Cultivating Community

inside
The Late, Great, Now-You-See-It, Now-You-Don't Estate Tax Repeal of 2001

plus
America Under Attack: What Now?
from the dean

Duke Law School has always emphasized community. It works hard at being a learning community in which the quality of interactions between and among students, faculty, staff and alumni are strong and highly valued.

I view the Law School’s commitment to community not as an unintended by-product of various factors such as our size, geographic location, or the faculty and students we have happened to recruit, but as a necessary precondition of teaching leadership and the highest ideals of our profession. When students know that they are taken seriously by the faculty, they take more seriously their own responsibility for preparing for class. When the Office of Student Affairs supports student initiatives without attempting to co-opt these initiatives, derail them, or take the credit for them, students see that what they do can and does make a difference. When students take each other seriously, they learn the essential role of respect and diversity of views to successful leadership. When students work in the community teaching in the public schools, serving as guardians ad litem for abused children, or representing defendants in capital cases, they are developing new skills and taking responsibility for using those skills to help meet the unmet needs of their community. When students, faculty, and staff work together to bring speakers with a wide range of perspectives and experiences to the Law School (some of whom you will read about in this issue), they expand the capacity of the community to teach. When these speakers are our own alumni, the community is strengthened by a keener sense of its own rich talents and identity. When present students work vigorously to help recruit students for our incoming classes, they take responsibility for the future quality of the community.

The tragic events of September 11 have only enhanced the qualities of community we so highly value. While apparently no Duke Law alumni lost their lives in the unimaginable terror of the attacks on the Pentagon and the World Trade Center, we have all been profoundly affected by the loss of friends and by the enormity of the loss to others. In the days immediately following these disasters, Duke Law students responded by supporting one another, giving blood and money, and gathering to discuss the legal and policy issues raised by the events. Duke Law faculty Scott Silliman, Madeline Morris, Michael Byers, Christopher Schroeder, Walter Dellinger, Robinson Everett, James Boyle, Jerome Culp, William Van Alstyne, James Cox, Francis McGovern and James Coleman participated in one or more teaching events at the University, responded to questions from the media, or advised the government on the complex legal issues that face this nation. Two of the forums held at the Law School — “Public Forum on World Trade Center Disaster” and “National Security and Civil Liberties: How to Strike the Balance?” — are available on our web site at www.law.duke.edu. (To reach them, select Webcasts from the ‘Jump Directly To’ scroll-down menu.) Students were very involved in these forums, and in others throughout the campus on issues relating to foreign policy, Islam, the concept of “just war,” the economy, and other critical issues.

This issue of Duke Law Magazine was well along on September 11, but as you will see, it features other issues relating to our own internal community. While the scope and intensity of the tensions within our own community do not rival those we face globally, the skills and habits our students learn in addressing local matters are the same ones they will need in facing the complexities of our diverse global environment. We have not tried to sweep our internal tensions under the rug. Indeed, we have tried to use them as an opportunity for growth within the community, on the theory that giving students hands-on responsibility for identifying and addressing issues as complex and long-standing as racism, exclusion and diversity is the best way to sharpen their leadership skills. This requires some risks, by all members of the community, but we believe that these are risks worth taking.

I have heard from many alumni in recent weeks and, despite the horrible circumstances that produced some of these communications, I truly appreciate the identification with this community that these communications reflect. Please keep in touch with us and help to make us stronger and better at what we do.

Katharine T. Bartlett
Dean
A. Kenneth Pye Professor of Law
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Letters to the Editor
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Feb. 7, 2001
Mark Webblnk, general counsel, Red Hat, Durham, N.C., discusses IP, open source and Red Hat, Inc.

Feb. 12, 2001
Joseph Weller, Jean Monnet Chair and Manley Hudson Professor of Law at Harvard Law School, delivers the talk "Towards a Geology of 20th Century Law."

Feb. 16, 2001
Dr. Roger Pilon, Vice President for Legal Affairs, The Cato Institute, Washington, D.C., speaks on the "The Court's New Federalism: Is it the Real Thing?"

2000 Law Grad Clerking for U.S. Supreme Court Justice Breyer
Mirah Horowitz '00 has been selected to clerk for Justice Stephen Breyer of the United States Supreme Court for the 2001-2002 term, which began in October. She joins a growing string of Supreme Court clerks among Duke Law students, alumni and faculty. Each year, between 15 to 25 percent of the Law School's graduating class enters the legal profession by means of a judicial clerkship; in 2000, 22 percent of the graduating class secured clerkships.

Law School Launches Intellectual Property Fellowship Program
Duke Law School has established a fellowship program in Intellectual Property, the Public Interest and the Public Domain using major grants from the Center for the Public Domain and the Ford Foundation. The program brings outstanding scholars and lawyers to the Law School for one year to work on a series of projects related to the public interest, the public domain and intellectual property policy. Each semester, the fellows, in cooperation with Professor James Boyle, will teach a seminar on "Intellectual Property, the Public Domain and Free Speech" at Duke Law School. The Law School has formed relationships with a number of public interest groups that work on Internet policy, free speech and intellectual property issues. Students, under the supervision of the fellows, will work with the groups doing research and writing on such topics as Internet, copyright and trademark issues, telecommunications, international intellectual property agreements and pharmaceutical patents. Two fellows are in residence at Duke this fall: William J. Friedman and Daphne Keller. Freidman is a former senior legal adviser to Federal Communications Commissioner Gloria Tristani. His interests include privacy and free speech issues, digital intellectual property issues and bit stream copyright protection, among other topics. Keller is a scholar and lecturer who has taught at the Programme in Comparative Media Law and Policy at Wolfson College Oxford and at Cardozo Law School, where she taught an intensive mini class on digital intellectual property. Keller is the author of "Metainformation, Technical Devices, and Self-Regulation: Parental Control in a Converged World," (with Stefaan Verhulst). Most recently, Keller clerked for the Alaska Supreme Court.
Graduating 3L Takes $50K Top Prize in Duke Start-Up Challenge

Michael Hostetler '01, his wife and a Duke MBA student rose above more than 80 competing teams to win top honors — and $50,000 — in the Duke Start-Up Challenge business plan competition in March. The team’s company, InGenuity Inc., is based on a proprietary method to identify and manipulate specific genes to develop new, more targeted drugs. Hostetler said he entered the business plan contest with thoughts of gathering experience and information to help make him a savvy patent lawyer—never dreaming his team would take home the grand prize. “We were amazed we won,” said Hostetler, a Ph.D. chemist, who developed the business plan for InGenuity with his Ph.D. biochemist wife, Erica Pascal, and Philippe Chemla, a molecular biologist enrolled in the Fuqua School of Business Executive MBA program. The team is in talks with venture capital firms now and hopes to develop and market its research platform as a real business. But Hostetler, who headed to a job practicing patent law with a San Diego firm following his graduation from Duke Law in May, plans to hang on to his day job, where he may help other scientists and entrepreneurs navigate the start-up process. “(Competing) was a great experience,” he said. “You really learn a lot about the process and what the venture capitalists and other investors find important.”

Duke Conference on Humanitarian Intervention Gathers Global Law, Policy Experts

When is it appropriate for foreign powers to cross sovereign borders to prevent widespread human rights abuses? What are the policy reasons for and against “humanitarian intervention”? And what legal or institutional reforms could facilitate the decision-making process, the role of regional organizations, and the rules of conduct to be applied during such interventions? Such questions have much occupied academic and policy circles in the U.S. and abroad, particularly following NATO’s intervention in Kosovo in 1999. For two days in April 2001, national and international scholars, policymakers and commentators gathered at the Washington Duke Inn to discuss and debate the future of humanitarian intervention during a conference co-sponsored by the Law School’s Center on Law, Ethics and National Security. The Terry Sanford Institute of Public Policy, Kenan Institute for Ethics, the Global Capital Markets Center and the Center for European Studies cosponsored the event.
March 5, 2001
N.C. State Senator Henry McCoy, the first African-American Republican elected to the N.C. State Senate since Reconstruction, speaks.

March 7, 2001
Heather MacDonald, a fellow at the Manhattan Institute, speaks on "Idealism or Ideology? The Politicization of Pro Bono Law."

March 8, 2001
Nadine Strossen, president of the American Civil Liberties Union, speaks.

New York Times Calls the Law School's all-online Duke Law and Technology Review one cool site

The Law School launched its newest journal — the online-only Duke Law and Technology Review (DLTR) — in March and by May it was winning praise in the pages of The New York Times. The Times’ cyberlaw writer, Carl Kaplan, wrote in a May 25 column that the DLTR has become a favorite click. The DLTR is a student-run online journal that debuted in the Spring 2001 semester. Although Duke Law School publishes six other print journals with online versions, DLTR is the only one that is published solely online. Focusing on issues involving intellectual property, business law, free speech and privacy, telecommunications and criminal law, DLTR is updated weekly with new content in the form of iBriefs, readable seven- to 12-page legal analyses of a timely issue. Student-written iBriefs mix the readability of a journalistic article with scholarly analysis, and complement DLTR’s plans for additional content such as interviews with tech law scholars, hotlinks, compilations of relevant websites, and multimedia offerings. The New York Times’ Kaplan praised the journal’s iBriefs as welcome relief from the “lengthy and often ponderous articles” typical of more traditional law journals.

American Civil Liberties Union President Visits Duke Law

Nadine Strossen, president of the American Civil Liberties Union, spoke March 8 at the Law School on the legal profession and current legal issues in the media. Strossen, a professor of law at New York Law School, has written, lectured and practiced extensively in the areas of constitutional law, civil liberties and international human rights. The National Law Journal has twice named her one of “The 100 Most Influential Lawyers in America” and in 1996, Working Woman Magazine listed her among the “350 Women Who Changed the World 1976-1996.”
Inaugural Frey Lecture Brings Stanford Scholar to Discuss the Impact of the Internet

Lawrence Lessig of Stanford University Law School delivered the first annual Meredith and Kip Frey Lecture in Intellectual Property at the Law School in March. Professor Lessig, a constitutional scholar and leading authority on cyberlaw, spoke on "Architecting Innovation." Drawing on the scholarly insights of members of the current Duke Law faculty, including Professors David Lange, Jerome Reichman, and James Boyle, Lessig discussed the changes in the architecture of the Internet and their effects on creativity and innovation, and explored the adverse consequences that seem likely unless issues raised by these changes are addressed. A prolific and influential author, Lessig’s most recent work includes Code and Other Laws of Cyberspace (1999).

Berkeley Law Professor Discusses Taft Court in Annual Currie Lecture

Top Air Force Attorney Gives Duke Law Students Insight into Military Law

In March, the Air Force Judge Advocate General, Major General William A. Moorman, stopped by Duke Law School for an informal talk with students. Moorman is the senior uniformed attorney for the United States Air Force, with about 1,500 Air Force Judge Advocates working under him. Moorman provided a window into the world of military justice and discussed several legal issues military lawyers might handle over the course of their careers. On the day of his visit to the Law School, for example, Moorman talked with JAG staff in the United Kingdom, where government officials wary of spreading foot-and-mouth disease wished to inspect and decontaminate U.S. military planes landing on British soil. U.S. military planes are considered sovereign space, leaving the Air Force with a ticklish legal question: Allow the British to do their inspection and set a precedent of waiving sovereignty? Refuse the decontamination entirely? “Strictly speaking, the law allows us to refuse the inspection, but that’s not necessarily the right way to proceed,” Moorman said. A military lawyer’s job is helping to find a course of action that is good law and good policy.

Attorney John Payton Speaks about University of Michigan School of Law’s Legal Challenges and their Implications

John Payton, lead counsel for the University of Michigan School of Law, whose policy of considering race as a factor in admissions was deemed unconstitutional by a federal district court in April, visited Duke Law School in May to put the high profile case in context. Dennis Shields, Duke Law School’s Assistant Dean for Admissions and Financial Aid, came to Duke from Michigan and is a named defendant in the case. “I’d like to introduce you to my lawyer,” Shields quipped, introducing Payton at the well-attended lecture. Michigan has filed an appeal and many believe the case will ultimately go before the U.S. Supreme Court. Payton said his duty as Michigan’s lawyer is to demonstrate that racial and ethnic diversity adds educational value to an academic environment — a basic tenet that has guided affirmative action policies since the Supreme Court’s landmark decision in University of California Regents v. Bakke. In Bakke, the court said race may be used as a “plus factor” in considering applicants for admission to promote educational diversity. “For a while there, this was not controversial and it transformed what higher education looked like,” Payton said. “Now, these cases are questioning whether or not Bakke is still the law and, on some level, what Bakke really meant.” Payton is a partner at Wilmer, Cutler & Pickering in Washington, D.C.
Honors Abound for Duke Divinity, Law Professor Stanley Hauerwas

*Time* magazine named Stanley Hauerwas, Gilbert T. Rowe Professor of Theological Ethics at Duke Divinity School and also a professor at the Law School, as America's Best Theologian.

In the issue dated Sept. 17, 2001, the news weekly said Hauerwas, 61, “is contemporary theology’s foremost intellectual provocateur ... Hauerwas has been a thorn in the side of what he takes to be Christian complacency for more than 30 years,” *Time* wrote. “For him the message of Jesus was a radical one to which Christians, for the most part, have never been fully faithful.” The profile was written for *Time* by Jean Bethke Elshtain, a professor of social and political ethics at the University of Chicago. A stream of accolades has come Hauerwas’ way in the last two years, culminating in his receiving the University Scholar/Teacher of the Year Award from President Nannerl O. Keohane at the University’s annual Founders’ Day Convocation in October. In June, Duke University Press published *The Hauerwas Reader*, a 752-page collection of essays and book chapters written by the theologian. In February, Hauerwas became the first United Methodist theologian to deliver the Gifford Lectures in St. Andrews, Scotland. The Giffords are widely regarded as the world’s most distinguished lecture series in the fields of philosophy, natural theology and religion. In April 2000, *Christianity Today* named his book, *A Community of Character: Toward A Constructive Christian Social Ethic* (Notre Dame Press, 1981), one of the 100 most important books on religion of the 20th century.

Appellate Court Visits Make Good Use of Law School’s Courtroom

Duke Law School’s refurbished moot courtroom has already attracted several panels of appellate court judges, who used the room to conduct real business.

In April, a panel of the U.S. Court of Appeals for the Fourth Circuit conducted oral arguments in three cases. Students, faculty and other members of the Law School community were invited to observe and, following arguments on the final case, ask questions of the judges. The Law School’s new videoconferencing equipment made it possible to broadcast the arguments to those in overflow seating in the School’s two new third-floor seminar rooms. In October, the N.C. Court of Appeals heard arguments in three cases. And on Nov. 8, the Law School will again host a panel of judges, this time from the U.S. Court of Appeals for the Federal Circuit.
Shivali Shah '02 Reaches Out to South Asian Women

Shivali Shah '02 had to struggle to get her parents, both engineers, to accept her decision to study law. They simply didn't think it was intellectually rigorous enough for their daughter. Granted, they said, he seemed to have a gift for logic and had excelled in debate while studying at Columbia University, but that was a hobby. Mathematics, physics, medicine, now those were potential careers. “My dad’s family are all doctors, Ph.D.s, and engineers, so to them, my wanting to be a lawyer was something of an aberration,” said Shah. But a career in law wasn’t entirely without precedent: Shah’s great uncle on her mother’s side was the first Chief Justice of the Supreme Court of India and helped draft the Indian Constitution. “I’m interested in what the law can do in terms of social change,” she said. While at Duke, Shah began informally advising and providing information to South Asian women living with domestic abuse, drawing on her experience volunteering with New York-based Sakhi, the largest agency providing counseling and support services to South Asian victims of domestic violence. Recognizing the growing South Asian population in the Triangle and the need for culturally sensitive domestic violence services, Shah helped found KIRAN. The group is a domestic violence prevention and crisis service and is the first in the Triangle to specifically target women of South Asian origin — those from India, Pakistan, Nepal and Sri Lanka. The group’s main goal is to provide crisis counseling and referrals to culturally sensitive social service agencies. The cause has a special resonance for Shah, who said she has seen too many Indian and other South Asian women who, to the outside world, appear bright, professionally successful, and confident but are in relationships that are physically or mentally abusive. Many South Asian women, even those who work at high levels in demanding professional fields, are afraid to establish their own bank accounts, lest their husbands feel threatened, Shah said. American support services for abused women didn’t seem to address those types of needs. “I think many women are told, ‘If you weren’t so attached to your culture, you wouldn’t have these problems,’” Shah said. KIRAN helps women “negotiate power in their households” and learn to articulate their needs, she said. And, if need be, the group can help women get out of an untenable domestic situation. Visit the organization’s web site at www.kiraninc.org.

Keep Up to Date on Cutting-Edge Legal Publication with Duke Law’s E-Journal Notification Service

Duke Law School alumni can quickly and easily sign up to be notified of the complete, full-text online publication of all our law journals. As an issue is published in its entirety on the World Wide Web, we will send you an e-mail message containing hot links to each of the articles in the issue. When you click on one of the links, your computer’s web browser will launch the article on your screen. If you would like to subscribe to this free service, please send an e-mail containing your name, firm or business, mailing address and e-mail address to David Menzies, director of publications, at menzies@law.duke.edu or sign up online at www.law.duke.edu/journals/ejournal.html.
Center for Genome Ethics, Law and Policy hosts Summer Institute

Duke's Center for Genome Ethics, Law and Policy (part of the interdisciplinary Institute for Genome Science Policy at Duke) sponsored its inaugural event: Genetics, Genomics and the Law, at Duke Law School in August.

During her keynote speech, Elizabeth Kiss, professor of the practice of political science and philosophy, and director of the Kenan Institute for Ethics at Duke, spoke about where ethics fits in the genomics revolution. Using an image from another revolution — the industrial revolution — Kiss wondered whether ethics was in the caboose, or trying to catch up with a speeding train. Like the industrial and information technology revolutions, the genomics revolution is driven by humanity's quest for knowledge, power, money and prestige, and like the changes those revolutions wrought, this one will bring extraordinary changes that society won't be able to understand until after they've happened. But those statements, while true, Kiss said, only paint part of the picture about what is powering this train. Ethics is not in the caboose, Kiss reported. "It is back in some ways," she said. "Ethical norms have already had a degree of impact in shaping the way in which the genomics revolution proceeds. But we also have a lot of work to do." To work toward bringing ethics into the engine room, Kiss recommended evoking ethics as a process, not an abstract concept. "Ethics is conscious reflection on these moral beliefs and practices — including those conflicts — with the aim of improving, extending or refining them in some way," she said. And ongoing dialogue — at conferences and elsewhere — is crucial. "Critical to doing this process well is clearly education," Kiss said. "It's what we're engaged in today in this Summer Institute as we teach and learn from one another. We cannot have thoughtful deliberation about ethical issues if we are not informed."

Online video gives Peek into Law School's use of Technology

A new online feature for prospective students will help alumni get a first-hand look at the Law School's innovations in technology for teaching and research. The Office of Admissions Web site, found at www.law.duke.edu/admis/LibTech.html, features a short video illustrating how students and faculty are using wireless networking, interactive SMARTBoards and other cutting-edge technology to enhance learning and modernize legal education. The five-minute video is viewable through RealPlayer 8, which is available through the Web site. The Law School has won accolades for its innovative use of technology from a variety of sources lately. In March 2001, The National Jurist rated Duke the No. 2 "Most Wired" law school, a nod to the School's pathbreaking use of technology and commitment to providing the resources students and faculty need to study and work at the cutting edge. And the School has twice this year been lauded in the pages of Syllabus, a magazine dedicated to exploring the newest and best in educational technology.

www.law.duke.edu/admis/LibTech.html
Cultivating Community

Existing in a TRULY DIVERSE environment isn’t always easy.

At DUKE LAW SCHOOL, we have chosen to FACE OUR DIFFERENCES the old-fashioned way: HEAD ON
By Mirinda J. Kossoff

In February, the Rev. Jesse Jackson—in conjunction with an appearance at the dedication of Duke’s new John Hope Franklin Center—made a stop at Duke Law School. The controversial black leader entertained, cajoled and challenged an overflow audience of students, faculty, staff and local press, all shoehorned into one of the Law School’s lecture halls.

In his signature oratorical style, Jackson paced the front of the room, wiping his brow now and then, and exhorted his listeners to study black history. “The maligned and marginalized America,” he said. “African Americans subsidized American development; 200 years of labor without pay is a subsidy.”

“Am I talking to myself?” Jackson said, his voice rising. “Say amen.”

Applause and a rousing “amen” then erupted from parts of the room while there was dead silence in others.

Jackson’s speech that February afternoon stimulated a controversy that had been simmering in parts of the Law School community for some time. And the Law School’s controversy is simply a microcosm of the controversy that has swept colleges and universities across the country.

The National Issue

In higher education, diversity has become a buzzword for a host of differences among students and faculty, ranging from race and socioeconomic class to political viewpoints. Elite schools such as Duke are accused of leaning toward the liberal end of the political and philosophical spectrum and of being so politically correct that they’re effectively silencing those students with more conservative views. Affirmative action admissions policies, geared toward promoting racial and ethnic diversity, have also been called into question by pundits, the courts and voter initiatives. Critics argue that...
a reversal in the fortunes of affirmative action policies after back-to-back decisions late last year upheld race considerations in undergraduate admissions at the University of Washington and the University of Michigan. (The Michigan Law School case was separate from the undergraduate case there.)

In his decision, U.S. District Court Judge Bernard A. Friedman rejected Michigan Law School’s argument that it needed to use race in order to enroll a diverse class. The case was brought by the Center for Individual Rights, a nonprofit legal group, on behalf of Barbara Gutter, a white student denied admission in 1997.

Michigan Law Dean Jeffrey S. Lehman was quoted as saying Judge Friedman’s decision was “flatly inconsistent with the [U.S.] Supreme Court’s holding” in its landmark 1978 decision in Regents of the University of California v. Bakke. Many legal experts and observers believe the law school case, combined with Michigan’s earlier undergraduate case, will reach the U.S. Supreme Court. Pending the university’s appeal, the United States Court of Appeals for the Sixth Circuit stayed the decision in April.

Another divisive issue that recently swept the nation’s institutions of higher education involved an advertisement submitted by conservative activist David Horowitz to some 50 college newspapers, including Duke University’s Chronicle. The ad, “Ten Reasons Why Reparations for Slavery is a Bad Idea and Racist, Too,” was intended to provoke controversy, and it did, but not so much about reparations for slavery as about freedom of speech vs. political correctness. Student editors who chose to run the ad were called racist while those who refused were accused of censorship.

**Duke’s Diversity Issue**
The Duke student newspaper’s own student editor, Greg Pessin T’01, found himself in the glare of local media and the target of racist accusations for running the ad on March 19. He was particularly criticized for running it without accompanying editorials or rebuttals from those who might have been offended by the contentious broadside. Duke’s African-American undergraduates and sympathetic whites staged a sit-in outside President Nan Keohane’s office, and protests went on for several days.

The University responded by holding an open forum March 26 on the issues raised by the ad at The Terry Sanford Institute of Public Policy. Panelists included Law School Professor William Van Alstyne; Pulitzer Prize-winning columnist William Raspberry, Knight Professor of the Practice of Communications and Journalism at the Institute; and author and former Time magazine journalist Susan Tifft T’73, Eugene Patterson Professor of the Practice of Journalism.

**AFRICAN AMERICANS SUBSIDIZED AMERICAN DEVELOPMENT; TWO HUNDRED YEARS OF LABOR WITHOUT PAY IS A SUBSIDY.**

-JESSE JACKSON
Student leaders Carlise Chatman and Kelly Black, African-American literature scholar Houston Baker and Chronicle editor Pessin rounded out the panel. Local television and print reporters covered the forum, which attracted an overflow audience.

"THE DEEPER ISSUE IS THAT THIS CAMPUS IS A LOT FARTHER FROM BEING A COMMUNITY THAN NON-MINORITY STUDENTS REALIZE."

-WILLIAM RASPBERRY

Professor Houston said The Chronicle’s decision to run the ad “created a communal sense of betrayal” among African-American students. Raspberry, Tiff and Van Alstyne were sympathetic to the painful feelings the ad stirred up but argued for publishing controversial issues in the interests of free speech and an open exchange of opinion. Pessin said that the definition of diversity should include the whole range of diverse opinions. Ultimately, it was Raspberry who cut to the heart of the issue: “The ad is not really the issue,” he said. “The deeper issue is that this campus is a lot farther from being a community than non-minority students realize.”

Duke Law School's Challenges

Duke Law School has had its own issues in creating a sense of community among its students, as was vividly illustrated at the Jackson talk. But the incident that brought Duke Law School’s version of the national debate to the surface was a law library display created by the Black Law Students Association (BLSA) in the display case at the library’s main entrance. The Law School has a policy allowing student organizations such as the Women Law Students Association (WLSA), the Duke Law Republicans (DLR), the Duke Law Democrats, the Christian Legal Society, Outlaw (a gay student organization), the Asian Law Students Association, the Latino Student Association and the Federalist Society, among many others, to use the display case for a limited time to air their views.

BLSA celebrated Black History Month in February by setting up a display about voting rights, contrasting the civil rights battles of the 1960s with the 2000 presidential election and voting irregularities in Florida. On the left side of the display case were photos of the 1965 march in Alabama from Selma to Montgomery and references to the death of James Meredith and the arrest of Rosa Parks. Opposite these images were photos of Florida Secretary of State Katherine Harris and Florida polling places. The content of the display reflected BLSA’s opinion that African-American voters in Florida were disenfranchised. The display drew a response from the Duke Law Republicans (DLR) who collectively penned an open letter to BLSA and the Law School community.

In their letter, the DLR took issue with “the display’s attempt to equate the defining civil rights struggles of the 1960s, particularly the Selma march of 1965, with Secretary of State Katherine Harris’s announcement of George W. Bush as the winner of Florida in the 2000 presidential election ... Clearly, the African-American community faces far more pressing struggles today than the election of George W. Bush. Ironically, by drawing an illogical comparison between racial segregation and the election of President Bush, the right side of this otherwise effective display belittles the tremendous struggles that African-Americans faced a generation ago during the civil rights movement ...” An exchange of e-mail messages between BLSA and DLR members ensued, some of them characterized as hostile.

David Searle ’02, president of the DLR, said two of the 10 or more e-mails he received from African-American students accused him of racism. Instead of an exchange of e-mails, Searle said, “I wish we could have done this in a forum. But you hold a forum sponsored by Republicans and you get just a few people. I have friends in BLSA who wanted to talk to me personally about it, and I think that’s the right approach.”

“The part of the Republicans’ letter that made us angry,” said Victoria Jalo ’02, co-chair of WLSA and a member of BLSA, “is that they purported to tell us what the fight should be. A line in the letter said something about ‘you have more important issues to look at.’ How dare you tell me what my fight is. You’re not black; you don’t know what I go through.”

Jalo also mentioned
there were repercussions from Jackson's comments. "After the Jesse Jackson talk ... a friend asked me why I was clapping for Jackson when he said 'you're not equal here.' My friend asked, 'do you really feel you're not equal?' I tried to explain it to her, but at that point I felt exhausted. I said 'I can't educate you. That's why a lot of black people would rather that you read up before asking questions,'" Jaló said.

At the same time, Jaló said, "I don't feel marginalized. I feel there are issues that need to be dealt with, but I have a voice the same as anybody else. That's something I like about Duke." But not everyone feels as Jaló does about having a voice and being heard.

Some conservative students say they do feel marginalized. Allyson Holt Christensen '02, a member of DLR, said "My point of view is not popular ... People automatically shut you off. If you're associated with a conservative point of view, you're not modern or sensitive."

Joanne Kwong '02, president of the Asian Law Students Association, said that within the Asian community, some students feel marginalized and others don't. "It depends on the experiences you've had," she said. "One reason we have these special interest groups is that it's easy to feel marginalized. When the Chinese New Year rolls around, it's nice to have people to share it with."

One outgrowth of the Law School's diversity debates has been the creation of a new organization: the Men's Law Students Association (MLSA). Founder Paul Schneider '02 said his intention was to enlist people who didn't identify with a particular group but who wanted to have a voice in the Law School's governance. "A number of people felt that in order to be involved in what happens in the Law School, you have to be part of an organization," Schneider said. MLSA boasts a membership of 40-45, including women, and its stated goal, according to Schneider, is to be able to take part in the discussions provoked by other interest groups and to have fun at the same time, to ensure that people enjoy their experience at Duke. He shrugs off comments he said he's heard about other organizations not taking MLSA seriously.

MLSA speakers chair, Drew Brown '02, said the organization is inclusive and also has African-American members. "MLSA is made up of apolitical people, centrists and Republicans," said Brown. "Race is no longer the issue; gender is no longer the issue; the issue is ideological."

Adam Ford '02, a member of several Law School conservative groups, said he spent three hours in front of the library display debating the issue with eight BLSA members. "Race to me is irrelevant," Ford said. "My mentor is black; some of my closest friends are black. But T was told that if I think race is irrelevant, then I'm a racist."

Ford said he's lost hope for any progress toward racial healing. "At the end of my three-hour conversation with BLSA members," Ford said, "the last words were: 'you're a racist.' Now, when I talk that people enjoy their experience at Duke . He shrugs ofT comments he said he ‘s heard about other organizations not taking MLSA seriously.

"THERE ARE ISSUES THAT NEED TO BE DEALT WITH, BUT I HAVE A VOICE THE SAME AS ANYBODY ELSE."

-VICTORIA JALO '02

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the Latino Students Association and the Asian Law Students Association. Because of the emotional content behind the rhetoric, it was difficult for students on each side of the issue to listen to the other without judgment or rancor. Peter Barwick '01, former president of the Christian Legal Society and the Federalist Society said, “what I found was, for all the talk of diversity, there wasn’t a lot of diversity of perspective, intellectual diversity... There’s a tendency to disparage particularly conservative points of view as being suspect rather than engage them on a substantive level.”

Barwick and other conservative students such as Christensen, Ford, and Searle said the type of speakers the Law School had brought in during the year, finding them mostly representing conservative views, and other conservative students such as Searle noted. “A lot of members were still too upset with us and felt this symbolic effort to reconcile wasn’t going to do it.”

Mark Simmelkjaer ’02, the African-American president of the Duke Bar Association, offered another view. He said he believes that the dialogue about BLSA’s library display, though painful at times, was ultimately beneficial. “Duke Republicans probably do have some issues about feeling marginalized,” Simmelkjaer said. “Their disagreement with the BLSA display was not racist; it was political... I hope the political dialogue continues. The first lesson I learned is that you can never make everyone happy. My parents always taught me the ideals of being tolerant and open-minded.” Simmelkjaer said he feels a lot of pride in the Law School and disagrees with Jackson’s speculation that African Americans do not want to return for Duke Law reunions.

The Law School’s Response

To respond to the concerns raised by both the Jackson speech and the controversy over the BLSA library display, Dean Katharine Bartlett organized a task force of students, administrators and faculty.

Bartlett said her reasons for organizing the task force were to bring together students and encourage an open exchange of views. “It would have been easy enough to let the debate cool down and dissipate,” Bartlett said. “But I thought it was an opportunity for the community to do some soul-searching and for students to stretch their leadership muscles. I didn’t want to pass up a chance for all of us to work together toward a common goal of achieving the kind of community we can and want to be.”

The task force agreed that its main charge was to find ways to promote open dialogue among the diverse members of the Law School community. One of its first official acts was to distribute a student survey requesting feedback on a variety of issues, especially perceptions about the Law School’s climate. Associate Dean for Student Affairs Elizabeth Gustafson ’86 said the results of the survey have been enlightening. “There has been an exceptionally wide range of student opinions about the political culture at the Law School,” she said. “There was, however, a general consensus that more opportunities should be created to increase and facilitate student dialogue.”

Even before the results of the survey had been tabulated, Bartlett launched a series of Law School town meetings, where interested students discussed issues such as ethics and professionalism as well as community and what obligations members of the Law School community have to each other.

Frederick Isasi ’03, a member of the Latino Students Association and Outlaw, served on the task force. “One of the interesting things about the environment at Duke,” said Isasi, “is that my conservative friends say they feel isolated; my liberal friends say the same thing, so we’re trying to get students to feel more connected. My personal take on the BLSA/DLR exchange is that we need more of that. I don’t know if it was the most productive conversation, but the underlying desire to express their political point of view is exactly what I’m after.

“Another goal for the task force is to see better representation of diversity in the student body, our faculty and curriculum... especially because our society is becoming more diverse,” said Isasi. “I think from the outside look-
ing in, people see Duke as a conservative, traditional school. Once you get here you see that the faculty are open-minded and progressive, as well as the school.”

One of the initiatives generated by the task force is a free speech board where students can post anything about any issue. In most cases, the only requirement to post opinions, items and information on the board is that the student posting the information must sign his or her name to it. Students are responsible for monitoring the board.

The task force also prompted the administration to take a critical look at the Law School's orientation, co-sponsored by the offices of Student Affairs and Admissions, for incoming students. The new orientation program, “Pursuing Professionalism: A Community in Motion,” stressed leadership and responsibility and featured team-building exercises and small group discussions about ethically challenging legal cases.

The Law School has created an official student advisory group, the “Community Roundtable,” to air student concerns and respond to requests for the Dean's advice. In light of the criticism that Law School speakers have been primarily cut from the same ideological cloth, the group will advise the major speakers committee. The roundtable will encompass Duke Bar Association officers, several at-large members and the presidents (or presidents' designees) of the DBA-recognized student groups.

To enhance communication and the development of student responsibility, accountability and leadership, the Dean plans to boost meetings with individual student groups and student coalitions.

Keith Talbot '01 took on the role of unofficial bridge-builder in the Law School’s diversity debates. Talbot served two years in the Peace Corps, working in the Dominican Republic as a child survival specialist, pushing to improve the mortality and morbidity rate among children 5 years old and younger.

“Building Bridges

The remedy for culture shock,” Talbot said he learned in the Peace Corps, “is not to disengage, which is a natural instinct, but to push harder. Reach out to that point of view that annoys us the most. I believe the Law School has a responsibility to produce not only good lawyers but good leaders.”

Regarding the Jackson speech, Talbot said, “I was caught by the contradictions in his speech. I engaged an African-American female in conversation about it and it was a disaster. She was in celebration mode ... and here I was raining on her parade. I realized later that it was a mistake. When we have moments to celebrate, we should all celebrate ... I could have waited for a better time to engage in this conversation about Jackson. I felt...
Duke in China
A Successful Distance Learning Project at Tsinghua Law School
By David Warren ’64
In Spring of 2001, the Law School concluded an important experiment in distance learning. Professor Thomas Metzloff, lecturing from Durham, taught “Distinctive Aspects of U.S. Law” to Chinese law students in Beijing, using an arsenal of innovative distance-learning techniques.

Students who successfully completed the course earned two credit hours at Tsinghua University Law School, which co-sponsored the project. Tsinghua and Duke have a cooperative relationship under a memorandum of understanding signed by the deans of each school in 1999.

The project employed videoconferencing, the Internet, email, and CD-ROM, as well as traditional on-site lectures and classroom discussions. The project’s goal: to evaluate virtually every distance-learning medium currently available for the benefit of future distance learning initiatives at Duke and elsewhere. A Fulbright Commission grant, supplemented with contributions in kind from Duke and Tsinghua, paid for the experiment.

Duke Professor Emeritus David Warren ’64, a visiting professor at Tsinghua Law School during the project, assisted Metzloff as an on-site instructor. Also assisting were Tsinghua faculty members Fan Chunyan, LLM ’00, and Associate Dean Wang Chenguang, who was simultaneously conducting an experimental CD course on intellectual property law in cooperation with the World Intellectual Property Association (WIIPA). Duke Law School Professor James Coleman also joined in, giving two videoconference lectures from Durham.

The course content emphasized the special aspects of the American legal system that have particular relevance to some of the recent legal developments in China. For example, several sessions explored the First Amendment to the U.S. Constitution. The First Amendment guarantees freedom of religion (a current issue in the Chinese news media), free speech (in the context of the ethics of offensive commercial advertising by lawyers seeking clients, a question being debated among Chinese lawyers), and free association (focusing on a recent U.S. Supreme Court decision that recognizes the constitutional right of the Boy Scouts of America to ban members who are homosexual; homosexuality is just now becoming a topic for discussion in China). Affirmative action was another topic of mutual interest, as the policy of giving preference in university admissions to the 5 percent minority ethnic groups of China is being questioned, just as in the University of Michigan cases.

Perhaps the most controversial topic in both China and America is capital punishment. In his lectures to the Tsinghua class, Coleman predicted that the U.S. will soon begin to limit its use of the death penalty at the same time that China seems to be increasing its execution rate.

Students, perhaps predictably, seemed most enamored of classes that used videoconferencing, which was used for four class lectures. Students said the medium was effective because they could ask questions at any time. “It seemed that there were two professors in the classroom, even though one was in a black box,” one participant commented. It was reported in Beijing that this was the first American law course to be taught in China using the technology.
However, videoconferencing was not without its drawbacks. Weather and other difficulties interrupted some transmissions, but thanks to able technical support, the technology supporting this medium can still be effective. When a transmission failed, technicians at Duke simply dialed up Beijing again and the lecture resumed. During the break caused by transmission failures, Warren and his Tsinghua colleagues continued the lecture topic in class discussions.

Despite the glamour of videoconferencing and ubiquity of Internet technology, CD-ROM proved to be the most reliable medium when used in the classroom in conjunction with on-site discussion. The bulk of the course was taught in this manner. Faculty and staff at Duke prepared the CDs in Durham and then sent them by express mail to Beijing for use the next week. A split screen showed Metzloff talking about a topic that was outlined on the other side of the screen in Powerpoint. Movie clips, still photos and documents also were displayed at appropriate times on the screen. One particularly effective feature of the CDs allowed Metzloff to raise questions or pose a hypothetical, after which the CD was paused to allow for discussion in the Tsinghua classroom. After exploring the point raised with students, Warren and Fan in Tsinghua resumed the CD. Professors Warren and Fan reinforced the lesson on each topic in weekly class follow-up sessions, this time without the CD.

Metzloff underscored the lessons offered via CD and through video presentations with a personal visit to the Tsinghua campus at the midpoint of the instruction period. He gave two lectures in the classroom and hosted a dinner session for students that included a discussion of the “Bush v. Gore” case. Instructors used a listserv to communicate weekly e-mail homework assignments, additional references and changes in the schedule.

Students enjoyed the interactive style of the course, particularly the “magic” of asking televised questions to a distant professor in America. They also found satisfaction in submitting weekly homework assignments via e-mail to be read both at Duke and on site by Warren, who returned the homework with comments, electronically. Several members of the Tsinghua faculty observed the course, as did several students invited to audit the course. The consensus of both students and observers is that the teaching of American law material can be effectively accomplished by this mixture of electronic and on site methods. It is much more dynamic than the typical one-way Internet course that has, until now, been the usual form of distance learning. The excitement of contributing to a new prototype of modern learning added to the enthusiasm displayed by the Tsinghua students.

Metzloff and Wang stated their hopes that a Duke course will be taught each year at Tsinghua using distance learning techniques. Tsinghua has reserved a course slot for Duke and has offered to contribute a faculty member to handle the on site component of the course. The 1999 Duke and Tsinghua memorandum encourages student and faculty exchanges, joint research, shared library resources, and cooperative teaching. Distance learning is a way to realize some of these goals.

During his one-week visit to Beijing, Metzloff also appeared with Wang on Chinese national television to discuss “Reforms in Legal Education” on a half-hour English language program called Dialogue. It was subsequently transmitted worldwide and was seen in the U.S. on July 21.
I think a lot of countries saw the opportunity to

Dedication to Human Rights puts David Schwarz '88 on International Stage

By Jean P. Fisher

The 57th session of the United Nations Commission on Human Rights, held in Geneva this spring, was a scene of high drama.

The United States got slung off the commission after a vote by secret ballot. Meanwhile, nations the U.S. monitoring group Human Rights Watch called a "rogues gallery of human rights abusers," including China, Sudan, Togo and Sierra Leone, were voted in. They joined such countries as Cuba, Libya, Syria and Algeria.

David Schwarz '88 had a front row seat to the action.

Schwarz, a commercial litigator with the Los Angeles firm of Irell & Manella, was one of four members of the public tapped by President George W. Bush this spring to be part of the U.S. delegation to the commission.

"I think a lot of countries saw the opportunity to get payback against the U.S. for being, in their view, so trouble-some, and took it," Schwarz said of the U.S.'s ejection from the commission. "We think confronting human rights violations in this very public forum is and should be a priority of the commission."

The United States is about the only nation that feels that way, though. Countries that are normally friendly to the U.S. largely stood by as a coalition that was hostile to the United States maneuvered to snuff the U.S. voice on the commission.

"In many ways, the E.U. and the U.S. part company on what the primary functions of the commission should be," said Schwarz. "The U.S. places a lot of emphasis on passing country-specific condemnations of human rights violations. We came in with a very serious agenda that included strong resolutions against China, Cuba and the Sudan, but the atmosphere in Geneva was decidedly hostile to those efforts."

The U.N. Commission on Human Rights was created in 1946. One of its first major achievements was the preparation of the Universal Declaration of Human Rights. Using the declaration as a yardstick, commission members review the observance of human rights worldwide, discuss reported violations, consider new ways to promote and protect human rights, and encourage countries to respect their populations' basic rights and freedoms.

The commission has the authority to order investigations of specific countries' human rights situations as well as particular "thematic" issues such as disappearances, torture, summary or arbitrary executions, arbitrary detention, religious intolerance, and violence against women.

The son of Holocaust survivors, David Schwarz '88 has a longstanding interest in human and civil rights.
Only nations that are members of the human rights commission may introduce resolutions, but any U.N. member may add its name as a sponsor.

The United States had to stand on its own in many of the issues it tackled on the commission. During the 57th session, for example, the U.S. introduced a resolution condemning alleged human rights abuses in China. China used procedural tactics to table the resolution and no action was taken, Schwarz said. No one among the member states (on the commission or from the entire U.N. membership) joined the resolution as a sponsor.

"The Chinese exercise enormous power over votes and they campaigned against our resolution and threatened to block other measures other members cared about if they supported us," Schwarz said. "The Chinese care a lot about not being the focus of a condemnation by the commission."

A second U.S.-introduced resolution against Sudan was passed, but by the time a vote was called, the resolution was so watered down that the United States did not vote for the altered version.

Several member nations released formal statements condemning the U.S. for using the commission to provoke quarrels.

"Many members believe that the U.S. has politicized the commission and there was an element of resentment against us, though I feel it is very unfair and untrue to characterize the U.S. in this way," Schwarz said.

Schwarz gave the U.S. delegation's lead statement on civil and political rights. He also moderated a U.S. delegation-hosted roundtable called "Human Rights and the Internet."

"He has a longstanding interest in human and civil rights.

"Everyone brings their life experiences and the experiences of their families to whatever they do," Schwarz said. "As the child of Holocaust survivors, I probably feel more personally the effects of persecution."

He said his interest and involvement in human rights is a conscious effort to combat the will to disbelieve that allowed the atrocities of Nazi Germany to go unchecked for so long.

Following his graduation from Columbia University in 1983, Schwarz served as the special assistant to the staff director of the United States Commission on Civil Rights. During his work there, he met Duke Law School Professor Donald Horowitz, who served on the commission.

"Don Horowitz was a major reason I came to Duke," Schwarz said. "He is one of the real treasures of the Law School."

Schwarz said he had a very happy three years at the Law School. He was articles editor of the Duke Law Journal, Order of the Coif, and recipient of the Bidlake Award.

Schwarz, a lifelong conservative, said he enjoyed many interesting hallway debates with Professor Walter Dellinger, a Democratic Party loyalist and former acting solicitor general during the Clinton administration.

"Walter Dellinger confirmed my conservative views," Schwarz said with a laugh. "He showed me everything that was wrong with the liberal point of view. I have a lot of affection for Dellinger. He's a great guy."

Schwarz's introduction to the U.N. came during the first Bush administration, when he served as special assistant to the United States permanent representative to the European Office of the United Nations and Other International Organizations. In that capacity, Schwarz advised the U.S. permanent representative and U.S. delegations on a wide range of public international law and humanitarian and refugee-relief issues.

Schwarz believes the U.N. Commission on Human Rights, which meets each spring for a six-week session, will be vastly diminished without the U.S. as a member. This year, more than 3,000 people attended, including member state delegations and observer delegations from non-member nations.

"I passionately believe that the U.N. Commission on Human Rights, if it's going to remain relevant, needs the U.S.," he said. "The U.S. has always taken stronger positions than other members."

Next year, the United States will send a small observer delegation to the commission's regular session.

"The delegates will sit at a little desk and make five-minute speeches," Schwarz said. "Now that the U.S. is no longer a member, it will without question diminish the effectiveness of the commission as a megaphone through which to broadcast human rights violations."
Hard to Beat

By Jean P. Fisher

The son of a laborer in a plumbing services company, Claude Allen was taught from an early age that getting an education was the key to having the power to set one's own course in life.

"My parents let us find our own way but they set high expectations," Allen said. "There was never a question that I was going to college. The questions were where was I going and what would I major in."

Allen learned the lesson well: he went on to study languages and foreign policy at UNC Chapel Hill and, later, he earned his JD and LLM degrees at Duke. A little more than a decade after leaving the Law School, he is Deputy Director of the U.S. Department of Health and Human Services with oversight of more than 300 government programs.

"I've got a great job," said Allen, who was tapped for the position in March by President George W. Bush. "I get to utilize every skill that I've learned, from law to foreign policy. I can honestly say that everything I do can impact some American every day and that's a heavy burden to carry, but it's also a real joy."

HHS is the federal government's principal agency for protecting the health of Americans and providing essential human services, especially for those who are least able to help themselves. Allen is its chief operating officer, watching over a wide spectrum of activities, including medical and social science research, preventing outbreak of infectious disease, assuring food and drug safety, Medicare and Medicaid, financial assistance for low-income families, Head Start, substance abuse treatment and prevention and services for older Americans.

Before coming to HHS, Allen was director of the Department of Health and Human Resources for the Commonwealth of Virginia, leading 13 agencies and 15,000 employees. Allen led Governor Jim Gilmore's initiative for Virginia's Patients Bill of Rights passed in 1999. He also spearheaded Virginia's welfare reform initiative and helped overhaul the state's mental health institutions and community services. He also was responsible for implementing the governor's private low-cost health insurance program for children and families.

Allen said both the federal and state level positions draw on his ability to bring people with differing or even opposing views and goals together and bring about consensus so that projects can move forward.

"I think I'm a good mediator," he said. "I'm good at bringing people together. Every person is not going to be satisfied with the outcome, but they will be satisfied with the process."

Even so, Allen weathered his share of criticism, at times even from within the Virginia Republican Party, something Allen brushed off as coming with the territory.

Allen developed much of his political mettle in an arena that some may find surprising: on the campaign trail with Sen. Jesse Helms during the arch conservative's 1984 re-election campaign. That might not be a surprising place to find a young, idealistic conservative, which Allen was at the time. But it was an unexpected place to find a young African-American man and son of lifelong Democrats. (Allen switched to the G.O.P. in college after a friend asked him to read both the 1980 Republican and Democratic national party platforms without knowing which was which. He decided he agreed more with the Republican views.)

Allen met Helms when he visited North Carolina's senior senator in his Washington offices, not long after Allen graduated from UNC. Interested in "all things international" from a young age, Allen went to Helms, known for his willingness to help constituents, for assistance. Allen said Helms' staff rolled out the red carpet and helped him set up appointments all over town. After a week of meetings, he had a job offer - from Helms. The senator asked him to join his re-election effort against Jim Hunt as campaign press secretary.

"At first, I was very perplexed," Allen recalled. "Here was someone I had always heard that I'd been told he was racist, a conservative' 1984 re-election campaign. That might not be a surprising place to find a young, idealistic conservative, which Allen was at the time. But it was an unexpected place to find a young African-American man and son of lifelong Democrats. (Allen switched to the G.O.P. in college after a friend asked him to read both the 1980 Republican and Democratic national party platforms without knowing which was which. He decided he agreed more with the Republican views.)

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"At first, I was very perplexed," Allen recalled. "Here was someone I had always heard that I was supposed to be at odds with. I'd been told he was racist, anti-black, anti-everything." But in the short time Allen had observed Helms to be thoughtful, intelligent and powerfully interested in the Constitution and foreign policy - things that also interested Allen. He took the job.

"It was a long two years," he said of his time on the campaign trail, which ended when the senator was re-elected in 1984. The longest day of the campaign came in 1982, when Allen got word that Helms was filibustering on the Senate floor against a federal holiday in honor of the Rev. Martin Luther King Jr. In
was supposed to be at odds with.
anti-woman, anti-everything.

-Claude Allen ’90

his lengthy remarks that day, Helms said King was a Communist sympathizer who did not deserve to be honored alongside George Washington and Abraham Lincoln. “To be working for the man leading the charge against [honoring King] shook me at my core,” said Allen, whose parents had raised him to revere King. “I couldn’t do my job that day.” That evening Helms called him at home. “He said, ‘Hello Claude, it’s Jesse. I hear you’ve having a hard day.’ And I said, ‘You better believe it’,” Allen said.

While he didn’t always agree with Helms, Allen said he respected him as an honest man who fought for deeply held beliefs. “Working for him certainly seasoned me and prepared me for all that has come after,” said Allen, who said Helms is still a “close friend.”

After leaving Helms’ campaign, Allen was on staff at the Senate Foreign Relations Committee. “Within two years, I traveled to every continent in the world, except Antarctica,” said Allen. “During that time, I observed the influence lawyers had on the process and on the policy.”

Allen began looking into law school just as Duke Law School was beginning its joint degree JD/LLM program. At the time, he was gravitating towards law schools in the Washington, D.C., area, but the program interested him enough to get him down to Durham. At the end of the interview, then-Assistant Dean of Admissions Gwynn Swinson ’86 asked if Allen could be persuaded to come to Duke on a full scholarship. He could.

“I had to go back to Washington, quit my job, and be back to start school in two weeks,” said Allen. He kept up the hectic pace during his first year at Duke, finding time to get married, to the former Jannese Mitchell, the week before his finals. “I spent the honeymoon in our apartment studying,” Allen said.

The couple now has three children, Claude Alexander III, Lila-Cjoan, and Christian Isaiah. “My family comes first,” Allen said. “Having that sense of priorities and balance is important.”

Family has always been important to Allen, who enjoyed large families on both his mother’s and father’s sides. Allen’s maternal grandfather, Lawrence Wray, who lived outside of Raleigh, N.C., was a particularly strong influence. Wray was a child of former slaves and the first of 25 children born free. He went on to be a sharecropper, eventually buying his land near Knightdale, N.C., and lived to be 114. As a boy, Allen, who was born in Philadelphia and raised in Washington, D.C., spent a few weeks at the farm every summer, helping out around the place and spending time with cousins.

“My Mom had 10 siblings and there were 56 grandchildren in all, so they would have eight to 10 grandkids there at any time,” Allen said. He said the children would get up at sunrise and ride a wagon down to the bottom of Wray’s land to help in the tobacco stringing up harvested leaves or picking fat tobacco worms off plants, or harvesting vegetables from the garden. “Being a city boy, I just got in the way with most of that, but I could at least identify a ripe tomato or a ripe cucumber,” Allen said.

“They had simple values, but they were very life-enriching people,” Allen said of his grandparents.
Pro Bono Work leads Reena Glazer '94 to First Chair

By Jean P. Fisher

When Reena Glazer '94 left Duke, she accepted a job with the Washington, D.C. firm Shea & Gardner in part because of its commitment to pro bono work. Now, Glazer's own dedication to serving those in need has garnered some of her highest professional successes to date: the chance to sit first chair before a federal Court of Appeals and a pathbreaking ruling that may shape immigration policy for years to come.

Glazer argued successfully before the a panel of judges for the federal Court of Appeals for the 9th Circuit on behalf of Rosalba Aguirre-Cervantes, a Mexican girl who fled to America at the age of 16 seeking asylum from what she described as a brutally abusive home. An immigration judge had ruled that Rosalba met the definition of refugee, but the Board of Immigration Appeals reversed.

In overturning that decision, the 9th Circuit held for the first time that victims of family violence may qualify as refugees for the purpose of seeking asylum.

"I don't think there was a smoking gun that helped me persuade the judges," Glazer said. "There was a line of cases that they could follow to this point, which let them decide that this was a logical extension of the law. My job was to make it easy for them to get there."

The final outcome of the case is still uncertain, however. At this writing, the U.S. government had applied for a rehearing of the case by the full Court, essentially asking it to set aside the panel's decision and start afresh. Glazer has answered the petition with one of her own, asking the Court to let the panel's ruling stand.

Glazer knew nothing about immigration law when she agreed to take the case (her normal caseload includes a mix of product liability, wrongful-death, and personal injury cases) so preparing to argue it in such a lofty court was a challenge.

Starting from scratch was nothing new, though. Glazer had had to teach herself Cuban sanction law to advise Shea & Gardner clients. And she had worked on landlord-tenant cases, child custody cases and cases in other areas of the law, once helping a family get disability benefits restored for their disabled child.

The stakes had never been as high as they were with Rosalba's case, though. "I was really nervous," Glazer said. "I felt a lot of pressure that her life was at stake and I really did not want to disappoint."
arguments day in and day out, you realize that out there, and it gets your confidence up.

-Reena Glazer '94

The facts of the case were compelling and highly sympathetic, which may have worked to Glazer's advantage. "She was clearly abused and there was a good record of the abuse," she said.

In her petition for asylum, Rosalba described in detail the abuse allegedly heaped on her, six of her nine siblings and her mother in their home in Michoacan, Mexico. She described how her father had kicked his pregnant wife in the stomach, and how he whipped the children with sticks or with his fists. Often, she said, he would knock them unconscious and refuse to seek medical help for them.

Rosalba had tried to escape more than once by running away to her grandfather’s home, but each time her father appeared to insist that she return home.

Glazer argued that the girl’s abuse rose to the level of persecution — a key distinction because it sets a high threshold that would prevent others from inappropriately seeking refugee status by alleging abuse of any type. She knew the government would argue that a ruling in Rosalba's favor would result in an influx of asylum petitions by individuals alleging abuse.

Immigration law defines a refugee as someone unable to return to his or her home country because of persecution or fear of persecution because of several factors, including membership in a particular social group. In Rosalba's case, the particular social group was her own family.

Historically, the term has applied to groups of a political nature and refugee status has been extended to protect individuals from persecution by a government or government entity.

“The government argued that Rosalba fled Mexico to escape personal abuse from a member of her family, not political persecution," Glazer said. “Their argument was, essentially, if it’s not political, it’s not our problem, and it doesn’t qualify under our asylum laws.”

The government wanted to deport Rosalba, who had been living in Garden City, Kansas, with her brother pending a decision, to Mexico.

“We had the sympathetic side,” Glazer said. “I definitely would not have wanted to argue the government’s side and be in the position of asking the courts to send this girl home to an abusive situation.”

The case also presented a keen intellectual challenge that attracted Glazer from the start.

“One of the perks of this case was that whoever got it would write all the briefs and then make the oral argument before the 9th Circuit,” she said. “That's pretty rare these days, for a young associate to get that kind of experience. In private cases, where the stakes are high, firms are not particularly eager to put their young associates in first chair.”

Arguing before the panel in a Pasadena, Calif., courtroom, she found the judges engaged and powerfully interested in the case.

“They asked a lot of questions and they really challenged me," Glazer said. “It was a very stimulating environment.”

Glazer, the daughter of a rabbi who moved his family from New Jersey to Birmingham, Ala., to lead a congregation there when Reena was 10 years old, was interested in law as a tool to promote social justice from an early age.

The summer before starting classes at the Law School, Glazer worked in the Alabama chapter of the American Civil Liberties Union (ACLU). The chapter was a lean operation, which meant Glazer got to do far more than stuff envelopes. She worked on abortion rights cases, death penalty cases, prison litigation and equity-in-educational funding cases.

Her first real work within the legal system made an indelible impression.

“I just remember thinking, ‘Wow, What I’m doing can really affect people’s lives,” Glazer said.

After graduating from the Law School, Glazer clerked for Judge Gerald B. Tjoflat '57, federal circuit judge, Eleventh Circuit Court of Appeals.

“It’s invaluable to have the opportunity to build a relationship with a judge,” Glazer said. “You learn a lot of practical skills and it demystifies being a lawyer.”

Television lawyers on shows such as “The Practice” or “Law & Order” are sleek and polished, but actual attorneys are a mixed bag, Glazer learned during her clerkship.

“Seeing real lawyers in real court rooms making real arguments day in and day out, you realize that there is a real range of lawyering ability out there, and it gets your confidence up,” she said. “You realize, hey, I can do this too.”
America Under Attack: What Now?
On the morning of Sept. 11, terrorists struck two of this country's most potent symbols of power—the twin towers of New York's World Trade Center in the heart of our financial district, and the Pentagon in Washington, D.C., the symbol of our military might. Terrorists armed not with high-tech military hardware or chemical weapons but with simple knives and box cutters, highjacked four commercial airliners and used them as instruments of destruction. The loss of life was staggering. We as a nation were instantly robbed of a sense of security from catastrophic attack within our own borders. We watched a massive investigation launch in response to the violence and our nation's highest law enforcement agencies began to sift through thousands of leads and bits of evidence to identify and apprehend those responsible for or complicit in these grave events. And we quickly heard President Bush adopt the language of war in discussing how our nation will answer this vicious assault. I believe that any military strike should not be by the United States acting unilaterally, but rather by and with the concurrence of the largest possible coalition of the international community. In the days following the attacks, we began to see our leaders mobilizing the international community toward this end. In this way, we make the most credible and effective statement that terrorism, in any of its many manifestations, will not be tolerated anywhere in the world.

These were all immediate responses to the carnage and devastation. What about the long term? How will this tragedy affect our lives in the years to come? Surely, those of us who travel by air will see additional and more permanent security measures implemented at terminal gates, on the tarmacs, and in other areas in airports throughout the country; and we will undoubtedly once again become accustomed to having armed sky marshals sitting with us incognito on our commercial airliners. Further, since initial indications suggest that at least two of the terrorists came into this country through Canada, we should also expect to see more stringent entry procedures at both our borders. All these additional security precautions, however, require no new legislation. It will require substantial funding, a particular challenge for Congress with a declining surplus and a much weakened economy. But both chambers of Congress will certainly be looking to enhance our intelligence gathering capability, especially in terms of human intelligence, the use of individuals to infiltrate organizations and governments to acquire and pass on information so that terrorist acts can be foiled before they begin. Other measures to facilitate the investigation of terrorist groups may be considered, but caution is warranted in this area. Some may remember that, following the 1995 bombing of the Alfred P. Murrah federal building in Oklahoma City, there was an immediate call to grant greater latitude to government law enforcement officials dealing with domestic terrorism. The Clinton Administration initially urged a loosening of the 1983 FBI domestic security guidelines to allow a lower threshold for investigating organizations within this country. Legislation also breezed through the Senate and House Judiciary Committees that, among other things, would have enlarged federal authority for wiretapping. After intensive debate and reasoned consideration of the Constitutional privacy issues involved, Congress ultimately passed, and President Clinton signed, the Anti-Terrorism and Effective Death Penalty Act of 1996, which represented a measured and appropriate response to the domestic terrorist threat while preserving the civil liberties of all Americans. The FBI guidelines were left intact. Congress needs to keep in mind the lessons of the 1995 debate as it considers its present task.

There is yet another and more far reaching danger in our response, our personal response, to the events of September 11. The rage that wells up within us seeks direction for attributing blame—any person, organization or ethnic group we perceive as being in sympathy with the terrorists or their beliefs. Islamic groups and people of Muslim faith were the targets of threatening calls, hate mail and other types of harassment in the days following the attacks. This type of reaction, left unchecked, can give rise to insidious forms of discrimination, racial profiling and the like. This we must avoid at all costs.

As we, in the next several months, move from raw emotion to thoughtful and hopefully reasoned debate on what is required to stop further terrorist attacks on our country, I hope that debate centers on measures that buttress rather than erode the civil liberties that are the cornerstone of America. The constitutional protections afforded all of us, which have survived so many challenges throughout our history, must again do so now.

Professor Silliman is the Executive Director of the Center on Law, Ethics and National Security at Duke Law School. This article appeared as an op-ed piece in the Los Angeles Daily Journal on September 17.
Congress laid the “death tax” to rest in May, when it passed the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA). Or did it? Actually, it’s hard to say what Congress did in any brief way, but here’s a try:

The new act will, over the years from 2002-2009, phase in a more generous exemption from the estate tax (now at $675,000, and scheduled to rise by several steps to $3.5 million by 2009), and somewhat lower rates (from a top marginal rate of 60 percent now, to a top rate of 45 percent by 2007). Then, at the end of 2009, the estate tax will be repealed. But only for one year. Because of the act’s unusual sunset provisions, on January 1, 2011, the estate tax will return full-force from the grave, with the pre-EGTRRA rules regaining full effect. With schizophrenic provisions like these, the bill should have been called the Act of Ambivalence of 2001.

Of course, ambivalence is to be expected from a Congress that is closely divided and bitterly partisan. Congressional Republicans — and the White House — were reasonably united, and they would have liked to repeal the estate tax immediately and permanently. But they couldn’t do it immediately, because immediate repeal would have been too costly, losing about $400 billion of federal revenue over the next 10 years. Congress was working within a budget resolution that permitted a total 10-year revenue loss of only — $1.35 trillion. If they spent a third of that on estate tax repeal, they wouldn’t have had enough left to make the changes they planned for the income tax. The solution? Hold off the biggest jump in the estate tax exemption until 2009, and take the revenue hit for complete repeal only for 2010. This permitted them to claim that they had repealed the estate tax, while in fact counting only a fraction of the true revenue loss associated with repeal.
Estate planners are now saying that, while Congress started out with the idea of making estate planning unnecessary, they ended up just making it impossible. Consider one reason why: estate planners customarily ask their clients two basic questions: how much do you have, and to whom do you want to leave it? Now they must ask a third: in what year do you plan to die? Estate planners will of course toil away with this bit of information, doing the best they can.

They will use contingent clauses, trusts that are described by reference to shifting statutory provisions, and other devices that will baffle their clients, and only partly achieve the result of fixing the estate plan's aim at the moving target Congress has established. They do so, however, with a sense that they are wasting their time. (On a happier note, from the lawyer's viewpoint, time that can be billed to a client is never wholly wasted!) This is because the absurdly unstable situation created by EGTRRA cannot endure for long. It simply a question of when Congress will get around to changing the rules again. Planners speak jocularly of the need for Dr. Kevorkian's services in 2010 — the single year during which there will be no estate tax. Or even of the powerful motive heirs will have to arrange somehow the demise of the family patriarch in that year, and the great murder mysteries that situation will inspire. But they know it will never come to that.

My own guesses about what might happen are these: First, nothing much, until at least 2005. Congress feels no urgency to revisit these issues in the next year or two. After all, to do so would be to admit that the new act is — in words lately applied to treaties — deeply flawed. And major tax legislation this was only a $1.35 trillion bill. And relief was allowed to expire because of the Byrd Amendment, and fears that Congress couldn't find 60 votes in the Senate to support many of the provisions.

As the decade wears on, the hemorrhaging federal budget will force Congress to face some unpleasant choices. Reversing the taxpayer-favorable provisions of EGTRRA, rather than extending them, will be perceived as a tax increase — and what elected official in his right mind wants to vote for that? But the only alternatives will be to allow the return of the big deficits of the eighties
Dear Jennifer,

August 20, 2001

Thank you for your heart-warming cooperation for my research at Duke Law last year. I wrote a short essay to introduce the effective mediation system of the state of North Carolina. Nearly 25 young judges—including me—studied abroad on the overseas training program for young judges of Japan every year, and they wrote short essays on foreign judicial systems they observed. Enclosed is the latest report that contains my essay. This report is written mainly in Japanese, but summaries written in English, German, French would be helpful.

I learned a lot about American judicial system, and the mediation system is most impressive for me. Americans are thought to be litigation-oriented people. But I realized that this impression was superficial; American courts have well-organized mediation programs so that many cases are settled before trial.

If you would like to contact me, I may be reached by phone and fax at +81-3-3323-9910, and by email at hajime.morikagi@nifty.com (home) and hajime.morikagi@courts.go.jp (office).

Thank you again for your great help for my research in the United States.

Sincerely,

Hajime Morikagi
Judge, Staff Attorney at the Administrative Affairs Bureau of the Supreme Court of Japan

P.S. I would like to report that my wife Manami gave birth to a baby on May 26th. Her name is Rina. She is, in my opinion, so cute!

Judge Hajime Morikagi with wife Manami and baby Rina

Morikagi participated in this program during the 1999-2000 academic year and recently reflected on his experience at Duke.

"I learned a lot about the American judicial system, and the mediation system is most impressive for me," Morikagi wrote of his time at Duke. "Americans are thought to be litigation-oriented people. But I realized that this impression was superficial; American courts have well-organized mediation programs so that many cases are settled before trial."

In addition to carrying on his own research, Judge Morikagi also taught the Law School's Japanese for Legal Studies course. Upon returning to Japan, Morikagi became staff attorney at the Administrative Affairs Bureau of the Supreme Court of Japan.

International Visitors Spotlight on: Japan
# International Visiting Scholars and Researchers 2001-2002

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<thead>
<tr>
<th>Scholar Name</th>
<th>Nationality</th>
<th>Position/Institution</th>
<th>Specialization</th>
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<tbody>
<tr>
<td>Bang Suk Ho</td>
<td>Korea</td>
<td>LLM 85 and JD 87, Duke Law School Professor, Hongik University</td>
<td>Media, copyright, and Internet law</td>
</tr>
<tr>
<td>Fabia Bernarde</td>
<td>Brazil</td>
<td>Lawyer, PricewaterhouseCoopers</td>
<td>Labor practices and human resources</td>
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<tr>
<td>Cho Hong Sik</td>
<td>Korea</td>
<td>Professor, Seoul National University</td>
<td>Environmental law and public policy</td>
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<tr>
<td>Cho Hyunwook</td>
<td>Korea</td>
<td>Judge, Daejeon District Court</td>
<td>Intellectual property law</td>
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<tr>
<td>Markus Dorner</td>
<td>Austria</td>
<td>Doctoral Candidate, University of Linz</td>
<td>The limited liability corporation</td>
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<tr>
<td>Philip Mark Jamieson</td>
<td>Australia</td>
<td>Adjunct Professor, Northern Territory University and Judicial Assistant, Royal Courts of Justice, London</td>
<td>Judicial administration</td>
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<tr>
<td>Joe Gyu Hyeon</td>
<td>Korea</td>
<td>Judge, Suwon District Court</td>
<td>Intellectual property law</td>
</tr>
<tr>
<td>Lee Tae Soo</td>
<td>Korea</td>
<td>Judge, Daejeon District Court</td>
<td>Electronic transactions theory and alternative dispute resolution</td>
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<tr>
<td>Lee Youngjoo</td>
<td>Korea</td>
<td>Public Prosecutor</td>
<td>Domestic violence</td>
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<tr>
<td>Li Xiaowu</td>
<td>China</td>
<td>Assistant Professor, Tsinghua University</td>
<td>Technology and the rule of law</td>
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<tr>
<td>Dan Moalem</td>
<td>Denmark</td>
<td>Doctoral Candidate, University of Southern Denmark</td>
<td>Securities law-prospectus liability</td>
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<tr>
<td>Shinji Oda</td>
<td>Japan</td>
<td>Judge, Tokyo District Court</td>
<td>Intellectual property law</td>
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<tr>
<td>Gustavo Olivieri</td>
<td>Italy</td>
<td>Professor of Commercial Law, University of Macerata</td>
<td>The impact of new technologies on trade and company law</td>
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<tr>
<td>Park Hyo Jin</td>
<td>Korea</td>
<td>Associate, Shin &amp; Kim Law Firm</td>
<td>Corporate law</td>
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<tr>
<td>Park Tae Sik</td>
<td>Korea</td>
<td>Associate, Kim &amp; Chang Law Firm</td>
<td>Criminal, labor and employment law</td>
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<tr>
<td>Luis Carlos Pascual</td>
<td>Brazil</td>
<td>Assistant Professor, Pontific Catholic University &amp; Partner, Cesar, Cesar &amp; Pascual Law Firm</td>
<td>Antitrust law</td>
</tr>
<tr>
<td>Uwe Schneider</td>
<td>Germany</td>
<td>Professor &amp; Director of the Institute of German &amp; International Banking Law, University of Mainz</td>
<td>Corporate governance</td>
</tr>
<tr>
<td>Thomas Schwarz</td>
<td>Austria</td>
<td>Doctoral Candidate, University of Linz</td>
<td>Joint aviation authorities in Europe</td>
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<tr>
<td>Paul Von Nesson</td>
<td>Australia</td>
<td>Professor, Queensland University</td>
<td>University governance principles</td>
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<tr>
<td>Yang Chang Soo</td>
<td>Korea</td>
<td>Professor, Seoul National University</td>
<td>Civil law and comparative law</td>
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Classroom Renaissance Continues at Law School

Classrooms are the heart of the Law School. For a school to be great, its classrooms have to be great places to learn.

In the summer of 2000, the Law School transformed a hallway and a dreary courtroom into a complex of three new technology-loaded classrooms and a dazzling showplace courtroom. The results have been spectacularly successful. That success, however, highlighted some problems with the Law School's existing large classrooms.

Duke Law School continued its transformation this summer by completely rebuilding Room 3043, the corner classroom nearest to the central campus. No significant renovations had been done in this room since the original construction of the Law School in 1963. "It was, in a word, a tired room," said Senior Associate Dean Richard Danner. The room's renovation brings the number of classrooms to receive major facelifts over the last five years to eight (out of nine classrooms).

Professor Thomas Metzloff, who led the renovation project along with Danner, noticed the need for improvements last year after teaching in one of the new rooms and in one of the old rooms. "The difference was night and day," Metzloff said. "Nothing worked well in the old classroom - the acoustics were terrible, the lighting was poor, and the technology inadequate."

The School used the same design and construction team that successfully accomplished the courtroom renovations last year. "The time frame was very tight — from start to finish, we had only 12 weeks," said Metzloff. "Fortunately, we had a great team that had proven it could meet these time demands."

The new classroom is state of the art in terms of teaching technologies including the potential for web-casting events as well as distance learning uses. "The new 3043 is our showcase classroom — the principal venue for major talks, conferences and other special events," noted Danner. All seats have access to the school's computer network.

The space is also more comfortable for students. The old wood chairs have been replaced by upholstered chairs that provide improved back support. The asbestos flooring was removed and replaced with carpeting that greatly improves acoustics. Microphones and a ceiling speaker system permit easy amplification of student comments. A new back entrance alleviates the traffic jams all too common outside the large classrooms.

Other new features include improved curvature to the student seating that improves sight lines; a completely rebuilt ceiling with redesigned lighting that permits the improved use of various teaching technologies; and a redesigned podium and front area that permits greater flexibility for teaching, panel discussions, or lectures.

after - Duke Law hosts forum following the Sept. 11 attacks, "National Security and Civil Liberties: How to Strike the Balance."
Cindy Adcock
Lectures and Addresses
Other
• Completed tenure as director of the AALS Pro Bono Project. Her final contribution to the project is "A Handbook on American Law School Pro Bono Programs," which will soon be published by AALS.
• Now serving as the consultant to the ABA/AALS Law School Pro Bono Partnership with support from Duke Law School

Katharine Bartlett
Publications
• "Feminist Canon," in Legal Canons 266 (Jack Balkin & Sanford Levinson eds., 2000)
Activities
• Panel member, "Women and the Law," Duke History Department (March 2001)
• "A Look Back at My First Year," ABA Seminar for New Law School Deans, Wake Forest University (June 2001)

Sara Sun Beale
Lectures and Addresses
• "Consequences of Increasing Federal Gun Penalties," Ohio State College of Law and Georgetown University School of Law (March 2001)
• Spoke to the Graduate and Professional Women’s Network at Duke University on the challenge of balancing professional goals, personal goals, and family responsibilities (April 2001)
• Presented faculty workshop at the University of Auckland, N.Z., on American attitudes toward crime and the criminal justice system, and the prospects for the widespread adoption of restorative justice programs
• "Economic Pressures and Internal Structure Shape the U.S. Media’s Treatment of Crime: Do They Also Shape U.S. Criminal Justice Policy?" International Society for Reform of Criminal Law, Canberra, Australia
• "Is America’s Tough on Crime Attitude Softening? Prospects for Restorative Justice in the United States," Utah Restorative Justice Conference, Salt Lake City (September 2001); panelist on the topic of the philosophy and jurisprudence of restorative justice

Francesca Bignami
Conferences
• Discussant on civil society dialogues at the "Transatlantic Agenda at Five: A Critical Assessment," European University Institute, San Domenico di Fiesole, Italy
• Presented paper entitled "The Reformation of European Administrative Law" at the 2001 European Community Studies Association Conference.

Michael Byers
Lectures and Addresses
• "The Shifting Foundations of International Law: A Decade of Forceful Measures Against Iraq," European University Institute, Florence, Italy (May 2001)
• "Strategy, Persuasion and the Making of International Law," Boalt Hall School of Law, University of California at Berkeley (March 2001)
• "After Kosovo: Humanitarian Intervention at the Crossroads," Minda de Gunzburg Center for European Studies, Harvard University (January 2001)

George Christie
Publications
• "The Ideal Audience in a World of Different Legal Traditions," IV Isopolitica 1 (published in Greek) (June 2001)
Other
• Chaired committee charged by the Academic Council of Duke University
with examining the governance rights at the university level of non-tenure track faculty

James Cox
Lectures and Addresses
- "The Death of the Securities Regulator – Globalization," School of Law, University of California, Davis (July 2001)
- "What Law Matters in the Convergence Debate?" Cambridge University, England

Publications
- "Securities Regulations Cases and Materials" (3d ed.), with Professors Robert Hillman L '73 and Donald Langevoort
- Supplement to “Corporations” (with Professor Tom Hazen)

Other
- Commentator at conferences organized by Vanderbilt University Law and Business Schools (March 2001), Washington University School of Law (March 2001) and University of California, School of Law, Davis (February 2001)
- Completed three-year term as Chair, Durham Academy
- Continuing to serve NASD Legal Advisory Committee
- Continuing to serve Duke Ad Hoc Retirement Committee
- Continuing consultancy to Kingdom of Saudi Arabia

Lauren Dame
Appointments
- Appointed interim associate director, Center for Genome Ethics, Law & Policy, Duke University, effective September 2001

Richard Danner
Lectures and Addresses
- "Strategic Planning for Distance Learning in Legal Education: Initial Thoughts on a Role for Libraries,” University of Toronto Conference, Toronto, Ontario, (February 2001)

Publications
- "Focus on Information Literacy," National Law Journal (July 2000), at CI

Other
- Taught “Law Library Administration,” University of Washington Information School, Summer 2001
- Elected member, Board of Directors, International Association of Law Libraries

Deborah DeMott
Lectures and Addresses
- "International Developments in Defenses to Hostile Takeovers," Corporate Law Interest Group, University of Sydney Law Faculty (March 2001)
- "Shareholders as Principals," conference in honor of Professor Emeritus Harold Ford, University of Melbourne Faculty of Law (March 2001)
- Presented "Tentative Draft No. 2 of Restatement Third, Agency," as its Reporter, to Annual Meeting of American Law Institute, May 2001. Meeting approved bulk of draft - see 69 U.S.Law Week 2732-34
- "Can a Dog Be an Agent: Legal Personality in the Common Law of Agency," keynote lecture, Convocation for entering students, Duke Law School (August 2001)

Publications
- "Restatement Third, Agency, Tentative Draft No. 2" (March 2001)
- "Restatement Third, Agency, Preliminary Draft No. 5" (August 2001)

Other
- Centennial Professor, Law Department, London School of Economics (February 2001)

Diane Dimond
Lectures and Addresses

René Ellis
Lectures and Addresses
- "Evidence in All Phases of Litigation," Effective Presentation of Evidence in Mediation, North Carolina Academy of Trial Lawyers, February 2001

Robinson Everett
Lectures and Addresses
- Statement on changes to the UCMJ before The Cox Commission on Military Justice, Washington, D.C.
- Kenneth J. Hodson Chair Lecture at the Army Judge Advocate General School in Charlottesville, Va.
- Opening Comments to the Center on Law, Ethics and National Security
conference “The Future of Humanitarian Intervention” an interdisciplinary study probing the nexus between law, policy and ethics in humanitarian intervention, Durham, N.C. (April 2001)
• Remarks on the history of the UCMI at The Judge Advocate General’s School CLE Training Program, Charleston, S.C.
• Law Day 2001 speaker and guest of honor at Ft. Bragg Judge Advocates’ dinner
• Welcoming remarks at 2001 International Diplomatic Conference at the United States Court of Appeals (Armed Forces) in Washington, D.C.
• “The American Service Member and the ICC Treaty” Military Administrative Law Conference, Washington, D.C.

Publications
• Opinion piece in the News & Observer of Raleigh urging prompt action on Bush judicial nominations

Other
• Participated in preparing proposed legislation and constitutional amendments to create independent redistricting commissions in North Carolina and California

Awards and Recognition
• Distinguished Teaching Award 2001, awarded by the Duke Bar Association, Duke Law School

Peter Fish
Publications

Martin Golding
Lectures and Addresses
• “The Cultural Defense,” Congress of the International Society of Legal and Social Philosophy (IVR), Amsterdam, The Netherlands (June 2001)
• Lectured on Free Speech on Campus, Duke Institute of Learning in Retirement, in March 2001; and at the John Locke Foundation, in May 2001

Publications
• Legal Reasoning, reissued 2001 (Broadview Press, Ontario)

Michael Hannon

Publications

Clark Havighurst
Lectures and Addresses
• “Race, the Medical Marketplace, and Health Care Disparities,” Institute of Medicine of the National Academy of Sciences, Washington, D.C.
• “Errors and Accountability in Health Care,” Speas Colloquium, Davidson College, N.C.
• “Kenneth Arrow and the Changing Economics of Health Care,” Duke Law School

Publications
• “Health Care as a (Big) Business: The Antitrust Response,” Journal of Health Politics, Policy and Law, 2001
• “Consumers versus Managed Care: The New Class Actions,” Health Affairs, July-Aug. 2001
• “The Backlash Against Managed Care: Hard Politics Make Bad Policy,” 34 Indiana Law Review 395 (2001)
• 2000-01 Supplement for C. Havighurst et al., Health Care Law and Policy: Readings, Notes, and Questions (Foundation Press) (with Blumstein and Brennan)

Other
• Mediated a dispute between a health maintenance organization and a hospital system in a major northeastern city (Spring 2001)
• Chair of the initial steering committee of Duke’s Center for Genome Ethics, Law, and Policy, which is currently being organized as a constituent part of the University’s new Institute for Genome Sciences and Policy

Donald Horowitz
Publications
• The Deadly Ethnic Riot (Berkeley and Los Angeles: University of California Press, 2001)

Awards and Recognitions
• Jean Mayer Global Citizenship Award, Tufts University, 2001
• Carnegie Scholar, 2001-02

Other
• Member, Society for Comparative Research, elected 2001
• Centennial Professor, London School of Economics, Department of Government, 2001
• Commentator on two panels at the American Political Science Association: “Identity, Culture, and Collective Action” and “Democracy, Recognition, and Group Rights.”

Judith Horowitz
Lectures and Addresses
• Appointed new member of the American Bar Association’s Graduate Legal Education Committee of the Section of Legal Education and Admission to the Bar

David Lange
Lectures and Addresses
• Spoke by invitation at a professional seminar on Intellectual Property Litigation in Atlanta (April 2001)
• Spoke at “Intellectual Property in the Digital Environment” conference at the University of Wisconsin (May 2001)

Publications
• 2001 Supplement to Intellectual Property. Lange, LaFrance and Myers (West)

Other
• Completed term as a member of the Board of Trustees of the Copyright Society of the United States (June 2001)
• Serving as Chair of the AALS Section on Intellectual Property, planned the Section’s annual conference presentations to be given in New Orleans in January 2002 on Intellectual Property Under the Constitution
Thomas Metzloff

- Developed a distance-learning course on "Distinctive Aspects of U.S. Law" that was taught at Tsinghua University in Beijing. The course included a series of videotaped lectures delivered over the web or via CD-ROM, videoconferencing between Durham and Beijing, as well as classes held on-site at Tsinghua
- Completed service as Senior Associate Dean for Academic Affairs, Duke Law School in July 2001
- Continues to serve as a member of the North Carolina Ethics Committee. This service included being the principal expert witness in a First Amendment case tried in federal court that involved lawyer advertising

Madeline Morris

Lectures and Addresses
- "High Crimes and Misconceptions: The ICC and Non-Party States," Boalt Hall International Law and Politics Workshop, Berkeley, Calif. (February 2001)

Publications
- Foreword: "The United States and the International Criminal Court," 64 Law & Contemporary Problems 1 (2001)

Other
- Consultant to the U.S. State Department, Office of War Crimes Issues, on international criminal jurisdiction
- Faculty, Specialized Training Seminar in International Humanitarian Law, Belgrade, Yugoslavia. Provide training on the law of genocide, war crimes, and crimes against humanity to Yugoslav judges, prosecutors and defense attorneys. Convened by the Humanitarian Law Center, Belgrade and the International Bar Association. Funded by the government of Sweden (2001) Grants and Funding
- Trent Foundation grant in support of research on the International Criminal Court

Robert Mosteller

Publications
- Problems in Evidence (4th ed. 2001) (with Broun and Bilioni)

Other
- Assumed the Harry R. Chadwick, Sr. law professorship, Duke Law School
- News conference participant announcing recommendations to help avoid unjust executions, proposed by the Death Penalty Initiative of The Constitution Project, Dirksen Building, Washington, D.C. (June 2001)
- Moderator and Organizer of Joint Program of Evidence and Criminal Justice Sections, "What Have We Learned About Children as Victims and Witnesses in Criminal Trials?" Association of American Law Schools Annual Meeting, January 4, 2001, San Francisco, CA

Horace Robertson

Lectures and Addresses
- Panelist, symposium on humanitarian intervention, Naval War College, Newport, R.I.

Thomas Rowe

Lectures and Addresses
- "Discovery and Disclosure Under the 2000 Amendments: Policy and Practice," University of Tennessee College of Law

Other
- Distinguished Visiting Professor in Advocacy and Dispute Resolution, University of Tennessee College of Law, March 2001; taught advanced civil procedure seminar
- Gave seminars in Tokyo for Japanese civil procedure professors and graduate students: "Protection of Privacy and Trade Secrets in American Civil Litigation." (Chuo University Faculty of Law) and "Who Should Pay for Attorneys' Fees? Considerations in Choosing Among Approaches to Recovery of Attorney Fees in Civil Litigation," (Keio University Faculty of Law)
- Completed three years' service as President of the Board of Directors of the North Central Legal Assistance Program (the Durham-based Legal Services provider for a six-county area)

Publications:
- "Beyond 'It Just Ain't Worth It:' Alternative Strategies for Damage Class Action Reform," 64:2-3 Law & Contemporary Problems 137-161 (Spring/Summer 2001) (with Deborah R. Hensler)

Christopher Schroeder

Publications:
- "The Multistate Tobacco Settlement and the Problem of Social Regulation
Beyond the Power of State Government,” 31 (3) Seton Hall Law Journal, 612 (summer 2001)
• “Regulating Automobile Pollution: An Environmental Success Story for Democracy?” 20 St. Louis University Public Law Review 21 (2001)
• “Chevron, State Farm and the EPA in the Courts of Appeals in the 1990s,” 31 Environmental Law Reporter 10371 (April 2001) (with Robert Glicksman)
Other:
• Assumed the Charles S. Murphy law professorship, Duke Law School
• Panelist, Federalist Society meeting in Washington, “Tort Liability, The Structural Constitution and the States” (January 2001)
• Facilitator, Charles S. Murphy Seminar on Ethical and Effective Leadership in a World of Big Money Politics, Duke University (January 2001)
• Invited Witness before the Senate Judiciary Committee on “Clinton’s 11th-hour Pardons” (February 2001)
• Invited Facilitator, Stakeholder Meeting Regarding Cumberland Island, convened by the Turner Environmental Law Clinic (March 2001)
• Coordinated and Moderated 31st Administrative Law Conference of the Duke Law Journal (March 2001)
• Participant and commentator at “Beyond Cynicism,” conference on the future of administrative law, Cornell University School of Law (March 2001)
• Participant in national planning meeting at the Natural Resources Defense Council regarding upcoming legislative agenda (May 2001)
• Continued as director of the Program in Public Law at Duke Law School
Grants and Funding:
• Awarded $94,000 grant from Smith Richardson Foundation to study the performance of the Environmental Protection Agency.

**Lectures and Addresses**


**Dennis Shields**

• Named chair of the Law School Admissions Council Misconduct and Irregularities in the Admissions Process Subcommittee. This committee decides cases where candidates for admission to law school have been accused of inappropriate conduct in their applications for admission to law school.

**Scott Silliman**

Lectures and Addresses

• “Current threats to our National Security,” Terry Sanford Institute of Public Policy, Duke University, Durham, N.C.
• “The Law of War and Accountability of Commanders for War Crimes,” JFK Special Warfare Center, Ft. Bragg, N.C.
• Spoke to Mount Sylvan Community Group on current news events impacting national security
• Air Force ROTC graduation/commissioning speaker at the University of North Carolina
• Keynote speaker, Military Administrative Law Conference, Washington D.C., on the history of the ICC Treaty, setting the stage for several panels which will look at how the My Lai massacre would have been handled by that tribunal
• “Responding to Rogue States: From Smart Bombs to Smart Sanctions,” New England School of Law, Boston, Mass., conference co-organizer and panelist
• Guest lecturer for the Curriculum in Peace War and Defense at the University of North Carolina, Chapel Hill, on the laws of war and the legality of NATO’s Operation Allied Force in Kosovo

**Steven Schwarcz**

Lectures and Addresses

• “How the New UCC Article 9 Impacts Bankruptcy” at the American Association of Law Schools national bankruptcy workshop.

Publications

• “Beyond Cynicism,” International Law and Economics Association, Fall (2001)
faculty notes

Neil Vidmar
Lectures and Addresses
• “Jury Room Ruminations on Missing Evidence,” Conference on New Perspectives of Evidence, University of Virginia School of Law, Charlottesville, Va. (February 2001)
• “Pre-trial and Mid-trial Prejudice,” Keynote address to American Society of Trial Consultants, Williamsburg, Va. (June 2001)
• “Lay Participation in the Administration of Justice in the Commonwealth of Nations,” Law and Society Association Meetings, Budapest, Hungary (July 2001)
• “Juries, Judges and Civil Justice,” Roscoe Pound Institute’s 2001 Forum for State Appellate Court Judges, Montreal, Canada (July 2001)
• The Social and Emotional Context of Retributive Justice,” Conference on Justice in Everyday Life, Department of Psychology, University of Waterloo, Waterloo, Canada (Sept. 2001)
Publications
Other
• Affidavit on behalf of Coalition for Family Safety in Florida Consumer Action Network et al. v. Bush, No. 99-6689 (Florida Circuit Court)
• Opinion on behalf of United States Government in Loewen Group v. United States, ICSID No. ARB (AF)-98/3 under North American Free Trade Agreement
• Affidavit in Garhart v. Columbia Healthline, L.L.C. District Ct., County of Adams, Brighton, Colo. No. 98 CV 2973 (May 2001)

Stephen Wallenstein
Lectures and Addresses
• “Global Capital Markets,” Fundação Getúlio Vargas, São Paulo, Brazil (August 2001)
• “The Challenges for Brazilian Capital Markets in the Globalization Era,” IBMEC (Instituto Brasileiro de Mercado de Capitais), São Paulo, Brazil (June 2001)
Other
• Accompanied Duke President Nannerl Keohane on an awareness raising and networking visit to Latin America, including Rio de Janeiro and São Paulo, Brazil, Buenos Aires, Argentina, and Santiago, Chile (May 2001)
• Finalist Judge and Program Support for Duke University Network of Entrepreneurs (DUNE) Start-Up Challenge, Duke University (April 2001)
• Faculty Advisor and Program Support for Fuqua team participating in the Venture Capital Investment Competition, Emory University (March 2001)

Jonathan Wiener
Lectures and Addresses
• “Climate Policy - Do We Need a New Approach?” Workshop jointly organized by the Fondazione Eni Enrico Mattei, Stanford University, and Venice International University (Venice, Sept. 2001) (conference co-organizer, session moderator, and speaker)
• “The Reality of Precaution: Comparing National Approaches to Risk and Regulation,” presentation to the Group of Policy Advisers, Office of the President, European Commission (Brussels, June 2001)
• “Global Climate Policy,” Alumni Reunion, Nicholas School of the Environment & Earth Sciences, Duke University (April 2001)
• “Mad Cows and Murderers: Comparing Precaution in the U.S. and Europe,” Environmental Institutions Seminar Series, Duke University (Feb. 2001)
Publications
• “Hormesis and the Radical Moderation of Law,” 20 Human & Experimental Toxicology 162-164 (2001)
Other
• Faculty Director, Duke Center for Environmental Solutions
1951
James B. Wolfe was recently honored with the Greensboro Bar Association's Distinguished Service Award.

1956
Russell Robinson was named chair of the board of the Duke Endowment.

1960
After practicing law for 26 years, David Lundquist became general secretary (CEO) of the General Council on Ministries in 1986. The General Council on Ministries is the coordinating agency of The United Methodist Church, with headquarters in Dayton, Ohio. He retired from that position in October 2000, and is enjoying retirement in Kalamazoo, Mich.

1961
Robert Baker, after practicing as an attorney for 37 years, has moved his office to his home and works as a certified mediator and arbitrator. He was president of the North Carolina Bar Association in 1982-83, a member of the N.C. Bar Council from 1990-98 and served four years as chairman of the State Bar Ethics committee. Baker is also a fellow in the American College of Trial Lawyers.

1962
James J. Kenny was named to the 2001-2002 edition of Best Lawyers in America.

1963
Gerald Wetherington was named to the 2001-2002 edition of Best Lawyers in America.

Dan McAlister is senior vice president and general counsel of Jeffress Pilot Communications Co. in Greensboro, N.C. He also serves on the board of Child Care Ministry, United Arts Council, Piedmont Lung Association, Carolina Theater Commission and Management Development.

1964
Theodore “Ted” M. Armstrong has been named president of the board of managers of the Central Institute for the Deaf in St. Louis, Mo. Armstrong, a resident of St. Louis, is senior vice president and chief financial officer of Angelica Corporation.

1965
Gordon Peyton was recently elected a fellow of the American Bar Foundation. An honor bestowed upon just one-third of one percent of attorneys in each state. Peyton also has been appointed Commissioner of Accounts for the Circuit Court of the city of Alexandria, Va., a position similar to that of a probate judge in many states.
1966
William K. Holmes was named to the 2001-2002 edition of Best Lawyers in America. He is a partner at Warner Norcross & Judd in Grand Rapids, Mich., working in the firm’s business litigation practice.

E. Jeremy Hutton has served as assistant inspector general for legal affairs at the U.S. Office of Personnel Management (OPM) since 1999, where the majority of his work relates to healthcare and retirement fraud. He supervises the Federal Employees Health Benefits Program’s administrative sanction program, serves as the inspector general’s congressional liaison and provides legal advice and support to the inspector general and his auditors and investigators. In this position, Hutton was accepted into the Senior Executive Service, the highest rank in the career civil service.

Thomas William Porter III, a founding partner of Porter & Hedges in Houston, Tex., has been named chairman of the firm, a newly created position. In his new role, Porter will serve as chief executive of the 75-lawyer firm and will be primarily responsible for driving the firm’s growth and building a cohesive internal team.

Richard Buhrman is chairman of the Duke University Estate Planning Council. He has been a member of the council since 1982.

1967
Donald Craven joined Akin, Gump, Strauss, Hauer & Feld in Washington, D.C., as partner, focusing on civil and appellate litigation and administrative work. He formerly headed the litigation and energy departments at Miller & Chevalier.

1968
Lynn E. Wagner, president of Litigation Alternatives Inc. in Winter Park, Fla., was appointed to the board of arbitrators of the National Association of Securities Dealers (NASD) to hear securities industry disputes. Wagner will also serve as a mediator in such disputes.

John P. “Jack” Cooney, Jr. a partner at Davis Polk & Wardwell, is chairman of the American College of Trial Lawyers Federal Criminal Procedure Committee, through 2001. The committee recently published reports suggesting amendments to Section 5K.1.1 and to the relevant conduct provisions of the Federal Sentencing Guidelines.

1969
Thomas A. Harris joined the staff of the State Employees Association of North Carolina, bolstering the association’s legal representation on behalf of its 59,000 members.

Michael L. Richmond was named Professor of the Year for 2001 by the Student Bar Association of Nova Southeastern University Law Center in Ft. Lauderdale, Fla.

Ronald Ruis is managing director of a new Internet online commerce company, European Electronic Commerce Services Ltd., in Malta. He will be dividing his time between Switzerland and Malta. EECS is a new concept in backroom and call center service for online commerce and online wagering.

1972
Benjamin C. Abney has been appointed Magistrate Judge in Cherokee County, Ga.

1973
Former Duke Law dean Pamela Brooks Gann joined the board of the California Chamber of Commerce.

Philip A. Pfaffly joined the litigation department of Rider, Bennett, Egan & Arundel in Minneapolis. He was recently named a fellow of the American College of Trial Lawyers.

Dana Bradford’s firm merged with the Florida office of Smith, Gambrell & Russell. He now serves as Florida litigation section head and senior litigation partner in the firm’s Jacksonville office.

1974
Raymond Brown is rector of the Holy Trinity Episcopal Church in Fayetteville, N.C., after serving 13 years at the Church of the Holy Trinity in Georgetown, Ky. While in Georgetown, he served as president of the board of trustees of the Scott County Public Library and oversaw a $4.2 billion building project.

Colin Brown was named president of JM Family Enterprises, Inc. in Deerfield Beach, Fla. Prior to joining JM in 1992, he served as general counsel for two Fortune 500 companies, Fuqua Industries of Atlanta and Cannon Mills of Kannapolis, N.C.

Brett Schlossberg rejoined the Philadelphia office of Dechert as a resident partner in the firm’s business and litigation practice groups.
**1976**

**Mark Ament** practices corporate law with Greenebaum Doll & McDonald, in Louisville, Ky., where he serves as co-chair of the firm's e-commerce group.

**Jimmie L. Huitt** was named president and chief operating officer of Condor Technology Solutions Inc., a provider of interactive and eBusiness technology solutions. He is a principal of the McShane Group, located in Baltimore, Md., and has more than 20 years of experience managing companies with financial challenges in a broad range of industries.

**1977**

**Gary (Skip) Poliner**

was appointed senior vice president and chief financial officer of Northwestern Mutual in Milwaukee.

**1978**

**Michael Horan** and his firm, Ketchey Horan P.A., merged into the Tampa, Fla., office of Akerman Senterfitt, a 360-lawyer firm with offices throughout Florida.

**1979**

**Gary W. Jackson** has joined the law firm of Lewis & Roberts in Raleigh, N.C.

**William C. Nordlund** has been named president and chief operating officer of Dolphin Networks Ltd., a worldwide developer of fiber optic networks in Morristown, N.J.

**1980**

**Randall Burrows** completed his first year as vice president of business development at CaseCentral.com in San Francisco.

**James Crouse** has returned to his home state of North Carolina after 18 years with Speiser Krause to establish a new firm in Raleigh — Mineo & Crouse. Crouse will continue practicing in the areas of aircraft accident litigation, complex litigation, and product liability.

**1981**

**Wayne Jones** is currently vice president, and in 2002 will be president, of the Association of Corporate Patent Counsel, the association whose membership is composed of the respective chief IP counsels of the major U.S. companies.

**1983**

**Matt Firestone** is a partner at Pohl & Short in Winter Park, Fla.

**1984**

**Briget Polichene** was recently named vice president and chief privacy officer of Conseco, a Fortune 500 financial services company in Indiana. She was also recently appointed by Indiana Gov. Frank O'Bannon to the board of the Indiana Department of Financial Institutions.

**1985**

**Cameron Hamrick** recently joined Mayer, Brown & Platt of Washington, D.C., as a partner. Formerly, he was a partner at Miller & Chevalier in Washington, specializing in government contracts, construction disputes, civil fraud and white collar criminal investigations.

**1987**

**Robert Evans Harrington** is a shareholder of Robinson, Bradshaw & Hinson, P.A. He is a member of the Board of Directors and Executive Committee of the National Lawyers Committee for Civil Rights Under Law and a member of the American Law Institute. Robert and his wife, Sharon Carr Harrington '89 and their son, Jourdan, live in Charlotte, N.C.
Carol Davis Krueger and her husband, John Krueger, announce the birth of a daughter, Claire Elise, on Sept. 27, 2000. Carol continues to practice real estate law at Wear, Travers, Krueger & Perkins in Vail, Colo.

Penelope Trowbridge married Brian Hafner in June 2000 in Lake Forest, Ill. Attending the wedding were Duke Law alumni Marion Schreiber May, Rich Brown, Debbie Brown, Erika Chilman Roach, Art Howe and Cindy Milstead. Trowbridge teaches French and business law at the Chicago Academy for the Arts in Chicago. She also teaches French part time at Oakton Community College, in a suburb of Chicago.

1989

Wally Griffith is a producer for CNBC Business News in Fort Lee, N.J. He previously spent two years practicing corporate and securities law at Thompson Hine & Flory in Cleveland, and six years as a television news reporter, also in Cleveland. He and his wife, Rose, have two children, Alexandra and Jack.

Bill Mureiko has been named senior partner in the law firm of Thompson & Knight in Dallas, Tex. He also was elected to the American College of Trust and Estate Counsel.

1990

Miriam Arichea and her husband Jeff Brackett (BS '85, MD '89) welcomed their third child, Daniel Benjamin, on Nov. 6, 2000. He joins siblings Joshua, 8, and Arielle, 7. Miriam continues to work part-time as a deputy district attorney for Ventura County, Calif.

Greg Baylor was named director of Christian Legal Society's Center for Law and Religious Freedom. He oversees CLS's efforts to defend religious liberty through litigation, friend of the court briefs and legislative advocacy.

1991

David Greene and his wife, Wendy Thurm, announce the birth of a son, Moze Thurmgreene, on April 12. David is executive director of the First Amendment Project in Oakland, Ca.

Helle Weeke has joined the Washington, D.C. office of Weil, Gotshal & Manges. Weeke is practicing in the international trade group.

1992

Hubert Boulos has been named head of business development, manager and member of the board of Paris-based advertising agency Publicis Conseil. He has managed major European and international accounts, ranging from fast-moving consumer goods to banking and corporate communications.

Chris Donesa, the chief of staff for Rep. Mark Souder (R-Ind.), has been named staff director and chief counsel for the Government Reform and Oversight Subcommittee on Criminal Justice, Drug Policy and Human Resources. Donesa, who was a legislative staff assistant and correspondent for former Sen. Dan Coats (R-Ind.) from 1985 to 1989, has also been a staffer on the House Education and the Workforce Subcommittee on Oversight and Investigations.

John Eason recently received an LL.M. in Taxation from the University of Florida. After teaching at the UF law school for a year as a visiting professor, Eason and his wife, Janelle, moved to New Orleans, La., with their 6-year-old son, Wes, and 4-year-old daughter, Anna. John is currently an associate professor of law at Tulane Law School, where he teaches trusts and estates, taxation and property.

Robert E. Kaelin was named partner at Murtha Cullin LLP in January 2001 and practices in the Hartford, Conn., office.
Brendan Macaulay moved from litigation to a transactional practice at Nossaman, Guthner, Knox & Elliott in San Francisco.

Roger Madden practices estate law, tax law and probate law at Frost Brown Todd in Lexington, Ky.

David Mandelbrot has been named vice president of entertainment at Yahoo!, where he oversees the company's movies, music, TV, games and broadcast businesses.

Michael Sherman and his wife, Wendy, announce the birth of a son, Zachary Logan, on March 28, 2001. Sherman was recently named vice president and deputy general counsel at Genesis Health Ventures in Berwyn, Pa., where he has worked since 1997.

Edward Trent has joined the Jacksonville, Fla., office of Akerman Senterfitt as an associate in the labor and employment practice group. In January, he raised nearly $2,500 for leukemia research running for the Disney Marathon, his first-ever marathon.

Greg Casas was elected partner in the firm of Locke Liddell & Sapp, effective January 1. His practice includes antitrust counseling and litigation, securities litigation and other complex commercial litigation. Casas resides in Houston.

Adam Cohen is partner at Weil, Gotshal & Manges in New York.

John Kaplan was elected partner at Perkins Coie in Seattle, where he specializes in bankruptcy law and commercial transactions.

1993

During on-campus interviews at Duke University Law School, Jonathon Kaplan '90 told law firms that not only did he expect to try cases in his first year in practice, he also expected to sit first chair.

James Fraser, recruiting director for Los Angeles' Lewis D'Amato Brisbois & Bisgaard, listened quietly as the ambitious third-year law student explained his expectations.

"I was very forward with him," Kaplan says. "I said to him, 'I'll tell you what I am looking for, and let's see if you can accommodate me. I want to be lead counsel during my first year of practice.'"

Fraser liked the 24-year-old's spunk and hired Kaplan on the spot.

Kaplan, now 35, still is spunky. He's also driving in the fast lane of auto litigation.

As Fraser promised, Kaplan went to trial within his first year at Lewis D'Amato, successfully defending BMW of North America in a breach of warranty lawsuit.

Since that victory 11 years ago, the German automaker has sent Kaplan all its defense litigation "west of the Mississippi."

Kaplan has made a niche practice of defending car companies. In addition to BMW, American Honda Motor Co. and Kia Motors of America are among the Ohio-born lawyer's clients. He also represents auto dealerships throughout Southern California.

With Kaplan's courtroom success rate of 80 percent and book of business that approaches $1 million, it's little wonder Lewis D'Amato made him a partner at 32.

Ambition has put this up-and-coming lawyer's career in overdrive, but Kaplan says treating partners with respect also has taken him far.

Kaplan suggests that associates treat partners as though they are clients.

"When you go talk to them, wear your suit jacket, and be prepared to answer questions and address issues as though you were having a client meeting," he says. "And that is very impressive to the partners, and it gives you an air of professionalism that many other younger associates don't have."

-Liz Valsamis

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Sprechen Sie Deutsch?
No Need with new English-language Online German Law Journal

Russell Miller '94 has launched the German Law Journal, a twice-monthly review of German and European jurisprudence offered online and in English. The journal was born when Miller and co-editor Peer Zumbansen began distributing English digests of significant cases before the German Federal Constitutional Court – comparable to the U.S. Supreme Court – as an e-mail newsletter. The two believe the journal is the first and only review of German Constitutional Court - comparable to the U.S. Supreme Court - as an e-mail newsletter. The two believe the journal is the first and only review of German jurisprudence available online and in English. The journal offers an e-mail notification service that lets readers know when updates are posted.

Miller didn’t plan on working in international law when he came to Duke Law School. Following graduation, he focused his law practice exclusively on the representation of death-sentenced inmates in their appeals. In 1999, Miller was tapped to participate in the Robert Bosch Foundation’s Fellowship for Young American Leaders program, which brought him to Germany. As a Bosch Fellow, Miller completed internships with the German Federal Constitutional Court (FCC) and with the European Court of Human Rights in Strasbourg. He developed an appreciation for the global significance of the cases heard in those courts and saw the need to break down the language barrier that kept non-German speakers from learning about them. Miller currently is a visiting research fellow with the Max-Planck Institute for Comparative and International Law. He also serves part-time as a legal adviser and translator at the FCC.

Gordon Kessler and Katie Allen Kessler announce the birth of their son Zachary on May 10. Zach joins big brother Noah, who is 3. In January, Gordon was named partner at Frommer, Lawrence & Haug, an intellectual property boutique in New York. He handles all types of intellectual property matters but specializes in electronic, Internet and computer arts.

David Jason Lender was made partner in the litigation department of Weil, Gotshal & Manges in New York.

Mary Margaret “Mo” Ogburn has become a shareholder of Blanco Tackabery Combs & Matamoros, a 19-member law firm in Winston-Salem, N.C. Ogburn principally practices in the business transactions area including intellectual property, computer, and nonprofit corporation law. She joined the firm in May 1994.

Derrick Price Williamson was elected to partner at McNees, Wallace and Nurick in Harrisburg, Pa., effective January 1. Williamson practices energy, communications and utility law and is chair of the firm’s hiring committee.

1994

Satana Deberry has been appointed general counsel of the N.C. Department of Health and Human Services.

Eileen (King) Gillis and her husband, Mark, announce the birth of twin daughters, Madeline and Samantha, on April 1, 2001. Eileen is an intellectual property attorney with Smith, Helms, Mulliss & Moore in Greensboro, N.C.
Kimberly Grantham was appointed assistant professor of public law and government at the Institute of Government at the University of North Carolina at Chapel Hill. She specializes in ad valorem property taxes and privilege license taxes, and in the functions and duties of registers of deeds, property mapers and notaries public. She lives in Durham, N.C., with husband, Todd, and two daughters: Hannah, 7, and Drew Alexis, 3.

Kevin Lally accepted a position as an assistant U.S. attorney in the Criminal Division of the United States Attorney’s Office for the Central District of California. Carol Williams Lally has transferred from the Washington, D.C., office of Arnold & Porter to the firm’s Los Angeles office. Kevin and Carol also announce the birth of a daughter, Ciara Alexandra Lally, Nov. 30, 2000.

Giordano Rezzonico has been named partner in the Legal Department at KPMG in Geneva, Switzerland.

Jonathan Shanberge has been elected partner in Brobeck, Phleger & Harrison in San Francisco. He will practice in the firm’s business and technology group.

1995
Steven Blum, an attorney for WorldCom, Inc. in Washington, D.C., recently married Robyn M. Perlin. The couple lives in Pikesville, Md., where Robyn is assistant director of the Rosenbloom Religious School at Chizuk Amuno Congregation.

Laurent Campo has returned to his previous position as an associate in the corporate and securities practice group of Dow, Lohnes & Albertson in Washington, D.C., following a whirlwind tour of duty as general counsel of Powernet International.

Douglas Chalmers and his wife, Charlotte, announce the birth of a daughter, Meagan Lewis Chalmers. She joins older sister Heather and a brother, Matt.

Pamela Schmidt-Fischbach has been in-house counsel for the leading German online broker and bank, Consors Discount-Broker AG, since 1999. She is responsible for the legal aspect of all merger and acquisitions transactions and for corporate law issues of the entire Consors group.

Lawrence “Bo” Somers has joined the environmental practice group at Duke Energy Corp. in Charlotte, N.C., as senior counsel. He was formerly in the environmental and toxic tort litigation practice group of Womble, Carlyle, Sandridge & Rice, also in Charlotte.

Jacinda Townsend has been selected by the U.S. Department of State as a Fulbright Scholar in Ivory Coast, West Africa, for the 2001-2002 academic year. As a Fulbrighter, Townsend, who will receive her Master of Fine Arts from the University of Iowa in June, will spend her year abroad researching a novel set partially in Ivory Coast. She is now teaching creative writing to undergraduates at the University of Iowa and finishing her first book, a historical novel called Locker 11.

1996
Laura Brandt is a tax associate at McDermott Will & Emery in New York.

Anita Fore is director of legal services at The Authors Guild in New York. The Authors Guild is the nation’s oldest and largest society of professional, published writers, and the leading industry advocate for fair book publishing contracts, effective copyright protection and freedom of expression.

Reed Hollander and his wife, Elizabeth Hollander, are happy to announce the birth of a daughter, Linnea Elizabeth, on Oct. 12, 2000.

Ibnu Wahyutomo returned home to Indonesia in July to serve in the Indonesian Department of Foreign Affairs.

1997
Jennifer Beardsley has moved to Eagle River, Alaska, and is working for the Anchorage office of Alaska Legal Services Corporation as a staff attorney.

Keith S. Hasson is assistant solicitor general for the Cobb Judicial Circuit in Marietta, Ga.

Karen L. McKenna joined Kirkpatrick & Lockhart’s Boston office as an associate. She is focusing her practice in trusts and estates.

Nahale F. Mitchell and her husband, Nondas Kalfas announce the birth of a daughter, Lana James Ireni Kalfas, on January 23. Lana James joins older sister Ralitsa-Kona, 4.

David Morgenstern began working as a legislative assistant for U.S. Senator Lincoln Chafee in May.

Giovanni Graziano recently joined Bass Hotels & Resorts (BHR) as a senior analyst in the development and direct investment team, covering the Europe, Middle East and Africa regions. BHR owns, manages or franchises a portfolio of leading international hotel brands.

1998
Sean Condon is a captain in the U.S. Army Judge Advocate Corps. He completed two years as a criminal defense attorney in Hawaii in June and has moved to Germany to be a prosecutor.
Fiona Kelly is a researcher and sessional lecturer at the University of Melbourne Law School in Australia. She specializes in family law and child protection.

Heather Reed married Sven Bioren on Oct. 7, 2000. Jill Steinberg was a bridesmaid. Heather is an associate on the litigation team of Godfrey and Kahn in Milwaukee.

Sharad K. (Bobby) Sharma has joined Shartsis, Friese & Ginsburg in San Francisco as a litigation associate.

1999

David Borgstrom is completing a clerkship with Justice Ackermann of the Constitutional Court of South Africa.

Pascal Duclos worked for 22 months with the New York law firm of Kreindler & Kreindler. Duclos has completed the Harvard Law School advanced workshops in negotiation and mediation and has been appointed a member of the Alternative Dispute Resolution Committee of the Association of the Bar of the City of New York. In May, Duclos joined UBS Paine Webber in New York.

In February, Holger Haenecke began working for BeCG, the New York-based Bertelsmann eCommerce Group, which focuses on digital delivery of music to consumers.

Jenni Kinsley has been appointed to the board of directors of Contemporary Dance Theater, a Cincinnati-based nonprofit organization dedicated to the exhibition and preservation of modern dance.

Cheri Patrick has opened a solo practice in Durham, N.C. She focuses on domestic relations, gay and lesbian legal issues, wills and general litigation.

Deann R. Richardson is an associate in the Durham, N.C. offices of Moore & Van Allen. She practices corporate transnational law.

After completing a clerkship with Judge Joel F. Dubina on the Eleventh Circuit Court of Appeals, Dara Steele-Belkin began a two-year clerkship with Judge Colleen Kollar-Kotelly, U.S. District Court for the District of Columbia.

John Tobin joined the Houston, Tex., office of Gardere Wynne Sewell as an associate in July.

2000

Crystal (Wells) Cook has married Michael Lee Cook (D '00).

James Hernan is working at King & Spalding in Atlanta on the commercial finance and creditors' rights team. He and his wife, Nancy, live in Roswell, Ga. The couple announces the birth of a son, Brian Robert “Ryan” Hernan, Jan. 26.

Felipe Guzman is returning to Santiago de Chile as a partner in Portaluppi Guzman & Bezanilla, following a year working at Simpson Thacher & Bartlett in New York.

Christoph Kellerhals has joined Suter & Attorneys in Bern, Switzerland, as a senior associate. In September 2000, he married Liliane Ruprecht in Locarno, Switzerland. The couple is pleased to announce the birth of a daughter, Livia Soraya, on February 21.

Bonnie Morgan-Greer married David Greer on May 27. The couple lives in Norfolk, Va., where Bonnie works as a labor and employment litigator at Kaufman & Canoles.


Brett Walter is a litigation associate with Morrison & Foerster in McLean, Va. He married Mayuri Sobti (MEM '99) in New Delhi, India, on January 4.

Miguel Velutini moved back to Caracas, Venezuela, to join the firm of Rodriguez & Mendoza.
Between April 20-22, the Law School hosted nearly 900 alumni and friends for the School's largest-ever Alumni Weekend. Returning alumni, including those celebrating their fifth to 50th Law School class reunions, gathered with friends, family, current students, faculty and staff at an all-alumni banquet to honor Professor Emeritus Melvin G. Shimm with the announcement of an endowed professorship in his name. Visitors packed into lecture halls for panel discussions on The Supreme Court and Election 2000 and the Internet and intellectual property. Reunion classes collected for class dinners. Giving by class year exceeded all prior years, with a combined total of nearly $1.3 million.
graduation 2001
1938

Edward D. Bulleit, 86, of Gettysburg, Pa., died Jan. 11, 2000, at his home. Bulleit, born March 7, 1914, was a veteran of W.W. II, serving in the U.S. Army Air Corps as a Captain in the South Pacific. He graduated from Gettysburg College in 1935 and from Duke Law School, where he was Phi Beta Kappa, in 1938. He was admitted to the Pennsylvania Bar in 1938 and joined his father, Eugene V. Bulleit, practicing law in Gettysburg, where he continued until 2000. At the time of his death, Bulleit was of counsel with Puhl, Eastman and Thrasher in Gettysburg. He was a former chairman and president of the Black Walnut Boy Scout District, a former director of Gettysburg Area School District, an original member of the Board of Adams County Planning Commission and a former president and board member of York Adams County Red Cross. He also was a life member of the Gettysburg Rotary Club and served two terms as president of the Adams County Bar Association. Bulleit is survived by his wife, Thelma Warman Bulleit; a daughter, Tem B. Tipton of Gettysburg; a son, William W. Bulleit of New Hill, N.C.; two grandchildren and one great grandchild.

Donna V. Yarborough, 89, died July 12, 2001, at Briarcliff Nursing Home in Tyler, Tex. Yarborough, brother of former U.S. Sen. Ralph Yarborough, was born in Chandler, Tex., the 10th of 11 children. He earned a bachelor’s degree in business administration in 1933 from the University of Texas. He worked for two years for the Texas General Land Office and for about a year for the Texas Railroad Commission. He attended Duke Law School for a year before finishing his J.D. degree at Southern Methodist University in 1939. Yarborough was known for his oratory skills and was named one of Dallas’ toughest trial lawyers in the May 1976 issue of D Magazine. After retiring from law, Yarborough volunteered for such organizations as the Better Business Bureau, Senior Circuit and Meals on Wheels. He wrote wills and probates for elderly people who wished to leave money to charitable organizations. Yarborough is survived by his wife of 20 years, Martha Yarborough; two sons, Bill H. Yarborough, and John Yarborough; four grandchildren; and a sister, Nell Mallet.

1940

Joseph Laufer, 92, of Sarasota, Fla., died June 29, 2001. Laufer was born April 6, 1909, in Stuttgart, Germany. He graduated from Duke Law School in 1940 and from Harvard Law School in 1941 and was a professor of law at the University of Buffalo, retiring in 1979. After his retirement, Laufer moved to Sarasota, where he lived for more than two decades. He is survived by his wife of more than 60 years, Lily L. Laufer; two sons, David ‘69 of Manhattan Beach, Calif., and Daniel of Bristol, R.I.; a sister, Claire Levine of Pittsburgh and Golden Beach, Fla.; a brother, Yaacov Ardon of Haifa, Israel; and four grandchildren.

Retired North Carolina Court of Appeals Judge Eugene H. Phillips died Jan. 19, 2000, in Winston-Salem after a lengthy illness. He was 80. Judge Phillips’ work on the Court included authorship of its path breaking 1985 opinion in Sides v. Duke University Hospital. This was the first North Carolina case to recognize a common law exception to the “employment at will” doctrine. Under that doctrine (absent an express contract), every employment was presumed to be for an indefinite period and thus terminable “at will” – even “for no reason or for an arbitrary reason.” As noted in a 1999 issue of the North Carolina State Bar Journal, “most employment lawyers recognize (Sides) as the advent of
modern employment law in North Carolina. Sides allowed a discharged nurse to proceed with a claim that she was terminated because, allegedly, she refused to testify falsely in a lawsuit against her employer. Judge Phillips' reasoning in that case was endorsed by the North Carolina Supreme Court in 1989, and since then has been applied to a variety of other contexts – factory workers who said they were fired for refusing to work below the minimum wage, a truck driver who claimed to have been instructed to falsify trip logs, and a bank employee who objected to foreclosing on a debtor's collateral without giving notice required by statute. Phillips was born Sept. 19, 1919, in Barnardsville, a village in Buncombe County, N.C. He attended Wake Forest College, where he received his LLB in 1940. After serving with the North Carolina Parole Commission, he volunteered for the U.S. Army Air Corps during W.W. II and served in a bomber group in the European Theater, rising to the rank of Major. After the war, Phillips returned to North Carolina and attended Duke Law School, earning his LLM in 1946. He opened a law office in Winston Salem and established a reputation as one of the state's leading trial lawyers over the next 35 years. He was a founder of the North Carolina Academy of Trial Lawyers in 1962 and served as its secretary, president and president emeritus. He also served as state committeeman and member of the Board of Governors of the Association of Trial Lawyers of America. He played an important role in the development of North Carolina's Wrongful Death Act. Phillips was elected to the North Carolina Court of Appeals in 1982, retiring from the Court in 1991. Phillips is survived by his wife of 54 years, Mary M. Phillips; a brother, Broadus Phillips of Eden; a sister, Juanita P. Sumner of Cranford, N.J.; a son, Randel E. Phillips, and daughter, M. Suzanne Phillips, both of Charlotte; and three grandchildren.

### 1949

Retired municipal Judge Walter Butz, 76, died Dec. 2, 1999, in the Bellevue Care Center, Bellevue, Ohio. Butz was born in Bellevue on June 7, 1923. He was a veteran of World War II and served 26 months overseas with the 12th Air Force in Italy, Africa and Corsica. He earned his undergraduate degree from Bowling Green State University and his law degree from Duke Law School in 1949. Butz was in private practice until his retirement in 1996. From 1974 to 1987, he served as municipal judge of Bellevue. He was a former director and co-attorney for First National Bank of Bellevue. He was a member of the Lions Club, charter member of the Bellevue Rotary Club, and a member of the VFW, American Legion Post 46, Elks Lodge 1013, Eagles Aerie 490, Moose Lodge 278, Masonic Lodge 273 and the Rockwell Springs Trout Club. He is survived by his wife of more than 50 years, Willella Radebaugh Butz; three children, Rebecca Ann Kulik of Chicago, William Douglas Butz of Winston-Salem, and James Edward Butz of Bellevue; and seven grandchildren.

### 1985

Craig Ward, 63, of Orlando, Fla., died of cancer on April 26, 2001. He was an attorney for Walt Disney World, a former regional and state president of the Children's Home Society of Florida, a leader of the Orlando Science Center, the Orlando Opera Company and the Orlando Country Club. A month before his death, the Children's Home Society named its Family Service Building for him. Ward also was a former legal adviser to the Greater Orlando Aviation Authority, and to the Orlando Opera Guild, the Arts Task Force Inc. and the Ivanhoe Foundation. Born in Neenah, Wis., Ward moved to Florida with his family and earned his undergraduate degree at Rollins College. He attended Duke Law School, graduating in 1965. He is survived by his son, Taylor C. Ward; a daughter, Lindsay W Kaye; and two brothers, Taylor D. Ward and Bruce Ward.

### Robert P. Renfrow

72, died Feb. 9, 2001 at his home in St. Petersburg Beach, Fla. He was a practicing lawyer and a veteran of the Marine Corps, rising to the rank of captain. He was admitted to the North Carolina and Florida bars and was a member of the legal committee of the American Association of Homes for the Aging and the Florida Association of Homes for the Aging. He also was an eight-year member of the St. Petersburg Beach Planning and Zoning Board. He was a director of the Menorah Center, a member of the St. Petersburg Area Chamber of Commerce, an organization that in 1994 awarded him its Citizen of the Year award. Renfrow is survived by his wife, Jennifer J. Renfrow; a son, R. Gary Renfrow; two daughters, Leigh O. Renfrow, and Jennifer A. Ibarguen; a sister, Ann Farlow; and four grandchildren.
Herbert L. Bernstein: January 12, 1930 - April 20, 2001

On Friday, April 20, Duke Law School lost a cherished colleague, teacher and friend when Professor Herbert L. Bernstein collapsed and died of an apparent heart attack. Colleagues appreciated Bernstein for his genial manner and curious mind, and students prized him as an effective and committed teacher of unusual warmth.

A specialist in contract, comparative and private international law, Bernstein was born in Hamburg, Germany, in 1930. The child of a mixed Jewish and non-Jewish marriage, he survived the Allied bombing raids that ravaged his native city and destroyed his home, living for a time in a pig sty on the outskirts of the city.

After the war, Bernstein studied and practiced law in Hamburg and was elected to the prestigious Max-Planck Institute for Foreign and Private International Law. He came to the United States in 1962 to study at the University of Michigan, where he earned his JD degree magna cum laude. He taught at the University of California at Berkeley, the University of Hamburg in Germany and the University of Southampton in the United Kingdom before coming to Duke Law School in 1984.

Professor Bernstein is survived by his wife, Waltraud, of Durham; three daughters, Rebecca of Hamburg, Germany; Cornelia of Rome, Italy; and Bettina, of New York, NY; a son, Patrick of Hamburg, Germany; and by four grandchildren.

Please visit the Duke Law School Web site at http://www.law.duke.edu/fac/bernstein to read additional reflections on Professor Bernstein, written by his friends and colleagues Professors Paul Haagen and Neil Vidmar.

The family requests that memorial gifts be designated to Duke Law School, which will use the funds to establish the Herbert L. Bernstein Annual Lecture in comparative and international law. The Bernstein family will be notified of the names of those who make gifts. To make a gift, contact Ann Sundberg, sundberg@law.duke.edu, or (919) 613-7217.
This report gratefully acknowledges the generosity of the many alumni and friends who provided vital support to Duke Law School. The Law School operates on a fiscal-year calendar and gifts listed in this report were received between July 1, 2000 and June 30, 2001. Every effort has been made to avoid errors, and we apologize for any that might appear. Please contact us about corrections:

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October

Oct. 5, 2001
Scholars Dinner
Washington Duke Inn
Durham, NC

Oct. 11, 2001
2001 Brainerd Currie
Memorial Lecture
given by Professor Sanford Levinson
University of Texas School of Law
"Bush v. Gore and the French
Revolution: A Tentative List of Some
Early Lessons"
Duke Law School

Oct. 11-12, 2001
Public Law Conference
"The Law of Politics"
Duke Law School

Oct. 11-13, 2001
Law School Leadership Weekend
Meetings of the Board of Visitors,
the Law Alumni Association Board,
and The Future Forum
Duke Law School

Oct. 23, 2001
Dan Gillmor, technology columnist
at the San Jose Mercury News and
technology and business columnist
for siliconvalley.com speaks
sponsored by the Office of External
Relations and the Department of
Educational Technologies
Duke Law School

Oct. 26, 2001
Reception for local alumni and for
students attending the National
Association of Public Interest
Law Conference
Hosted by Lauralyn Beattie '98 at
the law offices of Wilmer, Cutler
& Pickering
Washington, D.C.

November

Nov. 8, 2001
U.S. Court of Appeals for the
Federal Circuit, Washington D.C. to
hear cases in moot courtroom
Duke Law School

Nov. 9-11, 2001
Conference on the Public Domain
with the support of the Center for
the Public Domain
Duke Law School

Nov. 16-17
Law and Contemporary
Problems Symposium,
"Is the Health Care
Revolution Finished?"
Duke Law School

December

Dec. 7-8, 2001
Environmental Law Conference
7th Colloquium on Environmental
Laws and Institutions
Duke University

2002

February 7, 2002
Inaugural Rabbi Seymour Siegel
Memorial Lecture on Ethics
Duke Law School

March 26, 2002
Meredith and Kip Frey Lecture
in Intellectual Property by NYU Law
Professor Yochai Benkler
Duke Law School

April 12-14, 2002
Alumni Reunion Weekend
Duke University

May 11, 2002
Law School Hooding Ceremony
Cameron Indoor Stadium
Duke University

May 12, 2002
University Commencement
Exercises
Wallace Wade Stadium
Duke University