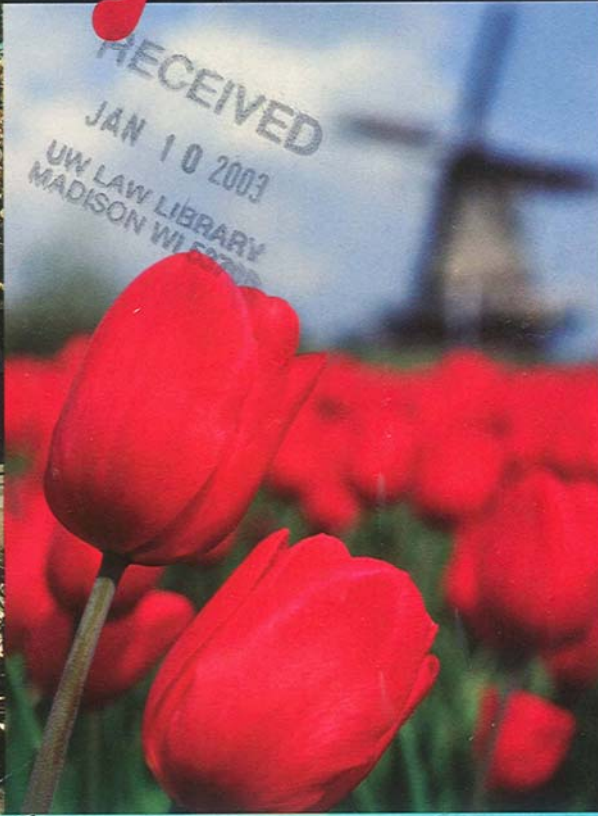
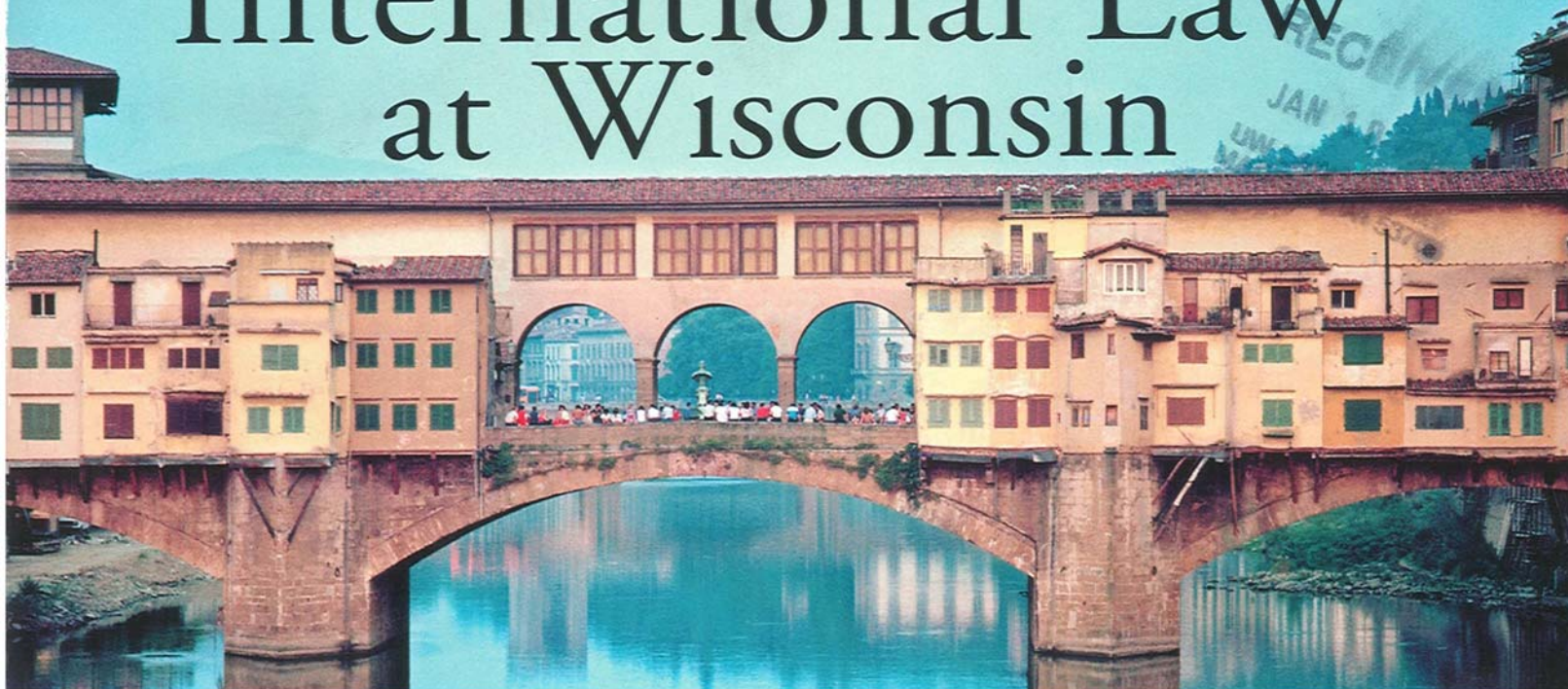


Gargoyle

VOLUME 29 NO 1 FALL/WINTER 2002-03



International Law at Wisconsin



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University of Wisconsin Law School

A Preeminent Law School

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About the Gargoyle ...

In 1962, when the existing Law School was demolished to make way for a new building, Dean of the Law School George Young found and rescued a sandstone gargoyle from the rubble. This figure and its departed twin had sat on the roof of the 1893 building for almost 70 years. While one of the pair had perished in its fall, the second one had landed unscathed.

The rescued gargoyle, now permanently installed in the Law School's Atrium, gives its name to this magazine, representing the indomitable strength and spirit of our University of Wisconsin Law School and its many graduates.

For an illustrated history of the Law School's gargoyle, see <http://www.law.wisc.edu/lore/gargoyle.htm>.

Clarification ...

The Summer 2002 *Gargoyle* article featuring 12 alumni who became law professors mentioned one of the two instructors responsible for training teaching assistants in the Legal Research and Writing Program in the early 1980s (page 23). Co-teaching the training course with Mary Barnard Ray was Mary Ann (Birchler) Polewski '81, who was director of the program in 1981-84 and 1987-92. Ray and Polewski also team-taught the advanced legal writing course.

Alumni Magazine of the University of Wisconsin Law School
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Cover: For this international law issue, images from three locales where the Law School has exchange programs. Clockwise from top right: the Netherlands, Florence (the Ponte Vecchio) and Santiago, Chile. Santiago photo by Steven M. Barkan.

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MESSAGE from the Dean



Kenneth B. Davis, Jr.

THE UNIVERSITY of Wisconsin Law School has a remarkable history and a strong tradition of excellence. We consistently are listed among the best public law schools in the country; and you, our alumni, are international, state, and local leaders in all areas of law, business, and government.

As the Law School's dean, each day I see the impressive teaching, scholarship, and service that are at the heart of this institution. While we have much to celebrate, we cannot rest on our past accomplishments-it is not enough to continue "as is."

To remain and grow as a preeminent law school, we must continually reevaluate ourselves and listen to those who care about us. We did this, in part, through Assessment 2000, our extensive survey of recent graduates and employers, as a result of which we made changes that include the following: reduced the size of each of our first-year legal writing classes to 15 students in order to give more attention to writing; began a national search for a legal research and writing director who can make our writing program one of the best in the country; hired new faculty with interests in e-commerce, intellectual property, and entrepreneurship; committed additional resources to student services, particularly to the Career Services Office, and hired outstanding J.D. advisers both to provide academic counseling and to help students develop strong job-seeking skills; began a faculty review of the grading system to ensure that our system is fair, consistent, and easily understood by students and employers; initiated informal programs to encourage student-faculty interaction outside of classrooms.

We are proud of these accomplishments, but they are only a beginning-the first phase of an exciting time of change and innovation. The next step is the development of a strategic plan to articulate our vision and identify our priorities for the coming years. Our strategic plan will chart a course that will embrace our past but reach for the future. It will help us to advance to the top of the public law schools and meet the challenges affecting legal education and the legal profession. *But to chart this course, I need your help.*

Over the next year, I will travel to meet with you, our alumni and our friends, to learn what *you* see as our future and how *you* view our strategic choices. I intend to come to you with the key elements of a plan and to listen to your feedback. Your input will help us set our priorities and develop the plan's more detailed initiatives, and it is critical that this process involve the participation of a broad range of alumni-alumni from all types of practices, at all levels of experience, and in all parts of the country.

During the first half of the upcoming year, I will meet with alumni groups in Wisconsin as well as in Phoenix, Scottsdale, Dallas, Houston, Seattle, and Minneapolis. Other cities where a number of you live and work will follow throughout the summer and fall. I hope that many of you will join me at alumni meetings to discuss the priorities of the strategic plan and help chart the course of *your* Law School. Please watch for more information about the strategic plan and about alumni meetings in your area. If you would like to set up an alumni function or discuss the strategic plan with me at one of your local bar meetings, please let me know. For those of you unable to meet with me, I welcome your ideas in a letter or in an email to deansoffice@law.wisc.edu.

I look forward to meeting with or hearing from many of you over the coming months.

As some of you know, the Law School's Development Director for the last three years, Tricia Wheeler, resigned her position this fall to join the ranks of our first-year class. Tricia has been an extraordinary colleague who did great things for the Law School. We will miss her as a member of the Law School's administrative team, but we are excited for her as she embarks on the adventure of law school.

After a national search, in October the UW Foundation appointed Tricia's successor, Ken Krueger. Ken's professional achievements, educational background and wealth of ideas for the Law School impressed all of us who interviewed him. Turn to page 47 for a profile of Ken and a conversation with him.

Want to help chart the course of the Law School? Here's how.

THE LAW SCHOOL'S strategic plan will be the result of a process involving alumni, employers, students, faculty, and staff. Since the plan will affect the entire Law School community, it is critical that the process encourage the participation of as many voices as possible, both inside and outside of the Law School.

Based on information collected through interviews and surveys of the Law School's many constituencies, five to ten key long-range priorities will serve as the core of the strategic plan. Faculty, staff, students, and alumni will have an opportunity to discuss and shape these key priorities and develop the specific initiatives of the plan. As the plan develops, the Law School Web site (www.law.wisc.edu) will include drafts of these priorities and the initiatives developed to support them and will invite comments. We will also be holding discussions within the Law School and outside to encourage widespread input on the plan. National events in the next few months will include:

FEBRUARY

Phoenix Scottsdale Dallas Houston

APRIL^s

Seattle Minneapolis

Local events are in the works and additional alumni events will be scheduled during the summer and fall. For those who are unable to attend a listening session and who wish to share written comments, Dean Davis welcomes your comments at deansoffice@law.wisc.edu.

New Professor Gordon Smith Brings Expertise in Entrepreneurship

PROFESSOR Gordon Smith joined the UW Law School faculty in Fall 2002, bringing expertise in the field of entrepreneurship. He is the author of numerous articles relating to corporate and securities law, with special emphasis on entrepreneurial businesses and venture capital. He has presented papers on these subjects at conferences and universities throughout the world, and is currently co-authoring an innovative casebook on Business Associations as well as the first law school casebook on *The Law of Entrepreneurial Finance*.

Smith is one of the principal faculty of INSITE-the Initiative for Studies in Technology Entrepreneurship, an interdisciplinary group within the University of Wisconsin whose mission entails developing innovative and competitive research programs to expand the contributions of entrepreneurship and technology into the wealth of related research already present on the UW-Madison campus. Smith currently teaches Business Organizations, Contracts, and the Law & Entrepreneurship Seminar in the Law School and is developing courses to be offered in cooperation with the School of Business.

Prior to joining the University of Wisconsin's law faculty, Smith taught for six years at Northwestern School of Law of Lewis & Clark College in Portland, Oregon. While there, he participated in the creation of *The Journal of Small and Emerging Business Law*-the first scholarly journal focusing exclusively on legal issues of importance to entrepreneurial businesses-and organized the Law & Entrepreneurship Research Conference in October 2000.

Smith earned a J.D. from the University of Chicago Law School in 1990 and a B.S. from Brigham Young University in 1986. After graduating from law school and before entering academia, Smith clerked for Judge W Eugene Davis



D. Gordon Smith

Smith is one of the principal faculty of INSITE-the Initiative for Studies in Technology Entrepreneurship, an interdisciplinary group within the University of Wisconsin

in the United States Court of Appeals for the Fifth Circuit and was an associate in the Delaware office of the international law firm Skadden,Arps, Slate, Meagher & Flom, where he specialized in corporate and securities transactions.

An avid traveler, Smith is a member of the International Faculty in Corporate, Securities & Finance Law at the University of Sydney in Australia. He has also been a visiting professor at Vanderbilt University Law School, Arizona State University, and Washington University School of Law in St. Louis. He has taught short courses at the University of Sydney (Australia), the Helsinki University of Technology (Finland), and the University of San Diego's Paris Institute (France).

When he is not teaching or writing about law, Smith is usually spending time with his wife and five children. •

When a Job Becomes an Adventure: Legal Research in Russia



Kathryn Hendley published by the University of Michigan Press in 1996.

About the author: Professor Kathryn Hendley, who came to the University of Wisconsin in 1993, holds a joint appointment in the Law School and the Political Science Department. During the current academic year, she is in Washington, D.C. as a fellow at the Woodrow Wilson International Center for Scholars.

Hendley holds a Ph.D. from the University of California-Berkeley, an M.A. from Georgetown University, and a J.D. from UCLA. She has served as an adviser on Russian legal reform to the World Bank, the MacArthur Foundation, the U.S. Agency for International Development, the Free Trade Union Institute, and the Central and East European Law Initiative of the ABA.

Hendley is a prolific author, whose research has been funded by the National Science Foundation, the International Research and Exchanges Board, the World Bank, and the National Council for Eurasian and East European Research. Her book *Trying to Make Law Matter: Labor Law and Legal Reform in Russia* was

by Professor Kathryn Hendley

WHEN I TELL PEOPLE that I study Russian law, their reaction is usually polite skepticism. Often they ask, "what's the point?" or "is there law in Russia?" or "aren't the courts completely corrupt?" These reactions are understandable given the portrayal of Russia by the Western media. A vision of Russia as the "Wild East" where gangsters rule and brute force routinely trumps law has taken hold. The impossibility of doing business in Russia legally is a constant theme in the press. Like most popular myths, this view has some merit but tells only part of the story. Journalists tend to seek out the sensational. In the case of Russia, this has led to a fascination with the so-called "oligarchs." How these men accumulated and now maintain their fabulous wealth has been tracked assiduously. The story that emerges is one of deals made in smokefilled rooms bolstered by shadowy affiliations with organized crime networks. Their close connections with the Kremlin have allowed the oligarchs to manipulate the law to serve their interests. Whether this incestuous relationship will persist under Putin remains to be seen.

My research looks past the oligarchs—who number less than 10—to the operation of the multitude of ordinary Russian firms trying to find their way in the new not-quite-market

environment. Unlike the natural resource empires captured by the oligarchs (e.g., Gazprom, Lukoil, Sibneft, etc.), these firms offered no bonanza of undervalued assets to be looted for personal gain. Instead, the goal was the survival of the firm in order to preserve the jobs of managers and workers. These firms are typically overlooked by the media, but represent the key to the success or failure of the ongoing transition. I am interested in understanding the role of law in their day-to-day operations. Common sense suggests that the stereotypical view that Russian managers disregard law is unlikely to be true. If it were, then chaos would be the order of the day within the Russian economy and that is most decidedly not the case. My task in recent years has been to begin to unravel how and when Russian managers use (or ignore) law.

Carrying out this sort of research presents certain challenges absent from the library-based research done by most practicing lawyers. For one thing, I had to figure out how to study a moving target. Russia is embroiled in an unprecedented transition from state socialism to some form of market democracy. As a result, the legal infrastructure was shifting under my feet. At various points during my research, the basic codes governing contractual relations were rewritten

as were the procedural rules for the courts that heard contractual disputes. Needless to say, the firms and courts I was studying adapted themselves to these new institutional constraints. This somewhat turbulent environment made multiple research trips with extended periods of observation essential. But the suspicion directed toward foreigners, especially Americans, that persists from the Cold War made getting access problematic. The sort of access I needed only deepened their natural suspicions. I was not satisfied with reading distilled accounts of how law was supposed to work in the Russian law journals. Instead, I wanted to talk with the actors myself. I wanted to spend time in firms talking with the sales director and others concerned with inter-firm trading relationships. I also wanted to observe how the courts handled contractual disputes and then talk with judges and review case files.

This "law in action" approach was viewed as bizarre. The Soviet Union, with its strict controls over information, had discouraged scholars from looking behind the official line of the Communist Party. Soviet legal research tended to be doctrinal and little has changed since the break-up of the USSR. My commitment to getting past the law on the books and to studying how law was actually implemented has always created problems for me. My difficulties with access have ridden the waves of US-Russia relations. In the heady days of the early 1990s, when Clinton was making grand promises to Yeltsin about forthcoming assistance, managers and judges were less reticent. As relations soured in the mid- and late 1990s, the Russians' traditional distrust of Americans reasserted itself and many doors were slammed in my face.

My first experience with doing research in this part of the world was in the late 1980s. I was working on my doctoral dissertation in political science at the University of California, Berkeley, which I hoped was going to be a study of how labor law was implemented in firms. At that time, the only way to get to the Soviet Union was through a government-sponsored scholarly exchange program. When applying for a grant, I was advised to play down the need for access to factories and courts. The consensus among the faculty members advising me was that the

UW LAW FACULTY *mt estones*

This selected list of the UW Law Faculty's achievements from April through October 2002 serves to give an idea of the varied spheres in which our faculty are working and receiving recognition.

FACULTY AWARDS, HONORS AND APPOINTMENTS

R. Alta Charo has been appointed to the National Institute of Medicine's Smallpox Vaccination Program Implementation Committee, which will monitor legal, ethical and safety issues during the rollout of the national smallpox vaccine program.

Meg Gaines, Director of the Center for Patient Partnerships, reports that in August the Wisconsin Department of Justice awarded an additional grant of more than \$50,000 to the Center, calling Gaines to tell her the DOJ is "more than impressed" by the work the Center is doing in teaching future doctors, lawyers, nurses, social workers and pharmacists to work together to become better advocates for their patients.

Leonard Kaplan was honored by the International Academy of Law and Mental Health at its 23rd annual conference, in Amsterdam in July. Kaplan received a plaque commending his "distinction in pursuit of scholarship, pedagogy, and human rights initiatives in the field of mental health."

Marygold Melli was elected to a three-year term as one of the vice-presidents of the International Society of Family Law at the meeting of the Society in Oslo, Norway in August.

Law Librarian **Bonnie Shucha** received the award for best paper in the 2002 AALL (American Association of Law Libraries) Lexis Nexis Call for Papers competition, in the Newer Members division. Shucha's paper, "The Circle of Life: Managing a Law Library Web Site Redesign Project," has been accepted for publication in the *Law Library Journal*.

Cliff Thompson received USAID approval for the first annual plan in the new ELIPS (Economic Law, Institutional and Professional Strengthening) Project in Indonesia, scheduled for 2002 through 2003.

David Trubek has been named a Visiting Scholar at Harvard Law School and the Center for European Studies at Harvard University for the 2002-03 academic year. In May, Trubek was awarded the Harry Kalven Prize from the Law and Society Association (see News of the School section for article).

Louise Trubek has been named a Visiting Professor at Harvard Law School from September 2002 to June 2003. She is teaching "Lawyering in the Public Interest" this fall, and "Advocacy for Health Care Quality and Access" in the spring.

GRANTS RECEIVED

Stephen Melli received a Tinker-Nave Travel Grant from the Latin American, Caribbean and Iberian Studies program to conduct research on public interest law in Argentina this past summer.

selection committee would reject my plan to get behind these closed doors as fanciful. Once I got to Moscow, however, I was determined to get out of the library. It was not easy. When I submitted my "scientific plan" (as required by my host institution), I found that all references to doing research at factories or courts were summarily deleted. Recognizing that access through these official channels was not going to be forthcoming, I became annoyingly aggressive with other Russian friends and colleagues, pressing them to think of anyone they might know who could get me inside. Eventually my persistence paid off, though only after some dark days (both literally and figuratively) in the cold Russian winter when I thought I would have to abandon my topic and settle for something more do-able. During my year in Moscow, I got into five factories and two courts. Nowhere was my access unrestricted, but I was able to piece together a coherent story of how labor law worked in theory and practice that evolved into my book, *Trying to Make Law Matter*.

Eventually my persistence paid off, though only after some dark days (both literally and figuratively) in the cold Russian winter

The lessons I learned from this initial experience have served me well in the years since. The most important of these was persistence. Stonewalling foreign researchers was raised to an art form during the decades of Soviet rule. I learned that a combination of patience and obnoxiousness would sometimes (though not always) soften bureaucrats and managers. I grew adept at finding a way around those who would not relent. I also learned not to take the condescension of Russian academics toward the "law in action" approach to heart. When working on my dissertation, conversations with legal scholars tended to degenerate into a harangue on why my project was a waste of time and why I should be taking a doctrinal approach. There were exceptions and these scholars became trusted sounding boards. Scholars from other disciplines were rarely more supportive. I remember sitting in the office of the director of a prestigious economics institute in Moscow in the summer of 1996, trying to convince him and his colleagues to

participate in a planned survey of Russian firms designed to explore the role of law. He spoke to me as if I were a small and stupid child and told me that if I wanted to know whether law was relevant to these firms, there was no need for all this rigmarole. He assured me that managers had no use for law and sent me packing.

Once I got my foot in the door, the research itself was exhilarating, although it was arduous and even disheartening at times. The Soviet penchant for secrecy meant that little was known about the day-to-day activities of firms or courts. Almost every day I would be taken by surprise by something I learned through conversations, observations, or the review of documents. It was a kind of excitement that I never experienced in library-based research. I was determined to continue this investigation of how Russian firms used law. As reform efforts in the area of labor law got bogged down in the Russian parliament [a new labor code was passed this year after more than a decade of false starts], I turned my attention to the role of law in business transactions.

I was blessed by a stroke of good luck as I embarked on this new project. While on a post-doctoral fellowship at the Center for International Security and Arms Control at Stanford University, I became involved in their work on defense conversion. The general director of a plant making the transition from military to civilian production visited Stanford and we struck up a friendship. I visited his factory-the Saratov Aviation Plant along with a team from Stanford for several weeks in early 1992. He agreed to let me return on my own for three months in 1993. For the first time, I had official permission to be inside a Russian firm. This particular firm, which manufactured passenger airliners, had privatized through a special deal with Moscow and I was able to study how its various parts were adjusting to life as a market actor. These amounted to nested case studies. Some of the production shops within the Aviation Plant were seeking to establish an independent identity. The incentive for large plants to be self-sufficient facilitated this. For example, the Aviation Plant controlled several collective farms as well as a consumer goods factory that made pots and pans. Top management was conflicted over what sort of relationship ought to exist with these subordinate units. They

wanted to share in any profits but also to be assured that the production needs for their aircraft would not be neglected. It was a time of great internal turmoil and I felt fortunate to be present. By simply hanging around and watching who was treated with respect and who was not, I learned a great deal about the pecking order in Russian firms and the low place of the in-house counsel within it. I also saw how law was both respected and ignored, depending on the circumstances.

I was not always a welcome observer. Oddly enough, being a woman turned out to be more of a stumbling block than being an American. No one bothered to hide their gender bias. When denying my request to sit in on a regular meeting of mid-level managers, one manager told me that his colleagues would be uncomfortable with a woman in the room. Others confirmed that they would have to censor their language if women were present. When I asked the general director why none of the top managers were women, he explained that he had thought about promoting one woman to be the vice-president of human resources but that this plan went by the wayside when her husband refused to give his approval. Interestingly, the women at the plant saw nothing wrong with this practice or with keeping women out of the top echelons of management.

I have returned to the Saratov plant many times over the past decade. The aviation industry has come on hard times in Russia, and this plant has suffered greatly. At times, its very survival has been in question. To what extent the managers are to blame is difficult to assess. Perhaps they could have made better choices, but it is hard to see how they could have succeeded given Russia's precipitous economic decline during the 1990s. It took them some time to appreciate their dilemma. For example, at a meeting of managers in the spring of 1993, when their troubles were just beginning, the chief operating officer downplayed them, reassuring the workers that, "we have no problem with production, only a problem with sales." Though it sounds absurd, it made perfect sense to anyone who came of age in the Soviet-era shortage economy. Then the challenge was always getting hold of scarce raw materials and other inputs, not selling the end product. But postSoviet Russia was edging toward the market, and sales were no longer a sure thing-the market for

MEDIA APPEARANCES I QUOTED IN THE NEWS

Nina Emerson, Director of the Resource Center on Impaired Driving, appeared as a guest along with Scott Stenger, lobbyist for the Wisconsin Tavern League, on the Wisconsin Public Television *Weekend Magazine* edition of April 26, discussing "Blood Money: Blood-Alcohol Levels and Federal Dollars."

Gary Milhollin, emeritus professor who continues to direct the Wisconsin Project in Washington, D.C., was co-author of two articles in the *New York Times* on nuclear weapons inspections in Iraq (Sept. 15 and 16).

Gerald Thain was quoted in the *Capital Times* front-page story Sept. 21 on legal issues involved in efforts to sue fast-food companies, and on the distinction between those cases and tobacco lawsuits.

Bernard Trujillo was interviewed on WORT radio in August about bankruptcy reform legislation, and was quoted in an August article in the *Wisconsin State Journal* on using local law enforcement officials to enforce federal immigration laws.

Frank Tuerkheimer was quoted in a front-page story Sept. 17 in *USA Today* about legal issues in holding terrorist suspects.

PRESENTATIONS

Ann Althouse: "The Supreme Court's Approach to the Anti-Terrorism & Effective Death Penalty Act of 1996 in *Williams v. Taylor*," in September to the Midwest Regional Conference, Federal Habeas Corpus Practice in Non-Capital Cases, sponsored by the Wisconsin Department of Justice.

Gordon Baldwin and Bernard Trujillo participated in a panel on Sept. 11, 2002 at the Downtown Rotary Club to discuss the impact of the 9/11/01 terrorist attacks on civil liberties in the U.S. They were joined by Brady Williamson, partner at La Follette, Godfrey & Kahn and a Law School lecturer.

Peter Carstensen, "Controlling Misuse of Packer Market Power: A Step toward Greater Fairness, Efficiency and Equity in the Marketplace," statement for Senate Judiciary Committee hearing on "Ensuring Competitive and Open Agricultural Markets: Are Meat Packers Abusing Market Power?", in August in Sioux Falls, S.D.

R. Alta Charo, "Biotechnology and Biological Warfare: Some Thoughts on Prospects and Perils" at the Renaissance Weekend in Beaver Creek, Colorado, in August; "Federal Regulatory Authority over Genetic and Reproductive Technologies" at a joint meeting organized by FDA and NIH in September; "Political and Legal Obstacles to Tissue Regeneration Research" for the United Network on Organ Sharing; "Ethical Issues in Preimplantation Genetic Diagnosis," Obstetrics and Gynecology Grand Rounds, Stanford Medical School, October 7; and "Kinship Theory and Embryo Transfer," to the Bay Area Reproductive Endocrinology Society, October 7.

Nina Emerson, "Prosecuting Alcohol and Drug-Impaired Driving Cases," 2002 Alaska Peace Officers Association Crime Conference, in Fairbanks, Alaska in May.

Meg Gaines, "Can Healing Happen Here?" to the Wisconsin Medical Society's sub-group for women doctors. The session was a mutual exploration of the role

Russian-made planes had almost disappeared with the fall of the Berlin Wall. The regional political authorities attempted to hold the general director responsible and ordered his removal. This would have worked in the old days when top managers had to be vetted by the Communist Party. Because it is a private company, however, the politicians would seem to have no authority over who runs the show at the Aviation Plant. Although he was ostensibly protected by law, it never occurred to the general director to take the legal route. He hung onto his job, but only because he turned out to be a craftier politician and to have more power than the regional governor. None of this was ever reported by the press-reaffirming the importance



The Saratov Aviation Plant, where Hendley visited often to observe "how and when Russian managers use (or ignore) law."

of just being there and of establishing relationships of trust with a wide variety of people.

My work at the Aviation Plant gave me a deep understanding of how it operated and responded to crises. What was less clear was the representativeness of this particular firm. Getting access to additional plants proved impossible on my own. I teamed up with several economists and put together a survey. We received funding from the World Bank and, with the assistance of the Institute of Sociology in Moscow, fielded it among 328 industrial enterprises in 6 cities across Russia in the spring of 1997. We explored how these enterprises interacted with each other, focusing on their use of law. Contrary to common wisdom and to what I expected to find based on my earlier case study—we found that law was not entirely irrelevant. The surveyed enterprises routinely used contracts to memorialize their agreements and, more surprisingly, used the courts to go after delinquent customers. In fact, more than 60 percent of our sample initiated lawsuits in the year preceding the survey. This would be a high incidence of use for a country that was reputed to have a functional legal system, but is truly extraordinary for Russia. Other surveys after ours have produced similar results. It seems to represent a disconnect between attitudes and behavior. In interviews, managers uniformly told us that going to court would be a waste of time due to the

incompetence and inherent biases of judges as well as their inability to enforce their judgments. This same sort of attitude is reflected in the Russian media's treatment of litigation. Yet when the question was reframed to ask about what they had actually done, litigation comes through as a viable option. I was able to follow up on the survey through a series of 6 in-depth case studies of firms that had participated in the survey. I spent about a month in each firm during the first half of 1998. During that time, I began to map the factors that affected litigation strategies, including the fungibility of customers, access to cash, and the nature of relationships with trading partners.

The question that nagged at me was why Russian firms bothered to go to court. I knew from conversations with lawyers and judges that it was difficult—some said impossible—to collect on judgments. In order to get a handle on this question, I had to come at the problem from a different

To learn more about Russia:

Kathryn Hendley recommends further reading--

- Rose Brady, *Kaptalizm: Russia's Struggle to Free its Economy* (1999). The best of the journalistic accounts of privatization and its aftermath. Written by the former Moscow bureau chief for *Business Week*.
- George Breslauer, *Gorbachev and Yeltsin as Leaders* (2002). A scholarly yet readable analysis of the politics of the past decades.
- Stephen Handelman, *Comrade Criminal: Russia's New Mafiya* (1995). A somewhat sensationalistic account of organized crime in Russia by the former Moscow bureau chief for *The Toronto Star*.
- Stephen Kotkin, *Armageddon Averted: The Soviet Collapse, 1970-2000* (2001). A concise but compelling analysis of recent reform efforts.
- Fen Montaigne, *Reeling in Russia* (1999). An account by the former Moscow bureau chief for the *Philadelphia Inquirer* of his fly-fishing journey across Russia. Provides compelling portraits of everyday life in remote areas of Russia.
- Kathleen Smith, *Mythmaking in the New Russia: Politics and Memory During the Yeltsin Era* (2002). An intriguing study of how Russians have dealt with the cultural legacy from the Soviet era.

direction. Rather than starting with enterprises, I began with court cases. During the spring of 2001, I was able to get into the records of 3 economic courts in Russia and put together a database of 100 cases. Then I followed up on the cases, contacting the parties to find out whether the judgment had been satisfied. Although I am still processing the data, a few results stand out. First, all of my plaintiffs won. Second, only 6 of the losing defendants paid voluntarily. This suggests that the societal norm is to wait to be forced to pay and reflects what I heard when doing the case studies. Most of the plaintiffs made a stab at getting their money-whether it was by taking a court order to the defendant's bank or by seeking help from bailiffs-but with little success. Most (about 80 percent) of those who go after defendants' bank accounts find them to be insufficient to satisfy the judgments. The odds are slightly better once bailiffs are involved. About a third of those who go through the bailiffs recover at least some portion of their judgment. But the bottom line is rather grim. The vast majority of the putative winners never see any money.

This brings us back to the "why bother" question. I have come to wonder whether I have been asking the wrong question. Perhaps the question should be flipped. Rather than asking "why," maybe we should be asking "why not." If we take into account the low costs (which must eventually be shouldered by the loser), the speed of the process (almost all cases are resolved within 2 months of filing, most with only one hearing) and the spartan nature of the procedural rules (all claims must be proved with documentary evidence, leaving a limited role for lawyers), perhaps creditors think the courts are worth a shot. But my research also indicates that they are not terribly discouraged when judgments are not paid. Most of them-including those who ended up with nothing-told me that they would go to court again under similar circumstances.

Through these brief glimpses into my research in Russia, I hope to have conveyed the sense of discovery that I feel when doing this work. The twists and turns of the legal reform process over the past 15 years in Russia have been unpredictable. I feel privileged to have been able to document some aspects of the transition, and look forward to more surprises in the future . •

women doctors play in transforming their environments-the people they collaborate with and the places where they work-to create places where healing can happen.

David Schwartz, "The Constitutionality of Military Tribunals" to the National Association of Women Judges, District 9 Regional Meeting, in April 2002.

Bernard Trujillo organized and moderated the UW-Madison panel on "Legal Issues and Public Policy" as part of the University's commemoration of Sept. 11, 2001.

PUBLICATIONS

R. Alta Charo, "Do no harm: Cloning moratorium is political hay at science's expense," *Madison Magazine*, October 2002; "Children by Choice:

Reproductive Technologies and the Boundaries of Personal Autonomy," 4 (SI) *Nature Cell Biology* S23 (2002).

Keith Findley, "New Laws Reflect the Power and Potential of DNA," *Wisconsin Lawyer* (May 2002); "Learning from Our Mistakes: A Criminal Justice Commission to Study Wrongful Convictions," 38 *Cal western L. Rev.* 333 (2002).

Heinz Kling, "Straining the Law: Conflicting Legal Premises and the Governance of Aquatic Resources," 15 *Society and Natural Resources* 693 (2002); "Hybrid(ity) Rules: Creating Local Law in a Globalized World" in *Global Prescriptions: The Production, Exportation, and Importation of a New Legal Orthodoxy*, (eds. Garth and Dezalay), U. of Michigan Press (2002).

Stephen Melli, "Consumer Law" in *Legal Systems of the World: A Political, Social and Cultural Encyclopedia*, Vol. 1 (ed. Herbert M. Kritzer), Santa Barbara, CAABC-CLIO, 2002.

Marygold Melli, co-author of "Children's Living Arrangements in Divorced Wisconsin Families with Shared Placement," published by the Institute for Research on Poverty as *IRP Special Report* 83 (September 2002). Melli's co-authors are Margaret L. Krecker, Patricia Brown, and Lynn Wuner.

David Schwartz, "When is Sex Because of Sex? The Causation Problem in Sexual Harassment Law," 150 *U. Penn. L. Rev.* 1697 (2002).

David Trubek, *Governing Work and welfare in a New Economy: European and American Experiments* (co-editor with J. Zeitlin), Oxford University Press, forthcoming 2003. "New Governance, Employment Policy, and the European Social Model", with J. Mosher (in Zeitlin & Trubek eds., op cit).

Louise Trubek, "Public Interest Lawyers and New Governance: Advocating for Health Care," *Wisconsin Law Review*, 2002, 575; "Health Care and Low-Wage Work: Linking Local Action" in *Reconfiguring Work and welfare in the New Economy* (ed, Jonathan Zeitlin and David M. Trubek), Oxford U. Press, 2003.

Gary Young, "Malpractice Risks of Collaborative Divorce," subtitled "A malpractice lawyer's view: The contract between the collaborative divorce lawyer and the other spouse creates malpractice risks," *Wisconsin Lawyer* (May 2002) . •

SPECIAL FOCUS

International Law at the UW Law School

INTERNATIONAL LAW pervades the culture at the UW Law School. Approximately 80% of the faculty have taught, practiced or conducted research abroad. The global perspective is everywhere in UW Law classes-not only in the courses specifically dealing with international law, but in numerous other courses to which the faculty bring a transnational perspective based on their own experience and breadth of interest.

Our professors are always looking abroad, in a multitude of substantive areas beyond that of international public law. A short list would include constitutional law, food & drug law, civil rights law, human rights law, monetary policy, bioethics, environmental law, immigration law, labor law, poverty law and intellectual property. Our students quickly learn that once they have identified an interest in pursuing international and comparative law, the next question is what substantive area or areas they will choose within the large umbrella category known as international law. And whichever field they choose, there will be a member of the faculty well positioned to connect them with scholars, institutions and lawyers in other countries to help them pursue their studies and career interests.

In the following pages, *Gargoyle* readers can:

- **Learn about the projects our international law faculty have been working on lately**
- **Hear why five recent graduates are glad they studied abroad during law school**
- **Meet alumni whose law courses prepared them for international careers**
- **Learn why the Law School's program for international lawyers is 20 years strong**
- **Find out about the multiple programs of the East Asian Legal Studies Center**
- **Read Professor Stewart Macaulay on the UW Law School's worldwide reputation**

International Law at Wisconsin: A Faculty Strong in International Law

These fourteen UW Law School professors all devote a significant part of their activity to some aspect of international law. In addition, many other UW Law School professors not profiled here also include international components in their teaching. Here is a look at what these scholar/teachers have been working on lately, and why they feel that now is a key time to be working with international law.



Richard B. Bilder

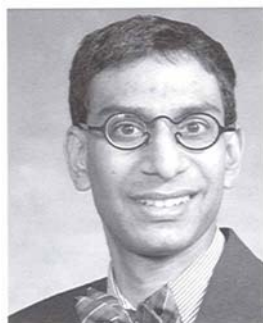
Foley & Lardner-Bascom Emeritus
Professor of Law
LL.B., Harvard Law School

PROFESSOR Richard Bilder, an internationally known scholar of public international law, has most recently been working in human rights law and international dispute settlement.

Bilder's first taste of international law beyond the classroom came just after he graduated from Harvard Law School, when he became a special assistant to the Legal Adviser for the U.S. Department of State. He immediately became immersed in international economic problems under study at the United Nations. His experience with the State Department included negotiating as the U.S. agent for air travel rights, participating in international arbitration proceedings, participating in the Kennedy Round of the General Agreement on Trade and Services (GATS), and serving as the Interim Director of the U.S. Office of African Legal Affairs.

In this time of rapid change in the international field, Bilder is specifically monitoring the way decisions are made when situations are international in scope. His many years of experience in the field make him a strong advocate for the effectiveness of multilateral decision-making rather than unilateral U.S. action.

Bilder currently chairs the Committee on Diplomatic Protection of Persons and Property for the International Law Association, and for many years, he has served on the Board of Editors of the premier scholarly journal in the field—the *American Journal of International Law*. Among his many publications on international law is the book *Managing the Risks of International Agreement*, published by the University of Wisconsin Press.



Anuj Desai

Assistant Professor of Law
Master's in International Affairs,
Columbia University
J.D., University of California-Berkeley
(Boalt Hall)

PROFESSOR Anuj Desai, who offers courses in Intellectual Property, Copyright and Cyber law, brings a strong international perspective to all his work. Before he entered the field of law, his interest in the international scene led him to earn a Master's in International Affairs. He found himself taking several law-related

courses, and realized that his next step would be a law degree. After law school graduation, he was able to combine both interest areas, serving as a legal assistant to the American judges at the Iran-United States Claims Tribunal in The Hague.

In his next career step, as an attorney in Seattle, he found that because of his international background he was frequently called upon for international civil litigation.

"International law is everywhere," Desai says. "Even if you are going to be a 'regular' litigator, you need to be familiar with international law. It's hard to find a substantive area of law that doesn't have a transnational component to it." Desai's current research focuses on the intersection between international law and communication and information technology. This coming spring semester, he will teach International Intellectual Property.

"As a lawyer, I often represented media companies," he says. "That's where I got interested in the law of the Internet, and the issue of enforcing international laws when the Internet is 'everywhere.' New technology that can pinpoint what country an Internet user is located in has opened up the possibility of enforcing individual countries' laws on Internet use."

The importance of studying transnational law will continue to grow, Desai foresees. "Twenty years from now there's not going to be a single law professor who isn't connected with transnational law at some level."



Kathryn Hendley

Professor of Law
Ph.D., University of California-Berkeley,
M.A., Georgetown University
J.D., UCLA

BECAUSE HER research interests are in the legal and economic reform in the former Soviet Union, Professor Kathryn Hendley travels often. In the past year, she has been to Russia several times. Last spring, she spent several weeks in Moscow collecting data for her Russian economic courts projects, an endeavor she began in 1992. Each year, she collects caseload data from 12 regional courts, interviews litigants and judges about their ongoing cases, and observes the court proceedings.

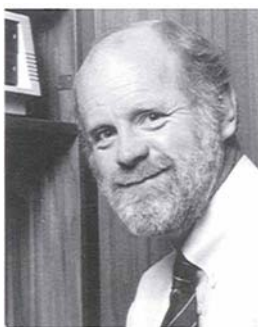
Hendley has always been interested in Russia, and became particularly intrigued by Russian President Mikhail Gorbachev's initiatives to revitalize the law in the early 1980s. Already the holder of a J.D., she completed a master's degree in Russian area studies in 1987 and went on, earning a Ph.D. in political science in 1993. Her dissertation research, which was on Russian business systems, took months to complete because of the difficulty she encountered getting access to Russian business enterprises; she persevered, however, and eventually collected sufficient data. She has made Russian friends and visits with them when she can.

Hendley is currently engaged in an interdisciplinary project that examines how business is conducted in Russia and the role of law in business transactions and corporate governance; she visits Russian businesses to research business methods and means for resolving inter-business disputes.

(See page 10 in the Focus on the Faculty section for Hendley's own account of her Russian "adventures.") Hendley has written and lectured widely on Russian law and business;

she has served as a consultant to the U.S. Agency for International Development and the World Bank in their work on legal reform in Russia; and until 2001, she served as the director of the UW Center for Russia, East Europe and Central Asia.

"For anyone interested in law and development, this is a time of immense change," Hendley says. "The transition away from various forms of authoritarianism toward market democracy has profound implications for how law is used and understood by both state and society." Her work in Russia, she says, "represents an effort to observe and document the legal aspects of this transition."



Charles R. Irish

Sherwood R. Volkmann-Bascom
Distinguished Teaching Professor
Director East Asian Legal Studies
Center, J.D., Vanderbilt University

PROFESSOR Charles Irish devotes his teaching and scholarship to international tax law, U.S. tax policy toward foreign investment, and international trade policy. He travels back and forth to Asia throughout the year, working on cooperative projects with Asian businesses, government agencies and universities and giving presentations about U.S. trade policy as it affects these institutions. "They are really interested in this: their economies are very well integrated with the American economy. I give them an American perspective on why our government and businesses are acting in certain ways towards their countries.

In the Philippines, Irish is negotiating with the Asian Development Bank in Manila to examine and revise the current system of international taxation, which favors the rich countries and is evolving toward even greater favoritism. The goal is to "reduce the disproport-

tionality between the rich countries and less rich;" first in a single geographical region, and ultimately multilaterally.

Irish has forged dual-degree programs with three major Asian universities to bring top graduate law students to the UW Law School and allow UW Law Students to earn credits while studying in Asia. He also designed the first-of-its-kind program that brought a group of Shanghai judges to Madison for judicial training from UW Law faculty and state and federal judges. "The Chinese judges loved it and the American judges loved it," Irish reports. (See more about the Shanghai judges in the East Asian Legal Studies Center article, page 32.)

Irish has written numerous articles and monographs on international taxation and is currently writing a book on U.S. laws that affect international business. This is an extremely interesting time to be working in international law and economics, Irish says. "As part of the interdependence of national economies, there has been a significant increase in economic well-being and health care, but when you integrate national systems together there will be conflicts. To be a participant in working to resolve these conflicts is very satisfying. It's increasingly recognized that some form of rule-based economics is essential to participants in an economy, and that's what I do. I work with governments to blend rules where rules conflict-and to devise new rules."



Heinz King

Associate Professor of Law,
J.D., University of California, Hastings
College of the Law
S.J.D., University of Wisconsin

PROFESSOR Heinz Klug has worked with the South African government advising them on water law and land tenure issues,

served on the secretariat of the African National Congress Land Commission, and was a team member on the World Bank mission to South Africa on Land Reform and Rural Restructuring.

Klug works in numerous substantive areas within the field of international law: public international law, comparative constitutional law, transboundary resources, international human rights, comparative work on land reform and property protection, and environmental law: renewable natural resources (water, fish, ozone) and climate control.

Klug first worked with international law when he participated in the anti-apartheid struggle in South Africa. "We relied on international law," he says. "Before I even went to law school, I understood that international law is a big part of the struggle for human rights." When his political involvement resulted in exile in 1979, he went to Botswana for six years, then came to the U.S., where he decided to pursue a law degree. As soon as the political situation permitted, he returned to South Africa to help build its new post-apartheid democracy, armed with the necessary understanding of constitutional law.

In March 2002, Professor Klug and Professor Gregory Shaffer were advisers to students on the Wisconsin International Law Journal in organizing the large, well-attended conference Access to Medicines in the Developing World, which brought a long roster of scholars and medical professionals from all over the world to Madison to work on "how governments can effectively ensure adequate and affordable medicines within an international trade regime while simultaneously safeguarding patents held by pharmaceutical companies." (papers from the conference were published in the Summer 2002 edition of the journal, Vol. 20 No.3.) Klug also served as an adviser to the World Health Organization in meetings on this same issue this year in Norway and New York.

"As the world is globalized, issues of health are no longer local," he says. "Access to medicines is an international human rights issue, a trade issue, an intellectual property issue, and a

constitutional issue-the right to health. This brings all my interests together."



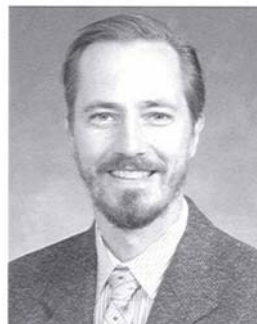
Jane E. Larson

Professor of Law
J.D., University of Minnesota

WHEN PROFESSOR Jane Larson was in the midst of her research on informal housing in the U.S., she came to realize that "what was an anomalous phenomenon in the U.S. was ubiquitous throughout the world." She expanded the scope of her research, which is primarily concentrated on the *colonias*, residential areas along the Texas-Mexico border inhabited mainly by Hispanic families. Most residential lots in the *colonias* lack basic water and sewer systems, electricity, and paved roads and the dwellings are often built from scrap lumber and other discarded materials. Larson researches related zoning laws, subdivision regulation, environmental law, property law, and building codes.

An expert in the field of land tenure and land security with a focus on informal settlement, Larson says she began to "look to the policies of developing countries for ideas about how to respond progressively to this form of informal economy." She recently spoke in Zimbabwe about the comparative legal issues affecting informal housing in southern Africa and in the *colonias*. Much of her work is performed in conjunction with the University's Land Tenure Center, and she has written extensively for the Center. Larson has also studied the international trafficking of women and girls for purposes of prostitution and serves as a consultant on this issue for the United States Agency for International Development (USAID). In this research area, she had

once again begun her study looking at U.S. law, but she discovered quickly that international law was an ideal source for finding "better developed thinking about exploitative and unlawful labor." She has used, she says, "the valuable literature on labor rights as human rights in this new extension of my work into the global market for sexual labor." A critical issue in Larson's field on the international level now, she says, is the imbalance of protection for labor as opposed to capital.



John Ohnesorge

Assistant Professor of Law J.D.,
University of Minnesota S.J.D.,
Harvard Law School

ONE OF THE most recent additions to the UW Law faculty is John Ohnesorge, who completed his S.J.D. degree from Harvard Law School in 2002 with a dissertation that won Harvard's prize for best student paper on East Asian law. The title could be a declaration of Ohnesorge's prevailing interest: "Western Administrative Law in North-east Asia: A Comparativist's History." Comparing East and West has been a compelling focus of Ohnesorge's ever since he went to Shanghai to teach English, just after he graduated from college.

Ohnesorge returned to Shanghai on an exchange program as a University of Minnesota law student, and after completing law school, he accepted an employment offer from a firm in Seoul, Korea. After 3 1/2 years of experiencing "comparative law in action" in Korea, he came back to the U.S. and began his advanced study at Harvard.

This year, Ohnesorge returned to Shanghai once again, teaching for the Shanghai Judges project designed by

UW Professor Charles Irish to acquaint Chinese judges with the American judicial system (see page 32.)

Ohnesorge also spent a year during his Harvard graduate work studying comparative administrative law at the Max Planck Institute in Heidelberg, Germany. He selected the institute because a number of Northeast Asian countries have modeled their own administrative law systems on the German system, and this study gave him further understanding of Asian legal systems.

"This is a time of radical change in administrative law for many Asian countries," Ohnesorge says. "China's administrative law system is undergoing major changes, in part because of pressure from foreign businesspeople for less regulation, less administrative discretion, and greater judicial review of bureaucratic decisions." It's a time when expertise in comparative Western and Asian law is clearly of great importance on the world stage, and Ohnesorge is already beginning to feel the demand: He has been invited to this December's internationally respected Salzburg Seminar to participate in a session on "Law as a Catalyst of Change in Asia."



Gregory Shaffer

Associate Professor of Law
J.D., Stanford Law School

IN THE LAST YEAR, Professor Gregory Shaffer has been traveling back and forth to Europe, working on multiple projects connected with transnational organizations. He conducted interviews with members of the European Commission in Brussels on U.S.-EU economic relations; interviewed delegates in Geneva from developing countries about the challenges they face with a more legalized

dispute settlement system for international trade matters; and interviewed members of the secretariat of the World Trade Organization and United Nations organizations regarding the interaction of trade, environment and development policies.

It's an exciting time to be involved in international law, Shaffer says, because of the huge advances in technology and increases in cross-border interactions.

He delivered papers in various cities: in Aix-en-Provence (in French) on U.S.-EC conflicts over the regulation of genetically modified foods; in Florence, Italy on U.S.-EC conflicts over data privacy regulation; in Vancouver, Canada concerning comparative institutional approaches to resolving trade and environment conflicts; and in Geneva, Switzerland on strategies to make the WTO work better for developing countries. Brookings Institution will publish his book *Defending Interests: Public-Private Partnerships in W.T.O. Litigation* in 2003.

Shaffer is active on campus in organizations that focus on transatlantic regulation and trade between the U.S. and Europe, running a project on Transatlantic Regulatory Conflict and Cooperation for the University of Wisconsin Center on World Affairs and the Global Economy (WAGE), where he is a senior fellow. He is also the director of the University's exchange program with the European University Institute (Elli) in Florence, Italy, the top center for the study of the European Union in the world.

Shaffer recalls keeping a globe in his room when he was young, and dreaming of becoming a foreign diplomat. During his college years, he studied in Mexico and Spain and took every opportunity to travel. After graduating with distinction from Stanford Law School, he once again looked across the ocean: his first job

practicing law was with a French law firm in Paris, where he worked for seven years. When he decided to begin a teaching career, he chose the UW Law School because it is "world-renowned for its multidisciplinary work, especially in socio-legal studies." In addition to International Trade Law and European Union Law, Shaffer teaches Publiclyheld Corporations, International Business Transactions, and the Law and Politics of Trans-atlantic Economic Relations.

It's an exciting time to be involved in international law, Shaffer says, because of the huge advances in technology and increases in cross-border interactions. He believes that Americans have a special responsibility to the world, given our "immense wealth and vast power." Moreover, he points out, our own economy and security are "intricately linked with the development and struggles of other peoples of the world."



Joseph Thome

Emeritus Professor of Law
J.D., Harvard Law School

PROFESSOR Joseph Thome focuses his research on the processes of legal reform in Latin America, and on legal issues of social and economic change in Latin America and Africa.

Thome has served as a consultant for the World Bank in Equatorial Guinea and for the U.S. Agency for International Development (USAID) to evaluate the agency's projects across Latin America.

Thome has lectured and consulted on land tenure issues in South Africa, and conducted research on land tenure and legal issues in Chile, Equatorial Guinea, Honduras, Panama, Spain, Brazil and Colombia.



Cliff Thompson

Professor of Law
M.A., Oxford University
J.D., Harvard Law School

PROFESSOR Cliff Thompson is currently living and working in Jakarta, Indonesia, serving as a legal education adviser to the University of Indonesia and a consortium of 28 law schools. He is also an adviser on new laws to the Indonesian Ministry of Justice. Both these positions are funded by the United States Agency for International Development (USAID). This is a return visit for Thompson: he spent four years as a legal education adviser in Indonesia in 1993-1997.

Thompson's service to his Indonesian hosts involves proposing new educational programs, such as one designed to identify talented junior members in law schools and government departments, and to help these individuals locate programs for additional law training. (Four Indonesians are now studying in the UW Law School's M.L.I. program through Thompson's efforts.) He also analyzes drafts of proposed statutes in Indonesia, occasionally getting involved in the policy aspects of those proposed laws.

Thompson has long been a scholar of the laws of other countries. During his last year at Harvard Law School, 1959-60, many African countries were becoming independent, but needed help because they "had too few people in law and other fields. So I thought I might be of use." The first job he secured in Africa led to others, and he spent a total of 13 years working in Sudan, Zambia, and Ethiopia.

Thompson has shared his knowledge of African and U.S. law with students both in Africa and the U.S. He served as dean of Haile Selassie University School of Law in Ethiopia and co-founded the faculty of law at

the University of Zambia, as well as being dean of three U.S. law schools, including the UW's.

Thompson's research has concentrated mostly on developing countries, and thus, he says, he often focuses on sources of law, a topic that has great practical concern for these countries.



David M. Trubek

Voss-Bascom Professor of Law
Director, Center for World Affairs
and the Global Economy (WAGE)
LL.B., Yale Law School

IN THE LAST TWO years, Professor David Trubek's scholarship has won him two major awards: the French government made him a Chevalier dans l'Ordre des Palmes Academiques, in recognition of "devotion and accomplishment in teaching, scholarship and research;" and the Law and Society Association awarded him its premier prize for a body of significant scholarly work.

Trubek served as the UW's Dean of International Studies from 1990 to 2001, when he stepped down to take another University of Wisconsin post as Director of the Center for World Affairs and the Global Economy (WAGE). WAGE supports research on economic, political, social and legal aspects of globalization and the role of Wisconsin in the world economy.

David Trubek's current international research focuses on three areas: European Union law and policy, international economic and social rights, and "law and development." He is studying new processes for coordination among the Member States of the European Union in employment and social policy. This project has taken him to Florence as a Visiting Scholar at the European University Institute (EUI), and to London where he spent two months at

the London School of Economics (EDI). He has participated in conferences on EU governance in Paris, Brussels, Oslo, and Florence and delivered lectures at LSE, EDI, and Oslo, Warwick, and Cambridge Universities. He currently is a Visiting Scholar at Harvard's Center for European Studies and the Harvard Law School. In addition to his EU work, Trubek is studying new ways to implement the International Charter on Social, Economic, and Cultural Rights.

This is a truly exciting time to be involved in international law, Trubek says: "The whole structure of rules, institutions, and procedures we think of as international law is going through tremendous change. There is a need for theoretical work as well as practical work that affects the whole worldnew institutions are being formed, and old institutions are being questioned."

Trubek has written extensively on international and comparative law as well as other topics in legal studies. He has published articles and books on the role of law in development, human rights, European integration, and the impact of globalization on legal systems and social protection schemes. He coauthored *Consumer Law, Common Markets, and Federalism* (1987), which stemmed from association with EDI and residency at the Commission of the European Community in Brussels. His most recent book, co-edited with Jonathan Zeitlin, is *Governing Work and Welfare in a New Economy: European and American Experiments*.

International law has gone from an exotic sphere of knowledge to become a central part of legal knowledge ...

"International legal issues are having more and more effect on everyday life in every country," he says. "Globalization means more people have more and more contact with legal systems, and they need to understand how these institutions work. International law has gone from an exotic sphere of knowledge to become a central part of legal knowledge."



Louise Trubek

Clinical Professor of Law
LL.B., Yale Law School

PROFESSOR Louise Trubek did not plan to become involved in international law, she says. But as she expanded her research in social justice and democratic institutions, she realized that there was much to learn by looking at developing countries, and she began a new aspect of her scholarship. She has also been drawn into international circles by virtue of her work in clinical legal education as more and more scholars from other countries seek out her expertise.

Trubek has a strong interest in researching access to justice for the disadvantaged. In recent years she has traveled to a number of countries in Asia in pursuit of data about legal aid for the disadvantaged and access to the court systems. Several years ago, she organized a regional conference in Thailand and Japan on lawyering for the disadvantaged; participants came from Vietnam, Thailand, Japan, Korea, Cambodia and Taiwan. Out of that work was born a volume called *Educating for Justice Around the World: Legal Education, Legal Practice, and the Community*, which she co-edited. She also co-edited an earlier work, *Educating for Justice: Social Values and Legal Education*.

Trubek's work in clinical legal education is known by legal educators around the world, and that work has led to more collaboration with law professors and lawyers in other countries. Many of the foreign law professors are interested in learning how to incorporate clinical education into their curricula. In addition to her work in Asia, Trubek helped to train Russian law professors in clinical education principles and did research on access to justice in Russia, a country with a transitional economy. She has

also worked from time to time with scholars from Europe and Latin America.

Being at the UW Law School has been a great advantage, Trubek says, because of all its international connections and her many colleagues who work in the international arena. Trubek noted the advantages that come from the Law School's close connection with the UW's International Institute, which has extensive contacts overseas: currently she is working with the Institute's Center for European Union Studies on a project involving scholars from throughout the EU.

This academic year, Trubek is a Visiting Professor at Harvard Law School, where she is teaching Health Law and Lawyering in the Public Interest.



Bernard Trujillo

Assistant Professor of Law
J.D., Yale Law School

PROFESSOR Bernard Trujillo's interest in immigration law is fired by his Mexican-American heritage. "Immigration is a very important issue for the Mexican-American community," he says. "There is tremendous potential for injustice in this field, and if I am in a position to be able to help prevent that injustice, I will do what I can."

Trujillo's ancestors were "Nortefios," Mexican people who were sent north to settle and protect areas of what now comprises California, Nevada, Arizona, Utah, Colorado, and New Mexico. Unfortunately for them, after the Mexican-American War ended with the Treaty of Guadalupe-Hidalgo, the Nortefios suddenly found themselves on American soil. Trujillo intends to research what happened to these people and how any of them eventually

became citizens. It may be difficult work, he says, because many of the records have not been preserved. But he is dedicated to the project, in part because of the injustice done to the Nortefios. "Many of these people had been given land grants by the Mexican government," he says, "and their land was essentially stolen from them in the period after the treaty was signed."

Trujillo's other immigration research interests concentrate on Mexican migration to the U.S. and issues related to that migration—for example, undocumented migrants and the population of low-skilled migrant workers.

Following the September 11, 2001, terrorist attacks, Trujillo received numerous telephone calls from the media, asking about the likely implications for immigrants or foreign visitors. "After 9-11, immigration became a very hot topic," he says. He cites the Patriot Act as one result that will probably negatively affect immigrants.



William Whitford

Emeritus Professor of Law
LL.B., Yale Law School

PROFESSOR Bill Whitford concentrates much of his internationally-oriented research on the relationship of law to economic transactions.

In studying and comparing the growth of consumer bankruptcy in other countries, Whitford has found that increases in consumer bankruptcy have followed closely behind the introduction of credit cards in most countries. "Consumer bankruptcy has become huge in the U.S.," he says. "And while it is nowhere near those levels in other countries, it's interesting to take note of how many countries are now adopting consumer bankruptcy laws."

- Whitford notes that because there are no longer debtors' prisons in today's world, debtors who cannot climb out from under their debt have no incentive to improve their lives unless they are afforded relief through some kind of bankruptcy system. "They are in figurative prisons," he says.
- He has found that cultural attitudes toward reducing indebtedness are interesting to compare. "In some countries, like the U.S., there is much more judicial involvement in the debt resolution process; other countries, like the Netherlands, concentrate more on a counseling or social work approach." He is co-editing a book of essays of different countries' consumer bankruptcy systems to be published in 2003. He will also report on some of his reflections at the International Consumer Law Society meetings in Athens in April 2003.
- Another recent project involved comparing the attitudes of British and American legal academics toward judicial discretion in the application of contract law. Whitford found that the American academics who selfidentified as left-of-center were more open to judicial discretion than their British counterparts, largely due, he speculates, to the fact that contract law in the U.S. is controlled much less adequately changed and formed by legislative bodies. That study led to presentation of a paper at the London School of Economics, and will be published as part of a book essays on Contract to be published in Great Britain in 2003.
- This year Whitford traveled to Kenya, where he gave guest lectures on the rule of law (with particular attention to the U.S. Supreme Court's decision in Bush v. Gore), spoke on ways to assure accountability of public officials, and served as a consultant to Kenya's Constitutional Revision Committee. He also stopped in Uganda to catch up with old friends at Makerere University, where he formerly taught.

International Law at Wisconsin: Studying Abroad Can Change Your Life

Studying abroad is a unique experience. The opportunity to experience a different culture and to view one's own culture from a different perspective makes a permanent mark on most everyone who travels to a different country to live and study.

A noticeably large percentage of UW law students enter law school having already experienced foreign study. Forty-one students out of 300 in the Class of 2005 entering this fall had already studied abroad.

UW Law School students interested in foreign study have a choice of the Law School's seven international exchange programs, or may choose to attend programs administered by other law schools, or create their own study abroad experience.

The Law School has exchange programs with these universities:

- Justus Liebig University, Giessen, Germany
- University of Groningen, The Netherlands
- European University Institute, Florence, Italy
- Diego Portales University, Santiago, Chile
- Catholic University, Lima, Peru
- University of the Witwatersrand, Johannesburg, South Africa,
- University of Sheffield, Sheffield, England

Here, five individuals who took advantage of the Law School's study abroad opportunities share some of their experiences.



Patrick Ian Jackson '01
University of Groningen
The Netherlands

PATRICK JACKSON encourages any law student with a desire to live abroad to take advantage of the opportunities offered at the UW Law School. While studying in Holland, he found time to explore parts of Europe, see famous art and visit historic

sites that he had read about. Seeing Michelangelo's David and the remnants of the Berlin Wall were highlights of his adventures.

Patrick is a Tennessee native who attended Harvard University and worked on Capitol Hill for six years before entering law school. Holland was his first trip out of the country, and until then he felt that he had been missing out on something. "Studying abroad is not just for undergraduates," he says. "It is an eye-opening experience at any age."

Patrick enjoyed the coursework abroad, especially the opportunity to take an international law class on the United Nations from a former UN Chief Legal Officer. But most of all, he simply enjoyed the opportunity

to expand his horizons and meet people from all over the world. He lived in student housing with approximately 50 other international students. In that time, he realized that hearing diverse views on politics, culture and religion could be a life-enriching experience.

"I learned to be more patient, tolerant and understanding of others," he said. "If you have an open mind, and listen to people, you can really learn something."

Patrick's advice for students interested in studying abroad is to consider all the options, talk to the professors, and above all-plan ahead. "Getting your ducks in a row before you go will make the experience much less stressful." To do so, he encourages students to figure out the credit transfers, meet important deadlines like applying for bar exams before going, and line up work for the return, if possible.

Patrick did not study abroad with the intention of pursuing a career in international law. He went abroad for the experience of seeing the world. Although he is very busy working in a health care practice group at a firm in Columbus, Ohio, he still finds some time to travel. He has seen almost every state in the country and has dreams of traveling abroad again soon. As he talks of someday visiting Spain, France, Scotland and Southeast Asia, his voice is full of excitement. He knows that, for him, living abroad was a gift that will last a lifetime.



Miguel Keberlein '02

Diego Portales University
Santiago, Chile

MIGUEL KEBERLEIN works in Chicago helping migrant workers with their legal needs and also does human rights

advocacy in Guatemala. He graduated from the UW Law School in May 2002, and credits his experience studying abroad at Diego Portales University in Santiago, Chile with reaffirming his desire to pursue public interest law and volunteer abroad.

Miguel, 29, did not have to be sold on the idea of studying abroad. Travel and learning about other cultures was a big part of his upbringing. His American father met his Guatemalan mother while he was serving in the Peace Corps in a Guatemalan village. Miguel grew up in Sturgeon Bay, Wisconsin, but spent most vacations in Guatemala. For the past 15 years, he has volunteered on a number of projects there, including building schools and roads. These days, he volunteers for Water for People, an international nonprofit organization committed to increased access to safe drinking water and improved sanitation and health.

Miguel earned a master's degree in Third World Development Support from the University of Iowa before pursuing his law degree. He wanted to study in Latin America and was grateful that the UW Law School offered two options-Peru or Chile. Chile sounded interesting and it turned out to be "a great fit."

Miguel encourages all UW Law students to take advantage of the opportunity to live and study outside the States. He recognizes that he was not confronted with the same barriers that other students might face language difficulties, first time being out of the country-but thinks that anyone can overcome those barriers and the payoffs are great.

Studying in Chile made Miguel more aware of many things about life in the States. He has a greater appreciation for educational opportunities at home. "In Chile, it is difficult to further your education. There is little government funding, and students often have to put work in front of school.

"Living abroad helps us realize that people everywhere want similar things? we want a good life, a job, and we want to spend time with family. Too many issues are made of people's differences in the world," he says.



Miranda Chin '98

European University Institute
Florence, Italy

FOR MIRANDA CHID, Having the European University Institute on her resume is a plus. "All the employers I interviewed with asked about it." For her, studying at a respected institute in the beautiful Tuscan region of Italy was an opportunity of a lifetime, and one she would recommend to anyone.

Miranda, 28, grew up in a "traditional Chinese family" in Queens, New York and didn't go far from home until she went to the University of Rochester in upstate New York, and then "out west" for law school in Madison. Miranda says she enjoyed Madison tremendously and thought the law school had a lot to offer. However, she knew early on that she wanted to see more of the world and was "internationally minded," so studying abroad was a natural fit. She was very pleased with all the opportunities available to her, and chose Italy for several reasons. She heard rave reviews from a fellow student, and the European University Institute (EUI) "has a fantastic reputation."

Miranda's initial reaction when she arrived at the old Italian villa perched on a hill in Fiesole, just north of Florence, was: "I can't believe I'm going to school here!" The campus attracted students from around the globe, and some of her best memories are simply conversations. Talking with others challenged her current way of thinking, and allowed her to see things without an American filter. "In order to have a clear view of what's going on in the world, you have to listen to others."

Miranda had an interest in pursuing some aspect of international law before she went abroad, and her schooling in Italy and traveling around Europe reinforced this interest: "I was

inspired by the EUI experience to take more internationally focused classes after I came back."

When she turned to the question of where to work after graduation, she knew she would be most happy in a big city where she could stay involved in the international scene at some level. She now works in the Project Finance/Leasing group of Dewey Ballantine LLP, a New York City law firm with offices around the world, where, among other things, she has worked on financing infrastructure projects in the United States, Latin America and Europe. She looks forward to doing more international work in the near future.



Gabriel Seydewitz '03
Beijing, China

GABRIEL SEYDEWITZ is a third-year student at the UW Law School who spent last summer as an intern at KPMG Beiten Burkhardt, a German law firm in Beijing, China. Gabriel, 25, sought out the opportunity on the Internet, and with the guidance of Professor Charles Irish, fashioned his own trip abroad.

Gabriel's online search for law firms in three selected Asian cities-Beijing, Shanghai, Taipei-yielded thousands of results. He began sending out resumes and made it through the letter "D" by the time he received interest back from three firms. He received offers from two of them, and selected the German firm.

Gabriel, a Washington, D.C. native, is no stranger to living abroad. While a junior at the University of Wisconsin, he studied in Taiwan. During that time, he went from understanding Chinese in a textbook, to speaking fluently. "The transformation was incredible," he says.

"My language skills improved tenfold." When he reached law school, he was ready for another experience abroad.

Gabriel's motivation for seeking out the internship was threefold: he wanted to combine his interests in China and the law, hone his language skills, and seek out an adventure. He successfully attained all three.

From his office on the 31 st floor, overlooking the business district in Beijing, Gabriel helped the firm publish an investment guide to China, and reviewed joint venture proposals from clients interested in setting up offices in China. Although he researched and wrote in English at the firm, he communicated in Chinese with the office staff, as well as in his daily interactions with neighbors and friends. Outside work, he played basketball with his Chinese and German co-workers, and enjoyed the night life of the city.

Settled back in the states and beginning his last year, Gabriel is beginning his search for post-school employment. He has concentrated his studies on international and business law, and hopes to attain a job at a law firm or company in Washington, D.C., Chicago, New York or Miami that has dealings in China. Ideally, he would like to be based in the states but have an opportunity to travel abroad. With a successful work abroad experience and a law school degree (almost) under his belt, he feels up to the challenge.

Jason F. Hellwig '00

European University Institute
Florence, Italy

JASON F. HELLWIG believes that the tragic events of September 11, 2001 make international law more important than ever. His educational experiences abroad, including a semester at the European University Institute in Florence, Italy, give him a better understanding of a variety of international issues, including the role of the United Nations, human rights, and environmental challenges. Jason says that the best academic decisions he made were studying abroad in

graduate school and later in law school. Having earned a master's degree at the London School of Economics and Political Science before starting law school, Jason knew that he wanted to study abroad again. As a result, the Law School's program in Italy seemed like a good choice. He attended classes in a villa surrounded by gardens, and squeezed in weekend getaways throughout Italy.

He says that while law school taught him about the rule of law and the legal profession, studying abroad taught him about life and citizenship. "Even though I didn't end up practicing international law on a daily basis, studying abroad helped me become a more informed citizen," he says. "And there is no better time to be engaged in discussion and debate on global issues than right now." Jason says he was interested in pursuing a law degree for as long as he could remember. He felt it would open doors both professionally and intellectually. And it has. After his first year of law school, Jason spent the summer as a graduate assistant at the Carter Center in Atlanta, the think-tank and advocacy group established by former U.S. President (and recent Nobel Peace Prize winner) Jimmy Carter. There Jason studied labor standards in developing countries and conducted field research on that issue in Honduras.

Jason, a Wauwatosa native, moved to New York City upon graduation to be an associate in a law firm focusing on complex commercial transactions. He lives just a few blocks from Ground Zero and saw the second plane hit the World Trade Center from his office on September 11. The experience has taught him many things. "We aren't as isolated politically, culturally or economically from the rest of the world as we once were," he says. "Studying international law abroad allowed me to see and understand our current realities on a first-hand basis." •

- Trina E. Gray

International Law at Wisconsin: Where the Study of International Law Can Lead

Students at the University of Wisconsin Law School with an

interest in international and comparative law find that the combination of their legal preparation and their background in global issues can lead to various employment options. The six alumni profiled here discovered that their UW J.D. degrees led to work both at home and abroad in diverse internationally-centered employment.



Drew Jackson '02

U.S. Department of Commerce
Washington, D.C.

ABOUT 10 YEARS AGO, Drew Jackson took a break from driving a forklift in Phoenix

to be a "budget traveler" backpacking in East Africa. While there, he was drawn to human rights, poverty relief, and political systems, and ultimately developed an interest in the law. He returned to college, and earned a degree in political science from the University of Arizona.

Several years later, Jackson received a "great offer" to pursue a law degree at the University of Wisconsin. The fellowship offer and the reputation of a faculty with ties to Africa sold him on the UW Law School. He feels he made the right choice.

Jackson took advantages of opportunities to learn outside the

analyst for in International Trade Law professor, and spent a summer abroad in Kenya after his second year. He landed the internship with the help of a visiting professor who was teaching an Ethnicity, Democracy & Human Rights seminar. While working on a paper for this class, Jackson made contact with the executive director of the Kenya Human Rights Commission. At the urging of his professor, he followed up with the director and inquired about summer employment. He was welcomed enthusiastically and went to work for MUHURI, a Muslim Human Rights organization. Jackson and others investigated the stripping of land from poor farmers by political officers in Kenya.

"When I look back," Jackson says, "that is one experience I will remember the most. I wouldn't have had that opportunity if I hadn't been at the Law School."

During his last semester of law school, Jackson began searching for a job that would allow him travel and would "keep life interesting." He found that at the Department of Commerce in the International Trade Administration's Office. He filled out an application online, had a one-hour interview in Washington, D.C., and got an offer as an International Trade Compliance Specialist. He is now part of a team responsible for applying anti-dumping

laws. His first six months included a trip to China. He is pleased to have work that is both challenging and adventurous, and credits his education at the UW Law School for helping him get there.



Elizabeth Cooper Doyle '97

Office of the Chief Counsel
Import Administration
Washington, D.C.

ELIZABETH Cooper Doyle is an attorney adviser with the Office of the Chief Counsel for Import Administration in Washington, D.C.

She grew up in Madison, traveling worldwide with her family. One of her defining experiences was spending a semester attending high school in Moscow while her father was there on a Fulbright Fellowship. To prepare for living abroad, Doyle took a college course in Russian at age 15. This early experience overseas sparked her

interest in the world, and she returned a "much more interesting person," she says with a laugh.

After graduating from Princeton, Doyle spent the summer backpacking in Europe, the fall teaching English to business executives and others in South Korea, and then took a job reviewing and analyzing accounting issues for Securities Data Company in New Jersey, while living in New York City. The company was developing a new product, and some of Doyle's work entailed legal research. This work rekindled an early interest in the law, and she headed back to Madison to attend the UW Law School.

While in school, Doyle took advantage of numerous courses in international law: International Business Transactions, European Law, and International Human Rights (which helps her significantly in her current work with international agreements). She also had a comment published in the *Wisconsin International Law Journal*, and participated in the Jessup International Law Moot Court Competition.

She took advantage of other non-international law opportunities as well, such as working with the Remington Center's LAIP program, where she visited prison inmates and got a firsthand look at the criminal justice system, an experience she thinks all members of the bar should have. The following summer she clerked for Murphy Desmond, S.c., a "great, caring firm," and was given a lot of interesting, diverse work.

After graduation, she moved with her physician husband to Greensboro, North Carolina, and worked with a large firm as a product liability litigator. Although this work did not have an international component, it gave her the opportunity to hone her litigation skills.

The couple's next move was to Washington, D.C.-a city where they had always wanted to live. Through a friend, Doyle learned of potential job opportunities with the U.S. Department of Commerce in the Office of Chief Counsel for Import Administration. She educated herself about their work, and went in for an informational interview. She persisted and was

offered a job there a year later.

The work is detailed and technical, she says-and she thrives on it. Attorneys in the Office of the Chief Counsel for Import Administration act as the principal legal advisers to the Import Administration in its investigations of unfair pricing and foreign government subsidization of U.S. imports.

Looking back on her UW Law School experience, Doyle credits her many international law courses as well as her grounding in diverse areas of law for giving her the background she needed to do the challenging work she now does.



Jennifer Konz-Alt '98

Kirkland & Ellis, London

MONG THE growing number of UW law students who study international law and pursue job opportunities overseas, some find that the law degree leads them to international experiences not involving the direct practice of law.

A good example of a non-traditional career path for a law school graduate is the story of Jennifer Konz-Alt.

By phone from the 25th floor of an office building in the heart of London's financial district, Konz-Alt discusses the value of her law school education, and her decision to live abroad in her "favorite big city."

Konz-Alt practiced law in London briefly before joining the firm of Kirkland & Ellis, where she is involved in human resources, job training, recruiting and client event planning. This career "really fits my personality," she says.

Konz-Alt grew up in Stevens Point, Wisconsin and traveled frequently with her father, who lived in Saudi Arabia for most of the time she was growing up.

It was at this early age that she found a love for travel. In high school, she participated in a study abroad program in Germany shortly after the fall of the Berlin Wall. It was a "fantastic, exciting" moment in her life that opened up her eyes to things other students her age only read about in textbooks.

At the University of Wisconsin, she studied German and International Relations. She earned a scholarship through the Rotary Club and spent nine months in Germany, where she honed her language skills. Her experience abroad was personally enriching and reinforced her desire to "do something outside of Madison" in her professional life.

She had always wanted to study law, and knew it would open many doors for her, so she returned to Madison for law school. She was not convinced that she wanted to pursue international law in either the public or private sector as a career, but knew that having a law degree would make her a more qualified professional no matter what she chose to do. "To me, a law degree was a signal of achievement-something that would make me a more attractive candidate for any job I pursued," she says.

Upon graduation, Konz-Alt won a scholarship for foreign lawyers through DAAD, the German Academic Exchange Service. She was the only American in the program that year, and spent part of her time interning at a top-five law firm in Germany, and the rest in the classroom. While in Germany, she began applying for jobs in London, where her husband, a fellow Wisconsin lawyer, was working. Through her UW connections, she landed a job at Baker & McKenzie, and later moved to Kirkland & Ellis. Although she is not involved in practicing international law, she is certain that she would not be in London, using her German language skills, without her UW law degree.

David Miller '00

Hogan & Hartson LLP
New York City

DAVID MILLER, who grew up in Madison, knew from an early age that he was

interested in the world. At age 12, he spent a year with his family in France,

and his travels continued throughout life. After high school, he spent a year in Israel before attending Macalester College in St. Paul, where he studied Russian history and language. As a college student, he spent a semester studying abroad in Russia. He was completely immersed in Russian culture and had intense language training.

After college, Miller took a job as a paralegal in Minnesota, working for an attorney who was involved in Russian/Jewish asylum work. He found immigration law to be emotionally rewarding, but did not envision it as a longterm career. He earned a master's degree in Russian history at Georgetown University, and then decided to return to Madison to attend the University of Wisconsin Law School—"a great school with a lot of opportunity."

After his second year of law school, Miller spent three weeks in Russia on a grant-funded project through the Law School's East Asian Legal Studies Center—interviewing Russian law students about their curriculum. No sooner did he return to the States than he was back in Russia, this time as a summer associate at the Moscow office of Hogan & Hartson LLP (where he was told he would have a job waiting for him upon graduation).

Returning to Madison at the end of an eventful summer, two days later he flew off to the European University Institute in Florence, Italy for the first semester of his third year. He thoroughly enjoyed studying abroad, he says, and feels that both the foreign study and the work in Russia added significantly to his law school experience.

After graduation, Miller returned to Moscow and the law firm. Through a UW connection, one of his first cases in Moscow was to represent a major Hollywood film studio in its production of the movie, *K-19: The Widowmaker*. While working for the studio, he uncovered a memoir from the captain of the famous submarine and helped secure rights for its use.

Miller enjoyed living in Russia, he says, but after 20 months he was ready to return to the States. He joined the firm's New York office, where he focuses primarily on international arbitration and litigation. He enjoys

having a varied practice, he says, plus the opportunity to travel worldwide.

Thomas Martin '95

U.S. Department of Commerce
Washington, D.C.

TOM MARTIN is an international trade analyst for the International Trade Administration's office in the Department of Commerce. His interest in globalization and world trade, which began during his undergraduate years, continued to grow with the international experiences of his University of Wisconsin Law School years.

Martin's focus in law school was on labor law. However, he credits his Administrative Law course at the Law School as being a "solid foundation" for building his career. He combined his classroom education with opportunities the Law School provided for international experience: his first summer he worked on pro bono asylum applications for Haitian refugees in Florida, sponsored by the Law School, and during his third year in law school, he studied at Diego Portales University in Santiago, Chile. While in Chile, Martin witnessed the country "experiencing a lot of economic growth—becoming a stable, strong country where the rule of law applies, and where people prosper by exporting." The prevailing optimism in Chile at that time reawakened his interest in world trade issues.

Upon graduation, after one year as a legal researcher for a firm in Albuquerque focusing on union-side labor law, he passed the exam for his Custom House Broker's License, and accepted a position with a French import/export company in Houston, where he learned about trade issues and managed the import side of the business.

A couple of years later, he moved home to Detroit to do consulting work as a trade analyst. There he continued to learn about trade, this time focusing more closely on NAFTA compliance. After approximately two years in Detroit, he made the leap to Washington, D.C., where he works in anti-dumping law. He and his co-workers work to promote the policy of trying to "remedy trade that is already distorted." They are responsible for determining if prices for

international goods sold in the United States are priced below fair value.

Martin's experience and expertise continue to grow; one of his colleagues calls him "a seasoned analyst with a Zen-like knowledge of anti-dumping cases." His work involves global travel—to China, Eastern Europe and countries in the former Soviet Union—and he finds that international trade law is a field that is both engaging and rewarding.

John Herson '79

Kimberly Clark
Neenah,
WfficonsU1

JOHN HERSON is International Tax Counsel for a multinational company, traveling worldwide every few weeks. Living in Neenah, Wisconsin, he has a "world-class practice in a town of 20,000," where he enjoys a balanced work and home life. He is the proud father of four, and makes time to be active in the community, including coaching youth baseball.

Herson has seen his employer grow tremendously in his years there. It is truly a global company, with businesses in 156 countries. Herson's role is to advise on business transactions to maximize tax benefits for the company.

Herson's affiliation began 23 years ago, when he read an article about the Kimberly Clark Corporation in *The Milwaukee Journal*, and mailed in a cold inquiry about employment opportunities. He has worked there ever since. He did not have a "master plan" for his career when he graduated from college, he says, but he pursued a law degree at the University of Wisconsin Law School and also became a certified public accountant—and now has a job that combines both fields and has a significant international component .•

- Trina E. Gray

International Law at Wisconsin: Summer Program for International Lawyers Marks 20th Year



Twenty years teaching together in the Summer Program

Every summer for the last 20 years, these five UW law professors have taught lawyers and other legal professionals from around the world about United States law. From left are Zig Zile, Chuck Irish, Larry Church, John Kidwell and Ken Davis.

Twenty-one years ago, Professor Zigurds ("Zig") Zile and two non-UW colleagues had a vision: a program in U.S. law for lawyers from other nations whose work brings them in contact with the United States. The program of intensive courses by law faculty would give this group of international lawyers an overview of the U.S. legal system and an informative exposure to certain key areas of U.S. law. The ultimate result was the Summer Program in United States Law and Legal Institutions, which celebrated its 20th anniversary in the summer of 2002.

After the first experimental onetime program proved the viability of the concept, Zile and four UW Law School colleagues, Professors Larry Church, Ken Davis, Chuck Irish, and John Kidwell modified the program and began a longtime partnership with the Law School's Continuing Education and Outreach Office (CLEW), which has continued to administer the program ever since. The Summer Program became an annual event, growing from its first class of nine participants to a total of 1,007 participants from 65

countries by the end of its second decade. The five professors who began the program have all continued teaching in it for its 20-year existence. CLEW Program Manager Lynn Thompson is in charge of administering the program, bringing visitors from around the globe each year to live in Madison for several weeks.

As the program grew, some private practitioners and other UW Law School teachers joined in the effort: librarians, legal writing instructors, and clinical professors who provide hands-on exercises. Areas of study have included the U.S. constitution and judicial system, civil procedure, commercial transactions, product liability, tort law, professional ethics, negotiation techniques, corporations and other business organizations, securities regulation, and issues in litigation. The discussion in each area typically incorporates material relating to international transactions.

In addition, separate courses have been devoted to a detailed survey of laws affecting trade and investment transactions between the United States and other countries, United States taxa-

tion of foreign businesses and individuals, and transboundary litigation. An introduction to both traditional and computer-assisted research in U.S. legal materials is also provided.

The program is intended both for practicing lawyers in business, government, or private practice, and for law students nearing completion of their formal training, who have a strong interest in U.S. law, in particular as it relates to international transactions involving the United States. Many of the program's participants have gone on to graduate programs in law, both here at the UW Law School and at other schools.

In addition to their course work, participants are offered a variety of beyond-the-classroom opportunities. This year the list included courtroom observation, a visit to the Milwaukee offices of the law firm of Whyte Hirschboeck Dudek (and a barbecue afterwards at the home of one of the firm's partners), a traditional Door County fishboil, Concerts on the Square and the Farmers' Market, and dinner at the home of Professor Larry Church and his wife and law school lecturer, Fredericka Paff.

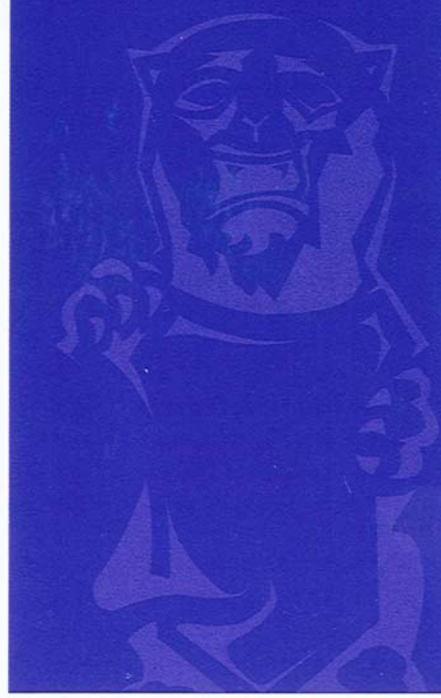
"With its international scope, this program was a substantially different undertaking for our office," says Associate Dean for Continuing Education David Schultz. "The fact that we are celebrating our 20th year of an extremely successful program is due both to the dedication of the CLEW staff and the excellent teaching and continuity of effort of the five faculty members who founded it."

For a glimpse at how international participants in the program view the experience, see the quotations at right .•

* * *

As this issue of Gargoyle went to press, the UW Law School community was saddened to learn of the death of longtime Professor Zigurds (Zig) Zile. Zig "meant so much to so many of us," in the words of Dean Ken Davis. The next issue of Gargoyle will honor Professor Zile's memory with reminiscences from his colleagues.

Law Professionals from Around the World Talk About UW Law Summer Program



Mr. Ingo Kahler
Giessen, Germany

Profession: recent graduate of law program at Justus Liebig University, Giessen

Why this program? Saw a poster at Giessen

"Interesting classes--and the experience of the country and culture, how people live. The whole system of case law is different from ours--another way, but the same goal This is a great area--two lakes"

Mr. Hsiang-Jung Chiu
Taipei, Taiwan

Profession: graduate student in tax law

Why this program? "Friends suggested Wisconsin because people here are friendly--don't get impatient and angry; Professor Irish delivered a speech at National Taiwan University that made a deep impression; course offerings"

"The professors introduce American law very clearly: they considered our English ability and so didn't speak very fast. . . . What makes me impressed was that I learned I should ask questions very actively you don't need to worry about blame or that someone will laugh at you. So I challenge myself to deliver my opinion bravely. The most important thing I learned: just give out your ideas."

Ms. Virginia Useche Araujo
Carracas, Venezuela

Profession: attorney in legal department of electric company
Chose this program... from the Internet

"I work with many U.S. companies, contracting them. We try to apply Venezuelan laws--but you have a different system. I'm going to apply this in my daily work in my company."

Ms. Lena Johansson
Helsingborg, Sweden

Profession: attorney in commercial law (acquisitions and corporate law) at firm in Sweden

Why this program? A partner in the firm participated in 1989 and recommended it as an excellent opportunity to meet lawyers from other countries

"You have different kinds of corporations and partnerships in the U.S.-this was an overview. I often have contact with foreign lawyers, and I do transactions in the U.S. and hire a U.S. attorney. This helps me know how lawyers in the U.S. think."

Mr. Fernando Gava Verzoni
Porto Allegre, Brazil

Profession: lawyer 1^{1/2} years and finishing graduate course in international and corporate law
Why this program? heard about it from a 2001 participant:

"He liked it, so I'm here."

"Classes just as I was expecting, so I'm enjoying it a lot Our legal system is very different from America's but it is important for me to understand. Some ideas from the corporate law classes I'll be able to use back in Brazil."

Ms. Apinya Luernshavee
Bangkok, Thailand

Profession: professor of law, teaching European law, international trade law, human rights

Why this program? friend recommended Madison, looked on Internet

"My university gives its faculty the opportunity to 'freshen up.' I saw on the Internet beautiful pictures with a lake ... that there is a low crime rate-Ah! I made a decision-I will come! ... I love this program very much: good professors, organization and reception."

Ms. Natsue Sekiguchi
Tokyo, Japan

Profession: reference librarian, Chuo University

Why this program? one of her professors had participated

"In 2004, my university will establish a law school I have to prepare."

Ms. Maria Jose Gonzalez
Bogota, Colombia

Profession: Completing bachelor's at Purdue, studied law in Colombia

"In the program we have all gotten to know different cultures--we have the American point of view, our own point of view, and other students' cultures."

Ms. Camila Gonzalez
Bogota, Colombia

(sister of Maria Jose Gonzalez, above)

Profession: Law student in Colombia, works in legal department of consulting firm

Why this program? Internet, and another sister said Madison is a beautiful city

"All the activities: court observation, visiting the Milwaukee firm and going to the partner's house for hamburgers and hot dogs, going to Professor Church's house-we're not just studying, we're seeing how an American lawyer lives."

Ms. Yin-chin Wang
Kao Hsiung, Taiwan

Profession: graduate student, focusing on family law, feminist legal theory

Why this program? "the ranking, Madison, family law courses"

"I was very impressed by Professor Cagle. We had practical exercises with him in cross-cultural negotiation. I participate in a negotiations club at my university, but we don't have a chance to actually practice negotiation. "

Mr. Junzaburo Kiuchi
Tokyo, Japan

Profession: attorney in corporation law with large international firm (Freshfields Brockhaus Deringer)

Why this program? a colleague recommended Madison

"If you want to learn the general structure of U.S. law, this program is quite useful I practice law in international law areas, but haven't had the chance before this to learn it systematically."

Ms. Julia Sommer
Fra~n, Germany

Profession: telecommunications and media lawyer with large international firm (Freshfields Brockhaus Deringer)

Why this program? "A partner in the firm came here 14 years ago-I wanted to do an English language course but he said this would be better."

"The class is very good background for understanding American clients--we always want to get their way of looking at things."

Ms. Martina Harrer
Vienna, Austria

Profession: attorney in Vienna firm
Chose this program: from the Internet

"The class in corporate law was very important and very interesting for me-English legal terms I will need at my firm, and I enjoyed tort law with Professor Zile and Professor Church-a very good introduction. Our systems are quite different: we have civil code and you have case law I was very glad about the invitation to Whyte Hirschboeck: they are the biggest law firm in Austria, with about 120 lawyers. It was very nice to be invited to the home of a partner." •

International Law at Wisconsin: Law School's Asian Connections Keep Growing



Dean Davis and Dean Shen Deans Ken Davis and Shen Sibao, Dean of the Law School at the University of International Business and Economics in Beijing, have become colleagues as a result of the East Asian Legal Studies Center's affiliation with the Chinese institution. They share an interest in corporate governance, and both participated in a conference on corporate governance at the UW Law School this spring.

SINCE ITS BEGINNING in 1990, the East Asian Legal Studies Center has formalized and increased the Law School's academic interaction with universities, government ministries, and the private sector in East and Southeast Asia. The Center provides an environment at the Law School for students and established scholars to pursue advanced law studies and research, and arranges professional outreach programs and opportunities for Law School faculty to teach and meet colleagues in countries in East and Southeast Asia.

The Center's most recent outreach venture was a training program for judges from Shanghai that took place in the summer of 2002 in two locations: Shanghai, China, and Madison. The idea of this program, the "Seminar in Judicial Training Skills," came about when the Shanghai High People's Court approached Charles

Irish, professor of law and the Center's director, inquiring about putting together a short-term program to give young judges in China exposure to American judicial systems and laws. Working with Sun Chao, professor of law at East China University of Politics and Law in Shanghai and a local legislator there, Chuck Irish put together an impressive array of lecturers and experiences for the Shanghai judges, drawing from a teaching pool of UW Law School professors, Wisconsin judges (circuit court, appellate court, and supreme court levels), and federal judges. Chuck noted that the "basic philosophy of the seminar [was] to help the Chinese judiciary become more effective by offering them information about the state and federal judicial administration in the U.S." He also clarified, "We are not in any instance urging the Shanghaiese to adopt the American model."

The initial week of the program took Dane County Judge Michael Nowakowski and Law School Professor John Ohnesorge to Shanghai for lectures and discussions on the American court system and judicial practice. Several weeks later, from July 14 through August 2, twenty judges from different court levels in Shanghai traveled to Madison for the remaining three weeks of the program. In Madison, the judges had a full schedule of lectures, court observations at both the trial and appellate levels, discussions with judges, videos, a trip to the ABA in Chicago, plus social activities. Judge Nowakowski commented: "The highlight of the program was the exposure to the new breed of Chinese judges who in so many ways displayed a dedication to learning new ways of doing things that can be used to make the Chinese court system more efficient and fair and to elevate the status of judges within Chinese society. The experience for our judges was both enriching and caused us to revisit fundamental principles that can too often be taken for granted."

The seminar for the Shanghai judges was a one-time occurrence that may be a model for future judicial training programs. The Center also has been involved with on-going programs for professionals. One of these is a Partnership Agreement between the UW Law School and the Law Institute of the Far Eastern National University, Vladivostok, Russia. A grant of about \$150,000 for this partnership was given to the Law School by the U.S. Department of State in 1998 to promote academic exchanges and programs between the two schools. This partnership involved visits of faculty from one law school to the other and special training programs during the summer. During the summer of 2002, the final summer of the grant, six

professors from Far Eastern National University came to the Law School to consult with colleagues and develop course curricula for classes they will teach in Vladivostok.

The outreach efforts of the Center also include students. A Cross-Cultural Negotiations course at the Law School developed by the Center includes an international component during which law school J.D. students travel to a university overseas to participate in simulation activities with their counterparts. A pilot program took place in 1999: four J.D. students and UW Law School Professor Ralph Cagle followed up class meetings in Madison by going to Hokkaido University (Sapporo, Japan), where Professor Cagle taught and conducted simulation exercises involving the four UW law students and Hokkaido University law students. This first try-out was followed in 2001 by a similar practicum experience in Beijing at the University of International Business and Economics (UIBE) with 10 UW J.D. students and 10 UIBE students, and in 2002 in Beijing and Shanghai with 11 students from the Law School and an equal number of students at the host universities. Professor Cagle again taught the classes and the simulation exercises. The evaluations from the students have been overwhelmingly positive, not just for the course itself, but also for the realization of the deep life-changing effect of the internationalizing experience.

The Center, in coordination with the law faculty of Thammasat University in Bangkok, Thailand, offers a longer summer internship opportunity for Law School students. This competitive program began in 1997 to give UW J.D. students an opportunity to work at an international law firm in Bangkok for about six weeks during the summer, after a few days of preparatory work at Thammasat University. Student reaction has been quite positive. A recent participant wrote: "I found the Thailand program to be very empowering. It built my confidence as I succeeded in a land I have never been to, with a language I had never heard, and practicing law I had never been exposed to. In sum, I could not

conceive of a better way to spend my first summer in law school. I learned more than I imagined about myself, the law, and the work in general."

This deeper appreciation and clarity are two long-term benefits for UW law students who are able to participate in an international educational experience during their Law School years.

At the Law School, the Center coordinates with the Law School's Graduate Programs Office to offer a program of classes at the Law School to master's level professionals from East and Southeast Asia that is 'customized' to their legal areas of interest. Recently, the Center assisted the Law School's development of dual degree programs at the master's level with several universities in East Asia, specifically with Korea University, National Taiwan University, and UIBE in Beijing. Three students from UIBE are taking part in the dual degree program during the 2002-2003 year.

This deeper appreciation and clarity are two long-term benefits for UW law students who are able to participate in an international educational experience during their Law School years.

A high proportion of the students from East and Southeast Asia who come to the Law School for advanced legal studies at the master's level (and sometimes doctoral level) become teachers in their home countries after receiving their degree(s) from the University. Many law faculty professors in Korea are graduates of the UW Law School; this is true in Taiwan, and to a lesser extent in Japan and Thailand. These Wisconsin alumni/ae are some of the Law School's biggest boosters, and many of the more recent students in the Graduate Programs chose the UW and Madison because of the influence of professors at their home

universities who are graduates of the UW Law School.

As more international students from the master's program take J.D. courses, some of those courses have taken on a more international focus. The discussions in class become "internationalized" by virtue of the non-U.S. point of view brought out in class by the international masters students. The Center has also awarded summer support grants to Law School professors to add an international component to their courses.

The Center has initiated the teaching of several international law courses, some taught on a regular basis and others occasionally. Examples of such courses are Legal Issues between North America and East Asia, Introduction to the Law of Japan (taught under a grant from the Japan Foundation), Topics in East and Southeast Asian Law, and Business Law of Greater China. The Center has also actively worked with the Law Library to increase the

collection of library materials related to the law of the countries of East and Southeast Asia.

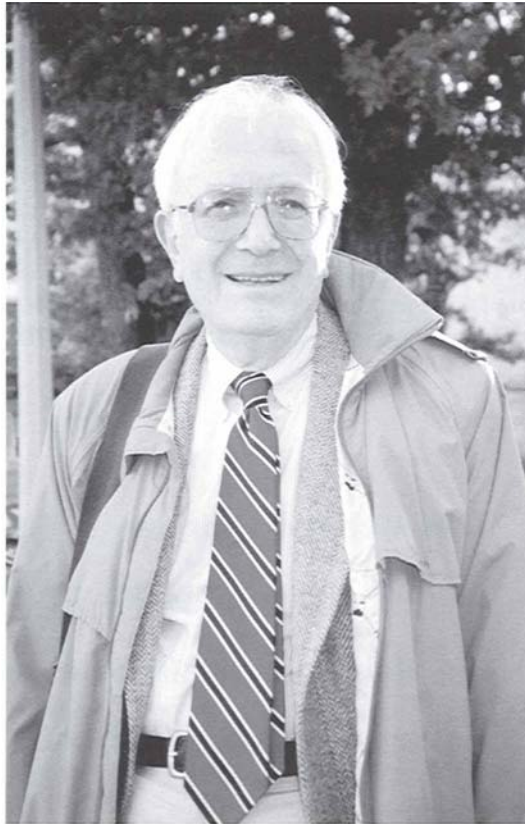
During the past twelve years, the Center has slowly and solidly increased the Law School's presence in East and Southeast Asia, while contributing in multiple ways to the internationalization of the Law School itself. The Center has contributed to the students' and the larger legal community's growing awareness both of East and Southeast Asia and of the increasingly international, complex legal world we live in. •

-Susan Katcher
Associate Director
East Asian Legal Studies Center

International Law at Wisconsin: Wisconsin's International Reputation in Law & Society

By Stewart Macaulay

*Malcolm Pitman Sharp Hi/Ildale Professor
Theodore W. Brazeau Professor of Law*



Stewart Macaulay

A FEW WEEKS AGO—in November 2002—Professor Howard Erlanger of the UW Law School was elected president of the Law and Society Association, a splendid honor for Howie and for our Law School. (See page 46.) This marks the eighth time a colleague with Wisconsin connections has been elected to the presidency of LSA, and it also marks the fourth major honor accorded by the Society to members of our law faculty in the past year alone. The striking Wisconsin presence among the ranks of officers and honorees in

this internationally respected scholarly organization is a topic I have been pondering for some time.

Last June, flying back from the Law and Society Association meeting in Vancouver, I felt great pride to be associated with my accomplished colleagues and former colleagues on the University of Wisconsin-Madison faculty who have made their mark in LSA. Founded in 1964, this organization includes "scholars from many fields and countries interested in the place of law in social, political, economic and cultural life." UW Law Faculty member David Trubek had just received LSA's Harry Kalven award at the meeting. This is a high honor. It is given for "empirical scholarship that has contributed most effectively to the advancement of research in law and society." The Kalven Prize Committee pointed to David's work on law and development, the Civil Litigation Research Project that gave us our first modern view of who is using courts for what and with what results, and the creation of the UW's Institute for Legal Studies that has fostered all kinds of interdisciplinary work both here in Madison and elsewhere.

At the same awards ceremony, one of our newest faculty members, Catherine (K.T.) Albiston received LSA's award for the outstanding dissertation in our field for 2001. Her dissertation was titled *The Institutional Context of Civil Rights: Mobilizing the Family and Medical Leave Act in the Courts and in the Workplace*. K.T., who has both a law degree and a Ph.D. in sociology, promises to continue a long tradition of interdisciplinary work in Madison.

And there's more: Howard Erlanger received an award marking his twentieth year as the review editor for *Law and Social Inquiry*, which is an important voice in the field based at

the American Bar Foundation. The reviews he plans and extracts from contributors take significant books and use them as the take off point for essays considering broader questions about the place of law in society. Many of my present colleagues also were on the program, giving papers, chairing panels and serving as discussants. I was also delighted to see former members of our faculty and former students at the meeting. For example, I had dinner with Lawrence Friedman (now at Stanford) and Joel Handler (now at UCLA). Both remain great friends of our law school.

It is not surprising that we play such a major role in the Law and Society Association. The "trade mark" of the University of Wisconsin Law School long has been its law-in-action approach. Put most simply, rules and theory must be grounded in experience or empirical research. As Frank Remington often said, you cannot understand the criminal law by reading a law book. For that, you have to sit in the front seat of a squad car in a big city on a hot night. Willard Hurst put it: "If general ideas and theories about what's going on in society are going to be anything other than moonshine, they have to be rooted in hard-bought knowledge of what in fact is happening in people's lives."

Of course, today we are not alone in pursuing this approach. Other law schools have interdisciplinary centers or professors noted for empirical research about law. In some instances, law in action in other schools reflects the work of former Wisconsin professors who moved or people who were students in Madison. Indeed, the spread of this approach helps validate our history and present practices. People at Wisconsin, however, have been at it at least since Oliver Rundell studied the practices of the police in 1911. We also should remember the empirical work of Jake Beuscher on land use and environmental law and Frank Remington's mastery of criminal law in action as well as such ventures as Marc Galanter's Disputes Processing Research Program. Our labor law program was created by people such as Nate Feinsinger, Abner Brodie and

Jim Jones, all of whom learned their field not just from books but from their participation as arbitrators, mediators, umpires and government officials.

Willard Hurst stressed another feature of Wisconsin's law-in-action tradition. In talking about his arrival at the Law School in the mid-1930s, he said: "And then the fact that it was apparent right from the very outset that this was a law school unlike most law schools, that did not exist in isolation from all the rest of the university. It was just taken for granted that we would have working contact with " economics and sociology, it was taken for granted that people there were interested in the law school, and the law school was interested in them." The current reflection of this tradition is found in the University's new emphasis on cluster hires. Several departments can join together in proposing a cluster, and then they can get funds when two or more departments agreed on appointing a person to the faculty. We have four new faculty members who have been hired this way: Catherine (K.T.) Albiston, specializing in law & sociology (Legal Studies Cluster); Anuj Desai, specializing in intellectual property law (Communications Technologies and Information Policy Cluster); Richard Ross, specializing in American legal history (Legal Studies Cluster); and D. Gordon Smith, specializing in business law (Entrepreneurship Cluster). A fifth new faculty member, John Ohnesorge, specializing in comparative and administrative law and East Asian law, was hired with support from WAGE and the East Asian Legal Studies Center.

A skeptic might ask what difference does law in action make? Perhaps surprisingly, this approach makes us more practical and more theoretical at the same time. You cannot study much law in action without asking what lawyers do for which clients. Professors who take a law-in-action approach are likely to teach about, for example, sales over the Internet rather than the commercial problems of the 1800s. The title of the Macaulay, Kidwell, Whitford and Galanter casebook used at Wisconsin is, after all, *Contracts: Law in Action*.

Also, we cannot fashion theories about appellate cases without recognizing that reality of most areas of law is settlement rather than litigation and appeals. Those presenting theories worth our time can never forget

such things as law is not free, police departments and administrative agencies are organizations subject to constraints of budget and politics, and people cope with laws that inhibit what they want; they do not just passively comply. Moreover, once we confront the law in action, we face new theoretical questions. Our political philosophy and our constitution promise due process but the reality is that usually we give people a deal. Deals reflect bargaining power, and this, in turn, forces us to ask questions about a legal system that performs its promises in such a fashion. Some settlements are creative solutions to problems; others are no more than the best of many bad alternatives. Many of our graduates are familiar with Professor Neil Komesar's rich ideas about comparative institutional choice. Law can do some things well but not others, and using law has costs that must be paid. Markets and other institutions also work in some places but not others. Komesar stresses that the question is always comparative.

We cannot find a problem and say that "there ought to be a law." We must ask whether the law or the market work better in a particular situation. Obviously, such a theory cannot be applied to specific problems without an appreciation of both the law in action and the market in action.

Another answer to the "so what" question is that this school's reputation rests, in large measure, on its law-in-action approach to legal scholarship. The Law and Society Association helps focus the attention of those interested in law on our school. LSA has grown from a small group of friends to an organization that now faces the problem of finding enough places on a three or four day program for all those who want to present papers. LSA was created by the work of many people, but those from Wisconsin played an important role. Much of the hard organizational work was done by

Harry V. Ball, a sociologist who then was at Wisconsin on one of Frank Remington's criminal law projects. At the Chicago meeting in May of 1999, the 35th Anniversary Roundtable had the title: "Celebrating the Institute for Legal Studies and the Madison Tradition: Taking Empirical Sociolegal Studies into the Legal Academy and the Law." Eight of the twelve participants were present members of the Wisconsin faculty; four were our former colleagues. The panel drew a large audience, and many who attended had important Madison connections. (A personal note: My late wife, Jacqueline Macaulay, who then had only six months to live, spoke for the last time at an academic meeting. She had been part of the Madison law and society tradition for over 40 years, and she reminded people not to forget what made Wisconsin special).

Editor's note: Stewart Macaulay is a former President of the Law and Society Association and was awarded the Harry Kalven Prize in 1986. In thanking the Association for the prize, he credited his mentors, most importantly Willard Hurst, and colleagues such as Lawrence Friedman, Joel Handler, David Trubek and Bill Whitford, and he

noted that a major reason for any success that he had had was that he had married well. Jacqueline Macaulay (1932 - 2000) held both a Ph.D. in Social Psychology and a J.D. from the University of Wisconsin. She edited everything that Macaulay ever published and he credits her both for providing many ideas and saving him from many errors.

We can measure Wisconsin's importance in LSA several other ways. There have been 22 presidents, and seven either were then on the Wisconsin faculty or had spent significant

parts of their careers in Madison before moving elsewhere. Another received his Ph.D. from our Political Science Department. With the November election of Howard Erlanger, we have now raised the number of Wisconsin-related presidents to eight out of 23: more than a third. (And I'd like to add that Howie's "rival" nominee for president this year also has a Wisconsin connection: Dirk Hartog, who was formerly on our faculty and now teaches at Princeton.) Of the twenty people who have won LSA's Harry Kalven prize, eight have significant connections with Wisconsin. Ron Pipkin, LSA's long-serving Executive Officer, earned his law degree here, and also an M.S. from the UW's Department of Sociology. Finally, many with strong Wisconsin ties have served on LSA's Board of Trustees.

Moreover, Wisconsin's reputation for this kind of scholarship is known all over the world. The Research Committee on the Sociology of Law is essentially the European version of LSA, although it has many Asian, Latin American and North American members as well, including some from the University of Wisconsin-Madison. The RCSL and the Law and Society Association meet outside of North America once every five years. So far, meetings have been held in Amsterdam (1991), Glasgow (1996) and Budapest (2001). Wisconsin professors and former students have been all over the programs in all of these places.

We have exchange programs with many universities in Europe, Asia and Latin America, and to a great extent, our attraction to scholars in these places rests on our tradition of law and society scholarship. This fact was brought home to me recently when I received an e-mail from Matthew Smith, who was a student of mine in 1998. He wrote: "I didn't quite believe you when you mentioned in class that the UW was one of the most recognized U.S. law schools in Europe. I'm now living in Germany ... and spoke today with a German law professor who latched on to the fact that I had graduated from Wisconsin. He said the UW is well known in

Germany, particularly for the 'Sozialwissenschaftliche Kritik' of Professor Macaulay." Somehow it sounds more impressive in German.

Will this tradition continue? Sadly, people such as Hurst, Beuscher and Remington are no longer with us. Many of the next generation of people with such interests have retired, are soon to retire or have left us for other universities. However, many of our younger full professors and many of our newcomers follow a law-in-action approach. For example, Professor Kathryn Hendley studies the development of capitalism in the former Soviet Union. Such studies are a minor industry, but Hendley, reflecting a Wisconsin approach, looks at the contributions of law from the bottom up. She speaks Russian, and she has been a participant observer at a Russian enterprise and understands the way new legal innovations are seen by the Russian managers. "The rule of law" means something very different to a World Bank official staying in a luxury hotel in Moscow and to a Russian manager who must try to cope with the law in practice. Professor Jane Larson has written about the settlements on the American side of the Texas - Mexico border where all of the regulations of housing and real property are not applied. She tested theories about what would happen in this kind of free market by going into the field rather than assuming what "rational actors" would do in a world of zero transaction costs. Also our impressive clinical courses take the students to the law in action. These courses both teach lawyering skills and provoke students to think about the reality of the American legal system. I could offer many other examples; my judgment is that this tradition is alive and well. Of course, not everyone in the building marches to this drummer. Some would be at home at any law school. However, most of these people are accustomed to being asked how their doctrinal or theoretical positions would play out in practice. A law and society perspective is a real part of the culture of the school, and it is hard to avoid it. We would be very foolish to lose it. •

Class Reunions 2002

This September, graduates of nine different classes gathered at the Law School for an activity-filled weekend of Class Reunions. Members of the Classes of 1952, 1957, 1962, 1967, 1972, 1977, 1982, 1992 and 1997 reconnected at a reception and class dinners on Friday, Sept. 20 and watched the Badgers defeat Arizona 31-10 on Saturday, Sept. 21.

Each class dinner included a short program put together by reunion committee members, with the Class of 1982 distinguishing itself by the inclusion of karaoke. Approximately 440 people attended—alumni and their guests.

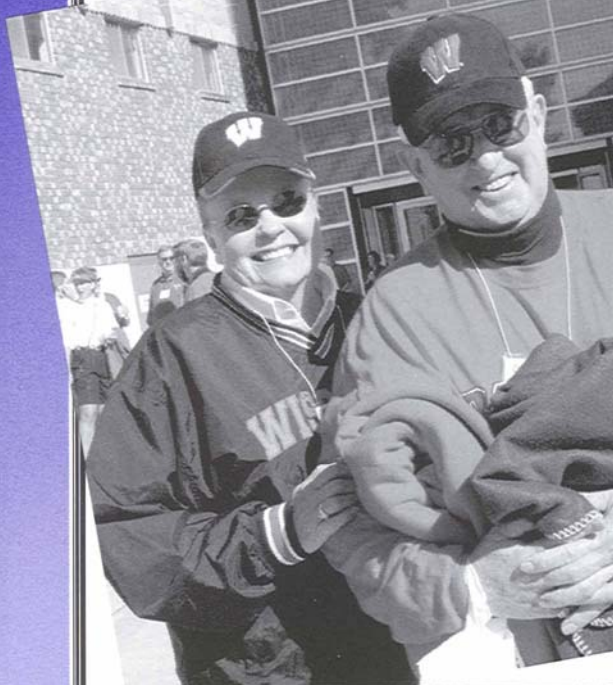
Several classes had requested that a member of the Law School faculty or administration give a short presentation on the State of the Law School: Dean Ken Davis spoke to the Class of 1952; Class of 1957—Alta Charo; Class of 1962—John Kidwell; Class of 1972—Ed Reisner (his own graduating class); and Class of 1982—Charles Irish.

Activities included a CLE program on Ethics by UW Law School clinical professor Ken Streit and a pre-game tailgate brunch, where the Madison Brass provided a variety of music, from Dixieland jazz to "On Wisconsin!"

Plans are already under way for the 2003 Class Reunions. See page 55 for information.



Photographs by Allen Ruid









Rights Leader Lichtman '65 Tells Class of 2005: *You can make a difference*



Law School alumna Judith L. Lichtman, President of the National Partnership for Women & Families, delivered the keynote speech to the incoming Class of 2005 at the Law School's Convocation on August 28, 2002 in Memorial Union Theatre.

Lichtman, a 1965 graduate of the UW Law School, has been a leading force in the women's movement for more than 25 years. After receiving her UW law degree in 1965, she worked at the Urban Coalition, at the U.S. Commission on Civil Rights, and as legal adviser to the Commonwealth of Puerto Rico. In 1974, she became the executive director and first paid staff person for the Women's Legal Defense Fund (WLDF), which became the National Partnership for Women & Families in 1998.

Under Lichtman's leadership, the National Partnership has grown to a national organization with thousands of members, and has become one of the country's most influential political forces, shaping national policy through its advocacy, lobbying, litigation, and public education. The Partnership's work has resulted in the passage of some of the most important legal protections for American women and families, including the Pregnancy Discrimination Act of 1978 and the Family and Medical Leave Act (FMLA) of 1993.

President Bill Clinton has called Lichtman "a remarkable national treasure," and *Washingtonian* magazine has identified her as one of Washington, D.C.'s most powerful women.

Following is the address that Lichtman gave to the newly arrived Class of 2005.

IT IS A THRILL to be back here today. I feel like I am home again, at the place that reinforced my values and gave me the confidence to build a successful career and the tools to become an agent of social change.

Forty years ago, I sat where you are now, beaming with pride as I entered this law school. I was proud but also more than a little bit scared of the unknown and curious about what school and life had in store for me.

Well, here I am, all these years later-a grown-up, or at least someone who parades as one. I can tell you that the University of Wisconsin Law School gave me the foundation for a productive and fulfilling life. I like to say it gave me "a license to be an activist" and "a license to have a great time." I know it will be the same for you. And I know that you, too, will have productive and successful law school experiences and careers.

In fact, some of you will change the world. I hope that I am here to see it.

When I entered this law school in 1962, I was one of just two women in my class. Just one woman served as a tenured faculty member-the esteemed Marygold Melli. So it gives me great pride-chills, really-to see how much has changed. Seeing this diverse and proud class reminds me that progress is possible. Perhaps even inevitable.

But, I assure you, progress happens more reliably and more quickly if we provide a push. All of you who are here today-men and women, students just out of college and those who are a bit older, those from urban and those from rural communities-are very lucky. You will be privileged to get your education at one of the nation's finest law schools.

As a result of that privilege, you have an obligation to not squander the education you receive here-to not shirk your responsibility when you see a task that needs doing or an injustice that needs righting. You may be reluctant, or fearful, or tired at times. I know, I have felt that way on many occasions. And certainly, I have made more than my share of mistakes. I'm going to talk about how I used my law degree, but however you choose to use your law degree, whatever field you choose, you can make a difference.

But like all those who went before you and who stepped up and faced the challenges that arose, I ask you to do the same. The nation is counting on you to do the same. To stand up for freedom. To represent those who otherwise might go without representation. To work as hard and as long as is necessary to ensure and protect our great democracy.

When I entered this law school in 1962, I was one of just two women in my class. Just one woman served as a tenured faculty member-the esteemed Marygold Melli.

I speak from personal experience. I have been working (in my small way) for-well, more years than most of you have been alive-for social justice.

In my early years after law school, I worked in the South, fighting for school desegregation. Those were long, tough battles, and our victories were sweet.

Since those days, I have had the privilege of helping to lead a movement that is making workplaces more family-friendly, improving access to quality health care, eradicating discrimination, and ensuring that women have a voice in the decisions that affect our lives. I am delighted to

share a few of my experiences, because I fervently hope that they will help convince you to be an activist throughout your life, whatever career path you choose, as well.

In 1971, when a group of women lawyers formed my organization, the National Partnership for Women & Families-which was then called the Women's Legal Defense Fund-"Help Wanted" ads routinely listed separate job openings for women and for men. Needless to say, those jobs were far from comparable. Women's jobs were mostly low-paying and low-status-waitresses, secretaries, cashiers or domestic workers and I am sad to say, teachers, nurses or social workers. Men's jobs were almost universally higher paying-professional and executive positions, skilled and unskilled labor.

In those days, employers could fire women who became pregnant. Sexual harassment was not against

the law. Women could not get credit in their own names. And discrimination against women-and especially against women of color-was rampant.

I hope that sounds distant and unbelievable to you-like something from ancient times. But it was just 30 years ago.

During the 1960s and '70s, we laid the groundwork for women's full participation in the workplace and in society. We fought for-and won laws that mandated equal pay for equal work. We passed the Pregnancy Discrimination Act, and laws to outlaw sexual harassment on the job.

We outlawed the most blatant forms of discrimination against women.

Those felt like huge victories, but they were just the beginning. During the 1980s, we took the next step. Recognizing that women's role as the primary caregivers for their families put them at a disadvantage in the workforce, we pressed both the government and employers for policies that addressed women's dual roles at work and at home.

We fought a grueling, decade-long battle for the Family & Medical Leave Act-the FMLA. And we persevered until we won.

You can't imagine what those battles were like. In the early days, the rhetoric was inflamed. You would have thought that we were trying to outlaw motherhood and apple pie, and proposing an end to the free enterprise system, capitalism and the American way. We were told time and again, by seemingly credible experts, that if large employers gave workers up to 12 weeks of unpaid family or medical leave a year, businesses would fold and our economy would crumble. In short, the sky would fall.

arguments whenever the subject of leveling the playing field for women comes up.

Passing the FMLA was a long, tough road. By my nonpartisan rendition of the facts, when we finally won support in Congress, we had a White House that was opposed to the bill.

I am talking about the White House that was led by President George Herbert Walker Bush. Twice Congress passed the FMLA and twice the President vetoed it. And, while we had majority support in Congress, we never had quite enough votes to override those vetoes.

You know how the story ends, I hope. We won. In 1993, President Clinton made the FMLA the very first bill he signed into law on February 6, just two weeks after he took office and I am proud to say that I have the first pen that the President used to sign that first bill. And we proved the naysayers wrong; in the years immediately after the FMLA was enacted in 1993, we had the strongest peacetime economy in our nation's history. Don't you think we deserve some of the credit?

stays alone. More workers can care for their parents in an emergency.

But that victory accomplished even more. It changed the face of America's workplaces. As we fought for the Family & Medical Leave Act, we forced a national conversation about the work/family responsibilities that almost every American struggles to meet.

We changed attitudes and policies in corporate boardrooms throughout the country. In fighting for the FMLA, we began a revolution-a revolution that continues. As we sit here today, we have just today passed legislation in both houses of the California legislature that will give workers six weeks of partial pay during periods of family and medical leave. Now Governor Grey Davis has to sign it.

I share this story not to revel in my own accomplishments, and I do like to do that, but to encourage you to continue the fight for justice. Because for all we have accomplished, this work is not nearly done. Our workplaces are not family-friendly. Women's wages are not equal to men's. Race and age discrimination persist. People of color and women are woefully underrepresented, from leadership of institutions of higher education to corporate boardrooms to courtrooms to Congress. And to be an immigrant-particularly an immigrant from an Arab nation-is a scary thing in America today.

It shouldn't be this way. It doesn't have to be this way. And you will have the ability to change it.

You can shape the future-create a different, more just world. I know you can, because I know that people just like you and me shaped the past.

As lawyers, you are going to be in a unique position. We have all heard the lawyer jokes.

But the jokes cannot mask an important reality. As an attorney, you

Over 35 million Americans have reaped the benefits of that fight since the Family & Medical Leave Act was enacted. More parents are spending precious time with new babies. Fewer children have to face hospital stays alone. More workers can care for their parents in an emergency.

They said that it was radical and dangerous to let a worker take unpaid time off to care for a new baby or a seriously ill family member, or recover from illness. I must tell you that many lawmakers who made those arguments still hold public office today-and they still make the same

It's clearer than ever to me how revolutionary that law was. Over thirty-five million Americans have reaped the benefits of that fight since the Family & Medical Leave Act was enacted. More parents are spending precious time with new babies. Fewer children have to face hospital

will have extraordinary power and the ability to right wrongs. Our nation is focused on corporate greed and corporate criminal activity right now. CEOs are being accused of unethical practices. Stock analysts are being accused of manipulating markets. Accountants are being accused of dereliction of duty.

It is lawyers who are holding them accountable, cleaning up the messes at Enron, Tyco and WorldCom. It is lawyers who are working to ensure that no employee or stockholder loses a job or retirement fund to unethical corporate leaders in the future. It will be lawyers who set new standards and hold business leaders accountable for years to come.

Despite the jokes, at the end of the day, lawyers are the guardians of the public trust. Lawyers people one branch of our government. Of course, I mean the courts. But lawyers are also heavily represented in the federal and state legislatures and at all levels of the executive branch of government. Lawyers protect the interests of minorities and others who cannot always count on public support. We rein in the FBI and Justice Department when they try to trample on the rights of immigrants. We protect the environment and public lands.

So I encourage you to look beyond the jokes and recognize the power you will have when you finish here. And remember that change will be within your reach. You can chart a course toward ethical conduct, fairness and justice, equality and real opportunity for people throughout our nation and the world.

I am convinced that beliefs, values, and commitment to equality for all people before the law, are transmitted by people we respect. It is up to each of you to decide if you are to be role models in the fight for equality for

Continued on page 60 ...



Dean Ken Davis receives the sought-after Dean's Cup from Medical School Dean Philip Farrell, as Dean's Cup organizer Mike Hall 2L looks on.

Law School Wins 2002 Dean's Cup Competition

THE LAW SCHOOL won a victory over its traditional rival, the UW School of Medicine, in this year's Dean's Cup competition, conducted throughout September 2002. The final score was Law 158, Medicine 142.

On the final day of competition, the Law School took first, third and fourth in volleyball; first and third in women's basketball; and second, third and fourth in men's basketball.

Thirty-eight law students donated blood to the Red Cross blood drive, and a large quantity of food was donated for local food banks. The Law School also raised several hundred dollars for local charities through T-shirt sales and picnic ticket sales.

Dean Philip Farrell of the Medical School made a formal presentation of the Dean's Cup to Law School Dean Kenneth B. Davis, Jr. on Wednesday, October 16 in the Law School Atrium. •

Race Judicata Raises \$5,500 for Public Interest Law Grants

THE 13TH ANNUAL Race Judicata 5K fun run/walk on October 26, 2002 brought the largest turnout in the event's history. More than 150 participants and 220 total donors netted approximately \$5,500 for the sponsor, the UW Law School's Public Interest Law Foundation (PILF). The money will go directly to providing summer grants for students working in public interest law, doing legal work for low-income and underrepresented communities. The amount raised will provide approximately two grants.

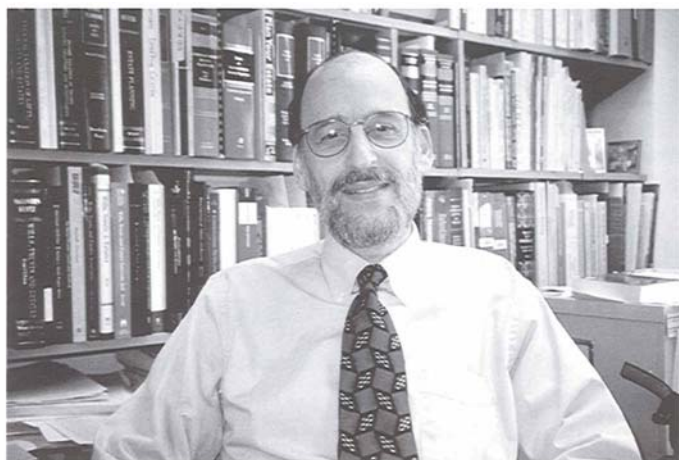
PILF is a student-run organization that relies entirely on donations and fundraising to perform its public interest law work.

This year's Race Judicata was dedicated to the memory of Jacqueline Macaulay. Donations may be made year-round to help PILF do its work: checks should be made out to WLAA-PILF and sent to the UW Public Interest Law Foundation, 975 Bascom Mall, Madison WI 53706. •

Erlanger Elected President of Law & Society Association

UW LAW SCHOOL Professor Howard Erlanger has been elected president of the Law and Society Association, an organization of scholars from the United States and abroad who study the interconnection of law and social, political, economic and cultural life.

This is the third time a faculty member from the UW



Howard Erlanger

Law School has been president of the Association, which was founded in 1964. Professors Marc Galanter and Stewart Macaulay held the post previously.

Erlanger is currently president-elect, and will assume the position in June 2003.

Erlanger was also formally recognized at the Law and Society Association's May 2002 conference in Vancouver on the occasion of his 20th year serving as review editor for the journal *Law and Social Inquiry* [LSI]. Editor Laura Beth Nielsen, in presenting Erlanger with a commemorative plaque, commented, "Howie has tirelessly worked with the Editors of LSI producing what I believe are the best review essays in the field. In doing so, Howie has generously supported burgeoning careers by making graduate students into authors, he has patiently waited on and cajoled tardy authors (we won't mention any names!) and has made himself invaluable to LSI and Law and Society as a whole."

For Stewart Macaulay's reflections on the strong Wisconsin presence in the Law & Society Association, see page 34. •

David Trubek Wins Law & Society Prize

PROFESSOR David Trubek, Voss-Bascom Professor of Law at the UW Law School and Director of the Center for World Affairs and the Global Economy (WAGE),

has been awarded the Law and Society Association's Harry Kalven Prize for 2002.

The prize committee's statement commending cowinners Trubek and Jane Collier, Stanford University Professor Emerita, states, "Our decision to award the Kalven Prize jointly to Jane Collier and David Trubek honors the major role each has played in modeling and situating critical discourses within socio-legal scholarship In Trubek's case, the institution building and scholarship are tightly interwoven In the past decade, he has mentored the move towards globalization and international perspectives both through the organization of conferences and through encouraging the work of younger scholars from the southern cone of Europe, from Southeast Asia and from Latin America."

The statement also discusses Trubek and Collier's "extraordinary commitment to building an intellectual community of law and society scholars that goes beyond disciplinary and national borders." •

Anthony Lewis Gives Kastenmeier Lecture

LONGTIME *New York Times* columnist Anthony Lewis delivered the Law School's 2002 Kastenmeier Lecture in September on the topic "Civil Liberties in a Time of Terror." Approximately 300 people attended the talk.

Lewis told his listeners "Our civil liberties are under challenge," and recounted the dangers of the current practices of unilateral indefinite detention of American citizens, military tribunals, denial of the constitutional right to an attorney, and detention of aliens. Quoting *The Economist*, he warned, "Too many freedoms have been eroded in America since September 11 th."

Speaking of the "great role of law in our society," Lewis told the audience, "We give up our reverence for law at our peril."

Before beginning his speech, Lewis saluted former Congressman Robert Kastenmeier, for whom the lecture series is named, saying that Kastenmeier was greatly missed in Congress when he left office in 1990 after 32 years. "We missed Bob Kastenmeier, and we still do," Lewis said. •

Ken Krueger Joins Law School as Development Director

KENNETH J. KRUEGER, the Law School's new Director of Development, brings a combination of business expertise, international experience and Wisconsin roots to his work with Law School friends. Krueger, who came on board in October 2002, grew up in Green Bay. He since has worked in San Francisco as a Business Strategy Consultant and in Washington, D.C. as a consulting firm's Research Manager. Most recently, he served as a Financial Advisor in the Madison area.

Krueger earned both a J.D. and an M.B.A. from the University of Virginia, as well as a Master of Public Health degree from Boston University and a B.A. from St. Olaf College in Minnesota.

In addition to his work with forprofit organizations, Krueger served as a Peace Corps volunteer in Nigeria, where he helped a rural community build a health clinic that currently serves more than 250 patients per day; as a public health worker in Cuban refugee camps at Guantanamo Bay; and as Executive Director of the Charlottesville, Virginia chapter of the charity Rebuilding Together.

Krueger and his wife Amy, an audiologist, are the parents of an 18-month-old daughter, Grace.

Earlier this month Krueger spoke with the Gargoyle about his plans for work at the Law School.

Q. What attracted you to the UW Law School?

A. The University of Wisconsin Law School is simply one of the nation's greatest institutions. As a Wisconsin native, I am proud to be affiliated with an institution that believes the

teaching of law extends beyond the classroom and cannot be separated from economic or social issues. I also am very excited to work with faculty and alumni who possess such interdisciplinary strength and professional diversity.

Q. What are your development goals?

A. Of course, every Development Director wants to raise as much money for the school as possible. The question then becomes, "Why are we raising this money?" Here at Wisconsin, I think the answer is clear.

First, the UW Law School has a tremendous and unique legal tradition, from Willard Hurst's work in legal history, to Frank Remington's work in clinical legal education, to Alta Charo's work in health law, to name just a few outstanding faculty. The law-in-action tradition has proven its value to scholars, to practitioners, and to society, and is worth perpetuating.

Secondly, we face increasing competitive and financial pressures. As a leading law school, we compete for the best and brightest faculty and the best and brightest students. Without the resources to recruit and retain these individuals, they will go and they do go elsewhere. As they go, so goes our reputation and our ability to function as a leading law school.

Such an outcome is disadvantageous to every single UW Law School alum, student, and faculty member.

In the end, my goal is the same as Dean Davis's goal. When lawyers in any city gather and start discussing great law schools, I want the University of Wisconsin Law School to be in that conversation.



Kenneth J. Krueger

Q. What are some of the challenges you face?

A. Perhaps the greatest challenge we face is to increase the percentage of students and alumni who give back to their school. According to the ABA, we are below the national average for the percentage of alumni who donate gifts to their schools. Not surprisingly, those schools with higher alumni giving percentages tend to have larger endowment funds and higher law school rankings.

As we all know, not every alum can make a \$10 million gift to the school. But wealth should determine the size of a gift, not the willingness to give. Because every single alum benefits from his or her affiliation with the UW Law School, I look forward to helping graduates discover how best they can give back to their school.

Q. Do you have specific plans for the upcoming year?

A. As Dean Davis outlines in his Message from the Dean, we will be visiting a number of cities this year to reach out to and listen to our alumni. I hope to meet as many friends of the School as possible at these events, in addition to meeting with individuals on a more one-on-one basis throughout the year .•

Remembering Professor Bill Foster

Editor's Note: Emeritus Professor Bill Foster died this summer, and a committee of his colleagues drew together this statement in his memory. They combined Foster's official biography with their own and other colleagues' reminiscences. For some statements pronounced by Professor Foster himself, see the collected quotations at right.

EMERITUS Professor of Law, G.W. "Bill" Foster, Jr. died on August 11, 2002, at the age of 82.

He attended Antioch College and the University of Utah. He was a Lieutenant Junior Grade in the United States Naval Reserve from 1942 to 1946, doing radar research at the Washington Naval Research Laboratory. He received a B.S. degree in chemistry from Stanford in 1947, a law degree from Georgetown in 1951, and a master's in law from Yale in 1952. He was a Special Assistant to U.S. Senator Francis J. Myers from 1949 to 1950, and a Special Assistant to Secretary of State Dean Acheson in 1951. Foster explained to Senator Myers changing his course from natural science to law teaching: "It's my personal conviction that the central problem of our time is political-the job of folks getting along with other folks by argument and compromise instead of by A-bombs and rampant bacteria. Teaching is one of the better ways to egg people into thinking politically-and being in politics is the only practicable way to participate in working this thing out." While working for Senator Myers, Professor Foster met Jeanette (Jimmy) Raymond, who was working as a secretary to Senator Paul Douglas, and they later married.

Bill and Jimmy Foster came to Madison and the University of Wisconsin Law School in 1952. Both made important contributions to the city and the state. After an extraordinary career at the Law School, Bill retired in 1987. In a tribute written when Foster retired, the great legal historian Willard Hurst called Bill a creative lawyer and said

that such a lawyer is one who makes things happen. Foster taught and wrote in what many would see as a highly technical area, but he used it as a spring board to providing major public service. Bill's academic interests focused on the legal problems created by our federal system. While the Constitution divided power among the state and the federal governments, commerce became continually more national and then international. Bill was the principal drafter of what became known as the Wisconsin longarm statute, which gave Wisconsin citizens greater power to sue corporations whose principal place of business was elsewhere but which had business dealings in Wisconsin. Bill's draft became a model followed in many other states. To write the statute, Foster had to know a great deal about federalism, but also how to get conflicting interests to compromise.

Foster played a major role in the desegregation of public schools. The Supreme Court decided *Brown v. Board of Education* in 1954. However, laws do not enforce themselves, and there was great resistance in many places. As part of a research project, Foster traveled repeatedly to southern states, talking with federal judges, governors, school officials, white segregationists and black action groups. He brought many of these people to off-the-record meetings in Madison. He maintained contacts with all involved, and he recruited other law professors to do field research concerning school desegregation. Their work was published, but, more importantly, Foster contin-

ued as an informal consultant to black and white leaders. He also served as an informal channel of communication among federal judges who faced the problem of implementing the *Brown* decision. In 1965, Congress provided funds for local schools, if the local schools adopted acceptable desegregation plans. However, federal agencies provided no guidelines for what was an acceptable plan. There was no way the agencies could write such guidelines without high political cost. Professor Foster drafted a set of guidelines based on the experiences of those with whom he had been talking for almost a decade. Foster's guidelines were published in *The Saturday Review*, and reprints were widely distributed to local school districts. Federal authorities then adopted the Foster guidelines. Within four months after this, more school desegregation was accomplished than the federal courts had been able to enforce over the course of nearly ten years.

Foster was an institution builder. He knew that hiring good people and keeping them in Madison was critical to maintaining the Law School. He drew on his many contacts to discover promising people, he advocated for them to the members of the faculty recruiting committee, and he worked to persuade the candidates to come to Wisconsin and to stay. He played an important role in bringing us our first woman and our first African-American faculty members. Foster served as Associate Dean during the protests against the war in Vietnam. Faculty and students were divided about the wisdom and the morality of that conflict. It was not an easy time to believe that the rule of law prevailed in the United States or that there were effective legal ways to dissent. Foster helped hold the Law School together in the face of picket lines, tear gas, the Wisconsin National Guard patrolling the hallways of the school, classes

being disrupted by demonstrators, and great emotion.

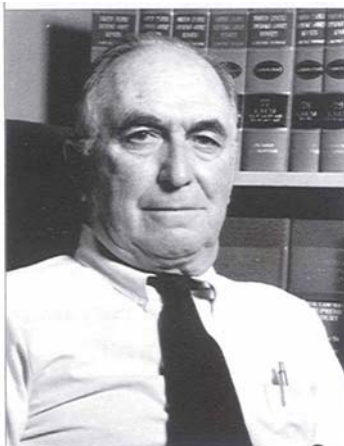
In the classroom, Bill was an outstanding teacher who his students remember as extremely knowledgeable and always a gentleman. For many years he helped guide talented students to positions as judicial clerks where their education could continue while they fulfilled a great public service. Those students who chanced upon him outside the classroom found him to be gracious, helpful and not at all intimidating.

Bill was a delight as a friend and colleague. Bill and Jimmy Foster gave great parties. Bill could tell great stories about his time in Washington or the Fosters' foreign travels. He could entertain friends with stories about such things as the reaction in the United States Senate when President Truman relieved General MacArthur of his command or the friction between Senators Lyndon Johnson of Texas and Paul Douglas of Illinois. He knew important figures in Wisconsin politics and most of the important judges. Many of them provided material for his stories. Willard Hurst also said that "Bill Foster is a man who never stops learning." He was a devoted and skilled birdwatcher. Roger Tory Peterson's *A Field Guide to the Birds* even pays tribute to Bill. Gordon Baldwin remembers that in the spring of 1958 in the midst of the migration, "Bill, who occupied the adjoining office, identified by sound and described to John Conway and me seventeen species of warblers which we could hear, but hardly see." Gordon thought that a tribute to one of Wisconsin's great early lawyers applied to Bill: "he addressed no audience that he did not charm, and touched no subject that he did not adorn." Finally, in the obituary published in the local papers, his youngest granddaughter told us: "He was the best grandpa ever." •

MEMORIAL COMMITTEE

Stewart Macaulay, Chair, Neil Komesar, Marygold Melli, Edward Reisner, Gerald Thain, Frank Tuerkheimer

Quotable Quotes from Professor Bill Foster



"It is hard to imagine law students criticizing Professor Foster," reflects one of his former students. "Even if he disagreed with something you said or he pursued you in class to make a point, he always did so with great courtesy and style. He respected students and it showed."

In class, Bill Foster would spice his lectures with his own quips and witticisms. Al Long '86, who admired Professor Foster and took five classes from him, kept a personal collection of his favorites. These are some from his collection:

I may be in error, but I am not in doubt!

I've probably told you a hell of a lot more than I know as it is.

Now there are a lot of curlicues that attach to this doctrine.

(Describing the Supreme Court) Nine senior elks.

Safety lies in glacial movement.

It's God's will, it's the law of the land, and besides it's cheaper!

(On growing up in East Tennessee) It was so backward it took five years for the effect of the Depression to get there.

(On Nevada divorce law) Swiftly to come in and briefly to stay to sever the bonds of matrimony.

I want you now to swallow that alligator.

This is what is known as a circumstantial case spoiled by an eyewitness.

(Responding to a complaint about the earliness of his 7:45 a.m. class) Every important decision ever made was made before 10:00 a.m.

Well, I'm sorry to be running away, kids, but there's no sense to my adding to the confusion.



Career Office's Expanded Staff is 'Excellent News'

By Assistant Dean Jane Heymann
Director of Career Services

IT'S NOT NEWS to any of you that the economy, and thus the job market, is cyclical. Just a couple of years ago we were in the midst of salary wars among Bay Area law firms, which raised large law firm starting salaries all over the country to levels no one would have believed possible a few years earlier. Now, however, instead of phone calls from reporters asking us to comment on the salary wars, we're being asked about cutbacks in summer hiring, declining numbers of on-campus recruiters, and how all of these are affecting our law students.

While the news about the economy isn't as good as we'd hoped it would be by now, the news from the University of Wisconsin Law School is surprisingly upbeat. I have some "pretty good news," and some "excellent news," to share with our alumni:

In the category of "pretty good news," I am happy to report that our Class of 2002 graduates appear to be having good luck finding jobs despite the challenging economic situation. We haven't even begun our annual efforts to contact all 2002 grads to find out their employment status. However, a number of recent grads have already reported to us on their job situation. Of the 283 members of the Class of 2002, we know that 213 of them have jobs. That's an employment rate of 75.3%, and those are just the students we already know about. During semester break in January 2003, we will begin our annual all-out efforts to contact Class of 2002 grads, and hope to discover more good news from

recent graduates whose employment status is currently unknown. (For all you Class of 2002 graduates reading this: if you have accepted a position and haven't yet shared the good news with us—give us a call or an e-mail to "make our day" and give us a head start on our January task of tracking everyone down.)

In the category of "excellent news" is the tremendous commitment the Law School is making to helping our students get jobs in these difficult economic times. In August 2002, the Law School Career Services Office hired two J.D. advisers, Kristin Davis and Ingrid Borwick, to provide additional career counseling for our students. Each of them is working half-time and enabling us to offer vastly increased services and expertise to our student body.

Ingrid Van Zon Borwick is a graduate of Boston College with a degree in mathematics, and graduated cum laude from Albany Law School of Union University in 1992. Following graduation, Ingrid joined Frontier Insurance Group, Inc., a publicly traded property and casualty insurance company headquartered in New York. As a member of Frontier's in-house law firm, Ingrid litigated in the areas of medical and dental malpractice, general liability and insurance law. Additionally, Ingrid served as Director of Corporate Services, where she was responsible for a wide range of employee services and the operation of Frontier's facilities in 40 locations throughout the United States.

Kristin Davis received her B.A. and M.A. degrees in German from the University of Iowa. She graduated Order of the Coif from Washington University School of Law in 1993. Following graduation, Kristin clerked for Justice Linda

Neuman of the Iowa Supreme Court and then practiced securities law and general litigation at Smith Lodge & Schneider in Chicago from 1994 to 1998. From 1999 until May of 2002, Kristin was an Assistant Director of Career Services at Harvard Law School, where she was responsible for general career counseling as well as advising students and graduates on judicial clerkships, fellowships and law teaching.

In addition, Assistant Dean Ed Reisner, who for many years headed the Law School's Placement Office (as it was then called), and has more recently been in charge of alumni relations, has agreed to de-vote a portion of his time to Career Services. Ed's long relationship with the Law School and his knowledge of our alumni will help us provide valuable links between our far-flung alumni and our current students, who will benefit greatly from the information and advice our alums can provide.

The result of these exciting changes is that our Career Services Office is now "staffed up" to offer what we think will be an excellent level of programming, individual career counseling, and other services to our students. We are enthusiastically looking forward to helping our students thrive in the current job market. You can help, by letting us know of your organization's summer or entry-level hiring needs as soon as possible. Our interview rooms are always available to you, at no charge; and we welcome the opportunity to publicize your job openings to our students and alumni. Please don't hesitate to call me at 608-262-6413, or send me an e-mail at jheyman@wisc.edu, if you want to discuss how to begin the hiring process

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Judith Lichtman ... continued from page 45.

women and men, young people and old, African-Americans, Hispanics, Asians and whites, people who are disabled or gay, and people of all religions, including Christians, Muslims and Jews. Those values are transmitted not because they are politically correct at the time, but because they are right and just.

As I stand here today, we're a long way away from that. We face both attitudinal and political barriers. We've made progress on many fronts, but our work is not nearly done.

But I know that progress is possible because of what has been accomplished during my career. I can't tell you the satisfaction I feel when a woman tells me that she was able to take time off without losing her job to care for a sick child, or that she got a chance to succeed at a job because of Affirmative Action. At moments like that, I know that the thousands of hours of research-the months spent encouraging, i.e. lobbying, lawmakers to do the right thing-the media interviews-the endless coalition meetings, the pleas and demands for progress-were all worthwhile.

You can have similar moments in your lives-and you will, whatever kind of law you choose to practice, if you make it your mission to promote progress. That work begins by deciding what you want your world to be like

Your future, and in many ways the future of our society and our world, is in your hands. Your challenge is to live your life in a way that advances social justice.

We have come so far in this great nation, but we still have a long way to go. As long as women's right to make their own reproductive decisions is under attack, our work is not done. As long as job opportunities are not equal, our work is not done. As long as countless children go hungry, our work is not done. As long as our schools fail millions of students, our work is not done. As long as women in Afghanistan or Pakistan or any corner of the world are oppressed, our work is not done. As long as injustice flourishes, we have an obligation to act.

My hope is that, sometime in the future, my daughter's daughter or son will hear a convocation speaker give a speech like the one I gave today. The speaker will say there was once a day when such injustices persisted. And my granddaughter will react with the same puzzlement that you probably felt when I said that it was perfectly legal 30 years ago to place job advertisements that excluded women.

But reaching that day depends less on me than it does on you. If you take one message away from this event, I hope it is this: The future is in your hands. You can make the world a better place for yourself, for your neighbors, for your daughters ... and your sons.

Whether you live in Madison, Wisconsin or Washington, D.C., whether you choose to work in the private sector or for the government, whether you spend your days doing corporate law, prosecuting criminals or providing legal services to the poor and indigent, you can be an agent of change. There is room for you and a need for you on the front lines.

Change isn't only achieved in the political world. Battles are fought in our nation's capital, our state capitals, our workplaces, our state and county courtrooms, our federal and world courts, our dinner tables, and throughout our daily lives. I hope the battles for justice will be fought wherever you are in the months and years to come.

So when you see the need for change, I beg you to act on it. Speak up. Speak out. Persevere. Reject the status quo if it isn't working. Do not be fooled, or lulled into believing that the way things are is the way they must be. Make a difference.

Beginning today, each of you begins a journey to become a proud and accomplished young lawyer. You are blessed, admired and respected. You have been given a lot-and you have a lot to give. We have high expectations of you. The future is in your hands. I know you are up to the task. Build on the accomplishments of the past. •

Sheldon Fink .. continued from page 53.

many former Badger ballplayers!

Sheldon also makes time to give back to his community. He is on the board of the Chicago Shakespeare Theater and is a founding director and Treasurer of The Tim & Tom Gullikson Foundation, which funds brain tumor support programs. He has also served as Chairman of the Greater Chicago/Upper Midwest-Regional Board of the Anti-Defamation League and serves on the National Executive Committee of the ADL; he has recently been honored with the ADL's Distinguished Community Service Award.

He has been a long-standing member of the Benchers Society and serves as a co-chair of the Law School's Chicago Campaign Committee. Currently, he also is serving his second term as chair of the Law School's Board of Visitors, which meets with Law School administrators and faculty to review and assist with issues of vital significance to the Law School, including facilities, curriculum, admissions, financial support, and diversity initiatives.

Sheldon says the Law School's evolution in the nearly 50 years since he graduated is truly exciting, not only in terms of facilities, scope of curriculum and placement assistance, but with regard to diversity issues as well. He notes that "diversity" in the 1950s was focused on the entrance of "just a few women" into the school and law practice. Today, almost half the Law School's student population is female, and nearly one-third are students of color. At a recent Board meeting, the Visitors were asked what makes the Law School unique. Sheldon said that overwhelmingly they agreed that the Law School is a "human" and unpretentious institution which includes "an exceptional collection of people from different backgrounds not only in terms of race and ethnicity, but demographically, as well." These characteristics truly set it apart from many other top law schools, he says, and provide an additional reason, why he is pleased to give back.

"My foundation in the study of law at Wisconsin was integral to whatever success I have had in life," Sheldon says, "and that makes it important to support the Law School in any way I can." •

- Trina E. Gray

ALUMNIgiving



Cory and Michelle Nettles

CORY AND MICHELLE Nettles discovered a lot at the University of Wisconsin Law School

lifelong friends, mentors, a quality education, a welcoming environment for minorities, and each other.

From a young age, both Michelle and Cory had aspirations of becoming lawyers, although neither had any lawyers in the family. Years later, they lead successful legal careers in Milwaukee, are active in their profession and community, and are enthusiastic supporters of the UW Law School's Legal Education Opportunities (LEO) program.

LEO was established in 1967 to provide an informal academic and social network for enrolled minority students. One of LEO's goals is to actively recruit and retain law students from historically disadvantaged groups in the United States. In doing so, the Law School opens up legal education to qualified students of all backgrounds and helps diversify the legal profession in Wisconsin, the nation and the world.

Michelle and Cory agree that strong LEO recruitment played a part in bringing them to the Law School.

Michelle, a Florida native and Florida A&M graduate, was interested in attending a Midwest law school because the region offered top-notch schools at an affordable price. Her decision to attend Wisconsin is credited to the UW's active recruiting and a Samson Scholarship.

Cory grew up in Milwaukee, attended Lawrence University in Appleton,

Cory L. Nettles '96 Michelle S. Nettles '97

and was recruited by several first-rate law schools. "Ultimately I was swayed to attend Wisconsin because it is a Big Ten school, has a diverse faculty, and embraces C not just tolerates C students of color," he says. To top it off, he was offered a LEO Fellowship.

Undoubtedly, recruitment paid off for the Nettles and for the Law School. Cory and Michelle enjoyed school, found rewarding legal careers, and now give back to the Law School by offering their time and financial support. Several years ago, Cory was asked to be a founding member of the Friends of LEO C an alumni-driven effort dedicated to raising funds to support LEO scholarships. In its first two years, Friends of LEO raised more than \$100,000, and it has been continuing on that road to success. Both Cory and Michelle are annual donors to Friends of LEO and members of the Jones Club, named in honor of Professor Emeritus James E. Jones, Jr. Membership in the Jones Club is awarded to those who make a significant financial commitment to the Friends of LEO. Michelle and Cory feel strongly that their support will help other students enjoy the UW Law School experience, as they did.

Cory thrived at the Law School. He sought out opportunities to engage in discussion and debate with "the highly accessible faculty" and fellow students. He and six other minority students informally organized a group they called "L7" (short for "seven LEO students"). The group met regularly to socialize, discuss life and the law, and study. Somewhere in Cory's first year of law school, he says, "things clicked" for him. He was able to begin applying his studies to real life while clerking for Quarles & Brady's Madison office throughout his second and third years of school.

For Michelle, making the leap from Florida to Wisconsin initially was a challenge. In addition to adjusting to the weather, she, like many other first-year students, had to come to grips with how different the law school was from undergraduate education. In the end, she succeeded. Michelle landed excellent clerk-

ships throughout her law school career, met some friends, found mentors, and enjoyed studying different areas of the law.

After graduation, Cory returned to his hometown of Milwaukee to practice law at Quarles & Brady LLP, where he represents corporations in litigation. Michelle followed Cory to Milwaukee the following year. She worked for Johnson Controls and later Miller Brewing Company, where she currently practices employment law. Somewhere in the midst of graduating, moving and launching their careers, they got married.

Cory and Michelle lead busy lives but find time to give back to the profession and the community. Their list of activities is impressive. Cory has served in several leadership roles at the State Bar of Wisconsin, including past chair of the Committee to Encourage the Placement of Minority Attorneys, current chair of the Strategic Planning Committee, and member of the Board of Governors and Finance committees. In the community, Cory is on the Board of the Milwaukee Urban League and Partners Advancing Values in Education (PAVE). PAVE was established in 1992 as a privately funded voucher or scholarship program that enables low-income students to attend religious or nonreligious schools. He also is chair of the Trustee Board at New Hope Missionary Baptist Church.

For her part, Michelle is active in Christ the King Baptist Church, as well as in the Milwaukee Catalyst, a citywide research and educational reform coalition. She does pro bono services for Wisconsin Women's Business Initiative Corporation (WWBIC) and is active with the United Negro College Fund Salute to Champions Annual Luncheon.

Michelle and Cory are a successful twosome who have not forgotten the important role the Law School played in getting them where they are today. They are appreciative of the quality education and generous financial aid packages they received, and are doing their part to see the Law School continue to compete nationally for minority students. •

- Trina E. Gray

Sheldon I. Fink '54

SHELDON FINK attributes much of his good fortune in life to a series of lucky breaks, he says

from his office at Sonnenschein Nath & Rosenthal, high above Chicago in the Sears Tower. And one of those lucky breaks was his decision to enter the University of Wisconsin and, ultimately, the Law School. He recognizes that the Law School was fundamental to his professional career and shows his appreciation by being a strong supporter, in both volunteer time and financial giving.

Several years ago, Sheldon concluded that it was time to begin to "give back" to organizations that have made the greatest impact on his life. He has been a generous annual donor to the Law School and made a major gift to the capital campaign. Now, he and his wife Nellie-whom he met at the UW in 1950 (his "luckiest break")-have gone a step further: they are planning to arrange significant "giving packages" in four areas that have been meaningful in their lives-the Law School, a medical research institution, a cultural institution and a civil rights organization. They hope others who have benefited from the Law School will consider the same.

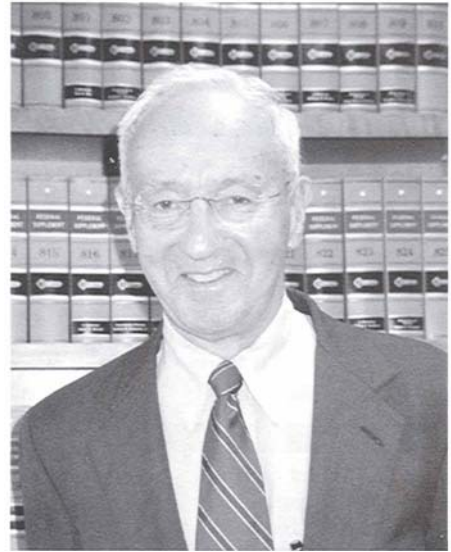
Sheldon's Wisconsin-based career began in 1948 when a fellow high school classmate in Chicago gave him an unused application for admission to the University of Wisconsin; in the post-war years, out-of-state applications were hard to come by. Sheldon was ready to accept an athletic scholarship to attend Michigan State University, but Wisconsin had been on his radar screen since he was a child and occasionally had traveled through Madison with his father. Sheldon ended up at the UW and launched a successful college career, both academically and athletically. In his freshman year, he played both baseball and basketball and went on to play three years of varsity baseball, serving as captain of the team his senior year. His athletic highlight came in 1950 when the team won the Big Ten Championship and competed in the College World Series in Omaha, finishing fourth nationally.

While varsity athletics were a significant part of Sheldon's college experience, he also excelled scholastically. After "testing" several liberal arts majors, he entered the Commerce School, majoring in accounting and ultimately being admitted to Beta Gamma Sigma, the Commerce academic honor society. In the spring semester of his senior year, he began taking classes in the Law School. At that time, there was not a separate admissions process nor an LSAT exam; he simply walked across Bascom Hill, enrolled in law school courses the same day he enrolled in his final year of undergraduate courses and, as then permitted, applied law credits towards his undergraduate degree. Sheldon had no lawyers in his family and knew little about the study of law; he decided to "try law school" because it seemed to fit with his business studies.

His experiment with law school surpassed all his expectations. He found the study of law to be both intellectually challenging and practical. He states that he actually enjoyed law school and did not suffer the anxiety frequently associated with earning a law degree, even during his first semester while still engaged in playing varsity baseball. He was also impressed with the "truly outstanding faculty;" one of whom, Carl Auerbach, became a lifelong friend. He served as an editor on the Law Review and graduated in February 1954 as a member of the Order of the Coif.

After serving for two years as the Finance Officer for the Fifth Army Headquarters in Chicago, Sheldon went to Washington, D.C. for three years, where he found his entree into the world of federal taxation. He worked as an attorney for the Tax Division of the U.S. Department of Justice, where he briefed and argued cases in nearly every federal Circuit Court of Appeals in the country.

Sheldon and his wife returned briefly to Madison, where he intended to develop a tax practice with the Roberts Boardman Law Firm, the second largest in the area at the time. However, it was not long before he was recruited to return to his hometown of Chicago to join the Sonnenschein Nath & Rosenthal law firm,



Sheldon I. Fink

where he has practiced for the last 43 years, becoming co-head of the firm's Federal Tax Practice Group. His emphasis has been in the tax planning of business transactions, but he has also served as a tax litigator and even as a lobbyist on rare occasions. He has represented some of the firm's major clients, including McDonald's Corporation, Allstate Insurance Corporation, The Chicago & Northwestern Railroad, GATX Corporation and Holiday Inns. On the Wisconsin side, he has also represented Appleton-based Aid Association for Lutherans. When Sheldon joined Sonnenschein in 1959, it was considered a large Chicago firm with 37 lawyers. Today the firm has approximately 530 lawyers nationwide.

Outside of work, Sheldon and his wife enjoy traveling, including visits with their two sons (both lawyers) and their grandchildren in Tucson and San Diego. He also remains active athletically, playing basketball ("at the ripe old age of 72"), but he has substituted tennis for baseball, stating "it's difficult to bend low enough to field a ground ball." His last baseball game was about ten years ago, at an annual Wisconsin alumni baseball game, but that event has disappeared since the UW dropped baseball-a sore subject with Sheldon and

Continued on page 60 ...

Judith Lichtman ... continued from page 45.

women and men, young people and old, African-Americans, Hispanics, Asians and whites, people who are disabled or gay, and people of all religions, including Christians, Muslims and Jews. Those values are transmitted not because they are politically correct at the time, but because they are right and just.

As I stand here today, we're a long way away from that. We face both attitudinal and political barriers. We've made progress on many fronts, but our work is not nearly done.

But I know that progress is possible because of what has been accomplished during my career. I can't tell you the satisfaction I feel when a woman tells me that she was able to take time off without losing her job to care for a sick child, or that she got a chance to succeed at a job because of Affirmative Action. At moments like that, I know that the thousands of hours of research-the months spent encouraging, i.e. lobbying, lawmakers to do the right thing-the media interviews-the endless coalition meetings, the pleas and demands for progress-were all worthwhile.

You can have similar moments in your lives-and you will, whatever kind of law you choose to practice, if you make it your mission to promote progress. That work begins by deciding what you want your world to be like

Your future, and in many ways the future of our society and our world, is in your hands. Your challenge is to live your life in a way that advances social justice.

We have come so far in this great nation, but we still have a long way to go. As long as women's right to make their own reproductive decisions is under attack, our work is not done. As long as job opportunities are not equal, our work is not done. As long as countless children go hungry, our work is not done. As long as our schools fail millions of students, our work is not done. As long as women in Afghanistan or Pakistan or any corner of the world are oppressed, our work is not done. As long as injustice flourishes, we have an obligation to act.

My hope is that, sometime in the future, my daughter's daughter or son will hear a convocation speaker give a speech like the one I gave today. The speaker will say there was once a day when such injustices persisted. And my granddaughter will react with the same puzzlement that you probably felt when I said that it was perfectly legal 30 years ago to place job advertisements that excluded women.

But reaching that day depends less on me than it does on you. If you take one message away from this event, I hope it is this: The future is in your hands. You can make the world a better place for yourself, for your neighbors, for your daughters ... and your sons.

Whether you live in Madison, Wisconsin or Washington, D.C., whether you choose to work in the private sector or for the government, whether you spend your days doing corporate law, prosecuting criminals or providing legal services to the poor and indigent, you can be an agent of change. There is room for you and a need for you on the front lines.

Change isn't only achieved in the political world. Battles are fought in our nation's capital, our state capitals, our workplaces, our state and county courtrooms, our federal and world courts, our dinner tables, and throughout our daily lives. I hope the battles for justice will be fought wherever you are in the months and years to come.

So when you see the need for change, I beg you to act on it. Speak up. Speak out. Persevere. Reject the status quo if it isn't working. Do not be fooled, or lulled into believing that the way things are is the way they must be. Make a difference.

Beginning today, each of you begins a journey to become a proud and accomplished young lawyer. You are blessed, admired and respected. You have been given a lot-and you have a lot to give. We have high expectations of you. The future is in your hands. I know you are up to the task. Build on the accomplishments of the past. •

Sheldon Fink .. continued from page 53.

many former Badger ballplayers!

Sheldon also makes time to give back to his community. He is on the board of the Chicago Shakespeare Theater and is a founding director and Treasurer of The Tim & Tom Gullikson Foundation, which funds brain tumor support programs. He has also served as Chairman of the Greater Chicago/Upper Midwest-Regional Board of the Anti-Defamation League and serves on the National Executive Committee of the ADL; he has recently been honored with the ADL's Distinguished Community Service Award.

He has been a long-standing member of the Benchers Society and serves as a co-chair of the Law School's Chicago Campaign Committee. Currently, he also is serving his second term as chair of the Law School's Board of Visitors, which meets with Law School administrators and faculty to review and assist with issues of vital significance to the Law School, including facilities, curriculum, admissions, financial support, and diversity initiatives.

Sheldon says the Law School's evolution in the nearly 50 years since he graduated is truly exciting, not only in terms of facilities, scope of curriculum and placement assistance, but with regard to diversity issues as well. He notes that "diversity" in the 1950s was focused on the entrance of "just a few women" into the school and law practice. Today, almost half the Law School's student population is female, and nearly one-third are students of color. At a recent Board meeting, the Visitors were asked what makes the Law School unique. Sheldon said that overwhelmingly they agreed that the Law School is a "human" and unpretentious institution which includes "an exceptional collection of people from different backgrounds not only in terms of race and ethnicity, but demographically, as well." These characteristics truly set it apart from many other top law schools, he says, and provide an additional reason, why he is pleased to give back.

"My foundation in the study of law at Wisconsin was integral to whatever success I have had in life," Sheldon says, "and that makes it important to support the Law School in any way I can." •

- Trina E. Gray

CLASSnotes

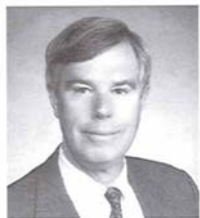
the '50s

Donald C. Leidel '51 continues to teach about and give lectures on the Middle East. Leidel retired in 1992 after 41 years of government service with the U.S. Air Force, Central Intelligence Agency and the Department of State, including a term as U.S. Ambassador to Bahrain.

the '60s

James L. Forbes '60 has retired as chief executive of Badger Meter, Inc. in Milwaukee. Forbes will continue to serve as chairman of the board.

Guy Glover '62 reports that, after retiring, he has become an ordained minister and serves in Stillwater, Minnesota.



George K. Whyte, Jr. '65, a partner in the Milwaukee office of Quarles & Brady, has been elected president of the Downtown Milwaukee Rotary Club. Whyte is also a member of the UW Law School Board of Visitors.

Allan R. Koritzinsky '66, a partner in the Madison office of Foley & Lardner, has been named the Morris Slavney Mediator of the Year by the Dane County Bar Association. The award recognizes Koritzinsky's service on the bar's Case Mediation Committee and as a pro bono family law mediator.

Joel Hirschhorn '67, a founder of Hirschhorn & Beiber, P.A., has been named president of the American Board of Criminal Lawyers.



Jean Love '68 and her partner, Patricia Cain, both professors at the University of Iowa School of Law, are featured in the Fall 2002 University of California at Davis Law Review in an article about women law professors. Love and Cain are the first lesbian couple ever hired by a law school in the United States, and have been teaching at Iowa for 11 years.



Robert V. Dewey, Jr. '69, managing partner of Heyl, Royster, Voelker & Allen in Peoria, IL, has been installed as president of the Federation of Defense and Corporate Counsel, an international organization founded in 1936 to advance civil litigation practice.

the '70s

John W. Rowe '70, president and CEO of Exelon Corporation in Chicago, has been elected to the board of directors of Northern Trust Corporation, Chicago.



Patricia Banks '72, Cook County Circuit Judge in Chicago, has been elected 2002-03 chair of the Judicial Council of the National Bar Association.

Ted Hertel '72, Milwaukee, has won the Robert L. Fish Award for the best first short story in the mystery field from the

Mystery Writers of America. His story, "My Bonnie Lies ... " was published in the Mammoth Book of Legal Thrillers.



Terry Peppard '73 has been elected chair of the Alternative Dispute Resolution Section of the State Bar of Wisconsin. Peppard is a commercial arbitrator and mediator in Madison.

Jean G. Zorn '73 has joined Florida International University College of Law, where she is a Professor and Director of the Legal Skills and Values Program. Zorn has previously taught at the University of Papua New Guinea Law Faculty, the University of the South Pacific Law School, and the City University of New York Law School.

Michael R. Davis '74, partner in DeWitt, Ross & Stevens, Madison, is president-elect of the Dane County Bar Association.

Robert S. Giolito '74 has become General Counsel of the Directors Guild of America. The Guild represents film, TV and stage directors in the United States.

Clarence Sherrod '75, General Counsel for the Madison Metropolitan School District, has been elected to the University of Wisconsin Athletic Hall of Fame in recognition of his basketball career as an undergraduate. He still holds the UW record for highest career scoring average (19.6 points per game.)

Steven J. Edelstein '75 has been named Outstanding Professional Employee of the Year by the Atlanta Federal Executive Board. Edelstein is the managing attorney of the Department of Housing and Urban Development office in Atlanta.

James Martin '77 has been

appointed City Attorney for Madison. His appointment was announced by Mayor Susan Bauman '81.

George Drumming, Jr. '78 has been placed on the Roster of Arbitrators by the Federal Mediation and Conciliation Service. Drumming practices in Tallahassee, Florida.



Ann M. Murphy '79 has been named managing partner of Quarles & Brady's Milwaukee office. She becomes the first woman to hold this position among Milwaukee's five largest law firms.

■ ■ ■

Danae Davis '80 has received the 2002 Distinguished Alumni Award from the University of Wisconsin-Oshkosh.

Ralph V. Topinka '80, partner in the Madison office of Quarles & Brady, has been honored by the Western District Bar Association for his pro bono representation of a prisoner in a constitutional challenge of a provision of the Prison Litigation Reform Act.

Lynn Sarko '81, managing partner of Keller Rohrbach in Seattle since 1991, has recently served as co-counsel in Erickson v. Bartell, a case establishing a woman's right to prescription contraception in employer health plans, and co-lead counsel in the Enron ERISA class action lawsuit.

James T. Carmichael '87 has joined Miles & Stockbridge, Tyson's Corner, Virginia, in their intellectual property practice group.

JoAnne Smith Joyce '87 has been promoted to vice president and General Counsel of the Performance Chemicals

Business Unit of Great Lake Chemical Corporation in Indianapolis.

Jay Starrett '87 has joined Whyte Hirschboeck Dudek in Milwaukee, where he will practice transportation law, product liability and legal malpractice defense.

Keith Daniels '88 has joined Travelers Bond in Naperville, Illinois, where he is an underwriting manager for executive and professional liability insurance.

Ediberto Roman '88 is one of the founding faculty at the new Florida International University College of Law.

Kristine M. Strodthoff '89 has been elected a shareholder in the Milwaukee firm of Whyte Hirschboeck Dudek. Strodthoff is a member of the firm's intellectual property and private equity practice groups.

the '90s



William R. Peck '90 has joined the Boardman Law Firm, Madison, as an associate in the areas of tax, business and non-profit law.

David Feige '91, trial chief of the Bronx Defender's Office, has been awarded a Reginald Herber Smith Award by the National Legal Aid & Defender Association. The award recognizes Feige's outstanding achievements and dedicated services in indigent representation.

Susanna V. Stern '91 has joined Landay & Leblang in Boston, MA.

Michael W. Drumke '91 has joined Schiff Hardin & Waite, Chicago, as a partner in the product liability group. Drumke focuses on complex

business litigation matters.



Timothy M. Whiting '94 has formed the Whiting Law Group, Ltd., with offices in Chicago, Delavan and Kenosha, where he practices personal injury and medical malpractice law.

Carl W. Gilmore '94, of the McHenry, Illinois office of Rupp & Youman, is the author of Illinois Parentage Law, recently published by the Illinois State Bar Association.

Michael J. Gratz '94, partner in the Milwaukee intellectual property firm of Boyle, Friedrickson, Newholm, Stein & Gratz, has been elected chair of the Intellectual Property Section of the State Bar of Wisconsin.

Andrew A. Jones '94 has been elected a shareholder in the Milwaukee firm of Whyte Hirschboeck Dudek. Jones is a member of the litigation, labor & employment and municipal law & civil rights groups at the firm.



Patricia A. Hintz '94 has been named a partner at Quarles & Brady, Milwaukee. Hintz focuses on taxation.



Stephen R. White '94 has

been named a partner at Quarles & Brady, Milwaukee. White focuses on estate planning.



Susan Collins '95 has joined the Boardman Law Firm in Madison as an associate in the areas of trusts and estates and real estate law.

Sarah E. Coyne '95, partner in the Madison office of Quarles & Brady, has been honored by the Western District Bar Association for her pro bono representation of a prisoner in a constitutional challenge of a provision of the Prison Litigation Reform Act. Coyne focuses on health care law and related litigation.

Robert W. Soderstrom '95, of Boulder, Colorado, has won the Best Dramatic Screenplay Award at the Austin Film Festival for his screenplay "Jerusalem." The play was judged best out of 4,100 submitted scripts.

Shunette Campbell '96 became the first African American woman to brief and then argue a case in front of the Wisconsin Supreme Court, on April 10, 2002. The case was State v. Sisakhone Douangmala.

Ronald C. Grosche, Jr. '97, has joined the Boulder, Colorado office of Holland & Hart, where he will focus on litigation and intellectual property law.

Brian S. Kern '97 has been named senior counsel for the Medmarc Insurance Group in Chantilly, Virginia. He concentrates on corporate and insurance regulatory law.

**LET US KNOW
what you are doing.**

ereisner@facstaff.wisc.edu

**Mark your Calendars
and save the date for
your upcoming class
reunionS**

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**2003 UW Law School
Reunion Weekend**

September 19 & 20, 2003

Reunion Weekend gives you the opportunity to get reacquainted with your friends, classmates, and Law School through many scheduled events, including a CLE program, Law School building tours, individual class dinners, all-class reception on Friday and tailgate party on Saturday, and

the UW Badgers vs. North Carolina Tar Heels football game. It's not too early to start encouraging your friends to attend also.

Please visit the Reunion Web site, www.law.wisc.edu/alumni/reunion/index.htm throughout the next few months for event and individual class registration updates.

If you would like to be a member of your Class Committee or would like more information on reunion

weekend events, please contact Lynn Thompson, reunion event manager, at UW Law School Continuing Education and Outreach, 975 Bascom Mall, Room 2348, Madison, WI 53706; telephone: 608 262-4915; or e-mail Lynn at LThomp1@facstaff.wisc.edu.

Start planning now to be at the Law School next September for Reunion Weekend.



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Gregory M. Wesley '97, been named a partner in Gonzalez, Saggio & Harlan, Milwaukee. The firm is one of the nation's largest minority-owned practices. Wesley focuses on equal opportunity and employment law, and Indian and government relations law.

Kate A. Thompson '98, of the Eugene, Oregon firm of Gleaves Swearingen Potter & Scott, has published the article "State Immunity for Copyright Violations on the Horizon?" in the ABA's Intellectual Property Law Newsletter (Vol. 20, No.2, Winter 2002).

Heather A. Rippl '98 has joined Bryant, Barnes & Moss in Christians ted, St. Croix. Rippl had spent the last two years clerking for Dane County Circuit Judges Patrick Fiedler and William Foust.

Donald (Del) Laverdure '99, has been named Chief Appel-

late Judge of the Crow Court of Appeals, the Crow Nation's highest tribal court. Laverdure, currently a Hastie Fellow at the Law School, is teaching Federal Indian Law and writing an LL.M. thesis on Indian Tax Law.

Joe Jian Zhou '99 (LL.M.) is establishing a China law practice team at Zhang, Gush, Gao & Associates in Houston, Texas.

the '00s

Rhonda Frank-Loron '00 has joined the Madison firm of Julian, Musial & Friedrich.

Stacy Leeds (LL.M. '00) is the first woman to be named a justice on the Cherokee Nation's highest court, the Judicial Appeals Tribunal.

Glorily A. Lopez '00 has opened a solo practice in Madison, where she will focus on immigration and nationality law matters.

Andy Voight '00, an associate with the Portage, Wisconsin firm of Miller and Miller, is serving as a volunteer with STAR, Students Talking about Respect, Inc. STAR is a non-profit educational corporation that provides free violence-prevention materials and program structures to high schools.

Colin L. Fairman '01 has joined DeWitt Ross & Stevens in Madison. Fairman, who holds a Ph.D. from the University of Hawaii School of Medicine, will focus on intellectual property matters in the biotechnology field.

Shailaja Reddy '01 has joined Whyte Hirschboeck Dudek in Milwaukee, where she is a member of the technology team.

Melissa A. Abbott '02 has joined Solheim Billing & Grimmer, Madison, where she will practice estate planning, probate and tax.

Karl A. Bekeny '02 has joined the litigation/trial practice group of Arter & Hadden in Cleveland, Ohio.

Daniel]. Chanen '02 has joined the Milwaukee office of Davis & Kuelthau. Chanen is in the labor and employment section, where he will focus on school law. •

IN MEMORIAM

Carl W. Thompson '39
in Stoughton

John P. Frank '40
in Phoenix, Arizona

James H. Plier '41 in
Oconto Falls

Joseph A. Sullivan '41
in New York, NY

Thomas Anich '42
in Ashland

Joseph A. Romig '46
in Duluth

James F. Clark '47
in Madison

Robert W. Feuer '49
in Fairfax, Virginia

Jerome H. Kuypers '52
in Bonita Springs,
Florida

A. Glenn Epps '56
in Southfield, Michigan

Frank J. Pelisek '58
in Milwaukee

Zigurds L. "Zig" Zile '58
in Monticello, WI *

John M. Langer '60
in Baraboo

Thomas S. Brenner '61
in Waukesha

Jonathan I. Charney '68
in Nashville

I. Douglass Cofrin '68
in Green Bay

Warren Kenney '69,
in Madison

Charles "Nick" Egan '72
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Thomas N. Akey '74
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UW Law Alumna

Editor's Note:

Nancy Splain '77 is an example of one of our many alumni who have found a way to combine their "stateside" career with an international law-related experience. Splain spent two years in Ukraine, volunteering her services for the ABA's CEELI program, which works to develop and implement legal reform projects in Central and Eastern Europe. Here she shares her experience with *Gargoyle* readers. Another alumna who participated in the CEELI program is Hannah Dugan '87, who wrote on her month-long stint in Ukraine in the Milwaukee Bar Association's newsletter, The Messenger.

By Nancy Splain

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from the ED ITO R

Edward J. Reisner, Assistant Dean

SOMETIMES YOU CAN go home again! This fall I have returned to part-time duty in the Office of Career Services. In fact, my desk is less than ten feet from where I sat between 1976 and 1994 although the walls were moved during the 1996 building project. In the few weeks since I returned, I have been impressed by how much is the same and how much has changed: students still ask basic questions about how to find a job but many firm names have changed and electronic resources and reporting programs have come to play a prominent role in serving our student body. Jane Heymann, Director of Career Services, has assembled an excellent staff and I am happy to have at least a part-time role on it.

Update on Native American Students

IN MY LAST column I told you about E. Ward Winton, who graduated in 1920 and is, I believe, our first Native American law graduate.

That column also mentioned T.L. St. Germaine, who appeared to be Native American and is pictured among members of the Class of 1905. I could not, however, prove that he had graduated.

Just after we mailed the last issue, I received a call from Bill Yeschek '51. I was astonished to learn that not only did he have information on St. Germaine, but had met him when he was a boy at his family's resort in the Lac du Flambeau area! The story he remembered was that St. Germaine, a member of the Lac du Flambeau band of the Lake Superior Chippewa tribe, practiced law and served as a part time fishing and hunting guide. He also thought that St. Germaine had been a football player and a graduate of Yale Law School.

Armed with this information I have been able to assemble a few more facts: although not listed

among the Yale football players, St. Germaine did graduate from its law school in 1913. Our own archives record that he was indeed a law student at UW in the 1904-05 academic year but did not graduate, not uncommon in that era. We even found that he was the attorney in several reported cases involving other Native Americans, including *Ex parte Pero* (99 F.2d 28 (7th Cir. 1938)) and *Kills Plenty v. US* (133 F.2d 292 (8th Cir. 1943)).

Alumni in Public Service

FOR YEARS I have followed the career of my classmate Frances Ulmer '72 as she served as Mayor of Juneau, Alaska, then a member of the state legislature and currently as Lt. Governor. It came as no surprise that she would run for the state's highest office this year. Nor was I surprised that one or more UW Law grads would be involved in the governor's race in Wisconsin-many UW grads have distinguished themselves in that position. I was, however, surprised to learn that, before primaries, five UW law grads were in governor's races in four states: Ulmer in Alaska; Kathy Falk '77 and Tom Barrett '80 in Wisconsin; Beverly Stein '76 in Oregon; and Rollie Heath '61 in Colorado. None of them made it this time to the governor's title-but their achievements still display an excellent record of public service.

More Friends Pass Away

AS THE YEARS GO BY, death notices in this magazine become more personal. More and more of my friends and friends of this School are passing away. While we decided years ago against including obituaries, I will take notice of four now deceased alumni: A. Glenn Epps '56 was one of our early African-American graduates

~y~J _!mystery photo

who immediately began using his legal training for the benefit of those less fortunate than he, the poor, minorities and downtrodden. I met him once when he was nearing retirement as an administrative law judge and was impressed with his passion for what law could do to improve lives. Carl Thompson '39 was a State Senator when I was a lobbyist for the State Bar. He was modest and usually quiet, unless he rose to spoke on human rights or civil liberties, when he too demonstrated a special passion. Joe Sullivan '41 spent his career in the FBI. I met him at a reception in New York not long after he retired and I remember him mentioning several prominent cases that he had "worked". As the years went by, I learned that modesty was one of his traits as well. He was the agent Gene Hackman's character in "Mississippi Burning" was based on, as was Efrem Zimbalist's role in the TV series "The FBI." But the loss of John Frank '40 is the one I feel most personally. I had the pleasure of encountering John many times-for champagne in his Phoenix office, a ritual; at an ALI reception in Washington; many times here at the Law School where he came to share his expertise on federal jurisdiction or the Supreme Court, or to receive an award for his remarkable career; and, on one memorable night, at a small dinner in his home with Dean Bernstine, John Skilton and a few others. John, like me, was a collector of books. They lined every wall of his modest home and included volumes not only in his areas of expertise but ranging wide on the many subjects that he found interesting. Recently, John Skilton gave me a copy of John Frank's *A Sort of Professional Autobiography*. In 19 pages it documents John's involvement in national legal questions from desegregation to the most recent Supreme Court appointments. He was a giant among the many giants we count among our alumni.

I will miss them all. •



This mystery picture was taken at a Spring Awards Program and the man at the podium is George Young, as a professor and not a dean. Who are those honorees and what year was this?



First a confession: this was such a good mystery photo that I inadvertently used it a second time. Nevertheless, I thank John Waldeck '64, Kris Koepcke '64, Mike Brennan '64, and George Simons '64, for providing identifications and for not pointing out the repetition. The event was Homecoming 1963, celebrants were members of the Class of 1964. While there is some dispute, the following members of that Class are alleged to be in the photo: Howie Meyers, Dick Baumann, John Michler, Lane Ware, Phil Atinsky, Bob Pinkus, Irv Kahn, Mike Brennan, Jack Waldeck, Kris Koepcke and Bruce Craig. Careful readers will note that there are more names than faces-I may edit text but hesitate to edit the memories of senior lawyers.



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