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Taylor Times

A PUBLICATION OF THE GEORGE C. TAYLOR LAW CENTER AT THE UNIVERSITY OF TENNESSEE

APRIL 1992

APRIL						
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MOOT COURT WEEK APRIL 6-10, 1992

Ray H. Jenkins Trial Competition
Tuesday, April 7, 1992
2:00 pm.- Moot Court Room

**Advocates' Prize
Moot Court Competition**
Friday, April 10, 1992
2:00 p.m. - Moot Court Room

Calendar

April 2-4

The Jerome Prince Invitational Evidence Competition at Brooklyn Law School in New York. Good luck to the College of Law's 1992 Evidence Moot Court team: Joey Butler, Marian Howard, and Joe Thompson. Professor Neil Cohen serves as the team's advisor.

April 2

Class of '92 Pledge Drive!

April 3

Operation Health Check - Noon until 4:00 p.m. in the University Center Ballroom - Free blood pressure check, visual screening, height and weight analyses, oral check, podiatrist check, hearing check, body fat composition check, vital lung capacity check, and sickle cell anemia check. Other tests offered for a fee. For further information call 974-6018.

April 6-10

Moot Court Week!

** Tuesday **

Jenkins Competition

*** Friday ***

Advocates' Prize Competition

April 8

Chancellor's Honors Banquet

April 9-11

Association of American Law Schools Workshop on Labor Relations and Employment Law, Washington, D.C.

April 17

Holiday - no classes and administrative offices closed

Established in 1985, this intraschool trial competition is made possible by the generosity of the Knoxville law firm of Jenkins & Jenkins. It is named in honor of Ray H. Jenkins (1897-1980), a widely respected and admired advocate. The competition is open to all second- and third-year law students. Teams: Lucinda M. Albiston and Allison Arnold Cardwell; John H. Macrae, Jr. and James H. Price; J. Christopher Hall and G. Frank Lannom; Richard S. Combs and Stephen D. Crump; Joel Douglas Dicus and Carl Wayne Dowdy; Michael E. Keyton and Cassandra E. Washington; Timothy M. Pierce; Michael Christopher Coffey and Jonathan D. Cooper; Shannon Claire Hill and W. Jayson Hill; John B. Bennett and Bryan E. Delius; Robert V. Durham and Paul Stephen Hensley; Mark Whitney Milam and Shari Lynn Tayloe; Judith M. Turcott; and Kenneth W. Ward

Welcome: Dick Wirtz, Acting Dean and Matt Ledbetter, Moot Court Board Chair

Competition Coordinators: Mark Pickrell and Ken Weber

Presiding Judge: The Honorable John W. Gill, Jr., Former United States Attorney, Eastern District of Tennessee

Reception in the Faculty Lounge immediately following the competition.

This intraschool moot court competition is named for six distinguished trial attorneys from the Knoxville area: John H. Doughty (1903-87), Ray H. Jenkins (1897-1980), Clyde H. Key (1904-79), Frank Montgomery (1884-1974), Herbert H. McCampbell, Jr. (1905-75) and William P. O'Neil (1903-91). The competition is open to all second- and third-year law students. Teams: Michael D. Hester and Arthur F. Knight III; Sharon F. Patterson and Kevin G. Townsel; Mark Whitney Milam and Mark Wayne Strange; Allison Arnold Cardwell and Sherri Helen Epperly; Evan R. Pardue and Lawrence John Wallace; John M. Bryant, Jr. and Karyn L. Crigler; and Heather A. Beemon and Amye Claire Tankersley.

Welcome: Dick Wirtz, Acting Dean and Matt Ledbetter, Moot Court Board Chair

Competition Coordinators: William Bright, Tillman Coffey and Diane Hayes

The Court: The Honorable Thomas W. Phillips, United States Magistrate, Eastern District of Tennessee; The Honorable E. Riley Anderson, Associate Justice, Tennessee Supreme Court; and The Honorable William J. Harbison, Retired Chief Justice, Tennessee Supreme Court

Reception in the Faculty Lounge immediately following the competition.

Faculty Facts

Joe Cook ...

... served as a panel member for a campus-wide forum entitled, "Exploring Free Speech Issues," last month.

Larry Dessem ...

... is having continued success with his book, *Pretrial Litigation: Law, Policy and Practice* (West Publishing Company). Harvard and the University of Pennsylvania, for example, are using the book for classwork. The civil pretrial process is examined in chapters which cover the client interview, pretrial planning and investigation, drafting of the pleadings, discovery, motion practice, pretrial conferences, and negotiation and settlement. The book also suggests changes to the pretrial process and offers alternatives to current methods of solving civil disputes.

... has submitted the manuscript for his book *Pretrial Litigation in a Nutshell* to West Publishing Company.

... will have several paragraphs of his Tennessee Law Review article, "Personal Jurisdiction After *Asahi*: The Other (International) Shoe Drops," reprinted in a new Products Liability casebook.

... has been named as one of the sixteen members of the Tennessee Supreme Court Commission on Dispute Resolution. He will serve with five judges, nine attorneys and another professor of law from throughout the state. The committee will study Tennessee's dispute resolution procedures and report their findings to the Supreme Court by June 30, 1994.

... serves as the reporter for the Civil Justice Advisory Group for the United States District Court for the Eastern District of Tennessee. This group studies ways to lower civil litigation costs and to eliminate delays in civil cases.

... served as a member of the panel for the 1992 Conference on Alternative Dispute Resolution in Tennessee, March 19-20, at Vanderbilt.

Grayfred Gray ...

... continues his work for the Knoxville Bar Association Mediation Service (KBAMS). KBAMS works with the Lawyers Referral Service and the Volunteer Legal Assistance Program to aid indigent clients with divorces. Gray is training mediators for the program which is scheduled to begin in May.

... served as a member of the panel for the 1992 Conference on Alternative Dispute Resolution in Tennessee, March 19-20, at Vanderbilt.

Jerry Phillips ...

... will be a panelist on "Language & Law: Speaker Intentionality in the Law" at the 1992 Law & Society Annual Meeting, May 28-31, in Philadelphia, Pennsylvania.

Barbara Stark ...

... has written the foreword, "Rappacini's Daughters?" and a chapter, "Psycho-Feminism and Divorce Law: 'Oedipus Wrecks'" for the book, *Family Law and Gender Bias: Comparative Perspectives* (JAI Press, September 1992).

Greg Stein ...

... has been awarded a Faculty Development Award for the summer of 1992 to conduct research on "The Ripeness Doctrine in Federal Land Use Litigation." His research will examine the increasing use of this doctrine, will analyze the effect the doctrine has on land development, and will recommend ways in which the doctrine can be clarified and improved.

Dick Wirtz ...

... continues to work on the Learning Environment Project.

Marilyn Yarbrough ...

... was featured in Capital University's 1991 Annual Report. Capital conferred the degree of Doctor of Laws, Honoris Causa, to her last year.

TAYLOR TRIVIA: Who was the speaker at the Sixth Annual Tennessee Law Review Banquet? Hint: this person is currently making headlines around the country! Answer to last month's Taylor Trivia: The Law Review is home to the newest lazer-duper. What's a lazerduper? A laser printer in a box!

1992-93 Tennessee Law Review Staff Announced

Editor in Chief: Kathleen W. Clark
 Managing Editor: Andrew D. Dunn
 Articles Editors: Garrett Asher, Susan High-McAuley, and Gregory F. Vines

Executive/Research Editors: Kristin Becker, Heather Beemon, Bradley Haneberg, Gregory Meadows, Scott Ruth, and Suzanne Scott

Student Materials Editors: Jonathan Cooper, Charles Forlidas, Ann Jarvis, Mary Anne McDaniel, Amye Tankersley, and Jeffrey Ward

Staff Writers: Stephen Gilly, Steven Hacker, John Harrington, Benjamin Huddleston, John Johnson, Mark Milam, Phil Newman, Debra Poole, Carl Spining, Donna Tate-Hackett, Gary Webb and James Williams.

The University of Tennessee, Knoxville does not discriminate on the basis of race, sex, color, religion, national origin, age, handicap, or veteran status in provision of educational opportunities or employment opportunities and benefits. UT Knoxville does not discriminate on the basis of sex or handicap in its educational programs or activities, pursuant to requirements of Title IX of the Educational Amendments of 1972, Public Law 92-318, and Section 504 of the Rehabilitation Act of 1973, Public Law 93-112, and the Americans With Disabilities Act of 1990, Public Law 101-336, respectively. This policy extends to both employment by and admission to the University. Inquiries concerning Title IX, Section 504, and the Americans With Disabilities Act of 1990 should be directed to the Office of Affirmative Action, The University of Tennessee, 403-C Andy Holt Tower, Knoxville, Tennessee 37996-0144; or telephone (615)974-2498. Charges of violation of the above policy should also be directed to the Office of Affirmative Action.

Personnel Particulars

Peggy Goodman, Business Office, celebrated 20 years of service with the University last month. GCT honored her at a staff meeting where Peggy immediately quipped "don't expect another 20 years!" Congratulations, Peggy!

Suzanne Livingood, Director of Development and Alumni Affairs, took a few days of vacation in March and came home with ribbons. Franklin, one of her Pekingese, won the prestigious Bred-By-Exhibitor Class and went Reserve at the Pekingese Club of America National Specialty Show in Lexington, Kentucky. His litter sister, Cricket, won Best of Opposite Sex during the famed Louisville Circuit. The Circuit made dog world history this year with the Sunday show boasting the highest all-breed one day entry ever in the U.S. with nearly 5,000 dogs. Suzanne says with wins like these, Franklin and Cricket should soon achieve their Championship title.

March TAPIL Pledge Drive Successful

(and it's not too late to make a pledge)

The 1992 Pledge Drive to benefit the Tennessee Association for Public Interst Law (TAPIL) was held March 17-19. The three-day drive netted pledges and gifts of over \$2,500.00. The monies from this drive will benefit law students who will work in the public sector during the Summer of 1993.

Karin Clough, this year's President, was pleased with the outcome and feels the program is strongly supported by both students and faculty alike at the College of Law.

If you would like to make a pledge or donation, it's not too late. The Office of Development and Alumni Affairs, Suite 14, will assist you with either a donation or pledge.

Class of '92 holds its Pledge Drive this month

As a lasting legacy, the Class of 1992 has chosen to create an endowment for the Law Library as its class project. The campaign will begin April 2 with a goal of 100% participation by the class. Once the corpus of the endowment is accumulated through annual pledge contributions, the income will be disbursed to address the physical needs of the library; i.e., computers, reporters, digests, other books and publications, equipment, etc.

The criteria and specific parameters for the use of the endowment will be detailed in a Memorandum of Agreement between the Development Council and the College of Law. Class members may also choose to designate their pledge to some purpose other than the official gift.

The Campaign Kick-Off is Thursday, April 2, from 10:00 a.m. until 2:00 p.m. Development Council members will be in the White Avenue Lobby to collect pledge cards and answer questions about the project. Development Council Chair Beth McDonald says the campaign is geared so that each class member can participate at the level he or she chooses and donate at the level he or she chooses, not to mention tax credit for the contributions.

Law Library Director, Bill Beintema, is delighted that the Class of 1992 has chosen the library for its project.

The "Let's Go For It" Section for Law Students

(1) The Center for Computer/Law and The John Marshall Law School announce their Ninth Annual Computer Law Writing Competition. The topic is "Globalization of the Computer Industry: Coping with the Legal Issues." Cash prizes and possible publication go to the top five places. Deadline: October 1, 1992.

(2) The Brand Names Education Foundation presents its annual Ladas Memorial Award for the best paper on trademark and trademark law. The Ladas Award winner receives \$4,000; financial support up to \$1,000 for attendance at an educational program sponsored by the Brand Names Education Foundation or The United States Trademark Association; a set of *Patents, Trademarks, and Related Rights - National - International Protection*; and possible publication in *The Trademark Reporter*. Deadline: April 30, 1992.

(3) The *Temple Law Review* and The National Association of Attorneys General announce a writing competition on state constitutional law. A cash prize and publication of the article will go to the author of the winning paper. Deadline: May 15, 1992.

B-ball Law enforced by the Ministers of Justice

They jumped, they passed, they tried to sue, but the clock held court as time ran out for the Ministers of Justice. The Ministers played in the finals of the men's A Division Intramural Basketball Monday, March 16, and were Delt. The final score was

The Minister's marched regular season undefeated at championship game included Morrell Hall, the Lakers, the Eps. In every tournament fall behind early and then their way to a victory.

The team consisted of the second year class. Team members were: Brad Haneberg, Jack Macrae, Greg Oakley, Chris Oldham, Jim Price, Cameron Seeton, David Sexton, Chris Sockwell, and Gary Webb. Phil Newman served as the coach.



narrowly defeated by Phi Ministers 40, Delt 42. through their intramural 5-0. Their road to the harrowing games with Showboats, and the Sig game, the Ministers would proceed to scratch and claw

players and coaches from

****** VOICES FROM THE LEGAL CLINIC ******

**Why Take Clinic?
by Michele VanDeRee, Class of '92**

You may have been told that it is not necessary to take Clinic. You may have been told that you will not learn anything that you will not learn in your first year of practice. You may have been told that, by taking Clinic, you will be wasting time that could be spent taking courses that will be on the Bar Exam. Well ... **WRONG!** This may come as a shock to some of you, but the truth is merely attending lecture classes and feverishly taking notes is not sufficient. The best experience that you will ever have in law school is to take Clinic.

Why, you ask? In the Clinic, you have an opportunity to separate fact from fiction. You learn where the Courts are, the significance of the rules applicable to each court, and how to perform some basic legal tasks that classroom work does not prepare you to handle. For example, instead of reading a couple of paragraphs about fictitious people and determining what the issues are and the applicable law, you will have the experience of working with real people and assisting them with real problems. It's a chance for you to take what you have learned from your classes and make a "real world" application.

If you are interested in starting a solo practice, you will find the Clinic experience most beneficial to you. When I hung out my shingle, I knew how to do a few basic things that have enabled me to pay my rent and other office expenses. Of course, there is still much to learn even after taking Clinic; however, with the Clinic experience, you are at least aimed in the right direction and have some idea what it is you are doing, and, if you are not sure, you know who to ask and where to look.

Out of the courses I took in law school, the Clinic courses have given me the most benefit. This statement is not intended to mean that other courses I took in law school were of no use; it simply means that lecture classes teach you how to "think" and the Clinic teaches you how to "do". You will find that most of your time in law practice is spent on the "doing" end of the scale.

The professors in the Clinic and the Clinic staff are wonderful. Each person in the Clinic contributes to your learning experience and makes the classes enjoyable. You learn that your client and his/her needs are the most significant focus of the legal relationship. You get a taste of the responsibility that this profession bestows upon you by representing individuals who otherwise may not have legal assistance.

As a solo practitioner, I strongly recommend that you take advantage of the Clinic experience. You will find that you are light years ahead of many people who did not take Clinic and somewhat wiser about the needs of people with whom you may never have had contact.

**Oak Ridge is the 1992
Knoxville Area Mock Trial
Champion**

Oak Ridge High School is the 1992 winner of the Knoxville Area Mock Trial Competition. They defeated a team from Anderson County, Friday, March 13, in the Moot Court Room, to take the title. The teams argued a first-degree murder case. The Honorable Randall E. Nichols, Knox County Criminal Court, presided.

Attorney coaches for Oak Ridge were James Norman, Class of '87, and Vicki Crandall, Class of '84. Their law student advisors were Heather Beemon and Christy Allen. Anderson County was coached by attorney Jay Clements and law students Patrick Conley and Steele Clayton.

Both Oak Ridge and Anderson County will travel to Nashville this month to compete in the state finals.

Professor Jurgin Salzwedel to visit GCT

Professor Jurgin Salzwedel, a distinguished Professor of Environmental and International Law from Bonn University, Germany, will present two lectures at GCT during his visit, April 6-10. The lectures are open and free of charge.

Monday, April 6

4:00 p.m.

Faculty Lounge

The Extraordinary Writings of Robert Musil

(Robert Musil (1880-1940) was a very important Austrian novelist.

His writings are on reserve in the Law Library.)

Wednesday, April 8

4:00 p.m.

Moot Court Room

The Pervasive Impact of European Law on National Environmental Law



**Don't Forget! Sunday, April 5 - Daylight Savings Time begins.
Spring forward! We gain daylight by losing an hour! Good deal!**

Career Services News

From the 155 College of Law graduates of the Class of 1991, 152 were located by the March 1 deadline for reporting employment information to the National Association for Law Placement for its annual report on law graduates nationwide. Ninety-one percent, or 138/152, reported employment; of those who reported actually seeking work, 95 percent reported employment.

The seven graduates in the "not seeking work category" included five enrolled in advanced degree programs and two postponing employment because of family matters. Of the seven in the "unemployed and seeking work category," five did not have their license, two of whom had reportedly quit clerking jobs to resume study for the bar exam. Two listing "part-time non-legal" employment, and one "full-time non-legal," were known to be continuing the job search for legal employment.

Of the 138 reporting employment, 92 percent reported full-time legal employment, 5 percent full-time non-legal, 2 percent part-time non-legal, and less than 1 percent part-time legal.

The "private practice" category was listed by 68 percent of those employed. Nearly half in that category reported employment in "very small" firms of 2 - 10 members. Seven graduates reported self-employment. The "government" category, which included administrative agencies, judicial clerkships, the military, prosecutors and public defenders, accounted for approximately 23 percent of those employed.

Almost one-fourth of the those employed (24 percent) located out of state, with 76 percent remaining in Tennessee. One-fourth of the class accepted employment in Knoxville, with 11 percent going to Nashville, 12 percent to Chattanooga, 6 percent to Memphis, and 22 percent to smaller Tennessee towns.

Salary information was reported by 81 of the 138 employed. The salary range was \$19,500 to \$85,000 with an average of \$38,587 for all locations and all employment categories. For private firms salaries, the average, with 56 graduates reporting for all locations, was \$41,375.

The completed report on the College of Law Class of 1991 will be available for review in Career Services by April 15. The National Association for Law Placement nationwide report should be available by early 1993.

Members of the Class of 1992 who have accepted employment are requested to come to Career Services during April to complete a scan form to be forwarded to the National Association for Law Placement. The information is kept confidential and the forms do not include names or identifying information other than the U. T. College of Law assigned number.



SBA Elects New Officers

The torch has been passed and the Student Bar Association can ready itself anew for the challenges of the next year. Officers for the 1992-93 academic year are:

President - Victoria Bowling
 Vice president - Melissa Johnson
 Secretary - Leah Gerbitz
 Treasurer - Jason Hood
 Third-year Representatives - Christy Allen and M.C. Holland
 Third-year Representatives to the Academic Review Board - Paula Gentry and Sherry Mahar
 Second-year Representatives - Yolanda Echols and Mike Hill
 Second-year Representatives to the Academic Review Board - Brent Burks and Paul Holcombe
 Representatives-at-Large - Brian Addington, Rick Combs, Derek Crownover, Amy Haddad, Ray Hixson, and Chris Sockwell.



Upcoming Events

May 1: Law Day
 May 1: Classes end
 May 5-14: Examinations
 May 14: Hooding
 May 15: Commencement
 May 26: Registration for Summer Term
 May 27: Summer Term classes begin