courtyard to the east. The generous contributions of the Kauffman family not only enabled the College to construct this suite, but also provided continuing support for the legal writing program itself.

■ **The J. Lee Rankin Archive and Reading Room.** This handsome reading room is named after one of the College's most notable graduates, J. Lee Rankin, who was solicitor general in the Eisenhower administration and chief legal counsel to the Warren Commission. Among his many noteworthy accomplishments, Rankin argued before the Supreme Court on behalf of the U.S. government, and against segregation, in *Brown v. Board of Education* and for the ACLU in *Gideon v. Wainwright*. The Rankin Room will also serve as a seminar room and an archive for many valuable items in the Rankin collection.

■ **The Governors Seminar Room.** Another very picturesque seminar room will be named after five College of Law graduates who went on to serve as state governors: Arthur J. Weaver, 1896, 22nd governor of Nebraska; Frank Brenner Morrison, '31, 31st governor of Nebraska; Stanley Knapp Hathaway, '50, 27th governor of Wyoming; Charles Thone, '50, 34th gover-

nor of Nebraska; and E. Benjamin Nelson, '70, 37th governor of Nebraska.

■ **The Kutak Rock Computer Lab.** Made possible by the generous support of Nebraska's largest law firm, this attractive computer lab, located on the first floor near the entrance to the library, will be equipped with the latest modern technology and will be used for a variety of functions. Students will use the room on a regular basis for common tasks in the life of modern students, such as checking their e-mail and writing papers. The room will also serve as a high-tech classroom for small groups of students. In addition, it will provide ready access to the latest on-line resources for legal research and, hence, be a central component of



the research mission of the College.

■ **The Lawrence Berger & Richard S. Harnsberger Faculty Wing.** Named after two long-time and beloved faculty members, this suite of seven faculty offices will

be located on the southeast corner of the east addition and will overlook the open fields to the east. According to Willborn. "With the construction of this wing, the College will begin the overdue process of recognizing long-time faculty members who have contributed so much to the greatness of this institution. We will start by hanging the portraits of Larry Berger, Dick Harnsberger and others in this wing and eventually the practice will be extended throughout the College." ■





Kauffman Family Gift To Improve Student Writing

Fund Honors Harold W. Kauffman, One of Nebraska's Preeminent Legal Writers

A gift from the family of one of Nebraska's preeminent legal writers, which will improve the writing of generations of future lawyers, was celebrated at a luncheon in November 2000 at the Omaha Press Club. The family of the late Harold W. Kauffman, '34, donated \$750,000 to the University of Nebraska Foundation to create the Harold W. Kauffman Legal Writing Fellows Fund, which will be used to fund the building of the Harold W. Kauffman Legal Writing Suite, part of the College of Law's expansion and remodel project, to provide fellowships for adjunct legal writing instructors, and to support what will now be known as the Harold W. Kauffman Legal Writing Program.

Present at the luncheon were the members of the Kauffman family who created the fund – Kauffman's widow, Esther, and their five children – Carole McVaney, Thomas, Martin, Gary and Fred – all of whom graduated from the University.

Fred, Kauffman's oldest son and a 1964 graduate of the Law College who practices with Cline, Williams, Wright, Johnson & Oldfather in Lincoln, remarked, "Throughout his lifetime our father continually expressed his warm feelings for the University and his high regard for the College of Law. Our family's Nebraska background, coupled with the loyalty and pride we have for the University and our confidence in the College of Law, made this an ideal opportunity to recognize him."

Harold Kauffman practiced law in Omaha with the firm of Gross & Welch. In Fred Kauffman's words, "He



The family of Harold S. Kauffman (upper photo) gather at a luncheon at the Omaha Press Club to announce the creation of the Harold W. Kauffman Legal Writing Fellows Fund. From left to right – Marty, Gary, Carole, Esther, Tom, Fred.



Dean Steve Willborn and former Omaha Mayor Hal Daub, '66, look over Harold Kauffman's law school notebooks.

had a love for the English language and the written word," which was displayed in the countless number of legal briefs that he wrote. Professor Craig Lawson, who directs the College's Legal Writing program and teaches the upper-level course, Style and Composition in Legal Writing, has read many of these briefs and at the luncheon gave this analysis.

"Mr. Kauffman's briefs are unfailingly clear, making their arguments seem straightforward, not strained or convoluted. His writing, in subtle ways, has the conversational tone of a good essay. Don't get me wrong, it is legal writing, not casual writing, so its tone

is level, not light, which is the tone that important issues deserve. It is the tone of a comfortable seminar, not the stiffness of so much legal writing. It's gentle and reflective, not ponderous; it doesn't lecture you, it invites you in. Mr. Kauffman's briefs have real charm, and charm is exceedingly rare in legal writing."

Harold Kauffman was indeed, in the words of University Chancellor and former Law College Dean Harvey Perlman, "a skilled craftsman of the written word." And teaching such craftsmanship has long been central to the Law College's mission, according to Dean Steve Willborn. But now with the addition of the Harold W. Kauffman Legal Writing Suite, "law students will no longer have to search the building to find their legal writing instructor. Legal Writing will be at the center of the curriculum, as it has always been, but now it will be there physically and metaphorically."

In addition, Willborn noted that the Kauffman Fellows program "will greatly enhance our ability to provide this crucial training by enabling the College to attract and retain highly skilled teachers. Legal Writing requires dedicated teachers and a great deal of one-on-one feedback and student guidance."

Two of the College's current Legal Writing instructors, Judge D. Nick Caporale, '57, and Gary Young, '95, were honored at the luncheon as the first Harold W. Kauffman Legal Writing Fellows. Caporale, a retired Nebraska Supreme Court justice, knew Harold Kauffman, whom he described as "a kind, courteous, gentlemanly man who taught me much about what the profession of law ought to be about." Young has taught Legal Writing at the College for five years and practices with the Lincoln law firm of Keating, O'Gara, Davis & Nedved.

As Fred Kauffman said, the Harold W. Kauffman Legal Writing Fellows Fund "will stand as a legacy to this man and his deep desire to uphold the tradition of the constitutional rule of law and the beauty of the English language." ■

Gross & Welch Sponsors Best Brief Award

Gross & Welch, the Omaha law firm with whom Harold W. Kauffman practiced for 35 years, has honored Kauffman by sponsoring the Law College's award for the best brief in the first-year Legal Writing program. The award, which is now known as the Gross & Welch Best Brief Award, carries with it a \$1,000 stipend. The first recipient of this award is Kendra J. Mattoon of Sidney.

Another Legal Writing award, the Silver Quill Award, which the Nebraska State Bar Foundation presents to the first-year student with the best overall performance in Legal Writing, was awarded to Fremont native Karin Iossi. The award includes a \$500 honorarium. ■



Celebration Dinner Honors Two Remarkable Professors

Celebration Culminates Drive For Berger-Harnsberger Faculty Wing

In November, 2000, more than 200 people attended a dinner at the Cornhusker Hotel to honor College of Law Professors Lawrence Berger and Richard S. Harnsberger. In part, the dinner was to celebrate the culmination of a fundraising drive for the Berger-Harnsberger Faculty Wing, part of the College's expansion and remodel project, and, in part, it was a commemoration of the remarkable careers of these two men who are not only colleagues but best of friends.

Law College Dean Steve Willborn began the festivities by introducing some of the people who had gathered to honor Professors Berger and Harnsberger including elementary school friends of the honorees who had come from across the country. He spoke of the outpouring of respect and deep affection in which these beloved professors are held, "respect and affection worth an amount well into six figures." Willborn said that when he came to the Law College 20 years ago he looked to Professors Berger and Harnsberger as role models. He added, "And in every way, unfailingly, they were. They worked hard every day; they were actively engaged in scholarly discussions; they argued their positions forcefully while respecting fully different views; they did their duties for the school, even when it would have been more convenient not to; and they unfailingly conveyed both a seriousness of purpose

(when that was called for) and a lightness of spirit (when that was appropriate)."

The evening's keynote speaker was Chancellor Harvey Perlman who has been a student, colleague, dean, vice chancellor and chancellor of Berger and Harnsberger. Perlman told the story of the time that Professor Berger asserted in class that every state had

adopted Proposition X. One student, however, thought that he had remembered reading that at least one state had adopted Proposition Y. The student checked it out and determined that, sure enough, the

Vermont Supreme Court had adopted Proposition Y sometime late in the last century and never changed it. When the student informed Berger of his findings, the professor thanked him politely – and then proceeded to call on him in class for the next 30 days! Few in the audience were surprised when Perlman revealed that he was the student.

The evening concluded with remarks from Professors

Berger and Harnsberger. Said Berger, "I have always felt fortunate that when, in 1960, having decided to go into law teaching, I was offered a position at this law school. When Betsy and I arrived in Lincoln, we had no idea that we would spend the rest of our working lives here. But we did and there have been no regrets. I have had a thoroughly rewarding career here. I've been



A recent photo of Professors Dick Harnsberger and Larry Berger is flanked by photos from their early years at the Law College.

given an opportunity to develop professionally as a lawyer and as a teacher. And capping it all off, toward the end of my career, you are supporting the naming of a faculty wing in the new building addition after Dick Harnsberger and me. What could be more touching to a person in the evening of his life?"

Harnsberger's remarks focused on the plan to hang in the new Berger/Harnsberger Wing and in other parts of the building the portraits of long-time faculty members. He noted that the portraits of all the College's former deans are in the hallway outside of the Welpton Courtroom and that throughout the building there are numerous plaques and pictures showing people who have been supportive of the College in many ways. "I

look at these portraits," he said, "and think – I know many of these people, but the students do not know a single one. If no one knows these people why do we have their portraits around the building? The answer is we are engaged not only with the task of transferring knowledge, but we are charged with imparting a genuine feeling of professionalism from one generation to another. To do this it is essential to instill in students a feeling of continuity. And the symbols in the building help to do this because they represent a sense of history in a place where young and old join together in an enterprise called teaching." He concluded by saying, "I think that in an imperfect world, our law schools still are one of the most hopeful of human institutions." ■

Recollections of Professors Berger & Harnsberger

By Chief Justice John V. Hendry, '74

Larry Berger seems ageless and timeless, as if he has always been exactly what he is now – an outstanding legal educator who generated emotions of both loyalty and trepidation in his students. I was greatly relieved as a first year student not to have Larry for property class upon discovering that the complexities of conveyancing laws, which figured prominently in his final, were beyond me. While he can distinguish between a contingent remainder and a possibility of reverter with the accuracy of a hawk swooping down on its prey, they both looked identical to me.

I did have Larry for other classes, and it amazed me how he treated his students with scrupulous politeness, even while intellectually dismantling our feeble attempts to explain the Rule Against Perpetuities, "covenant of seisin," "afterborn children," or a "fee tail." He has the rare ability to mix kindness with rigorous reasoning and old-fashioned formalities with ground-breaking legal analysis. Larry helped to produce hundreds of lawyers whose skills in no small part can be traced back to the tedious hours they spent preparing for "Berger's class," knowing they would face his "wrath" if they dared show up unprepared.

I cannot think of a law school class I took at the College of Law from 1971 to 1974 that I enjoyed more than Professor Richard Harnsberger's constitutional law class. The reason it was so enjoyable was not just the subject matter, but the teacher.

I will never forget those times when Professor Harnsberger would call on a student to report on a case and give an analysis of its holding. Invariably, after the "victim" had done his or her best, Professor Harnsberger would look over the top of his glasses, get that unforgettable grin on his face, and respond by saying, "You've got to be kidding me." Fortunately for most of us who had the privilege of being taught by Professor Harnsberger, we realized as we got toward the end of the year that in most instances the only ones being kidded were ourselves.

It became clear to many of us at varying stages during that first year what Professor Harnsberger was doing. He was challenging our reasoning and thereby teaching us how to think, all of which was being done in a classroom environment that was intellectually challenging and entertaining.

Over his many years at the College of Law, Professor Harnsberger has taught many students to think like a lawyer. This gift, which Professor Harnsberger bestowed on so many who had the privilege of being one of his students, is something that is impossible to repay. ■

Graduation Honors

Highest Distinction

Amy J. Vyhldal

High Distinction

Aaron J. Glade

Michael David Jamison

David Kelly Lucas

David James McClure

Kevin Michael O'Neil

Keri Maree Schechinger

David Tomlinson

Jisella Aimee Veath

Distinction

Sara Louise Broyhill

Aletha Claussen-Schulz

Danielle Arwen Curtiss

Lance Edward Curtright

Anthony Michael Deitering

Grayson Derrick

Dustin Lee Dingman

Kevin A. Eike

Rebecca L. Gould

Kevin Lyle Griess

Manqi Han

Maureen E. Hannon

Andrew Scott Heideman

Brandon Hokenstad

Thomas E. Jeffers



GRADUATION 2001



Elizabeth Dawn Jensen
Julie Anne McEwen
Kara Elizabeth Mickle
Angela Marie Pelan
David Zachary Petty
Adam J. Prochaska
Charles Amasa Smith
Angela Marie Splittgerber
Elizabeth Callaghan Tekdogan
Timothy James Thalken
Drew Kingston Theophilus
Colleen Elizabeth Timm
Karey Anne Vering
Christopher J. Walker
John Michael Walters
David Michael Wear
Lori Christine Wood

Order of the Coif

Aaron J. Glade
Michael David Jamison
Elizabeth Dawn Jensen
David Kelly Lucas
David James McClure
Kevin Michael O'Neil
Keri Marie Schechinger
Drew Kingston Theophilus
David W. Tomlinson
Jisella Aimee Veath
Karey Anne Vering
Amy J. Vyhldal

Order of the Barristers

Lance Edward Curtright
Anthony Michael Deitering
Rebecca L. Gould
Julie Anne McEwen
Kara Elizabeth Mickle
Adam J. Prochaska
Angela Marie Splittgerber
Trenton Wayne Steele
Timothy James Thalken

Honor Classes Return To Pay Tribute to Past, Offer Advice for Future

By Aliza Anvari

On May 5, 2001, a group of soon-to-be graduates gathered at the Lied Center to eagerly pomp and circumstance their way to their diplomas. Few of them knew that another gathering of graduates had taken place earlier that day. Alumni from the 1931, 1936, 1941, 1946 and 1951 classes were honored by the College of Law at the 2001 Honor Class Reunion luncheon at the Cornhusker Hotel. These honored graduates took time out of their busy schedules to pay tribute to the past and offer some advice for the future.

One honor graduate, 96-year-old former Nebraska Governor Frank Morrison, noted in a rather melancholy manner that he was the only member of the class of 1931 in attendance. Although he was the governor for three two-year terms, he has gained more recent fame as the primary force behind the Great Platte River Road Archway Monument near Kearney. Looking around the room, Morrison was surprised to find so many female law students attending the luncheon. "I am happy that the women have decided to

invade the law school and improve the administration of justice. That is a real step forward. We had only one woman in our class. When I look back, I sympathize with what that poor gal had to go through." The Governor pointed out another significant change. "In my day we always opened classes with a song where we ridiculed our teachers. Now they don't do that. They are much more respectful." Another change the Governor discussed was the attitude toward tobacco. Dean Henry Hubert Foster, who the Governor proclaimed as the greatest teacher he ever had, "constantly had a cigar in his mouth."

The Governor described the dean as a short, pudgy guy with a protruding abdomen. His belly would shake because he laughed a great deal, so his universal nickname was "Shimmy." The ritual was (and keep in mind this was during prohibition days) that when Dean Foster walked in, everybody burst into song:

"Oh Shimmy and his lawyers were feeling mighty dry, so they all went up to Montreal to get a keg of rye,



The Honorable Barbara "Zip" Haslam, '51, at the Honor Class Reunion dinner.



Ralph Gillan, '41, and Clarence Kunc, '41, look over their reunion booklets.



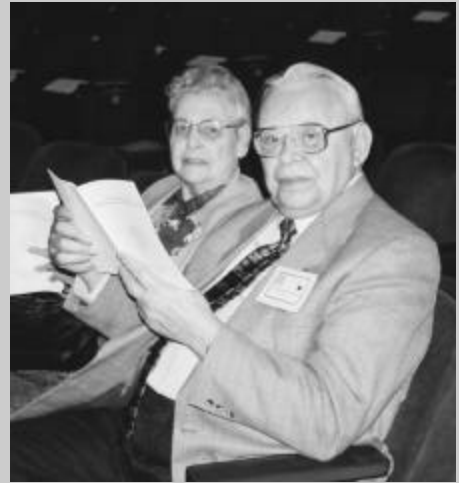
Governor Frank Morrison, '31, receives certificate from Dean Willborn at the graduation exercises..



Jess Nielsen, '51, at the Honor Class Reunion luncheon.



Clockwise starting back left: Wally Becker, The Honorable John Brower, The Honorable Barbara Haslam, and Thomas Koerber, all class of '51, waiting for the graduation ceremony to start.



Clarence, '51, and Vi Kunc waiting for the graduation ceremony to start.

And when the keg was open, Shimmy boy began to sing, "To hell with Mr. Valstead, God Save the King'."

Another favorite professor was "Cocky" Robbins, who imparted to the class the most important legal principle Morrison said he ever learned: "The greatest single cause of spontaneous combustion is a heavy mortgage rubbing against a thin equity."

The Governor reflected, "You would have thought these guys were headed for an irresponsible life, but the opposite happened. Among my classmates were leaders of the Nebraska Bar, even leaders of the American Bar, corporate attorneys who practiced in New York City, an attorney for the Warren Commission who investigated President Kennedy's assassination, two members of the Nebraska Supreme Court, the solicitor general of the United States, and Sherman Welpton for whom the Law College's courtroom addition is named. Most people have a little devilry in them. And at that age they hadn't yet outgrown it."

The students when Dale Putnam, '51, attended the Law College were a bit more serious. "When I entered the law school in 1947, most all of the students were returning veterans – including myself. And many of them were married. These young men back from the service were trying to get an education, get out in the world and make a living."

Putnam lives in Kansas City where he is president and CEO of Interstate Bakeries Corporation. While he has not had as much experience practicing law as he might have liked, he has always been proud of his association with the Law College. Putnam remembers

one time during the Eisenhower Administration when someone from a different city asked him whether he thought the College of Law was "run of the mill?" He replied, "The attorney general of the United States is a graduate of Nebraska – so that has to say something about it."

Another class of 1951 graduate in attendance was the Hon. Barbara Haslam. "I thoroughly enjoyed law school. I enjoyed my fellow students," she remarked. "They never made me think about being one of three women in the class. After I left law school and went on the bench I had a lot of interviews. They always asked me what I thought about women's lib. My answer was always, 'I'm from Wyoming, I'm from a long line of liberated women!'"

Wallace "Wally" Becker, who also graduated in 1951, shared a tragic-comedic moment from his first year of law school. Most exams were for year-long courses. There was only one exam in those classes for the year, so they were of critical importance. Just before exams were handed out, one student said, "Whew. It has been rough getting ready for this Torts exam." Everyone else piped up, "Torts? This is Contracts." That unfortunate mistake marked the end to that student's legal education. ■

It's a Family Affair

Curtiss Lineage Highlights Family Traditions Ceremony

By Aliza Anvari

If you thought it was just the Sopranos that kept it all in the family, you are dead wrong! While the mob and the law seem as opposed as two entities could possibly be, there is apparently one similarity that can be found – both can be family affairs. Although the Curtiss family would probably wince at this comparison, it cannot be denied that the College of Law and the practice of law seem to have been an inescapable influence binding their lives. But, unlike the fictional television family that has become a pop culture phenomenon, the Curtiss family is real and has earned its family reputation through hard work, dedication and a genuine love and respect for the law.

This family affair began with Herbert D. Curtiss. Herbert was the first of the family to receive a degree from the Law College in 1915. Herbert's sons – David, Eugene and Harold – followed in their father's footsteps in 1940, 1941 and 1949, respectively. In 1971, both Harold's son, Alan, and Eugene's son, Jeffrey, graduated from the Law College. In 1976, David's son, Bruce, graduated. Eugene's daughter, Susan Warren, soon followed in 1978. Finally, on Saturday, May 5th, 2001, Danielle Curtiss, daughter of Bruce, became the ninth member of the Curtiss family to graduate from the College of Law.

Danielle asserts that she always wanted to be a lawyer – much to the dismay of her mother, Ellie. She has a picture of herself, no more than two or three months old, sitting on her father's arm while he was reading a law book. She loved being in her dad's office, listening to debates and going with him to court. Everyone in the courthouse knew her because it was a small town. "I loved watching my dad at town meetings because everyone assumed that because he was a lawyer, you could ask him anything and he would know the answer. And he always seemed to! My mother always says having a law degree gives you a license to know everything. That was her big problem with us becoming attorneys. She would



Above – Herbert D. Curtiss in his office in Bassett. Below – Members of the Curtiss family join Danielle at the Family Traditions Ceremony prior to graduation exercises. From left to right – Jeff Curtiss, Danielle Curtiss, Alan Curtiss and Bruce Curtiss.

constantly remind us that just because we have our law degrees doesn't mean we know everything." But, according to Danielle, that was how people acted. "It impressed me how much people respected my father and respected his opinion on just about everything." Another benefit Danielle gained from her legal-minded family was a realistic view of the profession. "I knew what the practice was. I knew it wasn't all going to



Herbert Curtiss



David Curtiss



Eugene Curtiss



Harold Curtiss



Susan Warren

court and glamorous like it is depicted on television.”

Danielle said one reason the legal profession has such strong family ties is because a law degree is so versatile. “You can do anything from being a small town attorney, and having a fairly relaxed and independent life, to being the head of a huge corporation. It opens a lot of doors for you. And I think people who are the children of attorneys can see that. It’s an advanced degree, but it doesn’t pigeonhole you like something else might. A lot of businesses want attorneys because of their background, understanding and thought processes.”

That versatility is demonstrated by the career experiences of the Curtiss family. Herbert practiced law for many years in Bassett. David was Laurel city attorney and engaged in the general practice of law in Laurel until he was appointed to a county judgeship in 1973, a position that he held until he retired in 1988. Eugene, who died in 1974, practiced for many years in Plainview and served as Plainview city attorney and Pierce County attorney. Harold practiced in Emerson until he retired, and his son Alan has continued to practice there.

Jeff, who also is a CPA, has held a number of legal and executive jobs with companies such as Monsanto, G.D. Searle, Coleman Co. and Browning-Ferris Industries and is currently senior vice president and chief financial officer for Service Corporation International in Houston, Texas. Susan Warren has spent many years in government work in Colorado, including serving as an assistant attorney general and, director of policy and research at the Department of Regulatory Agencies. After receiving her master’s degree in public health at Harvard, she served at the Department of Public Health and as program administrator with the Department of Regulatory Agencies in pharmacy, veterinary

science and optometry. Bruce bought his uncle Eugene’s old office in Plainview and serves as city attorney for Plainview and Creighton and village attorney for Coleridge, Foster and Royal. And Danielle has accepted a job with the Kansas City law firm of Spencer, Fane, Britt & Browne.

Why did they all decide to come to the Law College for their legal education? “My dad told me that there is nothing about the law you can learn anywhere that you can’t learn at Nebraska,” said Danielle. “I’m very proud of the family tradition. I think it is a great accomplishment that so many family members have come through law school and have done very well. I’m very excited that my cousin David, [Jeff and Susan’s nephew], has decided to come here next year.”

The tradition of family loyalty to the Law College is a torch that, undoubtedly, will continue to be carried by the Curtiss family. Many other alumni are also “keeping it in the family.” Prior to the 2001 graduation, the Family Traditions Ceremony honored with Nebraska-shaped plaques seven alumni families who had relatives in the graduating class. If Tony Soprano were ever asked to face all these families of lawyers in court, he certainly would say, “Forgettaboutit.” ■

Law College Faculty, Students Bring Skills Training to Balkans

Montenegro, a country in the Balkans that was one of the provinces that once comprised Yugoslavia, is a long way from the Great Plains of the United States. Nonetheless, the College of Law is playing a major role in helping Montenegro's development of the rule of law and its transition to a market economy by helping to improve legal education in that country and throughout the Balkans.

The Law College is one of five U.S. law schools that is participating in the Balkan Law School Linkage Initiative through a State Department grant awarded to the American Bar Association's Central and East European Law Initiative (CEELI). According to CEELI, "Sustainable legal reform requires new thinking within the legal profession about the role of lawyers and the law, and such thinking can only be developed by changing the way lawyers are trained." This is difficult to accomplish because "law faculties in the former Yugoslavia typically continue to be plagued by ineffective teaching methodologies, outdated curricula and an absence of practical skill training" because "they are dominated by socialist-era professors with little or no



Podgorica faculty members Dragan Radonjić and Milord Ivočić learn computer research techniques at the Schmid Law Library.

interest in reforming their institutions."

The Law College has been paired with the Podgorica Law Faculty in Podgorica, Montenegro, for this project that involves both faculty and student exchanges. The other law schools participating – Idaho, Baltimore, South Texas and Chicago-Kent – have been paired with other Balkan law schools.

According to Law College professors Peter Hoffman and Kevin Ruser, who are spearheading the College's participation in the Initiative, there is very little practical skills training in Balkan law schools in part because, as in much of the world, law preparation is an undergraduate endeavor and in part because of resistance from the bar, the bench and the various faculties.

That is changing, however, thanks in good measure to the work that Hoffman and Ruser have done. Hoffman has made two trips to Montenegro where he discussed how to incorporate practical skills training in the curriculum. In December 2000, Ruser took part in an Initiative conference in Slovenia where



Professor Kevin Ruser gives Ivočić and Radonjić a tour of the Welpton Courtroom.



Students Julia Young and Tasha Everman will visit Montenegro during the spring of 2002.

Then in the spring, two Law College students, Tasha Everman and Julia Young, will visit Montenegro for a month. There they expect to meet with faculty and students, participate in student organization activities, give presentations on the American legal system and legal education, and, do research. Both students are interested in international law careers. Young studied in England in the summer of 2000 and would like to work for an international human rights organization. Everman taught in a Thai refugee camp for two years. Both are honored to be the first Law College students to participate in this exchange

he presented an overview of clinical education in the United States. As a result, the Podgorica faculty has implemented four simulation clinics on civil, criminal, administrative and commercial law.

In May 2001, two Podgorica faculty members – Dragan Radonjić and Milorad Ivočić – visited the Law College where they got to see the College's clinical programs in action and meet with judges from the Nebraska Supreme Court and other courts; tour the Capitol; observe the legislature, trials and appellate arguments; and talk about curricular issues. They were particularly impressed with the College's library facilities and computer research capabilities. They said they were excited about the changes going on in their institution, particularly the trial simulations in front of actual judges. They hope to expand the simulation experiences to include client interviewing and negotiation. Radonjić said they were particularly interested in learning more about the common law system as they hope that one day Montenegro can be part of the European Union whose courts, like the one in Strasbourg, rely heavily on precedent.

Their visit was reciprocated when Ruser visited Podgorica this fall. "I was eager to go to Montenegro," he said, "to build on the work that has already been done and to see in what other ways we can be of assistance to the law faculty there and its efforts to develop a skills curriculum."

This winter two Podgorican students will visit the College where they will attend classes, observe the College's clinical programs, participate in law student organizations and make presentations on their legal system and legal reform challenges.

program and to be going to a country with such proud and independent people and such a rich history. Said Everman, "We feel a sense of responsibility to make this a worthwhile experience so that others will want to go in the future and the program will be continued." ■



Experimental Class Puts Legal Writing in Realistic Context

By Kelli A. Cummins-Brown

Interviewing a client, writing a memo to file, preparing a complaint, keeping track of billable hours and participating in settlement offers sound like routine duties in the life of an attorney. However, for 18 first year law students in Professor John Lenich's experimental Legal Research & Writing class during the 2000-2001 academic year, these tasks provided the chance to put their legal education into a more realistic context.

Lenich began early in the summer creating a realistic and integrated Legal Writing class. The class was designed as a vehicle to introduce basic research and writing skills while also giving students insight into the legal profession.

The 18 randomly selected students were exposed to basic lawyering tasks in a variety of ways. For instance, practicing attorneys and judges participated in discussions about the profession on subjects ranging from ethical problems, criminal defense practice, judicial perspective and fee arrangements.

Students were able to learn how the practice of law evolves step by step through the case they were assigned from Lenich, their "senior partner." The course was built around a fact situation that required students to navigate through employment law, contract law and federal

jurisdiction while at the same time exposing them to basic lawyering skills. The students interviewed their "client," wrote memos to the file and learned how to explain to their client in lay terms what was happening legally. In addition to writing memos and a brief in opposition to the motion for summary judgment, students argued their motion to an outside attorney acting as a judge.

Timothy Thalken, a third-year law student, was the equivalent of a teaching assistant for the course and created individual and joint lectures with Lenich. Thalken, the "junior partner," reviewed drafts of the students' materials throughout the course. "This was a unique experience, and I was given a lot of responsibility in all aspects of the class," reflected Thalken. Lenich agreed, stating, "I think it is helpful for first years to work with a third-year student who is closer to them in terms of experience; they can relate to each other."

"Getting the idea of what the practical aspects of law are like, including correspondence to clients, client interviews and a memo to the

file helped put things into perspective," said Cheri Olinger, a student in the class. "Actually having a live person in front of us for client interviews instead of a piece of paper telling us the issue was a great experience."

Lenich especially enjoyed watching the students develop over the year. "At the end of the year, watching them stand up in front of someone with 10 years of experience and hold their own on oral argument showed great development," he stated.

When asked if there was anything he had not anticipated with the



Above – First-year students in Professor John Lenich's experimental Legal Research & Writing class interview their client, "Chris Kerr." Next page: top – Lenich and students discuss research strategies in the library; bottom – Students use the computers in the clinic to draft their petition.

course, Lenich responded that he felt the time commitment was high in order to give the level of instruction necessary. "To try to keep one case running throughout the year and alter plans on how the case would run was time consuming," he said.

One of Lenich's goals was to increase student understanding that law students are part of a profession that is asked to perform all sorts of tasks. Lenich added, "It is important that students realize what it means to be professional, how the code of professional responsibility impacts them and how to work with different perspectives. We tried to put faces on concepts students hear about but don't know much about."

Dean Steven Willborn thought that Lenich's Legal Writing section was an interesting experiment combining traditional first-

year legal writing with an introduction to lawyering skills. He said, "Professor Lenich was very enthusiastic about the course, and it was readily apparent that it rubbed off on the students. By all accounts, the course was intensive, very productive, and, often, just plain fun."

Currently, the faculty is reviewing first-year Legal Writing to decide if it wants to continue with its traditional approach, which has been highly successful over a long period of time, or to move toward an approach closer to what this experimental class represented. Regardless of the decision, 18 first-year students made the transition into their second year having been exposed to lawyering skills they thought would have to wait until later in their professional lives to learn. ■



This was the problem used in Professor John Lenich's experimental Legal Research & Writing class:

Chris Kerr stopped by today at about 12:30 p.m. Kerr had not previously called or made an appointment. Kerr just showed up at the receptionist's desk. I was the only lawyer in the office at the time and was leaving for a deposition at Baylor, Evnen. As I walked by the receptionist's desk, Kerr asked me whether I was a lawyer. I made the mistake of saying "yes." Kerr then told me that KTGI fired Kerr a couple of weeks ago. Kerr said that it was unfair and wanted to know if he could sue KTGI.

I told Kerr that I did not have time to talk because I was on my way to a deposition. I also told Kerr that I was going to be tied up for the next few weeks and that it would make more sense for Kerr to meet with another lawyer in the office. Kerr said that would be fine and asked how much it would cost. I told Kerr that the initial consultation was free. I also told Kerr that if cost was a concern, I could have a younger lawyer handle the matter, at least initially. Kerr asked me to do that. Kerr then gave me a copy of the resume that Kerr sent to KTGI before Kerr was hired and the letter that KTGI sent after Kerr was hired. Both are attached.

I told Kerr that because none of the lawyers or secretaries were in the office, we would have to get back to Kerr to schedule an appointment. I also told the receptionist to do an intake and to run a conflicts check. The conflicts check came back clean.

Please schedule a time to meet with Kerr. After you meet with Kerr, draft a memo to the file and shoot me a copy so that I know what's going on. Thanks.

Alumni Council Awards to Honor Special Contributions to College

The College of Law's Alumni Council has announced that beginning in 2002 it will present four Distinguished Achievement Awards to recognize the many outstanding contributions to the College made by the College's alumni, faculty, students and friends. The awards will be presented at a banquet that will be held in connection with the College's annual commencement exercises in the spring. According to Alumni Council Chair Paul Schudel, '75, "The Council was created to provide support and advice to the Law College, and one way we thought we could do this was to create a new annual tradition by recognizing the many accomplishments of the people who make the College the fine institution it is."

The Council's Award and Recognition Committee, chaired by Sam Hohman, '92, selected the four awards with the intent of "recognizing excellence in whatever manifestation as it relates to the College of Law." The awards are:

Distinguished Alumni Award recognizes an outstanding alumnus or alumna of the College who brings credit to the College by his or her recognized professional success.

Distinguished Faculty Award recognizes a current faculty member whose professional achievements in research, writing and/or teaching bring credit to the College. Each year all faculty members will be considered for this award through information they submit in their annual reports to the Dean. A faculty member can win this award only once every five years.

Woods & Aitken/Alumni Council Outstanding Student Award recognizes a third-year student who exemplifies the qualities of loyalty, service and achievement and who benefits the College community through his or her actions and commitment.

Outstanding Service Award recognizes an individual who has demonstrated outstanding loyalty, leadership and service to the College.

The Council's Awards Selection Committee will chose each year's recipients. Each recipient will be awarded a medal, plaque or other memento and will be recognized on plaques on display at the College. In addition, the student and faculty award recipients will receive cash prizes.

Schudel said that the Council is grateful that the Woods & Aitken law firm "stepped up and agreed to underwrite the outstanding student award for at least five years." The Council is still searching for underwriters for the remaining awards.

Schudel stressed that the College's alumni have an important role to play in selecting the very special people who will be honored by these awards. "We hope that our alums will nominate outstanding individuals for the alumni, student and outstanding service awards. Alumni input is really important to the process." In addition to the nominating form that appears below, forms can be obtained through the Dean's office. ■

ALUMNI COUNCIL DISTINGUISHED ACHIEVEMENT AWARDS

Nominating Form

Candidate Name: _____

☐ Outstanding Service Award

☐ Distinguished Alumni Award

☐ Outstanding Student Award

*Please note award criteria to ensure that your candidate qualifies for the award you indicate.

Your Name: _____ Class Year: _____

Home Address: _____
Street

City

State

ZIP

Please provide a statement describing your reasons for nominating this individual for the above-indicated award. Please attach any supporting documents.

Mail to: Alumni Development Office ■ University of Nebraska College of Law ■ P.O. Box 830902 ■ Lincoln, NE 68583-0902

News Briefs

■ Students Honored At Alumni Luncheon

As part of the 2000 Nebraska State Bar Association Annual Meeting, a luncheon was held for College of Law alumni. Dean Steve Willborn welcomed alumni and announced the newest members of the Order of the Coif.

They were Jennie Akerlund-Kuehner, Joseph Breckenridge, Chad Cutshall, Adam Kirshenbaum, Brian Kruse, Alisa Lauer, Tammy Maul-Bodlak, Michael Rogers, Regina Schneider, Trent Sidders, Shane Siewert and Todd Turner.



Trent Steele and Angela Splittgerber finished third in the National Client Counseling Competition, and Lance Curtright, Rebecca Gould and Anthony Deitering finished second in the region in the Moot Court Competition.



The dean then announced the winners of the 2000 Robert G. Simmons Nebraska Law Practice Writing Competition. Alisa Lauer won the competition for her paper

entitled "International Law Reveals the Way for United States Courts to Address Indian Treaties in Principled Fashion." Craig Strong received the second prize with his paper, "Waste Not We Want Not: The Legal Battles Over Low-Level Radioactive Waste Disposal in Nebraska."

Kevin Griess received the DeLacy Award for his outstanding performance in Constitutional Law II. This award reflects George DeLacy's commitment to civil and human rights and, as a result, is given to the person who has the highest grade in Constitutional Law II.

Dean Willborn concluded the lunch with a few remarks on the state of the Law

College including a slide show featuring the expansion and remodel project. He closed by saying, "We're doing [the expansion project], and all we do because we want to provide your children, and the children of Nebraska, the same opportunity and careers as our distinguished alumni Send them our way and we'll prepare them well and open the world to them."

Client Counseling Team Takes Third in Nationals; Moot Court Team Earns Trip to Finals

During the 2000-2001 academic year, the College of Law's client counseling and moot court teams again won their regional competitions and moved on to the national rounds.

For the fifth time in the last six years, the College's client counseling team won its regional. Angela Splittgerber and Trent Steele's success in the regional held at St. Louis University School of Law entitled them to compete in the national rounds held at McGeorge School of Law in Sacramento, Calif.

Splittgerber and Steele made the final round of the nationals and finished third in the country. The College's client counseling



The plaque shown above recognizes the College of Law's winning client counseling teams from the national championship team of Bob Cannon and Susan Jacobs in 1975 to the regional champion and national third place team of Angela Splittgerber and Trent Steele in 2001. It was hung near the Dean's Office in the fall of 2001. The blank place at the top of the plaque is reserved for the name of the competitions sponsor once one is found.

Humanitarian Intervention and International Law In the New Millennium

By Brian D. Lepard
Associate Professor of Law

The granting of tenure and promotion to associate professor of law to College of Law Professor Brian Lepard marked the beginning of a new Law College tradition. The College celebrated Lepard's award of tenure by inviting him to give a lecture based on one aspect of his research. This article is a version of that lecture, "Humanitarian Intervention and International Law in the New Millennium." The lecture is based on Lepard's book Rethinking Humanitarian Intervention: A Fresh Legal Approach Based on Fundamental Ethical Principles in International Law and World Religions, which will be published by Pennsylvania State University Press in the spring of 2002.

In my comments this afternoon I will discuss the problem of humanitarian intervention and international law. By "humanitarian intervention" I mean military action for the purpose of protecting the human rights of others – for example, in Haiti in 1994 or in Kosovo in 1999. During the course of the presentation, I will outline conflicting international legal norms, particularly in the U.N. Charter, regarding the permissibility of military intervention for humanitarian purposes. I will then explore the possible role of fundamental ethical principles in contemporary international law, many of which are supported by certain passages from revered moral texts, in resolving these conflicts of legal norms. Finally, I will make a few remarks on the application of my proposed approach to the NATO intervention in Kosovo.

I. The U.N. Charter and Humanitarian Intervention

We find in the U.N. Charter conflicting legal norms of relevance to humanitarian intervention. The first conflict is one between the legal principle of state sovereignty and the legal obligation of governments to protect fundamental human rights. In this connection,



article 2(1) of the U.N. Charter affirms that the organization "is based on the principle of the sovereign equality of all its Members." Article 2(7) further provides that nothing in the Charter shall authorize the U.N. "to intervene in matters which are essentially within the domestic jurisdiction of any state," but goes on to declare that "this principle shall not prejudice the application of enforcement measures under Chapter VII." I will refer to Chapter VII in a moment.

At the same time, with respect to human rights obligations, articles 55 and 56 of the Charter impose duties on U.N. member states to take "joint and separate action in co-operation with the Organization" for the

achievement of the purpose, among others, of promoting "universal respect for, and observance of, human rights and fundamental freedoms for all." Fundamental human rights were later elaborated in the 1948 Universal Declaration of Human Rights, and have been codified in many human rights treaties, including the International Covenant on Civil and Political Rights, adopted in 1966, and the International Covenant on Economic, Social and Cultural Rights, adopted the same year.

It is not clear how to reconcile this conflict between the legal norms of sovereignty and human rights.

A second conflict is between legal norms prohibiting the use of force by individual states or regional organizations except for their own defense or as authorized by the U.N. Security Council, and norms that might permit or require intervention to protect human rights.

The U.N. Charter purports to establish a system of collective security under which individual countries are not to use force against one another except in self-defense and only the Security Council can authorize non-defensive uses of force. In particular, Article 39 of Chapter VII of the Charter empowers the Security Council to adopt economic or military measures in response to a "threat to the peace, breach of the peace, or act of aggression." Articles 52 through 54 of the Charter deal with regional security arrangements and organizations. Article 53 provides that "no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council."

"[S]ome legal scholars have maintained, and rightly so, that international lawyers and policy-makers must seek some outside source of philosophical guidance to aid them in resolving these difficult problems of legal interpretation that also involve ethical issues."

Of course, all of these provisions referring to Security Council action presume that it can act. Any decision of the Council requires not only nine affirmative votes out of fifteen, but no negative votes by any of the five permanent members – China, France, Russia, the United Kingdom and the U.S. Thus, any single permanent member can "veto" and prevent action by the Security Council.

These norms raise the problem of how to resolve the conflict between these provisions apparently conferring exclusive authority on the Security Council to authorize non-defensive military action, and the implication from the human rights provisions of contemporary international law that states should be permitted to rise to the defense of the human rights of citizens of other countries.

These conflicting legal norms leave many questions unanswered, such as: (1) How should we reconcile and balance sovereignty with human rights? Which takes precedence, and when? (2) Is there an obligation on the part of states or the U.N. to undertake military intervention when gross human rights violations are occurring in a particular country? (3) Should uses of force for humanitarian purposes require at least the prior authorization of the U.N. Security Council?

II. How Do We Resolve These Problems of Interpretation?

International law, as a discipline, has developed rules for interpreting treaties like the U.N. Charter. These rules generally focus on the "ordinary meaning" of the text, but they also allow resort to the drafting history of the relevant treaty. Unfortunately, these approaches do not give us much guidance on the above problems. For example, there was no discussion of humanitarian intervention during the drafting of the U.N. Charter.

Some legal scholars and courts have advocated an interpretive approach to treaties like the U.N. Charter that looks to the overall "purposes" of the treaty. The problem here is that the Charter expresses conflicting purposes, including the protection of state sovereignty and the promotion of human rights, which have to be reconciled.

In view of these deficiencies of traditional approaches to Charter interpretation, some legal scholars have maintained, and rightly so, that international lawyers and policy-makers must seek some outside source of philosophical

guidance to aid them in resolving these difficult problems of legal interpretation that also involve ethical issues. For example, philosopher and legal scholar Fernando R. Tesón has advocated resort to the philosophy of Kant to decide on the legality of humanitarian intervention, whether U.N.-authorized or unilateral. He has emphasized that from a Kantian perspective states have no moral relevance and are mere agents for the welfare of their people.

I believe that these new approaches, which draw on philosophical insights, are on the right track. But it occurred to me that one source of relevant ethical principles they do not directly take account of is international law itself. Another source, which can support fundamental ethical principles in contemporary international law, is the revered moral texts of the world religions and philosophies, which constitute part of the great "wisdom literature" of the world.

Indeed, we find in contemporary international law, including the text of the U.N. Charter and the Universal Declaration of Human Rights, the expression of a number of fundamental ethical principles, including respect for human rights. These ethical principles, of course, are not rigorously elaborated nor are they

prioritized in any systematic way.

I argue that these ethical principles ought to be prioritized in accordance with their relationship with a foundational ethical principle – what I will refer to as a principle of “unity in diversity.” I believe that fundamental ethical principles related to a principle of “unity in diversity” can, in turn, help us to make progress in reconciling the competing legal norms evidenced in the U.N. Charter relating to humanitarian intervention.

I will focus here only on a few relevant fundamental ethical principles endorsed by contemporary international law, and will give just one or two examples of support, in international law texts and in revered moral texts, for each of these principles. In the case of revered moral texts, I draw illustrations from the central texts of the Bahá’í Faith, Buddhism, Christianity, Confucianism, Hinduism, Islam and Judaism.

A. The Principle of Unity in Diversity: The Unity of the Human Family, Alongside Recognition of the Value of Diversity and the Legitimacy of Attachments to Lesser Communities

The Universal Declaration of Human Rights refers in its preamble to “recognition of the inherent dignity and of the equal and inalienable rights of *all members of the human family*,” and proclaims in Article 1 that all human beings “are endowed with reason and conscience and should act towards one another *in a spirit of brotherhood*.” Many revered moral texts may be read as endorsing the principle of the unity of the human family. To give just one example, the Qur’an affirms that all human beings were created by one God and thereby possess an inherent dignity: “Mankind, fear your Lord, who created you of a single soul.”

The U.N. Charter and contemporary international law also recognize a companion ethical principle to that of the unity of the human family: that diversity among and the fundamental autonomy of familial, ethnic, national and religious communities not coextensive with the community of humankind is to be valued within a framework of human unity. For example, the Universal Declaration guarantees respect for individual freedom of association and the right to “participate in the cultural life of the community.” However, it also provides that education “shall promote understanding, tolerance and friendship among all nations, racial or religious groups.”

Many passages from revered moral texts can be interpreted as similarly recognizing the legitimacy of familial, religious and ethnic communities within a larger concern for the welfare of humanity as a whole. To offer just one example, again from the Qur’an, the Qur’an states that one of the signs of God is the creation of “the variety of your tongues and hues.”

B. The Centrality of Human Dignity and Human Rights

Contemporary international instruments place great emphasis on the equal dignity of individual human beings and on universal human rights. The Universal Declaration of Human Rights affirms that all human beings “are born free and equal in dignity and rights.” Many revered moral texts confirm such an emphasis on equal human dignity. For example, the Bhagavad-Gītā contains many statements of the rule that one should treat all persons, including Brahman and outcaste, with the same respect.

The equal dignity of all human beings as members of one human family implies that each individual has certain fundamental human rights and that all other individuals have strong duties to respect those rights. In this connection, many revered moral texts prescribe duties to uphold the dignity, and even protect the rights, of others. For example, Buddhist scriptures proclaim: “Not to be helpful to others, Not to give to those in need, This is the fruit of Samsara [the world of birth and death]. Better than this is to renounce the idea of a self.” And in the story of the Good Samaritan in the New Testament, Jesus implied that all individuals, of whatever race or religion, are potential neighbors, and that we all have an obligation to come to the rescue of those in need.

The principle that individuals and, by extension, leaders, have strong duties to protect the rights of others, especially those over whom they exercise power, implies that the sovereignty of states must necessarily be limited by these fundamental ethical duties. Such a trust theory of government and its concomitant principle of limited state sovereignty are implicit in evolving norms of international human rights law. They are also reflected in many revered moral texts.



C. The Obligation to Assist Others in Need, Potentially Through the Threat or Use of Force

From the principles I have already mentioned in contemporary international law and certain additional principles, it follows that humanitarian intervention to rescue human rights victims, in whatever state they happen to reside, could be morally permissible if certain conditions are satisfied (including appropriate respect for relevant legal norms). Significantly, many passages from revered moral texts appear to endorse the permissibility of humanitarian intervention and in some cases to impose it as a moral obligation. To give just one example, a verse in Psalms reads: “Judge the wretched and the orphan, vindicate the lowly and the poor, rescue the wretched and the needy; save them from the hand of the wicked.”

D. Consultation as a Means of Problem-Solving

The principle of unity in diversity suggests that individuals or communities with diverse viewpoints ought to engage in a frank and open-minded dialogue with the objective of reaching a consensus on solutions to common problems, and then implementing those solutions through unified action. There are passages in the U.N. Charter that appear to endorse such a conception of open-minded consultation. For example, the fundamental purposes of the U.N. include the development of “friendly relations among nations,” and the achievement of “international co-operation in solving international problems” and in promoting and encouraging respect for human rights.

Certain passages from revered moral texts can be interpreted as supporting the desirability of such consultation among individuals or leaders as a method of problem-solving or investigating truth. To illustrate, various passages from the Confucian Analects suggest that the search for truth must be aided by consultation with and learning from others in a spirit of humility and detachment from one’s own opinions. Confucius stated: “When I am walking in a group of three people, there will surely be a teacher for me among them. I pick out the good parts and follow them; the bad parts, and change them.” And the Bahá’í Writings affirm: “Take ye counsel together in all matters, inasmuch as consultation is the lamp of guidance which leadeth the way, and is the bestower of understanding.”

III. Application of the Above-Mentioned Principles to Certain Problems of Humanitarian Intervention

I turn now to a brief consideration of how these



fundamental ethical principles can help resolve the problems I identified earlier. First, on how to balance sovereignty with human rights, fundamental ethical principles suggest that while respect for sovereignty is important because of the moral respect that people owe to their countries and governments under the principle of unity in diversity, it must be limited by the universal dignity to which all human beings are entitled. So “sovereignty” cannot be used as a shield to prevent outside concern about human rights violations or to excuse such violations. The legal provisions of the U.N. Charter should be interpreted in light of this principle.

Second, on the question of whether there is an obligation to intervene or to contribute to humanitarian intervention operations, the passages I referred to earlier suggest there is at least a strong moral obligation to come to the defense of others in need by appropriate means, which may or may not warrant the use of military assets in particular cases. Such a moral obligation ought to inform the interpretation of relevant Charter provisions.

Third, on whether uses of force for humanitarian purposes should require the prior authorization of the U.N. Security Council, the ethical principles of consultation and of human unity strongly imply the moral desirability of consultation among the states of the world, especially about such a morally complex issue as humanitarian intervention.

These principles suggest that moral and legal attempts should be made to work through mechanisms like the U.N. Security Council that states intended to be primarily responsible for international peace and security. They imply that the apparent plain meaning of the legal prohibitions in the Charter on non-defensive military action not authorized by the Security Council

ought to be upheld and respected. But because of the potential for the Council to be stymied by the veto, it is possible that in extreme circumstances, after serious diplomatic attempts have been made to work through the Council, states may be morally entitled to respond with the minimal amount of force required to thwart extreme human rights violations, such as genocide, even if such a response is best viewed as illegal.

IV. Kosovo as a Case Study

I will now further illustrate these points using Kosovo as a case study. I assume that many of you are aware of the basic facts surrounding NATO's bombing campaign against the Federal Republic of Yugoslavia in the spring of 1999 with the aim of persuading the Yugoslav government to cease its oppression of the Albanian ethnic minority in the Serb province of Kosovo. While many facts of the Kosovo situation remain unclear and unconfirmed, it is possible to draw some preliminary conclusions about the legality of the NATO intervention under the U.N. Charter as interpreted by the above fundamental ethical principles. In these brief remarks I will not address the important problem of whether the methods NATO used were legal under international humanitarian law or the laws of war.

First, the legal principle of sovereignty – in this case, the Federal Republic of Yugoslavia's sovereignty – cannot be viewed as an absolute barrier to outside intervention to prevent gross human rights violations within a state's borders. The concept of sovereignty does reflect an important ethical value of state autonomy in keeping with the principle of unity in diversity, and this value should not be treated lightly. But the concomitant principle of equal human dignity must ultimately prevail when sovereignty is used as a pretext to allow flagrant human rights violations.

Second, there are strong moral obligations on the part of individuals and governments to take all legal measures within their abilities to help prevent or end human rights violations in any part of the world. Thus, members of NATO properly regarded themselves as having such compelling moral obligations. It may be recalled in this connection that President Clinton called the NATO action a "moral imperative."

Third, however, the ethical principle of consultation supports a strict reading of those provisions of the Charter indicating that only the Security Council can authorize the use of non-defensive force. Through consultation, especially conceived as an open-minded search for preferable courses of action, a variety of responses can be brought to light, including non-forcible alternatives for dealing with human rights abuses such as those that were committed in Kosovo. Moreover, consultation can help ensure that states are not acting only out of self-interest, or out of a biased misperception of the facts. For these reasons, members of NATO, and especially the permanent members of the Council, had

a strong legal and ethical duty at least to make a good faith attempt to secure Council action, even if a veto by Russia or China seemed probable.

This is not to say that the NATO action did not have its moral merits. Certainly it eventually put an end to the slaughter. And it was far preferable for NATO countries to act in consultation, as part of NATO, rather than individually. But the U.N. Charter, interpreted through reference to the fundamental ethical

principles I have identified, indicates that NATO legally should have made every possible effort, through the legal channels provided in the Charter, to seek U.N. action or at least approval first.

V. Conclusion

In the long run, the countries of the world need to seek to reform contemporary international law so that it addresses the problem of humanitarian intervention and its legality explicitly. They must creatively develop and implement a fresh approach to humanitarian intervention and international law that takes account of fundamental ethical principles, and in particular, the preeminent ethical principle of unity in diversity. With a new spirit of open-minded consultation about how best to realize this and other fundamental ethical principles, the next few decades of the new millennium may yet witness major reforms in the global community's willingness, and capacity, to come to the rescue of desperate human rights victims. As members of the same human family, they deserve no less. ■



Dean Steve Willborn presents Professor Brian Lepard with a bound volume of Lepard's writings on the occasion of Lepard receiving tenure.

Shavers' Trips to Africa, Europe Add Global Perspective to Classes

Professor Anna Williams Shavers developed an interest in international law after a number of years of teaching courses on immigration law and gender issues, each of which had international aspects. Recently, Shavers had a chance to participate in some international experiences that put theory into practice.

Last year Shavers was selected to participate in the "La Pietra" Conference, a conference of international legal educators sponsored by the Association of American Law Schools held at New York University's Villa La Pietra in Florence, Italy in May 2000. The 50 legal educators from 30 countries concluded the meeting by asking the AALS to appoint a working group to consider new forms of international cooperation, including the possible creation of a new international organization.

The La Pietra Conference was part of the AALS' Centennial Celebration. It represents a significant new international presence for the Association, and resulted from the Association's member schools and their faculty asking that the Association do more to facilitate cooperation among law schools and law faculty in the United States and other countries.

Dean John Sexton, a past president of the Association, dean of New York University School of Law and president-designee of New York University, chaired the Conference Planning Committee. Sexton said, "This Conference and the call for appointment of the working group demonstrates that law can no longer be studied in a vacuum and that legal educators from throughout the world seek a greater understanding of other cultures and legal systems."

Conference participants prepared advanced papers about their own legal systems. The papers covered topics such as financing of legal education; who students and law faculty are and how they are selected; the curriculum structure of different countries; and how cooperation can occur in the context of the different

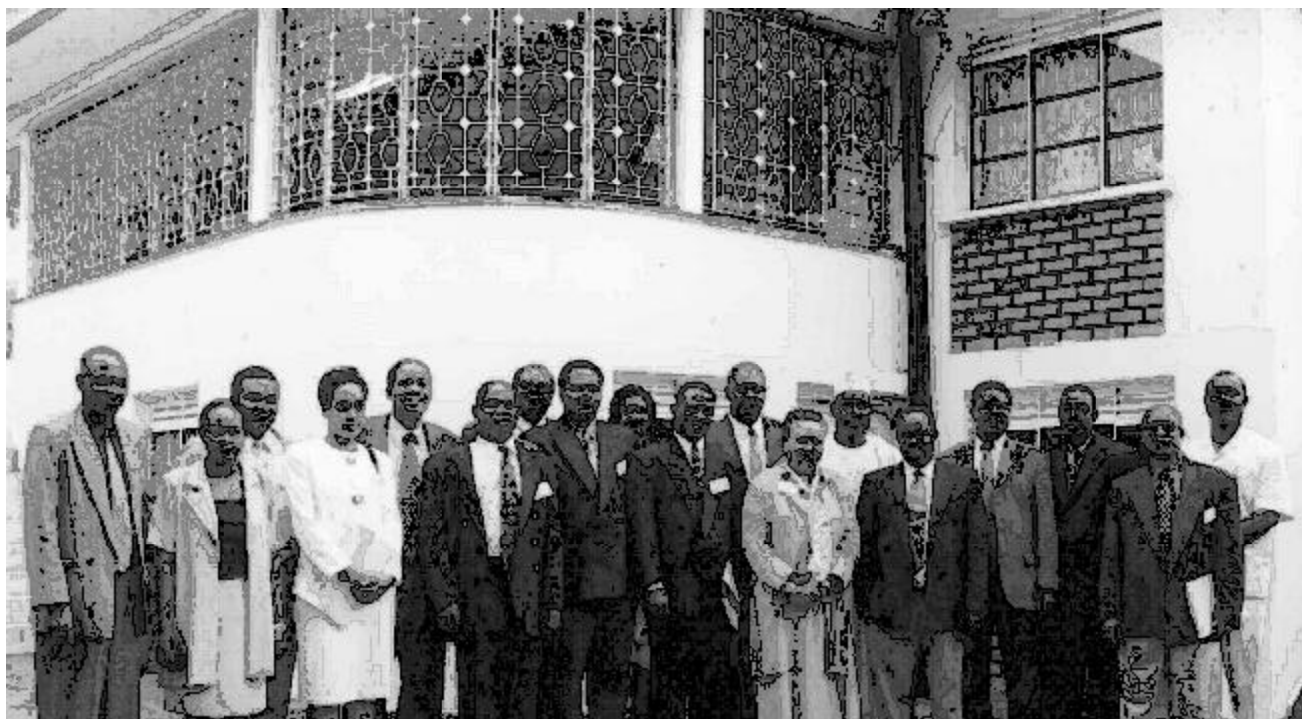


systems. Shavers' paper was on Technology and Legal Education. The papers will be published in the Association's Journal of Legal Education.

Shortly after returning from Florence, Shavers completed her preparations to travel to Kampala, Uganda, where she taught a course in Comparative Administrative Law. On her first trip to Africa, Shavers was able to crowd in a number of memorable experiences in a one-week period. Her class was sponsored by the Washington, D.C.-



Shavers with other attendees at the "La Pietra" Conference in Florence, Italy.



Professor Anna Shavers and her students in the Comparative Administrative Law class in Kampala, Uganda.

based International Law Institute's Uganda branch and consisted of lawyers, government officials and administrative bureaucrats from six African countries.

Her first learning experience came in the preparation of materials, which included a consideration of American, European and African legal systems. Many African constitutions and legal systems are based on a combination of these three systems. Based upon their unique experiences in newly formed democracies, each participant in the class provided a learning experience for Shavers as well as the other members of the class.

Shavers' interaction with the Ugandan people left her anxious to return at some future date. This is in spite of the fact that she had to get accustomed to seeing guards and soldiers all around the town carrying rifles and remember to take her malaria tablets and avoid the mosquitoes. She has been invited to return and teach the Administrative Law course.

Shavers returned to Africa in January 2001, but this time to Cape Town, South Africa. She received an invitation to present a paper at a conference on Reconciliation and Reparations. Shavers' paper examined the role of apologies in the process of reconciliation and as a replacement for or precedent to reparations.

These experiences left her hungry for more and this past summer she was able to satisfy this desire in part by traveling to the Law and Society conference held in July 2001 in Budapest, Hungary. There she chaired a roundtable with AALS Executive Director Carl Monk where representatives from several coun-

tries attended and heard about the experiences at the La Pietra conference. In addition, Shavers presented a paper in another session on the cultural aspects of Administrative Law.

Her next international experience was a trip this fall to Kaunas, Lithuania, where she will taught a one-week course on Non-Governmental Organizations at Vytautas Magnus University School of Law in an international partnership program that has been developed between the Law College and Vytautas Magnus University School of Law.

Shavers found that all of these experiences were not only personally satisfying, but also allowed her to incorporate these global experiences into her teaching, especially in her International Gender Issues, Immigration, and Refugee and Asylum Law courses. ■

Strong Delivers Coif Lecture; Recalls Nebraska Achievements

The return of John W. Strong, Rosentiel distinguished professor of law emeritus at the University of Arizona, James E. Rogers College of Law, to Nebraska in November 2000 to deliver the Order of the Coif lecture provided the former College of Law dean with many opportunities to reminisce. One of his recollections concerned his family's long connection with the Order of the Coif. Both John and his father, Frank, served as national secretary-treasurer of the organization, and it was during John's tenure in office that the Coif lectureship was created. What he is most proud of, however, is that four successive generations of his family, starting with his grandfather and extending to his older son, have been members of the Order of the Coif.

Many at the Law College remember John Strong not only as dean but also as a renowned Evidence professor. Evidence provided the topic of Strong's lecture – "Consensual Modification of the Rules of Evidence: The Limits of Party Autonomy in an Adversary System." In his speech, Strong questioned the common assumption that evidence is admissible

whenever the parties agree, explicitly or implicitly, to permit it to come in. He attempted to identify the policies or principles that may limit this autonomy of the parties.

But it was as dean from 1977 to 1981 that Strong made his mark at the Law College. In thinking back over those years, Strong identified three accomplishments of which he is particularly proud. He views his most important achievement as helping to bring to the College a number of excellent professors "during a period when funds were very limited and the number of people interested in going into teaching was dramatically less than it later became."

Another major accomplishment, for which he modestly adds, "I can claim only a little credit," was obtaining the major gift from Ross McCollum that made possible the construction of the Welpton Courtroom addition and "for the first time gave the school private resources of a really significant character."

The third achievement was the establishment of the Law College's separate graduation ceremony, "something that the students prized very highly."

Time away from Nebraska has brought into sharper focus for Strong another unique aspect of being dean at the Law College – the excellent relationship that the College has enjoyed with the state's bench and bar. "Without question," he said, "this relationship was, and I trust still is, the best at any school at which I have taught. I always found the judges and practicing lawyers of the state extremely supportive of both me and the College."

Ever the storyteller, Strong related an anecdote to illustrate his point. "At one point in my tenure as dean, someone wrote a letter to the student newspaper demanding that I be fired for devoting too many resources to the placement office at the Law College. The front page of the newspaper carried the headline, 'Dean's Resignation Demanded'. The thing I remember most about the incident is that the chief justice took the time to call and tell me to pay no attention to it."

Strong also remembers his first speech to the Nebraska Bar in which he emphasized "the pressing need to get beyond the valuable but limited case method and to offer more in the way of skills training." He is delighted at the range of



John and Marty Strong



Dean John Strong and Ross McCollum at the September 1978 ceremony honoring McCollum's major gift to the Law College.

clinical and simulation skills courses that the Law College now offers. However, he still believes that change is necessary. He said, "I have believed from my earliest experiences in teaching that law classes are too big and that instruction in law schools is not sufficiently individualized and has too little feedback provided for the students."

When Strong departed Nebraska, he had been serving as vice chancellor for academic affairs for the University. Although he found this job "extremely interesting," he left for a faculty position at Arizona because he did not want to make a career of administration and because he believed that the range of opportunities for older law teachers was going to diminish over the next few years. "So when I unexpectedly was offered the distinguished professorship at Arizona, the temptation was too great to resist."

Strong described his life since leaving Lincoln as "fairly typical of a senior professor." He taught Evidence, Property, and Law and the Health Care System; served as general editor of *McCormick on Evidence*; and worked on new editions of his Evidence casebook. "Marty and I gradually got used to the different experience of living in the

desert, which we mitigated by spending as much time as possible at our summer place in Oregon." Two years ago, he took emeritus status allowing him to teach only the Property course in the spring semester. John and Marty's son Frank is a tax lawyer and Ben is an internist and radiologist. They are both married, "but Marty and I are still not grandparents."

While Strong's career may be slowing down, his legacy at Nebraska remains "strong." With Harvey Perlman as chancellor and Steve Willborn as dean, the University and Law College are being administered by individuals Strong helped to hire – Perlman as dean when Strong was vice chancellor and Willborn to the faculty when Strong was dean. "Both were somewhat hard sells," he remembered, "but I am glad that my persistence has paid off. In both instances, there was wisdom in appointing an 'insider' who knows the institution intimately."

The continuity of the leadership at the Law College was really brought home for Strong at a reception for Marty and him at the Lincoln home in which they once lived. That house is now the home of the Willborn family. "I am particularly glad," he remarked, "that our old house is again the Deanery." ■



At a reception honoring John and Marty Strong, John Strong's dean's portrait made an appearance over the fireplace mantle of the "Deanery" – the house once occupied by the Strongs, which is now the home of the Willborn family.

Faculty Notes



C. Steven Bradford
Cline Williams-
Flavel A. Wright
and Warren C.
(Bud) Johnson
Professor of Law
Professor

Steve Bradford published *Securities Regulation and Small Business: Rule 504 and the Case for an Unconditional Exemption*, 5 J. Small & Emerging Bus. L. 1, in which he examines the impact on small business of the 1999 amendments to the Rule 54 exemption from the registration requirements of the Securities Act. He argues that the amendments are economically inefficient and that an unconditional small transaction exemption from registration is justified. His article was the subject of the presentation he made to the Forum on the Regulation of Small and Emerging Business at Lewis and Clark Northwestern School of Law in Portland, Ore. He also spoke in Lincoln on the amendment's effect in the business planning context at the Estate and Business Planning Seminar sponsored by the College of Law and the University's School of Accountancy.



Robert C. Denicola
Margaret R.
Larson Professor
of Intellectual
Property
Professor
Rob Denicola
served as

chair of the Law College's Dean Search Committee. This summer

he completed a new edition of his casebook on *Copyright Law* published by Foundation Press.



Richard F. Duncan
Sherman S. Welpton
Jr. Professor of Law
Professor Rick
Duncan pub-
lished an article
on religious
liberty: *Free
Exercise Is Dead,
Long Live Free*

Exercise: Smith, Lukumi and the General Applicability Requirement, 3 U. Pa. J. Const. L. 850. He also published *Parental Opt-Outs in Nebraska Schools: Respecting Freedom of Thought, Parental Rights, and Religious Pluralism*, 79 Neb. L. Rev. 922. He taught sessions on religious liberty, freedom of expressive association and parental rights at the Blackstone Legal Institute National Litigation Academy in Maui, Hawaii. Duncan also helped draft a proposed amendment to the United States Constitution that would ensure that the traditional concept of marriage as a union of one man and one woman would be preserved as a fundamental concept of American law.



Alan H. Frank
Professor of Law
Professor Alan
Frank received
two awards for
his work in the
state for alterna-
tive dispute
resolution. At

2001: A Peace Odyssey – the Second Biennial Heartland Mediators Conference held in Nebraska City, he received an award “for exemplary service toward the establishment of program roots and growth of

mediation and peaceful conflict resolution processes within our Nebraska communities” from the Nebraska Office of Dispute Resolution and the Nebraska Mediation Center Association. At the annual meeting of The Mediation Center in Lincoln, he received a plaque for outstanding contributions to the Center. He continued his skill development in mediation by taking training in family group conferencing.

Frank was a member of the Nebraska State Bar Foundation Law-Related Education High School Mock Trial Case Committee. He was the chair and a presenter at the Fifth National Conference on Trees, People, & the Law sponsored by the National Arbor Day Foundation and the College of Law at the Lied Conference Center in Nebraska City. He also spoke on Tree Liability to the Midwestern Chapter of the International Society of Arboriculture. He is serving as the advisor to the Alliance for Holistic Law, a new student group at the Law College.

Janice L. Gradwohl

Resident Adjunct Professor of Law

Judge Jan Gradwohl was one of the recipients of the 2001 Outstanding Alumni Award of the University of Nebraska Alumni Association. She is presently serving on the Planning Committee of the Cather Circle, an organization of University alumnae who are active in community service or professional activities. She is treasurer and a member of the Executive Committee of Friends of Opera, an organization formed to enhance the quality of the Opera Department at the University of Nebraska-Lincoln; is a member of the Supreme Court-Nebraska State Bar Association Minority and Justice Task

Force, having participated in the drafting of two successful grant funding applications; and is a member of the Nebraska State Bar Association Committee on Access to Justice. Judge Gradwohl is the author of "The Spirit of '76," which appears in this issue of the TRANSCRIPT. Her research for this article was used as the inspiration for an article "Justice is a Woman," which appeared in the Summer 2001 issue of *Nebraska Magazine*. She completed her third term as membership chair of the International Association of Women Judges.



John M. Gradwohl
Ross McCollum
Professor of Law
Professor John Gradwohl continued his partial retirement, teaching Arbitration and

the Legislative Seminar during the fall semester. He remained active by planning continuing legal education activities, serving as a member of the Nebraska Supreme Court-Nebraska State Bar Association Minority and Justice Task Force and the Bar's Task Force on Mandatory Continuing Legal Education, completing terms on the Bar's Access to Justice and Juvenile Law committees, participating in legislative revisions relating to trust and estate law – particularly the recently enacted Uniform Principal and Income Act and the proposed Uniform Trust Act, and in preparing a two-volume set of materials for the Arbitration course. He received an Alumni Achievement Award from the University of Nebraska Alumni Association in May.

Gradwohl's article, *Historical Explanation of the Nebraska Public School District Bargaining*

Impasse Resolution Mechanism, 79 Neb. L. Rev. 1011, was part of the NEBRASKA LAW REVIEW's National Education Law Symposium. In his foreword to the symposium issue, the Honorable John M. Gerrard wrote, "This issue . . . is published in honor of Professor John M. Gradwohl. Thus, it is particularly fitting that the editors . . . have chosen to style their tribute as a symposium on education law. It is difficult to overstate the impact Professor Gradwohl has had on the development of education law in the State of Nebraska."



Roger W. Kirst
Henry M. Grether
Professor of Law
Professor Roger Kirst published *A Third Option: Regulating Discovery of*

Transaction Work Product Without Distorting the Attorney-Client Privilege, 31 Seton Hall L. Rev. 229. The article examines both the work-product doctrine and the attorney-client privilege and suggests that neither provides the correct kind of protection for the files a lawyer creates while advising a client during a business transaction. It explains why the courts should recognize and develop a third body of law to govern discovery demands on a lawyer's transaction file.



Craig M. Lawson
Professor of Law
Professor Craig Lawson was the recipient of the College Distinguished Teaching Award for

the College of Law. The \$1,000 awards provided by the Nebraska legislature are presented to

faculty members on the recommendation of their respective colleges. Lawson was one of three faculty members selected by the College's students; the final selection among the three was made by a vote of the faculty.



William H. Lyons
Richard H. Larson
Professor of Tax Law
During the spring 2001 semester, Professor Bill Lyons was a

visiting professor at Vermont Law School in South Royalton, Vt., where he taught Income Taxation and Estates. While there he was involved with the VLS Civil Clinical Program on tax matters and was a guest lecturer on federal income tax issues in Family Law. He reports that he enjoyed the experience of teaching at one of the last few law schools that is not associated with a university and at a law school that has a strong institutional focus, in Vermont's case on Environmental Law.

Lyons was chair of the planning committee of the annual Estate and Business Planning program held at the Law College and was on a panel in Washington, D.C., discussing the tax provisions of the 2001 bankruptcy legislation. He wrote "The New 'Innocent Spouse' Rules" for *The Nebraska Lawyer*.



Kevin L. Ruser
Clinical Professor of Law
Professor Kevin Ruser was appointed to the Nebraska Supreme Court Client Security Fund Committee.

Ruser also served as a trainer: P for the Nebraska Juvenile

Court Experience Training in Lincoln

P on Nebraska landlord and tenant law at the Larabee School of Real Estate in Lincoln; and P on legal issues in long-term care at the Thirty-Six Hour Social Services Course in Lincoln sponsored by the Nebraska Health Care Association.

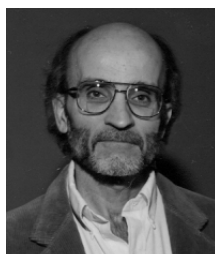


Matthew P. Schaeffer

Associate Professor of Law

Professor Matt Schaefer has been granted tenure by the University and pro-

moted to associate professor of law. He became a term member in the Council on Foreign Relations in New York City and co-vice chair of the International Economic Law Interest Group in the American Society of International Law. He also made presentations on trade law and policy to: P the American Society of International Law's International Economic Group Meeting in Houston, Texas; P the Georgetown Law Center's Journal of Law & Policy's International Business Symposium in Washington, D.C.; P the American Society of International Law Annual Meeting in Washington, D.C.; and P the European University Institute's Conference on Transatlantic Dispute Resolution in Florence, Italy.



Robert F. Schopp

Professor of Law and Psychology

Professor Bob Schopp has written *Competence, Condemnation, and*

Commitment published by the American Psychological Association Press and *Psychopathy, Criminal Responsibility as a Sexual Predator, and Civil Commitment*, 18, Behav. Sci. & L. 247. He has also made the following presentations:

P "Therapeutic Jurisprudence, Sexual Predator Statutes, and Professional Roles" at the Second International Conference on Therapeutic Jurisprudence in Cincinnati, Ohio, where he also served as panel chair

P "Mad or Bad? Biological Determinism and Criminal Responsibility" at the Inland Northwest Philosophy Conference in Moscow, Idaho;

P "Clinicians' Roles and Responsibilities Under Sexual Predator Laws" at the annual conference of the Association for the Treatment of Sexual Abusers at San Diego, Calif.; and

P "Legal Duties to Maintain Confidentiality and to Protect Public Safety" at the Milwaukee County Mental Health Division and the Medical College of Wisconsin in Milwaukee, Wis.

Schopp also served as section chair of the AALS Section of Law and Mental Disability and is presently interim director of the UNL Law-Psychology Program.



Steven L. Willborn

Dean and Richard C. and Catherine Stuart Schmoker Professor of Law

Dean Steve Willborn has published *The Focus of Atlantic Crossings:*

Another View of Exceptionalism, 21 Comp. Lab. L. & Policy J. 423, a book review of Daniel Rodgers'

Atlantic Crossings. He also published *Regulating Pensions in Europe and the United States*, 5 Employee Rights & Empl. Policy J. 327. He presented a paper to The Club (of Labor Law Journal Editors) in Brussels, Belgium. The paper, "The Evolving Employment Relationship and the New Economy," was also published in a Belgium labor law journal. Willborn's alma mater, Northland College in Ashland, Wis., named him its alumnus of the year.



Robert G. Works

Margaret R. Larson

Professor of Insurance Law

Professor Bob Works presented a paper, "Conti-

nenal Drift?: Lessons from UK Efforts to Accommodate Consumer Contract Provisions of the EU Insurance Directives," to the Western Risk and Insurance Association. He is a member of the Board of Directors of the Journal of Insurance Issues. Works spent the spring 2001 semester on sabbatical in London, England, and Edinburgh, Scotland.

Common Roads, Uncommon Success

By Tony Dworak
Director of Development

Acklie, Quinn's
similar stories
reveal link
between Law
College, trucking
industry

Over a casual lunch last year, Earl Scudder, '66, pointed out to me that the chairman of the American Trucking Association, Duane Acklie, '55, and the incoming chairman of the Truckload Carriers Association, Pat Quinn, '71, are both graduates of the College of Law. Earl has known both of these men on a personal and professional level for many years, and he suggested that an alumni profile of them would make for an excellent feature for THE NEBRASKA TRANSCRIPT. It turns out Earl was right.

I was fortunate to catch Pat Quinn visiting his U.S. Xpress Lincoln operation shortly after my lunch with Earl. Duane and Pat graciously agreed to sit down with me for a joint interview at the Lincoln headquarters of Acklie's Crete Carrier Corporation.

Coming in, I was aware of some basic similarities between Duane and Pat. I knew they had both graduated from the College of Law and they have both been very supportive of their alma mater over the years. Nor were their shared successes and leadership roles in the American trucking industry a secret. But as our conversation proceeded, all three of us

were taken aback by the many similarities between each man's family, educational and professional life. At times, it seemed like their 14-year age difference was about all that separated them.

From the Ground Up

In 1971 Duane Acklie and his wife Phyllis scraped together \$8,000 in cash, and borrowed substantially, to purchase a small truckload carrier in Crete. Their first headquarters for Crete Carrier Corporation was on the second floor of the Fairmont Creamery Company, where neither drew a salary during the first year of business. Today, the Acklie trucking companies include Crete, Shaffer Trucking, Sunflower Carriers, HTL Truck Line and Hunt Transportation, which together

account for more than \$650 million in annual revenues. Over the years, the Acklies have diversified into additional business areas, including banking, farming, land development, and insurance. Duane is the most recent chairman of the American Trucking Association (ATA), and a former chairman of the Truckload Carriers Association (TCA).



Pat Quinn and Duane Acklie



Duane Acklie



Pat Quinn

In 1986, Pat Quinn co-founded U.S. Xpress with a total of just 48 trucks. Headquartered in Chattanooga, Tenn., the company is now one of the five largest publicly owned truckload carriers in the nation. With more than 5,000 trucks and 11,000 trailers, U.S. Xpress reported over \$750 million in operating revenues for the year 2000. Pat is the current chairman of the TCA.

Nebraska Farm Boys

It was wonderful to discover that these two men of such high standing in the trucking industry both experienced boyhood working in the fields of rural Neb. Perhaps this partially explains their down-to-earth personalities and common sense leadership styles.

Duane Acklie grew up on a farm between Norfolk and Madison, Nebraska. On the farm, he learned to drive trucks at a very young age, thus providing a flickering glimpse of what would someday become his career. He graduated from a small public high school in Madison, where he enjoyed both schoolwork and athletics. Genuine friendliness and a noticeable mid-western reserve still mark this now-worldly man, who left his family's farm more than 50 years ago.

Pat Quinn's name is still etched in concrete around a well on the central Nebraska farm where he lived as a young boy. His family farmed as tenants for an area hospital that owned the land. As with Duane, Pat was driving farm trucks and implements by the age of 12. While on the farm, he attended a one-room rural school from the first through sixth grades.

The small size of the farm and the sharecropping arrangement between owner and tenant made profitability elusive for the Quinns. As Pat described sharecropping, "They took the share and didn't leave much left over!" Upon reaching junior high school, Pat's family moved to the nearby town of Grand Island, where his mother went to work for a florist and his father purchased a small tavern on Pine Street. "It was

purely an economic move. Basically, we couldn't make it on the farm anymore," he said. Pat attended Grand Island Central Catholic High School and graduated in 1964.

Breaking Away

A small-town Nebraska college coach, football scholarship in hand, walks up to an idling combine in the middle of a cornfield on a hot August day. This sounds like the kind of poignant, Midwestern Americana one would find in a Norman Rockwell painting. It also happens to be the reality of how Duane Acklie began his college career, and this moment forever altered his destiny in life. As Duane recounts, "It was in the middle of the summer. I remember my dad didn't really want me to go to college, but I thought maybe I did. I was out running a combine and it was hotter than all get-out. It had to be 120 degrees inside, with all that metal around you. The Norfolk Junior College coach came out to meet me in the field. I tell you, when it's 120 in that combine and they offer you a little bit of a scholarship – and a job that paid more than farm work paid – man! I was off to junior college!"

More of what would comprise the Duane Acklie of today was instilled on the football field playing for the Norfolk Junior College Blackhawks. Looking back, he is quite self-effacing about his brief college football career. "I was very undersized. You might say my primary role on the team was that of cannon fodder. But boy, my heart was in it. I can still remember our team being nationally ranked and losing a big game to Concordia College. I was laying on the field in tears at the end of that one."

After two years of junior college, Duane's decision to finish his undergraduate work at the University of Nebraska came easily. He just laughed when asked if he considered trying out for the Cornhusker football



Left - Duane Acklie as a first-year law student in 1951; Right - Pat Quinn as a first-year law student in 1968

as an in-coming junior. “They wouldn’t have even let me in the front door!”

As with Acklie, Pat’s hard-working father was less than enthusiastic about his attending college, such a move being a break from family tradition. “I wanted to go because I just couldn’t see any future without an education. At the age of 18, I basically made the decision on my own to pick up and move to Lincoln. I had two jobs while I was an undergraduate, one at Kinney’s Shoes and the other as a caterer for the Nebraska Student Union.”

Why Not Law School?

Neither Duane nor Pat thought seriously about attending law school until late in their undergraduate careers. However, in Duane’s case an early seed was planted during his high school days in Madison.

“After watching a trial in which my father was on the jury,” Duane said, “I became intrigued by the process. I started watching other trials after that one, and came to admire a group of outstanding local attorneys who were practicing in Madison County at the time - Fred Deutsch, George Moyer, Sr., and Earl Moyer. My teachers encouraged this interest, and even let me occasionally miss class if they knew I was across the street in the courthouse. So that’s where my interest in the law came from.”

It wasn’t until halfway through his senior year as a political science major that Pat first entertained the notion of attending law school. “I just figured I had to get serious about something that might earn me a living,” he said. Physically exempt due to a bad back, Quinn suspects the Vietnam-era draft gave him an opening he may not otherwise have had. “That’s probably what got me into law school, to be honest about it. I don’t think my undergraduate grade point average would have even got me on the front step today.”

Fear and Growth at the College of Law



Neither Duane nor Pat found law school to be easy, and neither of them graduated at the top of their respective classes. However, it was not surprising to learn that they both worked very hard – in and out of the classroom – through-

out their years at the Law College. Nor was it surprising to find they both still carry vivid memories of their law school experiences.

“I knew I was going to have to study to get through law school,” Duane recalled. “(Frederick K.) Beutel scared all of us. He had been dean, but he was just teaching Constitutional Law at that time. He would say to us freshmen, ‘look to your left and look to your right. One of you three won’t last here, and maybe two of you won’t.’ We lost a lot of people during that first year.”

Like Pat, Duane was challenged by the need to earn money while attending college. “I had the two best jobs of anybody in the law school,” he recalls. “I worked part-time shelving books at the law library, and I also gained valuable experience working as an investigator for the Nebraska Liquor Control Commission. In fact, I was making more money from those two jobs than I did when I first started out as a lawyer!”

Duane found the Law College to be quite rigorous, and success in the classroom did not come naturally to him. He knew he had to work hard in order to survive. “I loved law school,” Duane said. “But I went all the way through thinking I was going to flunk out. I could see all the other guys who were a lot smarter than I was, and that really worried me. In fact, I thought I had flunked out after my first-year tests. I was already making plans to go to Ag School at Washington State when I found I’d passed all my classes.”

Pat also recalled the initial shock that greeted him as a young first-year student. “I think it was one of Harvey Perlman’s first years of teaching, and I think it was Torts. That was a tough one. We also had Larry Berger. At first, Professor Berger basically scared the hell out of everybody. But I soon found out what a marvelous teacher he was. He’s probably the most impressive teacher that I remember – a great teacher and a great person. He really had the students’ interests at heart. That first year was really scary for me because that’s when they see how far they can tear you down. They are literally remolding you to become a lawyer. You later realize that they do this so you can see that there are two sides to every issue. And of course there is also a lot of gray.” Like Duane, Pat gained experience in state government while attending law school, trading in his shoe sales and catering jobs



for an administrative position with the Nebraska Department of Revenue.

Looking back from where they are today, both men appreciate the outstanding education they received at the College of Law. They also continue to draw upon that education in ways they could not have foreseen all those years ago.

"I think I owe my success today to the education I received at the University of Nebraska, both undergraduate and law school," Pat said. "I consider my legal education to have been especially excellent. Today, I have a business partner (Max Fuller) who doesn't have a law degree, which is good, because if we both did, we'd never get anything done. I'll slow him down because I'll see the two sides, then he speeds me up saying, 'We've got to make a decision'. It's push-and-pull in that regard."

"It's also day-to-day business," Pat continued. "It's dealing with your insurance contracts, your loss-prevention and accident investigations or various claims of every type. You spend time explaining to people how you got to where you are on a problem so fast. It's the law degree and it's the understanding of how the law works. It's amazing how much money I can sometimes save us from outside counsel expenses. I also know that going to court is often the last thing you want to do."

Duane cited several instances where his legal education proved useful in his business career, including drafting legislation and testifying before the Surface Transportation Subcommittee in the U.S. Senate. "There probably isn't a year that goes by where we don't have critical issues that deal with the law," he said. "My legal education has given me the opportunity to understand these issues and come forward with ideas."

Crowded Hours

"I met my wife Phyllis (Osborn) at a rural youth dance in Madison County while I was visiting home from college," Duane fondly recalled. "We were married between my junior and senior years in law school." The marriage helped set up a flourish of momentous occasions for Duane and Phyllis, all of them clustered around his graduation day. "In June of 1955, I graduated

from law school, took the bar exam, was admitted to the bar, was commissioned in the Army, and our first daughter was born. This all happened within a span of about 14 days."

Pat's life was also changed forever by a fateful visit home from Lincoln. And like Duane, he recalls taking law exams amidst a whirlwind of activity. "I met Anna Marie (Christen) on a blind date during the summer. We had gotten married just before I started law school, and our first baby was due just as finals were to begin. So as a consequence, I studied for finals long in advance, because I just knew that baby was going to come on the night of one of the finals. So I might have flunked out except for the fact that this baby made me prepare in advance. Fortunately, she didn't have the baby until finals were finished. But by that time I was completely wiped out. They had to wake me up at the hospital to tell me I was a father!"

School to Work

It was a combination of happenstance and the legendary Lincoln law firm of Nelson & Harding that paved the road to the trucking industry for both Duane and Pat. In yet another similarity, each began his career search seeking a private law practice in small-town Nebraska.

Before beginning his legal career, Duane first gained experience, and a world outlook, working at the U.S. Army's Soviet Intelligence Desk. Duane said, "We came home from Europe expecting our third child. With our parents here, we really wanted to stay in Nebraska. And being from the farm, I knew I could have practiced in any of these smaller towns and been extremely happy."

Duane's first choice was to work in the Norfolk/Madison area alongside the idols of his youth, George Moyer, Sr., Earl Moyer and Fred Deutsch. But as Duane now recalls, it was not in the cards. "It wasn't a case where they didn't want to bring me on, it's just that they weren't ready to add anybody at that time. That was tough, because they really were great lawyers, and I admired them so much." Years later during a speech at the College of Law, Earl Moyer would cite passing on a young Duane Acklie as his biggest mistake.

Looking back from where they are today, both men appreciate the outstanding education they received at the College of Law. They also continue to draw upon that education in ways they could not have foreseen all those years ago.



Courtroom to Boardroom

Both Duane and Pat learned a lot about the trucking business during their early years at Nelson & Harding. For Duane, this focus continued in his own firm of Acklie & Peterson. "From the beginning, I was immersed in transportation law," he said. "I really enjoyed it. We practiced in front of the Nebraska Public Service Commission, the Interstate Commerce Commission,

the Department of Transportation, and did appellate work that carried itself from those cases. We almost exclusively represented trucking, banking and meat packing interests."

It was from a client of the Acklie & Peterson firm that he and Phyllis purchased Crete Carrier Corporation in 1971. As Duane tells it, "I bought Crete Carrier from a client, so I advised him to go and get his own counsel, and that I would not use our firm either." Acklie chose his old firm of Nelson & Harding, who in turn assigned a young Pat Quinn to help work on the deal.

After purchasing Crete, Duane stayed of counsel for almost a year at Acklie & Peterson to sew up cases he had in progress. He then left the formal legal profession for good to devote all his energies to build what would become a trucking giant. While Duane clearly does not regret that decision, he is quite candid about missing the practice of law. "I never did anything I loved so much as the law practice," he said. "I found that I missed it a lot. I missed it in a large part because those clients I worked with became also good friends, who would call on me and rely on me. You don't get those kinds of calls in the trucking business."

After six hardworking years with Nelson & Harding, Pat earned his way to managing partner for its Lincoln office, which by then consisted of 22 attorneys. Then in 1977, Pat and Anna Marie decided to take a risk and relocate their young family to Chattanooga, Tenn. Pat had accepted an offer there to become vice president and general counsel of a small trucking company called Southwest Motor Freight. In November of 1984, owner Clyde



At this point, Duane decided that he had better also look in Lincoln, where a friend told him about a new law firm started by Bob Nelson and Max Harding, '46. "He said They're going to hire somebody, and you would be the first young person in there," Duane recalled. "They offered me a job that paid about half of what another Lincoln firm had offered me, but I really thought the opportunity was there, and that's why I took it. It worked out extremely well. Both of these senior lawyers had a lot of experience, and I would be the third person. Bob had about 25 years in as the head trial attorney and chief deputy for the Attorney General's office. Max Harding had a number of years in the Public Service Commission, so he had contacts with all the trucking companies and telephone companies and others. So for me it was a wonderful opportunity." After 10 years with Nelson & Harding, Duane started his own firm with Dick Peterson, '62.

After graduating from law school in 1971, economic realities soon prompted Pat to also shift his career search from the small towns of Nebraska in favor of Lincoln. "I interviewed throughout western Nebraska, but found that the money they were offering was less than what my wife was making as a nurse at that time. When you realized you had some high school classmates who had never gone to college at all — and had been in the employment market for seven years — while you had incurred nothing but seven years of debt and had barely survived, that's a lot to overcome."

During law school, Pat had befriended an upper-classman named Dave Parker, '70, who was then working for Nelson & Harding. Pat still remembers his conversations with Dave during this time. "Dave had offered me a job at Nelson & Harding a couple of times," Pat said, "and I was familiar with the firm, but since we were still pursuing our small-town plan, I declined. But after testing that market, and then getting the third call from Dave, I finally said, 'Yep, I think I'll do this!'"



Fuller sold that business to a firm from New Jersey.

As part of that deal, Pat, Clyde's son Max Fuller and another partner each received 10 percent ownership in the

business. As Pat now recalls, "There were the three of us and this outside firm from New Jersey. It was pretty obvious to me from almost the get-go that it wasn't going to work. They would refer to me as 'Dr. No' - no to this, no to that. So at 10 a.m. on July 2, 1985, we all walked out. I had three children at home all getting ready for college, no job and not much money. We started with 50 trucks and no jobs for them. So we had to figure out how to put those trucks to work. Once we accomplished that, we found out that we had to grow, and so growth became part of our culture. That was the birth of U.S. Xpress."

Deregulation Opens the Door

Both Pat and Duane cited federal deregulation of trucking as a watershed event for their businesses, and the industry in general. Pat said, "The deregulation of the industry in 1980 was the main factor allowing companies like US Xpress to grow. The practice of the law before the ICC had become a joke at that time, and deregulation really simplified everything."

Duane agreed with Pat on the importance of deregulation. In fact, Duane was a leading proponent of deregulation long before 1980. "I was a very strong deregulationist because I thought it was a simple waste of time and energy," he said. "Anybody with a truck ought to be able to truck. This made me less than popular with the ATA. But looking back, I think it has been good for the trucking industry. And a lot of those people who didn't think deregulation would be good for them ended up taking great advantage of it. At the time of deregulation, our companies had about 200 cases pending before regulatory bodies. I had to spend a lot of my time on those cases. Deregulation allowed a lot more time for marketing, and that really opened things up for us."

Duane also saw a deregulated trucking industry as being beneficial to the country as a whole. "With the growth in the gross national product, there was more need for transportation at that time," he said. "Deregulation gave a lot of new companies an opportunity to meet that need in a wide variety of ways."

Full Speed Ahead

Today, Duane and Pat seem to thoroughly enjoy their leadership roles in such a critical American industry. They speak seriously about the issues they face today and optimistically about the future of their businesses and trucking as a whole.

Acklie summarized the role of the ATA as that of central advocacy and lobbying for the entire trucking industry. When asked about the Association's current challenges, he responded, "Issues like drivers' hours, ergonomics, diesel emissions, taxation and, of course, safety. There are many issues we have to contend with, and there is constant change as our industry matures. But I believe in the industry, and I believe companies like Crete and U.S. Xpress will continue to grow and prosper far into the future."

Quinn took office as chairman of the TCA in April 2001. It is the same organization that Acklie chaired during the deregulation era, when it was called the Contract Carriers Association. "The TCA mission is primarily in the area of education, and to bring truck-load issues of importance to the attention of the ATA for lobbying and advocacy," he said. Pat shares Duane's optimism for the future and has relished the chance to work alongside an ATA chairman whom he has admired so much over the years. "Duane Acklie has always been what I would call a hero or an idol - in both business and on the legal end. I used to have to occasionally go up against him before the Public Service Commission or ICC, and he always would kick my you-know-what. I always had the utmost respect for him. He is simply a great practicing lawyer."

The final similarity between these two gentlemen is one they share with perhaps every Nebraska law grad I have met; their families provide their greatest source of pride. The Acklies and Quinns have each raised three children, and today enjoy spending time with their many grandchildren. ■

American Trucking Industry, Law College Have Strong Ties

By Tony Dworak
Director of Development



Tony Dworak

The College of Law has deep roots in the fertile soil of American trucking. This relationship extends back decades and is attributable to four key factors: great networking and judgment among our graduates, the timing of industry regulation and deregulation, Lincoln's central location, and the quality of our teaching faculty. A followup interview with Dave Parker, '70, executive vice president of U.S. Xpress, shed some additional light on this unique Nebraska success story. Credited by Pat Quinn for his entry into the trucking business and described as a "visionary" by Duane Acklie, Parker was hired by the Nelson & Harding law firm upon his graduation from the College of Law in 1970. Five years later, the Superior, Neb., native was sent west to manage the firm's expansion into the Denver area. He remained there until Acklie convinced him to return to Lincoln as general counsel for Crete Carriers.

After six years with Acklie, Parker returned to private law practice in Lincoln. However, he was soon lured back into trucking when he and Al Hingst acquired a small, 12-truck company called Jacobson Transport out of Wheaton, Minn. They grew into the Lincoln-based company JTI Trucking before being acquired by U.S. Xpress.

The value of their Law College alumni contacts is a common thread running through

the stories of Acklie, Quinn and Parker. "What I learned from Duane was how to blend law, business and politics," Parker said. "Whatever Duane does, it has both short-term and long-term considerations. He is a master at solving a problem today because of something he did 20 years ago. Duane Acklie did 'networking' long before anybody knew what that word meant." Parker met Quinn while both were students at the Law College. After he joined the Nelson & Harding firm in 1970, Parker knew that Quinn would be an ideal addition to the firm. "I recognized that Pat was an incredibly quick study," Parker recalled. "His thought process and analytical ability impressed me. In the Marine Corps we would have described Pat Quinn at the kind of person you would want on your left or your right in a firefight."

In the 1960s, Nebraska lawyers began to take advantage of two key openings in the trucking industry – heavy federal regulation and Lincoln's central location. As Parker described it, "With regulation, you had two types of truck lines going before the Interstate Commerce Commission. You had the small ones trying to grow, and you had the big ones trying to protect their

monopoly and keep people out. If you owned a small truck line in a town like Seattle or Minneapolis, and you wanted to grow, you needed an attorney to represent you before the ICC. But at that time, the odds were that all your local attorneys were already on retainer for the big lines trying to keep you out – so you had to look elsewhere. Well, you could look to Washington, D.C., but those lawyers were very expensive, and D.C. was a long way from where most of these regional hearings were held."

Parker credits the late Max Harding, '46, with seeing the opening and moving in. "Max



Dave Parker

Some of the Players



Max Harding '46 (1919-1991)
Co-founder Nelson & Harding
(now Harding, Shultz & Downs)



Duane Acklie '55
Nelson & Harding 1958-1968
Today: Crete Carrier Corp. & affiliated companies,
Lincoln
Past Chairman, American Trucking Association



Pat Quinn '71
Nelson & Harding 1971-1977
Today: U.S. Xpress, Chattanooga, Tenn.
Chairman, American Truckload Carriers Association



Dave Parker '70
Nelson & Harding 1970-1979
Today: U.S. Xpress, Lincoln
Past president, Nat'l Transportation Lawyers Assoc.



Earl Scudder '66
Nelson & Harding 1968-1990
Today: Scudder Law Firm, Lincoln



Bruce Bullock '73
Nelson & Harding (clerk) 1972-1973
Stern & Becker, Omaha 1973-1978
Today: Bullock's Express Transportation, Denver,
Colo.



Bud Cuca '84
Legal Counsel, Governor Kay Orr 1988-1990
Today: President, Nebraska Trucking Association,
Lincoln



Dick Peterson '62
Nelson & Harding 1962-1967
Today: General Counsel, Crete Carrier Corporation,
Lincoln

Charles M. Williams '74
Nelson & Harding 1973-1975
Today: Charles M. Williams PC, Denver, Colo.

started adding lawyers to his firm to represent these upstart trucking companies before administrative hearings," he said. "Then as the firm expanded and got known around the country, we started getting clients from the other end as well – the bigger lines that wanted to keep people out."

"We were growing so fast that we didn't even have time to train our new lawyers," Parker continued. "I remember within a week of being sworn in as a lawyer, I was on a plane by myself going down to hearings in Dallas. Our clients were from everywhere. In fact, at our peak during the mid-1970s, there were more transportation attorneys based out of Lincoln than anywhere in the United States, except Washington, D.C. People in Lincoln didn't know who Nelson & Harding was, but at that time the firm probably had more transportation attorneys in all its offices than any other firm in the country, period."

As federal and state deregulation of the trucking industry commenced in the late 1970s, the door through which lawyers like Acklie, Quinn and Parker entered began to close. However, deregulation simultaneously opened other doors for many of these savvy Nebraska lawyers, who by now had immense knowledge of the business. "You no longer had to apply for all these authorities, so the need for many of these lawyers was disappearing," Parker said. "The survivors in our practice were those who pursued one of two alternative tracks. Your Quinns, Acklies and (Bruce) Bullocks, '73, used deregulation to expand and become more entrepreneurial. And then you had those who said to their clients 'OK, I can't do your ICC practice anymore, but I can do your financing, I can do your acquisitions and mergers and other regulatory procedures. A great example of that model is Earl Scudder, '66."

According to Parker, a great deal of credit for this success should go to the quality of education at the College of Law. "There is a similarity between the Marine Corps and law school. You bring individuals in, take them totally apart and then you rebuild them. What law school teaches you is how to break down and analyze a problem and then where to look for solutions. Coming out of the Law College, we found we could hold our own with graduates of Yale, Harvard, Stanford and with any New York, Washington or Los Angeles law firm. The Law College gave us what we needed to get started, and then graduates from the College helped us develop the requisite industry expertise."

When asked about memorable Nebraska law professors, Parker responded, "Larry Berger, John Gradwohl and Dick Harnsberger really stood out for me. Even though it was sometimes difficult to get good grades from them, I was convinced that they really cared about me as a person. Today, I still consider them close friends, and I would do anything for them."

Parker and his wife Nancy have been married since 1962. Their daughter, Julie Karavas, is in her third year at the College of Law, and their son Eric works in management for a trucking company in Park City, Utah. Dave and Nancy have two grandsons and one granddaughter. ■



Dick Reiser '72
Nelson & Harding 1972-1984
Today: General Counsel, Werner Enterprises, Omaha



Marshall Becker '58
Stern & Becker 1958-1984
Today: Stern & Becker, Omaha



Steven K. Kuhlman '76
Nelson & Harding 1976-1989
Today: Harding, Shultz & Downs, Denver, Colo.



John T. Wirth '75
Nelson & Harding 1973-1989
Today: Harding, Shultz & Downs, Denver, Colo.



Bradford E. Kistler '74
Nelson & Harding 1974-1989
Today: Kinsey, Ridenour, Becker & Kistler, Lincoln



Jack L. Shultz '77
Nelson & Harding 1977-1989
Today: Harding, Shultz & Downs, Lincoln



Scott E. Daniel '75
Nelson & Harding 1975-1981
Today: Brashear & Ginn, Omaha



R. Scott Rager '73
Nelson & Harding 1973-1975
Today: CEO, Great West Casualty Co. (motor carrier insurance), South Sioux City

Charles J. Kimball '62
Nelson & Harding 1963-1975
Today: Kimball & Nespor PC, Arvada, Colo.

Julieann (Kimball) Nespor '86
Today: Kimball & Nespor PC, Arvada, Colo.

The Spirit of '76

The seven women judges who graduated in 1976 embody the spirit of their class and times

BY JAN GRADWOHL
RESIDENT ADJUNCT
PROFESSOR OF LAW

Over the years the College of Law has educated a multitude of outstanding lawyers and judges. The graduating class of 1976 produced 10 judges. The unique factor about that figure is that seven of the judges from the Class of '76 are women. This article examines the professional background of each of these remarkable women and recognizes the contribution that

each is making to the justice system.

The 10 judges from the Class of '76 are Nebraska District Judges Karen Flowers and Teresa Luther; Nebraska County Judges Alan Brodbeck, Mary Doyle, Lloyd Kaufman (now retired), Richard

Krepela, Jean Lovell and Jane Prochaska; Judge Mary Lynne James of the Colorado Combined Court; and Judge Niesje Steinkruger of the Alaska Superior Court. All of the judges were selected under a merit plan.

Nearly a quarter of the female judges serving in the state courts of Nebraska are from the Class of '76. Doyle and Lovell form one-third of the Lancaster County bench and, together with Judge Laurie Yardley, constitute half of the judges on that bench. It is the only court in the state which has an equal balance in the gender of its judges.

What was it about the Class of '76 that produced a record number of female judges? One answer may be that the women who went to law school at that time were not thinking of how a law degree might affect their incomes, but rather how they could serve their communities. Idealistic as it sounds, this theory is supported by the records of these women in public service and by their desire to contribute to the justice system. When asked why she wanted to



Jan Gradwohl



Mary Doyle



Karen Flowers



Mary Lynne James

become a judge, each of the seven women responded with statements indicating a desire to contribute to the legal system, to serve her community in this manner and to provide a different perspective in the law.

Another factor may be that a number of the women in the class went to law school after having other careers. They possessed a maturity that was helpful both in studying the law and in focusing on the need for increased diversity in the profession. The students at the Law College at that time were people who had grown up in the 1960s, with its turbulent reexamination of American mores. They had been forced to look at the existing structure of government and evaluate it critically.

It also may be that the women who entered law school in the 1970s felt both the pressure and the power of being pioneers and thus strove to excel to prove that women *did* belong in the legal profession. Courageous and unafraid to be heard, the women who entered law school at the time were natural leaders. There were no shrinking violets in the Class of '76.

It was the era of polyester and long hair. One of the judges said that when the class returned to law school for its senior year, many of its members appeared with short hair. She said that she was uncertain as to whether they were surrendering to the system, or just being practical about their appearance during job searches.

The women judges described the fun of law school as much as the gravity of their studies. They were among the students who organized the first Women's Law Caucus and the first auxiliary for male spouses of law students. The members of the class sponsored potluck suppers and wonderful parties. The class had a pig roast, carefully prepared by a group of law students during an entire day, to the gustatory delight of their classmates and professors. One of the most successful of their parties was a Halloween dance, to which the attendees were to wear costumes. The costumes

revealed wicked senses of legal humor. Luther and her date went as "The Plaintiff's Brief" and "The Defendant's Brief," garbed in colorful boxer shorts; Steinkruger went as a "Freudian Slip," clad in the appropriate article of lingerie; another member of the class wore a business suit bearing a tag that said "3.95." He was the reasonable man.

The old saw that women did not have sufficient experience to be judges is disproved by the records of the seven women judges from the Class of '76. Although Flowers, James, Luther, Prochaska and Steinkruger all came from the private practice of law, each had distinguished herself through participation in organizations for the improvement of the legal system and community activities.

Among numerous other accomplishments, Flowers served as a member and chair of the Nebraska State Bar Association House of Delegates, president of the Lincoln Bar Association, a member of the Supreme Court Task Force on Gender Fairness, and a board member of the Nebraska Association of Trial Attorneys. James has been on the Colorado Supreme Court Committee on Docket Control, the Judicial Advisory Committee, the Probation Advisory Committee and the Moffat County Domestic Violence Task Force. Luther's professional activities have included service on the Crime Victims Reparations Board, the Judicial Nominating Commission Task Force, the Supreme Court Task Force on Gender Fairness, the Supreme Court Gender Fairness Implementation Committee and the Child Support Task Force.

Prochaska was the first female president of the Nebraska County Judges Association and a board member of NCLE, Inc., and she served on the Supreme Court Probation Advisory Committee, the Supreme Court Task Force on Gender Fairness and the Task Force on Indigent Defense. Known as an expert on probate law, she is a member of the National College of Probate Judges.



Jean Lovell



Teresa Luther



Jane Prochaska



Niesje Steinkruger

Among Steinkruger's professional activities are service on the Alaska Bar Board of Governors, the Alaska Court Improvement Committee and the Criminal Pattern Jury Instructions Committee. She also chaired the Alaska Governor's Commission on Children and Youth.

Doyle and Lovell came from the public sector. Doyle served as a tax specialist in the Department of Revenue, director of the Nebraska Professional Practices Commission, and a deputy county attorney for Lancaster County, prosecuting virtually all of the sexual assault cases for the office. Her professional activities have included being president and newsletter editor of the Nebraska County Judges Association, chair of the Subcommittee on Violence Against Women of the Supreme Court Task Force on Gender Fairness and a member of the Nebraska State Bar Association Legislative Committee.

Lovell came from a series of public service positions, including attorney for the Scotts Bluff County Department of Social Services, chief deputy county attorney for Scotts Bluff County, executive director of the Nebraska Commission on Law Enforcement and Criminal Justice, director of the Governor's Policy Research Office and chair of the Nebraska Board of Parole. Among her professional activities were the Governor's Task Force On Violence Against Women and Children, the County Attorneys Standards Advisory Committee, the Juvenile Services Planning Commission, the Indigent Defense Task Force, the Governor's Task Force on Prison Alternatives and the Nebraska Commission for the Protection of Children.

All of the judges are active in their communities and all are frequently asked to speak to civic groups. A number of them are involved directly with the schools, speaking on the legal system and working on anti-drug and anti-crime education programs and other youth-related programs.

Despite demanding work schedules, the seven actively pursue hobbies and interests. Two of the women were especially influenced by a classmate. James told of being taught to fly by now retired Judge Lloyd Kaufman, who volunteered to serve as a flight instructor for any of his classmates without charge if the student would pay for the airplane rental. Both James and Prochaska took advantage of Kaufman's offer, and flying remains an interest for both.

Five of the judges are mothers. Doyle was pregnant with her daughter Kristin at the end of her junior year in law school and was due to deliver during final exams. She informed fellow students and her professors that she was definitely going to finish her finals before the birth. She was true to her word, for Kristin was born

two days after her mother's finals were completed. Steinkruger said that she did the work that she took home from her office when her children did their homework, so that they could see that even someone out of school had to work after hours.

The disadvantages of serving in the judiciary are primarily unrelated to gender. Doyle and Steinkruger cite personal threats to themselves and their families as a downside of the profession, and Steinkruger finds the necessary isolation that a judge must adopt to be a negative factor. James indicated that it is difficult to maintain a normally upbeat nature when overwhelmed with cases. Several judges, who had previously been politically active, cited the fact that they must remain apolitical as a necessary but onerous rule. Another disadvantage cited by some of the judges was the lack of flexibility in their schedules.

Despite the frustrations of being a judge, the seven women agreed that being a judge provides moments of great fulfillment. One judge expressed the general view of the group by stating that "serving on the bench [is] a splendid opportunity to serve the community. . . . A judge has the opportunity to truly make a difference in the lives of many of the individuals who come before the court."

In reviewing the records of professional history and professional and community activities of these seven women judges, one can readily understand why they were appointed to their judgeships. In addition to their immense qualifications, they had the desire to be judges to improve and to add new ideas to the judicial system. James alluded to her work as a law clerk for retired Supreme Court Judge Hale McCown as shaping her image of a superb judge, stating, "I had thought in accepting the job that I would learn about appellate practice, and I did. But I also learned about judicial integrity and respect for people and ethical applications of legal rules. These things have served me well in the last 16 years as I have tried to apply them in my job."

Communities throughout the United States are the beneficiaries of the many talents of the men and women who graduated in the Class of '76. True to the spirit of their law school class, these seven women judges enhance the justice system by their presence on the bench. ■

Severens Brings ADR Experience To U.S. Justice Department

By Robin Hadfield

Nebraska has played a major role in the expansion of dispute resolution as an alternative to the traditional methods used in the administration of justice. One of the state's contributions to the growing field is a graduate of the College of Law. Kathleen Severens, '81, is the first director of community dispute resolution for the Office of Dispute Resolution in the United States Department of Justice.

Severens moved to Washington, D.C., in 1999 to lead the office after serving as director of the Nebraska Office of Dispute Resolution, which operates through the Nebraska Supreme Court. Although the Department of Justice had worked with communities for 20 to 25 years on prevention programs, the area of community dispute resolution did not have a coordinated focus. Severens' office was established to "enhance and expand" the efforts of various divisions of the DOJ. She has identified the Department's conflict resolution resources and worked to better integrate the resources within the dispute resolution field. The dispute resolution activities of the government include serving as "federal peacemakers" by providing direct dispute resolution services and by identifying and supporting demonstration projects. The office is charged with "identifying promising practices of what is cutting edge in the field, highlighting those and disseminating the information on a national basis," Severens said.

Severens said dispute resolution is a very broad field, that encompasses mediation, facilitation, various kinds of dialogues and conferencing. While conflict resolution usually refers to the development of communication and negotiation skills, dispute resolution generally pertains to the processes of intervention by third parties.

Severens' job at the federal level is administrative, and she works with organizations and agencies to



Kathy Severens speaks at Second Biennial Heartland Mediators Conference in Nebraska City

determine how the federal government can support local and state initiatives and partnerships. The office collaborates with local and state agencies and organizations to determine how resources, technical assistance and research capabilities can be connected to them. "The concept of partnering with state and local entities is strongly supported at the DOJ," she said.

Before attending law school, Severens was a teacher and a Peace Corps volunteer in a program in Korea that combined law and education. She said she has always had an interest in "how fairness and justice are played out in a civil society." She received a Reginald Heber Smith Fellowship following law school graduation, which allowed her to work as a lawyer for the legal services program in northeast Nebraska where she assisted with the development of the Winnebago Children's Court.

One project that grew out of Severens' interest in community was the development of a farm crisis hotline in the late 1980s. Severens said she realized that, while farmers in crisis often wanted advocates, they also needed to be taught how to negotiate effectively with their lenders. Additionally, Severens realized that "mediation could be used to enhance those debt negotiations as well as to address related problems," such as the strains placed upon marital and generational relationships. The Nebraska Mediation Service grew out of that realization, developing pilot projects in non-farm-related disputes.

Severens also worked with the Nebraska State Bar Association's Alternative Dispute Resolution Committee to develop comprehensive legislation for dispute resolution. The state's Dispute Resolution Act, passed in 1991, created a statewide system of non-profit mediation centers. Severens became the first director of the state



Kathy Severens with former Attorney General Janet Reno.

office in 1992 and developed an interdisciplinary approach to dispute resolution through an advisory council representing such professions as education, health and human services, business and the law. The mediation centers now provide a variety of intervention services and training opportunities throughout the state.

Severens said she has learned in her new position that the federal government can play an important role by supporting community dispute resolution partnerships between agencies and organizations. For example, the Department of Justice encourages law enforcement agencies to use community policing and community problem-solving practices and to work with community mediation programs in their areas. The Department also encourages schools to integrate conflict resolution programs throughout the entire educational system by working with their dispute resolution centers, law enforcement and other community services. Severens has been impressed by the Department's ability to identify innovative and promising practices, research and evaluate them and then disseminate the information widely.

In the context of the justice system, dispute resolution "encompasses the prevention and management of conflict as well as the resolution of disputes." Historically, the legal system has placed greater emphasis on deciding a case after it has been presented to the court. Dispute resolution includes the "up-front side of justice," working to reduce tensions and to prevent violence. Severens sees dispute resolution as offering the potential for a more peaceful, civil society. Because the field is still relatively new, she said education is greatly needed for citizens of all ages in order for the full potential of

dispute resolution to be realized. "The challenge is getting the word out – you really can teach and learn the skills of peacemaking and problem-solving," Severens said. It can be done "in very cost-effective ways." Communities can use local resources, such as community mediation centers, to resolve community-wide problems and to plan for the future. Communities need "to be open to these team approaches and opportunities." Dispute resolution offers a "tremendous challenge but it is beginning to make itself known within our traditional institutions such as the courts, law enforcement, and schools. Severens said she is very hopeful about the role of dispute resolution in the future.

Dispute resolution is an "area which encourages individuals and families to take responsibilities for themselves." Severens said it is empowering to individuals and communities when the federal role supports citizens helping other citizens.

Nebraska has "captured the basics" of dispute resolution by demonstrating that quality services can be provided throughout a large geographic area in a cost-effective manner, Severens said. The state "is an example of what a state can accomplish when it creates a comprehensive, supplementary service within the justice system." Nebraska is a "shining light" in the field and the system in the state will continue to grow with both of the law schools in the state teaching dispute resolution skills and theories, as well as regular continuing legal education courses being offered to practicing attorneys and others, Severens said. ■



At the Second Biennial Heartland Mediators Conference, Kathy Severens, former director of the Nebraska Office of Dispute Resolution, was able to meet with other College of Law alumni who are involved in the dispute resolution system in Nebraska – Paul Ladehoff, '94, program coordinator for The Mediation Center in Lincoln; Debora Brownyard, '80, executive director of the Nebraska Justice Center in Walthill; Betsy Kosier, '93, executive director of The Mediation Center in Lincoln; and Wendy Hind, '96, current director of the Nebraska Office of Dispute Resolution.

AlumNotes

1 9 3 0

■ Frank Morrison '31, Lincoln, former Nebraska governor, was featured in a number of newspaper articles on the occasion of his 96th birthday.

1 9 4 0

■ Charles Baskins, '49, retired as an attorney for the Village of Hershey, after 40 years of service. Baskins is still in private practice in North Platte.

■ The late Joe R. Seacrest, '49, was inducted into the Nebraska Business Hall of Fame. Seacrest had a hand in the growth and development of Nebraska newspapers his family owned, including the *Lincoln Journal*, *Scottsbluff Star-Herald* and *North Platte Telegraph*. He also played a role in the state roads program, support for flood control projects in Lincoln, and development of a strong State Game and Parks Commission.

1 9 5 0

■ Bevin Bump, '52, Chadron, was featured in an article in the *Scottsbluff Star-Herald*. Bump is one of the longest serving city attorneys in the state, having held the post since 1953.

■ Byron Johnson, '52, Scottsbluff, has retired as Scottsbluff County public defender. He held the post for 9 1/2 years. Previously he had a civil practice in Gering for more than 40 years.

■ David Thomas, '52, has been named manager in the Atlanta office of Omaha-based Precision Industries.

■ Judge William G. Cambridge, '55, retired from the bench July 11, 2000. Cambridge practiced law in Hastings for 24 years before he was appointed by Governor Charles Thone in 1981 to the 10th Judicial District bench. With his appointment to the federal bench by President Reagan in 1988, Cambridge became the first Nebraskan since 1896 to come to the federal bench with previous experience as a judge.

■ Clark Nichols, '56, is an attorney with Nichols Law Offices in Scottsbluff.

■ Robert E. Roeder, '56, has formed the partnership Baskins, Roeder and Pederson in North Platte.

■ Deryl F. Hamann, '58, who created the third-largest Nebraska-based bank holding company, Spectrum Bancorporation Inc., was featured in an article in the *Omaha World-Herald*. Hamann is a partner in the Omaha law firm of Baird, Holm, McEachen, Pedersen, Hamann & Strasheim.

■ Norman Krivosha, '58, Lincoln, was the headline speaker at the 11th annual *Kearney Hub* Freedom Awards banquet. Krivosha, who led Nebraska's highest court from 1978 to 1987, spoke on the role of an independent judiciary in a free society.

■ Harry C. Haverly, '59, Hastings, retired from his position as a county judge in the 10th Judicial District, a post he was appointed to in 1963.

1 9 6 0

■ After 17 years as president of Woodman Accident & Life Company and nearly 40 years of service to the Company, John Haessler, '60, has retired. He came to the company in 1962 to build an in-house legal department and became president and chief operating officer in 1984 and CEO in 1986. In 2000, he received the Distinguished Service Award from the American Council of Life Insurers.

■ W.C. Nelson, '60, Omaha, formerly of the law firm of Nelson, Morrow & Waldron, has joined Gross & Welch. Nelson will serve as a consultant to the firm.

Widow of Donald E. Kelley Makes Gift to College

Georgia E. Kelley, the widow of Donald H. Kelley, '52, a former justice of the Colorado Supreme Court who died in 1995, has made a \$10,000 gift to the College of Law in his memory. Justice Kelley, who was originally from McCook, served on the court from 1967 to 1979.

According to the Associated Press, Kelley's most controversial opinion was one that overturned a young man's conviction for flag desecration when he sewed a small American flag on the seat of his jeans. The court held that the action was protected free speech.

Before his election to the court, Kelley served as U.S. attorney for Colorado, Denver city attorney and in the Colorado Senate.

■ Stephen Finn, '61, Elgin, retired as a county judge for Northeast Nebraska's Seventh Judicial District. Finn joined the law practice of Harold Rice in Neligh and became Antelope County attorney in 1966. He was appointed to the bench in 1977.

■ Richard E. Shugrue, '62, Omaha, was elected to the Board of Directors of the Nebraska State Bar Foundation, and re-elected to the boards of the American Judicature Society and the Literacy Center of the Midlands. He continues to serve in the Nebraska State Bar Association's House of Delegates and presented continuing legal education programs to the Iowa Bar Association, the Nebraska Bar's Young Lawyers Section, the Nebraska District and County Judges and the Corporate Counsel Section of the Nebraska State Bar Association. Shugrue is a professor at Creighton University School of Law.

■ Richard Garden, '63, Norfolk, retired after 21 years on the bench as 7th Judicial District judge.

■ Bruce Graves, '64, Des Moines, Iowa, attorney at Brown Winick Graves Gross Baskerville & Schoenebaum L.L.P., served as president of the Iowa State Bar Association for 2000-2001.

■ William A. Wieland, '64, Lincoln, will continue his trial practice as a sole practitioner. He formerly was with the firm of Healey & Wieland.

■ C. Arlen Beam, '65, Lincoln, judge of the U.S. Court of Appeals, 8th Circuit, has taken senior status. Beam was appointed to the Court of Appeals in 1982 after serving nearly six years as judge of the U.S. District Court.

■ Mark Sipple, '65, Columbus, was appointed chairperson of the Ne-

braska Supreme Court Disciplinary Review Board.

■ Carl O. Alexis, '66, has been included in the 2001 edition of "Who's Who in America." Alexis is retired and lives in Omaha.

■ Stephen G. Olson II, '66, has opened the firm of Hansen, Engles, Ketcham, Olson & Buckley in Omaha.

■ Richard Halbert, '68, Falls City, has been appointed to the Nebraska State College Board of Trustees by Governor Mike Johanns. Halbert has been a lawyer in Falls City since 1970 and has been the corporate counsel for Community Medical Center since 1986. He is one of the founders of Arck Foods, a Lincoln-based ham processing plant with corporate offices in Falls City.

■ Robert W. Mullin, '68, served as president of the Nebraska State Bar Association for 2000-2001. He has also been named a fellow of the American College of Trial Lawyers. Mullin is now with Lieben, Whitted, Houghton, Slowiaczek & Cavanagh in Omaha.

■ Kile Johnson, '69, Lincoln, was appointed vice chairperson of the Nebraska Supreme Court Disciplinary Review Board.

■ Patrick Rogers, '69, Norfolk, has been appointed to a district judgeship in Nebraska's Seventh Judicial District. Since 1995, Rogers has been a county judge in northeast Nebraska's Sixth District.

1970

■ Marvin Almy, '70, Lincoln, has been named executive director of the Lincoln-Lancaster County Human Services Federation. The federation is an association of more than 80

health and human services agencies. Almy had been president of the Parts Plus program distribution group in the automotive aftermarket for a number of years.

■ Melvin R. Katskee, '70, Omaha, has joined the corporate department of the law firm of Stinson, Mag & Fizzell, P.C. Katskee will concentrate his practice in the areas of banking, general corporate law and real estate. He most recently served as vice president, senior corporate counsel and secretary of U.S. Bank.

■ E. Benjamin Nelson, '70, was elected U.S. senator for the state of Nebraska.

■ James Waldron, '70, Omaha, has been named shareholder at Gross & Welch.

■ Jerry McDole, '71, Red Cloud, has been appointed Webster County attorney. He previously served as county attorney from 1973-1983.

■ Thomas J. Monaghan, '71, Omaha, former U.S. attorney for Nebraska, was featured in an article in *The Daily Record* on his tenure in office.

■ Marshall Lux, '72, was profiled in a "Newsmaker" column of the *Omaha World-Herald*. As state ombudsman, Lux is in charge of an office that investigates complaints about state government in 60 agencies, offices and boards. In the column, he was described as "the man behind a controversial report on the state prison's health care system."

■ James E. Rembolt, '72, has been elected president-elect of the Nebraska State Bar Association. He is a partner in the firm of Rembolt Ludtke & Berger LLP. Rembolt is a member of the NSBA House of Delegates for the Third District and is a past president of NCLE, Inc.

Alumni Association Recognizes Law College Grads

A number of College of Law alums were recognized for their achievements by the Nebraska Alumni Association in events held in association with the spring commencement exercises in 2000 and 2001.

Donald Farber, '50, and Ted Sorensen, '51, were 2000 recipients of Alumni Achievement Awards, which recognize service to one's community, state and nation. Farber, a groundbreaking New York entertainment lawyer, spent most of his career involved with Off-Broadway actors, directors, theater personnel, managers, producers and attorneys. He was involved in the production of "The Fantasticks," the longest-running musical play in history.

Sorensen was a policy adviser, legal counsel and speechwriter to John F.

Kennedy for 11 years during JFK's senatorial and presidential terms. He is the author of *Kennedy* and six other books on the presidency, politics and foreign policy. Since 1966, he has been a senior partner with the New York law firm, Paul, Weiss, Rifkind, Wharton & Garrison. In 1991 he established the Theodore C. Sorensen Fellowship at the Law College to honor Nebraska law students

who have demonstrated superior academic performance and a commitment to public affairs and public service.

Gene Crump, '76, Linda Crump, '90, and Charles Thone, '50, received 2000 Distinguished Service Awards, which honor individuals with exemplary records of service to the Nebraska Alumni Association and the University. Gene Crump, who now works for the University's legal affairs office, has served as president of the College of Arts and Sciences Alumni Association board of directors and helped implement the alumni board's "Insider Tours" committee. Linda Crump, who is assistant to the chancellor for equity, access and diversity at the University, served on the Nebraska Alumni Association's board of directors and was a founding member of the Cather Circle, the association's mentoring group. Thone, governor of Nebraska from 1978 to 1982 and a former U.S. congressman, was president of the Nebraska Alumni Association and a

member of the board of directors.

Receiving a 2000 Young Alumni Award was Daniel Lindstrom, '86, a partner in the Kearney law firm of Jacobsen, Orr, Nelson, Wright & Lindstrom. He has been active in community affairs and with the bar association. The Young Alumni Awards are presented to University alumni who have provided exceptional service to the University through voluntary efforts or have distinguished themselves in their career or community.

Jan Gradwohl, '54, John Gradwohl, '53, Ronald Hunter, '55, and Lee White, '50, received 2001 Alumni Achievement Awards. Jan Gradwohl is an adjunct professor at the Law College and a retired judge. Over

the years, she has worked to improve judicial administration and was appointed to serve on the board of directors of the State Justice Institute. She received the Franklin Flaschner Judicial Award from the American Bar Association in 1991. John Gradwohl, Ross McCollum distinguished professor at the Law College, has been a faculty member since 1960. He has also served



Chancellor Harvey Perlman congratulates John and Jan Gradwohl and Lee White, recipients of 2001 Nebraska Alumni Achievement Awards.

as a judge of the Nebraska Industrial Relations Court. Jan and John Gradwohl have instituted several law teaching programs in Chinese universities.

Hunter was part of the Law College team that won the national moot court competition. After graduation, he was selected for the top-secret Counter Intelligence Corps as a special agent. In 1961, he founded the law firm of Johnson & Hunter in Omaha and left to form his own firm in 1964. Hunter also helped establish the Durham Western Heritage Museum in Omaha.

White worked for President John F. Kennedy as assistant special counsel. He remained counsel to President Lyndon Johnson, who appointed him chairman of the Federal Power Commission. He also served as a public director of the New York Mercantile Exchange. He is counsel at the D.C. law firm of Spiegel & McDiarmid. ■

■ William J. Riley, '72, was appointed to the 8th U.S. Circuit Court of Appeals by President Bush. Previously he was chairman of the litigation department at the Omaha law firm of Fitzgerald, Schorr, Barmettler & Brennan and served as an adjunct professor at the Creighton University School of Law and as president of the Omaha Bar Association.

■ Brian Silverman, '72, Alliance, was featured as a "Citizen of the Century" by the *Scottsbluff Star-Herald*. Silverman serves as a district judge in the 12th Judicial District of Nebraska.

■ John Wertz, '72, was the recipient of the 2001 Corazon de San Diego award, an award presented by the University of Nebraska San Diego alumni chapter. Since 1982, Wertz has been a principal partner in the San Diego law firm of Sullivan, Wertz, McDade and Wallace. In 1986 *San Diego Magazine* named him one of the city's top attorneys.

■ Stephen R. McCaughey, '73, Salt Lake City, was elected president of the American Board of Criminal Lawyers for 2001.

■ Michael J. Tavlin, '73, Lincoln, has been elected to the Woods Charitable Fund board of directors.

■ Gregory G. Jensen, '74, Ord, has been elected president of the Nebraska County Attorneys Association. Jensen has been a member of the association's executive board since 1993.

■ David Karnes, '74, Omaha, president and CEO of the Fairmont Group and of counsel to Kutak Rock Law Firm, has been named a council member for the Knights of Ak-Sar-Ben.

■ William Lee Merritt, '74, Lincoln, has been named a director of the Concordia Foundation, Inc. of Concordia University in Seward. Merritt is an attorney with Woods & Aitken.

■ Steven C. Perlis, '74, Buffalo Grove, Ill., was selected as a Fellow in the National Academy of Elderlaw Attorneys.

■ Donald E. Rowlands, '74, North Platte, who has served central Nebraska's 11th judicial district since 1986, received the Distinguished Judge for Service to the Community award from the Nebraska Supreme Court. He was recognized for his work with the state's growing Latino and Hispanic communities.

■ Steve Achelpohl, '75, Omaha, was elected chairman of the Nebraska Democratic Central Committee.

■ Raymond P. Atwood, Jr., '75, Lincoln, has announced the formation of the Atwood & Associates Law Firm, P.C., L.L.O. The firm will limit its legal practice to workers' compensation cases. Atwood was a 20-year partner in the Healey & Wieland Law Firm.

■ Tom Emerton, '75, Grand Island, has returned to the practice of law as a partner and shareholder in the firm of Bradley, Maser, Kneale, Elsbernd & Emerton, P.C. He continues to serve as administrator of family resources of Greater Nebraska Counseling Center. Emerton concentrates his practice in areas of business and agricultural law, wills and probate, workers' compensation and family law.

■ Judge Alan G. Gless, '75, Wahoo, wrote *Nebraska Plea-Based Convictions Practice: A Primer and Commentary*, 79 Neb. L. Rev. 293.

■ Mike Heavican, '75, Lincoln, has been chosen as U.S. attorney for Nebraska. Heavican was assistant U.S. attorney and has been the lead attorney for the Organized Crime Drug Enforcement Task Force. Heavican was deputy Lancaster County attorney from 1975 to 1981, then served as county attorney from 1981 to 1991.

■ Barry G. Kaiman, '75, Los Angeles, Calif., has been elected into The American Law Institute. One of his sponsors was Harvey Perlman, chancellor of the University of Nebraska. Kaiman is a senior partner in Lewis, D'Amato, Brisbois & Bisgaard. His practice is in the fields of insurance, professional liability and intellectual property law.

■ Toni Victor, '75, Los Angeles, Calif., represented Chancellor Harvey Perlman and the University of Nebraska at the inauguration of Jolene Koester as president of California State University in Northridge.

■ Robert F. Bartle, '76, has formed the Bartle & Geier law firm in Lincoln. He was previously with Healey & Wieland.

■ A. Eugene Crump, '76, joined the University of Nebraska administration to handle legal matters for the Lincoln campus. Crump is a former deputy state attorney general and also has served as a chief deputy tax commissioner, general counsel for the state Department of Revenue and executive director of the Central Interstate Low-Level Radioactive Waste Compact Commission.

■ Thomas W. Cullinan, '76, Omaha, has been named by The College of William and Mary as Director of the National Planned Giving Institute. The NPGI conducts a comprehensive series of seminars on major current and deferred giving for development executives of charitable organizations. Cullinan became a member of the NPGI faculty after completing its seminars in 1993. He has successfully managed successful planned giving programs for universities in Texas, Maryland, and the District of Columbia, and was vice president of planned giving services for the Bank of New York.

■ Keith Prettyman, '76, was the recipient of the Continuing Service

Award from Lincoln Public Schools for his work with the Ventures in Partnership program. He also has been named as the regional vice president of the four-state region for the National Association of Partners in Education. In addition, he has been named a Lincoln Community Foundation distribution committee chair for 2001. Prettyman is vice president for corporate law and compliance with Woodmen Accident & Life. He also serves on the Lincoln Board of Education.

■ William Schwartzkopf, '76, Denver, Colo., was the winner of the Forbes Magazine Decade Contest for being the most accurate predictor of where the economy would be on December 31, 1999, based upon predictions made in 1990. The first prize was \$100,000. The contest was based upon 42 different economic indicators. Schwartzkopf is a lawyer, engineer and co-owner of Sage Construction Consulting.

■ Scott E. Sidwell, '76, Kearney, has been named executive director of the Nebraska Association of County Officials. Sidwell is an adjunct professor at the University of Nebraska at Kearney, teaching introductory business law, and has operated a general practice in Kearney since 1976.

■ Loel P. Brooks, '77, of Brooks, Pansing Brooks Law Firm, has been elected chairman of the Lincoln Community Foundation board of directors for 2001.

■ Laurie Smith Camp, '77, Lincoln, was appointed by President Bush to become a U.S. District Court judge in Omaha. Camp is the first female federal judge in Nebraska. In addition, Camp, who previously served as Nebraska deputy attorney general for criminal matters, received the top award from the Nebraska Law Enforcement Coordinating Committee.

■ Jon Camp, '77, a member of the Lincoln City Council, received the 2001 Business Champion award from the Lincoln Independent Business Association.

■ David M. Geier, '77, has formed the Bartle & Geier law firm in Lincoln.

■ Judy Zaiman Gotsdiner, '77, Omaha, was honored at the annual YWCA Tribute to Women luncheon. Gotsdiner is first vice president, counsel and assistant secretary at the Mutual of Omaha Companies. As a commissioner appointed to the Nebraska Equal Opportunity Commission in 1997, she has reviewed and rendered decisions regarding cases of alleged discrimination throughout the state.

■ L. Kay Johnson, '77, Omaha, has affiliated with Manarin Securities Corporation as a Registered Representative. Johnson has worked in various facets of the financial services industry.

■ Clarence E. Mock III, '77, Fremont, has achieved certification as a civil and criminal trial advocate by the National Board of Trial Advocacy (NBTA). Mock is a partner in the law firm of Johnson & Mock.

■ Nebraska Revisor of Statutes JoAnne Pepperl, '77, Lincoln, was featured in a "Getting Personal" column in the *Lincoln Journal-Star*. Part of her job is to be in charge of the 18-person bill-drafting office that drafts all of the bills and most of the amendments brought before the Legislature.

■ Kurt Rager, '77, was appointed county court judge for northeast Nebraska's Sixth District by Governor Mike Johanns. Rager had a general practice in South Sioux City and served as president of the South Sioux City City Council.

■ Fredrick (Fritz) Stehlik, '77, Omaha, has been named shareholder in the Omaha firm of Gross & Welch, P.C. Stehlik joined the firm in 1997 as a principal and director. His areas of practice include commercial corporate, business litigation, probate and family law.

■ Timothy Dow, '78, is a member of the Dow Law Firm L.L.C. in Fort Collins, Colo., focusing on business/corporate and real estate law. He is chairman of the Northern Colorado Economic Development Corporation and was named the Economic Development Volunteer of the Year.

■ Steven Guenzel, '78, Lincoln, was one of nine former high school valedictorians featured in an article in the *Lincoln Journal Star*. Guenzel is a partner with Johnson, Flodman, Guenzel & Widger.

■ Robert A. Henderson's, '78, article, *Complex Product Liability Litigation*, was published in the Summer 2000 issue of the *Federation of Insurance & Corporate Counsel Quarterly*. Henderson is a shareholder and director of the Kansas City firm of Shughart, Thomson & Kilroy and chair of its torts section.

■ C. Dean McGrath Jr., '78,, has been appointed to serve as Vice President Dick Cheney's deputy chief of staff. McGrath was drawn into the Bush administration from previous White House duty and from his work in the early 1990s with Andrew Card at the American Auto Manufacturer's Association. He worked as an associate counsel to President Reagan from 1986 to 1989, then as a deputy assistant to former President George Bush. McGrath was chief of staff to Rep. Chris Cox, R-Calif., from 1996 until January 2001.

■ Michael Offner, '78, Red Cloud, has been appointed to a judgeship for the County Court for the Tenth Judicial District by Gov. Mike Johanns. Offner served as Webster

Wilson's Work with West Sends Her to World's Hotspots

Tristi Wilson has gone from the University of Nebraska to some of the world's biggest hotspots. After graduating from the College of Law in 1979 and working for four years with the Nebraska Legislature, Wilson joined West Publishing Company. Her experience with West has taken her far beyond editing opinions to the United Nations International Criminal Tribunals in Tanzania and the Hague.

Wilson's odyssey began simply enough as a project for the U.N. Legal Counsel. The United Nations in 1993 and 1994 created International Criminal Tribunals, and West and Wilson were enlisted to compile legal documents from around the world. The goal of Wilson's work was to create a body of international information that would be easily accessible by the same computer system created by West. The information collected by West was earmarked for the first International Criminal Tribunals since the trials at Nuremberg and Tokyo at the end of World War II. The Tribunals begun in 1993 and 1994 were to investigate charges of war crimes, genocide, and crimes against humanity in the former Yugoslavia and in Rwanda.

The body of law employed by the Tribunals is based on case law, treaties, international law and general legal principles. The practices of other countries that try war criminals under their own laws are also helpful in forming Tribunal standards. Standards regarding command responsibility set at Nuremberg have been preserved and are used to impute criminal acts to superiors. This practice has helped to ease the very difficult prospect of showing widespread, unified, systematic efforts at genocide.

Wilson's involvement in West's compilation project has immersed her in the intricacies of international criminal law. She has traveled to see the Tribunals in session and has become acquainted with several of the judges who serve on the three-judge panels. Wilson relishes the exotic and rewarding nature of her job, the source of which, unfortunately, seems destined to continue with future Tribunals possibly in Sierra Leone, East Timor and Cambodia.

The National Association of Women Judges has awarded Wilson the Florence K. Murray Distinguished Service Award. This award is given to a person who has demonstrated his or her commitment to the goals of the NWJA. She is a member of the association's resource board.

-Andee Cummins

County attorney since 1983 and a partner in the Garwood & Offner Law Firm in Red Cloud since 1988.

■ Michael W. Pirtle, '78, Omaha, is a senior claims attorney with

American Family Insurance Group. He works in insurance defense and is corporate in-house counsel. For the previous 21 years, Pirtle was in private practice.

■ Nancy A. Roberts, '78, Omaha, has joined Gross & Welch, P.C. as a director and shareholder. Roberts' specialty is environmental law, particularly in the areas of commercial and industrial real estate development, permitting and regulatory compliance. She was with Union Pacific for 17 years where she served as its environmental counsel and continued her practice with Kutak Rock from 1996 until joining Gross & Welch.

■ Scott Robertson, '78, Denver, is the co-founder, CEO and chairman of Robertson & Blums, which provides accounting and business software solutions to countries in the former U.S.S.R.

■ Barbara Schaefer, '78, Omaha, was honored as a Woman of Vision at the annual YWCA Omaha Tribute to women luncheon. Schaefer is senior vice president of human resources at Union Pacific Railroad. Under her leadership, UP works with Urban Leagues nationwide to recruit minority employees, supports the University of Nebraska's minorities-in-engineering program and developed a network for Hispanic employees. In 1999, Schaefer is a founding member of the Cather Circle, women who mentor outstanding women students at UNL.

■ Christie Schwartzkopf-Schroff, '78, Lincoln, of Scudder Law Office, has been named a Lincoln Community Foundation board member for 2001.

■ LeRoy Sievers, '78, Lincoln, resigned his position as legal counsel to the state Department of Water Resources to return to private practice. Sievers joined the Knudsen, Berkheimer, Richardson & Endacott firm where he will expand his practice in water law and administrative law. Sievers served as president of the Lincoln Bar Association in 2000-2001.

■ John Colborn, '79, Lincoln, was appointed by Gov. Mike Johanns to the Third Judicial District Court bench. Colborn has worked for the Lancaster County Attorney's office since 1979, and has served as chief deputy county attorney since 1991.

■ Steven H. Heldt, '79, has started a firm in Lexington. Heldt practices in the areas of estate planning, probate, real estate and business formation.

■ Terrill A. Hyde, '79, a partner in the Washington, D.C., law firm of Wilmer, Cutler & Pickering, is co-author of *The Use of Partnerships and LLCs in Structuring Consolidated Groups in Tax Strategies for Corporate Acquisitions, Dispositions, Spin-Offs, Joint Ventures, Financings, Reorganizations & Restructurings*, part of the Practising Law Institute's Tax Law and Estate Planning Course Handbook series.

■ Cynthia Johnson, '79, Lincoln, was profiled in a "Newsmaker" column in the *Omaha World-Herald*. As director of the Nebraska Legislative Research Office, she was responsible for providing legal advice and technical help to lawmakers as they redrew legislative, congressional and judicial districts following the 2000 U.S. Census.

■ Thomas W. Lipps, '79, Algona, Iowa, has been awarded the Iowa Trial Lawyers Association 2000 Civil Justice Award. He was recognized for representing two rural Iowa families in holding a large-scale livestock confinement accountable in one of the first nuisance lawsuits to go to trial since the advent of industrial-size farms. In addition, Lipps was re-elected to the Board of Governors for the Iowa Trial Lawyers Association. He was also elected chairman of the Fifth district congressional committee for the Iowa Democratic Party, overseeing northwestern Iowa.

■ Chuck Mikkelsen, '79, Chillicothe, Mo., has been appointed to serve on a committee of the Missouri Bankers Association. He is a vice president and trust officer with the Citizen's Bank & Trust.

■ Larry Schone, '79, Delray Beach, Fla., was named senior vice president and general counsel at Fuzion Wireless Communications, Inc., of Boca Raton. Prior to his current post, he was a partner in a Delray Beach law firm, where most recently he served as Fuzion's outside legal counsel.

■ David Wilson, '79, has been named to the executive committee at Omaha law firm Marks, Clare & Richards.

1980

■ Steven R. Mills, '80, has been named vice president of finance and chief financial officer at Responsys.com. Mills was previously the CFO at AnyTime Access, a venture funded by ASP in the financial services market. At Responsys.com, Mills is responsible for managing the accounting functions, business operations, human resources, treasury management and administration.

■ David W. Pederson, '80, has formed the partnership Baskins, Roeder & Pederson in North Platte. Pederson is of counsel to the firm while serving in the Nebraska Legislature representing the 42nd District.

■ Thomas C. Sattler, '80, has been named partner in the Lincoln law firm of Wolfe, Snowden, Hurd, Luers & Ahl. Previously, Sattler served as legal counsel for Norden Laboratories, a subsidiary of SmithKline Beecham, and he was also a partner with the firm of Knudsen, Berkheimer, Richardson & Endacott. His areas of practice include international and domestic

intellectual property licensing, general commercial transactions, specialty litigation related to the animal health industry, and general insurance and railroad defense litigation.

■ Todd Adams, '81, Ogallala, was a presenter at the third annual Ag Connections 2001-Reaching Women in Agriculture conference. Adams is currently president and trust officer of Adams Bank & Trust.

■ Kathryn A. Bellman, '81, has been selected as the NSBA director of continuing legal education and will serve as executive editor of *The Nebraska Lawyer*. She has served as editor of THE NEBRASKA TRANSCRIPT, and for a number of other books and publications. Since 1990, she has been the NSBA's director of legal services.

■ Elisabeth Townsend Bridge, '81, has joined Whyte Hirschboeck Dudek S.C. in Milwaukee, Wis., as a contract shareholder, practicing intellectual property law. Bridge formerly was a shareholder in Jansson, Shupe, Bridge & Munger Ltd. in Racine, Wis.

■ Joan Cannon, '81, has joined the Omaha law firm of Koley Jessen P.C.

■ Richard K. (Chip) DeBuse II, '81, Lincoln, has been appointed vice president and manager of the Nebraska Corporate Trust Services office.

■ Jim Elworth, '81, Indianapolis, Ind., is one of 15 investigators on the National Collegiate Athletic Association's enforcement staff.

■ Joseph Kelly, '81, Lincoln, has been named chief deputy Lancaster County attorney.

■ Daniel M. Placzek, '81, Grand Island, has been elected as a fellow of the International Society of Barristers. The society limits its membership to 600 trial lawyers who have

distinguished themselves as advocates. Placzek is a partner in the law firm of Leininger, Smith, Johnson, Baack, Placzek, Steele & Allen.

■ Charles Sorenson, '81, a professor at the New England School of Law in Boston, Mass., was interviewed in an article in *The Providence Journal* about the ethical considerations in lawyers' use of e-mail.

■ Mark Young, '82, Grand Island, has been appointed chief deputy county attorney for Hall County. He formerly was with the Grand Island firm of Anderson, Vipperman, Kovanda, Wetzel & Young.

■ David D. Ernst, '83, is a partner at Gaines Pansing & Hogan law firm in Omaha.

■ Thomas Geu, '83, Vermillion, S.D., served as an advisor to the Uniform Law Commission's Revision Committee for the Limited Partnership Act, as co-moderator of an ABA listserv about LPs and LLCs, and as a member of the South Dakota Bar's Business Committee. Geu is a professor at the University of South Dakota School of Law. While on sabbatical, he continued his background study and theoretical research on complex adaptive systems and law. During a visit to Britain, he delivered the inaugural lecture in the distinguished guest lecture series at the Centre of Management and Complexity at the University of Hertfordshire.

■ Jeannie Kiser-Jensen, '83, Columbus, has started teaching art full-time again at Schuyler High School.

■ Tyler Sutton, '83, was the recipient of the Conservation Award in the international category for his work on preserving caribou herds in the Yukon. The award is given by the Porcupine Caribou Herd Management Board.

■ Pam Allen, '84, Phoenix, Ariz., married Raul Gomez, a circus

elephant trainer. They were married under the big top at Circus Flora in Tucson, Ariz.

■ David A. Barron, '84, has been named chief operating officer and general counsel for Ci Direct, a provider of electronic customer relationship management services with a focus on the insurance industry. From his Lincoln office, he will manage the overall operations of the company and continue to oversee all legal matters. Barron was previously vice president of administration and general counsel with the same company and prior to that served in a similar role with IntelliSell Corporation in Omaha.

■ Herb Cihak, '84, Baton Rouge, La., is director of the law library and professor of law at Louisiana State University Paul M. Hebert Law Center. Cihak previously held the same position at the University of Kentucky College of Law. He is currently president of the Southeastern Chapter of the American Association of Law Libraries. In addition, he is editing a book with Professor Joan Howland of Minnesota entitled, *Leadership Roles For Librarians*. The book will be published by William S. Hein & Co.

■ David H. Koukol, '84, Omaha, has joined the law of firm Dwyer Smith Gardner Lazer Pohren Rogers & Forrest as a partner. Koukol, who is the immediate past president of the Nebraska Wildlife Federation, has been in private practice in Omaha since 1986. His civil and trial practice includes bankruptcy, collections, real estate, corporate and commercial issues, as well as banking.

■ Jose Soto, '84, Lincoln, was the keynote speaker for the annual Martin Luther King Freedom Breakfast. Soto is vice president for equity and affirmative action at Southeast Community College.

■ Rick G. Wade, '84, has joined the law firm of McGuire & Norby. He

was previously with the Crosby Gunzel law firm.

■ Mike Walla, '84, has been appointed tax industry leader in the financial services practice of KPMG LLP. Walla has been with KPMG since 1987 and is based in the firm's Phoenix office.

■ Anthony J. Fejfar, '85, associate professor of law at Widener University School of Law in Harrisburg, Pa., published *Permissive Waste and the Warranty of Habitability in Residential Tenancies*, 31 Cumb. L. Rev. 1.

■ Blaine T. Gillett, '85, has been named partner of the firm Ruff, Nisley, Lindemeier, Gillett & Wadewitz of North Platte.

■ Topher Hansen, '85, Lincoln, has been named director of CenterPointe, a Lincoln-based drug and alcohol treatment program that offers programs for people with both mental health and addiction issues. Hansen has been CenterPointe's director of development and legal counsel since 1993.

■ Donald J.B. Miller, '85, has joined the law firm of Matzke & Mattoon in Sidney. Miller is a former assistant attorney general and former chief prosecutor in the Buffalo County Attorney's office. He will practice primarily in the areas of civil and criminal litigation.

■ Dr. Jocelyn Ritchie, '85, and three co-authors wrote *Application of Therapeutic Jurisprudence in Rehabilitation for People with Severe and Disabling Mental Illness*, 17 Thomas M. Cooley L. Rev. 135.

■ Ellen Totzke, '85, is a deputy city attorney in Appleton, Wis. She was formerly Hall County attorney and president of the Nebraska County Attorneys Association.

■ John C. Vitek, '85, has joined Wille, Gregory & Lundeen in Milwaukee, Wis., as a partner working in

Nebraska State Bar Foundation Fellows

The following alumni of the College of Law have been named Fellows by the Nebraska State Bar Foundation. Fellows are selected based upon their dedication to improving the administration of justice in Nebraska, their leadership in the legal profession, their civic service, their integrity and their support for the Foundation.

Steven E. Achelphol, '75, Omaha
G. Roderic Anderson, '72, Lincoln
The Hon. John J. Battershell, '73, McCook
Riko E. Bishop, '92, Lincoln
Terry C. Dougherty, '73, Lincoln
James E. Doyle IV, '81, Lexington
Richard M. Fellman, '59, Omaha
Michael M. Hupp, '84, Omaha
The Hon. Kathleen A. Jaudzemis, '82, Omaha
Dennis D. King, '73, Gordon
John M. McHenry, '73, Lincoln
William E. Olson, Jr., '74, Lincoln
The Hon. Patrick G. Rogers, '69, Dakota City
Kent A. Schroeder, '68, Kearney
Samuel F. Seever, '70, Lincoln
Alan G. Stoler, '78, Omaha
Todd B. Vetter, '93, Norfolk
Alan M. Wood, '72, Lincoln

taxation, corporate and real estate law, including tax planning and business transactions.

■ Nina M. Vitek, '86, has opened the family law firm of Lara, Vitek & Stein S.C. in Milwaukee, Wis.

■ Lorri Anne (Hardy) Dunsmore, '87, is an attorney in the tax department in the Seattle, Wash., office of Perkins Coie L.L.P.

■ Christopher R. Knust, '87, Omaha, has joined the Salomon Smith Barney investment firm as a financial consultant. Knust was formerly a principal with Lieben, Whitted, Houghton, Slowiaczek & Cavanagh, P.C.

■ Jeffrey Blumel, '89, has been named partner at Omaha law firm Abrahams Kaslow & Cassman L.L.P.

■ Bruce Bohrer, '89, Lincoln, has been named by the Lincoln Cham-

ber of Commerce as its governmental affairs counsel. Bohrer has most recently served as legal counsel to the Legislature's Business and Labor Committee. His responsibilities with the Chamber include managing and monitoring governmental affairs at the state and local levels.

■ Gregory R. Dietrich, '89, was elected to partnership at Kutak Rock L.L.P. in Omaha.

■ Mike Dunlap, '89, Lincoln, has been named chief executive officer of Union Bank & Trust. Dunlap, who has been with the bank since 1982, continues as president of the holding company, Farmers & Merchants Investments Inc., manages the student loan and trust areas, as well as working on special projects for the bank.

■ David Hecker, '89, has joined the Lincoln office of the Omaha law firm Kutak Rock L.L.P.

■ Heidi Koenig, '89, DeKalb, Ill., has been promoted to associate professor in the Division of Public Administration and granted tenure at Northern Illinois University.

■ Tod A. McKeone, '89, started a firm in Lexington. McKeone practices in the areas of estate planning, probate, real estate and business formation.

■ Dr. James R.P. Ogloff, '89, and three of his doctoral students published *More Than "Learning to Think Like a Lawyer": The Empirical Research on Legal Education*, 34 Creighton L. Rev. 73. Ogloff is university endowed professor of law and forensic psychology at Simon Fraser University in Burnaby, British Columbia.

■ Joseph C. Vitek, '89, has joined Mayer, Brown & Platt based in Chicago, Ill. He formerly was with Vitek & Welch in Omaha.

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■ Patrick Baxter, '90, Wahoo, has joined the Saunders County Attorney's office. Previously he was with Johnson & Mock in Blair. He handles criminal cases, specializing in county court and child care cases.

■ Julie A. Effenbeck, '90, Deshler, has been appointed as public defender for Thayer County. Effenbeck has served as the Jefferson County public defender since 1997 and the Clay County public defender since 1998. She recently was named the Young Careerist for Fairbury's BPW.

■ Rena Y. Kim, '91, Arlington, Va., is a trial attorney with the U.S. Department of Justice, Civil Division, Torts Branch, where she works on the Tobacco Litigation Team. Her former position was assistant general counsel with the U.S. General Services Administration.

■ Jared Olson, '91, has been named business development director for General Service Bureau, a recovery and collection service headquartered in Omaha. Olson has been the firm's legal counsel since 1991.

■ Thomas J. Wik, '91, Omaha, has become a partner in the firm of Fellman, Moylan, Natvig, Wilke & Wik.

■ Michael Bydalek, '92, has joined the Omaha law firm of Kutak Rock L.L.P.

■ Brian Dervin, '92, Omaha, and Keri Eickholt were married at King of Kings Lutheran Church in Omaha.

■ Mark A. Fahleson, '92, has been named partner at Rembolt Ludtke & Berger L.L.P. in Lincoln. He practices in the areas of labor and employment law, administrative law and government relations. In the spring 2001 semester, he taught Employment Law at the Law College.

■ Thomas J. Finn, '92, is an attorney at Snell & Wilmer in Phoenix, Ariz., specializing in intellectual property law.

■ Russel L. Jones, '92, opened the firm Troshynski & Jones in North Platte.

■ Charles "Chip" Maxwell, '92, Omaha, was elected to the Nebraska Legislature. Maxwell was previously a speechwriter for Sen. Chuck Hagel and an aide to former Nebraska State Senator Chris Abboud.

■ Barbara McCall, '92, Lincoln, was recently named a member of the People's City Mission Foundation board.

■ Brian McGrath, '92, has been named partner at Omaha law firm, Blackwell Sanders Peper Martin L.L.P.

■ Kevin Oursland, '92, Lincoln, was appointed York County public

defender. Previously Oursland was in private practice in Lincoln and was deputy county attorney for York County.

■ Andrew S. Pollock, '92, Lincoln has been named executive director of the Nebraska Public Service Commission, the state agency that oversees the regulation of telecommunications, certain elements of transportation and housing and grain storage. Pollock was a partner in the Lincoln law firm of Brooks, Pansing Brooks.

■ Frank Skrupa, '92, and Stephanie Harlan, both of Omaha, exchanged marriage vows in Maui, Hawaii. Skrupa is an attorney with Skrupa Law Clinic and is owner-president of American Bankruptcy Center and Consumer Credit Solutions.

■ John H. Bergmeyer, '93, has become a shareholder in the firm of Harding Shultz & Downs. Bergmeyer's practice includes estate planning, probate/trust administration, real estate transfers, corporate and banking law and commercial transactions.

■ William Garbina, '93, Omaha, has joined the law firm of Lieben, Whitted, Houghton, Slowiaczek & Cavanagh.

■ Rebecca Harling, '93, Lexington, was named Lincoln County's chief deputy attorney. She has served as a deputy county attorney in Lincoln County and Dawson County.

■ Darin L. Mackender, '93, Lincoln, has joined the law firm of Ogborn, Summerlin, & Ogborn L.L.P. Mackender was a shareholder and director of a law firm in Denver before returning to Lincoln.

■ Jean K. McNeil, '93, has been selected to serve as the NSBA's director of legal services. McNeil will oversee the Volunteer Lawyers Project and the work of a number of the bar association's committees and sections. She was in private practice

in Seward and then practiced law with Western Nebraska Legal Services.

■ Rex J. Moats, '93, has been named general counsel with National Warranty Insurance Company. His areas of practice will include business, corporate and insurance law.

■ Richard B. Murphy, '93, has been named partner at Sacks Tierney in Phoenix, Ariz. Murphy practices commercial litigation and most recently worked for Robbins & Green.

■ Sandeep S. Sheth, '93, Omaha, has been named director for strategic sourcing at ConAgra, Inc.

■ Bruce A. Smith, '93, has been named partner at Woods & Aitken L.L.P. Smith's practice encompasses civil and commercial litigation, arbitration and mediation with an emphasis on construction and personal injury law.

■ Dr. Mark S. Sobus, '93, co-wrote *Ghosts of Pennzoil-Texaco: Hidden Risks of Arguing Alternative Damages*, 67 Defense Counsel J. 511. Sobus is director of the Houston, Texas, office of Decision Quest, Inc., a national jury research and litigation strategy firm.

■ David Weill, '93, Omaha, and Holly Friedman were married at Beth El Synagogue. Weill is a partner with Kutak Rock law firm.

■ Mark L. Brasee, '94, Omaha, has become a shareholder and director at Fraser Stryker Meusey Olson Boyer & Bloch. Brasee practices in the areas of real estate, taxation, nonprofit and charitable organizations and banking and finance.

■ Andrew Davis, '94, and Caitlin Vail-Hayden were married in Hanalei, Kauai, Hawaii. Davis is a lawyer with the San Francisco-based law firm of Gordon & Rees.

■ Shawn Farritor, '94, Hastings, and Amy Tracy were married at Blessed Sacrament Catholic Church in Grand Island. Farritor is deputy public defender in the Adams County Public Defender's office.

■ David L. Heim, '94, was elected to partnership at Kutak Rock L.L.P. in Omaha. Heim concentrates his practice in corporate health care.

■ Christopher R. Heinrich, '94, Lincoln, has joined the firm of Polsky, Cope, Shiffermiller, Coe & Monzon. Heinrich is a general practitioner with an emphasis in estate planning, real estate and commercial law.

■ Jay Judds, '94, Grand Island, has opened the law firm of Milner, Neuhaus & Judds. Judds previously practiced in Sidney. He has a general practice with an emphasis in civil litigation, employment law, family law and personal injury matters.

■ Amie C. Martinez, '94, Lincoln, has become a shareholder in Anderson, Creager & Wittstruck, P.C. Martinez will continue to concentrate in the areas of civil and criminal litigation and appeals.

■ John B. Morrow, '94, has joined the Lincoln office of Erickson & Sederstrom.

■ Andrea Belgau, '95, Columbus, Platte County attorney who is a former professional dancer, was featured in an article in the *Omaha World-Herald*.

■ Rachel A. Brown, '95, Grand Island, has joined Lauritsen, Brownell, Brostrom, Stehlik & Thayer. Brown is a former deputy Hall County attorney.

■ Mary Jensen, '95, Lincoln, has been appointed to the Lincoln-Lancaster Women's Commission. Jensen is a self-employed health-care attorney and is the owner of Prairie Vision Clinic.

■ Jeffry D. Patterson, '95, is a

member of the Bartle & Geier law firm in Lincoln.

■ R.J. Shortridge, '95, has been named partner in the Lincoln law firm of Perry, Guthery, Haase & Gessford, P.C., L.L.O. He practices general corporate law with an emphasis in banking and bankruptcy related matters.

■ Christopher P. Thomas, '95, Phoenix, Ariz., is legal counsel for the Arizona School Boards Association. Thomas formerly served as association lobbyist.

■ Matthew Bock, '96, is an attorney for the Omaha law firm of Lamson, Dugan & Murray L.L.P.

■ Kara Brighton, '96, has opened the firm of Hageman & Brighton in Cheyenne, Wyo. The practice emphasizes civil litigation including water, land, oil and gas, environmental, agricultural issues and governmental regulations.

■ Robert E. Caldwell II, '96, and Beth Anne Krause were married at Beautiful Savior Lutheran Church in Ralston. Caldwell is currently general counsel for Linweld in Lincoln.

■ Joseph E. Dalton, '96, has been named partner and shareholder of the Lincoln firm Morrow, Poppe, Otte, Watermeier & Phillips, P.C., L.L.P.

■ Jay H. Greathouse, '96, Eden Prairie, Minn., and Kristi L. Frank were married at Bethesda Lutheran Church in Alexandria, Minn.

■ Robert S. Keith, '96, is a lawyer with the Omaha firm of Hansen, Engles, Ketcham, Olson & Buckley.

■ Robert MacTaggart, '96, Omaha, has joined the Douglas County Attorney's office.

■ Jason D. Mielak, '96, Columbus, has been named a partner in the law firm of Milbourn, Fehringer, Kessler & Mielak, P.C. Mielak has been practicing with the firm for the past

four years in the areas of civil litigation, worker's compensation and landlord-tenant law.

■ Amy Miller, '96, is the legal director of ACLU-Nebraska.

■ George Pisaruk, '96, Tempe, Ariz., was promoted to and elected general counsel and assistant secretary of Three-Five Systems, a NYSE company and leader in the design and manufacture of LCDs and TV components. Pisaruk received his M.B.A. from Arizona State University.

■ Nancy E. (Russell) Pisaruk, '96, practices general corporate, business transactions, securities and finance law for the Phoenix, Ariz., firm of Osborn Maledon.

■ Mark R. Privratsky, '96, Minneapolis, Minn., has joined the office of Lindquist & Vennum. Privratsky concentrates his practice in intellectual property and other commercial litigation. Prior to joining Lindquist & Vennum, Privratsky was a judicial clerk to the Honorable D. Nick Caporale of the Nebraska Supreme Court and later practiced at Winthrop & Weinstine in Minneapolis.

■ Jennifer Robbennolt, '96, has joined the faculty of the University of Missouri-Columbia School of Law as an associate professor of law and as a senior fellow in the Center for the Study of Dispute Resolution. Previously she was a research associate and lecturer at Princeton University's Woodrow Wilson School of Public and International Affairs and Department of Psychology.

■ Governor Mike Johanns appointed Dawn (Urbauer) Swanson, '96, administrator of the Office of Juvenile Services in the Department of Health and Human Services. Previously she was project director for the Center for Conflict Resolution in Scottsbluff.

■ David R. Tarvin, Jr, '96, has joined the Omaha law firm of Kutak Rock, L.L.P. He is practicing in the corporate department, with a concentration in corporate finance and securities. Tarvin was previously a staff attorney with the Nebraska Department of Banking & Finance.

■ James C. Bocott, '97, North Platte, has joined the law firm of McCarthy, Moore, Bacon & Hall. Bocott practices in the areas of personal injury, civil litigation, criminal defense and domestic relations.

■ Scott Dugan, '97, Omaha, and Jane Pease were married at the Lo Sole Mio Villa in Omaha. Dugan is a public defender for Dakota County.

■ Kyle Gilster, '97, Washington, D.C., and Jennifer Curran were married at Resurrection Lutheran Church in Arlington, Va. Gilster is a legislative assistant for Nebraska Rep. Doug Bereuter.

■ Matthew Maser, '97, has joined the Omaha law firm of Koley Jessen P.C.

■ Carleen Pruess, '97, finished second out of some 20,000 competitors in the ESPN fantasy football league.

■ Rachel E. Smith, '97, Lincoln, is a judicial clerk for Judge Frankie J. Moore of the Nebraska Court of Appeals. She previously worked with OCIA International as general counsel.

■ Joseph Spitzenberger, '97, Omaha, has joined the office of Deloitte & Touche as a manager of the private client advisers group. Spitzenberger previously worked for PricewaterhouseCoopers in the tax department.

■ Along with David B. Wexler and Bruce J. Winick, Dennis P. Stolle, '97, edited *Practicing Therapeutic Jurisprudence: Law as a Helping Profession*, published by Carolina

Academic Press. A review of the book in the May 2001 edition of the *ABA Journal* described therapeutic jurisprudence as "the study of the law's healing potential" and said that the book constantly asks "the ultimate TJ question: How can I help my client obtain the greatest happiness and peace of mind through identifying his or her emotional and psychological needs and then designing services to meet them?" Stolle is an attorney at Barnes & Thornburg in Indianapolis, Ind.

■ Adam J. Studenberg, '97, Omaha, and Alexis LaGuardia were married at St. Robert Bellarmine Catholic Church in Omaha. Studenberg is a location manager for Rent-a-Computer.

■ Patrick Evatt, '98, has joined the Omaha law firm of Kutak Rock L.L.P.

■ John Kwapnioski, '98, Omaha, has joined Peters Law Firm in Council Bluffs, Iowa. He will focus on estate planning, business and real estate issues.

■ Andrew M. Loudon, '98, Lincoln, has joined the Baylor, Evnen, Curtiss, Grimit & Witt law firm. He will be representing business clients, focusing on workers' compensation and litigation. Previously Loudon was with Seiler & Parker, P.C. of Hastings.

■ Matt Stadler, '98, Omaha, has joined the staff of Lutz & Co., a certified public accounting and consulting firm.

■ Ruan Stroschein, '98, has joined the Washington, D.C., law firm of Olsson, Frank & Weeda, P.C. He handles legal and policy matters and works with the firm's South Dakota clients. Stroschein previously was on the staff of U.S. Senator Tom Daschle.

■ Matthew M. Catlett, '99, Los Angeles, Calif., has joined

Sonnenschein Nath & Rosenthal. Catlett previously practiced with Pretty & Schroeder of Los Angeles.

■ Shannon Doering, '99, has joined the Lincoln law firm of Woods & Aitken specializing in construction law and general commercial litigation.

■ Heidi Lysne Evatt, '99, has joined the Omaha law firm of Fraser Stryker Meusey Olson Boyer & Bloch. Her areas of practice include litigation and corporate transactions.

■ Jan N. Fischer, '99, Lincoln, has joined Lincoln Benefit Life. She previously was with the law firm of Perry, Guthery, Haase & Gessford. Before joining the firm, Fischer served as a law clerk to the Honorable Richard D. Sievers of the Nebraska Court of Appeals.

■ Paul D. Heiman, '99, has joined the Lincoln office of Erickson & Sederstrom.

■ Ryan C. Holsten, '99, is a member of the law firm of Atwood & Associates, P.C., L.L.P. in Lincoln.

■ Steven Keetle, '99, Omaha, and Amy Gill were united in marriage at Divine Shepherd Lutheran Church in Omaha. Keetle is an attorney with the Tax Equalization and Review Commission in Lincoln.

■ Kathy Kirschbaum, '99, has joined the Omaha law firm of Koley Jessen P.C.

■ Adam S. Kirshenbaum, '99, Omaha, has joined the Blackwell Sanders Peper Martin law firm. Kirshenbaum will work in the firm's corporate department.

■ Theresa Schneider, '99, has joined the Omaha law firm of Baird, Holm, McEachen, Pedersen, Hamann & Strasheim L.L.P. Schneider previously served as a law clerk to the Honorable John M. Gerrard of the Nebraska Supreme Court.

■ Amy Sutliff, '99, Lincoln, and Steven Mitchell were married at Blessed Sacrament Catholic Church in Grand Island. Sutliff is a claims legal counsel for Allied Insurance.

■ Ryan G. Tessendorf, '99, has joined the firm of Dalke, Smith, Harris & Nelson in Beatrice. The firm's practice focuses on civil litigation, real estate, corporate and telecommunications law.

■ Kelly Understock, '99 and Scott Tollefsen, '99, both of Lincoln, were married at Westminster Presbyterian Church. Understock is an attorney with Morrow, Poppe, Otte, Watermeier & Phillips, P.C. Tollefsen, is a clerk with the Nebraska Supreme Court, formerly is an attorney with DeMars, Gordon, Olson, Shively & Zolewski Law Offices.

■ Chastity Wilson, '99, has been named associate attorney at Greenberg Traurig in Phoenix, Ariz. Wilson practices business law and finance.

2000

■ Pamela Bourne, '00, has joined the Omaha law firm of Berens & Tate.

■ Jonathan M. Braaten, '00, has joined the Lincoln law firm of Anderson, Creager & Wittstruck.

■ Joe Breckenridge, '00, has joined the Omaha law firm of Abrahams Kaslow & Cassman.

■ Timothy W. Curtis, '00, Lincoln, was hired recently as a deputy Lancaster County attorney.

■ Chad Cutshall, '00, has joined the Lincoln law firm of Cline, Williams, Wright, Johnson & Oldfather.

■ Daniel J. Epstein, '00, has joined the Omaha law firm of Cassem, Tierney, Adams, Gotch & Douglas.

■ Jeremy Fitzpatrick, '00, has joined the Omaha law firm of Kutak Rock L.L.P.

■ Angela J. Geiman, '00, Wichita, Kan., has joined Excell Corp., a subsidiary of Cargill, Inc.

■ Dana Gruber, '00, Scottsbluff, and Kevin Fries were married in Lincoln.

■ Todd Kinney, '00, has joined the Omaha law firm of Kutak Rock L.L.P.

■ Brian S. Kruse, '00, Lincoln, has joined Rembolt Ludtke & Berger L.L.P.

■ Jennie Akerlund Kuehner, '00, has joined the Lincoln law firm of Cline, Williams, Wright, Johnson & Oldfather.

■ Andy Lange, '00, Hastings, has joined the Saunders County Attorney's office as a deputy attorney. He comes to the office from Hastings where he had been practicing as a defense attorney.

■ Robert Likes, '00, has joined the Omaha law firm of Stinson, Mag & Fizzell.

■ Lena Lucas, '00, Lincoln, has joined Woods & Aitken L.L.P. Lucas will practice in the area of real estate and transactional law.

■ Nicole Beeson, '00, Lincoln, and Brad Mailahn were married in Omaha.

■ David C. Mullin, '00, Omaha, has joined the law firm of Fraser Stryker Meusey Olson Boyer & Bloch, P.C. His practice includes commercial litigation, insurance defense and general litigation.

■ Daniel Packard, '00, and Kathleen Elliott were married at First Central Congregational United Church of Christ in Omaha. Packard is an attorney for the Nebraska Court of Appeals.

■ Brian A. Rese, '00, is a Bronx, N.Y., assistant district attorney.

■ Trent Sidders, '00, has joined the Lincoln law firm of Cline, Williams, Wright, Johnson & Oldfather.

■ Craig Strong, '00, Lincoln, has joined Woods & Aitken L.L.P. Strong practices in labor, employment and telecommunications law.

■ Bill Tangeman, '00, Cozad, is a Dawson County deputy county attorney.

■ Todd D. Turner, '00, North Platte, has joined the Kelley, Scritsmier & Byrne, P.C. law firm. Turner will practice primarily in the areas of estate planning & probate, business planning and tax planning.

■ Abigail Wenninghoff, '00, Omaha, has joined Hansen Engles Ketcham Olson & Buckley P.C.

■ Tonya (Peters) Skinner, '01, is an assistant Lincoln City attorney.

■ Jason Stapelman, '01, and Amy Duhachek were married at Trinity Lutheran Church in Columbus. Stapelman is employed at the Attorney General's office in Lincoln.

■ Chad Watkins, '01, Lincoln, was awarded third place in the Chief Justice John B. Doolin writing competition for his paper, "The Current Conflict in New Mexico Over the Tribal-State Gaming Compact and Revenue Sharing Agreement." The national writing competition is part of the Sovereignty Symposium, the largest forum addressing Native American and indigenous peoples issues in the United States.

■ Paul Wess, '01, Chadron, was the second place winner the 2001 American Indian Law Review Writing Competition.

In Memoriam

The College of Law extends its deepest condolences to the families and friends of the following alumni:

1930

■ Joel Simon, '32, Austin, Texas, died on February 19, 2001, at the age of 91. Simon and his brother-in-law started Yaring's department store in 1938, which became one of Austin's most successful locally owned department stores.

■ Hammond C. Woods, '35, Kansas City, Mo., died July 19, 2000 at the age of 92. Woods practiced law in Kansas City for 37 years and was appointed a federal administrative law judge in 1970. He was awarded three Bronze Stars for his service in the European theater in World War II.

■ Phillip M. Everson, '37, Wymore, died November 20, 2000, at the age of 86. He established the law firm of Everson, Wulschleger, Sutter, Korsland & Willet in Beatrice but kept his personal office in Wymore. He was Wymore city attorney for more than 40 years. He was a lieutenant colonel in the Army during World War II serving as an intelligence officer in Iran.

■ George Sawyer, '37, Torrington, Wyo., died February 1, 2001. Sawyer practiced law in Torrington for 40 years prior to becoming the first judge of the Eighth Judicial District. After retiring from the bench, Sawyer continued to practice law until he turned 80. In 1962, he served as president of the Wyoming Bar Association.

■ Paul J. Kean, '38, Kansas City, Mo., died on February 16, 2001,

at the age of 87. Kean was a district manager for Equitable Life Assurance Society of the U.S. for 21 years.

■ Daniel Walker, '38, Denver, Colo., died September 9, 2000, at the age of 84. He was an attorney with the Veterans Administration until his retirement in 1975.

■ Ramon P. Colvet, '39, Denver, Colo., died November 13, 2000, at the age of 86. Colvert was a natural resources attorney and was a partner with Gorsuch & Kirgis. He was a colonel in the Air Force during World War II and was awarded a Legion of Merit.

1940

■ Edward E. Phillips, '41, Chanhassen, Minn., died July 12, 2000, at the age of 82.

■ Harry W. Williams, '41, Osage Beach, Mo., died March 8, 2000, at the age of 82.

■ Thomas Verne "Dinty" Moore, '46, died October 4, 2000, at the age of 81. Moore practiced with several Omaha law firms and was also sales manager for the Omaha Hardwood Lumber Co.

■ Hilary A. Meyerle, '47, Bothell, Wash., died October 16, 2000, at the age of 83.

■ Robert R. Veach, '49, Omaha, died May 8, 2001, at the age of 78. Veach taught business law at The Citadel in Charleston, S.C., before moving to Omaha and joining the Fraser Stryker law firm. Veach set up a \$100,000 scholarship at the College of Law for graduates

of high schools in small Nebraska counties.

1950

■ David E. Ells, '51, Sumter, S.C., died on February 9, 2001, at the age of 77.

■ Robert F. Wefso, '51, Monterey, Calif., died February 9, 2001, at the age of 74. Wefso, who grew up in Rushville, was a CPA who practiced on the Monterey peninsula for more than 40 years.

■ William B. Brandt, '52, Unadilla, died December 16, 2000, at the age of 76. He was president of the First National Bank of Unadilla and the American Bank in Burr. He was also senior partner in the law firm of Brandt, Horan, Hallstrom & Sedlacek. Brandt served two terms as a state senator and was general counsel and lobbyist for the Nebraska Bankers Association.

■ Raymond A. Jensen, '52, Lincoln, died June 13, 2000, at the age of 76.

■ Keith J. Kovanda, '52, Burwell, died April 17, 2000, at the age of 73. Kovanda, who grew up in Ord, was appointed district court judge by Governor Thone in 1979.

■ Lloyd L. Bevans, '53, Waverly, died on March 4, 2001, at the age of 72. He was a member of the Waverly City Council and served as city attorney. He started the Bevans Turkey Farm in Waverly in 1942 as a junior in high school and continued in the turkey business until 1990. He was once named Nebraska Poultry Man of the Year.

■ H. Alan Curtiss, '54, Alliance, died August 4, 2000, at the age of 69.

1 9 6 0

■ Richard Goos, '61, Lincoln, died December 8, 2000, at the age of 67. Goos was a criminal defense attorney and a former deputy Lancaster County public defender.

1 9 7 0

■ Dan W. Baird, '70, Clay Center, died August 16, 2000, at the age of 59. He practiced with the firm of Baird & Griess for nearly 20 years and served as county attorney and deputy county attorney for Clay County.

■ Rae Schupack Nathan, '75, Larchmont, N.Y., died May 25, 2001, after a long battle with cancer. After practicing law in Omaha, Nathan served as re-

gional counsel for the midwestern legal division of the Federal Deposit Insurance Corporation. Subsequently she was named regional counsel for the FDIC's New York office where she was responsible for handling bank and savings and loan failures in all the states east of Ohio, including Puerto Rico and the Virgin Islands. She later left the FDIC to be full time mother to her two children.

■ James Oscar Shuler, '79, Omaha, died April 29, 2000, at the age of 52. He was a vice president of Central States Health & Life.

1 9 8 0

■ Chris Malcolm, '82, Eagle, died March 1, 2000 at the age of 48. He was Cass County attorney.

■ Raymond B. "Rudd" Simon, '85, Omaha, died August 27, 2000, at the age of 52. A member of the Tietjen, Simon & Boyle law firm,

Simon served as a Douglas County commissioner and on the Metropolitan Utilities District board.

■ Gary L. McPherson, '88, Denver, Colo., died in September 2000 at the age of 38. McPherson had been a member of Colorado's House of Representatives since he was appointed to fill a vacancy in 1994. After twice being elected to two-year terms in the House, McPherson was defeated in his primary bid for a state Senate seat. An attorney with Kissinger & Fellman, he was named an outstanding young lawyer by the Colorado Bar Association in 1993. He was killed when the plane he was piloting crashed in Canada.

■ Stephen C. Schleich, '89, Lincoln, died November 4, 2000, at the age of 37. He was a partner at Home Real Estate and president of its land development division.

Long Arm Jurisdiction

I hope these photographs of alums I have been able to “track down” during my travels throughout the country remind you that even though you have left the Law College and may have left Nebraska, the College will continue to reach out to you to assure that substantial contacts between you and the College are maintained. If you see an old friend on these pages whom you’d like to contact, give me a call!

Tony Dworak



Pictured clockwise starting at upper left: Steve Hutchins ('72) at his firm of Hutchins and Associates, LLC in Denver, Colo.; Charles Chase ('49) with Dean Steve Willborn in Solvang, Calif.; Harry Letton, Jr. ('37) at Cal Tech in Pasadena, Calif.; Henry Keller, Jr. ('36) with Alumni Director Tony Dworak in Sarasota, Fla.; Claire D. Johnson ('58) and Chancellor Harvey Perlman ('66) at the Nebraska v. Colorado football game.



Pictured clockwise starting at upper left: James Shambert ('47) at Shambert, Wolf, McDermott & Depue in Grand Island; Judge Clarence Kunc ('41) receiving a commemorative desk weight for his third consecutive decade of annual giving to the Dean's Club-the award was presented by Tony Dworak at the Wilber Rotary Club; Stephen J. Henning ('89) and his wife Stacey in Santa Monica, Calif.; Deryl Hamann ('58) at Baird, Holm, McEachen, Pedersen, Hamann & Strasheim in Omaha; Barbara Schaefer ('78) Senior Vice President of Union Pacific in Omaha.

