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Taylor Times

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

DECEMBER 1991

December						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

December 2-6

UT Food Drive - Take canned meats and vegetables to the Business Office during normal working hours.

December 3-13

Examination Period

December 7

LSAT

December 13

Hooping - 4:00 p.m. - Bijou Theatre

December 15

Commencement

December 16-19

Career Services Orientations for First-Year Law Students

December 23-27

Administrative offices and law library closed

December 30

Grades posted at 5:00 p.m.

Library Schedule for December

December 1-12

Monday-Thursday: 7:30 a.m. - Midnight

Friday: 7:30 a.m. - 10:00 p.m.

Saturday: 9:00 a.m. - 10:00 p.m.

Sunday: 9:00 a.m. - Midnight

December 14-22

Monday-Friday: 8:00 a.m. - 5:00 p.m.

Saturday-Sunday: Closed

December 23-27 Closed

December 28 - January 15

Monday-Friday: 8:00 a.m. - 5:00 p.m.

Saturday-Sunday: Closed

E X A M S C H E D U L E

December 3 - Tuesday

Gratuitous Transfers - Ansley
8:30 a.m. in Room 114

Business Associations - Pierce
9:00 a.m. in Room 118

Criminal Law - Cohen
1:00 p.m. in Room 104

Criminal Law - Black
1:00 p.m. in Room 114

December 5 - Thursday

Evidence - Paine
8:30 a.m. in Room 104

Evidence - Cohen
8:30 a.m. in Room 114

Labor Law - Hardin
9:00 a.m. in Room 118

Income Tax II - Jones
9:00 a.m. in Room 306

Commercial Law - Lloyd
1:00 p.m. in Room 114

December 6 - Friday

Contracts I - Burnham
1:00 p.m. in Room 114

Contracts I - Mutter
1:00 p.m. in Room 104

Contracts I - Cook
1:00 p.m. in Room 118

December 7 - Saturday

Wealth Transfer Tax - Hess
8:30 a.m. in Room 104

Environmental Law - Thompson
9:00 a.m. in Room 114

Land Finance - Stein
9:00 a.m. in Room 118

December 9 - Monday

Constitutional Law I - Phillips
9:00 a.m. in Room 104

Constitutional Law I - Reynolds
9:00 a.m. in Room 114

Land Use - Thompson
9:00 a.m. in Room 118

Civil Procedure I - Sobieski
1:00 p.m. in Room 114

Civil Procedure I - Dessem
1:00 p.m. in Room 118

Civil Procedure I - Le Clercq
1:00 p.m. in Room 104

December 10 - Tuesday

Debtor-Creditor - Lloyd
9:00 a.m. in Room 114

Public International Law - Stark
9:00 a.m. in Room 118

December 11 - Wednesday

Income Tax I - Hess
8:30 a.m. in Room 114

Conflicts - Sobieski
9:00 a.m. in Room 104

December 12 - Thursday

Torts I - Jones
1:00 pm. in Room 114

Torts I - Reynolds
1:00 p.m. in Room 118

Torts I - King
1:00 p.m. in Room 104

December 13 - Friday

Products Liability - Phillips
9:00 a.m. in Room 118

Family Law - Sheppard
9:00 a.m. in Room 104

Criminal Procedure I - Davies
9:00 a.m. in Room 114

TAYLOR TRIVIA: Which law student has successfully argued a case in front of the Sixth Circuit Court of Appeals? **Answer to last month's Taylor Trivia:** Jean Moore, the Reference Librarian for nights and weekends, was stopped by a motorcycle policeman in front of GCT and almost cited for reckless driving. It seems Jean had driven her car into the left-hand turning lane at the corner of Cumberland and 15th too soon.

The January Issue of *Taylor Times* will be out January 13th as a Back-to-School Issue.

January 1992 Calendar Preview

January 1

No classes and administrative offices closed

January 3-7

Association of American Law Schools Annual Meeting, San Antonio, Texas

January 13-14

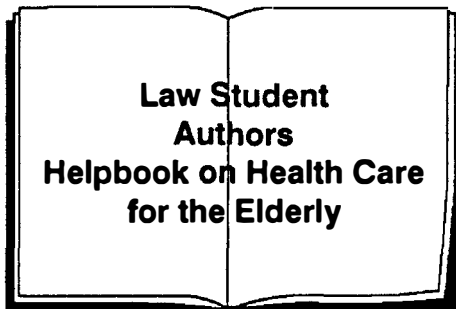
Registration

January 15

Classes Begin

January 20

Martin Luther King, Jr. Birthday (No classes and administrative offices closed)



Kelly Guyton Frere, a December 1991 graduate, has written a helpbook on elderly health care entitled, "Paying for Long Term Health Care: A Helpbook for the Elderly." The work resulted from an independent study project which was supervised by Professor Amy Hess who said it was "a remarkable accomplishment." "Anyone who has ever tried to 'translate' a body of government regulations into simple English will not underestimate the difficulty of the endeavor," said Professor Hess.

The helpbook includes chapters on Medicare, Medicaid, Social Security and Insurance. The helpbook's easy-to-read style offers examples of real situations and a list of agencies to call for further assistance.

While attending the College of Law, Kelly worked as a paralegal, office manager and bookkeeper for the Knoxville law firm of Guyton and Frere, P.C. The Frere is for her husband and the Guyton is for her mother, Arline W. Guyton, Class of '71. Kelly, Class of '91, will work for the firm upon graduation.

December Hooding at the Bijou

One of Knoxville's most recognized and beloved landmarks will host the Hooding Ceremony of the December 1991 graduates of the University of Tennessee College of Law. Eighteen graduates, faculty, staff and families and friends of the graduates are invited to attend the event on Friday, December 13th, at 4:00 p.m., at the Bijou Theater, 803 South Gay Street. Parking is available in area pay lots.

Donald F. Paine, an adjunct professor of law and member of the class of 1963, will be the guest speaker. Mr. Paine is a partner in the Knoxville law firm of Paine, Swiney and Tarwater and has written a book on evidence. Donna Hackett, Michael King and Kurt Klaus will serve as marshals. A reception in the lobby of the Bijou will immediately follow the ceremony.

The graduates are: Barry Lamar Abbott, C. Diane Anderson, Lance A. Baker, Cheri Lynn Beasley, Daniel Perri Berexa, Roger Dean Brooks, Kenneth S. Christiansen, Matthew Edward Davis, Janet Edwards, Kelly Guyton Frere, Jean Hitch, Lebaron Chris Gartman III, Pamela Simmons Jones, Lee Eblen Ledbetter, Joseph Brent Nolan, Kenneth McGill Palombo, Judith M. Turcott and James Barrett Wilson, Jr. Mr. Berexa, Mr. Brooks and Ms. Edwards will graduate cum laude.

Tennessee Bar Results July 1991 Administration

All Applicants:

	Total	Pass	%Pass
Statewide	494	369	74.7
UT	121	102	84
Memphis State	103	85	83
Vanderbilt	43	39	87

First-Time Applicants:

	Total	Pass	%Pass
Statewide	496	341	80
UT	112	97	87
Memphis State	94	80	85
Vanderbilt	43	39	87

Faculty Activities

Gary Anderson ...

... has been appointed to the Tennessee Association of Criminal Defense Lawyers Public Defender Crisis Committee.

Bill Beintema ...

... is the fiscal Principal Investigator for a grant awarded to the Consortium of SouthEastern Law Libraries (COS-ELL) by the Department of Education for telefax machines. He also continues to provide a yearly compilation of law library statistics for COSELL.

Neil Cohen ...

... continues to serve as a mediator for the Anderson County Commission as it attempts to settle its overcrowded jails question.

Grayfred Gray ...

... was a co-presenter with Professor Randal Pierce of the College of Education on "Computer Expert Systems as a Teaching Tool" and Douglas Stokes, Assistant Principal of Austin-East High School, on "Student Mediation of Disputes at School" at the East Tennessee Education Association's Annual Meeting on October 25th.

Bob Lloyd ...

... has written a computer program to copy disks for use by the College of Law faculty and staff. See Sandy Selvage to have it installed on your computer.

Glenn Reynolds ...

... has been named Executive Vice President of the National Space Society. ... will have an article, "Taking Advice Seriously: An Immodest Proposal for Reforming the Confirmation Process," published in a special symposium issue of the *Southern California Law Review* dedicated to the Supreme Court confirmation process.

John Sobieski ...

... was the recipient of the Tennessee Bar Association's award for ethics and professionalism. The award, which is in the form of a plaque, was presented by TBA Executive Director Gil Campbell at the November 2nd meeting of the College's Alumni Advisory Council/Dean's Circle Meeting.

Steve Thorpe and Cheryn Picquet ...

... are working on a *Tennessee Research Guide*.



GEORGE C. TAYLOR LAW CENTER
The University of Tennessee College of Law

Securing GCT

In recent months, there have been increasing numbers of thefts in the law school after hours, resulting in substantial losses to students, faculty and the College.

On Sunday, October 13, thieves broke into several offices on the first floor and into the computer lab on the fourth floor of the Library, and stole thousands of dollars of computer equipment. Over the weekend of October 27-28, a \$1500 laser printer was stolen from the Technical Services area of the library.

The security system for the external doors of the building and some internal areas are to be switched from ordinary locks controlled by keys to magnetic locks controlled by "key pads." The system will not affect the hours the law school is open or access to the building during those hours. The system would automatically engage at the designated closing hours of the building. A bonus of the new system will be a safety feature of being able to make an emergency call directly from the key pad by punching the emergency code.

With the introduction of the new security system, students will have general access to the law building during the following hours:

Monday-Thursday: 7:00 a.m. - Midnight
Friday: 7:00 a.m. - 10:00 p.m.
Saturday: 10:00 a.m. - 8:00 p.m.
Sunday: Noon - Midnight

During exams:

Monday-Thursday: 7:00 a.m. - Midnight
Friday: 7:00 a.m. - 10:00 p.m.
Saturday: 9:00 a.m. - 10:00 p.m.
Sunday: 9:00 a.m. - Midnight

After exams when the University is open but classes are not in session:
Monday-Friday: 7:00 a.m. - 6:00 p.m.
Saturday-Sunday: Closed

When the University is closed for holidays, the law building will be closed also.

A student with an exceptional reason to be in the building or in the library (such as a member of a Moot Court team or the Law Review Editorial Board) may secure a temporary ID number that will permit access. Requests for special access ID numbers must be made to the Business Office during normal business hours at least 24 hours in advance of the time when special access is needed. A student who has been given a temporary ID may not give that number to any other student or permit entry into the building or library to any other person or the access privilege will be removed.

Access to the Legal Clinic will continue to be restricted on evenings and weekends. The Clinic doors will close at 7:00 p.m. on weekdays and the Clinic will be closed on Saturdays and Sundays. For further information about access to the Legal Clinic please see the Clinic receptionist.

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

(1) The Computer Law Association (CLA) announces the 1992 Bigelow-Freed Computer Law Essay Contest. The winner of the competition will receive a \$1250 prize, the opportunity to present the paper at the Fall 1992 Meeting of the CLA with travel paid, assistance in submitting the paper for publication, and one year's membership in the Association. The paper must address computer law. Deadline: June 1, 1992.

(2) The National Council for Black Studies, Inc. announces a writing competition for African students. Cash awards will be given. Deadlines: December 20, 1991 and January 31, 1992.

For further information, see the Contest Bulletin Board or Mary Jo Hoover.

Personnel Particulars

Jackie Bonvin, Third-floor Faculty Secretary, keeps a busy social life due to her retirement from IBM. As policy, IBM keeps its retirees on their social guest list. Jackie attended the Knoxville IBM office's annual Thanksgiving luncheon last week in Riverview Towers and was pleasantly surprised to find out she knew about 20 other people there.

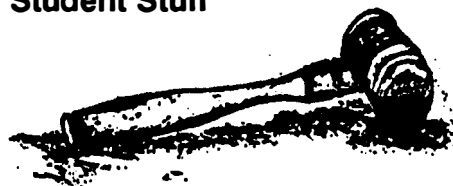
Julie Hardin, better-three-fourths of Professor Pat Hardin, was featured in *The Knoxville Journal* for her work with Knoxville's Big Brothers/Big Sisters Program. (And we thought Professor Hardin was terrific ... must run in the family.)

We wish to express our condolences and deepest sympathy to Steve Thorpe, Assistant Professor and Head of Public Service in the Law Library, on the death of his mother last month.

Karla Thompson, daughter of Professor Jim Thompson, played in the national Division I soccer championships last month in North Carolina with her team, the Colorado College Tigers. The team placed third in the nation. Karla is a senior majoring in biology and pre-med.

Reba Best served as the College's 1991 Campus Chest representative. The UT community was successful in meeting and exceeding its goal. Thanks, Reba!

Student Stuff



More Mooters Selected!

The William B. Spong, Jr., Constitutional Law Moot Court team: Gary Kellar, Matt Ledbetter and Greg Vines
Evidence Moot Court team: Joey Butler, Marian Howard and Joe Thompson
Frederick Douglass Moot Court team: David Miree and Wilfred Nwauwa

VOICES FROM THE LEGAL CLINIC

Civil Clinic: The Agony And The Ecstasy

By: Pat Nicely

During the fall semester, the Civil Clinic has concentrated on housing issues. One of the reasons this focus was chosen was to address the increasing national problem of homelessness. The Clinic only offers its services to clients who are low income. Most of the people who come to the Clinic for help are poor and powerless.

Although only housing problems are being referred to the Clinic, a student attorney is confronted with many other legal issues. Some of the questions my partner, Ben Le Clercq, and I had to answer this semester were:

Does a mentally retarded person who cannot read have the capacity to form a valid contract with a boarding-house requiring him to give 30 days notice before he can leave when he has not been adjudicated incompetent by the court?

Does a landlord owe tort damages to a tenant when the hot water heater in an upstairs apartment bursts and destroys a lot of the tenant's belongings and the lease contains an exculpatory clause denying any liability?

Should we advise a client to file bankruptcy to prevent foreclosure of a mortgage? Or should we sue the government in federal court, because the client is denied access to a federal program which would provide assistance?

Why has the client been denied SSI, or other welfare benefits?

How do you estimate damages for a deprivation of civil rights for prisoners of the Knox County Jail who were subjected to unconstitutional conditions due to overcrowding?

Besides legal issues, a Clinic student has to master the procedural aspects of the practice of law. My partner and I had to draft a complaint for federal court, file motions, prepare memoranda in support of motions, prepare subpoenas and figure out how to make service of process on all the parties to a suit,

even the Attorney General of the United States! Client letters, letters to adverse parties; we receive and write lots and lots of letters.

The Clinic allows you to get courtroom experience. I can only describe my first appearance in federal court as the closest I will ever get to knowing what it is like to jump off a bridge with a bungee cord. It was frightening, exciting, and exhilarating all at once. We brought suit against the Department of Housing and Urban Development and Fidelity Federal and won a preliminary injunction preventing foreclosure by the bank.

The Clinic teaches you things that you cannot learn in books. A lawyer helps people with their problems. That can mean figuring out what to do with eight bags of garbage when a client moves out so the landlord will not use it as an excuse to keep their damage deposit, or how to get a client who has no transportation to court. A student attorney has to investigate the client's story, interview prospective witnesses and produce evidence that can be used either at trial, or for negotiation and settlement purposes. There are few funds for expert witnesses. I confronted ethical issues, personality conflicts, and biases toward poverty.

The Clinic is the only law school class that provides the student with the kind of practical experience necessary to practice law. Like every other class, you will get out of Clinic what you put into it. Most classes can only be evaluated in retrospect. In Clinic, you never question whether you are learning something you will never use again. You will use everything you learn.

Clinic is the "agony and the ecstasy" of my law school experience. It required a lot of hard work, but the rewards were worth it. It is hard to describe how it feels when you can help the people who are our clients, the poor and the powerless. There were a lot of experiences for me. One day, I called a doctor

about some medical records. Being unfamiliar with the phone system, when the receptionist connected me, I waited for the doctor to say "hello." After a few seconds I heard, "These darn attorneys think they can keep you waiting forever." It was the first time anyone had ever called me an "attorney."

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