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Lawyers of the Present: Public Service, Public Interest Organizations, and Government Agencies (Volume 3)

University of Tennessee College of Law

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LAWYERS OF THE PRESENT

THE UNIVERSITY OF TENNESSEE
COLLEGE OF LAW
VOLUME III
PUBLIC SERVICE, PUBLIC
INTEREST ORGANIZATIONS,
AND GOVERNMENT AGENCIES

Lawyers of the Present

a publication of the
College of Law

The University of Tennessee, Knoxville
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Introduction

Focusing on the career paths of alumni/ae practicing law in public interest and governmental organizations, this edition of *Lawyers of the Present* is third in a series designed to demonstrate the versatility of the law degree and the variety of legal and non-legal careers pursued by our graduates.

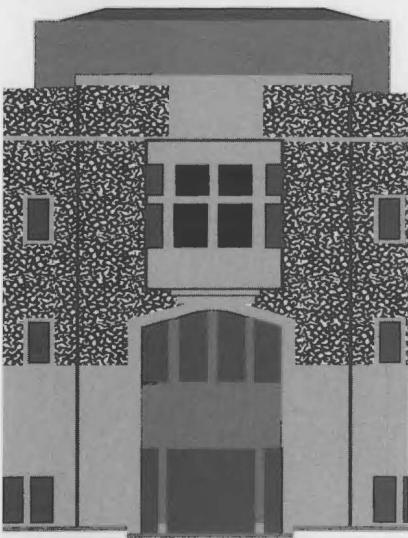
Volume I was devoted to alumni who have chosen alternative careers—something considered “outside” the traditional practice of law—while *Volume II* concentrated on graduates practicing in law firms and as in-house counsel.

For this volume, graduates practicing in public interest and governmental organizations were identified, and several candidates from each of the various categories represented were invited to contribute their narratives. (Similar to our experience with the first two volumes, many invitees were unable to participate at the time, while others were identified too late to ask. We look forward to having many additional graduates contribute to future publications!)

Public interest law, herein, has been defined broadly to include public service work with the government, as well as the more traditional public interest jobs in legal services and advocacy organizations. Graduates who provide direct services to individuals, as well as those who advance objectives that affect large numbers of people, are represented.

Several themes emerge from their narratives, whether the authors say their public interest careers were launched by “events early in life” or by “blind luck.” They believe:

- If one’s bent is service to others, whether helping out individuals or changing systems for a better world, public interest law is the best way to do it, though it may be hard.
- Its practitioners learn much about courage and more from their clients, for “adversity demands more” from its victims than do “comfort and success.”
- Great satisfaction accompanies making a difference in lives, more than in making money; and young lawyers should live their own dreams, not someone else’s image for them.



- The rewards also include varied work that is complex, intellectually challenging, and dynamic—and in many instances provides an opportunity to travel.
- New practitioners are likely to have greater responsibility early, and frequently more autonomy, than their peers in private practice.
- The quality of life usually consists of a comfortable living and allows evenings and week-ends with the family—but not always.
- Their most helpful law school experiences include serving as a student-attorney in the Legal Clinic, clerking for practical experience, the course in evidence, and learning from professors and fellow students “with vision.”

Law school today offers many opportunities for exploration and preparation. In addition to the experiences highlighted by participants in this edition, students can choose from the pro bono projects of several College of Law offices and organizations. Membership in the Tennessee Association for Public Interest Law (TAPIL), an active local chapter

affiliated with the National Association for Public Interest Law (NAPIL) also is an option. Scholarships for summer pro bono work are available through TAPIL and through Kolwyck Scholarships for Justice, provided by the College of Law through an endowment by a generous alumnus.

Students are directed to the bibliography of resources listed at the rear of this booklet to locate in-depth discussions of various practice philosophies and settings. It is our hope that the words of the graduates will inspire you to explore further.

DEDICATION

This edition of *Lawyers of the Present* is proudly dedicated to two people who have spent most of their careers as public servants and who were instrumental in making all three editions of this publication possible—

former Career Services Director Joann Gillespie Rothery and
former College of Law Dean Richard S. Wirtz.

Both retired from their respective positions in 1998 after serving the College of Law—and the legal community—in ways too numerous to mention. Their contributions will always be remembered with great admiration.



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**John W. Chandler, Jr., '78
Partner,
Burch, Porter & Johnson, PLLC
(Memphis, Tennessee)**

"I believe that my experience demonstrates that an attorney does not have to work for a Legal Services Corporation program or a public interest law firm in order to have a positive impact. I believe, as I did as an idealistic law student, that attorneys can use the legal system to effectuate positive social change."

The first time I thought about not becoming a lawyer was during my senior year in college, when I was majoring in English and contemplating graduate school. So, I decided to take a year off to make the choice between graduate school and law school.

Although I was not in law school, I was able to secure a job as a law clerk/runner with the City of Knoxville law department. The most challenging thing I did that year was draft a "leash law" to protect Knoxville residents from wild dogs. However, this exposure to the practice of law convinced me to attend law school. It is a decision I have never regretted.

The primary reason I had not thought about becoming anything other than an attorney until I was ready to graduate from college was

that both my grandfather and father had been attorneys with distinguished legal and political careers.

My grandfather, Walter Chandler, graduated from the University of Tennessee College of Law in 1909. He filed the important constitutional case of *Baker v. Carr*, which established the "one man, one vote" rule; was a founding member of the law firm of Chandler, Sheppard and Heiskell, which evolved into Heiskell, Donelson and eventually into Baker, Donelson, now one of Tennessee's largest firms; and was president of the Tennessee Bar Association. As a politician, he was the U. S. Representative from Tennessee's 9th Congressional District, where he authored the Chandler Bankruptcy Act, and was the mayor of Memphis for three terms.

My father Wyeth Chandler practiced law with my grandfather for many years; also served as mayor of Memphis for three consecutive terms; was a circuit court judge; and is now one of the most popular mediators in West Tennessee.

During law school, I became very interested in Legal Services Corporation (LSC) programs, largely through the excellent UT Legal Clinic. The opportunity to try a case was much more exciting to me than was studying for an exam. In fact, I became so interested in LSC programs that I attended an employment consortium in Atlanta during my second year and applied for positions with LSC programs in Miami and New Orleans that specialized in impact litigation. Unfortunately, the competition was too rigorous for those positions, and I received rejection letters from both programs indicating that students from Harvard and Yale had been hired.

During my third year in law school, I seriously considered hanging up a shingle with one or two of my law school classmates upon graduation. Almost as an

afterthought, I decided to interview at firms in Memphis over the Christmas holidays. I was turned off by the "corporate" image projected by the attorneys who interviewed me at many of those firms; however, I was favorably impressed by the attorneys who interviewed me at Burch, Porter & Johnson.

Although Burch, Porter was an older firm, most of its members had very progressive social views. For example, Lucius Burch had been in federal court representing the NAACP in its effort to have the city of Memphis ordered to provide it with a parade permit when Martin Luther King was assassinated in April of 1968. Another partner, Charles Newman, had just successfully represented a group of Memphis citizens in their efforts to prevent the construction of Interstate 40 through Overton Park in the landmark environmental case of *Citizens to Preserve Overton Park v. Volpe*.

Additionally, even though Burch, Porter represented numerous corporations and insurance companies, it also represented plaintiffs in all types of cases and even a few criminal defendants. Finally, the firm actively encouraged its attorneys, both partners and associates, to become involved in community affairs. My acceptance of a job offer from Burch, Porter & Johnson is another decision I have never regretted.

I have been very fortunate to have spent the last 20 years of my life working at a job I love. In fact, I worked over 2,500 hours last year—not because I had to meet a quota, but simply because I enjoyed working on my cases. I have had ample opportunity to litigate exciting and intellectually challenging cases, while solving the legal problems of real people.

Over the past several years my practice has evolved to the point that I am currently representing primarily plaintiffs in federal court

in products liability, employment, railroad crossing and Section 1983 cases. It is a wonderful feeling to be able to make a reasonable living, while at the same time believing that you are working on the side of "truth, justice and the American way."

In addition to my private practice, Burch, Porter has allowed me the opportunity to continue my involvement with Legal Services Corporation and pro bono programs on a local, state and national level. In that regard, I had the privilege of serving as a member of the Board of Directors of Memphis Area Legal Services and the Tennessee Bar Foundation IOLTA Grant Review Committee for many years. I was a founding member and am current chair of the Tennessee Bar Association Pro Bono Committee and was the Young Lawyers' Division representative to the American Bar Association's Standing Committee on Lawyers' Public Service Responsibility.

Fortunately, the boards and committees on which I have served have been very successful in providing poor persons with access to our civil justice system. For example, the Tennessee Bar Association Pro Bono Committee drafted, and with the able assistance of Tennessee Bar Association officers, convinced the state's legislature to pass legislation during 1996 that created a litigation tax that will provide over \$1.6 million per year for LSC and pro bono programs throughout the state.

Although my involvement with the above-described boards and committees has been very satisfying, I have derived greater satisfaction from providing free legal representation to individual clients. Perhaps the most enjoyable case of my career was one in which I successfully represented an elderly woman who had been defrauded by an unscrupulous contractor. Because she was ill, "Mrs. Jones" was unable to get out of bed, when she hired a contractor

and paid him \$500 to put a new roof on her small house. Apparently, the contractor simply climbed a ladder to Mrs. Jones' roof, banged around for a couple of hours with a hammer and pretended that he had installed a new roof.

After the General Sessions Judge heard Mrs. Jones' testimony and saw the photographs of the old shingles that were still on her roof, he "threw the book" at the contractor. As the judgment included punitive damages, Mrs. Jones was not only able to have a new roof installed on her small house, but also was able to get it painted. (Mrs. Jones still calls me occasionally to tell me how she is doing and to thank me for having helped her.)

I believe that my experience demonstrates that an attorney does not have to work for an LSC program or a public interest law firm in order to have a positive impact. I believe, as I did as an idealistic law student, that attorneys can use the legal system to effectuate positive social change. Even though there are increasing pressures on private practitioners—especially upon young associates at the larger firms—to generate income, there are many private practitioners who are dedicated to providing free legal representation to those who cannot otherwise afford it, and many firms that are willing to support them in those efforts.

If you have an interest in private practice and in providing pro bono representation, you should question firms about this during the interview process. However, you should be aware of the fact that it has become particularly "fashionable" for firms to espouse their support of pro bono work, but that the reality of their involvement does not always match the statements made by interviewers. Always probe beyond these statements and ask for specific examples of the firm's pro bono commitment.



Don Paine, '63
Partner,
Paine, Swiney & Tarwater
(Knoxville, Tennessee)

"For those interested in pro bono work, you will have to work a little harder because you should take on those cases only if you are willing to give them the same effort as a paying case."

(Following is an interview with Don Paine conducted by Joann Rothery, former director of Career Services.)

Rothery: What are you up to these days?

Paine: I teach part-time at the College of Law. I've taught remedies over the past few years, but it looks as though this year and in the future I'll be doing the evidence course in the fall and then the civil procedure II course in the spring.

Though I am a partner with the law firm of Paine, Swiney & Tarwater, I spend most of my time as far as paying work goes with a CLE [Continuing Legal Education] partnership known as the Tennessee Law Institute. I'm the one of the three partners who does all the initial reading of cases and statutes, which takes up most of my time.

As a consequence, I've had to curtail to an extreme degree what was a very active trial practice in virtually all types of cases. I do try

to stay active in the pro bono area and to take my share—and then some—of pro bono cases, which keeps me in the courtroom.

Rothery: Why did you become a lawyer?

Paine: How did I get into this law racket in the first place? I've wondered about that. I had no particular ambition to be a lawyer, and there was no lawyer that I know of in my family. It may have been largely because I came close to the end of my undergraduate years with the prospect of ending up only with a degree in English. I had planned to be an English teacher at the college or preparatory school level, but I was not really sure about it and thought I might need an option.

My roommate, Randy Ayers, had just enrolled in law school, and I thought I might walk across the street and see what was over there for myself. In those days, the UT College of Law would accept you with three years of undergraduate studies and a 2.0 grade point average, as long as you were a citizen of the state.

So I enrolled in law school, and I did go ahead and get my undergraduate degree and completed law school, even though I was commissioned through ROTC in the army. They allowed me to finish my law school training, but I was undecided enough even while in law school as to what I eventually wanted to do that I somewhat foolishly enrolled in graduate school to continue my English studies and completed a master's degree there and worked myself nearly to death.

Rothery: What else did you do during this near-death experience?

Paine: I got married during those years and held down three part-time jobs—one in the law library, one downtown in the courthouse law library, and one that paid ten times as much as the other two as an English tutor for the UT Athletic Department.

Rothery: Was there life after law school?

Paine: As I had accepted a commission from the U.S. Army, I had to report for active duty as soon as I took the bar exam. I went to infantry school in Fort Benning, Georgia, then completed the Judge Advocate General training in Charlottesville, Virginia, before receiving my permanent duty station at Fort Rucker, Alabama.

Rothery: How did you end up in Knoxville?

Paine: I finished my army tour of duty in August or September of 1966, at which time I was contacted by one of my former professors, Col. Harold Warner, who had become dean of the law school while I was in the service. He was in need of a young faculty member, so I came back to Knoxville at his invitation and served on the faculty until June of 1970, teaching civil procedure and evidence, which I continue to teach even today on a part-time basis.

Rothery: But you entered private practice around that time?

Paine: Yes. I then became an associate with Egerton, McAfee, Armistead & Davis in Knoxville, where I seem to recall that one of my early cases was on a pro bono basis, referred to me by a Conflicts Committee of the Knoxville Bar Association. Egerton, McAfee had a tradition of doing pro bono work, and it was instilled in all the new lawyers that there was an obligation to work it in with your paying practice and to devote the same attention to either case—paid or not paid. Your future in the firm was enhanced just as much by pro bono work as by paid work.

Rothery: What was your other work there?

Paine: Egerton, McAfee was weighted toward an office practice, but they needed someone in the firm to do trial work, especially spin-off trial work that came out of some of the corporate banking busi-

ness. As a result, over the years I was able to try an extremely wide range of lawsuits and wasn't relegated to trying just car wreck cases—although I tried some of those—or domestic cases, which I also tried. I had a lot of business-related cases, some of them quite complex, including securities and trust litigation. I became recruiting partner at some juncture, and of course some of the people I hired were to help me with the growing litigation business.

Rothery: When did you form your present firm?

Paine: Ultimately those of us in the litigation section left Egerton, McAfee in 1987 to form our own firm of Paine, Swiney & Tarwater, where we do only trial work. My feeling is that I should do more pro bono than some lawyers because even though I have a busy schedule, I have the flexibility and financial security that allow me to spend more time doing pro bono.

Rothery: Tell me about your pro bono assignments in the old days and new.

Paine: Usually I take any cases the Legal Services folks ask me to take. They seem to have cases that are a little out of the ordinary that they think I should handle. Exactly what their criteria are I don't know, but I've had some interesting cases. A lot of them involve domestic issues, but not all.

One case I remember in particular involved a woman with a hearing impairment whose daughter had been taken away from her and her husband more than 10 years previously in Chicago under mysterious circumstances. Oddly, the authorities took the older of two daughters away from the mother and father (the latter had long since died), but left a younger daughter with them. You'd sort of think that if the circumstances at home were bad (which I was never persuaded they were), they would have taken both children away.

Anyway, I thought I had a deal worked out with the people in Chicago administratively through the Department of Human Services to get the child returned. But a few days before Christmas I got a call from a woman in Springfield (the state capital) saying that despite what they had promised—to return the girl to her mother by Christmas day—the deal was off. I told them they had the advantage because they were up there and so was the girl, but they might have picked on the wrong country boy this time.

I knew only one practitioner in the Chicago area, whom I had met briefly at a seminar in Knoxville co-sponsored by UT and the KBA. He was Albert Jenner of Jenner & Block—the premier trial firm in Chicago and certainly one of the premier trial firms in the country. I telephoned him that bad winter's day about the case and told him I needed an Illinois admitted lawyer to sign the pleadings, though there would be no money in it. He was nice enough to say "Come on up, Don, and I'll put some troops on that case and work with you." Sure enough, he put one of their partners on the case, plus an associate who turned out to have been a student of mine at Vanderbilt Law School when I taught there.

Our team of volunteers included a lady from Maryville College, who was a volunteer interpreter, and a lady from the Department of Human Services, who had a young baby at home. Of course all of us shelled out huge amounts of money from our own pockets—and some from the firm coffers, as well—knowing that it would not be reimbursed.

We won that one. That's the only time I have ever cried after a case, win or lose. I try to keep my distance, because I think that is best for the client. But that was one case in which I took a personal interest because they pulled the rug right out from under us at Christmas.

Rothery: But why should lawyers work for free?

Paine: It goes with the territory—in this instance, our common license. For those interested in pro bono work, you will have to work a little harder because you should take on those cases only if you are willing to give them the same effort as a paying case. I believe you can mix a regular practice with pro bono work. I think I had as busy a trial practice as any lawyer in Knoxville, but I made sure I still took on those cases. I also think it's worthwhile to discuss pro bono work when you interview with law firms to see what their attitude is.

Rothery: What else have you done for public service?

Paine: Not much on civil affairs; I am a recluse, not a joiner. I have been president of both the Knoxville and Tennessee Bar Associations. But probably as much as anything else, teaching has been the most pleasant service for me. I teach CLE (Continuing Legal Education) seminars, courses for the Judicial Conference, bar review courses, and a few law classes at UT.

Rothery: Which of those is most rewarding?

Paine: Classroom teaching is what I enjoy the most, and I would pay the administration to let me teach. It's not just that I would teach for free, which I've offered to do, but I would pay UT just to be allowed to teach because it keeps me interested in things. I try to teach students in such a way that they will know a lot more than I did when I graduated. Hopefully they will be able to "hold their own" for their client's benefit when they get in the courtroom against older, more seasoned lawyers.

Rothery: Students tell me that you love the evidence course.

Paine: Yes. I try to instill in them the idea that if you really learn evidence cold, you can really level the playing field—it's so crucial. I really don't have a missionary

spirit about it, but I do feel that it will help the course of justice in the long run. I also feel that way about the Judicial Conference. Obviously you take a little different approach when you're lecturing judges, but I feel that if I can clear up some misunderstanding about a hearsay point with the judges, it may result in more just decisions.

Rothery: So teaching is your love?

Paine: Well, the thing I've enjoyed the most in the profession is the teaching end of it, and I started there in a way. In fact, even in the JAG days I was teaching at night school for a college that was on the military post at Fort Rucker. I've taught through most of my career, and that has been the part that I have had the most fun with. That's my treat for myself.



Frances L. Ansley, '79
Professor,
UT College of Law
(Knoxville, Tennessee)

"Some [clients] taught me by their example what it is to survive and carry on with humor and dignity after personal or family catastrophe. Others found ways of letting me know that while the justice system is important, and while access to lawyers can make a huge difference, clients' lives and hopes and loves and challenges are much bigger than their lawsuits."

What I do for a living is teach, conduct research and write at the University of Tennessee College of Law. I often think that I must have one of the best jobs in the world—especially on days when I don't have to teach the Rule Against Perpetuities.

Despite my present high level of job satisfaction, I have not always known this was something I wanted to do. Like many law graduates, I have worked in several different niches in the profession and have found that a law degree can provide a versatile base from which to pursue a wide range of goals.

When I first graduated from law school in 1979, I had a strong desire to use my law degree to improve access for poor and working people

to the legal system and to substantive justice. I also had two young children. What I *didn't* have was much of a clue about how to get these two aspects of my life into a productive and mutually-enhancing relationship.

After some eye-opening interviews, I began to understand that the then-existing labor market for lawyers had only begun to make the smallest accommodations for mothers or for those fathers who chose or needed to take substantial hands-on parenting responsibility. Eventually, however, I found parent-friendly homes—first in the Economic Development Unit of the UT Legal Clinic, and later in the plaintiff's personal injury bar.

Working with teams of lawyers and support staff at the offices of Mike and Ann Rowland, Sidney Gilreath, and Rom Meares, I had a wonderful eight-year stretch as a litigator. During this period, I was privileged to represent injured people in a number of settings where my colleagues and I felt we could make a difference, not only for our individual clients, but for the prevention of future injuries as well. I represented workers sick from asbestos exposure, children hurt on three-wheel ATVs, employees burned in pipeline explosions, and automobile occupants needlessly injured for lack of airbags in their cars.

I wouldn't give anything for the experience of those years. I learned tremendously from my co-workers. I was proud to be a member of the bar as I saw what was achieved by the indefatigable corps of lawyers who—using the powerful democratic tools of civil discovery and the jury system—finally exposed the shameful story of industrial asbestos and its toll on individual workers and their families and on the nation as a whole.

I was educated by my clients in important ways as well. Some taught me by their example what it is to

survive and carry on with humor and dignity after personal or family catastrophe. Others found ways of letting me know that while the justice system is important, and while access to lawyers can make a huge difference, clients' lives and hopes and loves and challenges are much bigger than their lawsuits.

Despite the satisfaction I gained from that particular brand of practice, as the years went by I sometimes found myself frustrated at its limitations as well. It seemed to me that our legal system was doing a poor job of addressing some of the problems that I cared most about: for instance, an economy characterized by a scandalously increasing gap between the rich and poor, continued racial disparity and increased racial tension, environmental degradation, and serious strains related to the difficulty of juggling work and family (for everyone from the single mom working second shift at a fast food counter, to Mr. and Ms. High-Powered Couple leaving their kids for long hours with an underpaid nanny on the run from violence in Central America).

The world of these problems often seemed frustratingly removed from the immediacies of my law practice. I often wished that I had more time to think more directly and professionally about these sorts of concerns, to question whether the law functioned to resolve or to reinforce them, and to explore ways in which the law should and could be changed.

In the midst of this malaise, I decided to take a year away from practice to investigate my options. I had a wonderful year at Harvard Law School, enrolled in an LL.M. program for prospective law teachers. After years of representing clients and meeting external deadlines, the hard but essentially self-centered work of being in law school felt downright luxurious. When I went on to stick my toes in

the academic job market, and when UT then offered me a teaching position, I jumped at the chance.

Being a law professor has turned out to be more demanding, more varied, and more rewarding than I ever could have imagined. There are plenty of days when I miss the emotional rush of being part of a dedicated litigation team or the deeper satisfaction of making a difference in the lives of clients. Certainly when blue book season rolls around with its iron regularity, my family can attest that I am seldom a happy camper. Nevertheless, I really do love this job and all three of its traditional metaphorical legs: teaching, scholarship and service.

Teaching is a source of constant challenge and renewal. The fresh group of students that pours into our classrooms each year is amazing. Our students mostly work hard, ask important questions, and show respect for each other. They have in common the fact that, overwhelmingly, they are eager to get into the world and want to make a difference in it. At the same time, they are diverse in many ways as well (much more so than in my day—a change that I applaud, for reasons of both social justice and educational quality).

These students will be moving into communities and vocations that face tremendous challenges in the years ahead and helping them get ready to do so is a tremendous responsibility. I would be less than truthful if I said that the currents and pressures of law school are always as healthy and productive as they should be for the future professionals enrolled here. Many people in legal education today have concerns about everyone. But for all its problems, the law classroom at its best is an exciting place that offers both challenge and affirmation for teachers and students alike. It has provided me with an opportunity to interact with students as joint members of the learning enter-

prise—and as friends—in ways that I will always be grateful for.

The research side of being a law professor was much less familiar to me than the teaching side when I first came to this job. The rewards of research and writing have far exceeded my expectations. The scholarly part of the job has allowed me to pursue some of the questions that were nagging at me while I was in practice, and has allowed—in fact required—me to spend part of my time each year becoming a writer. Legal scholarship is a dynamic and creative field with a range of different audiences, and I have thoroughly enjoyed the experience of seeing my work in print, initiating research and education projects, and participating in scholarly exchanges with people in law and other disciplines.

My research has also allowed me to be involved on a regular basis with the kinds of non-academics whose life experiences, perspectives and wisdom I value most. Over the past couple of years my research on deindustrialization and on local impacts of the global economy has allowed me to spend time in the UT heartland, Mexico, Eastern Europe, and Guatemala. I have been able to teach and learn from factory workers, field hands, literacy teachers, labor organizers, social workers, human rights activists, researchers, rural health care workers, priests and ministers, social scientists, puppeteers, cybernauts, historians, folk singers, and practicing lawyers.

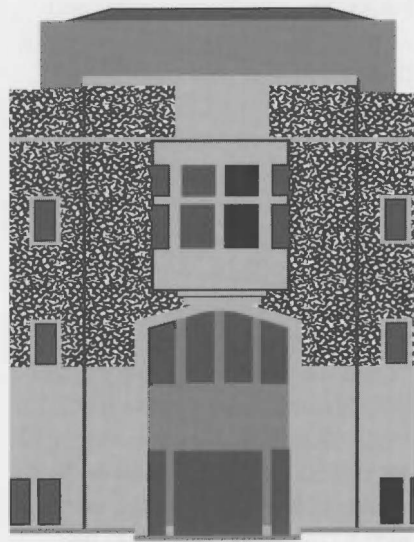
The final leg of the law professor's job is institutional and community service. One project that illustrates the difficulty I often encounter in any attempt to clearly distinguish service from teaching or from research is my work with the UTK Community Partnership Center.

In 1994, I was able to team up with a sociology professor on campus, along with a larger group of

professors, graduate students, staff and community representatives to create the Community Partnership Center. We won a competitive grant from the U.S. Department of Housing and Urban Development to launch a multi-disciplinary program whose aim is to link university researchers with organizations rooted in low- and moderate-income communities in Knoxville and East Tennessee.

We have sponsored, enabled, and/or supported a number of "partnership projects" in which individuals and classes at the university work with grassroots and other community groups to investigate, analyze, and address community-identified problems. I believe that we have delivered valuable services along the way, but feedback also suggests that this approach has significantly enhanced the quality of our teaching and research activity as well.

Certainly there are downsides to all this. In addition to sometimes wishing I had less of the Rule Against Perpetuities, I am forced to concede the truth of my husband's observation that there is a rule I sometimes could use more of: that is, the Rule "Against Perpetual Busy-ness." He often recalls fondly the days when he thought that a wife who worked as a law professor would have more spare time on her hands than one who worked as a litigator. But having more exciting tasks, more hopeful and energetic students, and more pressing issues on my plate than I can easily handle is a problem I would elect over boredom or disengagement any day. This particular way of being a legal professional is one I am deeply grateful to have had the opportunity to pursue.



Public Interest Organizations

Government-Funded Legal Services



Robert J. Bowman, '91
Staff Attorney,
Camden Regional Legal Services,
Inc. (Camden, New Jersey)

"To me, there is no higher calling than to speak up for those who cannot speak for themselves and to defend the rights of the poor and needy."

After graduation from UT law school in 1991, I was hired as a staff attorney by Camden Regional Legal Services, Inc., a program which handles civil legal work for the poor in five counties in southern New Jersey.

I spent my first two years in the small town of Bridgeton, in the heart of farm country, working to keep landlords from illegally removing tenants from their apartments, keeping real estate agents from stealing houses out from under home-owners, and preventing employers from grinding employees into the ground before replacing them.

In April 1993, I transferred to the Camden office of C.R.L.S., located in one of the poorest cities in the United States. About the

time I arrived, *Time* magazine did a cover story on Camden entitled, "Who Could Live Here?" Well, I found out in short order.

For the past four years, I have represented clients in the areas of public benefits, primarily in Social Security, unemployment, welfare, Medicaid, and collection matters. The people I serve are just like you and me. They may be different colors, shapes and sizes, and speak in languages we only read about in books, but they have dreams and ambitions very much like us. Sadly, they fall victim to scam artists, unscrupulous employers, drugs, alcohol, and the welfare system.

The type of work I do stretches the limits of everything I learned in law school, especially patience, stamina and stress. Within my first few weeks of employment, I was in court trying cases. I have argued before the Appellate Division and have spent many hours in administrative hearings. I have managed to get clients relief from thousands of dollars in medical bills and once won a case where Medicaid had already spent a million dollars, but tried to terminate the client for being two dollars over-income.

In addition, I have served on advisory committees on New Jersey Care 2000 (New Jersey's version of TennCare) and on health advisory committees at the city and county levels. For the past two years I have been the president of the attorneys' union in my program and have negotiated contracts and work conditions through good times and bad.

Most of the time, I am a problem solver. Clients come to Legal Services when there is no one left to help them. Some of my greatest rewards come from clients whom I have assisted in simple ways, talking them through a crisis, taking the heat from the opposing party, or arranging to get them a bus ride home or a motel room for the night.

While legal services work can be incredibly stressful—and sometimes

hazardous—I can pursue justice and mercy and still go home at night to see my family, participate on boards outside the office, and even play keyboard in a Worship Band at my church. Though I probably earn far less than I would in private employment, I make ends meet on a fairly decent, predictable salary without the worry of billing clients everyday.

So how did I end up here? For several months after I arrived, I asked the same question. As time went on, however, I found that this is the best place I could be to continue learning, making a difference in the world, and applying my legal skills. To me, there is no higher calling than to speak up for those who cannot speak for themselves and to defend the rights of the poor and needy.

I started out on this path after taking a lawyer/personality assessment in the Law Career Services office. During my third year of law school, Career Services Director Joann Gillespie Rothery was working on a project to match personality profiles with different legal professions. Mine steered me toward public interest, client-oriented, problem-solving career areas. Shortly thereafter, I enrolled in the UT Legal Clinic and by the end of the semester, I was hooked. The clinic was the class that convinced me that I wanted to deal with people everyday, not just paperwork and research.

Professors Jerry Black and Gary Anderson provided me with direct client contact and a way to use my law school training in real-life cases. Their instruction on how to handle even the most difficult clients with dignity and respect has proved to be one of the most valuable assets I could ever use in my legal career and in life itself.

My advice to law students is to think long and hard about what you want to do with your legal career. Assess your skills and interests, then pursue the type of law that interests

you; do not just follow the money. I have spoken with too many private practice “burn-outs” who have willingly taken huge pay cuts to get out of their 80-hour work week, six-figure research jobs to come work for Legal Services. I have also spoken with private practice lawyers who send their six-figure salaries to pay child support. Practicing law for money alone is not worth it.

If you want to work in legal services, take courses that will place you in touch with clients and client-related issues, such as family law, legal clinic, and wills and estates. And pay attention in all of your classes, because they do turn out to be relevant. For example, I have really come to appreciate my administrative law class now that I deal with state agencies every day.

Lastly, if you want to enjoy your legal career, try to maintain life outside of the law office. Keep a perspective on life and why you want to practice law. Without it, you will only be another rat in the rat race.



Margaret Held, '95
National Association For Public
Interest Law Equal Justice Fellow,
Knoxville Legal Aid Society
(Knoxville, Tennessee)

“ . . . what you can expect is to have perhaps the most fascinating, fun, challenging, and meaningful experience of your professional life. You will make our legal system work like it is supposed to. You will make justice real.”

My devout Republican father asked me more than once when I was growing up and bemoaning economic injustice in the world, “What does society owe anyone but a chance?”

I had no answers then, or now. But looking over my law school experience and my first years of practice, I realize how often I repeated that question to myself. In law school, I would ask versions of it to Bob Lloyd in commercial law and to Joe Cook in constitutional law. I took labor and employment law with Pat Hardin, had philosophical discussions with Fran Ansley at Ramsey’s Cafeteria, and meditated on the power struggles expressed in the law while I was reading the cases. I cared what the dissenters said.

I also presented myself at the door of the Knoxville Legal Aid Society as a volunteer. There, I was asked to staff an ad hoc committee

of bankers, non-profit corporation executives, and activists to set up a new loan program serving the credit needs of low-income entrepreneurs in the inner city. I threw my heart and my imagination into this project, and the result was the Community Microloan Program, which has in turn been responsible for creating close to 200 jobs in two years for a fraction of the cost of government programs.

I learned in law school that academic answers aren’t helpful, and that academic answers are all that policy-makers have been hearing. The real answers come through the stories of real people—the retired nurse who wants to start a day care business for the elderly but cannot pay the \$3,000/year licensing fee. This fee was designed for hospitals, the only entities currently operating such businesses. So no one worried that the fees were prohibitive to a cash-strapped entrepreneur.

No one anticipated a public housing resident wanting to start a daycare business, either. Or a disabled person wanting to become the neighborhood “ice cream man.” No one thought that the father of a gang leader would want to begin a ministry to pull youth away from gang life. Or that a church would want to start making loans to African-Americans that traditional banks reject. Or that a neighborhood association would want to design the kind of economic development that would go on within its boundaries. Or that drug addicts would want to start an art school. Or that a public housing tenant association would want to build a neighborhood park. Or...or...or...

And because no one in government anticipates that poor people would or could do these things, no one in government writes laws that enable them. In fact, the laws that are written mostly have the effect of denying opportunity to poor people and their organizations.

Modern laws reflect a profound crisis of faith in our society's ability to deal with its problems and in poor people's ability to help themselves. So, in part as an answer to my father, I've become a lawyer with an agenda—to do what I can to restore this faith. Society owes poor people more than a chance; poor people deserve our faith.

For four years I have been at Knoxville Legal Aid Society, most recently as its community economic development attorney. I was paid through a grant from the National Association for Public Interest Law (NAPIL), a vibrant, young, creative organization that finds about 10 recent law graduates and gives us two year's salary to chase our dreams in a public interest practice.

It has been four of the best years of my life. Fresh out of school, I have all the client contact, ability to be creative, need to be resourceful, and intellectual challenge I could ever ask for. Everyone should be so lucky.

But this job has also been extremely emotionally draining. Four of my clients lost close family members to inner city violence just last year. One of my client's host church was burned to the ground by arsonists while the organization was the subject of bomb threats and racist hate mail. Several of my clients were completely defunded as charitable contributions were spread thin to cover government cutbacks in social programs. Organizations, competing for what little recognition there is for this work, sometimes descend into efforts to undermine one another. Congress and the Legal Services Corporation apparently think all this work to revitalize the inner city is such a threat to good social order that my every move is scrutinized. The atmosphere of desperation and mistrust created by all of this is hard to leave at the office. My family, now increased by the birth of our second

child, has borne the brunt of much of my stress over it.

Despite the strain, my clients have accomplished amazing things. It has been a privilege to serve as the "corporate counsel" to local nonprofit organizations who are building dozens of houses, creating hundreds of jobs, literally attracting millions of dollars of new investment, and physically and spiritually rebuilding Knoxville's inner city. Much of my work has been transactional, and I have designed and facilitated several workshops on various aspects of economic development law. I have gained enormous amounts of hands-on experience, but more importantly, I have learned from the wisdom of community leaders who are succeeding where their government has given up.

Unfortunately, perhaps because the government has given up, Congress will not allocate sufficient funds to Legal Services to continue my work once the NAPIL fellowship ends. As of September 1997 I, like so many other public interest attorneys, headed into private practice.

My disappointment is tempered by the fact that I knew this day would come. Very few opportunities exist for public interest lawyers, and those that do exist do not last long. I would not advise anyone to enter public interest law expecting job security.

But what you can expect is to have perhaps the most fascinating, fun, challenging, and meaningful experience of your professional life. Your clients will show you how they daily surmount the degradation they suffer at the hands of people who make too many assumptions. You will make our legal system work like it is supposed to.

You will make justice real.



Michael Hamden, '83
Executive Director,
North Carolina Prisoner Legal
Services, Inc. (Raleigh, North
Carolina)

"At NCPLS, we spend every day of our professional lives advocating the interests of powerless clients in unsympathetic courts against influential and powerful agencies of state government."

I received a flattering letter from Joannn Gillespie Rothery and Dean Wirtz advising that I have been selected as one of the people whose careers will be profiled in this year's edition of *Lawyers of the Present*. A useful profile, I am instructed, will include a description of my current practice, as well as my career path, identification of specific classes or law school experiences that helped, a narrative of the satisfactions and frustrations of my work, and some [gratuitous] advice to those interested in a similar career. The only other guidance offered was to be sure to cram all of that onto two pages.

Okay, I'll give it a try. But I want to start with some advice. If your primary motivation for practicing law is monetary, consider some other profession or vocation. As a lawyer, you won't get rich, you won't be happy, and you won't serve either your clients or the profession very well. There's precious

little about which members of the legal profession agree, but I believe there may be consensus on the proposition that we already have enough self-serving money grubbers.

The practice of law is about service to clients and the public. If that's what you're into, you've chosen a profession with boundless opportunities for gratification and fulfillment. As a law student, you can begin to realize these rewards by preparing for and involving yourself in activities that serve some societal good.

Preparing will be easiest, of course, since that's what you're expected to do in law school. And at least some of the classes offered, and some of the professors who teach them, can do a great deal to prepare you for the practice of law. In retrospect, evidence (with Neil Cohen), con law (Otis Cochran), and criminal procedure (Gobert), were all useful. I also found especially valuable a more esoteric course taught by Professor Cohen (morality in law?). In other cases, the subject matter of the course is less important than the opportunity to study with gifted educators (for example, Dean Wirtz, Neil Cohen, and back in the day, Durward Jones and Mickey Davis).

Involvement is more demanding because it can be all-consuming. But involvement is the essence of being. If you want to be a lawyer, involve yourself in public service. There are many ways to accomplish that, but I strongly recommend your participation in the Legal Clinic where you can begin to work as an attorney on behalf of people who desperately need your help. The clinic offers an opportunity to develop fundamental legal skills under the supervision of another gifted educator (and a helluva lawyer), Dean Rivkin.

This kind of preparation and involvement constituted the most memorable and useful parts of my law school experience. And, if I had

known then what I know now and had been more diligent, I would have been better prepared for what followed.

On 9 September 1985, I began my first paying job as a lawyer when I accepted a position as a staff attorney with North Carolina Prisoner Legal Services, Inc. At that time, the office was comprised of three other lawyers and a secretary. The director told me a little about the mission of the program (to provide legal services to North Carolina inmates), gave me a primer on prisoners' rights law, and sent me off to ensure that North Carolina prisoners were treated humanely. First thing you know, I was touring a county jail that housed twice as many prisoners as it had beds, with groups of 4 people confined in 35 square foot cells (about the area of a standard door, laid flat). The jail entirely lacked fire exits, fire safety equipment, and any plan to evacuate the jail in an emergency. And, although the population of the jail routinely exceeded 130 people, there was no plan to provide even emergency health care services. Second thing you know, I was lead counsel in a federal class action lawsuit alleging inhumane living conditions on behalf of all the people who were and who would be confined in that jail. Of course, the county retained one of the most experienced (and highly paid) litigators in the state, a senior partner in one of the most prestigious firms, to defend the suit. Wow! Was I in deep!

In the interest of brevity, I'll spare you a description of the pummeling I took in depositions, the motion for sanctions I filed when I learned that the sheriff had thwarted our discovery efforts by loading half the jail population onto buses and giving 70 prisoners a tour of the county while I attempted to record a "fair and accurate" representation of conditions at the jail on video-tape, and countless other

related war stories. Suffice it to say that, after 18 months of intense litigation, the case settled on terms favorable to the class (including the construction of a new jail) and an award of a substantial amount of attorney fees.

In the years that followed, my career as an NCPLS staff attorney focused on class action conditions lawsuits, but I also had the opportunity to represent individual prisoners on a wide range of issues in all state and most Federal courts. I very much enjoy constitutional law and working to resolve the practical problems that arise in applying constitutional principles to real life situations. But since September of 1995, when I was hired as the executive director of NCPLS, I have done less of that. Our program has grown commensurately with the North Carolina prison population so that we now have a staff of 15 lawyers, six paralegals, and nine supporting staff members. Our staff, our Board of Directors, and I have been astounded by the realization that a law firm of this size requires management, and that is mostly what I do now. Grant-seeking, budgeting, personnel management, office administration, policy-making and similar activities provide new challenges and greater opportunities for a broader kind of service. Of course, the opportunities for direct service to clients have diminished. It's too soon to say whether my new work will be as gratifying.

Let's see. I guess that about covers it, except for a description of the satisfactions and frustrations of this kind of work. At NCPLS, we spend every day of our professional lives advocating the interests of powerless clients in unsympathetic courts against influential and powerful agencies of state government. That is hard work that doesn't make us very popular, but even so, we believe it is important and worthwhile. When our work results in the release of a person who has been

wrongly convicted, or when we are able to secure humane treatment for our clients, or when we help to ensure that civilized standards prevail, even in prisons, we feel that our efforts have been beneficial and in the public interest. Some (but not all) of our clients, and some (but certainly not all) judges and state officials, concur.

I commend public service to you all (or, more plainly, do good in life).



Beth S. Bates, '82
Staff Attorney,
West Tennessee Legal Services
(Jackson, Tennessee)

"The satisfaction in representing the poor and needy is unequalled. If I ever have trouble sleeping at night, I can visualize the faces of the people I have helped and sleep in peace."

At the University of Tennessee College of Law, I learned to value substance over form. Professors Cook, Sobieski, Wirtz and Hardin, who were very influential in this lesson, expected excellence in substantive law, evidence, and procedure. I learned to defend my position and never bluff. My fellow students and I—all of us products of Main Street, Tennessee, and children of the late 70s—valued what was real and rejected the "Madison Avenue" values.

I had my first chance to work for West Tennessee Legal Services, Inc., between my second and third years. But I had already accepted a clerkship in my hometown when they called to see if I would be interested in working there, and I could not accept.

After law school, since Wall Street did not come knocking on my door, I found myself looking for a job for more than a year. I was too stubborn to realize that I was not

suited to corporate law. Though I thought I wanted to practice property law, I was more suited to State Highway 22 (in West Tennessee) than to lower Manhattan.

As luck would have it, in the late summer of 1982, I was hired by the Honorable Mark Walker, presiding judge of the Tennessee Court of Criminal Appeals. I was not his first choice—his first choice did not want to come to Covington where his office was located. It was a wonderful year; the late Judge Walker was the best of the profession, learned, kind, gentlemanly, and firm. He came from an Old South family but inspired Judge Odell Horton, the first modern African-American judge of the federal district in West Tennessee.

In the spring of my clerkship, I accepted a job with Dwight Hawkins in Humboldt, Tennessee. When West Tennessee Legal Services, Inc., called again about a job in Huntingdon, I failed to interview.

Instead, I worked for four years in Humboldt. Part of that time, I worked with Silas Jasper Taylor, IV, a UT classmate. (Jasper used to tell the East Tennesseans that one must drive through his hometown of Alamo in order to arrive anywhere in West Tennessee.) In this practice, which was very varied, I searched titles, drafted agreements, took criminal appointments, probated estates, closed loans, represented divorced clients, and handled Social Security disability cases. I came to love these cases and learned a great deal about this area of the law from my friends who were advocates in Legal Services.

By the time an opening in Huntingdon again appeared for West Tennessee Legal Services, Inc., I had to seek it out. In November, 1987, I got the job. In retrospect, I have this image of God saying, "It sure took you long enough to get to the point."

At first, my Legal Services practice also was varied. I

represented parents whom the state determined to be unfit and took custody of their children and mentally retarded adults who could not pay their rent. I obtained divorces for battered women.

Most joyfully of all, I represented the disabled who were wrongfully denied Supplemental Security Income benefits. These people are the poorest of the poor. They are broken physically and mentally. They are commercial fishermen who never paid self-employment tax. They are exhausted, illiterate, and ill homemakers. They are crack babies. They have rare diseases like hemochromatosis and Meunier's Disease. Whether they've had four back surgeries, are HIV positive, or have organic brain syndrome, they are very grateful for your help.

Gradually the program moved to specialized practice sections after the staff had gained experience. After returning from maternity leave in the fall of 1991, I was made head of the benefits section, comprised mostly of female paralegals, but also including one male attorney and one male paralegal. We instituted bimonthly case reviews, staff meetings, and spirited discussions.

I gained the opportunity to file appeals in federal district court and have been involved in about 15 cases at that level. I also have argued before the Sixth Circuit Court of Appeals in Cincinnati after driving the company car, a four-cylinder Nova, 10 hours each way in two days. (I felt jet-lagged for three days afterward!)

I helped organize seminars for the private bar on disability and attended seminars on the subject. Though one meeting was in Washington, D.C., and one was held in New York, most of them have been held at a convent near Nazareth, Kentucky, where one can dine and lodge cheaply while networking with colleagues from areas ranging from the Upper Peninsula of

Michigan to Cleveland to the coal country of Kentucky, as well as other exotic points in the Sixth Circuit.

Most important of all, I represented hundreds of disabled individuals, worked to prevent homelessness by obtaining benefits and preventing evictions, educated rural volunteers to promote the use of food stamps—and was very happy with my vocation.

But there was a downside too. Since I was advocating administratively, the Bar didn't see me in the courthouse. Some thought I was doing enough—exhaustedly driving back and forth to Dyersburg two days a week, carrying 70 cases at a time, all the while caring for a toddler and rarely seeing my husband. I knew that I was performing at 100 percent capacity and doing it in the areas where I could accomplish the most.

Then came 1995 when Legal Services was almost eliminated, and I lost almost all my remaining pride. I called my friends and family late at night after my child had gone to sleep and asked them to lobby for us. They did. We were happy to take a 33 percent budget cut and assume restrictions on our activities. I came to realize that what mattered in this battle was not whether or not I did a good job, but more so Grace and politics.

About this time, Washington decided to reform first the Social Security disability process and then kick several thousand people off the disability rolls, including those who had allegedly medically improved—children and non-citizens. They also restricted our ability to represent poor disabled people who had paid into the system; for every one client we retained, they terminated two cases. Then came welfare reform and several volumes of new law, regulations and manuals. Yet the old laws must be retained because they affect TennCare eligibility.

Despite the frustrations, the subject matter is rich, challenging and dynamic. The satisfaction in representing the poor and needy is unequaled. If I ever have trouble sleeping at night, I can visualize the faces of the people I have helped and sleep in peace. I recommend the practice.

My advice for those seeking a similar career would be:

- Do not stand in judgment of your clients because you will meet some of the best people in the world who are down on their luck.
- All are deserving of our best in order to protect the system for all of us.
- Be prepared to be misunderstood; most people do not understand public benefits.
- Be prepared for modest finances. I suspect that I may be the poorest in material possessions of my graduating class. However, as Judge Walker once told me, you can only eat so much food, wear so many clothes, and take so many trips. How much money do you need?
- Don't worry unduly about what you think people think about you; choose a legal job that is satisfying, interesting, worthwhile, flexible of family, obligations, and supportive of your interests. My interests include the Business and Professional Women's Organization that promotes the interests of working women of all professions and businesses.

Non-Profit Public Interest Law Firm



Gordon Bonnyman, '72
Attorney,
Tennessee Justice Center, Inc.
(Nashville, Tennessee)

"A great perk that accompanies a career in public interest law is the 'foxhole camaraderie' that grows out of doing hard but important work with a community of friends who share the same values."

I have a great job! I currently work for a small non-profit public interest law firm in Nashville, known as the Tennessee Justice Center. We are an adjunct to the eight federally funded Legal Aid and Legal Services programs across the state. Like them, we provide free legal services to low income clients in civil cases. We handle cases, such as class actions and advocacy relating to welfare reform, which the other eight programs have been prohibited from taking. In fact, it was congressional imposition of those restrictions in 1996 that prompted bar leaders to establish TJC, so that the poor would still have access to the same range of legal remedies which others enjoy.

I came of age during the civil rights era, when dedicated lawyers and courageous judges were playing a prominent role in building a more decent and just society. It looked pretty exciting, and, besides, other businesses or professions all seemed to require gifts or discipline which I lacked. So, partly in response to the inspiration of others, and partly by default, I decided to go to law school, with a goal of going into Legal Services when I got out.

I frankly did not like law school very much and was not a very conscientious student. The Legal Clinic was my salvation; the Clinic and public interest internships were what kept me engaged. They gave me hope that I might enjoy law practice more than I was enjoying law school, which fortunately proved to be the case.

When I graduated from law school in 1972, there were *no* jobs in Legal Services. Then, as now, political ideologues were trying to abolish federal funding for civil legal aid to the poor. No one was hiring, or, at least, they weren't hiring me! But, after months of discouragement, I landed a temporary job at the Legal Services office in Nashville. I got the job because I happened to be available at a crucial moment and knew someone who knew someone. After the initial three month grant ran out, more funding materialized, and I was able to stay in the same job until moving to the Tennessee Justice Center 23 years later.

The first day I went to court as an attorney, with two Vanderbilt law students and a frightened client in tow, the judge had me ejected from the courtroom because I whispered to my client during the docket call. That was the beginning of an extended, bumbling apprenticeship, during which I seemed to learn everything the hard way.

Fortunately for me and my hapless clients, things gradually improved. A legion of colleagues,

who are both dear friends and gifted advocates, helped me along. A great perk that accompanies a career in public interest law is the "foxhole camaraderie" that grows out of doing hard but important work with a community of friends who share the same values.

Another benefit of law practice, which in some places is fading with increased specialization but is still available in most poverty law settings, is that you can continually learn and do new things. Over the years, I have had the opportunity to work on prison reform litigation, appear before the Supreme Court in a civil rights case (don't ask how it turned out), help draft federal and state legislation, testify before Congress and work on the arcane details of health care financing and delivery. All of that without changing jobs. There were even a couple of sabbaticals during which I and my wife, Claudia, who is also an attorney, worked at human rights jobs in the Middle East and Eastern Europe.

It hasn't all been fun, of course. Poverty law exposes you to the suffering and injustice experienced by clients and the myriad ways in which we fall short of the ideal of "Equal Justice Under Law." The work is often stressful. But the only jobs that aren't stressful at least some of the time are those that are boring and meaningless because it doesn't much matter what kind of job you do. Stress is the price you pay for getting to do meaningful work. And this work is meaningful. Winning a few dollars for someone who has nothing, or helping her retain custody of her child, can be more rewarding than cases involving lots of money, but with less impact on the lives of real people.

It is this human dimension to the work which affords us one of the greatest benefits of poverty law: the opportunity to draw inspiration from our clients. A few are difficult to represent, of course, but, much more often, poor clients are inspiring.

That is not because the poor are more virtuous than everyone else but because of their circumstances. After all, it is adversity, rather than comfort and success, which demands the most of people, and the poor have adversity aplenty. Being with them, even in a small way, in hard times often allows us to witness their ample courage, loyalty and compassion.

It is presumptuous to offer unsolicited advice, but here goes:

- If you really want to work in the public interest sector, develop a résumé which demonstrates your commitment. Choose summer jobs and law school activities that will both demonstrate your commitment and provide you with contacts which might eventually lead to future employment.
- Choose carefully the community of workers with whom you will be practicing. The fact that a firm or organization does good works is no guarantee that it is a warm and caring place to work. More often it will be, but not always. So, you should seek answers to several questions: Is the culture of the workplace humane? Does it foster mutual respect and support among co-workers, or jealousy and competition? Does the agency treat clients with respect, and place their interests first, or are clients regarded as aggravations? The most important antidote to burn-out and cynicism is a supportive community of colleagues—make sure your prospective job provides that.
- Don't get discouraged. As tough as it is today to find public interest jobs, especially in Legal Services, there are still opportunities for those who work hard to find and exploit them. And, even if you do not make a full-time career of public interest work, take advantage of the many opportunities for pro bono work which are available to those in other types of practice.

I have been blessed with meaningful work, done in the company of friends whom I have loved, serving clients whom I have admired. And I have been paid for the privilege. My thanks to the College of Law for making that possible, and may you be equally fortunate!



**Michele Johnson, '94
Attorney,
Tennessee Justice Center, Inc.
(Nashville, Tennessee)**

"Initially, it may seem impossible to find a way to work for justice for the poor AND get paid, but it seemed impossible to me three years and 200 clients ago, and it once seemed impossible to colleagues who have spent long careers providing legal services for the poor."

I entered the University of Tennessee College of Law because I felt called to serve the poor, and I loved to argue. Law school seemed the only acceptable option. I had a romantic notion that if only a little justice could be sprinkled into the lives of the poor, many might not be poor any more and others might find their poverty a little easier to endure.

The College of Law served as a sturdy and reinforcing bridge between this idealism and a career. So many of my colleagues from different parts of the country who are working in public interest law and in private practice describe hostility in their law schools to the pursuit of public interest careers. This concept is foreign to me. The College of Law was packed with people who were committed to giving me the

tools I needed to become the best attorney I could be and who publicly and privately gave me incessant encouragement, which was communicated by:

- administrators working behind the scenes to include the “public interested” in a real way in student leadership positions throughout the College;
- professors setting examples for students by generously giving to the Tennessee Association of Public Interest Law (TAPIL) summer stipend drive, so that students who volunteered their summer at a public interest organization could receive some funding;
- professors portraying cases involving the poor in a compassionate way;
- tireless work by administrators and staff to realize ongoing public interest projects;
- and staff buying donuts every morning when TAPIL sold them to raise money for public interest projects.

Encouragement was vital, since there appeared to be no paying jobs in public interest law. Late in my third year, I learned of a grant program funded by the Lyndhurst Foundation called Southern Community Partners. Just before graduating in May of 1994, I was selected to receive a two-year grant at Legal Services of Middle Tennessee on a project called “Action on Behalf of Children.”

My project focuses on Tennessee’s poorest and sickest children who receive their health care through TennCare, the state’s then-brand new mandatory managed care program. The project’s goal was to enforce the laws that entitle children to the health care they need to reach their potential by using individual advocacy, systemic advocacy and community education.

Over the course of representing individual enrollees for a year and a

half, I realized that educating the public about the law would be much more effective once the system more closely mirrored the law and that class action litigation might be necessary. However, Congress was about to restrict Legal Services from undertaking that type of advocacy. Bar leaders were working to establish the Tennessee Justice Center to handle cases which Legal Services could no longer accept, but the funding was completely uncertain.

Then, as if in answer to my prayers, I ran across a National Association for Public Interest Law (NAPIL) Equal Justice Fellowship grant application. I applied for another two-year grant. I left Legal Services of Middle Tennessee in January of 1996 and continued my work through the Tennessee Justice Center not knowing whether there would be funding for the project. In March of 1996, I learned that NAPIL had awarded me a two-year grant to continue my work at the Justice Center. I have just begun my second year as an Equal Justice Fellow and feel like the luckiest lawyer in the world!

The greatest sources of satisfaction and frustration in my work are the same—the potential for changing lives with this work is tremendous, and I represent my clients by myself (for the most part from start to finish). The story of my very first client, Julian, demonstrates both these sources of contentment.

Julian was a terminally ill infant when I began representing him, my first month on the job. He is bright, happy and full of love. His life depended on getting home nursing care because his congenital heart and lung problems made it impossible for him to produce enough oxygen to survive. He would stop breathing three times a day. I remember my first conversation with his sleep-deprived single mother, who had been courageously battling the system for nine months since his birth to keep him alive.

She would endure anything for her child, but she had lost all hope that she could move the system who held her child’s health care hostage, a system with clear financial incentives to deny her child the services he needed to live.

I represented Julian in an administrative hearing and obtained a ruling that the insurance company was obligated to provide him the home care he needed. I also represented Julian along with co-counsel in a federal court case challenging the lack of due process for TennCare enrollees. That case resulted in a ruling that the program had violated the Constitution. As a result of the court’s ruling, I worked with co-counsel and state officials to develop an appeals process for the 1.2 million Tennesseans who rely on TennCare.

Julian is now four and a half. I have had to intervene in order to maintain his services about a half dozen times, each time uncovering a systemic deficiency in TennCare services for medically fragile children. One such intervention resulted in negotiations, for which I had primary responsibility, to enforce the law guaranteeing all TennCare children the preventive and treatment service they need. As a result, a comprehensive plan has been developed for the health care of the one in three Tennessee children who rely on TennCare. The comprehensive plan will become part of a consent order.

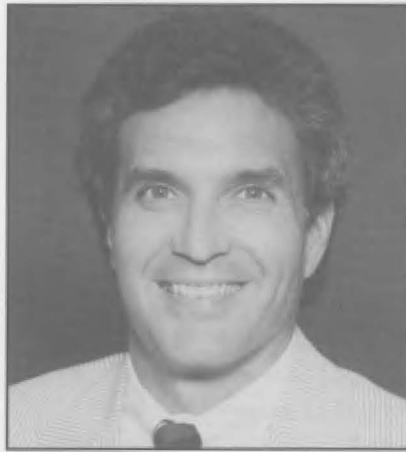
Ironically, the law’s potential to affect young lives is the source of great frustration, as well as a great personal satisfaction. Skeletal resources for this advocacy are endangered constantly and have been for the past 25 years. There are literally thousands of children daily who need legal help as much as Julian and his mother did. When I compare our resources to clients’ needs, I wonder whether “equal justice” is more than a petrified saying. In this, the richest nation in the history of

the world, children should not have to retain a lawyer to get health care, but they do. None of them should have to be denied the legal help they need to reach their potential, but so many are.

Learning the practice of law on cases where real lives are at stake is motivating, but terrifying. These children deserve Clarence Darrow (in his more experienced years), and they are stuck with me, fumbling through my Bar Review notes to find the basics. After a particularly heartbreaking day, I long for a simple dispute over money, instead of a child's future.

In spite of these frustrations, to students considering a public interest career, my advice is "go for it!" You will not be sorry for one instant. The sacrifices and uncertainty that come with this type of work are outweighed by one client whose life is changed for the better. Initially, it may seem impossible to find a way to work for justice for the poor AND get paid, but it seemed impossible to me three years and 200 clients ago, and it once seemed impossible to colleagues who have spent long careers providing legal services for the poor.

Policy-Oriented Advocacy Organization



Oliver Thomas, '83
Counsel,
National Council of Churches
(Oak Ridge, Tennessee)

"Most of my practice has been about helping to ensure that all faiths—not just my own—are treated with fairness and respect."

"A lawyer and a minister?" People ask me as they raise their eyebrows. "How can such a thing be?"

For a Baptist boy growing up in a town where my attorney father was revered for his work on behalf of single mothers, blue-collar workers, juveniles, churches and minorities of various types, it wasn't such a stretch.

Lawyers and ministers? Aren't both in the helping business? For me, practicing law was just another name for trying to make a difference with your life.

I began my study of law in the fall of 1977 as the son and brother of UT law graduates. Midway through my second quarter, I was lucky enough to be ranked first in my class. Surely, I had found my niche.

Wrong. God came calling.

Six months later I found myself studying for the ministry at a seminary in New Orleans, Louisiana. Soon I was reading Greek and Hebrew and serving on the pastoral staff of an inner-city church on the doorstep of one of the South's most notorious housing projects.

But still, I had not found my niche. Many of my parishioners had legal problems—slum landlords, juvenile delinquency, and a criminal justice system stacked against the poor, jobless men of our neighborhood.

Acting upon the advice of my most trusted mentors and friends, I returned to UT upon graduation. There, I completed my legal training and determined to find a way to combine my interests in law and theology.

After a clerkship with Judge Houston Goddard of the Tennessee Court of Appeals, I began practicing law with my brother (now Circuit Judge D. Kelly Thomas, Jr.) in nearby Maryville. Two years into my practice, a phone call came. Several Baptist conventions were looking for a Washington counsel who would represent them on matters pertaining to religious liberty and the separation of church and state. The work would include representing Baptist causes in appellate courts as well as before Congress and the federal agencies. Constitutional law had always intrigued me—so had the challenge of working in the nation's capital. I jumped at the chance.

As the years passed, my opportunities for interesting work grew. In addition to practicing law, I was often invited to speak and write about my work. I co-authored legislation as well as guidelines on such controversial issues as religion and public schools. Soon, I was offered the chance to teach part-time at Georgetown University Law Center. I also began serving as special counsel to the First Amendment Center

at Vanderbilt University. Started by the old Gannett Foundation (now the Freedom Forum), the Center opened the door for my work with hundreds of public school districts across the country.

But still, my practice was evolving. After nine years in Washington, my wife—a native of Oak Ridge—decided it was time to go back home. In a stroke of luck or providence (I'm always willing to accept either!), the National Council of Churches invited me to become their special counsel for religious and civil liberties. What's better? They didn't care where I lived!

Three years later, I'm back living in Maryville with one office at home and one at the NCC's Washington headquarters. This, coupled with my work for the Children's Defense Fund and for my local school board, has made my years in Tennessee memorable.

My work for the National Council of Churches includes appellate practice, speaking, writing and lobbying. It is one of the most fascinating jobs I could imagine. Just this summer I was able to co-author the new Presidential Directive on religion in the federal workplace. The guidelines are a model for dealing with such matters as religious garb, expression and holidays for employers in both the public and private sector.

This fall [1997], I will be helping national religious and educational groups draft guidelines for parental rights in the public schools. In addition, I have had the opportunity to co-author such books as *The Right to Religious Liberty*, the ACLU handbook on church-state law, and *Finding Common Ground*, the First Amendment guide for public schools endorsed by Secretary of Education Richard Riley. I have lectured at Harvard, as well as at Pat Robertson's Regent University. In short, my practice not only has been fulfilling—it has been fun.

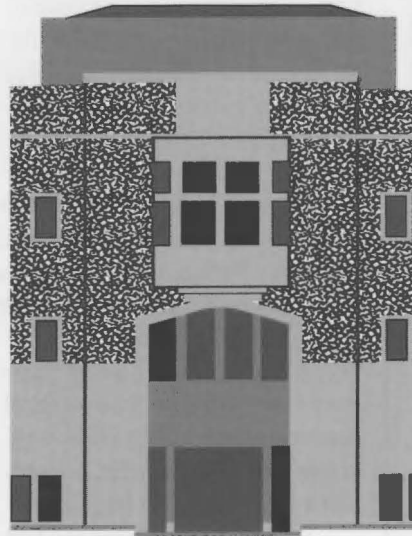
Much of my work can be summed up by what one of my favorite professors at UT, Durward Jones, told me years ago. "Thomas," he said, "if you want to know how your case is going to come out, go home and ask your mother. Ninety percent of the time, it's just a matter of fairness, and moms have a good idea of what that looks like."

Professor Jones was right. Most of my practice has been about helping to ensure that all faiths—not just my own—are treated with fairness and respect.

My advice to students is simple. Do something you enjoy. American Bar Association surveys show that about half of today's lawyers are unhappy. Don't allow yourself to be squeezed into anybody's mold of what an aspiring young lawyer is supposed to do. If you want to represent poor people, do it. And, don't be swayed by the salaries at the big city firms. If it's the environment that turns you on, then, do that. Just remember what brought you to law school and don't be satisfied until you're living out that dream. Life's too short, and you're too smart to settle for less.

One other thing—make lots of friends. Your professors and colleagues are the people who can help you find your niche in the practice of law. For me, it was people like Dean Wirtz (my first-year advisor) and Dean Hoover who encouraged and supported me as I tried to make sense of a vision that involved marrying two separate and distinct academic disciplines.

A lawyer and a minister? You betcha. And, you can do it, too.



Federal Government

Administrative Agencies



Phyllis D. Haney, '88
General Attorney,
Office of Associate Chief Counsel,
Internal Revenue Service
(Washington, D.C.)

“ . . . based on years of comparing notes with lawyers at private firms as well as other government agencies, I have concluded that working-grade attorneys for the government are given more interesting, novel, and complex issues and projects, and much more responsibility, much sooner than our private sector counterparts.”

It hardly seems possible that I've been out of law school and working for nine years, and that the 10-year mark is fast approaching. (Living out of the area, I haven't been to UT's College of Law since graduating, but I intend to make it to Knoxville for next year's homecoming to see the gorgeous new College of Law building and hopefully also some faculty members and former classmates.)

I know Dean Wirtz was instrumental in getting the new building

project underway. He was one of my favorite faculty members at UT, and I always enjoyed his classes. He taught my first-year legal process course and later actually made evidence entertaining (and retainable!). I also had many enjoyable chats with him when he graciously agreed to serve as an academic reference for me. I appreciated the personal attention he devoted to *all* of his students; he always had time for us. I recall being very pleased to hear of him being named full professor, then acting dean, and was truly thrilled when he was named dean!

I always found the Career Services office extremely helpful during my years at UT as well. In fact, I was Joann Gillespie Rothery's first “customer” when I wandered into her office during my first year and inquired about how to find a summer position in insurance law. I was very fortunate that I got to experience three distinct types of legal practice while still in school: in-house legal department, government practice and a large firm.

In fact it was during my last summer before graduating, while clerking at a large firm in Richmond, Virginia, that I discovered (much to my surprise) that I enjoyed tax law. I “rotated” through all the major departments of the firm over the summer and found in the tax department what appeared to be a very self-contained and determinate area of the law. When Career Services arranged UT law students' participation at the Southeastern Law Placement Consortium in Atlanta that fall, I added the IRS to my list of requested interviews. Fortunately, that decision worked out very well, and I ended up at the National Office of the IRS in Washington, D.C., in August of 1988.

Unfortunately, I had postponed taking the required income tax course until the fall of my last year and was unable to schedule more advanced tax courses before

graduating. But the excellent, basic taxation course with Professor Amy Hess confirmed that I really did like tax law and had in fact made a good decision! I also managed to take Professor Pat Hardin's administrative law course my last semester, hoping it would somehow help me once I arrived at a large government agency. The outlines from those two eleventh hour courses turned out to be the only ones I carted into work initially, and they were certainly useful as I started tackling the very complex business of our country's tax system.

I started in the Office of the Assistant Chief Counsel (Income Tax and Accounting) at the IRS. I enjoyed the Office of Chief Counsel's function as legal advisor to the IRS; our job is to arrive at the technically correct legal answer to specific tax questions posed either by other IRS functions or taxpayers. In the national office, the attorneys are not actually advocates for the government, though we formulate the government's position in unsettled areas. I think I enjoy these academic and basically non-adversarial aspects of our work the most. However, my initial impression of tax law as being precisely defined proved to be inaccurate very quickly.

I also enjoyed working for a government agency. The Office of Chief Counsel employs over 700 attorneys in Washington alone, and I can't image finding such a high concentration of helpful and just plain nice folks in a law firm of comparable size, especially in self-important Washington! And based on years of comparing notes with lawyers at private firms as well as other government agencies, I have concluded that working-grade attorneys for the government are given more interesting, novel, and complex issues and projects, and *much* more responsibility, much sooner than our private sector counterparts.

My personal career path became more interesting when I left my former office about two and one-half years ago to transfer to Employee Benefits and Exempt Organizations. I was able to work in a number of areas under my new office's jurisdiction before settling into my current area of tax-exempt organizations, which is fascinating. I had the opportunity to work with tax-exempt health care organizations during the health care reform effort, and remain involved in all new tax legislation affecting tax-exempt organizations generally. I am currently drafting regulations under a new law affecting public charities and social welfare organizations and frequently train IRS personnel and speak to outside professional organizations on this topic.

Certainly working for the government in my present position has its frustrations. The tax-exempt organizations area can be a very "political" one, which means decisions are sometimes driven by considerations other than the pure, legally correct answer. There is also a pervasive government-bashing (especially of the IRS) sentiment in the current Congress, which doesn't do much for morale in the trenches. The effects of this sentiment on our agency's funding have also become very real since I've been at the IRS.

But overall, despite the bad press and politicizing of a lot of tax issues, I enjoy my current work immensely and decided to stay here on several occasions when presented with opportunities for much more lucrative private sector employment. I would encourage law students faced with a decision between government and private careers to give full consideration to the autonomy, responsibility, and opportunity for interesting and intellectually challenging work with wonderful people that is offered by many rewarding public sector positions. You may be balancing those

considerations against a much heftier paycheck, but the additional income may come at the cost of most of your potential free time and a less-than-pleasant job that colors your entire outlook on life.



**H. Gray Marsee, '83
Attorney,
Office of Chief Counsel,
Marshall Space Flight Center,
National Aeronautics and Space
Administration (Huntsville,
Alabama)**

*"While no job is always exciting,
I must admit that I have been
honored to be a part of NASA.
It is fascinating to realize that no
matter how remote the place I
have traveled to, people have
heard of my employer."*

Standing in front of a class of sixth graders who had been studying international space treaties, I boldly proclaimed, "I practice space law." Trusting they knew by the tone of my voice that I was joking, I went on to explain that space law for me was down-to-earth stuff and that, as a matter of fact, I did not even deal with international space treaties myself.

Generally, my work as a NASA lawyer involves both general law issues (personnel and federal labor disputes, tort claims, ethics, environmental law, etc.) and government contract law. These areas of law can and have led me into both administrative hearings and court cases (involving support from the U.S. Attorney's Office for court cases and Department of Justice attorneys for appellate cases).

The last couple of years at the George C. Marshall Space Flight Center (MSFC) in Huntsville, Alabama (a field center of the National Aeronautics and Space Administration) have been particularly exciting for me. One of the more interesting tasks I worked on during the last couple of years was to serve as NASA's lead attorney for the X-33 (Experimental Vehicle 33) selection and negotiation process.

The selected Lockheed Martin proposal for the X-33 vehicle will be designed and built pursuant to a cooperative agreement, rather than a traditional government contract. This program, valued at over one billion dollars, will result in a one-half scale flight test prototype of a Single Stage to Orbit (SSTO) commercial vehicle dubbed "Venture Star." Initial test flights are scheduled for the year 2002, and commercial flights could potentially begin in 2005.

The input I provided as an attorney during this process included working to assure compliance with federal regulations, monitoring the process for a fair and unbiased selection of contractors, crafting cooperative agreement language for such areas and issues as liability and risk of loss, and general negotiating skills. This process was an intense period of time that involved a unique state of the art process including proposals submitted on CD ROM, a paperless (all electronic) evaluation process, and parallel negotiations with three leading aerospace firms. Final selection of the Lockheed Martin Skunk Works was announced by Vice President Gore on July 2, 1996.

On another note, concerning a period of serious self examination both agency-wide and personally, I had been working at NASA for just over two years when the Challenger accident occurred. It was humbling to realize that in the midst of all of our self-importance there are things still far greater than any one of us,

and we are all still in need of grace and mercy on a regular basis.

During this time, I was surprised to realize that even as we were working diligently to release numerous documents under the Freedom of Information Act relating to solid rocket boosters (SRBs) and SRB o-rings (part of the weak link in the original space shuttle design that led to the Challenger accident), some in the national media were hinting that we were delaying and hiding information. (As an aside, MSFC has been and still is the lead Center for the engineering and procurement of rocket propulsion systems since the 1960s.) As an attorney who personally reviewed and approved the release of numerous key documents relating to the Challenger accident, I must state that we were as timely in the release of documents and as forthcoming as was humanly possible.

While no job is always exciting, I must admit that I have been honored to be a part of NASA. My job has given me the freedom and ability to travel to remote parts of the world (i.e. Guyana, South America and Siberia) on several occasions as a member of a mission team. It is fascinating to realize that no matter how remote the place I have traveled to, people have heard of my employer.

One of the law school experiences that I treasure most was my involvement with the law review. I honestly believe that service on the law review has not only helped me in the performance of my job, it helped me obtain my job.

There have been two incidents in my life that highlight the value of being on a law review—the summer before I went to law school and the summer after my first year, when I worked in a law firm in Atlanta with over 100 attorneys (Kilpatrick & Cody). I will never forget walking down one of the halls of Kilpatrick & Cody and having it pointed out to me that

every associate on that hallway had served on a law review.

I also will always remember how my boss introduced me for the first time to NASA's general counsel. The general counsel was visiting from Washington, D.C., and MSFC's then-chief counsel Susan McGuire Smith made a point of noting the Tennessee Law Review certificate hanging on my wall. Suddenly, all the hard work of trying out for the law review, the nights of doing "stack checking" on citations in manuscripts, and involvement with writing that seemed to have far too many footnotes appeared to have been worthwhile. As I recall, my research and writing II professor had a law review certificate on his humble office wall. Those certificates, along with other accolades, can sometimes lead to greater things. We no longer call my former R&W II instructor Professor Wirtz; we call him Dean Wirtz.



James E. Hall, '67
Chairman,
National Transportation Safety
Board (Washington, D.C.)

*"I hope that many future
UT law graduates will devote
a significant portion of their
careers to public service, as the
public sector is where I believe
many people will find the
greatest reward."*

Some historians record the 1950s as an uneventful decade in relationship to the periods that preceded and followed it; however, it was the events of that decade that influenced me as a teenager to decide on the future direction of my life.

Growing up in Knoxville, I was impacted by the civil rights struggle that followed *Brown v. Board of Education* and the senseless bombing of the Clinton, Tennessee, high school. I saw how the swift action of Tennessee Governor Frank Clement in sending the National Guard to enforce the law of the land distinguished my state from our border states to the south and west.

I watched proudly as our U.S. Senators Estes Kefauver and Albert Gore, Sr., supported civil rights legislation against a Southern manifesto declared by other senators from Southern states. Then in 1956, I was glued to the television set as Clement, Kefauver, and Gore

all contested for the Democratic Vice-Presidential nomination. That is when I realized I wanted to be in politics and part of our great political process.

So it was only natural that after my undergraduate years at UT, where I majored mainly in campus politics and fraternity life, I entered UT law school in the fall of 1964. After all, everyone knew that a law degree was a ticket to a political career! Although I must admit that law school briefly redirected my thinking, later events would direct me back into politics and public service.

The first dramatic impact of law school was on my study habits. The first year, I was challenged by my teachers—Jack Jones in property, Forrest Lacy in contracts, and Dix Noel in torts. Martin Feerick—a friend, mentor and teacher—taught me how to use the law library. (I still regret that I left law school without taking his legal writing course.)

In my third year, legal clinic and moot court stimulated me; however, it was my seminar courses in labor law and arbitration that excited me most, and I decided I wanted to pursue a legal career in those areas of expertise. Professor Holly advised me that an entry-level legal position with the National Labor Relations Board was an excellent place to start. First, however, I had to fulfill my ROTC obligation, and in the fall of 1967 I reported to Ft. Gordon, Georgia, to begin my service as an officer in the U.S. Army Signal Corps.

It turned out that my law degree was extremely important to my military service—and might even have saved my life. After basic and advanced training, I reported to Ft. Meade, Maryland, where I was assigned to a legal unit prior to being sent to Vietnam. In October 1967, on a chilly fall morning, I left Seattle on a military charter for Vietnam. My orders assigned me to

a Signal Battalion based in the central highlands. Needless to say, I was apprehensive that I would return for ANY career.

On arrival at my unit, I was informed that my orders had been changed, and I was to report to the USARV headquarters in Bien Hoa for another assignment. Later I found out that while I was flying over the Pacific, national newspaper columnist Jack Anderson had broken a story about a major procurement scandal with Army contractors in Vietnam. General Hieser, in response to the story, had ordered that two out-of-branch (non-JAG) attorneys be assigned to the Army Procurement Agency. As he told us later we were to "clean up the mess."

My assignment as a property administrator over the largest Army contract in Vietnam was challenging, as well as frustrating. I was based in Saigon and traveled with inspection teams all over the country. My legal skills served me well as I attempted to help oversee a contract to provide engineering support at 105 different locations. (However, thoughts about my good fortune are tempered by the sad fact that the unit I was initially assigned to took many casualties during my year in-country.)

On return to civilian life in late 1969, I attempted to follow Professor Holly's advice and applied for a job with the NLRB. However, as months passed without a job offer, I decided to use my time by volunteering to help Senator Albert Gore, Sr., in his 1970 re-election effort. Our senior senator was in political trouble because of his opposition to the Vietnam War. As an eye-witness to the futility of that effort, I was intent on doing anything I could to assist him.

Much to my surprise, Sen. Gore offered me a position on his Senate staff, and this set my course for the next five years. After Sen. Gore's defeat, he helped me get a position with Sen. Ed Muskie as counsel to

the U.S. Senate Intergovernmental Relations Subcommittee that Muskie chaired. I also assisted in Sen. Muskie's presidential effort in 1972. It was while I was working for the Muskie campaign that I met my wife, Annie, a Pennsylvania native. (Annie shares my love of politics and currently serves as an elected member of the Hamilton County School Board in our hometown of Chattanooga.)

My legal skills provided a sound basis for the work I was assigned in the Senate, where legislative research and drafting are so important. I remember referring to my notes from Professor Overton's constitutional law classes as I contributed to speeches Sen. Muskie made on the Senate floor as he led the opposition to President Nixon and his unauthorized impoundment of Congressional appropriations. In addition, I worked with Sen. Muskie on the reform of the budget process that is still law today.

In 1975, my wife Annie and I moved to Tennessee, and I started working with my friend and fraternity brother Franklin Haney as an in-house counsel for his real estate development company based in Chattanooga. Ironically, the courses I had found most difficult in law school—real property and securities—provided me with the skills required in my new position. In 1980 I took a leave of absence from the Haney Company to serve as the Tennessee campaign manager for the Carter-Mondale re-election effort.

Although that effort fell short, the campaign formed my friendship with then-Speaker of the House Ned McWherter that would impact my life later. It was after a brief stint in private practice with my good friend Mitchell Berger and his father that I left to run Ned McWherter's campaign for governor in 1986.

All the political and legal skills I had acquired over the years were employed during a hotly contested

primary and election effort. In addition to millions of dollars of media contracts to oversee, there were millions of dollars in contributions to properly account for and report. This is hard and important work; for, as we have recently seen, oversights in these areas can cause candidates and campaigns great difficulty.

After the successful 1986 election, I was honored when Governor-elect McWherter asked me to head his transition team and then take an important position in his new administration. From 1987 to 1992 I had the privilege and pleasure of working on the Governor's immediate staff and as director of the Tennessee State Planning Office. Working with a talented and very dedicated staff, I was able to develop the Governor's anti-drug program, formulate solid waste and environmental legislation, and lead a number of his special projects.

One of my proudest moments was in 1996 when I returned to Nashville for the dedication of the Tennessee Bicentennial Mall. This project was my idea and was adopted by the Governor as the cornerstone of our state's bicentennial celebration. Thanks to the unique abilities of Finance Commissioner David Manning, Tennesseans will have a space similar to the Capitol Mall in Washington, D.C., to celebrate our history. More importantly, I hope visits to the Bicentennial Mall will inspire young Tennesseans in the future to a career in public service, as I was first attracted to public service while on an 8th grade field trip to Nashville.

In 1992, I was asked by Bill Clinton to run his presidential campaign in Tennessee. I had first met Clinton when we worked on opposite sides in the 1972 Democratic presidential campaign. I was surprised and pleased when lightning struck twice, and we won Tennessee both in the primary and general elections. I was equally pleased

when Ned McWherter selected our mutual friend, Harlan Mathews, to fill Al Gore's unexpired term in the U.S. Senate. Harlan, in turn, asked me to assist him in setting up his office in Washington. After completing this task, I accepted an offer of appointment by President Clinton to a term on the National Transportation Safety Board (NTSB).

Since October 1993, I have served as a member of the NTSB, and since June of 1994, as its eighth chairman. It is because of my appreciation and understanding of the importance of the excellent work accomplished by the professional and technical staff of the NTSB that I accepted reappointment this fall to another five-year term.

My law degree prepared me well for my position on the NTSB. In addition to presiding over the board meetings and hearings, which are quasi-judicial in nature, the Board members also serve as the administrative appellate body for the adjudication of appeals by airmen and seamen to license actions taken by regulatory authorities. Proper oversight of the Board's \$48 million budget and its almost 400 employees is a full-time responsibility and pleasure.

I have been afforded many different responsibilities in my career, and my legal education has been of invaluable assistance to me in each endeavor. I am confident it will continue to serve me well.

On a personal note, I might add that the UT College of Law furnished me more than an education; it provided many friendships. The most important of these was my friendship with Tommy Keeling, who as my friend and roommate, was an invaluable study partner and the top of our class. After a distinguished career in public service at the U.S. Department of Justice, Tommy died of leukemia in 1989.

I hope that many future UT law graduates will devote a significant

portion of their careers to public service, as the public sector is where I believe many people will find the greatest reward.



David Spence, '90
Staff Office of Regulations and
Rulings,
U.S. Customs Service
(Washington, D.C.)

“ . . .the most important classes to me in law school were those which had to do with writing and legal interpretation. My job with Customs is dependent upon my ability to interpret complex federal laws and arguments from counsel submitting briefs for their client.”

I am currently a staff attorney with the Office of Regulations and Rulings, United States Customs Service. I work in the General Classification Branch, and my job is to draft rulings determining the proper rate of duty on certain goods imported into the U.S. The rulings are legally binding and may only be overturned by a federal court.

In addition to duty determination, I also draft rulings on whether products are eligible for preferential treatment under the North American Free Trade Agreement (NAFTA). The important products I deal with include computers, cameras, televisions, heavy machinery, base metals, footwear, products of plastics, furniture, light fixtures, and vehicles.

When I first enrolled at the law school in 1987, I never imagined

that I would become an international trade attorney. In fact, I did not even know whether I wanted to be an attorney. Graduating from UT with a B.A. in political science, it only seemed logical that my next step would be law school.

I did not realize it at the time, but the most important classes to me in law school were those which had to do with writing and legal interpretation. My job with Customs is dependent upon my ability to interpret complex federal laws and arguments from counsel submitting briefs for their client. Without the skills I learned in law school, it would be difficult for me to decide a case correctly.

I cannot say that there were any classes which steered me towards a career in international trade law, as there weren't any classes which specifically dealt with the subject matter. However, with countries and markets around the world becoming increasingly interactive, it is encouraging that law schools around the country, now realizing the importance of international trade in our national economy and in the lives of our citizens, are offering courses in international trade law.

When I graduated from law school in 1990, law firms were in the middle of a down-sizing movement which seemed to begin when I first enrolled. Hence, there were not a number of firms hiring those of us who were not in the top 20 percent of our class. As I did not have much luck interviewing, a professor friend at UT's political science department talked me into entering the Ph.D. program.

I had been enrolled in the program for a semester and a half when my father-in-law, who was then the trade ombudsman for Customs in Washington, D.C., told me of an opening in the Office of Regulations and Rulings in Customs. Although I had absolutely no experience in the

area of international trade law, I was hired in 1991.

I continued working in the Office of Regulations and Rulings until August 1, 1995. Within that time, I had issued over 500 rulings involving hundreds of millions of dollars in duty determinations. However, I had reached a point in my career where I was rather "burned out" working for the federal government—I had a traffic-plagued, three-hour commute each day (even though we lived only 30 miles away from the office); I was curious about working in the private sector; and, as both my wife and I are from Tennessee, we were a little homesick.

In August 1995, we moved to Gatlinburg, Tennessee, where I set up a small private practice with one of my fellow classmates. During the period of our practice, we performed real estate closings, wrote wills, etc., and I consulted for a large corporation which manufactures auto parts and aluminum articles located in Nashville. During my consulting period, I helped the corporation determine the classification of their imports under relevant federal statutes so they properly paid the duties assessed on those imports. While we were operating the firm, I also was campaign manager for Al Schmutzer's unsuccessful run for Jimmy Quillen's seat in Congress.

We wound down our private practice in November 1996, but I continued my trade consulting until April 1997. I began to realize that forming my own trade consulting practice in Tennessee would require a bunch of money and a whole lot of time. About this time, I was approached about helping to run a non-profit corporation concerned with the creation of term limits for federal judges. I accepting that offer and began in earnest forming the organization. Although such an issue is highly controversial, especially in the legal ranks, we have received much support in the last

year, and hopefully our cause will continue.

Also around this time, while I was in Washington, D.C., on term limits business, I met with some friends of mine at Customs. While there, I met with the assistant commissioner in charge of the office, and he offered me my job back. At the time, I had not even thought of returning to the government as my wife and I were enjoying life in Tennessee. However, Customs worked with me so that I commute back and forth between Gatlinburg and Washington, and I have some flexibility in setting my hours. Accepting the job with Customs has worked out very well in that I have more responsibility, and I am able to get more experience in the trade law area.

I would highly recommend working with the federal government out of law school. The hours are uniform, the pay is nice, and the environment exists where you are able to learn the law without the pressure of producing immediately.

The only frustration I have had is the lack of vertical movement within the government structure. The first couple of years, promotion is frequent through grades until a certain point is reached where it seems to slow down quite bit. However, I guess this occurs in just about every work situation.

I would suggest that any student interested in a legal career with U.S. Customs take as many courses as possible concerning international trade/business and the government. Administrative law is a course that I now regret not taking. If courses do not exist, I would suggest reading books and articles on the subject. Also, pay attention to those first year writing and interpretation courses; they are mandatory for a very good reason.

I would be happy to talk with anyone interested in a job with the government, especially in the international trade sector. My final

advice would be to those students who are not yet sure of the path of the law they wish to pursue: hang in there and keep an open mind, as you can never tell where you might find yourself.



James D. Holt, '90
Attorney Advisor,
Regulatory Division, Office of
General Counsel, U.S.
Department of Agriculture
(Washington, D.C.)

“ . . . the thing that is most satisfying about being an attorney for USDA is my sense that I am, in fact, performing a public service. When I win, I have not just earned my salary, but I have helped stop the distribution of meat adulterated by rats; or I have helped to prevent the spread of Karnal bunt, which could destroy the international market for American wheat; or I have helped to prevent the theft of pets for use in medical research.”

On September 4, 1990, my first day as a staff attorney in the Regulatory Division of the United States Department of Agriculture's Office of General Counsel, I was assigned six investigative files which contained allegations concerning cows, live orchids, hogs, cut flowers, quarantined birds, and citrus canker—not exactly the stuff of Perry Mason. When law school friends asked what type of law I was doing at USDA, I would reply “pigs and chickens.” They laughed. I hoped things would get better. And they did.

I am still a member of the Regulatory Division, now as an

attorney advisor. And while I still handle cases which deal with pigs and chickens (this is, after all, the Department of Agriculture), I am, in fact, a member of an international law firm of over 350 attorneys, paralegals and staff personnel with its headquarters in Washington, D.C.

It is a law firm whose practice encompasses every aspect of administrative, civil and criminal law, from torts and contracts to intellectual property and natural resources. It is also a law firm in which resides the nation's legal experts concerning the administration of statutes authorizing programs as varied as the development of rural electric and telephone cooperatives, the school lunch program, international commodity programs, and domestic marketing programs. And it is a law firm whose sole purpose is that of public service.

I am a litigator who provides legal services to clients with widely-varying missions. For example, the Animal and Plant Health Inspection Service protects American agriculture from the introduction and spread of animal and plant pests and diseases; controls wildlife damage; enhances the humane care of animals used in research, exhibition, and the wholesale pet trade; and ensures the safety of genetically engineered plants and other products of agricultural biotechnology. The Food Safety Inspection Service, on the other hand, protects consumers by ensuring that meat, poultry and egg products are safe, wholesome, and accurately labeled.

For both of these clients I prosecute administrative cases of regulatory violations, defend against civil suits, assist in the development of federal policy and regulations, and support the Department of Justice in the prosecution of criminal violations of the acts administered by the Secretary.

As a litigator for the federal government, the experience I

gained as a paralegal for the U.S. Attorney for the Eastern District of Tennessee has proven to be invaluable. Working full time one summer and part time during my second year, it was my great fortune to have as a boss (then-Assistant United States Attorney in charge of the Chattanooga office, now federal District Court Judge) the Honorable Curtis Collier. Judge Collier made sure that I had a wide range of legal experiences and assignments: from bankruptcy court to plea negotiations, and from assisting in the prosecution of a drug dealer to assisting in the writing of a brief for the Sixth Circuit Court of Appeals.

I also count myself as being very lucky to have worked during that time with AUSA Steve Cook and AUSA John McCoon, both very gifted attorneys. While clerking at a private law firm may be more prestigious and financially rewarding, for any law student interested in litigation, it can in no way equal the breadth of opportunities and depth of practical experience offered by working for a United States attorney. My advice to any law student interested in litigation would be, if you have to, work there for free.

Equally important to me was the mentoring I received from Professor Jerry Black in the University of Tennessee College of Law's Legal Clinic, and his guidance while I was a member of the National Trial Team. In litigation, nothing beats experience, unless it is good advice from a wise and experienced practitioner when you stumble.

As in General Sessions Court and moot court competitions, administrative litigation, usually conducted far from home and staff support, requires an attorney to be flexible and resourceful. And, although I may not have reflected it on my final tests, the excellent training I received in evidence from Professor Neil Cohen, in criminal procedure from Professor Joseph

Cook, and in civil procedure from Deans Lawrence Dessem and John Sobieski, is the type of training that is crucial for anyone hoping to practice real law, that is litigation.

Attorneys who work for the federal government need to be good at looking after themselves. I represented the Department, alone, at an administrative hearing (the cow case) in Shreveport, Louisiana, less than six months from the day I started at USDA.

While the use of paralegals continues to increase in the federal government, the ability to type and use a personal computer remains critical. Lawrence Dessem (former attorney for the U.S. Marshall Service, former UT law professor and current Dean of the Walter F. George School of Law, Mercer University) always smiles when he tells of the dismayed attorney who learned too late that he had to do his own photocopying after moving to the Department of Justice from a private law firm.

This job also provides the opportunity for travel, which I personally enjoy. I have represented the Department in administrative hearings from Honolulu, Hawaii, to Miami, Florida, to Reno, Nevada (all good), but also in Sioux Falls, South Dakota, in February—twice (too cold for a Tennessee boy). This job has also afforded me the opportunity to become a member of the faculty of the Graduate School, USDA, a nation-wide continuing education school offering more than 1,500 different career-related courses annually. I teach classes in legal writing, business law, litigation and the Freedom of Information Act.

While an attorney will never get rich working for the United States, the pay is decent, the benefits good, and the hours tend to be stable at 40 per week. (Although I have worked 51 hours from Friday through Sunday getting ready for a preliminary injunction hearing.) I personally value having most week-

ends and evenings free to spend with my family more than an increased salary.

But the thing that is most satisfying about being an attorney for USDA is my sense that I am, in fact, performing a public service. When I win, I have not just earned my salary, but I have helped stop the distribution of meat adulterated by rats; or I have helped to prevent the spread of Karnal bunt, which could destroy the international market for American wheat; or I have helped to prevent the theft of pets for use in medical research. Absent being a special prosecutor or the attorney general, government service as an attorney is not glamorous and not for everyone. But it is challenging, it is important, and it does have its own rewards.



Nancy L. Carnes, '81
Assistant Chief Counsel for
Environment,
U.S. Department of Energy
(Oak Ridge, Tennessee)

"Some people think that a technical background is necessary in order to be an environmental attorney. I disagree. Environmental law is like any other speciality within the law: if you understand how to analyze the issue you can learn the statutory and regulatory framework."

My own career path has been a meandering one, with unexpected twists and the occasional dead end. But when I look back on it, each experience has had its share of benefits and drawbacks, and I would not trade it for a straighter, more narrow course.

I loved law school, and I was not particularly anxious to join the "real world." Where else can you spend your time challenging your intellect without regard to billing codes and time sheets? I was very fortunate to have participated in the Advocates' Prize competition and made it to the finals where my partner Kate Ambrose and I got to argue in front of William Rehnquist. (Undoubtedly my one and only experience in front of a member of the U.S. Supreme Court.)

My third year was taken up with the national moot court team and law review, two other experiences completely unlike anything else I have attempted since. I have very fond memories of the moot court team practice rounds, with Professors Cook and Sobieski putting us through our paces. I like to think that what I took from that experience was not just the ability to think quickly on my feet, but more importantly, the knowledge that while sometimes you won't "win," if you can savor the experience and learn from it, you can't really "lose."

After graduating in 1981, I was completely spoiled by falling into the best job ever. I clerked for Judge Joe Duncan of the Tennessee Court of Criminal Appeals. Judge Duncan encouraged me to disagree, something I needed little encouragement to do anyway, and my three years of clerking were really a three-year tutorial in which I was privileged to observe the appellate system at work. When I left to try my hand at private practice, Judge Duncan told me that I would never have another job that I enjoyed more. He said it half-jokingly, but he was right.

I discovered after about a year that the private practice of law really was not something that I enjoyed, particularly with a toddler at home. So I quit. No other job lined up, nothing. This was the scariest, and possibly best, decision of my life. I was lucky enough to have a supportive husband who was willing to let me take the time to take another look at my career.

Sometimes career planning is really just being in the right place at the right time—or put more bluntly, just plain dumb luck. A few weeks after I quit my job, my husband was sitting in his office one day at Oak Ridge National Lab when an acquaintance with an Oak Ridge consulting firm happened to ask him if he knew of any attorneys who might be interested in part-time

work. He responded that he actually had one hanging around the house, which is how I started with Science Applications International Corporation (SAIC) in Oak Ridge.

While at SAIC, I embarked upon a whole new path—environmental law. At my husband's urging, I had taken environmental law in law school and had handled some environmental work while in private practice. My husband had always told me that he thought this would be a good practice area, and finally I listened.

After four years with SAIC, I had the opportunity to combine my interests in environmental law with a more mainstream legal career by taking a position in the legal office of the Department of Energy in Oak Ridge. Those who know me will be amused to know that I was hired despite concerns that I was "too quiet and demure"—or as my new boss put it, "we thought we were getting a school marm, but we got Attila the Hun."

I have been with DOE seven and one-half years now, which is almost twice as long as I have been anywhere else. I am the leader of a small group of attorneys who specialize in environmental, safety and health law within an office of about 15 attorneys. We provide legal advice on environmental, safety and health issues to the Oak Ridge Operations office, which has responsibilities for sites in Missouri, Kentucky, Ohio, and Virginia, as well as small cleanup sites all over the country in addition to the three Oak Ridge facilities.

I find myself negotiating agreements with complex legal and technical issues which involve tens of millions of dollars and require the balancing of environmental protection interests with the realities of dwindling federal resources. It is extremely challenging and satisfying work.

So despite the fact that I am now that most maligned of

stereotypes—the government lawyer—I think I have found a niche for myself which is both intellectually challenging and avoids the business aspects of private practice which I frankly detest. I have found my colleagues here to be the brightest group of lawyers I have ever worked with. We come from disparate backgrounds, and there is no one common thread running through them that prepared us for this work.

Some people think that a technical background is necessary in order to be an environmental attorney. I disagree and often tell people that I have a technical degree—in English literature. Environmental law is like any other speciality within the law: if you understand how to analyze the issue you can learn the statutory and regulatory framework.

My advice to law students is to open yourselves up to the variety of opportunities available in law school. The danger of focusing too much on a particular area of the law is that you never know which courses will prove the most helpful later on, and you will probably never have another chance to enjoy courses on law and ethics or law and literature. You certainly will never have another comparable opportunity to stretch your analytical skills or engage in debate. The harsh reality is that no academic experience can really imitate those first few years out of law school when you realize that what you know about the practical details of the practice of law is dwarfed by what you don't know.

Enjoy these three years. They are very special.

Judicial Staff



Patricia C. Foster, '87
Bankruptcy Attorney,
Office of the U.S. Trustee
(Knoxville, Tennessee)

"As a government attorney, I have the opportunity to use my skills as a litigator, negotiator, counselor, investigator, administrator, supervisor, typist, receptionist, and any number of other things. Most of all, I like helping people out when they are faced with some of life's most difficult problems."

"I'm from the government, and I'm here to help." That is a familiar statement guaranteed to draw one of two responses: a laugh or a grimace. As a government attorney for the past ten years, I have endured many lawyer jokes and government employee remarks that have not always been flattering but are usually amusing, even to me. But the perception of attorneys and government employees by the public is a serious issue, and one which I hope to change.

I am very proud to tell people I come into contact with during the

course of my life that I am an attorney for the United States Trustee, which is part of the Department of Justice. It is an honor to serve my government in this capacity, and it is my greatest desire to provide the best service to the public that I can.

In 1969, I moved with my husband, Steve, to Fort Worth, Texas. He was enrolled in the seminary there, and I was fresh out of college with a degree in music education. Not having a lot of job skills to promote myself, I went to Snelling and Snelling to seek employment. I must admit, they were not very encouraging until I made a perfect score on the test they were administering to job applicants.

Though I could not type, take shorthand, or even make coffee when I was 21 years old, I landed a job as a receptionist in a very old and fine law firm. (If I were to be asked what part of the law I have found to be the most difficult and frustrating it would definitely be that of receptionist. I have often wondered if I was promoted or demoted to paralegal after a month at the front desk. But one thing for certain, it gave me a real and lasting appreciation for those individuals who provide clerical and administrative assistance in law offices.)

My very first job after college also planted a seed in my mind that some time down the road I would go back to school and get a law degree. I was hooked. But it was a dream I kept to myself. In 1969, not many women were practicing law. Though the women's liberation movement was underway, Patti's liberation movement was well-established and the only issue to me was "when" not "if."

During the next 13 years I taught school, became a mother of two, and learned to deal with people. In 1981, I moved with my family to Rockwood, Tennessee. It was there that I had my first opportunity to enroll in law school. Luckily, times had changed and no

longer was it so unusual for women to pursue careers in the law. Looking back, I was certainly fortunate to have been in this unique situation to begin my journey into the legal profession, especially the close proximity to the University of Tennessee. Moreover, life had in subtle ways prepared me for government service.

I love my work. The agency for which I work is very small and understaffed even though we deal with a huge case load. Bankruptcy filings in Tennessee are the nation's highest per capita. It means the work is never caught up, and there is not time to play the infamous computer games that were loaded into our new computers. It also requires attorneys and other personnel to be flexible and ready to lend a hand where it is needed in the office. The skills I gained in Texas as a receptionist and paralegal have made my life easier and serve as a constant reminder that every job is important in a law office.

As a government attorney, I have the opportunity to use my skills as a litigator, negotiator, counselor, investigator, administrator, supervisor, typist, receptionist, and any number of other things. I enjoy it all. Most of all, I like helping people out when they are faced with some of life's most difficult problems. Whether a debtor or a creditor, individuals who find themselves in bankruptcy are often fearful of the process. There is much that we can do as attorneys to provide assurances or at least explanations of this process to make sense of the system.

This job is multi-faceted and has a broad spectrum. For instance, we try to keep everyone honest: the debtors, the creditors, the trustees, the attorneys, and the other professionals. And then we endeavor to insure that the best interest of all creditors is served, which often means objecting to the actions of a debtor or a creditor, or both. We are also here to respond to the public

about the administration of cases and any number of other questions which come our way concerning bankruptcy. Every time I think I have heard it all, something new comes along. There is never a dull moment and never a day that goes by that I do not learn something new about the law or human nature.

The practice of law is like juggling 10 balls at once. It is also true that there is often the requirement for sacrifice of time and resources to keep the balls in the air, so to speak. Though some may question this, it is the same for the government attorney. Hard work and long hours do not equate to more money for those of us on the government payroll. So what is it that motivates us? The answer to that is certainly not easily put into words. But there were three particular professors at the law school who set wonderful examples for me.

Bob Lloyd introduced me to the subject of bankruptcy and secured transactions and made it interesting. Some may think that would be an impossible task, but Professor Lloyd was so knowledgeable of the subject matter and capable as a teacher that he sparked an interest and understanding that has continued for all these years. Professors Anderson and Black inspired me in different ways. The most valuable experience I had in law school was criminal clinic. It was this experience that taught me to juggle the balls. I was asked to work during the summer months to finish up the cases started during the spring semester. I lost count of all the appearances I made in court during those months. It was tough, but it was a great experience. These two professors gave me a strong belief in justice for all.

I love being an attorney. It is the best way I know to serve the people. Today I was again rewarded for doing this job. A gentleman came by to ask a question about bankruptcy. His story was all too

familiar in today's society. When he left my office, he put out his hand to me and said "thank you."

Military



Lt. Colonel Wayne E. Dillingham, '83
Deputy Staff Judge Advocate,
Special Operations Command,
U.S. Air Force Jag Corps
(Tampa, Florida)

*"To the law student who may . . .
find this type of
military practice appealing,
I offer my most sincere
encouragement. If you truly
believe in service before self and
you are willing to make the
necessary commitment, you may
very well find your niche, too."*

I'm a JAG—in my case, a judge advocate within the Judge Advocate General's Department of the U.S. Air Force. Don't confuse me (as if there were a risk!) with the star of the television show "JAG." We both practice law as active-duty military officers, but that's where the similarity ends. He's a Navy JAG, substantially younger, and a lot better looking. More importantly, his role is highly fictionalized and glamorized; mine is the serious—and rarely glamorous—real-life business of national security.

I didn't attend the College of Law to become a judge advocate. Prior to law school, I served in the U.S. Marine Corps as a bombardier/navigator in the A-6 Intruder. I was proud of my service to my country, but I thought I was ready to return to my home state of Tennessee, study law, pass the bar, and live the simple life of a country lawyer. It just didn't turn out that way.

I had left behind a promising career as a Marine officer. Now, at age 27, I was entering law school with a wife, a 20-month-old daughter, and just enough money to get by. I was determined not to fail. So, I studied religiously. I read every assignment; I briefed every case; I even carried a tape recorder to each class so that I could review those discussions where I'd simply missed the boat. And it worked!

I realize some may view it as a novel concept, but hard work generally does produce good grades. Entering my second year, I was happy to have a respectable class standing as we began interviewing for summer clerkships. For some reason, I seemed to do well with the Texas firms. Three offered me clerkships, two of which I accepted. One resulted in the offer of an associate's position. So, rather than living the simple life of a country lawyer, I found myself in a skyscraper in downtown Houston practicing as one of 370 attorneys with Fulbright & Jaworski.

What a wonderful experience! Despite the size, Fulbright & Jaworski was extremely people-oriented, and they devoted tremendous resources to the training of new associates. I primarily practiced aviation litigation in the context of insurance defense. The work was challenging, and the salary was good. However, by the end of two years, I had determined the lifestyle really wasn't for me. I preferred public service over billable hours, the camaraderie of fellow service members over a country club, and

world travels over a Houston skyscraper. So, I started talking to JAG recruiters.

I was impressed with what I learned about Air Force judge advocates, and I was proud that my application was accepted. I have absolutely no regrets; I've found my niche.

The Air Force provided me with every challenge and every opportunity I'd wanted. In Louisiana, I prosecuted criminals in courts-martial for two years. In Colorado, I taught undergraduate law courses at the Air Force Academy for four years. In England, I served for two years as the staff judge advocate at a small installation performing a classified mission. In Italy, I served for two years as the staff judge advocate at an installation launching fighters around the clock in support of NATO operations in the former Yugoslavia. Now, back in the States, I am the deputy staff judge advocate for the commander in chief of the U.S. Special Operations Command.

The job offer of a commander's staff judge advocate at any installation or any command is analogous to that of an in-house counsel. Commanders are confronted with an endless variety of issues, most of which have legal ramifications. They need ready access to counsel to assist them in navigating these legal minefields. The U.S. Special Operations Command is no different in that regard. What makes it unique are the forces we attorneys serve.

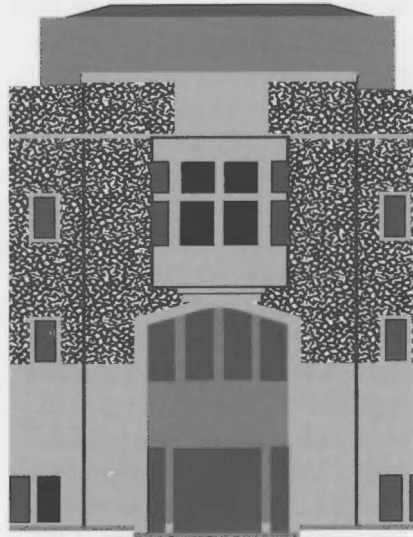
The U.S. Special Operations Command is comprised of the nation's most elite special operations forces—for example, the Navy's SEALs, and the Army's Rangers and Green Berets, among many others. These warrior-diplomats conduct missions that are truly among the most daring and challenging imaginable. The four-star general who is their commander in chief—my boss—is charged with,

among other things, ensuring they are trained and ready to perform these special operations. He has awesome statutory authority (10 U.S.C. 167) with which to do so. That legislation serves as the basis for much of my daily work on his behalf. Yet, not all of my work is at my desk.

As with any in-house counsel, it is important to know the client's business and to earn the client's trust and respect. In this job, the judge advocate should also be ready to deploy with the client—by whatever means necessary—should the need arise. As a result, I serve on hazardous duty orders in a parachute position. What a fantastic job! I jump with the command as often as possible, usually once or twice each month. Better yet, in 1996, the command sent me to the Army Infantry School's Jumpmaster Course, so I'm now able to serve in that capacity as well.

As an Air Force judge advocate, I've found job satisfaction beyond compare. Yes, I work long hours with deadlines and headaches, not unlike civilian practitioners, although the financial rewards are generally not as substantial as theirs. Yet I earn a comfortable salary, and I have the pleasure of knowing that what talent I may have is being spent in service to my country. In that context, the occasional frustrations shrink in significance.

To the law student who may share these values and find this type of military practice appealing, I offer my most sincere encouragement. It's certainly not for everyone. However, if you truly believe in service before self and you are willing to make the necessary commitment, you may very well find your niche, too. In the meantime, I encourage you to make the same commitment as Abraham Lincoln when he said, "I will study and get ready, and perhaps my chance will come."



State Government

Administrative Agencies



Natalie K. Thomas, '85
Legal Advisor,
Division of Aging Services,
Georgia Department of Human
Resources (Atlanta, Georgia)

“Now, I may be in a different kind of minority, the kind that thinks that the elderly are a valuable part of our society, should not be set aside or thrown away and should be treated fairly and with respect. I hope someone reading this would like to join me in this ‘new minority.’”

As I sit in my office here at the Division, fuming over a graphic that will not size correctly as I try to finish editing Georgia's first Uniform Adult Abuse Prevention and Reporting Guide, I still have trouble deciding exactly in what class I actually graduated. Had I not graduated a semester early, I would have been with the class with which I entered and graduated in May of 1986.

As it was, I went straight through without breaks for the summers and finished in December 1985. As I recall, the decision was

made (I don't know by whom) that we would not have an actual graduation, but a luncheon. A photographer was on hand to snap a quick photo and my law school career was over.

Then came the task of finding employment. Not being from Tennessee and unsure of whether or not I wanted to remain in Tennessee, I mulled this over as I studied for the Tennessee bar exam. If I passed the bar exam in Tennessee, that would be my “sign” to stay and if not, back to Georgia I would go—need I say more? After taking the bar review course and studying the rest of the day and most of the night, I was to learn that Tennessee was not to become my home any longer.

I waited until the rest of “my class” graduated in the spring, and in May of 1986, two of my colleagues and I moved to Atlanta. My first job was not completely in the legal field because I had yet to sit for the Georgia bar, which I faced with a healthy amount of trepidation due to what I had heard was a low passage percentage rate at the time.

I began working with a real estate title company full-time, and studied for the February 1987, Georgia bar. I decided not to take a bar review course again since it obviously had not helped with the Tennessee exam. I worked all day and studied from the time I got home until about midnight every night. I passed the exam on the first try, left the title company and went to Georgia Legal Services.

This stop in my career path was not accidental, incidental or unplanned. Unlike many people who go to law school to make lots of money, I went for the old-fashioned reason—help those who might not be able to help themselves without me. When I first decided to go to law school, I “knew” I wanted to practice criminal law. Coming from a family where my father is a Baptist minister, this gave rise to much

family discussion. It came down to this: if I was a criminal defense attorney, I might wind up defending the guilty and if I was a prosecutor, I might wind up accusing the innocent. I liked neither prospect.

Next came the idea of working for clients who had more money than I probably ever would and although there is no doubt in my mind that the wealthy also need legal counsel, I knew they did not need me. I have always liked working, and hard work never bothered me, but there was always a catch to me working—I really had to like what I was doing in order to do it well, and I wouldn't like it if I didn't really know that I was helping to make someone's life better by protecting those things most needed by them and making sure that they were treated fairly.

I usually tell people that for me law school was a matter of being introduced to the concepts of the substantive areas and being taught where to find the answers to the legal questions as they arose. I learned those basics from Professors Cohen, Mutter, Cochran, Lloyd, Jones, Gray, King, Sobieski, Wirtz (now Dean Wirtz), Phillips and others. My law school class experience neither instilled in me, as I understand it does in others, a love for the law nor prepared me for the actual practice of law. I learned these practical applications from Gary Anderson and Nicole Russler in trial advocacy and in the Legal Clinic.

I also gained insight as a member of the trial team. All the weeks that I practiced with UT's trial advocacy team for the competition, I embraced the concept of teamwork and the mechanics of “being a trial lawyer,” which I use daily. In hindsight, I unfortunately never made it to the actual competition. I discovered the hard way not to be the only nonsmoking member of a group in an enclosed space for long periods of time. Due to the smoke

from those around me, I developed a severe case of vocal chord inflammation which deprived me of a voice for eight weeks. I could not contribute to the team at that point and was not invited to accompany them to the competition. Aside from the valuable trial and team preparation experience, I retain two other souvenirs: the knowledge that it is easy for others to set aside someone they believe no longer has value and unfortunately the damage to the vocal chords still debilitates me sometimes at the most inopportune times.

I also remember learning at law school the effects of standing up for what you know is right. It can be a rude awakening and yield a cold environment. That should never stop anyone, however, from always, always, always doing what you know is right.

So you see, I learned much in law school, some academic and more not; but if I prioritize, most importantly I learned that we must treat everyone fairly and remember to include them as a valuable member of the community, whatever community that may be.

The interesting thing about life's lessons is they are usually not pleasurable when you're experiencing them, but they make a lasting impression. I would have to say that this applies to most of what I learned in law school as well.

Armed with the desire to apply my lessons learned, I tackled the cases at the Piedmont Office of Georgia Legal Services for about seven years. At Legal Services you sometimes take care of the immediate crisis, but the bigger problem still exists. I got good litigation experience there, appearing in every court level, state and federal. Although frustrating at times, every now and then I had a case like *Jones v. Sullivan* that allowed me to go all the way to the Eleventh Circuit Court of Appeals to set precedent that you really can use that attestation on a

federal tax form in your favor, like to prove paternity in order to allow a child to reap Social Security survivor's benefits.

After a while though, I started to feel like I could only put on so many band-aids, and I started to fade. Then a little light shone, and I found my niche—working with the elderly. The last three of my almost seven years at Legal Services, I was allowed to design an elderly legal services program, funded by Title III-B of the Older Americans Act.

I learned all about Medicare, Medicaid, nursing home law, personal care homes, health care, age discrimination, elder abuse, neglect and exploitation, and the Americans with Disabilities Act, while still being able to practice in the other substantive areas such as housing and consumer law. When I went to senior centers and nutrition centers to talk with clients, I knew I had found my place in the "law." I had found a sector of clients who appreciated nearly everything I did for them, regardless of how small. They mostly appreciated being treated with respect and like they were still valuable members of society.

After three years, I accepted a position as the state's legal services developer, managing all of the state's elderly legal services programs and developing the best legal services available for the seniors of Georgia. While not the attorney for the division (the Attorney General's office handles that) I serve as legal advisor for the state Long-Term Care Ombudsman Program and provide legal technical assistance to a number of other programs within our office. I am the focal point in the state for prevention of elder abuse education, and I conduct training and make presentations all over the state, including law school classes and other college and university programs.

I've been here for almost four years, and there is only one person in my position in every state. We

get together once a year to remind ourselves that "we are not alone."

When I think of what I could be doing now, I can't think of anything better. My telephone rings, and one of my programs wants my help with strategy to keep a client from being discharged from a nursing home that has been home for the past 13 years, or wants to know how to get a client's home back that a greedy child took when she decided it was okay to slip a warranty deed into the stack of papers that Mom was signing. Sometimes a senior will call me after she's talked to 10 other people frustrated that no one had time to listen to her problem because she has no money and the story is too complicated. That is when I have a good day, because I'm doing what I have grown to absolutely love, and I feel good about it.

This profession needs every type of lawyer that it currently has, including me. The area of elder law is beginning to grow. Private attorneys are finding that for the wealthy elderly, there is good money in this area. Regardless of the amount of income or assets, many of the elderly tend to be vulnerable to the same kinds of dangers from unscrupulous strangers, family members, care givers and "friends."

Being a minority has never bothered or frightened me. Now, I may be in a different kind of minority, the kind that thinks that the elderly are a valuable part of our society, should not be set aside or thrown away and should be treated fairly and with respect. I hope someone reading this would like to join me in this "new minority."

Did I enjoy my law school experience? Not all of it. Knowing what I know, would I go to law school again? Yes. Repeat my experiences at UT? Yes. Continue the same career path that I am on? Absolutely.



Mary Anne Reese, '80
Assistant Attorney General,
Office of the Ohio Attorney
General (Cincinnati, Ohio)

Editor's note: Just prior to publication, Ms. Reese was appointed an assistant U.S. Attorney for the Southern District of Ohio.

"Law school nurtured the youthful idealism that continues to guide my career and life choices. In your career choices and other choices, follow where your enthusiasm leads you—even if it seems off-beat."

Although my career has taken many turns, the essential road has remained the same: service of the community and work for a better world. Public service and nonprofit organizations are the places I have focused these efforts.

For the past five years, I have served as an assistant attorney general for Ohio, based in Cincinnati. Here I have represented two different clients: the state health department and the state prison system. My practice here is medical and civil rights litigation.

On the serious side, I have litigated to limit the boom in high-tech health services, such as open heart surgery and bone marrow transplant because Ohio is already saturated with them. I have also worked to shut down substandard nursing homes and adult care facili-

ties. And I have defended a class action challenge to mental health services in Ohio's prisons. In that historic effort, plaintiffs' and defendants' lawyers worked together to put state money into improving the services instead of into litigation and attorneys' fees.

On the lighter side, I have also defended a prison's right to put turkey in turkey dressing, to deny *Big Butt Magazine* to a sex offender, and to prevent prisoners from mail-ordering "Zen mind control machines."

Since law school, I have held several other legal and nonlegal positions. I began my career as an assistant U.S. attorney for the eastern district of Tennessee in Knoxville. There I tried jury cases in areas such as counterfeiting and bank embezzlement, and argued appeals in the Sixth Circuit. I advised FBI agents and park rangers alike. One memorable experience was bringing exhibits in the form of decomposing bear hides before a jury in the August sun. My first attorney job taught me the importance of putting a human face on the government and of using government power to do good.

After several years as an assistant U.S. attorney, I took the opportunity to specialize in health law by initiating the legal department of St. Mary's Medical Center in Knoxville. (I had planned to become a doctor until I met my first chemistry class!) At St. Mary's, I learned the inner workings of a large hospital, practical skills such as reading patient records and pathways through the morass of regulations affecting medical providers. I also faced questions for which law school did not prepare me, such as a patient's request to take his amputated leg home with him.

In 1985, I decided to give my attention to passions other than law. I entered the religious order that runs St. Mary's Medical Center—the Sisters of Mercy in Cincinnati. I

also began full-time youth work at a Jesuit retreat center here. The four years I spent in the convent and at the retreat center afforded me invaluable growth. I lived with refugees on the Texas-Mexico border, played the guitar in a soup kitchen, and led teenagers through ropes courses. I also learned to listen more fully, facilitate groups, work on a team, line-dance to rap music, and experience the connection of body, mind and spirit.

Upon leaving the convent and the retreat center, I opted again for public service law. As a county attorney here in Cincinnati, I litigated child abuse and neglect cases. Again, the medical and mental health components of my practice and the opportunity to help children in crisis enthused me the most. From there, I came to my present position with the state.

While in law school, I learned the most from professors and fellow students with a vision of serving others. Dean Wirtz described the march on Washington at which Dr. King sounded the refrain "I have a dream;" Professor Hardin recounted first-hand experience with the National Labor Relations Board; Dean Kirby told of his service to various Senate committees. I took as many courses as I could from all three. And Grayfred Gray, Jerry Black and Jerry Becker talked a lot about poverty law practice. Law school nurtured the youthful idealism that continues to guide my career and life choices.

The practice of law in public service is certainly different from law school. In most government offices, we are challenged to do more with less. Instead of four courses, I usually juggle 50 to 100 cases. Instead of a few final exams at the end of the semester, I must meet deadlines constantly throughout the life of each case. (Of course, courts are more amenable than professors to extensions.)

A high volume of cases does not allow the luxury of time to savor a Supreme Court justice's opinion, nor to write a brief six or seven times as on law review. While the discipline, thoroughness and stamina for all-nighters that I developed in law school have served me well, in public practice I must often be satisfied with efforts that are "good enough."

The rewards of public service law are many. When a cabinet-level official is my client, I can advise her of the best ways to meet legal requirements and at the same time serve the public well. Being a change agent and speaking truth to power are gratifying. Also, few other careers would permit me to spend so much of my work life doing what I love most—writing. The practice of public service law is closer to "pure law" than other practices that emphasize business, billable hours and rainmaking. This environment attracts attorneys with whom I like to work.

There are two great frustrations of my work. The first is that, as a litigator, I must maintain a tough hide. The practice of law has continued to lose civility and a sense of fair play; in our office, we often remind one another to "take the high road" anyway. The second frustration is bureaucracy, which forces me to cut through red tape and demand action. I once walked Medicare-certification papers through government offices in Knoxville, Nashville and Atlanta all in one day to salvage the purchase of a hospital.

If you are interested in a public service career, take advantage of all that law school offers. Listen to the speakers that the university brings to campus, even if you do not agree with them. Choose classes that incite your passion. Read the newspaper; pay attention to the needs of the time. Learn the stories of people different from yourself, for all types will be your clients, jurors,

constituents, etc. In your career choices and other choices, follow where your enthusiasm leads you—even if it seems off-beat. Finally, remember to nurture your creative, physical, emotional, and spiritual lives as well. Whole people make better lawyers.



Christy A. Allen, '93
Staff Attorney,
Tennessee Department of
Commerce and Insurance
(Nashville, Tennessee)

"While what I learned in the general practice of law was applicable to an administrative agency and much of it was transferrable, I found myself immersed in an area of law which was growing by leaps and bounds and by which I, too, would grow with each new challenge."

As I graduated from law school in 1993, I was anxious and concerned. Although I had accepted a position as an associate in a small, general practice law firm in my hometown of Ashland, Kentucky, the two summers during which I had served as a clerk in that firm gave me pause. Could I make it in a fast-paced, general litigation firm? Would my practice really be comprised mostly of criminal defense trials, divorce proceedings, personal injury actions, and Social Security disability claims?

Within one year of my accepting that position and after finding the general practice of law quite unlike the academic and philosophical endeavors presented to me in both undergraduate and law school, I had nearly decided to leave the practice of law and go into

a field—any field—where I would be required to use my intellect and mediation and communication skills, finely honed over the years, where my work would have an impact and make a positive difference in the lives of the people I touched.

My future in public service began at the exact moment I considered leaving the practice of law. While searching for jobs in Tennessee (no mean feat while stationed in Eastern Kentucky), without finding what I felt would be an appropriate match, I happened to pick up the telephone and called UT Law Career Services' job "hotline," the repository for updated advertisements for employment opportunities not listed in the previous month's issues of their newsletter "Job Briefs." I was greeted with a peculiar message on behalf of the Division of Regulatory Boards of the Tennessee Department of Commerce and Insurance. I was entirely unclear about what the job advertised, staff attorney, would require of my skills. What did government attorneys do anyway?

I immediately recalled my administrative law class with Professor Tom Davies as one of the classes I most enjoyed—and one so different from the rest of the law school curriculum I had studied. I recalled learning about government agency issues, administrative rule-making and the unusual Administrative Procedures Act and thinking that this, the administrative forum, exemplified the extent and meaning of fair and swift justice, and indeed the pure study and practice of law. I jumped at the chance.

I was not disappointed when I arrived in Nashville less than two weeks later. I was not unchallenged either. I found that my duties included more facets of the practice of law than I could have imagined. I learned that I would serve as a staff attorney for anywhere from one to five professional licensing boards

and that my duties would be varied, to say the least.

As a staff attorney, I would be called upon to advise each board, comprised of members of the profession the particular board licenses, during each monthly board meeting. This would include everything from spur-of-the-moment advice on application issues, the Open Meetings and Public Records Acts, disciplinary grounds and legislative rule-making issues, to advising the assistant commissioner for the division on the routine business of the Department.

While what I learned in the general practice of law was applicable to an administrative agency and much of it was transferrable, I found myself immersed in an area of law which was growing by leaps and bounds and by which I, too, would grow with each new challenge. More importantly, I found a niche for my practice and a home for all the skills I valued.

As a staff attorney for a state agency, my primary mission is to protect the health, safety and welfare of the general public in Tennessee. I now serve as counsel to the State Board of Architectural and Engineering Examiners, the body which examines and licenses the state's architects, engineers, landscape architects and interior designers and regulates their conduct once registered.

Each state board operates under specific statutory authority, which generally sets forth the requirements for licensure and professional conduct. Boards are also granted rule-making authority, which they use to explain in great detail application requirements and rules of professional conduct. Every time a board makes a rule, you can be sure a staff attorney is behind it in the reasoning of the rule, the often-complicated drafting of the rule, and the tedious navigating of the rule through the complicated administrative rule-making process.

By the same token, every time a board takes disciplinary action against a licensee, whether it involves the revocation of a license or an invitation for a licensee to have an informal "chat" with a board, it is the staff attorney who has conducted the investigation, compiled the facts, closely analyzed the case, and presented it to the board for its decision.

Much to my surprise, I found that litigation would be a substantial part of my work as a government attorney. I serve as the state's prosecutor in disciplinary cases before the boards I work with, and as such, I often find myself confronted with the skills of many more senior, experienced and well-known attorneys who defend their professional licensee clients before boards. What better way to test an attorney's skills than to repeatedly appear against some of the most respected lawyers in the state!

It is heady stuff, and the rewards are just as sweet when I am able to persuade a board that the continued protection of the public demands that it suspend or revoke the license of a professional who has committed misconduct.

I found, too, that my communication skills were critical to successful board representation. Because I am the state's "expert" in the licensing law and rules of conduct for registered architects, engineers, landscape architects and interior designers, I soon found myself being invited to speak to professional societies and associations across the state.

I learned to take advantage of all those opportunities to reach the professionals I regulate, and I also learned that I truly enjoy filling that role and the travel, both inter- and intrastate, that my job necessitates.

Other opportunities soon surfaced. After working with the State Board of Architectural and Engineering Examiners for just under a year, I was selected to serve on a

national law enforcement committee comprised of about 20 other lawyers, investigators and board members who do the same thing I do, but in other states. It is quite an honor to shape the rules of professional conduct for licensees and the ways they are enforced on a national scale.

My government practice has enabled me to become an expert in administrative procedures and in my area of licensing and regulatory law. As you enter this profession, find an area of law (no matter how apparently small and insignificant) in which you can learn as much as possible. You will soon find that that seemingly unimportant area is little-understood by many other people, and you can use your skills not only to educate but to excel. Soon, that niche isn't so insignificant anymore, and you have come to be a valuable resource.

Take advantage of every opportunity to be exposed to other attorneys, government and otherwise, and anyone else who might be interested in what you do with your area of the law. In just a brief period of time, I was able to count among my friends and colleagues professionals from New York to Puerto Rico to Washington state. The sense of accomplishment and confidence gained from these experiences is often overwhelming and always deeply appreciated.

Every job has its frustrations from time to time. There will always be difficult days where the wheels of government turn slowly, and you wonder how you fit into the big picture. Despite these occasional unwanted challenges, I still say (as I have many times before) that my worst day in government practice is still better than my best day in private practice. In a time where many become disillusioned with government, I like to think of these and the other challenges confronting the government attorney every day as new opportunities for

problem-solving which should be seized.

The best advice I can give to recent law school graduates is something I heard from former Tennessee Supreme Court Justice Penny Jo White on the morning I was admitted to the Bar. She said, "being a lawyer is what you do, not what you are." Many graduates of the past several years have heard this remark, but I believe these words are too soon forgotten.

Be the best you can be in your field and always consider the far-reaching impact your advice as a government attorney has on the public in this state; rely on your instincts, good judgment and sound reasoning. Above all, keep it all in perspective and don't neglect yourself in the process. When you enjoy what you do and find a good fit, the occasional frustrations of a given day pale in comparison to what can be a truly fulfilling life in government practice.



Natasha K. Metcalf, '91
General Counsel,
Tennessee Department of Finance
and Administration
(Nashville, Tennessee)

"I think it is also very important to recognize that when you work for the government, your client is ultimately the citizens. Although that may sound like a heavy burden to bear, it is a very important one and one that I accept with pride."

I have had the pleasure of working in three different capacities since I graduated from the UT College of Law in 1991—as an associate at a law firm, as a member of the governor's legal staff, and currently as general counsel for a state government department. Each of these positions has been interesting and very rewarding.

After enrolling in a trial practice class while in law school, I discovered that I had an interest in litigation. I also enjoyed the appellate advocacy portion of the first year legal writing course. My participation on the Frederick Douglass Moot Court team gave me the opportunity to further explore these interests. I would encourage students to become involved in a variety of organizations and activities and to enroll in as many courses as possible that interest them. These

experiences give you the opportunity to develop a database of areas of the law in which you may have an interest in practicing.

I clerked for Kennerly, Montgomery & Finley, P.C., in Knoxville during the summer after my second year of law school. This clerkship exposed me to the various aspects of a litigation practice. I attended depositions and court hearings, drafted pleadings and researched many issues. I would strongly encourage students to take advantage of clerkship opportunities. They give you the "real" view of what it is like to practice law. My clerkship at Kennerly, Montgomery strengthened my interest in litigation with some real experiences.

Upon graduation, I accepted a position as an associate with Kennerly, Montgomery and practiced there for approximately five years, primarily focusing on defense litigation. I participated in numerous jury and non-jury trials and other trial court proceedings. In addition, I was afforded the opportunity to work on several cases at the appellate level.

A litigation practice requires a keen sense of awareness of all issues relevant to your case, as well as the pertinent law. Thinking on your feet is also essential. In and out of court, you have to be prepared to respond to any issue that might arise. My goal was always to be more prepared than my opponent. I benefitted immensely from my experience at Kennerly, Montgomery, and I am grateful for having had the opportunity to be associated with such an outstanding group of professionals.

In the summer of 1996, I was offered the opportunity to join the staff of Governor Don Sundquist as deputy legal counsel. Needless to say, I was very excited and honored to be afforded such a unique opportunity. I eagerly accepted and began my career in government service.

My duties as deputy legal counsel included, among others, providing legal advice to the governor and his staff, drafting and reviewing legislation, and working on numerous administration projects. Working in this capacity provided a rare perspective on the operation of state government. I interacted with state officials on a regular basis and developed a significant understanding of the many extremely important issues faced by the state of Tennessee. My experience working as deputy legal counsel to the governor furthered the never-ending process of learning the law because it gave me the chance to become familiar with a wide variety of Tennessee laws in addressing the many issues presented to the governor's legal office.

In July of 1997, I began working as general counsel for the Department of Finance and Administration, which is the business arm of state government and is involved in a variety of issues that touch upon many state departments and agencies. As general counsel, my responsibilities include providing legal advice on issues related to state contracts, budgetary issues, real property management, and state employees' insurance.

My litigation experience has been useful in this position. Although the state attorney general represents state departments and agencies in litigation matters, I work with them to protect the interests of the Department of Finance and Administration. In addition, my knowledge of the law will continue to expand in my current position, and I look forward to continuing to serve the citizens of the state of Tennessee.

I have enjoyed the practice of law. It has been very challenging, primarily because there are few things that remain constant. You are always fashioning new and distinct arguments. And there are always new clients, new factual

scenarios and new law on the horizon. There is always something new to learn.

The practice of law is also very rewarding. I have experienced the exhilarating feeling of having a jury rule in favor of my client and successfully challenging an issue on appeal. It is even a great feeling to locate the authority that no one thought existed to support your client's position. There is nothing more rewarding than seeing your hard work pay off for your client.

Practicing law is more than financial rewards. I believe that if you do a good job, if you are devoted to your work, and if you put forth your best effort, the rewards will follow. This logic is especially pertinent to the legal profession, when you consider the importance of the outcome of a case because of its effect on your client and maybe the law. I strongly believe that a lawyer's primary concern should be providing the best representation for his or her client.

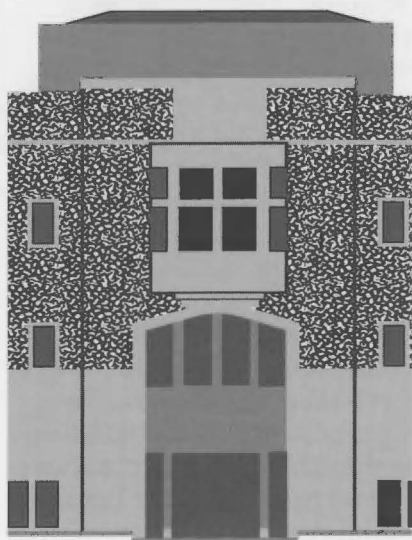
Professionalism is very important to a legal career. I am sure you have heard at least one "lawyer joke." Unfortunately many of these jokes stem from real-life examples of unprofessional behavior by lawyers. Based on my experiences, those who project this negative image of the profession comprise only a small group. It is incumbent upon the rest of us to act professionally at all times to improve the overall image of the profession.

I would be remiss if I did not also point out that the practice of law can be stressful at times. There have been many occasions when I did not get much rest in the days preceding a hearing or the due date for a pleading or other document. It can also be stressful to juggle several projects that have close deadlines. I probably add to my stress level because until a document is due or a hearing begins, I am constantly thinking of ways to improve upon my work product. And as I

mentioned earlier, I always want to be better prepared than my opponent. Fortunately, it has been my experience that the stressful times are outweighed by the more pleasant experiences.

My advice to students interested in a government service career is to explore all opportunities that are available. In a short time, I have transitioned from private practice to two distinct government positions. The options for a government practice are endless. I think it is also very important to recognize that when you work for the government, your client is ultimately the citizens. Although that may sound like a heavy burden to bear, it is a very important one and one that I accept with pride.

Administrative
Services



Municipal Government

Administrative Agencies



Elbert Jefferson, Jr., '89
Senior Assistant City Attorney,
City of Memphis Law Division
(Memphis, Tennessee)

“ . . . a career as a municipal attorney is limitless. You have the opportunity to forge new law as easily in your first year within the municipal corporation as a seasoned attorney in private practice.”

It is often stated, “What a difference a day makes.” This cliché has proven true in my sojourn from the law school classroom to the actual practice of law. As I stepped across the threshold from school into the marriage of law and politics, I have truly come to realize that it is a wedded bliss. The practice of law can be likened to a marriage: there are good days, and there are bad ones. Nonetheless, in the end—no matter what happens—I wouldn’t trade it for anything in the world and would gladly do it again.

After graduation from law school in 1989, I took a position with the East Tennessee Foundation, located in downtown Knoxville,

which provides individuals with an avenue for philanthropic giving. I was the program officer and assisted donors in setting up various testamentary instruments to meet their philanthropic goals. I worked with hundreds of community-based and nonprofit organizations on management-related matters, including both brokering and one-to-one assistance.

Many of the organizations desired legal assistance in obtaining 501(c)(3) designation as a nonprofit organization, and I was successful in obtaining this status for more than 20 of them. For example, I obtained the 501(c)(3) designation for Knoxville’s City Ballet, Inc., Old Mechanicsville Neighborhood Interests, Inc., and the Center for Neighborhood Development, Inc. Most of my work was performed either under contract with the City of Knoxville and its Department of Community Development, the Charles Stewart Mott Foundation, or through the designated and unrestricted funds of the East Tennessee Foundation.

When I started law school in 1986, I was the second youngest of 12 siblings. I was the second to attend college and the first to pursue studies beyond a four-year degree. I attended undergraduate school at LeMoyne-Owen College, a UNCF college located in Memphis, Tennessee. When I left law school, I never intended to practice in Memphis. But as I stated earlier, “What a difference a day makes.”

I worked as a program officer for the East Tennessee Foundation from 1989 to 1992. In 1992, I was torn between accepting an administrative position with the City of Knoxville’s Department of Community Development or the City of Memphis’ Law Department, as I had received offers from both entities within days of each other. It was a time of reckoning.

I chose to accept an offer from the City of Memphis. The city was

breaking new ground—it had its first African-American mayor, Dr. Willie Herenton. I wanted to be a part of this ground-breaking and yet utilize my skills as an attorney to benefit the citizens of Memphis. I can truly say that it has been the most rewarding aspect of my professional career to date.

I was hired as an assistant city attorney, and from the day I crossed over the threshold of this office, I was given the opportunity to handle my own caseload. I was not relegated to merely writing briefs for someone else or simply arguing motions. As an assistant city attorney, I was responsible for defending all types of matters brought against the City of Memphis. This included handling personal injury defense, Section 1983 civil rights cases, paramedic medical malpractice cases, Civil Service Commission appeals, etc. On the other side of the coin, working as an attorney for a municipal corporation has many challenges. Nearly every decision that this office makes has “political” consequences. Sometimes, it’s like stepping on eggshells. Recently, the office was successful in overturning a recent Tennessee statute that would have allowed outlying suburbs to incorporate, which would have proven disastrous for the Memphis economy. Whereas the victory was good for the City of Memphis, the outcry from the residents within those outlying communities has been enormous. Yet, the thrill of working in an area that impacts such an enormous group of individuals is simply breathtaking.

I was promoted in 1994 to the position of senior assistant city attorney. In addition, I am the litigation manager for the Law Division. In my role as litigation manager, I screen and assign all lawsuits, trouble-shoot trial tactics and strategies, conduct litigation meetings, and coordinate the activities of the paralegal. In the absence of the city attorney and deputy city

attorney, I serve in the management role.

The city's Law Division has 10 in-house attorneys, 14 staff attorneys, two Police Services Division legal advisors, one Fire Services Division legal advisor, four city prosecutors, and a host of contract attorneys. As the litigation manager, I am responsible for working with any and all of these attorneys in some capacity.

I would advise anyone interested in becoming a municipal attorney to concentrate on matters of corporate concern. I recently attended my third International Municipal Lawyers Conference, along with hundreds of municipal attorneys from across the country and several attorneys from other countries. The conference provides municipal attorneys with insight into those areas in which we practice, and topics at this year's conference ranged from discussions of the "year 2000 computer glitch" to the "deregulation of the utility industry."

Simply put, a career as a municipal attorney is limitless. You have the opportunity to forge new law as easily in your first year within the municipal corporation as a seasoned attorney in private practice.

I believe the key to any legal career is life experience. My most memorable experience in law school was the Legal Clinic, and in hindsight, I believe that it provided me with the greatest amount of self-confidence and enabled me to see myself in a different light. Although I have yet to return to the University to view the new law school facility, I will always treasure the Legal Clinic and the law school staff.



Stephanie Webster, '83
Deputy City Attorney and
Manager of the Police Attorney's
Office,
City of Charlotte
(Charlotte, North Carolina)

"My in-house counsel position is challenging, fast-paced, and varied. Interesting? Yes, always.

Rewarding? Yes, often.

Frustrating? Yes, it can sometimes be frustrating, but on balance, the good clearly outweighs the not so good."

I believe that I am fortunate to be engaged in a very interesting legal practice. My in-house counsel position is challenging, fast-paced, and varied. As the deputy city attorney for the city of Charlotte, I manage the five-attorney Police Attorney's Office of the Charlotte-Mecklenburg police department, a 1500-member local law enforcement agency.

A typical month for me could present issues or projects such as the following: defending the city in police-related litigation; responding to an Equal Employment Opportunity Commission charge; drafting a local ordinance establishing a curfew for juveniles or prohibiting aggressive panhandling; drafting state personnel law legislation; preparing congressional testimony for the chief of police on a Fair

Labor Standards Act bill; reviewing the lawfulness of an officer's use of deadly force; researching intellectual property and Uniform Commercial Code issues; and answering emergency legal questions at any time of day or night for officers or investigators who are in the field or on a crime scene.

Interesting? Yes, always. Rewarding? Yes, often. Frustrating? Yes, it can sometimes be frustrating, but on balance, the good clearly outweighs the not so good.

How, you might ask, does one come to be such a lawyer? The road initially was very bumpy and filled with doubt about this career of being a lawyer that I had chosen for myself. I graduated from the University of Tennessee College of Law in 1983. My recollection is that this was not a particularly good time to be a graduating law student, as legal jobs certainly were not as plentiful as qualified and licensed young graduates.

I considered myself fortunate to gain a position with a lawyer in Charlotte (my hometown) who practiced primarily immigration and naturalization law and who had a large base of German clients. I had studied German even while in law school and really wanted to utilize my ability to speak German in my practice. Sadly, this turned out to be a very untenable working environment, and I remained in this position less than a year. (The lawyer subsequently was prosecuted and disbarred because of irregularities regarding client funds. Was I ever glad that I had removed myself from that situation years before he met his criminal and ethical demise!)

Next, I joined a sole practitioner whom I had known for years and believed I knew well, but alas that too did not work out—the straw that broke the camel's back being that I refused to share my office space with the attorney's seven-year-old son and his playmates (albeit while I was out of the

office, but had I not reached a certain station in life?).

After a year or so of this employment, I was fairly well convinced that I had made a serious and expensive mistake by going to law school and that I would prefer to spend my time mucking out horse stalls—horses being a favorite hobby of mine (not necessarily the mucking out mind you, but at this point even that seemed preferable). However, tending horses would not enable me to pay off my law school educational loans that stretched out before me for the next nine years.

But then I saw it—the job that I must have! “Assistant city attorney I: assists senior attorneys in advising and training law enforcement personnel regarding criminal and constitutional law, represents the city of Charlotte in judicial and administrative tribunals, drafts policy and legislation, etc.” I knew immediately that this was the position for me. It offered the opportunity to be involved in training, which I knew I enjoyed, the opportunity to conduct research and writing in the areas of criminal procedure and constitutional law, and the opportunity for trial experience, both civil and criminal.

Fortunately for me, I was selected out of a field of 50 candidates. Interestingly, the number two choice of the city was a classmate of mine from the College of Law. This is significant, I believe, because we were the only two UT graduates in the pool of applicants among a field of lawyers who had graduated from Wake Forest, the University of North Carolina, Duke, and Campbell University, and the hiring attorneys were graduates of UNC. In a market that was and continues to be dominated by graduates of North Carolina law schools, two UT College of Law graduates had fared best in this competitive process!

I began as a police attorney (assistant city attorney I) with the

city of Charlotte in 1985. In 1989, I accepted a position with the Gastonia, North Carolina, police department and was solely responsible for all legal matters of that agency. After approximately two years, I returned to the city of Charlotte as senior police attorney (assistant city attorney II) to manage the police attorney’s office, and in December, 1996, I was promoted to deputy city attorney. I respond directly to the city attorney and the chief of police.

How else did I know that this was the job for me? In law school my favorite classes had been criminal procedure and constitutional law (Professor Joseph Cook), criminal law (Professor Neil Cohen), intellectual property (Dean Richard Wirtz), and commercial transactions (Professor John Sebert).

I truly enjoyed these classes, at least as much as one is permitted to enjoy anything in law school! Noteworthy, however, is the fact that I made my two lowest grades in law school in criminal procedure and intellectual property. (No, I will not disclose just how low they were!) Very disappointed and frightfully embarrassed would accurately describe how I felt about it at the time.

Now, however, I realize that a poor mark in a legal class did not mean that I would be a poor practitioner in a certain field. Today I am recognized by my colleagues across the country as a subject matter expert in criminal law and procedure, and I have been invited frequently to lecture on these topics at national legal conferences. Also, my limited exposure to copyright, patent, and trademark law has helped me with a number of issues in my current position, as has my study of commercial transactions.

In advising anyone who might be interested in a career as a municipal attorney, I would say the following:

- Assess whether you personally value public service. A gratifying career as a public service lawyer requires that you derive some satisfaction from the contributions that you make to your community. While local government lawyers make an adequate living, they do not reap great financial rewards.
- Become a member of the Tennessee Law Review. This was one of the best learning experiences for me and my TLR publications were law school accomplishments in which I could take pride.
- Take advantage of any courses that cover areas of municipal law that interest you. For example, employment law, constitutional law, real property law, local government law and finance, criminal law, and criminal procedure.
- Be aware that as in-house counsel to your city manager, city council or department, you will be expected to be readily available to your clients. This takes control of your schedule out of your control to a large degree, and if you work for an agency that operates 24 hours per day, such as a law enforcement agency, you will be required to respond quickly with reasoned, correct legal advice in the middle of the night. Do not enter public service under the misconception that it is less demanding of your time and energy.
- Be committed to being a problem solver and thinking creatively, making the best of limited governmental resources, and practicing with consideration and respect for your clients, colleagues, and members of the bench. Be proud of your legal accomplishments, but never let this translate into arrogance.

Despite the initial rough spots at the beginning of my legal career, I now would recommend highly the practice of law, both in the public and private sector. After all, I even have gotten to use my German

language abilities in this position when I recently served for a day as an interpreter for high-ranking German police officials who were visiting the Charlotte-Mecklenburg police department—imagine that!

Judicial Staff



**Claudia Swafford Haltom, '80
Referee,
Shelby County Juvenile Court
(Memphis, Tennessee)**

"The most rewarding part of the job has been my review of foster care cases. By handling this review process, I have been able to help enforce a state and national policy of permanent placement for all children in state care in order to keep them from remaining in limbo throughout their childhoods."

During Thanksgiving of my third year of law school, my parents began asking me what I planned to do upon graduation. Depending on the day or time, I had limitless plans to save the world, as well as limited plans for actual employment.

My parents are both lawyers, and they began giving me advice concerning my career objectives, or rather, lack of specifics. Primarily because I did not know what I wanted to do, I began looking for a job as a judicial law clerk, in hopes that at the end of the clerkship a

large sign and arrow would appear stating, "Go this way."

I clerked for the Hon. Charles Nearn of the Tennessee Court of Appeals. It was an invaluable experience with regard to understanding the big picture of trials and appellate work. However, as the year progressed, I received no handwriting on the wall directing me to a career path. The only clear directive came from my landlord saying, "Pay by the 15th."

Thus, what my parents' good advice failed to accomplish, the monthly bills achieved. And I realized that regardless of my goals and purpose in life, I had to just get a job. I did not have a 12-year plan. Heck, I didn't even have a 12-week plan, but I put myself in a position where preparation could meet opportunity.

I took a job as an assistant county attorney doing a variety of legal work for any department within Shelby County. Legal work for the county plumbing department involved insuring a clean water supply; work for the personnel department involved civil service hearings; and work for the health department involved everything from clean air to childhood vaccinations.

My clients included a school system and the juvenile court. It was my representation of the juvenile court which led to my present position as referee for the Shelby County Juvenile Court. Thus, another opportunity followed preparation.

As a juvenile court referee, I hear cases involving children on behalf of Judge Kenneth Turner. The dockets which I hear vary from delinquency cases to child support matters, to cases alleging a child to be dependent and/or neglected.

Some days I feel great satisfaction with the work of our court. Other days involve some frustration. The most rewarding part of the job has been my review of foster

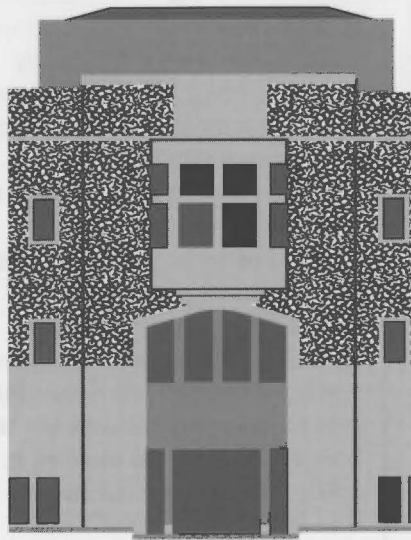
care cases. By law, the court must review every child in state custody at given intervals. By handling this review process, I have been able to help enforce a state and national policy of permanent placement for all children in state care in order to keep them from remaining in limbo throughout their childhoods.

While in law school, I did not plan on a career as a juvenile court referee. Rather, I took all of the general courses, and I benefitted from a well-rounded legal educational experience that gave me the confidence to be prepared for jobs which came my way.

While the legal profession is moving more and more into areas of specialization, I believe that the generalist has the advantage of being flexible. The encouragement of my advisor Dick Wirtz prepared me for opportunities which I could not have anticipated. During law school, I never felt compelled to choose a path which might have limited my options rather than expanded them.

Law school, like law practice, had days of excitement and interest. Then it had days of ordinary, run-of-the-mill work. Being a juvenile court referee is no different. It has routine days of modifying child support—\$20,000 higher, \$30,000 lower. But it also has days where a routine job can lead to a great opportunity to do something of value which could change not just one life, but numerous lives.

The interest of the faculty throughout law school and the experience of a judicial clerkship were the two factors that best prepared me for a career filled with interesting opportunities. I am still waiting for the large sign and arrow stating, "Go this way." But in the meantime, I have found that the most rewarding career decision was the one I never planned.



Foreign Government

Administrative Agency



Richard Kantor, '71
Chief Prosecutor,
Jerusalem District, Value Added
Tax Department (Jerusalem, Israel)

"You as a servant of the public must be part of that great enterprise of building and rebuilding your society constantly. Know that satisfaction as a lawyer comes not from big salaries, but from your giving of yourself for your profession and your community."

Upon graduation from law school at the University of Tennessee in 1971, I moved to Memphis to join the fledgling Legal Services program being established there. I had offers from several private law firms in Memphis, but I chose to begin my law practice in the public service area in order to serve the community and to familiarize myself with the courts, judges, and lawyers practicing in Memphis.

Working at Legal Services afforded me the opportunity as a young lawyer to appear often in various courts and gave me an excellent basis upon which to launch a private law office, which I

established in Memphis two years later. I maintained my private office working in a variety of civil areas—real estate, collections, bankruptcy and some divorce—until I was able to fulfill a lifelong dream of moving to Israel in 1983.

In Israel, in order to become licensed as a lawyer, I had to pass 11 examinations in a variety of subjects, and then I had to do a six-month internship. I did my internship at the Ministry of Justice in Jerusalem working with the deputy attorney general of the state, and on some matters even with the attorney general himself. The work was interesting and topical and important to the interests of the state.

After I received my license to practice law in Israel in June of 1984, I opened a private law office, which was not successful largely because of my initial difficulties with the Hebrew language. I later was hired by the Civil Administration in Judea and Samaria as a prosecutor in income tax matters. In 1991, I moved from the Income Tax Department to the Value Added Tax Department, and in 1992 I was made chief prosecutor for the Samarian district for the Value Added Tax Department. My district consisted of Schem (Nablus), Genin and Tulkarim. My office was in downtown Schem (Nablus). The work was very exciting, and I have many, many tales of interest to relate with respect to that period of work as a lawyer.

In 1994, following the Oslo agreement, I helped draft the tax and customs agreements between the Palestinian authority and the state of Israel, and I was, at the end of 1994, transferred to Jerusalem to the Value Added Tax and Customs Department as a prosecutor. This past May, I was appointed chief prosecutor for the Jerusalem District in value added and customs tax matters. The work is challenging, though less exciting than the work I

did as the chief prosecutor for the Samarian district.

I credit a great deal of my success in courtroom appearances, of which I have had many, to my initial success in winning the UT moot court competition in 1970 and later being a part of the moot court team representing the law school in regional competition. Professor Joe Cook saw, I believe, in our successes a chance to build successive and more successful moot court teams. Practicing law in a foreign language has been particularly challenging, and the benefits, security, confidence and knowledge I gained as a result of my moot court work sustained me in court in Israel in innumerable ways.

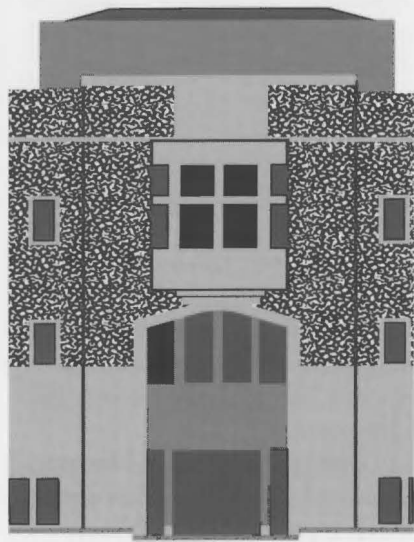
Serving the public has its special satisfaction. Different from my Legal Services days when I could get an immediate response from clients, I receive a satisfaction not just in a job well done, but with a knowledge that I am performing a vital service for the state. It is frustrating not having that immediate client feedback; there is a constant pressure of work; but through it all, it is possible to see and enjoy the service that is performed for the society as a whole.

I would advise students interested in a career of public service as follows:

- Make extensive use of all the opportunities for legal experience that the law school may provide, not just classroom work and preparation, which by the way is very vital, but also activities such as seminars, moot court, special speakers and lecturers, legal clinic, and even reading of just fun books connected to law.
- Know that satisfaction as a lawyer comes not from big salaries, but from your giving of yourself for your profession and your community. Being a lawyer is not a trade where at the end of the day you hang up your tools and go

home—a lawyer is a lawyer all of the time and at all places.

- Keep your focus on the larger picture. To accomplish for your client, the public, what you wish to accomplish, remember that the law is but a tool, albeit very important and powerful, to accomplish the larger goal of your clients' purposes. Very often a solution to the problem set before you is not legal, very often it is. It is for you to learn how this problem fits into the overall scheme of your task.
- Remember that the public has its goals and purposes. You as a servant of the public must be part of that great enterprise of building and rebuilding your society constantly. It is as challenging as it is rewarding.



Prosecutors and Defenders

Federal



Will Traynor, '88
Assistant U.S. Attorney,
Department of Justice (Atlanta,
Georgia)

"I feel that my job is to make sure that the federal government treats its citizens fairly and that their lawsuits against the government are resolved on their merits. Where my clients have acted properly, it is my job to represent them vigorously and to the best of my ability."

A fellow assistant U.S. attorney walked into my office last week and said, "I've got an employment discrimination trial next month. We've got a good case and about a half-dozen witnesses, and it should take less than a week. You can try the entire thing by yourself if you want. Are you interested?"

Looking up from a pile of Georgia materials I was reviewing in search of what to say in state court later in the week in defense of a U.S. Postal Service driver who was charged with reckless driving after hitting a bicyclist, I said "absolutely."

One again I thought to myself, "I have a great job."

When people say that being an assistant U.S. attorney (AUSA) is the best job a lawyer can have, they are telling the simple truth. My assignment for this column is to tell you how I got my job, what I like and dislike about it, and how I think you could become an AUSA. Those are the compulsory exercises; free-style exercises are added at random.

Typical for lawyers today, my "career" in the 10 years I have been out of law school has been a series of jobs, the most entertaining of which was prosecuting or defending students in the UT Office of Student Conduct. After my second and third years of law school, I was a summer clerk at a large firm in Minneapolis. After graduation in 1988, I had the privilege of clerking for two years for the Honorable Ted Milburn, Sixth Circuit Court of Appeals, whose chambers were in Chattanooga.

During my clerkship I became infatuated with white collar crime, which is prosecuted much more frequently on the East Coast than in Minneapolis.

Consequently, when my clerkship ended, I married and moved to Washington, D.C., where I worked for Fried, Frank, Harris, Shriver & Jacobson. I spent most of my two years at the firm defending defense contractors and their employees who were accused of fraud in federal and criminal or civil actions. While there, I could not help but notice that Washington law firms brag about the number of former AUSAs that work in their white collar crime sections.

I intended to stay at the firm for several more years, as I enjoyed the work and my colleagues. After all, I had a fancy federal judicial clerkship on my resume, and in the 1980s, former federal law clerks felt they were entitled to Department of Justice jobs upon the asking. By 1992, however, I finally recognized

the changed dynamics of the legal job market and began searching for a Department of Justice position.

President Bush then imposed a hiring freeze on U.S. Attorneys, so I was left to look in one of the divisions of "Main Justice." I was glad to accept an offer in the Atlanta Field Office of the Antitrust Division because the division field offices worked on smaller, criminal cases. (My knowledge of antitrust law then consisted of what I had learned while drafting two antitrust counts in a complaint at Fried, Frank that we never persuaded our client to file.) I took the job and within a year I was in court in Knoxville, where my partner and I successfully prosecuted a retail gasoline price-fixing conspiracy.

Back in Atlanta, however, work in the Antitrust Division under the Clinton administration began to feel too much like business litigation. Some lawyers get excited when an overnight express service delivers 60 boxes of documents from a subpoena recipient. Generally speaking, that type of work sends me looking for a new job. In February of 1997, after many years of pounding on U.S. attorneys' doors, lightning struck, and I accepted a job in the Civil Division of the U.S. attorney's office Atlanta.

What's so great about this job?

1.) The range and quality of work—I represent the government in employment discrimination cases, prisoner litigation and Federal Tort Claims Act cases. The latter includes everything from slip-and-falls in post offices to multi-million dollar medical malpractice cases. I have represented a U.S. bankruptcy judge who sued individually in state court, and I represent other AUSAs in *Bivens* actions. I have sued (or am preparing to sue) people and corporations for health care and food stamp fraud.

I greatly enjoy that as an AUSA, my cases are *mine*. The biggest case staffs in my office consist

of two lawyers. So despite what you hear about the “boundless resources of the Justice Department,” you will not find the type of hand-holding and case staffing on the government’s side that you will in private practice—the numbers do not allow it. To be a DOJ lawyer, and especially an AUSA, you have to enjoy flying solo.

2.) The nature of the daily crises—Our clients include more than 130 government agencies, and the types of problems they encounter are, well, intriguing. Phone calls that have shredded my “to do” lists have included calls from the Centers for Disease Control (to quash a state court subpoena to prevent a CDC doctor from being dragged as an expert witness into a private lawsuit), and the Postal Service (to go to state court and represent a shift supervisor accused of verbally assaulting a subordinate).

3.) The courtroom experience—If you want to try jury cases with any regularity, you have to be a prosecutor or public defender, state or federal. AUSAs on the civil side in my office seem to try one or two cases and argue one or two appeals before the Eleventh Circuit a year. Given that I had one jury trial in nearly five years with Antitrust, I’m not complaining. I hope to return to criminal prosecution in a few years, and most criminal AUSAs in my office seem to average a jury trial every two months.

4.) The atmosphere—In my office, we have found the same type of collegial energy, fellowship and craziness that I enjoyed in newsrooms working as a newspaper reporter before law school.

What are the annoyances of working for the DOJ? The first few that come to mind are:

1.) My employer must use rules that treat equally the two million employees of the federal government. This is quite different from the private law firms that seemed to structure things to facilitate my

production of billable hours. When you’re spending tax dollars, you can’t just write a check for \$50 to a photocopying service.

2.) For some reason, when you tell people that you work for the DOJ, many of them feel compelled to tell you their theories of government conspiracies.

The most useful course I took in law school was administrative (yawn) law. Most disputes with government agencies involve administrative proceedings before litigation, and admin law will familiarize you with the general process. In addition to helping me now, admin law helped me greatly as a law clerk. Of the other classes I took in law school, remedies was a waste of time, as were other classes that were “good for bar review.”

The other academic advice I offer hinges on one word: EVIDENCE. All of the law-related books I read on my own time have the word evidence in the title. All of the continuing legal education (CLE) courses that I attend have the word evidence in there somewhere. The AUSAs I admire the most are those who, in the middle of a lunchtime run, can snap off the number, content and policy considerations behind a certain federal rule of evidence, and then argue over the application of that rule to my problem.

For students interested in pursuing a career with the DOJ, I recommend working as an intern with the Department in a U.S. Attorney’s office during the summer, and then as a law clerk for a judge (federal if possible) after graduation. Try to establish a record of interest in litigation and criminal law by writing articles on litigation-related matters, such as evidence or criminal procedure, and working as a state prosecutor or defender to gain experience. Lawyers who are dying to work as an AUSA should consider moving to Miami, Washington, D.C., or to other large cities

that have the largest U.S. Attorneys’ and federal defenders’ offices. Clerking for a judge and then working as a state prosecutor or defender seems to be the most established path to an AUSA’s position in my office.

I cannot finish without urging students to minimize their debt because state and federal prosecutors and defenders do not pay as much as law firms, and big loan payments will restrict your career flexibility. The unhappiest lawyers I knew at Fried, Frank were those who were dying to work as “public interest” lawyers, but who were locked into paying \$800 a month for 10 years.

Speaking of “public interest,” I consider working as an AUSA to be a privilege and just as much in the public interest as my sister’s work for the HIV Law Project in New York. My clients include government agencies, the nation’s taxpayers, and the ideal of a democratic government. In a world where people are jailed daily for the content of their poems, we live in a country where penitentiary inmates sue their prosecutors, and citizens sue their government for millions of dollars in damages under theories that are limited only by the litigants’ imaginations. I enjoy being a part of that system. I feel that my job is to make sure that the federal government treats its citizens fairly and that their lawsuits against the government are resolved on their merits. Where my clients have acted properly, it is my job to represent them vigorously and to the best of my ability. I never imagined being a lawyer could be so much fun!



Perry Piper, '88
Assistant Federal
Community Defender,
Department of Justice
(Chattanooga, Tennessee)

"The challenges of doing only criminal defense work in federal court are awe-inspiring and fear-invoking. . . . In order to be an effective advocate, one must at least understand the psychological, sociological and philosophical world view of the client."

I have been an assistant federal community (public) defender in Chattanooga for the last five years. Prior to that I was in private practice with J.D. Lee in Knoxville, was a state public defender in Philadelphia, and I clerked for U.S. Magistrate John Y. Powers (also in Chattanooga).

I had many law school experiences which made a lasting impression. Two classes which I particularly enjoyed were evidence, taught by Dean Wirtz (he was a lowly professor then), and criminal Legal Clinic, taught by Jerry Black. I fondly recall Black's subtle pedagogical techniques: "Piper, you're an idiot savant, only without the savant part." Or "Piper, if man evolved from the apes, you're first generation." A few of my classmates were not as enthused about Professor Black's methods: Don Bosch

called him "follicly challenged" and Julie Taylor said he was a "poster boy for Rogaine."

Nonetheless, criminal clinic was a very good experience for me, and Jerry Black's guidance served me well in my first job as a state public defender in Philadelphia, and hopefully, continues to benefit me to this day. After working almost three years in Philadelphia and having the benefit of observing lawyers who had graduated from many other schools (including several Ivy Leaguers), I feel that my law school education "stacked up" well against those other schools.

The challenges of doing only criminal defense work in federal court are awe-inspiring and fear-invoking. The facts are bad, the law is worse, and the federal sentencing guidelines are Draconian (particularly in drug cases). Add to this mix an expectation by a client who has usually been through a much more lenient state court system ("but what about probation?") and the "challenges" can be overwhelming.

Nonetheless, I feel that it is a good time to be a public defender: no shortage of clients, my health insurance pays 50% of my therapy bills, and Tagamet is now sold over the counter! On the positive side, the job includes an excellent variety including legal writing, trial work and negotiation. It is *challenging* to represent a client who is facing the incredible force of a federal prosecution; it is *rewarding* if anything positive comes from that representation.

As a public defender, I represent the class of citizens most vulnerable to encroachments upon liberty and justice—the poor. Every person should receive the same treatment in our criminal courts. My commitment is to provide the highest level of advocacy so that the indigent are treated at least as well as those who are able to afford counsel. Of course, poor people bring many more problems to the table other than just trouble with

the criminal justice system. In order to be an effective advocate, one must at least understand the psychological, sociological and philosophical world view of the client. Dealing with the idiosyncrasies of the clients is also another very challenging part of this profession.

For all of those students (both of you) who may be interested in pursuing a career as a public defender, I have some concrete suggestions. First, sign up for Legal Clinic. Next, seek a summer job with either a state public defender's office or with a district attorney. Volunteer if you must.

Upon graduation from law school look everywhere, including rural counties and districts, for job openings. If you are not able to land a job in a public defender's office, get on the list for appointed cases in both federal and state court. Be bold, aggressive and creative in searching for a job—these are traits which will serve you well if you do become a public defender.

Even though I do not elevate work to a spiritual level, there are times when I sit back and reflect on a hard fought battle and feel good about my job (these times of self-reflection are few and far between, mind you). In a society which seems to believe that we can punish our way toward Utopia, I would strongly encourage those of you who are interested in this line of work to take the plunge. Two other bits of advice: keep your sense of humor and develop a thick skin!

State



Dawn Doran, '91
Assistant District Attorney,
30th Judicial District of Tennessee
(Memphis, Tennessee)

“ . . . it is my opinion that [being a prosecutor] is the most important job an attorney can undertake. It is unlike any other practice in that I never represent an individual client nor do I pursue money or other material items as my goal. I represent the entire state of Tennessee and my one and only objective is justice.”

When I was a law student in 1990, it was difficult to find information on legal careers in the public interest sector. I had received my undergraduate degree in public administration, and during that time I interned with the Chancery Courts in Memphis. During law school I clerked with the state attorney general's office in Nashville. I found both jobs to be extremely rewarding and was looking forward to working in the public sector after graduation.

When I returned to Knoxville for my final year, I began searching

for career information and job leads in the public arena without much success. I also discovered that other students had completed government or public interest clerkships, but were having difficulty learning how to pursue these professions.

The Career Services office made our inquiries known to the law school administration, whereupon Dean Marilyn Yarbrough sent several students to Washington, D.C., for the National Association for Public Interest Law (NAPIL) conference. We were a very diverse group containing very different interests and philosophies, but all were desiring to pursue their particular ideology in a public interest career.

The conference had a great impact on me and further emphasized the fact that there were jobs in the public sector to fit everybody. Job opportunities were available to suit the most conservative to the most liberal, those interested in full-time research to those that wanted to spend every day in court. The most exciting thing to me was that the primary purpose of these professions was to make a difference, not simply to make money.

We collected vast amounts of information and returned to the law school with lots of ideas. We then formed the Tennessee Association for Public Interest Law (TAPIL) with the support and encouragement of the dean, several faculty members and Career Services. I was now on my way!

After graduation, I was fortunate to find a job in the district attorney general's office in Memphis. Although it was exactly the job I wanted, there were no positions immediately available as a prosecutor, so I began as a criminal investigator. I quickly realized that this was the most fascinating job I could imagine. It was also often difficult, as I was usually the first person that victims would have

contact with in the criminal justice system.

I eventually became a misdemeanor prosecutor and was handling DUIs, domestic violence, shopliftings and a wide assortment of other types of crimes. In 1994, I began handling felony preliminary hearings.

In 1995, I became the youngest felony state assistant district attorney in Memphis and am still the youngest of 46 assistants assigned to handle felony cases. I have enjoyed trying cases ranging from gang violence and drug dealing to armed robberies and homicides, including capital murder. Sometimes it can be overwhelming. It is hard to listen to a badly beaten woman beg me not to prosecute her husband, or a rape victim who cannot face her attacker in court.

Then other days it is without a doubt the most rewarding job in the world. When a family has lost a loved one, a verdict of guilty can go a long way in their healing process; or, to know that a child will no longer be abused by his parents is to realize you have made a difference.

Being a prosecutor will not make you as rich as your classmates. However it is my opinion that it is the most important job an attorney can undertake. It is unlike any other practice in that I never represent an individual client nor do I pursue money or other material items as my goal. I represent the entire state of Tennessee and my one and only objective is justice. It is a unique position first noted in *Fout v. State of Tennessee* in 1816:

“He is to judge between the people and the government; he is to be the safeguard of the one and the advocate for the rights of the other; he ought not to suffer the innocent to be oppressed or vexatiously harassed, any more than those who deserve prosecution to escape; he is to pursue guilt; he is to protect innocence; he is to judge of circumstances, and, according to their true

complexion, to combine the public welfare and the safety of the citizens, preserving both, and not impairing either; he is to decline the use of individual passions, and individual malevolence, when he cannot use them for the advantage of the public; he is to lay hold of them where public justice, in sound discretion, requires it.”



Tom Crider, '75
District Public Defender,
28th Judicial District of Tennessee
(Trenton, Tennessee)

“Being a public defender has been a wonderful experience for me—and hopefully for at least a few of my clients. I have participated in achieving an acquittal in a capital trial, and I have had my “plow cleaned” on many occasions.”

I came to law school in the fall of 1972 not knowing what to expect. I had come from an undergraduate environment where students were nurtured and close relationships with the faculty were encouraged. What would I find as a law student?

From 1972 to 1975 when I graduated (much to the amazement of Dean Penegar), the George C. Taylor College of Law was in a state of transition. The old guard was being slowly but unmistakably replaced by a new generation of professors. Yet, the old guard was still in control and yielded ground most grudgingly.

I witnessed students being unmercifully sliced and diced by professors who believed self-esteem had to be demolished for the forging of the proper lawyer character. We lost a fine teacher in Tom Rody who left UT to become a pioneer at

a law school that would encourage good will between students and faculty and build self-confidence. A few others kept that flame alive at UT.

Why, we even had one young prof who came in and thought he could fraternize with us students. We would leave trade reg. class and go to the local establishment for pizza and a couple of pitchers of cold beverages. Finally we students had to tell this naive “lad” he was in mortal professional danger from this association with us. He would never get tenure or amount to anything if he kept up such irresponsible antics. Fortunately, Dick Wirtz listened to us, and now I feel immensely comfortable that the present and future of the UT College of Law is in his guiding hands.

The early 1970s were a time of excitement for law students and society as a whole. We left class to go to the Carousel to talk about and watch the Watergate hearings on TV. The testimony of Dean, Magruder and others along with the explosive revelation of a taping system—then a gap in the tape—were compelling. We lived in the eye of history as the winds of change whirled around the nation.

Only after I left law school did I fully appreciate the dynamism of many of the cases we studied. Some felt the nation’s judicial leadership was carrying us to doom—others felt we were inching toward the true promise of America. I rode home passing signs that cried: *Impeach Earl Warren.*

I returned to my hometown of Trenton, Tennessee (population 5,000, counting dogs and cats) in 1975 and joined a sole practitioner. We practiced general country law—anything that walks in the door (except bankruptcy) for 14 years. My partner had heard that a statewide public defender program might get off the ground one day, and he encouraged me to throw my name in the hat when it did.

With the help of many good people, I was selected to be the first public defender for Crockett, Gibson and Haywood counties, being appointed by Governor McWherter in 1989. I was fortunate enough not to have any opposition when I ran in 1990 and am hopeful this will be the case in 1998 when I run again.

I was not a very good law student, but I knew I could be good lawyer. I had felt constrained in my practice although I had many wonderful relationships with clients who had placed their trust in me.

Being a public defender has been a wonderful experience for me—and hopefully for at least a few of my clients. I have participated in achieving an acquittal in a capital trial, and I have had my “plow cleaned” on many occasions. I have shared the joy of victory when a client wrongly accused of a sex offense was found not guilty, and I have shared the sorrow with clients’ families when their sons committed suicide in the face of charges.

Several law professors played significant roles in my legal maturation. Neil Cohen particularly inspired me in the area of juvenile law, a field I continue to enjoy. Don Paine remains a true friend, and I remain in awe of his breadth of knowledge and fortitude. John Sobieski, Toxey Sewell, Jerry Becker, and even the Alabama man, Joe Cook, provided insight on both the imagination and perspiration a lawyer must put forth to be successful.

My former classmates now sit on appellate courts, in the halls of Congress, as mayors of leading cities, and counselors to governors, among other high positions. More importantly perhaps, they serve as little league coaches, county attorneys, literacy volunteers, church workers and mentors for at-risk children, among other even higher callings.

My “advice” to students is a borrowed poem given to an African

minister several years ago when he was internally debating becoming more outspoken about his country’s repressive policies.

People are unreasonable, illogical, and self-centered—love them anyway.

If you do good, people will accuse you of selfish, ulterior motives—do good anyway.

If you are successful, you will win false friends and true enemies—succeed anyway.

The good you do today will be forgotten tomorrow—do good anyway.

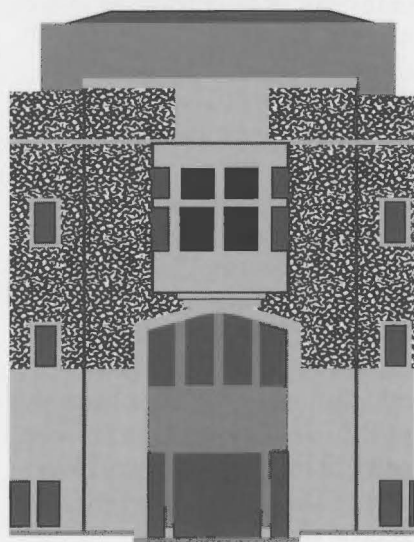
Honesty and frankness make you vulnerable—be honest and frank anyway.

The biggest people with the biggest ideas can be shot down by the smallest people with the smallest minds—think big anyway.

People favor underdogs but follow only top dogs—fight for some underdog anyway.

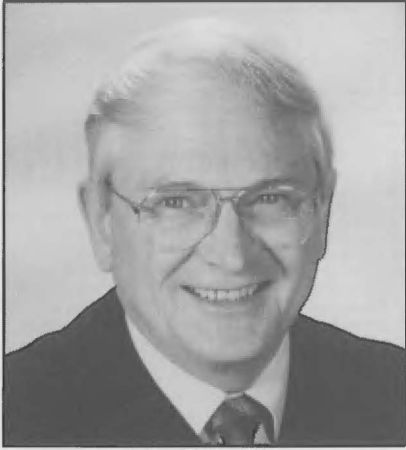
What you spend years building may be destroyed overnight—build anyway.

Give the world the best you’ve got and you’ll get kicked in the teeth—give the world the best you’ve got anyway.



Judges

Federal



Honorable Robert Leon Jordan, '60
Judge,
U.S. District Court, Eastern
District of Tennessee
(Knoxville, Tennessee)

"As a federal judge, I experience the same professional rewards as practicing attorneys, without the thrill of victory or the agony of defeat. I do look forward to my work everyday."

I recall my introduction to law school as clearly as the events of yesterday. We were the entering class of the spring quarter of 1958. We were assembled in the large classroom on the first floor where orientation began with Professor Martin Feerick instructing us to "look at the person to our left and then to our right, for when graduation comes, only one of you will be there." He was right.

The orientation lasted for about an hour, and we were assigned our classes. I recall that we were assigned to domestic relations, taught by Professor Feerick. Most of the other students in the class were second- and third-year students. Later on

during the quarter, we discovered why the advanced students were in this class. As Professor Feerick included constitutional law, conflicts of law and other difficult concepts in the course, students started dropping out.

The law school experience that I believe helped me the most in preparation for my professional career was the concept of being prepared for class recitation. We had to know the facts and the law of the case or be ordered out of the class. In the real world of the law, the same concept applies—except that if you don't know the law and facts, your clients are ordered out of court.

My most pleasant experience in law school was my active participation in the Student Bar Association. I successfully ran for office twice, and I enjoyed representing the student body along with the other officers. (This experience also paid dividends when I ran for chancellor of the First Chancery Division of Tennessee in the 1982 general election.)

After graduation, I practiced with the firm of Goodpasture, Carpenter, Dale and Woods in Nashville, then ventured into the fields of business and banking. Although I enjoyed the business experience, I longed to return to the practice of law. I became a member of the firm of Bryant, Price, Brandt and Jordan in Johnson City in 1971.

We were a general practice firm with a primary focus on civil law. Fortunately, I was able to utilize my experience in business in my practice. As our firm grew and prospered, I enjoyed the professionalism and looked forward to the challenges of each day.

In 1980, I was appointed Chancellor of the First Chancery Division of Tennessee by Governor Lamar Alexander. This was a real challenge, as there was a backlog of more than 2,200 cases on the docket. Once again I had to burn

the midnight oil as in law school in an effort to read the court files and the law to prepare for trials. By 1984 the dockets were current.

That same year, I began sitting by interchange with the circuit court judges, trying circuit court jury and law cases. This experience was challenging and rewarding as I was exposed to all areas of the civil law.

In 1988, I was nominated by President Reagan and entered office as United States district judge for the Eastern District of Tennessee. This proved to be the greatest challenge of my career. Again there was a backlog of cases, but most of the cases involved issues of federal law, not Tennessee civil law. Back to the midnight oil. Then there was federal criminal law, federal rules of criminal procedure, and U.S. sentencing guidelines to be learned and applied, just like in law school.

The federal judges in the Eastern District of Tennessee carry one of the heaviest case loads in the country. We are daily challenged by some of the finest lawyers in the country in all areas of the law. As a federal judge, I experience the same professional rewards as practicing attorneys, without the thrill of victory or the agony of defeat. I do look forward to my work everyday.



Honorable Robert P. Murrian, '74
Magistrate Judge,
U.S. District Court,
Eastern District of Tennessee
(Knoxville, Tennessee)

"My advice to students and young lawyers entering the profession is to remember that we are supposed to be in a helping profession. We are supposed to be society's problem solvers and not part of the problems of society."

A combination of unplanned events led me to a career as a federal magistrate judge. In my senior year of law school, I interviewed with two power companies. I had a goal of securing a job in their legal departments related to nuclear engineering, as I had an engineering undergraduate degree and post-graduate nuclear power training in the U.S. Navy.

One evening in the spring of 1974, I received a telephone call at home from a friend who had graduated from the University of Tennessee College of Law two years or so prior. He was a senior law clerk to the Honorable Robert L. Taylor, a U.S. District Court judge in Knoxville. A family situation in Virginia required him to leave the clerking job early, and Judge Taylor needed a replacement law clerk. That phone call changed the course of my professional life.

I went to work for Judge Taylor a few weeks after graduation in May of 1974. He was the only district judge in Knoxville while I worked for him.

My two years as his law clerk gave me a real appreciation for the work done in federal court. I liked federal practice and procedure and came to realize how diverse and challenging the work of a federal judge can be. Judge Taylor was an exceptional trial judge. This is evidenced by the fact that he was selected by the Chief Justice of the U.S. Supreme Court to preside over the trial of the governor of Illinois and federal judge Otto Kerner, and later the trial of Governor Marvin Mandel of Maryland. Judge Taylor's selfless devotion to the cause of justice, his integrity and work ethic shaped my understanding of what it meant to be a good federal judge. I was fascinated with the dynamics of the courtroom.

I went into private practice with Butler, Vines, Babb & Threadgill in 1976 and had the opportunity to work on a variety of civil cases in a law firm that had its values and priorities right. In 1978, my predecessor and the first full-time magistrate judge in the Eastern District, Tom Dillard, decided to return to prosecuting federal criminal cases. This opened the door for me to return to federal court, and I was appointed as a federal magistrate judge in 1978.

The job has changed over the past 19 years as magistrate judges have been given more responsibility by Congress and Article III judges. It has been my privilege to try a number of interesting civil trials, jury and non-jury, to work extensively in felony criminal cases at the pretrial stages and to try a number of misdemeanor cases. A variety of other tasks also go with the job.

One of the best things about being a federal magistrate judge is that the work is interesting every day. There is always some new

situation or new issue to confront. Another plus is that I can keep fairly regular hours, and I am home with my family almost every night. Additionally, I really enjoy working in the federal judiciary because we have such excellent support and continuing legal education. I do not know what I would do without my career law clerk, Kim Rozanski (also a University of Tennessee College of Law graduate) and my secretary, Pat Rankin. Ms. Rankin has been with me since 1978. The three of us turn out a lot of work. Additionally, the Clerk's Office, the Federal Judicial Center and the Administrative Office of the United States Courts all give the federal judges excellent support.

It was my privilege to teach at the College of Law as an adjunct professor from 1990 to 1993 and in 1995 and 1996. Working with students is invigorating and challenging. I took a year off from teaching in 1994 to help start the Federal Mediation Program in the Eastern District of Tennessee. Unfortunately my responsibilities at the court, at home and elsewhere have caused me to "retire" as an adjunct, but I would like to be involved in teaching in some capacity some day.

The frustrations of my job are relatively few, but sometimes I do not have the time to give an issue all the time I would like to give it. Also, it is frustrating to see people in criminal trouble who come before me. When I read the pretrial services reports or presentence reports, I am struck by the broken lives that have resulted from people making poor choices. Most distressing are the children who are caught up in these problems and who have little chance of breaking free from a seemingly endless cycle of poor choices.

Finally, my advice for students interested in a similar career is to do well academically in law school, do your best in the practice of law (or wherever your career leads you),

and be at the right place at the right time. The available positions for Article III judges, bankruptcy judges and magistrate judges are greatly limited. Therefore, there is an element of good fortune involved in being appointed to one of these jobs. All you can do is take one day at a time, do your best every day, and the rest should fall into place.

My advice to students and young lawyers entering the profession is to remember that we are supposed to be in a helping profession. We are supposed to be society's problem solvers and not part of the problems of society.

Also, there is more to life than work. Set your priorities, hang on to your values and try to practice moderation in all things. I believe that happy human beings are those who maintain a proper balance between their work lives and their family lives. We all have a spiritual being, a mental being, and a physical being. All three need to be developed and nurtured each day.

State



Honorable Riley Anderson, '57
Chief Justice,
Tennessee Supreme Court
(Knoxville, Tennessee)

"And I believe that attorneys have a particular obligation to use their training to participate in government, whether in the court system or on the school board, the zoning board or city council. . . . You have a duty to use what you have been given and to make where you live a better place."

Since graduation from law school, I have been blessed with a rewarding career, first as a lawyer and then as a judge. I am very fortunate to have the opportunity today to serve the people as a justice on the Tennessee Supreme Court. Although luck has often played a part in my life, some say that my good fortune is the result of hard work. Thomas Jefferson said it best: "I am a great believer in luck, and I find the harder I work, the more I have of it."

My mother taught me the value of work at an early age. My father

died when I was less than a year old, and ours was a single-parent household with a working mother before it was commonplace. I had a paper route at age 10 and worked as a relief switchboard operator at an insane asylum at age 12. Although our life was much more of a struggle than I was allowed to know at the time, my mother never let me believe that it was anything but normal for me to go to college and then to law school.

My brother was an engineering student at the University of Tennessee, and lacking any other interest, I decided to study engineering as well. I was hitchhiking to UT (hitchhiking was the thing to do at the time) when, as luck would have it, I got a ride with an attorney, who was with a real estate title firm. Talking with him that day, and later visiting with him in his office, inspired me to pursue a career in law. During my undergraduate years in pre-law, I was fortunate to serve as a messenger and clerk for Judge Xenophen Hicks with the Sixth Circuit Court of Appeals.

During law school at UT, two of my professors particularly influenced me as a student, as a future lawyer and judge, and as a person. Professor Forrest Lacy taught courses using the Socratic method, which helped me develop the ability to think logically. Professor Harold Warner, who taught real property, later became dean of the law school. He took a personal interest in his students, including me. As it turned out, Dean Warner would play a major role in setting my career path after law school, and for the next 29 years.

When I finished law school in 1957, I considered leaving Knoxville to take a job out of state. Luckily, Dean Warner called me in and told me about these two young lawyers in Oak Ridge with a reputation for ability, honesty and hard work—Gene Joyce and Frank Wilson—who were looking for an associate.

He thought it would be a good opportunity for me, and he was right.

I had a very enjoyable and rewarding practice with Gene, and thereafter with Clark Meredith and David Flitcroft. I became a trial lawyer with a general practice, which included personal injury, family law, medical malpractice, workers' compensation, real property, and products liability cases.

Gene and the firm had the reputation for out-working everybody. He said, "If you're working on a trial the night before and you quit, first go by your opponent's office and if the lights are still on, go back to work." (What I didn't know at the time was that there was a custom in some lawyers' offices of leaving the lights on all night as a subtle form of advertising!)

When Frank Wilson was appointed a federal district judge in 1961, the firm was reorganized, and I became a partner. I remained with that firm for nearly 30 years.

I don't think I appreciated at the time I came to Oak Ridge what a unique environment I was entering. The city had not yet been formed, all of the land was owned by the government, and there was little business activity. I was lucky enough to see a model city rise from the ground up, and to see it and its people grow and prosper. It was my privilege to be elected to one of the early city charter commissions, which re-affirmed the model city manager system of government Oak Ridge chose when it began.

Governor Ned McWherter appointed me to the Tennessee Court of Appeals in 1987, and I was later elected to that office in 1988. I was elected to the Tennessee Supreme Court in 1990. To be a Supreme Court justice, you need the same qualities that you need to be successful at any job: hard work, dedication, perseverance, devotion. It has also been my great personal fortune to have the love and support

of my wife, Pandy, and our children and grandchildren.

As a judge, I am expected to research the law and resolve disputes. But the job also carries a responsibility to the people of Tennessee to confront and solve the problems found in our judicial system. You don't have to look too long or too hard to see that these problems are large and complex. The courts are burgeoning with cases, particularly criminal cases. The system sometimes appears inaccessible to everyday citizens, but we are working to be more accessible and more efficient. There is a perception that justice is either delivered too slowly or not at all, but perception is not reality, and the system is better than perceived. There are great challenges, but they are not insurmountable. We will roll up our sleeves and meet them head on.

It has been my experience that the philosophers were right—St. Francis, Buddha, and Mohammed all spoke the truth when they said the way to serve yourself is to serve others. The legal profession has a continuing responsibility to give a voice to individuals and groups whose voices are not heard, who are unrepresented and under-represented. Being a lawyer in a free society means making the time and having the courage to take on cases of the poor, the underprivileged, or the criminal. And I believe that attorneys have a particular obligation to use their training to participate in government, whether in the court system or on the school board, the zoning board or city council.

But what you do is not as important as that you do; that you give something back to the community. You have a duty to use what you have been given and to make where you live a better place. And that will bring good fortune not only for yourself and your family, but for all who live there.



Honorable W. Frank Crawford, '50
Judge,
Tennessee Court of Appeals
(Memphis, Tennessee)

"Having had the ambition for a long time to be a judge, I found the transition from advocacy on the one hand to impartial arbiter on the other to be relatively easy. Work on the Court of Appeals is challenging and quite demanding, but the satisfaction of performing such a service is immensely rewarding."

It was in the early spring of 1948 that I received the communication that would ultimately shape my destiny. The secretary of the College of Law at the University of Tennessee, Elvin Overton, notified me that I had been accepted as a student at the College beginning the fall quarter of 1948. As the fall of 1948 rapidly descended upon me, my trepidation increased, and after enrolling and attending my first class, I realized that my trepidation was not unfounded. For the first few weeks of law school, I felt hopelessly lost, utterly confused, and not sure I should be there.

In 1948, the College of Law was located in Tennessee Hall on Cumberland next to the Church Street Methodist Church. Because of the increased enrollment after the war, the building was literally

bursting at the seams. Moreover, the building was quite aged and in need of renovation. An arrangement had been made with the church to utilize the Sunday School rooms during the week for the law school classes. For the most part, all classes for first-year students were held in the church building.

My first quarter in law school was a rather traumatic experience, being bombarded with domestic relations, personal property, torts, real property, criminal law, and legal bibliography. I may have this mixed up because my memory is a bit hazy along that line; I do remember, however, that I passed all of the courses. As I became acclimated to this strange, new environment, the going gradually became a little easier.

I was attending law school on the GI bill, but knew that because I had used part of my GI bill on my prelaw studies that I would be somewhat short of benefits in the latter years of law school. Professor Walter Garland was law librarian during my first year of law school, and, in my second quarter, he hired me as a student assistant to replace a graduating senior.

Although the university was not overly magnanimous in its payment to student employees, the position of assistant librarian was really a plum job because it afforded the opportunity for a great deal of study time while working. The library environment also created an incentive for work. I am forever indebted to Walter Garland for giving me that opportunity, not only for the needed income, but for the research experience that served me well in my law practice and continues to do so on the bench.

I consider myself most fortunate to have had excellent professors including Dean William Wicker, Colonel Harold Warner, John Baugh, Dix Noel, Elvin Overton, Charles Miller, and Walter Garland. There were several adjunct

professors, such as Karl Steinmetz for wills. Mr. Steinmetz was a practitioner in Knoxville, and I am sure the students of my era will recall his favorite story concerning the carpenter's will.

In the fall of 1949, I married Lucy, and she obtained a job at the telephone company in Knoxville. We lived in the Veterans Village near the Agriculture School, and with her job at the telephone company and my job in the law library, we were able to subsist, although in a very frugal manner. Times were hard, and I could hardly wait to get out of law school. Now, as I look back on it, the time I spent in law school was probably one of the happiest times of my life.

In every course, the faculty emphasized professionalism and the ethical requirements of the profession. They attempted to instill in the students the service-nature of the profession, and I can remember so well the admonition "if you want to get rich, you're going into the wrong profession."

They stressed that the motivation for those entering the profession should be service and a desire to be proficient in performing this service. If that motivation is successful, monetary benefits will follow. Throughout my practice, I attempted to maintain that motivation; and while I have not attained riches, I have been immensely satisfied with my chosen profession.

In the fall of 1949, Professor Garland left the law school to go into private practice and later served as a very fine circuit judge. His replacement as professor and law librarian was Martin Feerick, who came to the university from New York. Mr. Feerick kept me on as a student assistant. Since I was a senior, I did not have him as a professor, but we worked closely together in the library and became fast friends. Lucy and I spent many a pleasant Saturday afternoon at the Feerick home listening to the radio

broadcast of the Tennessee Vols in away games. Mrs. Feerick always saw to it that we had a little refreshment while we enjoyed our game and a delightful dinner afterwards.

After graduating in December of 1950, I returned with my Lucy to Memphis, my hometown. I had been hired by Church and Church, a firm that specialized primarily in real estate, probate and general business-type practice. My salary was the magnificent sum of \$100 per month. Lucy was able to transfer with the telephone company to Memphis and with her salary we were still able to manage. We had no automobile, but public transportation was quite adequate for our needs.

After about a year, however, fatherhood was on the horizon. Since Lucy would have to quit work, more income on my part was needed, and fortunately I was hired by TVA to work as a title lawyer. I worked for TVA for approximately 18 months, and although a happy experience, I wanted to return to the practice of law.

Colonel Warner, who was then the assistant dean at the College of Law, knew of my desire and called me one day about what seemed to be a good opportunity in the town of Henderson, Tennessee. I looked over the situation along with my friend and law school classmate Ed Brown, and we both decided to go to Henderson and start practicing law. While we had a most difficult time financially getting started, we did have a lot of fun, and I have a lot of pleasant memories of that period in our lives.

Prior to leaving Memphis to go with TVA, I had applied with the law firm of Lowell W. Taylor. Mr. Taylor was a prominent lawyer in Memphis and was considered one of the finest trial lawyers to practice in the city and surrounding territory. Unfortunately at the time I applied, there was nothing available, but while I was in Henderson I received

a call from Mr. Taylor's office inquiring if I was still interested in a position with the firm. To make a long story short, after an interview I was hired and shortly thereafter moved to Memphis to resume practice with a far different format.

The experience of working with Mr. Taylor was invaluable and laid the real foundation of my ability to continue in the practice of law. I had a most happy time in Mr. Taylor's firm, but after several years, felt that I needed to expand my opportunities. I took a position with another law firm to do exclusively trial work. I was later in a partnership for several years with some fine lawyers and then was a sole practitioner for several years.

In 1967, with John Thomason, a UT grad, and Roy Hendrix, a Vandy grad, the law firm of Thomason, Crawford and Hendrix was formed. I practiced in that firm until appointed by Governor Lamar Alexander to the bench in 1982.

I found the practice of law to be challenging and indeed stressful. By the same token, it was a happy vocation that I had chosen. Fortunately, I had excellent mentors in my early years of practice, and my association with other members of the bar was always pleasant. My last few years of practice were devoted primarily to various types of tort, business and anti-trust litigation.

My appointment to the Court of Appeals in 1982 resulted in quite a change in my professional life. Having had the ambition for a long time to be a judge, I found the transition from advocacy on the one hand to impartial arbiter on the other to be relatively easy. Work on the Court of Appeals is challenging and quite demanding, but the satisfaction of performing such a service is immensely rewarding.

I was indeed fortunate to have had a sound legal education at the University of Tennessee which was built upon by the tutelage of my mentors. My many years of trial

experience are invaluable in recognizing and attempting to solve the problems and issues that come before the Court. There is simply no substitute for experience preceded by a good legal education.

To the law student, I reiterate the advice I was given as a student. Have an intense desire to join a profession dedicated to service and become proficient in our chosen profession. Proficiency must include the highest standards of ethical conduct. If your motivation for entering the profession is to get rich, you have the wrong motivation, although financial rewards will eventually follow your accomplishment of service and proficiency.

To the practicing lawyer, my advice is first and foremost if you are unhappy about going to your office every morning, you are in the wrong place. The practice of law is stressful and in most instances deals with misery, but it should and can be conducted in a pleasant atmosphere with congenial and helpful colleagues. If you are not in that situation, you are in the wrong place.

My hope for all who join us is that your journey in the profession will be as gratifying as mine has been.

Municipal



**Honorable Brenda Waggoner, '78
Judge,
Knox County General Sessions
Court, Division IV
(Knoxville, Tennessee)**

"I believe, and still do, that a lawyer with his/her legal skills and abilities has the power to right any injustice done to others, to see that the law is applied fairly and equally to all, and to make our society a better place in which to live."

I have been judge of the Knox County General Sessions Court, Division IV, for more than 10 years. Prior to my appointment, election, and re-election to this position, I was the referee of the Knox County Juvenile Court for eight years. I also served as director of court services for two years.

In June of 1976, I resigned as a tenured teacher and coach for Knox County schools on a Friday and began law school the next Monday. I was not sure what to expect from the law school experience, and, honestly, it did not matter—I would not have been prepared for the

experience anyway. For me, law school was a totally different way of life, learning and perspective.

I had entered law school for the opportunity to become a lawyer to make a *real* difference in the *everyday* lives of *everyday* people. I believe, and still do, that a lawyer with his/her legal skills and abilities has the power to right any injustice done to others, to see that the law is applied fairly and equally to all, and to make our society a better place in which to live.

Needless to say, I floundered during my first year. My mentors became the women faculty of the law school, who were Dean Mary Jo Hoover, Professor Martha Black, Susan Kovac, and Nicki Russler. My support system also included my class section, Law Women, and my intramural athletic teams.

It became eminently clear to me during that first year that I not only succeeded in the total law school experience, but that I also did extremely well in legal courses which were people-oriented. Discovery that I excelled in such an area of law kept me in law school.

Three law school experiences allowed me to find my niche in the legal profession: working for the Public Law Institute; teaching a class in educational law; and my clinical experience as a student and as a student assistant. In my second year, I was able to secure a part-time job working as an assistant for the Public Law Institute. I worked directly for Richard Reeves who was the Institute's director.

I also had the opportunity to work with Professors Grayfred Gray and Neil Cohen. I had the pleasurable task of helping prepare (research, write, and edit) a benchbook on juvenile law for judges in Tennessee who had juvenile jurisdiction. Once the benchbook was finished, I was sent around the state to teach juvenile law to judges having that jurisdiction.

Not too long after this, Richard Reeves asked me to assist him in the preparation and teaching of a graduate course in educational law dealing with Title IX (which had recently been passed by Congress) and its implementation in the public schools. I actually taught the course and received law school credit. I thoroughly enjoyed using my legal and educational skills on a topic of interest to me.

Of course, in my third year of law school, my clinical experience as a student and student assistant took over my life. Jerry Black was and is an excellent lawyer. He is also an excellent teacher in the classroom and an excellent clinical instructor. He became my mentor and friend. Professor Black left a lasting impression upon me. We shared similar viewpoints about the law, its practice, and its purpose. Through Professor Black, I finally realized that it really would be possible to use my legal education to help make a *real* difference in the everyday lives of everyday people with real, everyday problems while putting a little heart in the law along the way. That is why I came to law school. That is why I stayed in law school. That is why I have never looked back.

As a judge, my greatest satisfaction is being able to make a positive difference in the lives of the people who appear before me. My greatest frustration as a judge is not being able to make a positive difference in the lives of all the people who appear before me.

My advice to any law school student who wishes to pursue a legal career in the public sector is quite simple: know who you are, know what is really important in life, and know what you want to accomplish. Then, never lose sight of who you are, what is really important, and what you want to accomplish.

Administrative Law Judges



Honorable William N. Cates, '71
Associate Chief Judge,
National Labor Relations Board
(Atlanta, Georgia)

"Nothing proved as helpful in preparing me for trying or deciding cases as knowing the rules of evidence coupled with the practical experience I received by 'hands on' trial work in the Legal Clinic."

After graduating from East Tennessee State University at Johnson City in June of 1964, I entered the military (captain paratrooper and nuclear weapons officer, U.S. Army) for four and one-half years. After completing a tour (June 1966 to June 1967) as a combat commander in Vietnam and wishing to continue my education, I submitted my resignation to the Army at that time. The Army accepted my resignation but with an effective date some 18 months thereafter (November 1968); however, the Army allowed me to enter the College of Law while still in the military commencing the fall quarter of 1968.

The year 1968 was exciting in that a number of students, including some enrolled in the College of Law, were very anti-Vietnam and anti-government. As I was still in the military while attending my first quarter at the College of Law, the Army required that I wear my uniform to class. I was the only student that quarter in uniform while others at the university adopted the dress (and or grooming) styles of the late 1960s. During the first few weeks that fall quarter, I wondered if I would "fit in."

Dean Warner, apparently sensitive to my concerns, called me aside and pointed out the military background of and influence such had on certain members of the faculty. Dean Warner, I learned, as well as certain other faculty members, were colonels in the military. At that same time I learned certain other faculty members were very much against the Vietnam conflict.

Thus, my first impression of the College of Law was that it was a place where persons of diverse political views (conservative, liberal, pro or anti-military or government) could teach, study, and learn together with mutual respect for each other. Dean Warner's foresight in selecting such a diverse faculty contributed greatly to my being able to better appreciate the varying points of view that are advanced in court everyday.

Upon graduating from the College of Law in March 1971, I immediately became a litigation attorney for the National Labor Relations Board in Atlanta, Georgia. I served as a litigation attorney for the Board until 1976 at which time I was appointed resident officer-in-charge of the Board's Tulsa, Oklahoma, office serving the State of Oklahoma.

I served in that position supervising a litigation staff until I was appointed in 1979 as Southern Regional attorney for the then-newly-created Federal Labor Relations Authority (FLA) in Atlanta.

In 1980, I was appointed an administrative law judge with the Board and in January 1988, I was appointed associate chief judge for the Board in Atlanta, Georgia.

In serving as a litigation attorney and judge, I found the evidence classes (Professor Paine) and clinic assignments (Professor Miller) to be the most helpful. Professor Paine made sure we students not only knew the rules of evidence but he taught, by role playing, how to apply them. That type of instruction benefitted and assisted me the most.

Also, and simply stated, Professor Miller's clinic taught me how to practice law. In fulfilling my legal clinic obligations, I, on more than one occasion, experienced the firm guidance (and/or fear) of United States District Court Judge Robert L. Taylor. In handling domestic relations cases for Professor Miller's clinic, I learned from Judge Childs that one cannot come to court less than fully prepared.

I was taught early the importance of knowing, for example, the provisions of the Soldiers and Sailors Relief Act. Judge Childs pointed out certain provisions of the Act regarding service to me in front of, and to my embarrassment, the clinic client I was representing. Nothing proved as helpful in preparing me for trying or deciding cases than knowing the rules of evidence coupled with the practical experience I received by "hands on" trial work in the legal clinic. The "lessons" (and there are many) I learned, albeit mostly from embarrassing moments in trial, have stayed with and served me well.

My advice to one seeking to become a litigation attorney or trial judge is threefold. First, take all the evidence courses available and assume as many clinic assignments as the College of Law will allow you.

Second, select one or two faculty members that seem to have it altogether and try to ascertain what causes them to excel. In that regard,

Professor Overton was the most motivational and inspirational professor I ever knew. He made such difficult classes as constitutional law and conflicts of law interesting, even though for me those mandatory classes were the most difficult. I am convinced what made Professor Overton great was simply that he loved and enjoyed teaching law.

Third, and finally, have a little fun as you go through school. In the words of a current television commercial "enjoy the ride." In that respect, Professor Raison demonstrated he enjoyed labor law and his method and style conveyed such to his students.

I am eligible, and am looking forward to, retiring from the bench in the near future and returning to the greatest job one could ever have—being a litigation attorney.



Honorable Stephen H. Elmore, '85
Hearings Officer/
Administrative Law Judge,
Oregon Employment Department
& Oregon Water Resources
Department (Salem, Oregon)

*"I get to be one little corner of
the government where people can
expect fair treatment, a level
playing field, and a fast,
comprehensible decision."*

Ducking low, I scrambled behind the receptionist's work station and peered over the low, gray, Herman Miller panel toward the break room. My fears were confirmed. There stood Lewis, arm crooked casually over the top of the Bunn Pour-O-Matic, regaling—she was sure—an otherwise catatonic file clerk with the ninth edition of how her little prince would pull the Beavers out of their 30-year gridiron paralysis and carry them to the Rose Bowl. Damn, I knew it! She had my cup! My commemorative 9th Annual District Attorneys Child Support Conference mug with the gold-flecked finish and a chip off the rim near the handle. Again! Collecting the fast-fading energy from a body depleted by a 12-minute hearing that should've been over in 10, I leapt from my secure spot—earning barely a glance from a receptionist who could ignore an entire airborne division battling for attention at the front desk—and

crashed through the stack of discarded Wang terminals and into the break room.

"Where'd you get that cup, Lewis?!"

"Why Judge Elmore, good morning," smarmed Lewis, fixing me with a look usually reserved for garden slugs. "Is this your cup?"

"What do you think, Lewis?" You dip. "And we're not 'judges,' we're 'hearings officers.'" Or referees. I was losing my edge.

"Oh, I'm sorry. I'll try to be more careful next time, Honorable Elmore."

"You'd better," I snapped off behind her as she glided back to her sky-blue cubicle, visions of her role as Ma Joad at the Heisman ceremony dancing in her head. Next time she'd know better than to tangle with this government bureaucrat!

Okay, toiling in state government doesn't have to turn you into Walter Mitty, but it can help. In reality, I don't have any turf battles over coffee mugs because I telecommute, conducting telephone hearings from my home and communicating with my colleagues by fax, modem, and phone. After my spouse goes to work, I have the coffee pot and the mugs completely to myself. When bureaucrats go to heaven . . .

I'm a hearings officer according to one statute and have the official title of "employment hearings referee" according to another. Yet a third gives me the working title of "administrative law judge," which I'm free to use to fill up otherwise empty business cards, intimidate otherwise too-casual witnesses, and secure otherwise unattainable tee times (only the first actually works).

One colleague abandoned the title almost immediately after discovering the oppressive effect it had on trying to get dates. During our telephone hearings, we get to be everything from "your honor" to

"you guys" to "you dirty rotten son-of-a-" <CLICK!>.

I conduct child support hearings for the Oregon Employment Department, virtually all by telephone, and by interagency agreement conduct hearings for the Water Resources Department. There's not much factual connection between the questions of whether John Doe's support obligation should be modified and whether further appropriation from coastal streams should be closed to protect fast-fading salmon, but the administrative procedures are virtually identical. I have to ensure that each case, no matter how mundane (and you wouldn't believe how mundane!), stands on a firm procedural foundation. Many don't. And in Oregon, hearings officers must address constitutional issues that most states don't even allow hearings officers to address.

Remember the problems that Little Toot encountered in learning to Stop for Red Flag Waving? I'm one of the guys with the red flag, and I love it. I get to be one little corner of the government where people can expect fair treatment, a level playing field, and a fast, comprehensible decision. No Big Brother pushing the little guy around, no Sammy Slick pulling a fast one on the citizenry, no Jarndyce case generating a life of its own as it drifts glacially through the system.

And I live in Oregon—home; 50 miles from the world's largest ocean and its intricate tidal communities; 50 miles from the Cascade Mountains and their spectacular geologic history; 50 miles from Portland, the country's most beautiful city; 10,000 years of immensely diverse cultural history; Lewis and Clark's turn-around; the Eden at the end of the Trail; high desert; coastal rainforest; the Columbia River Gorge; urban growth boundaries protecting every city, town and village, and every farm, forest

and mountain; potlatches and rodeos; semi-conductors and micro-breweries; passenger trains and bicycle lanes; bluegrass and Bach; and a governor who wore blue jeans to his own inauguration.

And it took eight and a half years to get here from law school. I was sure that all the good jobs were gone by the end of my third year. They weren't, even for someone who'd graduated in the top ten percent of the bottom half of the class. I turned down a job offer from an appellate judge, accepting instead an offer from a very small, very good firm in Maryville, Tennessee. And immediately flunked the bar. Great.

Then I bailed out of the law altogether (maybe attending law school every summer hadn't been such a good idea), going to work as a project manager for a non-profit design group. Eight months of that convinced me that the legal profession was pretty darned attractive after all.

So, after a very brief (but far too long) job clerking at a firm that appeared more on TV than in court, I got hired by the same appellate judge I'd turned down a year-and-a-half before—who then announced his retirement a month later. (Not my fault, I swear.)

Then Riley Anderson came along. He'd been in private practice in Oak Ridge since he'd graduated law school some 30 years before. He was appointed to replace my retired judge, and rescued me from the stranded-clerk bin. And during the next 18 months, gave me the legal education that I'd managed to fight off during three years of law school.

I passed the bar on my second try and got picked up by a very small, very good domestic relations firm in Knoxville, which, in a fit of good sense a year later, fired me, convinced that I'd never be a trial lawyer by hanging out in the break room, arm crooked casually over the top edge of the Bunn Pour-O-Matic.

And bless its heart for that. I scrambled around during my hunt-month and found nothing, so I hung out a shingle and started trying to learn how to be a lawyer. And did okay, mostly because I got good referrals from former clients, indigent-defense appointments from the Knox County bench, and a cornucopia of referrals from other family law attorneys in the Knoxville Bar, including my former employer.

I worked for myself for eight months and then was appointed the child support referee for the circuit and chancery courts in Knoxville. I still don't know how I got picked, but I surely didn't fight it. I stayed with it for three years and had a fine time, but just couldn't ignore Oregon any longer. I applied for this job by fax, was interviewed and hired by telephone, took a ten percent pay cut, loaded the covered wagon, and hit the Oregon Trail.

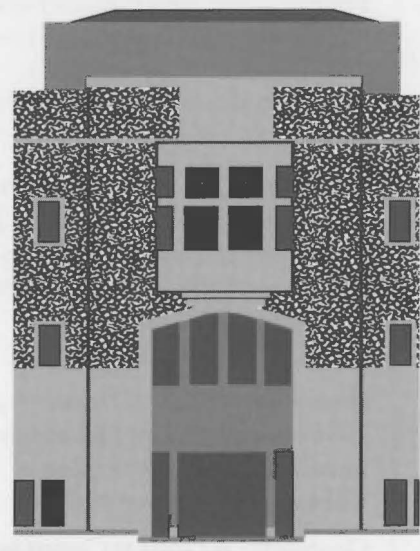
Obviously law school played a role in my working in the law; the J.D. is a pretty necessary piece of paper to do much. I also found law school to be an often boring and irrelevant backwater. The same infinite details that fascinate me in my current work irritated me in my law school work. I'm more an apprentice learner than a book learner, and outside the Clinic and writing classes, law school never pulled the outside world in to me. I needed that. Still, I had some superb teachers.

Durward Jones could've taught auto mechanics, ditch digging, or particle acceleration and made it utterly fascinating. He is the best natural teacher I've ever seen. My writing classes with him, with Jerry Phillips, and with Pat Hardin gave me an opportunity to do something with legal issues other than merely identifying them, and I learned more writing by being Judy Cornett's teaching assistant than I'd learned in the previous 17 years of formal education.

During the eight years it took me to discover that my career path was labeled "Oregon," Joann Gillespie Rothery in Career Services always was ready to listen, guide, suggest, and just plain help. Finally, during the three-years-that-seem-like-nine, I always could count on the bountiful support, sympathy, and encouragement of Fran Ansley, Judy Cornett, Carol Nickle and David Gault, all local practicing attorneys (then), and all members of the local Lawyers Guild.

Advice? Get to know yourself. Figure out what you want your life to be like and try to make it happen. If it works and you like it, great. If it works and you don't like it, try something else. If it doesn't work, you tried. We used to have vast herds of buffalo stampeding through the American landscape. Now we have vast herds of unhappy lawyers stampeding through American culture. Stay out of herds!

Resources for Public Service



Resources

The following resources are available to you through the Public Service Center. For more information, please contact the Public Service Center at 1-800-448-7273.

Public Service Center
The Public Service Center is located in the main building of the University of Illinois at Urbana-Champaign, Room 101, 1101 S. Goodwin Avenue, Urbana, IL 61824. Phone: 1-800-448-7273.

Public Service Center Hours
The Public Service Center is open from 9:00 a.m. to 5:00 p.m., Monday through Friday. It is closed on weekends and holidays. For more information, please contact the Public Service Center at 1-800-448-7273.

Public Service Center Services
The Public Service Center provides a variety of services to the public, including information on campus services, financial aid, and more. For more information, please contact the Public Service Center at 1-800-448-7273.

Public Service Center Contact Information
The Public Service Center can be reached at 1-800-448-7273. For more information, please contact the Public Service Center at 1-800-448-7273.

Public Service Center Website
The Public Service Center website is located at <http://www.psc.uiuc.edu>. For more information, please contact the Public Service Center at 1-800-448-7273.

Public Service Center Hours of Operation
The Public Service Center is open from 9:00 a.m. to 5:00 p.m., Monday through Friday. It is closed on weekends and holidays. For more information, please contact the Public Service Center at 1-800-448-7273.

Resources for Public Service Careers

The following resources can be found in the College of Law Career Services office and may be checked out by students and alumni/ae.

Public Interest Organizations

AmeriCorps Legal Programs (National Association for Public Interest Law, 1995)—A list of contact names and addresses for several of AmeriCorps legal and law-related programs.

The Complete Guide to Public Employment (Ronald & Caryl Krannich, 1990)—Opportunities and strategies with federal, state and local governments; non-profit organizations; foundations; research organizations; and political support groups.

Directory of Legal Aid and Defender Offices in the U.S. (National Legal Aid & Defender Association, 1991)—Lists of civil legal aid offices, defender offices, programs for special needs and support services.

Directory of Minority Programs/Internships (National Association for Law Placement, 1993)—Lists more than 150 programs and provides a wealth of ideas to stimulate the imagination, along with contacts who share what they have learned.

Directory of Public Interest Law Centers (Alliance for Justice, 1994)—A comprehensive directory of public interest law centers arranged alphabetically, according to the program emphasis, and by geography.

District of Columbia Public Service Directory (Washington Council of Lawyers, 1995)—A listing of pro bono and public service organizations in the D.C. metropolitan area.

Fellowships and Funding Sources in Public Service (Boalt Hall Career Library, 1992)—Alerts you to the availability of funding sources and provides some practical ideas for writing effective grant applications.

Fellowship Opportunities Guide (Yale Law School, 1996)—An index of 200 organizational listings with thousands of fellowship opportunities nationwide and abroad.

Finding a Public Interest Job in Today's Market (5th Annual Public Interest Careers Program, 1991)—Examples of resumes and cover letters specifically written for public interest job searches.

From Private Sector to Public Interest (Boalt Hall Career Library, 1992)—Tips for lawyers and law students who are currently working at private firms, but would like to move to public interest employment.

Giant Killers (Michael Pertschuk, 1986)—A fascinating and educational account of the realities of lobbying in the nation's capitol.

Goodworks: A Guide to Careers in Social Change (Jessica Cowan, 1991)—A list of more than 800 career opportunities in public interest law.

A Grant-Seeker's Guide to Funders in Central Appalachia & the Tennessee Valley (Appalachian Community Fund, 1997)—A directory of more than 400 funders making grants in northern Alabama, northern Georgia, eastern Kentucky, western North Carolina, southeastern Ohio, southwestern Virginia, and the entire states of Mississippi, Tennessee and West Virginia.

Handbook on Public International Work (Stacy DeBroff and Dana Bullwinkel, 1994)—Facilitates the job search for students exploring careers in this field; lists fellowships and internships, application procedures, and career narratives of Harvard students discussing varied career paths.

How to Get a Public Interest or Public Service Job (University of Virginia School of Law, 1992)—Tips on landing a job in the public sector from the placement office at the University of Virginia School of Law.

Law Firms and Pro Bono (National Association for Public Interest Law, 1993)—A compilation of pro bono programs and activities at law firms supporting students' public service efforts.

Lawful Pursuit: Careers in Public Interest Law (Ronald W. Fox, 1995)—An introduction to public interest law, with information on career paths, setting goals, evaluating the public interest job market, and the job search.

Legal Services Corp. Directory (Legal Services Corp., 1995)—A listing of Legal Services Corp. members in the U.S. Also includes a listing of funded programs for 1995.

Liberty and Justice for All: Public Interest Law in the 1980s and Beyond (Nan Aron, 1989)—Explores the "coming of age of public interest lawyers and citizens' groups."

NALP Pro Bono Guide for Law Students (Stacy M. DeBroff, Esq., 1991)—A guide to evaluating pro bono work in a law firm practice, this book suggests questions to ask prospective employers, examines the personal benefits of pro bono, and describes numerous models of successful pro bono programs.

NAPIL Post-Graduate Fellowships Guide (National Association for Public Interest Law, 1995)—A compilation of public interest fellowship opportunities for lawyers working for social change.

NAPIL Directory of Public Interest Legal Internships (National Association for Public Interest Law, 1997)—This book contains information on more than 120 organizations and includes perspectives from employers and students.

NAPIL Guide to Public Interest Career Resources (National Association for Public Interest Law, 1992-93)—An annotated bibliography of directories, clearinghouses and periodicals for use by law students engaged in a public interest job search.

National Lawyers Guild Directory (National Lawyers Guild, 1993)—A directory of NLG members; the NLG is a national network of more than 6,000 social change-oriented members who look upon the law as an instrument for the protection of the people.

Native American Law Students Association (article in the *Minority Law Journal*, Spring 1995)—Information on applying for tribal court clerkships and internships.

Non-Profits' Job Finder (Daniel Lauber, 1994)—Information on the best sources of job openings, internships, and grants in education, research, social services, organizing, environment, association management, and the rest of the non-profit sector in the U.S. and abroad.

Opportunities for Research & Study: Women's Programs (Paulette Tulloch and Debra L. Schultz, 1994)—A descriptive list of the fellowships, affiliated scholar programs, grants and internships sponsored by the National Council for Research on Women.

Pro Bono Children's Law Programs (American Bar Association, 1994)—Lists over 100 projects which represent children.

Public Interest Employer Directory (University of Chicago and Columbia University law schools, 1993)—A list of employers from across the country, their practice areas, and information about each.

Public Interest Handbook (Geoffrey Kaiser and Barbara Mule, 1987)—A guide to legal careers in public interest organizations, with more than 350 agencies from all 50 states.

Public Interest Job Search Guide (Harvard Law School, 1997)—A complete guide to finding a job in the public interest sector. Chapters include: myths about career paths; job search strategies; resumes and cover letters; networking; interviewing tips; and contact lists.

The Public Service Employer Directory (Law Schools at the Universities of Michigan & Chicago, 1996)—This directory will acquaint you with the rich variety of public service legal organizations and provide you with the tools for finding satisfying employment.

Sticking With It: A Three-Year Plan for Law Students Pursuing a Career in Public Service (Boalt Hall Career Library, 1992)—Concrete suggestions for developing a strong public interest background and skills in order to best pursue public interest employment during and after law school.

Why Not Work for a Change? (Advocacy Institute, 1996)—An introduction to careers in social change that include informative books, periodicals, newsletters and internships.

Government

America's Federal Jobs (U.S. Office of Personnel Management, 1991)—A directory that provides information on all the major agencies of the federal government, including what they do, types of jobs available, and where to obtain additional information.

Congressional Caucus for Women's Issues (prepared by the Congressional Caucus for Women's Issues, 1992)—A directory of selected organizations interested in women's issues.

Federal Careers for Attorneys (Federal Reports Inc., 1991) and *Federal Law-Related Careers* (Federal Reports Inc., 1994)—These two books are a guide to legal careers in more

than 80 federal practice fields, including descriptions of agencies, locations, and application information.

Federal Job Application Kit (National Association for Law Placement, 1995)—A comprehensive guide to applying for a federal job with info on completing the new application forms.

Federal Legal Career Options: Leads and Sources (Linda Cinciotta, 1989)—A compilation of federal agency contacts that provides useful leads for your job search.

Federal Resume Guidebook (Kathryn K. Troutman, 1996)—Spells out how to write an effective federal resume, with examples and techniques for organizing resume sections to target an announcement.

Lawyer's Guide to State Government Hiring Procedures (Vermont Public Interest Action Project, 1993)—Designed to provide law students and attorneys with a starting point to begin to uncover career opportunities with state government.

National Directory of Prosecuting Attorneys (National District Attorney's Association, 1992)—A guide to state prosecution systems and an index of prosecuting attorneys by state.

Now Hiring: Government Jobs for Lawyers (Abbie Willard Thorne, 1990-91)—Lists of legislative, judicial and executive branch offices that hire attorneys; also independent agencies.

State and Local Government Directory of Resources (NALP, 1993)—Listing of state and local government agencies that hire attorneys; 46 states and the District of Columbia.

Summer Legal Employment Guide (Federal Reports Inc., 1994)—Summer job openings for the federal government, international organizations, national political

organizations and legal services programs.

The Washington Want Ads: A Guide to Legal Careers in the Federal Government (Fabia Harris, 1980)—

Descriptions of thousands of jobs in more than a hundred legal offices in the country's executive departments, judicial organizations and independent agencies.

Judiciary

The American Bench (Forster-Long, 1997)—A comprehensive directory of the judges of the nation, including biographies of federal, state and local judges.

Chambers Handbook (Federal Judicial Center, 1994)—An excellent resource for anyone considering a judicial clerkship. Chapters include the role of a clerk; conduct, protocol and ethics; analysis of litigation; court management; and legal research and writing.

Directory of Chief Judges of Courts of Appeal (Council of Chief Judges of the Courts of Appeal, 1993)—Lists names, addresses and phone numbers of judges across the state.

Directory of Minority Judges in the United States (American Bar Association, 1994)—A directory of African-American, Asian/Pacific Islander, Hispanic and Native American judges in the U.S.

1995 Guide to State Judicial Clerkship Procedures (Vermont Law School, 1995)—Current information on the application procedures, timing, salary and hiring process for judicial clerkships in all 50 states.

1994 Judicial Clerkship Directory (National Association for Law Placement, 1993)—Judicial clerkship information for individual federal and state judges throughout the U.S.

The Lawyers Almanac (Aspen Law & Business, 1997)—A leading reference to vital facts and figures

about the legal profession with name and address information for federal judges in the U.S.

Academic

Breaking Into the Academy (Michigan Journal of Race & Law, 1996)—A guide for aspiring law professors, with lots of advice and resources.

Uncloaking Law School Hiring: A Recruit's Guide to the AALS Faculty Recruitment Conference (from the Journal of Legal Education, Sept. 1988)—This article is an attempt to disclose the facts about law school hiring for the newcomer who wants to break into legal education.

Public Service Information on the World Wide Web

Public Interest Organizations

Alliance for Justice
<http://www.essential.org/afj>

AmeriCorps
[http://www.](http://www.essential.org/afj)

Essential Home Page (many grassroots organizations use Essential Information's Web server)
<http://www.essential.org/>

National Association for Public Interest Law—<http://www.napil.org/>

National Lawyers Guild
<http://www.masdef.org/serv/>

National Service Legal Corps
<http://www.napil.org/nslc.html>

Public Interest
<http://www.law.umich.edu/academic/opsp>

Public Interest job listings
<http://www.essential.org/goodworks>

Government Agencies

Affirmative Action Register
<http://www.aar-eeo.com>

Environmental Protection Agency
<http://www.epa.gov>

Federal Government Web servers
<http://www.law.vill.edu/Fed-Agency/fedwebloc.html>

Federal Jobs
<http://www.fedworld.gov/index.html>

International Civil Service Commission
http://www.un.org/Depts/icsc/ics_home.htm

Office of Personnel Management (OPM) position listings
<http://www.fedworld.gov/pub/jobs.jobs.htm>

Tennessee State and Local Government information
<http://lcweb.loc.gov/global/state/tn-gov.html>

Tennessee's Job Search
<http://www.tn.jobsearch.org/>

U.S. Department of Justice
<http://www.usdoj.gov/careers.html>

Academic

American Association of Law Schools
<http://www.academply.com>

Chronicle of Higher Education
<http://www.chronicle.merit.edu>

Miscellaneous

American Bar Association
<http://www.abanet.org>

Yahoo: Business and Economy: Organizations: Public Interest Groups
<http://www.yahoo.com/>

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The University does not discriminate on the basis of race, sex, or disability in the education programs and activities pursuant to the requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA) of 1990.

Inquiries and charges of violation concerning Title VI, Title IX, Section 504, ADA, the Age Discrimination in Employment Act (ADEA), or any of the other above referenced policies should be directed to the Office of Diversity Resources & Educational Services (DRES); 1210 Terrace Avenue, Knoxville, TN 37996-3560; telephone (423) 974-2498 (TTY available). Requests for accommodation of a disability should be directed to the ADA Coordinator at the Office of Human Resources Management; 600 Henley Street, Knoxville, TN 37996-4125.

