

University of Tennessee Law

Legal Scholarship Repository: A Service of the Joel A. Katz Library

Alumni Headnotes (1972 - 2001)

Historic Collections

Summer 1983

Alumni Headnotes (Summer 1983)

University of Tennessee College of Law

Follow this and additional works at: https://ir.law.utk.edu/utk_lawalumniheadnotes



Summer 1983

Alumni Headnotes (Summer 1983)

University of Tennessee School of Law

Follow this and additional works at: http://trace.tennessee.edu/utk_lawalumniheadnotes

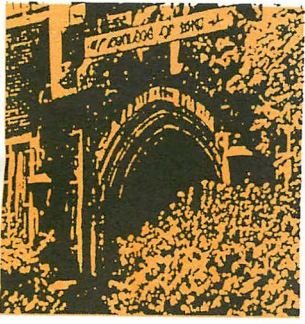


Part of the [Veterinary Medicine Commons](#)

Recommended Citation

University of Tennessee School of Law, "Alumni Headnotes (Summer 1983)" (1983). *Alumni Headnotes (1972 - 2001)*.
http://trace.tennessee.edu/utk_lawalumniheadnotes/17

This Newsletter is brought to you for free and open access by the College of Law Communications and Publications at Trace: Tennessee Research and Creative Exchange. It has been accepted for inclusion in Alumni Headnotes (1972 - 2001) by an authorized administrator of Trace: Tennessee Research and Creative Exchange. For more information, please contact trace@utk.edu.



ALUMNI HEADNOTES

Summer, 1983/The University of Tennessee College of Law/Julia P. Hardin, Editor

We are sorry that you haven't heard from us for a while. Budget limitations forced us to forego an issue of *Alumni Headnotes* during the 1983 fiscal year. We will do our best to maintain a constant stream of communication among and for our alumni/ae.

—Editor

A Compliment

By MARGARET B. WATERS and
MARGARET W. CRANE of Maryville

The UT law library had its usual complement of students at the broad tables on the spacious first floor, in the various rooms on the second and back in the stacks with its cozy individual desk niches. We never failed to admire the earnestness of these graduate scholars. In those open volumes over which they pored, in the row on row of thick tomes filling the long shelves about them, were the principles of civilized behavior painfully gained in over a thousand years. Revolutions have been fought over their enactment; kings have lost their heads.

These thoughts of ours, we realized, set us aside from our companions studying in the library. We had the perspective of knowing the outside judicial climate. First hand, we had seen clever tactics of judges, prosecutors, and civil case adversaries that are not taught in the pages of books. This gap between us was ever present until the evening of December 2nd when we were approached by an engaging young man. He said that they were short two jurors in a moot court session which

Continued on page 6

Georgia Alumni Gather At State Bar Convention

Alumni of UT College of Law attended a successful breakfast meeting at the Mid-Year Meeting of the State Bar of Georgia with Dean Penegar and Sandy O'Rourke.

The event was well-attended, with 32 alumni residing in Georgia in attendance, including Judge Mallon Faircloth, Class of 1968, Charles D. Huddleston, Class of 1976, and E. Wycliffe Orr, Class of 1970. Judge Faircloth addressed the gathering, stressing the ethical responsibilities of attorneys and the necessity for mutual respect among members of the profession. We plan to organize a similar event next year, and we encourage all of our alumni in Georgia to join us.

UT Law School Coming Up For Re-Inspection This Year

The American Bar Association re-inspects law schools every seven years for the purpose of determining whether or not a school deserves to maintain its accreditation, and UT College of Law's turn is coming up this year.

In preparation, Dean Penegar has appointed a "self-study" faculty committee whose charge is to evaluate the school's strengths and to identify areas of needed improvement. The committee will be giving special attention to the needs of the library, which was a source of concern during the school's previous inspection. The members of the self-study committee are: Pat Hardin, Mary Jo Hoover, John Sebert, John Sobieski, and Fred Thorforde.

Professor Forrest W. Lacey Retire After 32 Years With UT

"Professor Lacey, we salute you" summed up the sentiment of the editorial in the April 29, 1983 dedicatory issue of *The Forum*, the law school student newspaper. Alumni, friends, faculty and students honored him at a banquet at the Quality Inn Downtown, Knoxville on May 17, 1983. The Dean proclaimed April 28, 1983 "Forrest W. Lacey Day at GCT."

The occasion: the Alumni Distinguished Professor of Law, Forrest W. Lacey, has retired after 32 years of teaching at UT College of Law.

Professor Lacey began his legal career as a deputy prosecuting attorney for Wayne County, Indiana, and served in the U.S. Naval Reserve. He was also Deputy Attorney General of Indiana before he turned to teaching for the remainder of his career.

He first came to UT in 1951, having taught for one year at the University of Alabama and part-time at the University of Toledo while engaged in graduate study at the University of Michigan. He proceeded to become the acknowledged master of the Socratic method of teaching law at UT. His scholarly works have been cited by such notables as U. S. Supreme Court Justice William O. Douglas.

At the banquet held in his honor, former

Continued on page 2

FORREST LACEY



CONTENTS

Special Features

- Carden Fellowship, 5
- New Distinguished Service Professor, 12
- Mediation and Lawyers, 12
- Hoover Scholarship Awarded, 5
- P.O.G.O. Workshop, 9
- "Language" Focus of TLR Address, 3
- Professor Lacey Retires, 1
- Judge Crawford's Advice, 8
- A Compliment, 1
- Moot Court Team Excels, 4
- Law Student Honors Cates, 3

- TVA Featured in TLR, 12
- Miller Fund Established, 3
- Georgia Alumni Gather, 1
- Entertainment Law Symposium Held, 6

Regular Features

- Alumni News, 10
- New and Not-so-new Faculty Notes, 5
- Public Law Institute, 6
- Career Planning and Placement, 2
- May Hooding Ceremony, 4

"Law is a river of ideas.

It is impossible to place your foot in
the same place twice.

It is a time to invent what will be
the very best for tomorrow."

—Governor D. Robert Graham,
Florida
Syllabus, Vol. XIV No. 2,
June, 1983

Career Planning and Placement

ADDITIONS TO JUDICIAL CLERKSHIP LIST:

Court

U.S. District Court
Tennessee Supreme Court
Tennessee Court of Appeals
Tennessee Court of Criminal Appeals

Law Clerk

Gwynn Kelly Smith
Christina Norris
Susan Taylor Shoaf
Thomas Booth
Thomas Crawley
Steven Hawkins
Elizabeth (Beth) Stricklin

Photo Credits: Photographs on pages 1, 3, 4, 5, 6 (LeClercq), 7 (except J. Harbison), and 9 (except Chris Coffey) by Sandra Echernacht.
Photographs on page 6 (except for LeClercq) and page 7 (J. Harbison) by Doug Beam.

LACEY, continued from page 1

students and colleagues expressed their thanks to him by describing exactly what made the lessons he taught so special to them.

Master of Ceremonies, Professor Joseph G. Cook, recalled his own initiation to UT law school with the then twice-daily trek of faculty across the street to the Ellis & Ernest Drug Store: "There among the black-and-white tiled floors, the wooden tables and chairs, and the remnants of a quieter era fast disappearing, he observed the faculty playing itself to the hilt, and there . . . sat a handsome chap who looked no older than he does today, nursing a white mug of black coffee and quietly smiling . . ."

Professor Cook told of the most important lesson he had learned from Forrest Lacey. He said that he now realized that, "It does not matter that I do not know the answer to a question. The important thing is that I understand the question."

The Honorable Ben H. Cantrell, Class of 1966, described Forrest Lacey as "one of the great law teachers of this century."

Judge Cantrell first met Professor Lacey in Contracts I, where the young law student was dismayed to find out that the square root of two would not necessarily always be the same and that "two cases with identical facts always produced a different result, and Professor Lacey didn't seem to care. In fact, he let on that they were *both* right, or both wrong, depending on which side you took."

Judge Cantrell speculated that perhaps we remember Forrest Lacey so fondly because it dawned upon us that "the habit of looking at both sides of an issue was one of the most important things you learned while you were in law school. For whatever reason, we realize . . . that we came out of an encounter with him better than we were when we went in and that . . . his own brand of wit and logic made us respect 'the other side'."

Martha S. L. Black, 1973 graduate and former faculty member, noted that after a class with Forrest Lacey, "You never went away with any other thought but to keep thinking."

She recounted his unforgettable and deceptively unassuming manner, his penetrating "Why?" and his other familiar responses to a law student's observations: "Do you really believe that?" and then when you had inevitably said "Yes" and stumbled a bit further, the next question was, of course, "Do you expect *me* to believe that?" to be followed soon by, "Are you sure we're talking about the same case?"

Professor Lacey could make more manipulations with "the posted rule" than could all other contracts scholars put together, according to the fellow law teacher. Ms. Black also characterized his leadership at the law school as evidence of "an unwavering clarity of conviction, a principled determination, and an honesty of thought."

"Professor Lacey is a respected educator . . . because he respects his students as well," were the words of Paula G. Kirby, Class of 1983 and Editor of the *Tennessee Law Review*. She says he taught her three lessons: (1) never speak without thinking (learned when she unwittingly told a stranger at an orientation reception that she had heard UT had its own version of the crusty, old Professor Kingsfield of "Paper Chase," and the stranger replied, "Ah, yes, that would be me. I'm Forrest Lacey."); (2) to prepare, but also to plan for the unexpected (avoiding a seat in the middle rows of the classroom, commonly referred to as Death Valley, did not relieve you from being called upon, especially before the seating chart was in the Professor's hands); (3) the virtue of humility (learned when she chose to take "Sales and Secured" and was "truly humbled" by the experience when her grades arrived).

Ms. Kirby presented Professor Lacey with a leather-bound volume of the edition of the *Tennessee Law Review* which officially honored him. On behalf of all of his former students, she said that when they meet with their colleagues from various law schools of high reputation, when the conversation inevitably turns to law schools and law professors, we can sit back and listen to our

colleagues brag about their respective schools and professors. The students who have had Lacey "don't have to say a word; they can be silent in their memories for they know in their hearts that they have had the best that there is to offer . . . in the teaching of Forrest Lacey."

Professor Durward Jones presented Lacey with "an irresistible timepiece," made so by the black ears and red-gloved hands which moved around the face.

In a slightly more serious vein, Dean Kenneth L. Penegar displayed the portrait of Professor Lacey which will be given a cherished place in the law school and gave him a notebook filled with letters containing memories recited by alumni and friends. With a fond "Bon Voyage," the Dean also presented Forrest and his wife Jean with two round-trip tickets to London, England, made possible by gifts from former students and the faculty.

"It's been fun" was the honoree's initial response. He assured the audience that he has thoroughly enjoyed his work, and he passed considerable praise on to his wife, Jean. Musing over what had been said about him during the evening, Professor Forrest Lacey resisted responding with another question and said, "Thanks for saying that I have made some contribution to your professional careers."

In closing, Professor Cook observed that "Socrates was the first teacher to use the Lacey method." Cook emphasized the fine example set by Forrest Lacey, showing fellow faculty members that the first obligation of a teacher is to teach. "That priority has become an institutional commitment, and we are a better law school as a result."

Alumnus Paul Campbell's (Class of 1975) tribute to Professor Lacey in the law review dedicatory issue seemed to summarize the thoughts of alumni and friends as well. Quoting from the article, Cook stated, "It essentially says two things, 'Thanks' and 'It worked,' and no teacher can ask for more than that."

In Memoriam



John Anderson Ayres, Jr. Knoxville, TN	<i>Class of 1950</i>
F. Graham Bartlett Knoxville, TN	<i>Class of 1948</i>
John K. Crenshaw Newbern, TN	<i>Class of 1944</i>
David W. Dickey, Jr. Knoxville, TN	<i>Class of 1940</i>
James W. Elmore, Jr. Knoxville, TN	<i>Class of 1930</i>
James R. Harrington Dandridge, TN	<i>Class of 1949</i>
McAfee Lee Knoxville, TN	<i>Class of 1942</i>
Ralph D. Longmire Knoxville, TN	<i>Class of 1951</i>
Carl W. Miller Kingsport, TN	<i>Class of 1952</i>
Samuel J. Milligan Greeneville, TN	<i>Class of 1912</i>
Robert P. Rule, Jr. Knoxville, TN	<i>Class of 1975</i>
Calvin N. Taylor Knoxville, TN	<i>Class of 1950</i>
Jere T. Tipton Lookout Mountain, TN	<i>Class of 1928</i>
Winifred Townson Wells Wallace, NC	<i>Class of 1942</i>



Law Student Honors Memory of Marine Hero

The portrait of General Clifton B. Cates, U.S. Marine Corps, has decorated the wall outside the faculty study in the UT Law Library for several years, but the efforts of a concerned law student have given the portrait a special meaning.

Lieutenant James L. Lunceford, a second-year student at UT College of Law, noticed that the portrait of the revered general lacked identification. His curiosity aroused, Lunceford wrote the Department of the Navy and was impressed with what he learned about General Cates.

Clifton Cates was born in 1893 in Tiptonville, Tennessee. He was a varsity baseball and football player at the University of Tennessee where he earned his Bachelor of Laws degree in 1916. Soon after graduation, he plunged into a career which engaged him in five major confrontations in the First World War and another five in World War II.

As a young lieutenant serving in the 6th Marine Regiment in France during World War I, Cates was decorated by both the U.S. and French governments for extraordinary heroism. In World War II, he commanded the 1st Marine Regiment in the Guadalcanal-Tulagi Landings and the capture and defense of Guadalcanal. Cates also commanded the 4th Marine Division in the Marianas operation, the Tinian Campaign, and the seizure of Iwo Jima. During more than 37 years as a Marine, he was wounded several times and won nearly 30 decorations.

General Cates served as the 19th Commandant of the Marine Corps from 1948 until 1952. He retired in 1954, after two and a half years as Commandant of the Marine Corps Schools at Quantico, Virginia. He died in June of 1970 after a long illness.



Dean Penegar, law student James L. Lunceford, and the portrait of General Cates with its new identification plate.

Carl Miller Fund Establis he

In an effort initiated by D. Bruce Shine of Ferguson & Shine in Kingsport, six Kingsport area attorneys solicited gifts from their colleagues in memory of Judge Carl Miller, a UT alumnus who passed away in November of 1982. The fund is designated for assistance grants to students. The other attorneys who generously joined in this solicitation effort were William W. Hawkins, Class of 1955, Steven C. Rose, Class of 1976, William S. Todd, Class of 1978, Gorman Waddell, and Joe W. Worley.



Language Foundation Law Review

Ad r sBy W. Willard Wir

The *Tennessee Law Review* celebrated its 60th Anniversary at the Seventh Annual Banquet featuring W. Willard Wirtz. On Friday, November 12, 1982 at The Lord Lindsey in downtown Knoxville, the Washington, D.C. attorney and Secretary of Labor with the Kennedy and Johnson administrations voiced his concerns about the frequent misuses and abuses of the written and spoken word.

Wirtz described to the audience the mind game he often plays at meetings, counting the number of times the adverb "hopefully" is misused. (Thirty-three is the current record number.) "That," the adjective, and "which," the selective identifier/modifier, are also frequent victims of poor language skills. He warns that acronyms and initials suggest that the source is trying to impress someone, and he is wary of those who use Latin in conversations.

"Organize, Economize, and Mean What You Say"

The well-known arbitrator and author advises the use of words containing few syllables, as well as careful organization as opposed to "stream of consciousness." The most important paragraphs, sentences, and words are those which appear at the first and the last of a paper, paragraph, or sentence. Civil servants, he noted, are well known for their ability to sandwich something important in between the first and the last in the hope the "the something" will be overlooked.

In addition to organizing, Wirtz encouraged his listeners to "economize" and to "mean what you say." If you say it in less space, chances are it will be better. Also, while it is important to mean what you say, the speaker added that you must not "be mean," the fault of many newspaper reporters.

Wirtz reads Strunk and White's *The Elements of Style* once a year to refresh his familiarity with the proper use of language. (In case you're wondering, yes, W. Willard Wirtz is the father of our very own Professor Richard Wirtz.)

W. WILLARD WIRTZ





THE VICTORS: (from L) Professor Joe Cook, Dean Ken Penegar, Louann Prater Smith, Tom Slagle, Scott Rose, and Professor John Sobieski.

UT Moot Court Team Excels Again In National Match

The University of Tennessee's National Moot Court Team has placed second in the prestigious 33rd Annual National Moot Court Competition. The team of Louann Prater Smith, Tom Slagle, and Scott Rose triumphed in the semi-final round of competition over the University of Georgia School of Law on the afternoon of Thursday, January 27, 1983 in New York City. In earlier rounds they beat teams from UCLA, Yeshiva, William and Mary, Boston College, and Georgia.

A team from UT, which included Smith and Slagle, won the national title last year, repeating UT's win five years earlier. This year's problem focused on a defendant's constitutional right to confront a witness against him and the propriety of the federal courts' review of claims litigated in state courts. The students submitted a brief arguing the rights and responsibilities involved and then argued the case orally before a panel of nine judges, including Chief Justice Feinberg of the Second Circuit.

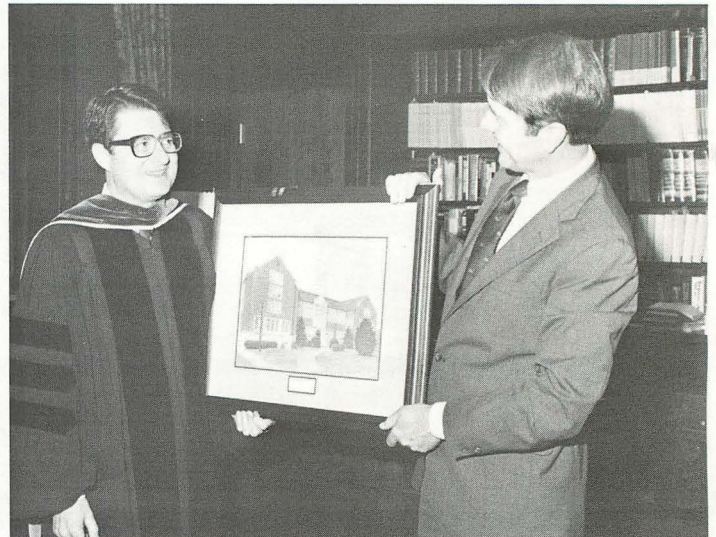
The National Moot Court Competition is sponsored by the Young Lawyers Committee of the Association of the Bar of the City of New York. The UT team won the regional competition in New Orleans in November to earn the right to compete against schools from all over the U.S. in the national finals.

Faculty advisors for the team are Professors Joseph Cook and John Sobieski, who were also advisors to last year's national championship team.

Hardin Chosen Arbitrator

The Blount County Teachers Association and the county school board chose UT Law Professor Patrick Hardin as arbitrator of a pay dispute between the two groups. Hardin has extensive experience with labor disputes, having served on arbitration panels in disputes involving U.S. Postal Service Employees, communications workers, and Bell System companies.

Don Paine (left) receives a gift of the print of the law school from Dean Ken Penegar. ▼



▲ The 1982 officers roster of the Memphis & Shelby County Bar Association featured several UT graduates. Pictured, from left, are Ross Clark, Vice-President and Class of 1960, J. Fraser Humphreys, Jr., Treasurer and Class of 1950, Donn Southern, President and Class of 1957, and Lee Winchester, Secretary.

New Legal Clinic Formbook is Published

The long-awaited *The University of Tennessee Legal Clinic and Knoxville Legal Aid Society Formbook* is now available for purchase. Contained within the 950 pages of forms, explanatory notes, and stop lists for word processing systems are forms for areas such as Adoption, Bankruptcy, Divorce, Housing, Probate, and Wills, among numerous other topics.

The price of \$50.00 includes a binder and postage. Address your inquiries to the Legal Clinic. Checks should be made payable to the UT Legal Clinic/Knoxville Legal Aid Society.

Knoxville Bar Association President Speaks at Hooding Ceremony

The largest graduating law class in UT's history, 152, received their hoods on May 19, 1983 in the Alumni Gym. The featured speaker for the ceremony was Donald F. Paine, President of the Knoxville Bar Association.

Mr. Paine is a Knoxville native and a prominent practicing attorney and educator. He earned three degrees from the University of Tennessee: a bachelor's and a master's degree in addition to the law degree in 1963. As a law student, he was Editor-in-Chief of the *Tennessee Law Review*. Mr. Paine is the

author of a book published in 1974 entitled, *Tennessee Law of Evidence*, and he has taught civil procedure and evidence at both UT and Vanderbilt.

For over a decade, Mr. Paine has regularly served on the faculties of the Tennessee Law Institute, the Crossley Bar Review, and the Tennessee Judicial Conference education programs. He is also Chairperson of the Advisory Commission to the Tennessee Supreme Court on Civil Procedure. He is a member of the Knoxville firm of Egerton, McAfee, Armistead & Davis.

UT College of Law Selected for J. Edgar Hoover Memorial Scholarship

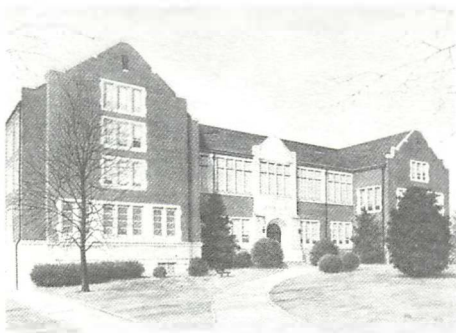
The University of Tennessee College of Law is one of six colleges in the nation selected to receive scholarship awards sponsored by the Society of Former Special Agents of the FBI. Kingsport attorney Morris Hadden, who is a UT graduate, designated UT College of Law as a recipient of a 1983 J. Edgar Hoover Memorial Scholarship of \$1,000.

The Society, founded in 1937 as a brotherhood with the common purpose of supporting the FBI and effective law enforcement, has 8,000 members nationwide. The annual Living Memorial Scholarship program is designed in memory of the former and first FBI Director for his pursuit of excellence in educational standards in the FBI. A similar award was made to UT by another former agent, Theodore A. Sanders, two years ago.

There are several Knoxville area members of the Society, including John A. Parker, Clerk of the Tennessee Supreme Court and graduate of UT College of Law.

A New Alumni Directory!

By October of 1984, we hope to be able to offer our alumni a new directory listing home and office addresses, class years, and specialties. We recognize the significance of such a reference book to our graduates, and the 1976 edition has become outdated. We ask your cooperation and indulgence over the next few months as we update our information about you.



Limited Edition Print of Law School Released

Artist E. Howard Burger has immortalized the George C. Taylor Law Center in a beautiful water color rendition of the building and grounds. An enterprising third-year law student, Edward G. White II, is co-founder of "Legal Impressions" which commissioned the limited edition print.

The artist has published over fifty collector editions, and his works are represented in galleries and by art dealers in all fifty states and many foreign countries. Mr. Burger's original work is also featured in the permanent White House collection in Washington, D.C.

The 1,000 prints hand-signed and numbered by the artist are priced at \$30.00 each, and the 75 artist proofs are \$45.00 each, plus \$2.50 for shipping. For further information, call or write Legal Impressions, P.O. Box 3508, Cleveland, TN 37311, 615/336-3984.



At the formal presentation ceremony on March 28, 1983, were (left to right) **Kenneth N. Raby**, Southeastern Regional Vice-President of the Society of Former Special Agents of the FBI, **Morris Hadden**, Presenter and Member of the Society, **Dean Kenneth Penegar**, UT College of Law, **Chancellor Jack Reese**, UT-Knoxville, **Henry A. Quinn**, Chairman of the East Tennessee Chapter of the Society, and **Douglas Gow**, Special Agent in Charge of the East Tennessee Office of the FBI.

New and Not-so-new Faculty Notes

Jane Baron has been appointed as a Visiting Assistant Professor of Law for the 1983-84 academic year. She was an instructor last year (the editor apologizes for having misspelled her name in the previous issue of **Alumni Headnotes**). Baron is a graduate of Harvard Law School and has worked for the firm of Sullivan and Cromwell in New York.

Judy Cornett, Class of 1982 and former Editor of the *Tennessee Law Review*, will be teaching a section of Research and Writing this year.

Glenn Coven will be visiting on the faculty of William and Mary College School of Law in the coming year.

Carl Eshbaugh, **Susan Kovac**, and **Nicole Russler** will have appointments as Visiting Assistant Professors for 1983-84 pending a study of the status of faculty clinicians. They have been Staff Attorney/Instructors at UT for several years.

Grayfred Gray will continue on leave for the 1983-84 year, working as Director of the Office of Legal Counsel for the Department of Mental Health and Mental Retardation.

Gerald P.J. McGinley has received a Professional Leave Award by the University of Tennessee for 1983-84. He will be engaged in an "Interdisciplinary Study of Sociology and the Anthropology of Law" at Cambridge University, England.

Janet Mayfield, a TVA lawyer and a graduate of DePaul Law School in Chicago, will be teaching two sections of Research and Writing.

Carol Mutter has been reappointed as a Visiting Associate Professor for 1983-84. She is a graduate of Georgetown University Law Center and has been an Associate with Hogan & Hartson in Washington, D.C. and with Hull, Towill, Norman & Barrett in Augusta, Georgia.

Bob Pryor, Class of 1969, **Tom Scott**, Class of 1967, and **Joe Tipton**, Class of 1971, will be adjunct instructors of Trial Practice during the 1983-84 academic year. They are all practicing attorneys in Knoxville, and Scott and Pryor have been teaching the course for several years.

John A. Walker, Jr. will be teaching "Bills and Notes" during the coming year. He received his J.D. degree from Columbia University School of Law and has previously taught commercial law subjects at UT.

Sobieski Awarde First Carden Fellowship

In celebration of his forthcoming three-volume treatise on *Civil Rights Actions* with Professor Joseph Cook, Professor John Sobieski has been awarded the first Carden Fellowship, a \$4,000 stipend.

Sobieski was responsible for drafting the Tennessee Rules of Appellate Procedure and was Reporter for the Tennessee Supreme Court Advisory Commission on Civil Rules. He was chosen Outstanding Teacher in 1977 and in 1981, and he is the author of several articles on Civil and Appellate Procedure.

The fellowship was made possible through the income the College of Law receives from an oil well, the generous gift of C. T. Carden, Class of 1950.

Attorneys Assist With Trial Practice Instruction

Several practicing attorneys have generously offered their time and expertise to recent Trial Practice classes. Their contributions are greatly appreciated by faculty, administration, and student body alike.

Bob Bailey	Ron Koksall
Jim Bell	Jim LaFevor
John Buckingham	Tom McAdams
Chuck Burks	Judy McCarthy
Kyle Carpenter	Ed Nethery
Bob Chadwell	Randy Nichols
Bob Cooper	Cliff Shirley
Tom Dickinson	Ray Shirley
Martin Ellis	Norbert Slovis
Pattie Jane Lay Fisher	Bob Stivers
Dwight Foster	Judy Stolfo
Jim Frederick	Joe Tipton
Rebecca Gillen	Kim Tollison
Bob Godwin	Doug Trant
John Harber	Janet Vest
Gary Housepian	Paula Voss
Morris Kizer	Bill Waters

COMPLIMENT, continued from page 1

was to begin immediately. Would we serve?

In the classroom court, we were joined in the jury box by four others who were campus employees. At the bench, the professor, now judge, gave us our instructions. The divorced father was suing for custody of his small son; the mother, pursuant to a prior court decision, wished to keep him. The judge wanted advice from the jurors as to how he should rule. We played our role by attentively listening.

In proper sequence, witnesses were sworn in, the advocates spoke to us, stating what they intended to prove. As the evening progressed, we had to prod ourselves to remember that this was only classroom work, so skillful were the legal methods employed to examine and to cross-examine. In truth, these "attorneys" could shame many a licensed member of the bar we had seen in action. And the able actors, mostly from the university, the former wife, the belligerent ex-husband, the glib witnesses, even the small boy, lent worldly credibility to the whole scene. Under the near table, a seeing eye dog quietly lay at the feet of his mistress who competently carried her part of presenting complainant's case.

At the end of the well-prepared arguments, the judge charged the jurors, and we were then left to our deliberations. Camera and microphone were set up in order to transmit to the contestants the invaluable learning experience of how a jury arrives at its verdict. Carefully we pondered the evidence and, after due consideration, found for the mother.

In a warm meeting of fellowship, the professor and his class gathered around the surrogate jury, exchanging their impressions of what they had thought we would decide, thanking us for serving, and we in turn frankly shared our views and concepts. At last we two visiting researchers in the library were at one with these lawyers-to-be.

Students Organize Entertainment Law Symposium

A group of law students who were interested in learning more about copyright law and the intricacies of entertainment law sponsored a symposium on these subjects on April 15, 1983.

Several UT legal fraternities and organizations co-sponsored the program, including P.A.D., P.D.P., S.B.A., C.L.S., and B.A.L.S.A., under the guidance of committee chairman Joe R. Bartlett and Professor J. Otis Cochran. Speakers included Geoff Hull, Chairman of Recording Industry Management, M.T.S.U., Professor Richard S. Wirtz, Connie Harrison, General Manager of the Knoxville Symphony Orchestra, and local attorneys Dwight Foster, Class of 1975, and Jo Helm, Class of 1974. Local musicians and their managers also discussed their personal experiences.

The organizers plan to make this an annual event.

Professor Fred LeClercq tries to "bid-up" the price on this lovely tie for the benefit of the Alan Novak Student Loan Fund.

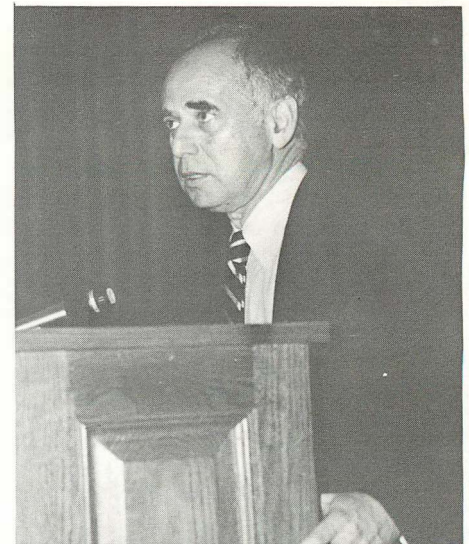


Public Law Institute

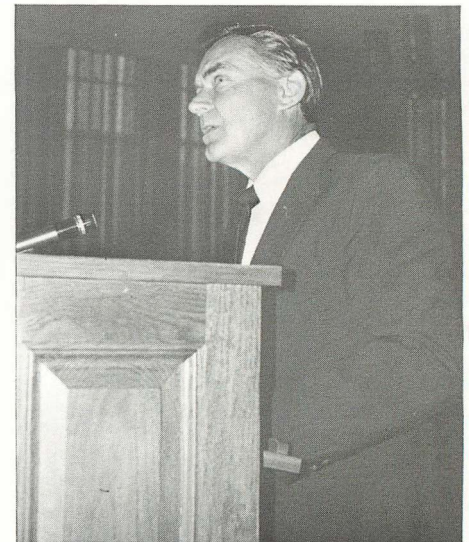
Mock Trial Competition — twelve Knoxville area schools participated in the local event co-sponsored by the Knoxville Barristers and PDP legal fraternity. Knoxville was represented in the statewide competition by Bearden, coached by attorney Dwight Tarwater, Class of 1980, and law student Terry Tribble.

Spring Regional Seminars for General Sessions Court Judges were held in Nashville and in Knoxville this past spring. Topics covered included alcohol breath-testing units, legal update from the Office of the Attorney General, and handling the fender bender.

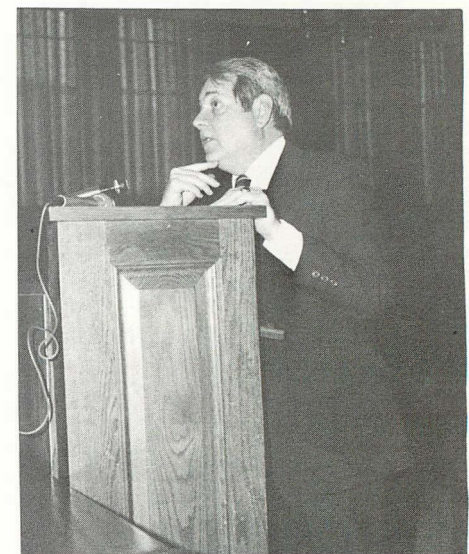
Judges' Day at Lakeshore — the second annual program was held on June 24, 1983 at Lakeshore Mental Health Institute. "The Evaluation of Expert Testimony" was presented by Professor Jim Gobert, Professor Susan Kovac, and Dean Doug Wells, and admissions and discharge procedures were covered by mental health personnel. UTK Chancellor Jack Reese moderated the afternoon discussion panel. Doug Trant, Class of 1977, delivered an update on mental health legislation.



S. David Freeman, TVA Board of Directors, would like to see greater involvement of students in "public interest law."

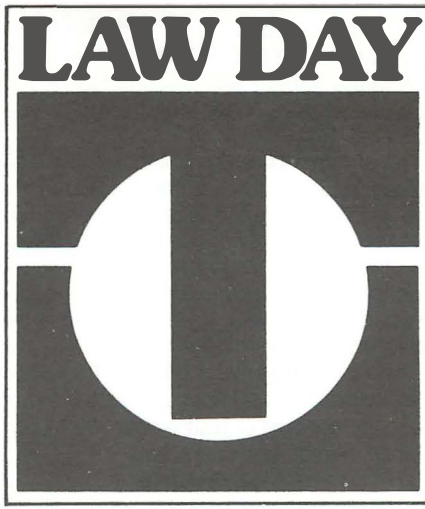


Ben Blackburn, Director of Southeastern Legal Foundation, suggests that the U. S. Supreme Court is "legislating."

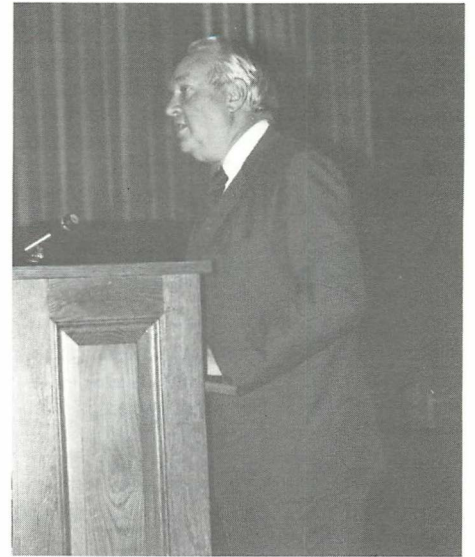


The Honorable Houston M. Goddard, Tennessee Court of Appeals, urged attorneys to make more efforts to settle lawsuits.

Chief Judge L. Clure Morton, Class of 1936, is pondering his next question for the contestants.



Keynote speaker: Tennessee Supreme Court Justice William J. Harbison.



Advocate Thomas Forrester stresses an important point in his argument.



The Class of 1983's Outstanding Graduate, Louann Prater Smith, receives her award from Dean Penegar.

Judge William S. Russell, Class of 1948, joined the judges panel for the Advocates' Prize competition.



U. S. Magistrate Robert P. Murrian, Class of 1974, served as an Advocates' Prize Judge this year.



Advocates' Prize Best Oralist Patricia Hess receives a warm handshake from Dean Penegar. She and her partner, Richard T. Beeler, captured top honors in the competition.



Student Jane Pattee North received several awards, including the Knoxville Bar Auxiliary to the Tennessee Bar Association award for the highest first-year academic achievement.



Dean Penegar congratulates the Advocates' Prize winners of the Best Brief Award and runners-up in the overall competition, W. David Griggs (left) and Thomas Forrester.



Judge Crawford Advises Competence, Humor, Character

(Editor's Note: The Honorable William Frank Crawford, Class of 1950 and newly appointed Judge of the Tennessee Court of Appeals, Western Division, delivered the hooding address to the Fall, 1982 graduates. The following is an abridged version of his remarks. Judge Crawford was a partner in the Memphis firm of Thomason, Crawford & Hendrix prior to his appointment. He was President of the Junior Bar Association of Memphis for 1960-61 and Vice-President of the Tennessee Bar Association for 1972-73.)

Our great profession, which is charged with the protection of the rights of the people and with providing justice to the people, is losing the people's confidence. Lawyers in many instances are looked on with mistrust. They no longer enjoy the high esteem in which they were once held by the general public. What is the problem? Why has this come about and what can we do about it?

Wigmore said, "The most important thing about the practice of law is that it is, and in the inherent nature of things, demands, always, that it shall be a profession." The very nature of the work of a lawyer as an advocate for a client and as an officer of the court involves competing duties and obligations. On the one hand the advocate's relationship to his client is one of the highest trust and confidence, while on the other hand, he remains an officer of the court which involves an equally high relationship of trust and confidence to the court and public at large. These solemn obligations require that the practice of law be carried on by persons pursuing a common calling as a learned art, in the spirit of public service.

In my mind, one of the things we must guard against is the threat of the profession losing its status as such and becoming a business. I fear the contamination of materialism and the loss by the profession of the lofty idealism that has sustained it through the last two centuries. I do not mean to decry the practice of economic efficiency in the practice of law. Such efficiency is essential. My point is, law is a service profession, and some of us lose sight of the service aspects by emphasizing the monetary aspects. Perhaps this seems ironic that I tell you on the eve of your entry into a profession for your livelihood that you don't get rich practicing law. However, it is most important, I think, for all about to enter this noble profession to know that money is not a sound, nor even a practical, motivation. Perhaps I should elaborate on my remark that you don't get rich practicing law. Rich — Yes, you will have riches beyond your wildest dreams. But not monetary riches. To successfully defend the rights of the downtrodden, to see a parentless child placed by adoption in a loving home, or to counsel and reconcile a faltering marriage. These are but few of the rewards you can look forward to.

I am reminded of the counsel of my friend, Martin Feerick, as we sat one evening in the building across the street. My senior year was coming to a close, and Martin, having prac-

ticed before becoming a professor, impressed upon me that my first concern should be superior service and that the fees would necessarily follow. I have found this to be very sound advice.

The problem I see is not unique to the legal profession. The same problem exists in the other major professions. Commercialism and materialism have even invaded the celebration of Christmas. You new lawyers have the opportunity and the need to restore public confidence in lawyers. It is my belief that this public confidence, though submerged, can be restored through your efforts. This opportunity to improve our image can be fulfilled by you in the conduct of your practice with competence, humor, and character.

COMPETENCE

I need say little about competence today, Supreme Court views notwithstanding. You have the seal of the University of Tennessee that you are competent to practice law. That seal is widely accepted as authoritative and is respected by lawyers and courts everywhere. That is your passport; you have to do the traveling! Continue to learn and develop your skills as the years pass. As you are faced with each new challenge, the quality of your education here will be a great comfort and will give you continued confidence. You have a right to be proud.

HUMOR

Perhaps this term is misleading, as I do not mean to discredit the seriousness of your role. The practice of law is one big challenge and you will have many moments of harsh reality. However, view your practice as challenging and fun. There may be those who think that icy aloofness to the point of snobbery is the proper attitude to assume. This leaves a bad taste in the public's mouth. As has been so well said, "we are all human." Put some humanity in your practice, and the love of your profession will shine through. Don't take yourself too seriously. Learn to laugh at yourself, and you will see daily what a fun time you will have in your profession. Humor crops up everywhere, and you may well be the butt of the joke.

I'm reminded of the witness testifying regarding the details of an automobile accident. He had given evidence for the plaintiff in great detail, telling exactly what had occurred just before and at the time these two vehicles collided at an intersection and his testimony had been damaging to the defense side of the case.

On cross examination, the attorney for the defendant was able to establish that the accident happened when it was almost dusk and the witness, rather than having been close to the accident scene, was, in fact, viewing the events from a hillside quite a distance away. The witness, however, absolutely refused to estimate the distance in yards or feet or car lengths no matter how persistent the cross-examiner.

At length, in exasperation, the lawyer concluded his cross-examination by asking:

"And do you mean to tell this court and jury that from the hillside which you admit was a great distance away and at

almost dusk you were able to see the circumstances of this accident so clearly as to be able to give the detailed account of it that you have sworn to?"
Just how far can you see anyway?"

The witness thought awhile, looked up and asked in reply:

"Well — let me see — how far is the moon?"

And, then again, lawyers learn ways of dealing with certain courts that appear quite interesting.

Some years ago, at a nameless time and in a nameless place there was a judge, swelled up with his own importance and impressed with his superior knowledge. This judge's performance was something less than perfect and he was particularly hard on the lawyers in his court — ridiculing them, cutting them off, and in general acting very unjudicial. At the bar of the court was an eloquent, intelligent, and very capable trial lawyer. During the course of the trial the judge pronounced an unusual and highly questionable ruling. The learned counsel arose from his chair and was about to speak. The judge, losing patience as he was wont to do, thundered, "Counsel, you have been practicing in this court long enough to know that when the court has ruled on a question, the only review is in the Court of Appeals. Take your seat!"

Counsel stood quietly and then spoke with the calmness of an angel, "If Your Honor please, far be it from me to impugn in the slightest degree the wisdom and propriety of Your Honor's decision. I merely wanted to read a few lines from this volume I hold in my hand that Your Honor might perceive how profoundly ignorant Sir William Blackstone was upon the subject."

Keep a good balance! Remember, you are an officer of the court, and, at the same time, the voice of the people. Mark well the words of Rudyard Kipling in his immortal poem, "If":

"If you can talk with crowds and keep your virtue or walk with kings nor lose the common touch."

CHARACTER

You must exhibit character in your practice. There can be no confidence in a profession whose members deal with each other in an unflattering manner. Practices have changed in my relatively short time. The old, understood courtesies are disappearing and the lawyers are more and more looking for technical advantages. Certainly, you as an advocate cannot compromise your client's position, but plain old fashion courtesy should always be present. I caution you that the bitterness and vindictiveness of the client should not rub off on you. For a youngster in the practice, this is a real threat because you have been taught to be an advocate in the arena. Your reputation with other lawyers is so very important. When you give your word, don't let anything prevent you from following through. As said in Proverbs, "A good name is rather to be chosen than great riches and loving favor rather than silver and gold."

Continued on page 9



JUDGE CRAWFORD

Continued from page 8

Always view your profession as entitled to respect and dignity. You are entitled to it, and you should treat your fellow lawyers in the same manner. The character we show will give the public renewed confidence in our profession.

We don't need an advertising agency or a public relations firm to enhance our standing with the public. We need action by our members. The simple but profound philosophy of Henry Van Dyke in his poem, "Four Things" could well be our guideline:

"Four things a man must learn to do if he would make his record true:
 To think without confusion clearly,
 To love his fellow-man sincerely,
 To act with honest motives purely,
 To trust in God and heaven securely."

Did He Do It?

"Did the defendant *intend* to steal the nails from the store?" That was the question which two separate juries composed of fourth and fifth graders had to answer. The setting was the final segment of a three-week workshop on law sponsored by the Parents of the Gifted Organization, otherwise known as P.O.G.O.

Gifted children in the Knoxville area were treated to special courses on various topics on consecutive Saturday afternoons. In January and February of this year Professor Neil Cohen taught the basics of the law to twenty-two of these children, one of whom is his own. Neil was both amazed and inspired by the children's quickness and intellectual curiosity about the legal process. In the final session, the youngsters conducted a mock trial to determine the fate of a young law student accused of shoplifting nails from a retail store.



The 1982-83 Alumni Advisory Council (Seated in the front row, left to right): Robert L. Echols, Thomas E. Fox, Walter W. Bussart, Robert F. Worthington, Jr., R. Leon Jordan, Herbert M. Bacon. (Back row, left to right) A. O. Buck, W. Fraser Humphreys, Jr., W. Allen Separk, Lowry F. Kline, Bernard E. Bernstein, Dean Kenneth L. Penegar, J. Houston Gordon, Paul Campbell III, John K. Morgan, Sidney W. Gilreath, Arthur D. Byrne. (Not pictured) Charles C. Baker, Jr., Alan L. Cates, Thomas R. Dyer, Robert A. Finley, Ray H. Moseley, James R. Omer, G. W. Ridenour, Jr., Richard L. Rose, M. Jane Snyder, Dorman L. Stout.

July, 1982 Bar Exam Results

	Statewide	UT Graduates
Total taking examination:	407	93
Total passing:	290	84
Percentage of takers successful:	71.3%	90.3%

February, 1983 Bar Exam Results

Total taking examination:	203	45
Total passing:	129	35
Percentage of takers successful:	63.5%	77.8%

Brought to trial in the jurisdiction of P.O.G.O. before the Honorable Neil Cohen, the defendant was prosecuted and defended by teams of very serious and well-prepared "attorneys" who had been coached by law students. The Moot Court Room of UT College of Law was filled with excitement as the audience of parents watched the witnesses (played by law students) being carefully questioned, then the closing arguments were presented and the two juries were instructed to come to their decisions.

The verdicts? One jury said he was guilty; the other said he was innocent. The tie illustrates the skillfulness with which both sides of the case were presented. All in attendance were in agreement: these children are indeed gifted.

Chris Coffey addresses the jury.



Class of 1942

SAM E. BOAZ has retired as Judge of Law & Equity and Criminal Court for Montgomery County after sixteen years on the bench.

Class of 1948

FRANK M. DAVIS was elected District Judge of the Fifth Judicial District of the State of Montana.

KIRBY MATHERNE has retired from the Tennessee Court of Appeals and now resides in Brownsville, Tennessee.

W. FRANK CRAWFORD was recently appointed to the bench of the Tennessee Court of Appeals, Western Division. He was also the featured speaker for the College of Law's Hooding Ceremony on December 17, 1982.

Class of 1955

S. JACK CARROUTH announces relocation of his offices to Suite 850, Barnett Bank Bldg., P.O. Drawer 10584, Tallahassee, Florida.

JOHN K. MORGAN's firm of Morgan, Garner, Wood & Guthrie has merged with the practice of Alan L. Cates in Chattanooga.

Class of 1957

GILBERT R. CAMPBELL, Jr. is the new Executive Director of the Tennessee Bar Association.

HUGH P. GARNER's firm of Morgan, Garner, Wood & Guthrie has merged with the practice of Alan L. Cates in Chattanooga.

DONN A. SOUTHERN of Memphis has announced that the law firm of Bruce & Southern, P.C. has changed its name to Bruce, Southern & Brandon, P.C., and that the firm is now located at 696 Oakleaf Office Lane.

Class of 1958

PAUL GILLENWATER was named to two creditors' committees examining the reorganization plans which must be developed by Johns-Manville Corp. and by Unarco, major asbestos manufacturers which have filed for bankruptcy.

DAVID W. LANIER of Dyersburg was elected to the position of Law & Equity Court Judge of Dyer County, Tennessee. The office also includes the responsibilities of Chancellor and Juvenile Court Judge.

Class of 1959

H. TED MILBURN's nomination as a new U.S. District Court Judge for the Eastern District of Tennessee was recently confirmed by the Senate. He succeeds the late Judge Frank W. Wilson.

Class of 1960

BYRON EISEMAN has been named Senior Tax Partner in Arkansas' largest law firm of Friday, Eldredge & Clark in Little Rock.

JAMES H. JARVIS, II, Blount County Judge, was recently elected President of the Tennessee Judicial Conference.

JOHN H. PEAY was elected Judge of Law & Equity and Criminal Court for Montgomery County, replacing retiring Judge Sam E. Boaz (Class of 1942).

Class of 1962

SIDNEY W. GILREATH of Knoxville has been awarded a certificate as a civil trial specialist from the National Board of Trial Advocacy.

Class of 1964

H. STAN GUTHRIE's firm of Morgan, Garner, Wood & Guthrie has merged with the practice of Alan L. Cates in Chattanooga.

GUS A. WOOD, III has been appointed Commissioner of Safety for the State of Tennessee.

Class of 1965

DON W. POOLE has announced the formation of the association of Bean, Poole, Lawrence & Thornbury and the renovation of their office building in Chattanooga.

Class of 1966

DAVID CROCKETT was elected District Attorney General for the 1st Judicial Circuit of Tennessee.

Class of 1967

RUSSELL J. BEAN has announced the formation of the association of Bean, Poole, Lawrence & Thornbury and the renovation of their office building in Chattanooga.

Class of 1968

WILLIAM C. HUMPHREYS, Jr. is a partner in the 132-member firm of Alston & Bird in Atlanta. The firm was formed last December by the merger of Alston, Miller & Gaines and Jones, Bird & Howell, two of Atlanta's oldest law firms.

Class of 1969

PHILLIP C. LAWRENCE has announced the formation of the association of Bean, Poole, Lawrence & Thornbury and the renovation of their office building in Chattanooga.

THOMAS C. WATSON, Jr. was promoted to the rank of Captain, Judge Advocate General's Corps, U.S. Navy. He is currently serving as Deputy Judge Advocate General for Military Personnel in Alexandria, Virginia.

Class of 1970

JAMES A. H. BELL has been named President-Elect of the Tennessee Association of Criminal Defense Lawyers. He has been the association's Secretary-Treasurer for three years and on its Board of Directors for seven years.

MICHAEL ROWLAND has been appointed to a creditors' committee representing asbestosis victims in the Johns-Manville Corp. bankruptcy lawsuit.

Class of 1972

ALAN L. CATES has announced the merger of his practice with that of Morgan, Garner, Wood & Guthrie in Chattanooga.

RUSS DEDRICK has resigned as Knox County Assistant Attorney General to become an assistant on the U.S. Attorney's staff in the new Drug Task Enforcement Prosecution Unit in Knoxville.

RONALD K. NEVIN has been elected to a second four-year term as Public Guardian for Nashville and Davidson County.

JAMES N. RAMSEY of Oak Ridge was elected District Attorney General for the 28th Judicial Circuit.

Class of 1973

R. STEVEN BEBB was elected Criminal Court Judge for the 24th Judicial Circuit (Monroe, McMinn, and Polk counties).

WILLIAM A. LOCKETT has become a partner in the law firm of Luther, Anderson, Cleary and Ruth in Chattanooga.

WILLIAM C. MYERS, Jr. will be a resident attorney in the newly opened Knoxville office of Stophel, Caldwell & Heggie, P.C.

HERBERT A. THORNBURY has announced the formation of the association of Bean, Poole, Lawrence & Thornbury and the renovation of their office building in Chattanooga.

Class of 1974

G. PATTERSON BANKS has been named President and Chairman of the Board of West Tennessee Legal Services in Jackson.

WILLIAM A. BUCKLEY, Jr. has announced that after seven years as an Assistant District Attorney for the 24th Judicial Circuit, he has opened his own practice of law in Athens, Tennessee.

H. WYNNE JAMES, III has become a member of the firm of Stophel, Caldwell & Heggie, P.C. and will be a resident attorney in their recently opened Knoxville office.

ANDY D. LEWIS's law firm of Morgan, Garner, Wood & Guthrie has announced a merger with the practice of Alan L. Cates in Chattanooga.

ROBERT E. PITTS reports that the firm of Pitts and Kesterson, patent attorneys in Knoxville, has merged their practice with Alan Ruderman. They are also opening an office in Chattanooga. The firm, under the new name of Pitts, Ruderman & Kesterson, will continue to specialize in patent, trademark, and copyright law.

HOWARD H. VOGEL of Knoxville was elected to the American Bar Association House of Delegates by the Tennessee Bar Association Board of Governors.

A. JACKSON WOODALL, Jr. has earned the status of Diplomate of the Court Practice Institute. He attended a week-long Trial Advocacy Seminar in Florida during March of 1983.

Class of 1975

RICHARD S. COOPER has joined in opening an office under the name of Griffin, Burkhalter, Cooper & Reeves at 901 Bearden Rd. in Knoxville.

HOUSTON PARKS has joined the Nashville firm of Trabue, Sturdivant & Dewitt, and he works out of the firm's Columbia office.

JERRY V. SMITH is City Attorney for Charlotte and Burns, Tennessee and Assistant City Attorney for Dickson.

Class of 1976

DAVID A. BURKHALTER, II has joined in opening an office under the name of Griffin, Burkhalter, Cooper & Reeves at 901 Bearden Rd. in Knoxville.

JERRY N. ESTES was elected District Attorney General for the 24th Judicial Circuit.

If your address or job status has changed, or will change in the near future, please let us know. Send information to: Julie Hardin, Asst. Dean, UT College of Law, 1505 West Cumberland Avenue, Knoxville, TN 37996-1800, or phone 615/974-6691.

Name: _____

Firm Name: _____

Address: _____

City/State/Zip: _____

Phone: (_____) _____

This is my: Office Address
 Home Address

Year of Graduation: _____

Former Address: _____

Alumni News: _____

ALUMNI NEWS (CONTINUED)

RICHARD C. LOWE was made a partner in the law firm of King, Ballow & Little in November of 1982.

DAVID F. HARROD was elected Circuit Court Judge for the 24th Judicial Circuit (Monroe, McMinn, Bradley, and Polk counties).

RICHARD D. REAVES is the new Director of the University of Georgia Law School's Institute of Continuing Judicial Education.

PAMELA L. REEVES has joined in opening an office under the name of Griffin, Burkhalter, Cooper & Reeves at 901 Bearden Rd. in Knoxville.

Class of 1977

ROBERT DUNPHY has resigned his position as Assistant City Attorney to join the Knoxville law firm of Morton, Lewis, King and Krieg.

DAVID R. PRICKETT has been admitted into the partnership of the Chattanooga firm of Morgan, Garner, Wood & Guthrie, which has recently merged with the practice of Alan L. Cates.

ROBERT S. TALBOTT has become a member of the firm of Stophel, Caldwell & Heggie, P.C. in its Knoxville office.

LARRY G. TRAIL was recently elected President of the Rutherford/Cannon County Bar Association. He is a partner in the Murfreesboro firm of Reed, Rogers & Trail with Thomas L. Reed, Jr. (Class of 1970) and J. Mark Rogers (Class of 1977).

Class of 1978

KAREN DENISE BROCK is the President of the Tennessee Young Lawyers Conference for 1983-84.

MARTIN L. ELLIS has become partner in the Knoxville firm of Butler, Vines, Babb & Threadgill. He was also Knoxville area director of the 1983 Street Law Mock Trial Competition.

CHRISTINA NORRIS has recently completed more than two years as Clerk & Master of Davidson County.

J. MARTIN REGAN, Jr. is with the newly located offices of Bruce, Southern & Brandon, P.C. on Oakleaf Office Lane in Memphis.

D. MICHAEL SWINEY has earned the status of Diplomate of the Court Practice Institute. He successfully completed the Chicago Institute's intensive week-long Trial Advocacy Seminar in December, 1982.

R. EDDIE WAYLAND was elected Chairman of the Tennessee Bar Association Labor Law Section for 1982-83.

Class of 1979

DOUGLAS L. DUNN, Captain in the U.S. Marine Corps Reserve, has left the Office of the Staff Judge Advocate in Camp Lejeune, North Carolina, after three years to join the Knoxville firm of Lockridge & Becker, P.C. as an Associate.

DAVID E. FIELDER is now a resident attorney with the Knoxville office of Stophel, Caldwell & Heggie, P.C.

PATTI JANE LAY FISHER became associated with the Knoxville firm of Kennerly, Montgomery, Howard & Finley in January of 1983.

STEVEN C. FRAZIER of Church Hill, Tennessee is no longer in solo practice. He has formed a partnership with Michael D. Faulk in the name of Frazier & Faulk.

SARAH Y. SHEPPEARD has earned the status of Diplomate of the Court Practice Institute. She attended a week-long seminar in Trial Advocacy in Florida during March of 1983.

MARY E. WALKER has been teaching as a clinic instructor at the Vanderbilt Legal Clinic since January of 1982, and she is also teaching an interviewing and counseling course in the regular law school curriculum. Her husband, Walter Kurtz, was elected Circuit Court Judge in Davidson County last August. She says they're both really enjoying all of the changes in job responsibilities.

Class of 1980

SUSAN TAYLOR SHOAF is now an associate with the Jackson law firm of LaFon & Hardee.

Class of 1981

DESIREE PARK DENTON is now with the firm of Parrish & Mulrooney in Memphis.

KENT W. GARLAND was appointed Assistant District Attorney General for the 1st Judicial Circuit of Tennessee, and was sworn in by his father, retired Circuit Court Judge Walter B. Garland (Class of 1945).

GARY LEE GOLDSTEIN has earned the status of Diplomate of the Court Practice Institute. He attended a week-long seminar in Florida during March of 1983.

Class of 1982

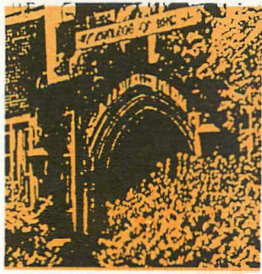
LAUREL D. DENTON OWENS of Huntsville, Texas, is employed by the Texas Department of Corrections as a staff attorney with the staff counsel for inmates.

BRUCE C. TAYLOR is an attorney with the Knoxville firm of Griffin, Burkhalter, Cooper & Reeves.

BRENT WATSON has become associated in the law firm of Bill Banks (Class of 1950) and Jess Campbell (Class of 1968) in Knoxville. He was captain of the 1977 Tennessee football team.

Class of 1983

WAYNE E. DILLINGHAM has written an article entitled "Crashworthiness FAR's and the Effect of Compliance in Products Liability Actions Involving Airplanes," which was published in the Fall, 1982 issue of the *Federation of Insurance Counsel Quarterly*. He is now practicing in the Litigation Section of the firm of Fulbright & Jaworski in Houston, Texas.



Non Profit Organization
U.S. Postage
PAID
The University of Tennessee,
Knoxville

PA# E01-1610-011-83

ADDRESS CORRECTION REQUESTED

Summer, 1983/The University of Tennessee College of Law/1505 West Cumberland Avenue/Knoxville, TN 37996-1800

Did You Know . . .

. . . that you can designate your gift to the University of Tennessee Annual Giving Program to be used for the benefit of the College of Law? Simply make such a designation on the return envelope in which you enclose your gift. Thank you!

TVA Featured In Law Journal

A recent issue of the *Tennessee Law Review* is a symposium featuring the Tennessee Valley Authority. S. David Freeman discusses the evolution of the "National Power Policy" and TVA's mission, while Richard M. Freeman traces the history of TVA through a stage of "Creation and Turmoil" to its current period of "Re-creation and Turmoil" and what he terms TVA's "return to its origins." Both Freemans are members of the TVA Board of Directors, and S. David Freeman served as Chairman from 1978 to 1981.

Former TVA General Counsel Charles J. McCarthy examines the continuing struggle to keep TVA independent of political patronage and "unshackled" by government controls over such items as budget, personnel, and agricultural and conservation functions.

Two University of Tennessee, Knoxville law professors have also contributed to this special symposium issue. Richard S. Wirtz has written a study of the reviewability of TVA power rate decisions, including an analysis of cases in which this has been an issue, and analysis of the problem, itself, and an assessment of Congressional intent with regard to TVA legislation. Dean Hill Rivkin pursues the nature of "public law advocacy" through an investigation of the interests involved in and the litigation surrounding the TVA air pollution conflict.

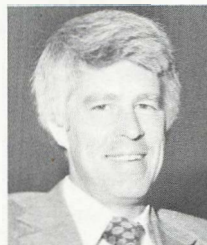
Zygmunt J.B. Plater, tells the story of the process which sealed the fate of the Little Tennessee River Valley in the Tellico Dam Case.

A historical reconstruction of a major environmental litigation which resulted in a consent decree requiring TVA to reduce its air pollution emission levels is provided by Keith Casto. James J. Friedberg explores TVA's role in the energy markets in an article entitled, "Elephants, Uranium, and the Energy Crisis."

**King Is New Distinguished
Service Professor of Law**

Joseph H. King has been selected as the new Distinguished Service Professor of Law.

This professorship, left open by the retirement of Professor Forrest W. Lacey, is granted in recognition of



JOSEPH H. KING

superb teaching, great distinction in a professional field, and exceptional service to the academic programs of the institution. Professor King will receive an annual salary supplement as long as he serves on the UT faculty.

King joined the law faculty in 1973 after gaining experience as an associate in a Philadelphia law firm. He is a graduate of Pennsylvania School of Law and has written a Nutshell on *The Law of Medical Malpractice* as well as several notable law review articles covering Causation and Medical Malpractice in the *Yale Law Journal* and the *Houston Law Review*, among others. He was also chosen the 1983 Outstanding Teacher for the College of Law.

Mediation and Lawyers

During his stay at UT this past year, Visiting Professor Leonard Riskin enlightened many a student and teacher about an alternative means of dispute resolution: mediation.

Mediation is a new concept to many lawyers, and a controversial one for those who believe that it conflicts with the lawyer's role as advocate. This method of resolving disputes has been successful, however, most notably in the area of family disputes, and many lawyers are actually practicing "mediation" law as part or all of their legal practice.

Interested departments across the University of Tennessee campus are studying the possibilities which may exist for interdisciplinary projects on the Knoxville campus for the study of and perhaps implementation of a "mediation clinic."

**Sebert Publishes
Remedies Coursebook**

Remedies: Damages, Equity and Restitution is the title of a new coursebook written by our own Professor John A. Sebert and Professor Robert S. Thompson of the University of Southern California. (Publisher: Matthew Bender, 1983).

In this publication, the authors compare remedial principles in tort and contract law, exploring the possible rationales underlying the differences which are observed. They also explore inter-relationships between "theory" and "practice" and introduce some aspects of economic analysis. The basic concepts introduced in the first part of the book are, in later chapters, applied in the context of examining the remedies available for particular types of wrongs.

**Welcome:
New Faculty**

Robert M. Lloyd has accepted the position of Associate Professor of Law. His most recent position was as a partner in the large California firm of Sheppard, Mullin, Richter & Hampton, where he specialized in commercial law.

Lloyd received his B.S.E. in 1967 from Princeton University and his J.D. from the University of Michigan in 1975. He served as an instructor in Business Law for UCLA Extension and taught "Fundamentals of Commercial Law Practice" for the California Continuing Education of the Bar. He is the author of "Usury Laws Changed: California Does It With Interest," 34 Personal Finance L.Q. Rep. 111 (1980).

Richard Westin will be a Visiting Associate Professor for the 1983-84 academic year. He received his B.A. from Columbia College in 1967, M.B.A. from Columbia University in 1968, and his J.D. from Pennsylvania in 1972.

Professor with Chicago-Kent since 1979, Westin served as a consultant for World Bank (Legal Department) from 1969 to 1972. He teaches such subjects as Corporate Income Taxation, Income Tax Minimization Techniques for the Middle Class; and Middle Income Taxation: Planning and Shelters.