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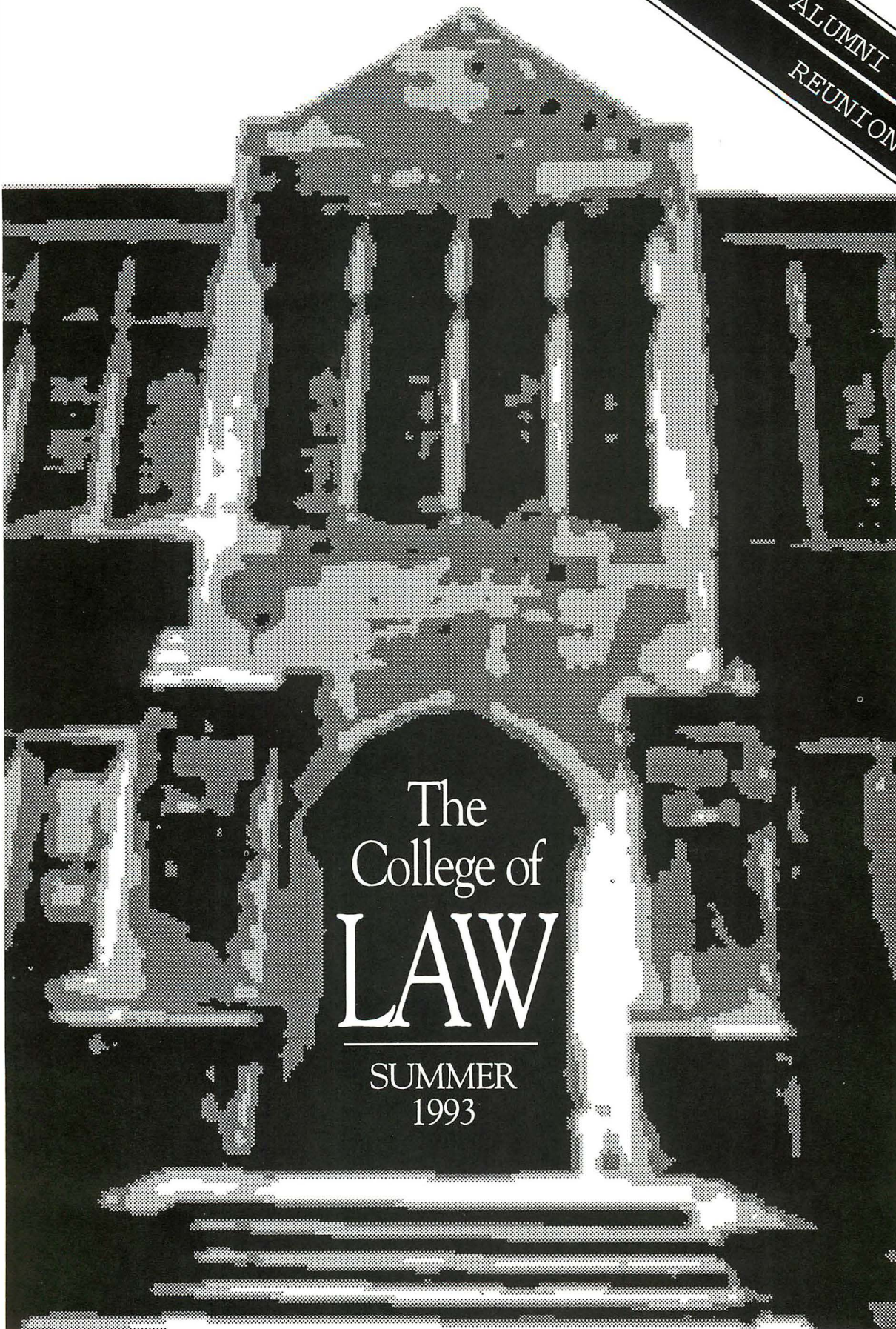
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ALUMNI NETWORKER
REUNION NEWS



The
College of
LAW

SUMMER
1993

THE UNIVERSITY OF TENNESSEE
ALUMNI HEADNOTES

Alumni Headnotes

Summer 1993

Volume 19, Number 3



Alumni Headnotes is published by the Office of Development and Alumni Affairs at the College of Law three times a year for alumni, friends, staff, and students.

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Dean's Corner



Just a page or two farther on you will find the remarks of Bob Ritchie and Suzanne Scott at the Spring 1993 Hooding Ceremony. Bob and Suzanne have humbled the Dean to brevity.

In May we reported to the ABA of progress on the three items of major concern, faculty salaries, funding for the library, and the building project. That progress has been substantial. The ABA's response was favorable, as it should have been.

The last important step will be the authorization, in the next legislative session, of the expenditure of adequate construction funds for the renovation and expansion of the law school building. Bills have been introduced in both houses. The Governor has written to President Johnson and me stating that he will recommend the project for funding the next time around.

This will be the make-or-break year. The Tennessee Bar Association and the Bar Associations of most of the major metropolitan areas in the state are on record in support of this project. It has been gratifying to see how much support has been forthcoming not only from our own graduates but from alumni of other law schools.

The plans for the facility look wonderful. The design team has done a remarkable job of melding the Cumberland Avenue building and the new construction, inside and out. Now other good things are beginning to take shape: a Center for Advocacy that will build on two of our nationally eminent programs, the Legal Clinic and the Moot Court program; and a law library that will serve as a valuable resource not only to those close enough to drive to it but to lawyers and judges around the state.

We're emerging from a difficult passage in very good shape. Your support has made - - and will continue to make - - all the difference.

Richard S. Wirtz
Dean

Calendar

August 23 - 24

Registration and Orientation

August 25

Classes begin

September 6

Labor Day. No classes. Administrative offices and Law Library closed.

September 17

On-campus interviewing begins

September 18*

First Annual *Tennessee Law Review* Ethics Seminar. See inside back cover for further information.

September 25

Dean's Circle Meeting

October 1*

Homecoming CLE "Make Your Computer Earn It\$ Keep"

Reunions for the Classes of '88, '83, '78, '73, '68, '63, '58, '53, '48, '43, '38, '33 (and all their friends)

October 2*

Homecoming. Traditional food, music and fun on the front lawn of GCT (2 hours before kick-off)

October 15*

Academic Awards Banquet. For further information call 615/974-4241.

October 22

Fall Break. No classes.

November 5*

1993 Alumni Distinguished Lecture in Jurisprudence by Milner S. Ball, Professor of Law, University of Georgia School of Law - Noon - Moot Court Room of GCT

November 6

Alumni Advisory Council Meeting

November 25 - 26

Thanksgiving Break. No Classes. Administrative offices closed.

December 3

Classes end

December 7 - 17

Examination Period

December 17*

Hooding

December 24 - 31

Administrative offices and Law Library closed.

1994

January 10 - 11

Registration

January 12

Classes begin

January 17

Martin L. King Holiday. No classes. Administrative offices and Law Library closed.

February 7

On-campus interviewing begins

* Alumni are cordially invited to attend.

Evidence Moot Court Team Places First in the Nation



#1 in the Nation!
1992-93 Evidence
Moot Court Team
(from left)
Jason Hood,
Joe Thompson,
Jane Stahl,
Professor Neil Cohen

The 1993 Jerome Prince Evidence Moot Court Team from the University of Tennessee College of Law finished first in a three-day national appellate moot court competition. The Eighth Annual Dean Jerome Prince Memorial Evidence Competition was held at Brooklyn Law School in New York City on March 11-13. The Tennessee team was comprised of Jason P. Hood, a second-year law student from Memphis; Jane M. Stahl, a second-year law student from Chattanooga; and Joe H. Thompson, a third-year law student from Gallatin.

The Tennessee team won all six of its rounds and was the only undefeated team in the 32-team competition. UT beat teams from Pace Law School, the University of Pennsylvania, Bridgeport Law School, Florida State University, and Chicago-Kent Law School. They beat the host team, Brooklyn Law School, in the finals. Joe Thompson was selected Best Oralist in the Final Round. Jason Hood was selected Second Best Oralist in the Preliminary Rounds. Professor Neil P. Cohen served as the team's advisor. Teams from Tennessee finished third in this competition in both 1991 and 1992.

This year's fictitious case involved two issues. They were: (1) Whether a rape complainant's rental of pornographic movies for in-home viewing or her written diary entries concerning sexually explicit fantasies constitute inadmissible evidence of past

sexual-behavior within the meaning of Fed. R. Evid. 412, and if so, whether the Constitution nonetheless requires such evidence to be admitted. (2) Whether a privilege exists pursuant to Fed. R. Evid. 501 for communications between a patient and a psychotherapist acting as a rape crisis counselor.

Jason, a second-year law student at UT, graduated from Rhodes College in Memphis. While at the College of Law, he has served on the Dean's Advisory Council and the Moot Court Board. Jason was Student Bar Association (SBA) treasurer and Tennessee Association of Public Interest Law treasurer last academic year. He will serve as SBA president for 1993-94. His expected graduation date is May 1994.

Joe graduated with a degree in history from Harvard University and received his J.D. from UT in May. He is now associated with Heiskell, Donelson, Adams, Bearman & Caldwell in their Chattanooga office. While at the College of Law, Joe served on the Moot Court Board and was a member of the Evidence Moot Court team for two years.

Jane graduated from UT-Chattanooga with a degree in political science. While at the College of Law, she has served on the Moot Court Board and was vice-president of the NACDL/TACDL. Her expected graduation date is May 1994.

❖❖❖ Spring Hooding Ceremony Delightful ❖❖❖ --- In Spite of Weather

It was raining Thursday, May 13, at 7:00 p.m. Then it stopped. The University of Tennessee College of Law Hooding procession proceeded into the amphitheater. It started raining again. The ceremony began and ended. The rain stopped again. The procession adjourned to the reception. Is the Class of '93 special or blessed or both? Not only did the weather cooperate, but the ceremony was distinguished (the Ritchie speech), entertaining (the Scott speech), rewarding (the hooding of each graduate), and momentarily filled with surprises (the Dean's Citation winners).

The Distinguished: Featured Speaker Robert W. Ritchie, Esq.

(Excerpts from his speech)

The hood that will be placed around your shoulders today may be likened to a mantle, a mantle passed down by generations of lawyers, lawyers without whom this nation, in the form we know it, would never have been born, and certainly would not have endured. Today, throughout America, there are thousands of lawyers who daily strive, within the precepts of the code of professional responsibility, to help people, real people, with real problems. That is the profession which today you will join. It is a profession of which you should be proud.

Do we have problems? Of course we have problems. But the problems of our profession are not as great as the lawyer bashers would have you and the public believe. I have had the privilege to practice at the Tennessee bar for more than 30 years, and I know over 99 per cent of our lawyers are ethical, honest, hard working, dedicated advocates within the system of justice. Their word is their bond. One lawyer can and does rely on the word of another, and the courts can and do rely on the representations of the attorneys appearing before them. Of course, there are exceptions, but

everyone quickly finds out the few who cannot be relied upon and they are ostracized. It is incontrovertible that today's lawyers are better educated, better trained, and better adherents to the ethical standards of our profession than at any other time in our history.

There will be fewer lawyers in America when the demand of the people for lawyers is less than the supply. (I dare to say that those of you obtaining your degree today hope that such is not yet the case.) What some of our detractors forget is that lawyers do not file lawsuits, people file lawsuits - people who are injured, people who have not received what someone contracted to deliver, people who have been unfairly treated by a person who had a duty to treat them fairly.

Contrary to just a few years ago, there are sanctions placed by the courts against lawyers who dare to file frivolous lawsuits, and lawyers can be and are sued if they file such lawsuits. There is imposed on the lawyer the duty to investigate the good faith basis for filing a lawsuit. If the Council on Competitiveness wants fewer lawsuits against American corporations, the answer lies, not in fewer lawyers, but in encouraging manufacturers to produce products which do not injure and maim, encouraging business people to do what they contract to do, and encouraging businesses to deal with their workers in a manner which will create good morale in the workplace.

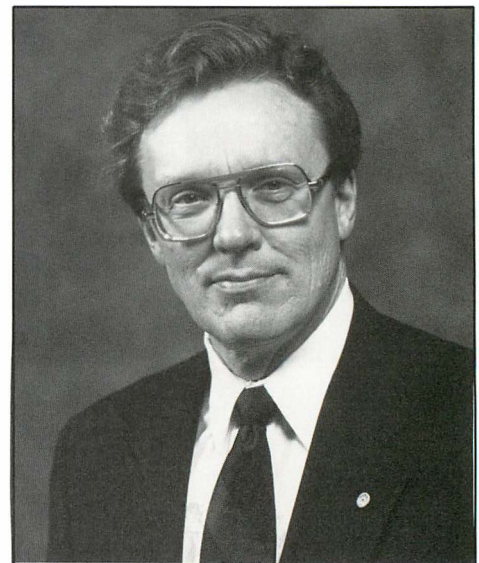
Do you really think we would have air bags or even seat belts in our cars today unless there had been lawyers representing people injured because there were no seat belts nor air bags? Do you really think that safety in the workplace in America would have improved as it has in the last 50 years without lawyers leading the fight for such safety? Without dedicated prosecutors those committing crimes would go unpunished; without dedicated criminal defense lawyers there would be no effective Bill of Rights and

we would be living in a police state.

All of this is not to say that the legal profession does not have problems, that we can be complacent and smug and simply go on practicing our profession as usual, thumbing our collective noses at those who criticize. The advent of the large firm, the pressure brought to produce the "billable hours," the problems associated with advertising, the impact of the anti-lawyer campaign, undermining public confidence in us and our profession, and particularly the atmosphere in which the majority of Americans no longer support the underlying principles of the Bill of Rights, are problems which have produced that which might well be termed a crisis in our profession and in our nation.

It is interesting to note that the symbol in Chinese writing for "crisis" contains two characters, one meaning danger, and the other meaning opportunity. There is danger to our system of justice from the problems we recognize, but there is also opportunity, the opportunity to deal with those problems individually and collectively to make our system stronger.

We must first deal with them individually, on a very personal level. By that I mean that the manner in which we practice our profession, indeed, the manner in which we live our lives, is the first line of offense to insure that we are making a positive contribution to society, and denying our detractors any basis for



Robert W. Ritchie

valid criticism. This means that, first of all, we must be the very best lawyers we can be. Partly because there are a goodly number of lawyers today, more than twice the number we had in 1970, there is no room for mediocrity. To render advice based on inadequate research or preparation because you were tired and wanted to go home the night before; to walk into court unprepared because you wanted to play golf instead of preparing the last two witnesses; or to give less than your best because you underfed the case and you are losing money at this point, are practices of a lawyer who will fail and will bring condemnation on himself or herself and our profession.

Dealing individually with the problems of the profession means that it is not enough to adhere to the code of professional responsibility, we must practice our profession like Caesar's wife, avoiding even the appearance of impropriety. It also means that being an aggressive and tenacious advocate does not require that we conduct ourselves like the north ends of southbound horses, sacrificing civility and courtesy toward opposing counsel and the parties and witnesses on the other side of a lawsuit. Dealing collectively with the problems of our profession means that we must actively participate in local and state bar associations. Through them we not only enhance our understanding of the profession, but have opportunities to improve the profession and its service to the community at large.

Further, your education and training in the law has peculiarly prepared you to make significant contributions to civic, educational, and religious organizations within your community. Lawyers have traditionally taken on leadership responsibilities in all of these areas. By doing so we can disarm those who would seek to portray lawyers as uncaring elitists, isolated from the community and its problems.

Finally, let me tell you that today you become part of a profession that provides innumerable opportunities for great personal satisfaction. Most areas of practicing law involve people, generally people who have problems and have come to you because they believe that you can help them with those problems.

Sometimes, clients come into your office when their lives have been shattered by some traumatic event - an injury that threatens their livelihood, a domestic crisis that threatens their family, a business crisis that threatens to destroy something they have worked for years to establish, or an accusation of crime that threatens to destroy their lives. When you are able to help; when you are able to assist them in putting their lives back together, by finding a solution, it is as if you have made the dark clouds go away and the sun to reappear. It is a source of satisfaction that few people in most other endeavors ever have the opportunity to experience.

There will be days when you will be tired, and frustrated, and discouraged. There will even be days when the stress seems almost unbearable. Yet, through it all, from this day forward, in spite of the carping ignorance of a few detractors, you will know that you are a part of the greatest profession on earth, the profession on which the rule of the law depends, the rule of law that is the foundation of our entire system of freedom and justice. Because of the ideals which you possess, because of the standards of ethics to which you adhere, because of the talent, tenacity and dedication you bring, I have no doubt that our profession will reach higher because you are a part of it.

Welcome to the profession of law.



About the speaker:

Robert W. Ritchie earned a B.A. in 1960 from Western Kentucky State University and a J.D. from the University of Tennessee in 1962. While in law school, he was a member of Phi Delta Phi and the *Tennessee Law Review*.

Bob, a partner with the law firm of Ritchie, Fels & Dillard, has practiced law in Knoxville for over 40 years. He is a member of the Knoxville, Tennessee and American Bar Associations, the Tennessee Trial Lawyers Association, the Tennessee and National Association of Criminal Defense Lawyers, the American College of Trial Lawyers, Leadership Knoxville Class of '94, and the College of Law's Dean's Circle.

The Entertaining: Valediction Suzanne Noblit Scott

WHAT DOES LAW SCHOOL HAVE TO DO WITH LIFE?

I'm sure by now that you have all noticed that I occupy the precarious position of being the last obstacle between poor law students and free food. And I don't intend to stay up here long enough to lose every friend I've made in the last three years. I suppose that most of you are thinking this is a good opportunity for me to say, "Nothing," and then sit down. I also suppose most of you know me better than that.

Everyone of us came to law school with insecurities - some universal, a few unique, and most unfounded. My guess is that the most universal fear was, "Am I smart enough?" Those fears were temporarily assuaged in an entertaining, yet intimidating, welcome by Professor Durward Jones who assured us that we were all here because we were "certified smart." He further insisted that we would do just fine in law school if we would never use a highlighting marker and could avoid having him for income tax. He then turned us over to the care of the first-year professors who took the residual embers of insecurity and spent the next nine months fanning them into raging fires of panic and paranoia. Smart may have gotten us in but there was one clear and unified message: English majors couldn't write like lawyers; philosophy majors couldn't think like lawyers; and political science majors didn't know "didley" about the judicial system.

It's fair to say that we still didn't have any answers by the end of the first year. We should have had a clue when we began experiencing the phenomenon that Kathy Yett described on returning from the first Christmas vacation. Kathy couldn't wait to get back and see if we too had had trouble talking to normal people. In retrospect, I think I now know what the first-year professors were doing here. They were here to UNDO us. We came bankers, engineers, teachers, photographers, social workers, dancers, and business owners, but they had no intention of letting us out of here with any

shred of those former lives in tact. At the end of the first year the message was clear: We came here to be lawyers and if we were tough enough, resilient enough, and masochistic enough, we could come back next year and give it a shot.

The undoing process was painful - we will be telling and retelling first-year stories for the next twenty years. We've got stories to tell from the second and the third years, too. In all fairness, Dean Wirtz warned us that we would face the same insecurities and seemingly insurmountable challenges again as we faced our first years in the real world. The prophesy has now come true. But law school has taught us, perhaps not so much about the law, as about ourselves. We know we are survivors and overcomers, and tonight is a testimony to that fact. We also leave law school with different perspectives on the world.

In the three years that we have been in law school there have been very dramatic changes and monumental events in our country and in the world. Now, even the biggest current events monitors will have to admit that we didn't keep up very well with the news during the first year. Like - I know there was a war, but we were involved in a big battle ourselves. We called it OPERATION PAROL EVIDENCE RULE. I do remember that both wars lasted about the same length of time - and one was more successful than the other.

The law we have been learning has a lot to do with life. Just as we were beginning a study of sexual harassment of Women and the Law class, we were all watching the painful testimony of Anita Hill. The student body was sharply divided between the "he did it's" and the "she lied's," but we were all becoming more educated and sensitized to a problem with serious social and legal implications. The Clarence Thomas confirmation hearings came on the heels of our Constitutional Law I study of the Senate's "advise and consent" role, and suddenly Professor Reynold's questions no longer seemed so rhetorical. As we studied the roots of our own democracy, we witnessed the dissolution of the Soviet Union and the struggle of the emerging nations attempting to define their futures.

This spring, on the day that we began our study of the Free Exercise Clause of the First Amendment, the FBI was driving tanks into the Waco compound.

Not only have we been entrusted with knowledge that transforms our vision of the world, we have also been trained as tenacious and contentious advocates. We've spent three years practicing on each other - especially honing our skills of complaining and petitioning on the administration and faculty - and now we're being turned loose on the world. It is unimaginable that we will ever be as intimately entwined with a group so similarly directed and yet so wonderfully diverse. How can a presidential election ever again be so heated and so fun?

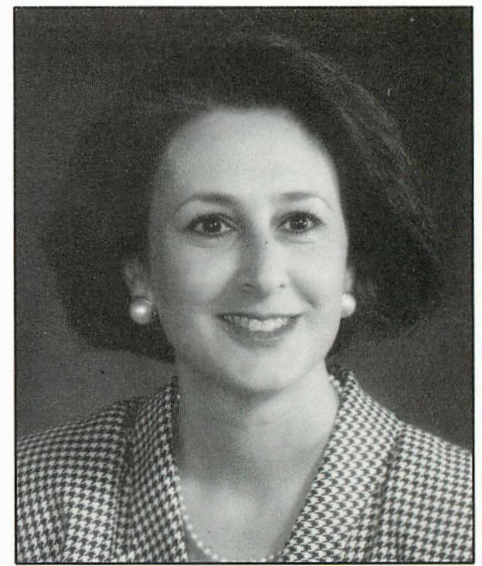
We may decide in the end that law school has nothing to do with life - in general. But for most of us, it may be safe to say that it has everything to do with our own lives. We have made sacrifices and commitments; we have run a challenging gauntlet; we have reached the end of the course at George C. Taylor College of Law. We will tell people that we are going out to practice law. But we are indebted to Professor Fran Ansley for giving us a metaphor by which to understand what this profession is about. She taught us that the law is a river, ever flowing and changing. We are not going out just to work; we are immersing ourselves in a wide and wonderful waterway.

I do know two things tonight. First, that the faculty of this school has well equipped us for our journey. Second, that this class will never be content to float down the river, but will be intent on carving out its course. In thinking about the closing, I felt old spiritual stirrings and decided to close by invoking a new lawyer's blessing:

"May all the precedents against you have soft spots so big you can drive a truck through them."

"May you never get thrown out of court for characterizing the theory of your case as 'Mr. Mustard'."

"May you never lose your love for the law, or for your friends with whom you began the journey."



Suzanne Scott



Outstanding Graduate Suzanne Noblit Scott

Suzanne was selected as the Class of '93 Outstanding Graduate for her many achievements at the College of Law. She received numerous awards in recognition of her academic achievements including: the John W. Green Scholarship, the West Publishing Company Award, the Herbert L. Davis Trust Fund Award for achieving the highest scholastic average during her first two years of law study, the Tennessee Attorney General's Award for Excellence in Trial Advocacy, American Jurisprudence Awards for Evidence, Property and Trial Practice, a Chancellors Citation, and the Phi Delta Phi Balfour Scholarship.

She was active in a number of student organizations including the Student Bar Association, Phi Delta Phi, and Law Women. Suzanne was a member of the *Tennessee Law Review* for the past two years, serving as an Executive Research Editor during her last year of law school. After graduation, Suzanne became associated with the Chattanooga law firm of Miller & Martin. Her interests are in employment and labor law, as well as litigation.



The Rewarding: Hooding the Class of '93



◆◆◆*Highest Honors*◆◆◆

Davies, Wade Vance Forlidas, Charles W. Mayfield, Jack Louis Scott, Suzanne Noblit Ward, Jeffrey M.

◆◆*High Honors*◆◆

Asher, Garrett Evan DelPriore, Robert Jude Durham, Robert V. Macrae, John H.
McDaniel, Mary Anne Hobbs Meadows, Gregory Dean Vines, Gregory Franklin Webb, Gary Ray

◆*Honors*◆

Barcus, Heidi Anne Dunn, Andrew Donelson Howard, Marian Jean Quarles, Rondey Quay
Bennett, John B. Ferraris, Garry W. Knight, Arthur Franklin III Rickman, James G.
Brown, Donna M. Gray, Margaret Louise Mahar, Sherry Lynn Ruth, Richard Scott
Brown, Samuel William Hacker, Paul Steven McDonald, W. Allen Waldrop, Elizabeth Paige
Clark, Kathleen Walsh High-McAuley, Susan R. Patterson, Sharon Faith Yett, Kathy Huff

Acre, Daniel K.
Addington, Brian Keith
Albiston, Lucinda Moran
Alexander, Rhonda Underwood
Allen, Christy Ann
Anderson, Louis Markham IV
Becker, Ann Kristin
Beemon, Heather A.
Bell, Fred Taylor
Bowling, Victoria Hopper
Britt, Adrian
Brown, Kathleen Boswell
Brown, Troy David
Burnett, Elizabeth Eddleman
Burnham, Micaela L.
Cardwell, Allison Sue Arnold
Case, Jackson Leroy IV
Chastain, William Tyler
Cizek, Mart S.
Coffey, Michael Christopher
Combs, Richard Steven
Cooper, Jonathan D.
Crump, Stephen Davis
Dean, Beverly Angelina
Dicus, Joel Douglas
Dowdy, Carl Wayne
Epperly, Sherri Helen
Epstein, Adam Scott
Fanselau, Deborah Lynn
Fox, Christopher Robin
Freeman, Mark Thomas
Freestate, Irma G.

Garton, Jackie L.
Gentry, Paula Rhea
Gilly, Stephen Leslie
Haneberg, Bradley Allen
Hanvey, Thomas E., Jr.
Harsh, Joseph Daniel
Haynes, Ronald
Hensley, Paul Stephen
Hester, Michael David
Higginbotham, Michael Wayne
Hill, Catherine L.
Holland, Martha Carol
Huddleston, Andrea D.
Huddleston, Benjamin Cockrill
Inman, Rachel Elise
Jarvis, Ann Duncan
Jernigan, Karen West
Joe, Jeannie Q.
Lamb, Jane Allison
Mader, Jay
Magee, Milton E., Jr.
Mays, Mark Nebraska
Milam, Mark Whitney
Miree, David Carrington
Mitchell, Jeffrey Glenn
Newman, Phillip Robert
Nwauwa, Ugochukwu Wilfred
Oakley, Gregory H.
Oldham, Christopher Jay
Oliver, Julia N.
Pardue, Evan Rand

Peay, Austin VII
Perry, Laura Dickens
Poole, Debra Ann
Price, James Henry
Quarles, Brian J.
Ramsay, Lisa L.
Redderson, Gary Alan
Reinoso, Cranston R.
Repass, William Keith
Rexrode, Robert Randall
Sexton, Dwight David
Slaughter, Martin Troy
Smith, Robyn E.
Sockwell, Christopher Vance
Soper, Paul F.
Spining, William Carl
Spriggs, Camille Celeste
Steele, Anthony Ray
Strange, Mark Wayne
Swong, Nancy Sarang
Tankersley, Amye Claire
Tate-Hackett, Donna R.
Tayloe, Shari Lynn
Thompson, Joe Harris
Townsel, Kevin Garret
Van Eeuwen, Kathryn Skeen
Wagner, Susan Faye Cain
Wallace, Lawrence J.
Webb, Timothy Paul
Williams, James Thomas IV
Woodfin, Clinton J.
Zwilling, Andre William

The Dean's Citations

Victoria Bowling, Kathy Clark, Sherry Mahar, and Jack Mayfield

Dean's Citations are presented to students who have been of tremendous service to the College of Law during their three years of study.

Victoria Hopper Bowling

During her three years at the College of Law, Victoria was active in a number of organizations, including Law Women, Young Lawyers of Tennessee, and the Class of '93 Development Council. She also served as a student advisor and as a senator to the Student Government Association. Dean Wirtz made special recognition of her service as President of the Student Bar Association. Since being elected to that position last spring, she exhibited tireless energy and optimism. She designed an informational brochure for incoming law students and did a tremendous amount of work to improve the orientation program for transfer students.

Victoria was also instrumental in the success of many of the SBA events which include Law Day, Student Organization Day and the Advocates' Ball. Under her leadership, the SBA was revived and the tradition of sponsoring social events and co-curricular activities at the College of Law was strengthened.

Kathleen Walsh Clark

Kathy earned a B.A. in Political Science at the University of Maryland in 1970 and a Legal Assistant Certificate from the University of San Diego in 1989. As a law student, she received American Jurisprudence awards in Legal Process I and II, and a Vinson & Elkins Award for Law Review Writing. From the time Kathy was elected editor-in-chief of the *Tennessee Law Review* in February

1992, she has devoted herself to the business of publishing a well-researched, scholarly, timely legal journal.

In addition to the constant attention to each aspect of the publication process, Kathy has been extremely generous with her personal support. Her efforts have transformed the *Law Review* working environment into one that supports authors, editors, and staff. Last fall, she implemented a program to train new staff members in stackchecking skills. Kathy has completed work on and has given print orders for the Winter and Spring 1992 issues and completed the publishing process for the Fall 1992 and Spring 1993 issues. The Spring 1993 issue is currently in the reading of final drafts stage. As a result of her hard work and dedication, the incoming board can work on their own issues and on the candidacy program.

Sherry Lynn Mahar

Sherry served as a student advisor and a Fall Orientation speaker and as a member of the Academic Review Board, the Dean's Advisory Council, the Student Bar Association, Phi Delta Phi, and the Christian Legal Society. She also served as a student representative on the College's Academic Standards and Curriculum Committee and as a co-chair of the Class of '93 Development Council.

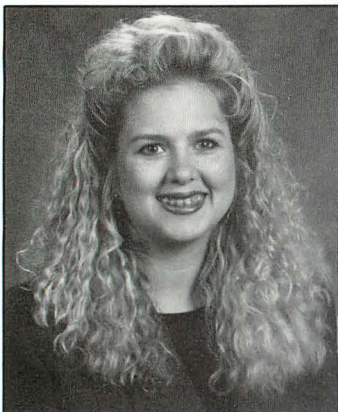
Sherry was on the Dean's List every semester since starting law school in August 1990. She received the Harold C. Warner and the Henry Burke Scholarship

and was awarded an American Jurisprudence Award for her work in Legal Bibliography. Sherry is in the top 15 per cent of her class. She also was a research assistant for Professor Steve Thorpe during her second year of study and was his teaching assistant in the Fall of 1992. Last summer she clerked for the Knoxville law firm of Arnett, Draper & Hagood. After graduation, Sherry will serve a judicial clerkship with the Honorable John H. Peay, Tennessee Court of Criminal Appeals, in Nashville.

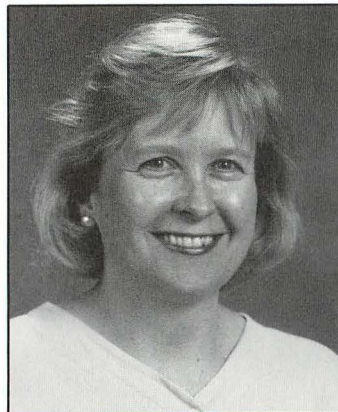
Jack Louis Mayfield

As magister of Phi Delta Phi, Jack organized other members of the fraternity and participated in an evening telephone solicitation effort for the benefit of the Law Library. To date, the students have raised over \$15,000. In addition, he served as one of the three co-chairs for the Class of '93 Development Council. The class established a scholarship for which Jack wrote the Memorandum of Agreement and Administrative Provisions.

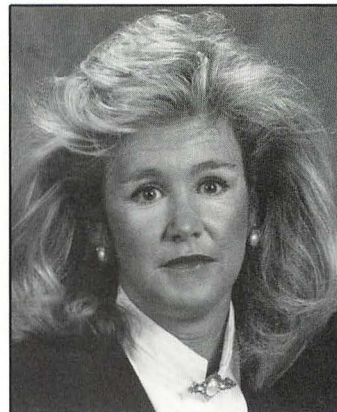
As a law student, he received American Jurisprudence Awards for Legal Process and Administrative Law, as well as a Chancellor's Citation for Academic Achievement. He was also an active member of the Student Bar Association and the Environmental Law Organization. Jack is now associated with the law firm of Baker, Worthington, Crossley, Stansberry & Woolf in their Johnson City office.



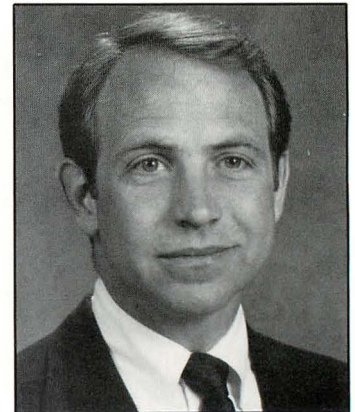
Victoria Bowling



Kathy Clark



Sherry Mahar



Jack Mayfield



*(From left)
Justice Burger,
Sam Furrow,
Class of '69, and
Dean Wirtz. Sam
Furrow, owner of
Knoxville Motor
Company and
Mercedes Benz of
North America
sponsored
Burger's guest
lecture in
cooperation with
the College of
Law and the
Knoxville Bar
Association.*

Chief Justice Burger Delivers First Taylor Lecture

Retired U.S. Supreme Court Chief Justice Warren Earl Burger gave the 1993 Judge Robert L. Taylor Lecture on April 13 at the Carolyn P. Brown University Center Volunteer Ballroom. In his speech, titled "Professionalism in the Legal Profession", Burger drew many contrasts between the English and American court systems, and pointed to the lack of professionalism in American courts. He said he admired the dignity of English courts and the legal education system, pointing out that there are no juries in civil cases, allowing the legal process to run smoother, and that everyone in the system is an expert.

You get into the court by knowing what you are doing.

Burger then pointed out that the decline of professionalism has reached into the judiciary, as exemplified by the recent increase in impeachment of federal judges due to misconduct. Care and restraint by lawyers are needed to rebuild their reputation. To help rebuild their reputation, Burger gave some guidelines for lawyers. First, they should never, never raise their voice in the courtroom; never discuss a case outside of court; and especially do not try to win your case on the courtroom steps in front of the media.

That is a gross ethical violation. Lawyers should also avoid "Rambo" lawyering and using clowning and gun-slinging tactics. And lastly, they should avoid advertising so that the standards of professionalism may be maintained. As one of the three great learned professions, behind the clergy and medicine, lawyers need to be aware that the "standards of conduct are critical to justice."

Justice Burger also appeared at a dinner meeting of the Hamilton Burnett Inn of Court where the Honorable Leon Jordan presented him with a certificate of honorary membership.



Justice Burger visits with students at a reception.



Justice Burger holds an informal chat with law students in the Student Lounge.

The Childs

A Distinguished Knoxville Family and Outstanding Supporters of GCLL

In this issue, the College of Law recognizes not a single alumnus, but an entire family for their support of the College of Law. Five members of the Child family have graduated from the College of Law and now the family supports two scholarships and one faculty award at the College. Presenting the Childs ...

The Childs have called Knoxville home for several generations. George Sr. or "Papa" married Helen Mason on April 22, 1917 in Knoxville. During their 51-year marriage, they raised three sons, George Jr., Bob, and John with a strong Christian faith. The marriage produced three sons, seven grandchildren, and eight great-grandchildren ... and four lawyers.

The Childs have been lawyering in Knoxville since 1913. When Papa, Class of '13, put out his shingle, he became known as the best divorce attorney in town. Today, son George Jr. swears his father's reputation helped him get elected to the juvenile bench when he ran for office in 1966. "Some of my father's reputation rubbed off on me," said George Jr., "and I was in the right place at the right time." He served on the bench until his retirement.

Papa promised each son \$100 for a college education. It was at this time that another Child, George Jr., Class of '41, pursued a degree in law at the University of Tennessee. Brother John, the middle Child and a member of the Class of '49, followed. In 1993 dollars, \$100 does not make a dent in the cost of a college education. but in the 1940's, \$100 seemed a fortune. George Jr. paid \$45 a quarter to attend law school. He travelled to and from classes for 12 cents on the streetcar and ate a well-balanced noon meal for 15 cents, including dessert.

After law school graduation, both George Jr. and John served in the military. John chose a career in the Army, eventually retiring with the rank of Colonel. His second career is with Litton Industries in Washington, D.C.

With two sons already in the legal profession, Papa decided there were enough lawyers in the family. He thought the family needed a doctor around; so, as Bob relates, Papa applied paternal pressure for him to study medicine. Service as a Navy Hospital Apprentice First Class during World War II provided all the medicine that Bob ever wanted to see; so, after his discharge, he entered law school. By using the GI Bill, he earned his law degree in 1950 and entered a profession he grew to love.

The family still hoped for a doctor. Charles, George Jr.'s son and Papa's grandson, seemed to like medicine ... until he discovered that he got excited walking into a courtroom and nauseated walking into a hospital. A game of golf with Bob sealed Charles's fate when Bob scored with the idea of adding another Child to the firm.

The family gives Bob credit for building the law firm into what it is today. He made good choices in bringing in other attorneys. Papa's visions for Child & Child included diversity. In the earlier years, Bob was encouraged to study real estate at a title company for a year and then bring that knowledge back with him to the firm. Bob in turn encouraged Charles to study bankruptcy law. As Layman, O'Connor, Petty & Child, the firm's strength is the soundness of its attorneys as well as its staff. Many have been together for 20 years. "What is amazing," relates Charles, "is that the law partners are without a doubt some of my best friends."

Bob retired from law in 1989 and served of counsel several years for the firm. He is now enjoying his second retirement which includes time for wife Lorraine, the golf course, and the kitchen. Lorraine brags on his culinary and kitchen clean up skills.

Papa began the tradition of supporting the College of Law financially on his 65th birthday. Dean Harold Warner acknowledged his initial donation with such warmth that Papa framed the letter; and an enduring relationship was formed. Family members

support two scholarships, the George S. Child, Sr. and Helen M. Child Memorial Scholarship and the George S. Child, Jr. and Helen P. Child Scholarship; and one faculty award, the Harold C. Warner Outstanding Teacher Award, at the College of Law.

The three sons established a scholarship in their father's memory in 1968 after his death and, upon their mother's death in 1987, endowed it. George Jr. and his wife Helen established a second scholarship in their name. A Tennessee resident who shows financial need is the major requirement for both scholarships. "We want the scholarships to help students so they can stay in school," says George Jr. "The profession has been good to us and our family and we want to give something back."

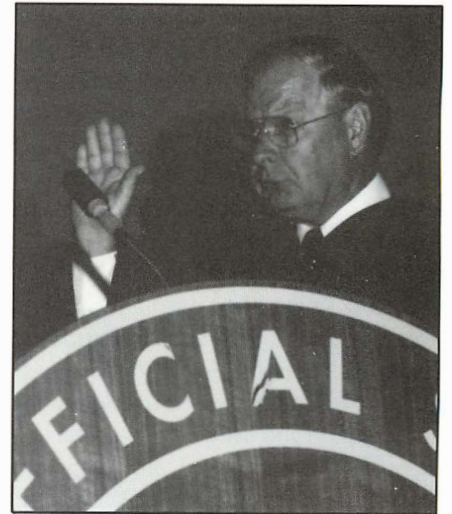
Dean Warner was a very special person to George Jr. and Bob. "He was a teacher who could take something out of his head, through his mouth, into my ear and get it into my head," said Bob. Bob believes that the best way to improve the quality of students coming out of the law school is to recognize outstanding performance by faculty. To that end, he and Lorraine support the Warner Award each year. The award is given to a member of the law faculty for excellence in classroom teaching.

The love and support the Childs have for each other extends into the community. Individual members of the family donate time and energy to various professional, civic, educational, and religious groups. They serve as trustees, deacons, members, presidents and board members. They belong to gardens clubs, churches, bar organizations, libraries, scouting associations, and hospital boards. Child family members attribute the family's strength to a strong faith in God and excellent marriages.

The College of Law takes pride in the Child family tradition begun by George Child, Sr.



George S. Child, Sr. and Helen Mason Child



Judicial duties for George Jr. included swearing in other judges. He continues to serve by assignment. Wife Helen said he was often thanked by lawyers who came in front of his bench because he always encouraged them to do their best.



Charles (left) worked his way through law school as the regional director of a local blood bank. His education paid off with a win on his first court appearance and with one of the jurors becoming a long-standing client. Bob (right) served as an athletic director for Charles during Charles' youth. Their favorite sporting event was (and still is) golf.



George Jr. (in circle) proudly poses with other members of his class. His memories of law school include sneaking into class through the window when he was running late.



Cheryl, Charles' wife, served as President of the Knoxville Auxiliary to the Tennessee Bar Association in 1988. She is seen here with Andy Tillman, Class of '89, at the Law Week Awards Banquet.

Faculty News

Frances L. Ansley had an article, "Standing Rusty and Rolling Empty: Law, Poverty, and America's Eroding Industrial Base," published in 81 *Georgetown Law Journal* 1757 (1993). She was a contributor to *Fighting Back in Appalachia: Traditions of Resistance and Change* and co-authored with her husband a personal memoir of the union-community takeover of the Moss Three coal preparation plant during the United Mine Workers' strike against Pittston in 1989. Jim Sessions, Professor Ansley's spouse, was an invited participant in the takeover and she became one of the supporters who gathered and camped outside the plant during the occupation. The book has been called a "must read" if you want to learn about the Appalachian region. All royalties from the sale of the paperback edition will go to the Appalachian Community Fund, an activist-controlled foundation committed to supporting progressive social change in central Appalachia. Professor Ansley has also co-written and co-signed an amicus brief on behalf of the Federation for Industrial Renewal and Retention which was filed in *Ypsilanti v. General Motors*, the Michigan state court case where a township is trying to prevent G.M. from moving jobs during the life of multi-million dollar tax abatements granted earlier by the township. She continues to do research on the North American Free Trade Agreement.

Reba A. Best has been promoted to Professor of Law at the University of Tennessee. Her promotion was approved by the UT Board of Trustees in June. Professor Best is also the Assistant Law Librarian for Cataloging in the Law Library. She and co-author, **Cheryn Picquet**, have finished the second edition of a book on computer crime. *Computer Law and Software Protection: A Bibliography of Crime, Liability, Abuse and Security, 1984 through 1992* has been published by McFarlin Publishing Company.

Neil P. Cohen received The Forrest W. Lacey Award for Extraordinary Service to the Moot Court Board at the Moot Court

Banquet in April. Professor Cohen served as the team advisor to the 1993 Evidence Moot Court team. The team won the national competition in New York in March. He had his book, *Problems in Criminal Law* (co-authored with James Gobert) mentioned in a recent *Journal of Legal Education* article. Professor Cohen and Professor of Law Don Hall of Vanderbilt are continuing to work on a book for Michie on criminal procedure. Earlier this year, Professor Cohen was appointed as a referee by Duke Law School's Private Adjudication Center to arbitrate claims under the Dalkon Shield trust. He presented "What Hath God Wrought?: Courts, Prayers, and Schools" on July 22 as part of the Knoxville Bar Association's Constitutional Law Forum. Professor Cohen examined recent Supreme Court rulings affecting prayer in the public schools. He will take a leave of absence from UT during the fall of 1993 and live in Paris, France with his family.

Joseph G. Cook signed a contract with Clark Boardman Callaghan to do a third edition of *Constitutional Rights of the Accused*.

Judy M. Cornett will serve as co-chair of the Knoxville Bar Association's Professionalism Committee for 1993. She and co-chair, Patty Wheeler, organized four lectures entitled, "Religion, Morality, Ethics and The Law," a series of programs for the community and the bar. "How Lawyers Think: Cognitive Styles," by Michael G. Johnson, Associate Professor of Psychology at UT and member of the Class of '83, will be held August 25, at noon at St. John's Cathedral, 413 West Cumberland Avenue. For reservations or more information about the other programs, call the KBA at 522-6522. "By bringing the public and attorneys together we hope to help the public understand the legal process," Cornett said. The first program was in May and featured Dr. Bethany K. Dumas, Class of '85, on "Language in the Judicial Process." Judy participated in two panels at the annual meeting of the American Society for Eighteenth-Century Studies in Providence, Rhode Island in April. As a member of the

Woman's Caucus panel, she gave a paper entitled "The Treachery of Perception: Evidence and Inference in Clarissa." Judy also served as a co-respondent for a panel discussion on "Constructing and Deconstructing Jurisprudence: Unruly Narratives Meet the Rule of Law."

R. Lawrence Dessem received a 1993 Chancellor's Award for Excellence in Teaching. He was noted for his extraordinary rapport with students, his teaching techniques, and his ability to lead students to critically examine issues and focus on the practical application of legal principles. Dean Dessem had an article, "Judicial Reporting Under the Civil Justice Reform Act," published in the *University of Pittsburgh Law Review*. He addressed the Barristers Advocates Society in March. The group does pro bono work with the Knoxville Bar Association. He also spoke in May to federal judges and practitioners about the Civil Justice Reform Act. The talk was part of a bench and bar conference sponsored by the Knoxville Bar Association. The College of Law received favorable publicity when Dean Dessem was interviewed in the 1993 *Tennessee Alumnus* in a story entitled "Time Out of Court", which told of his pretrial litigation course, his book, *Pretrial Litigation: Law, Policy and Practice*, and his position on the Tennessee Supreme Court Commission.

Grayfred B. Gray has been busy teaching classes outside the College of Law, including "Mediation of Family Conflicts" and "Mediating a Dispute You're In" for the Department of Child and Family Studies. He will also teach a class on "Mediation as an Alternative to Traditional Divorce" for the Department of Child and Family Studies. Along the same lines, he directed and taught in the Knoxville Bar Association's Mediation Service's basic divorce mediation course, and is the mentor to five volunteers during their internship period. Professor Gray is also co-chairing the Knoxville Bar Association's Alternative Dispute Resolution Committee with Mildred Cunningham, Class of '76. His article, "Readability of the Law: Forms of Law for

Building Legal Expert Systems," was published in the Winter 1993 *Jurimetrics Journal*. Professor Gray made a presentation of his artificial intelligence research group's work on legal expert systems, "A Simulated Knowledge Engineer Becomes a Writing Aid," to the UT Information Studies Interest Group. Students in his Computers and Law class are building four legal expert systems with the Natural Language Expert System Builder, which his artificial intelligence group is developing.

Amy Morris Hess was recognized by the College of Law's chapter of Phi Delta Phi as the 1993 Honorary Faculty Initiate. She continues to work on the manuscript for a textbook on trusts and estates for West Publishing Company. Professor Hess will also contribute a chapter on estate planning to a legal guide for lay people. The publication is scheduled for release next year.

Frederick Le Clercq taught American Constitutional Law and in the North American Studies Program at the University of Bonn in Germany this summer. Jurgen Salzwedel, Herr Professor, will teach Comparative Environmental Law in the fall at the College of Law as part of a cultural exchange program. Professor Le Clercq received a nine-month Professional Development Award from UT to teach in Germany.

Robert M. Lloyd had an article, "The Absolute Bar Rule in UCC Foreclosure Sales: A Prescription for Waste," published in Volume 40, No. 3 of the *UCLA Law Review*. His article, "Tennessee Adopts Article 2A of the UCC," will be published in the July/August issue of *The Tennessee Bar Journal*.

Carol A. Mutter had an article, "Rethinking Assumptions of Risk After the Adoption of Comparative Fault," published in the Fall 1992 issue of the *Memphis State University Law Review*. She was a featured presenter at the Knoxville Bar Association's Seminar on "Modified Comparative Fault in Tennessee: *McIntyre* One Year Later," on May 21 and participated on the panel as

well as presented "An Update on Comparative Fault - Tennessee and Other Jurisdictions."

Jerry W. Phillips had an article, "*McIntyre v. Balentine* and the Activist Tennessee Supreme Court," published in the Fall 1992 issue of the *Memphis State University Law Review* and had an article, "*Marbury v. Madison* and Section 13 of the 1789 Judiciary Act," published in the Fall 1992 issue of the *Tennessee Law Review*. He was a panelist for 'The Revision of Section 402A of the Restatement (Second) of Torts: Occasion for Reform of Product Liability Law' at Touro College in Huntington, New York, on March 19. The panel was presented by Touro College, Jacob D. Fuchsberg Law Center, and The Touro Law Review. Professor Phillips is the United States Correspondent to the *Consumer Law Journal*. The journal provides a forum where current developments in consumer law worldwide, which are of relevance to consumer groups, manufacturers or importers and their legal advisors, can be noted and discussed. His latest report was on negligence of the pharmacist: judgement of Illinois Supreme Court, 153 Ill. 2d. (1992) 605 North Eastern Reporter 2d 557. As part of the Knoxville Bar Association's Constitutional Law Forum in June, he presented "Defamation and The First Amendment: Implications for Other Tortious Words." The presentation focused on recent Supreme Court decisions dealing with defamation and the impact those decisions may have on other torts involving speech. The Supreme Court has already indicated the spillover into trade libel, false light invasion of privacy, and intentional infliction of emotional distress. The decisions may have much farther-reaching implications, however, extending to such fields as professional misrepresentation and strict products liability. His nutshell on products liability was published as a fourth edition earlier this summer.

Philip J. Prygoski presented a Constitutional Law Forum on "Hate Speech: From the Campus to the Courthouse," on March 18 in Knoxville. The forum was sponsored by the Knoxville Bar Association. He was

presented the Student Bar Association's Outstanding Law Professor Award for 1992-93 by SBA President Victoria Bowling at the Advocates' Ball, February 13. Professor Prygoski taught Constitutional Law I and II, and Children and the Law while he was a visiting professor during the last academic year. After spring classes, he returned to Thomas M. Cooley Law School. He had a very successful visiting year at GCT, in Knoxville, and in the local legal community.

Glenn H. Reynolds testified before the Senate Finance Committee's Subcommittee on International Trade in Washington, D.C., in June. He spoke about Japanese Satellite Procurement, "Super 301," and provisions of the 1988 Trade Act. Mickey Katnor, U.S. Trade Representative, and representatives from the U.S. Chamber of Commerce, the National Forest Products Association, and Cray Supercomputers also appeared before the Subcommittee. The hearings have been called to investigate Japan's attempt to use unfair trade practices and use its protected home market to establish a base from which Japanese industry could target the satellite market worldwide. "Establishing a free-market in the commercial space field is very important," says Reynolds. "Competition provides incentives for producers to lower costs and increase capabilities." When Japan refused to buy foreign satellites, Super 301 was successfully used to end unfair trade practices in this area. Professor Reynolds is the chair of the Policy Committee of the National Space Society. He teaches Space Law, International Business Transactions, and Law, Science and Technology at the College of Law. In June, he participated on a panel at the 1993 Meeting of Space Orientation for Professional Educators at the University of Alabama and spoke about the political difficulties of international cooperation, with regard to joint space programs. The UT Board of Trustees approved tenure for Professor Reynolds in June. Professor Reynolds' review of Carl Q. Christol's book, *Space Law: Past, Present, and Future*, appears in the Spring 1993 issue of *Jurimetrics Journal*.

Dean Rivkin was a co-presenter with Attorney Brenda McGee, Class of '84, on a program entitled "Special Education, School Discipline, and the Juvenile Courts." It was part of the Juvenile Court Services Association Conference in Gatlinburg in March.

Barbara Stark edited *Family Law and Gender Bias: Comparative Perspectives* which has been published by JAI Press as the fourth volume of the International Review of Comparative Public Policy series. She presented a paper at the International Society of Family Law Conference in Jackson Hole, Wyoming, in June. The paper is entitled, "Taking Out Gender Bias: Family Law From the Meiji Empire to A Thousand Acres." Professor Stark was also a member on the "Theories of Family Relations" panel at the conference. Professor Stark has been designated the Carden Research Fellow for 1993 and will work on an article entitled, "Feminist Rhetoric and the 'Other Half' of the International Bill of Rights."

Gregory M. Stein taught a class entitled, "The Legal/Economic System," as part of a Business School session in "Management and Economics in Emerging Democracies: Central and Eastern Europe." The class was part lecture and part discussion, and focused on the complex legal problems facing the emerging European democracies as they attempt to attract Western business investment.

Steven R. Thorpe spoke at the Southeastern Chapter of the American Association of Law Libraries 1993 Annual Meeting in Charleston, West Virginia, in April. The title of his speech was "You Want Me to Put What Where? - Finding Space for Automation When There's No Room Left." As a member of the Law Library staff, he presented a workshop in April to law students on using Tennessee practice materials and the use of looseleaf publications for specialized legal research. The workshop was in conjunction with the Legal Research Caucus of the American Association of Law Libraries and was part of the first annual Legal Research Teach-In.

Richard S. Wirtz attended the American Bar Association's New Deans and Deans Workshop in Boston in April. He also attended the ABA's Invitational Conference on the Law School and the University in Chicago in March. His March calendar included speaking engagements at the Sevier County Bar and Kingsport Bar Associations. In April, Dean Wirtz addressed the Blount County and Monroe County Bar Associations. During a visit to west Tennessee, he spoke

to the Union City Rotary Club. He was elected by the UT-Knoxville campus deans as their representative on the Chancellor's Planning & Budgeting Advisory Committee.



Aarons, Blaze Join Faculty

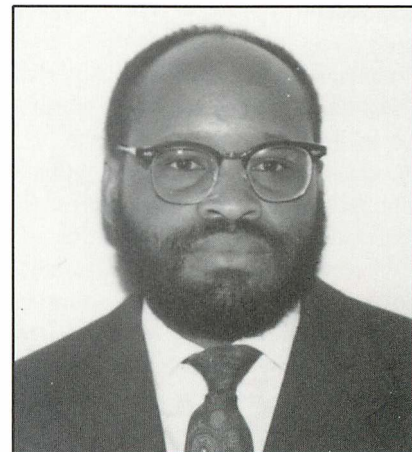
Dwight Aarons has accepted an offer to become an Associate Professor of Law at GCT. Douglas A. Blaze has accepted an offer to join the faculty of the George C. Taylor Law Center as Director of Clinical Programs. Professor Aarons will teach civil procedure and criminal law; Professor Blaze will teach civil advocacy and trial practice.

Professor Aarons earned a B.A. in 1986 and a J.D. in 1989 from the University of California in Los Angeles. He served as a law clerk for the Honorable Lawrence W. Pierce, of the United States Court of Appeals for the Second Circuit and was a staff attorney for the United States Court of Appeals for the Second Circuit before joining the GCT faculty this year.

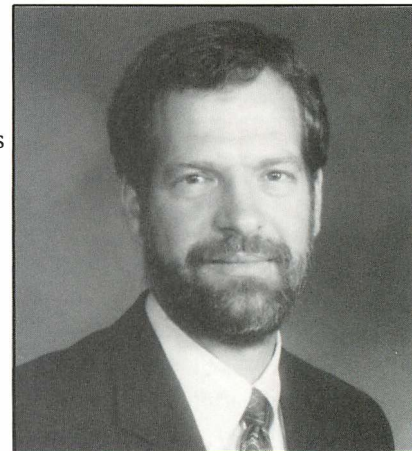
Professor Aarons is the author of "Nationwide Preclearance of Section Five of the 1965 Voting Rights Act: Implementing the Fifteenth Amendment," which appeared in an 1989 issue of the *National Black Law Journal*.

Professor Blaze earned a B.S. in 1976 from Dickinson College and a J.D. in 1984 from Georgetown where he was a member of the law review. After graduation from law school, Professor Blaze became an associate with the Phoenix, Arizona law firm of Fennemore, Craig, von Ammon, Udall & Powers. He began his teaching career in 1986 at Arizona State University College of Law in Tempe and taught civil procedure, clinic, natural resources, and trial advocacy.

He has written a book, *Arizona Law of Negligence* (with J. Lankford) and has had articles published in the Arizona, Georgetown, and William and Mary law reviews. Professor Blaze served on the Board of Directors of the Arizona Capital Representation Project and the Arizona State University Homeless Legal Assistance Project. He served as a Judge Pro Tem for the Arizona Court of Appeals in the fall of 1991. Professor Blaze and his wife Christy live in west Knoxville with their son Daniel.



Dwight Aarons



Doug Blaze

Sebert to Baltimore as New Dean

Yarbrough Joins NC Faculty

Marilyn V. Yarbrough has accepted an offer to join the faculty at the University of North Carolina School of Law in Chapel Hill. She was the 1992-93 William Rand Kenan, Jr. Visiting Professor of Law at North Carolina. Professor Yarbrough will teach torts, professional responsibility, race and gender, and sports law.

She is developing a professional responsibility course with emphasis on public interest law. Her busy schedule has not slowed since dropping the title of Dean. This spring alone she has been the



featured speaker at five programs and is writing two articles on race discrimination in elementary and secondary education. One article is titled "Resegregative Effects of School Choice Voucher Systems"; the other article is on hate speech on campuses.

With husband Dave working in Columbia, South Carolina, she feels she is in the best of both worlds. Being close to family and close to friends, especially College of Law alumni, delights her. "North Carolina is a fine school," says Marilyn, "and my position there will allow me to keep close contact with Tennessee."



John A. Sebert, Jr., Professor of Law at GCT for 19 years, has accepted the offer of an appointment as Dean of the University of Baltimore School of Law.

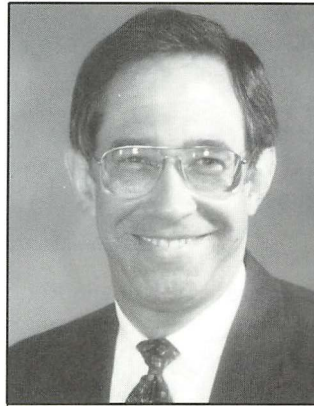
He began his duties July 15. "Tennessee gave me the opportunity to continue my law teaching career," John said, "and I have benefitted greatly from the chance to develop as a teacher and a scholar. I value the years at Tennessee immensely."

Professor Sebert returned last year from Washington, D.C., where he served a two-year stint as Deputy Director of the Association of American Law Schools. While in that position, he diligently worked on the Substance Abuse Committee and championed many of the committee's proposals.

After earning an A.B. and J.D. from the University of Michigan, Professor Sebert served in the Air Force as an attorney in the Office of the General Counsel in Washington, D.C. He began his teaching career at the University of Minnesota in 1970 and joined the faculty at UT in 1974 to teach commercial law, contracts, law and economics, and remedies.

He is the co-author of the book, *Remedies: Damages, Equity and Restitution*.

Articles by Sebert on remedies, contracts, commercial law, and consumer law have been published in the *Minnesota*, *Northwestern University*, *Tennessee*, *UCLA*, and *University of Pennsylvania* law reviews. He is a member of the American Law Institute.



The University of Baltimore School of Law has a student body of approximately 1,000 in both full-time day and evening programs. The school offers a

JD, a JD/MBA, a JD/MPA, a JD/MS, and a JD/Ph.D degree. At Baltimore, moot court is a required activity and the school has a law review, law forum, and an environmental law journal. Dean Sebert will oversee a faculty of fifty.

"This is an exciting new opportunity for me," says Sebert. "I am looking forward enthusiastically to both the opportunities and the challenges." As a Dean, he will also play a different role in a law school and in legal education.

All the best from all of us!



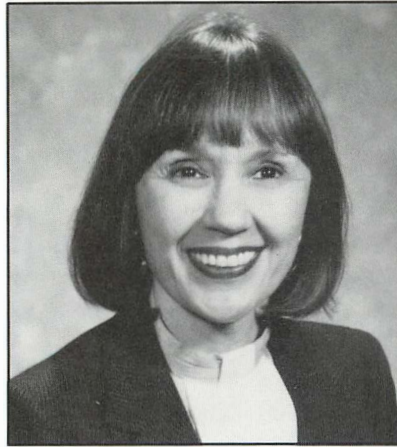
At a farewell gathering of friends and colleagues, John was presented a Jim Gray print of the Smokies. "I will treasure it as it hangs in my new office," said the new Dean. Dean Wirtz (right) applauds another Dean.

GCT Selected For Pro Bono Program

The University of Tennessee College of Law has been selected by the Tennessee Bar Association to begin a Volunteer Legal Assistance Program, designed to help under-privileged people receive legal representation. Volunteer student participants will do research and help lawyers prepare cases for clients who meet federal poverty guidelines.

A reception sponsored by the Tennessee Association of Public Interest Law (TAPIL) was held in the White Avenue Lobby on March 2 for interested students. All law students may get involved in this program. The program is designed to "sensitize people going into public interest and broaden the awareness of public interest law," said Michele M. Johnson, president of TAPIL and a third-year law student from Nashville.

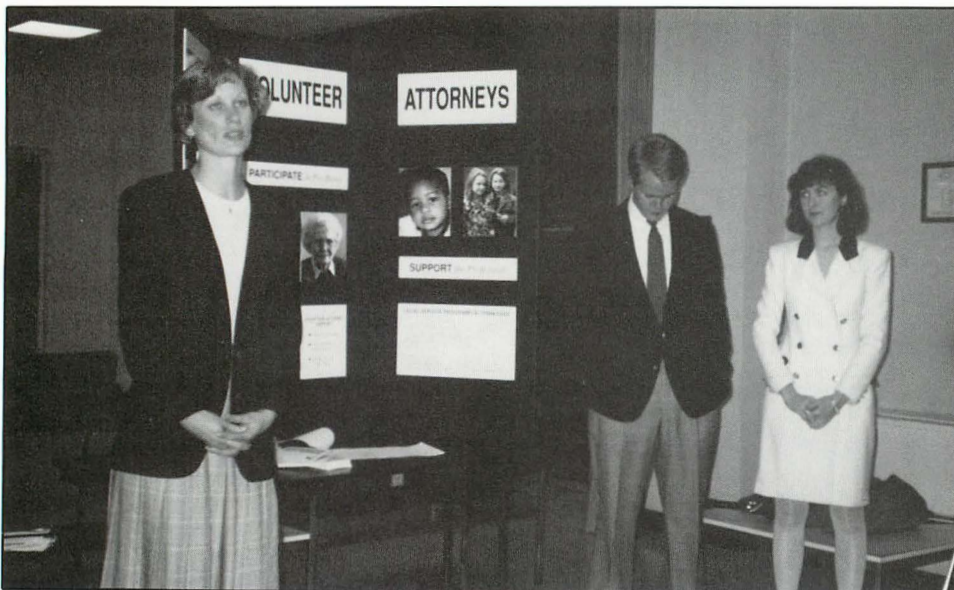
About 40 students have volunteered to participate in the program. Cynthia L. Chapman, the director of Knoxville's Volunteer Legal Assistance Program and a member of the Class of '90, will assist TAPIL with the program. Jonathan J. Cole, a third-year law student from Nashville, will coordinate the program at the College of Law.



Joann Rothery, Director of Career Services, will serve as Southeastern Region Vice Chair of the Alternative Careers Committee of the National Association for Law Placement (NALP). She also serves on their Counseling Concerns Committee. The Concerns Committee is working on a book titled, *Guide to Interviewing for a Legal Position*. Joann attended the NALP's annual meeting in June in Seattle.



Phyliss Wimberly (left) and Pam Wolf accepted the Project of the Year Award from the National Association of Social Workers for their work with the College of Law's Homeless Persons Representation Project. The plaque was presented to them at a banquet in Knoxville in March. Phyliss is the staff attorney and Pam is the social worker for the project. Stan Frazier, who is the Director of the Recovery Services Team at the Knoxville Rescue Mission, serves on the local nominating committee and nominated the UT project. The committee noted that the project has assisted in eliminating barriers between the two professions (legal and social workers) and is exemplary of what social work is all about.



(From left) Cynthia Chapman, Jonathan Cole, Michele Johnson



Phyliss is the Staff Attorney for the Homeless Persons Representation Project at the College of Law. She is seen here with Cyril Saunders at the Volunteers of America Family Shelter in Knoxville. Mr. Saunders, who is homeless, is the President of Job's Children, a lay advocacy organization for the homeless.

Homeless Persons Representation Project

Advocacy for the Homeless by Phyliss Wimberly

Homelessness is not a temporary problem, nor one which will disappear if simply ignored. An increasing number of people are losing their homes or come into this world without a home because more and more people are joining the ranks of the very poor. As poverty grows, many more families and individuals are being pushed into homelessness by a single crisis which could have been handled in less financially tenuous times.

According to the Children's Defense Fund, a baby is born into poverty every 35 seconds and 100,000 children go to sleep each night without homes. Shockingly, children make up approximately one fourth of our nation's homeless. While many factors, including low income, domestic violence, and deinstitutionalization contribute to the crisis of homelessness, a root cause is the lack of housing set at prices poor people can afford. This most basic of needs - housing - is not available to millions of citizens because of spiraling housing costs which far out pace the inflation rate, depressed wages and depressed government benefits which do not keep up with inflation. Even as poverty has grown, the total supply of low income housing decreased by approximately 2.5 million units, primarily the result of large cutbacks in federal housing programs since 1980.

With the award of the United States Department of Education Grant, the College of Law and the Legal Clinic established the Homeless Persons Representation Project and joined lawyers throughout the country in responding to the legal needs of the growing number of homeless people. After extensive networking with local shelters, public and private agencies and other organizations in the community serving the homeless, it was clear that our perspective clients had many different problems, thus necessitating different approaches to serve even their basic needs. The exigency for an

interdisciplinary approach mixing law and social work was quite evident. By blending the two disciplines we are better able to utilize existing resources, share ideas and expertise, and develop holistic plans and strategies for improving the range of services and quality of life of our clients. The students' work takes many forms including handling housing, employment, public benefits, medical care, and education issues.

All students visit the shelters to interview homeless clients and provide legal assistance on a case-by-case basis. If a homeless person needs legal representation but cannot attend an intake session at the shelter, the individual can contact the Clinic directly. In addition to their live client cases, some students provide services to organizations including the Knoxville Coalition for the Homeless, Knoxville Housing Partnership, and Job's Children.

These students perform tasks which range from assisting in the formation of non-profit corporations, obtaining IRS tax exempt status, drafting position papers and participating in lobbying efforts. Other students conduct workshops providing legal information and counseling to groups of homeless individuals. There are no quick fixes. Many issues can be resolved with negotiations while others require more time and/or court appearances. Through this project, students have the opportunity to learn and build many skills. They practice interviewing, counseling, case theory planning, case management, negotiations, advocacy and team building.

Even students with practice interest in tax or corporate law learn skills which they can take forward into their careers. Students represent a wide cross section of clients, women and men, black and white, young and old. Some of the clients are victims of disease, mental illness, or substance abuse. They are real people, either homeless or nearly homeless with

an immediate need. Without legal assistance they may be forced to live in shelters, in alleys, in abandoned cars, or under bridges. Students face tremendous challenge as they attempt to provide legal assistance to many clients who feel there is nowhere else to go. For many this assistance provides their only hope.

The demographics for this population are disheartening. While the government counts approximately 350,000 homeless, the National Coalition for the Homeless puts the figure closer to 3 million with one-third of this group representing parents and children. Most, however, will agree that the situation is worsening. This project will probably not change the many systems which contribute to the crisis but we hope to make a noticeable difference in the lives of clients we serve. The program will continue at the College of Law for two more years.

STARE

One more stare
A rushed commuter crisp buttoned
down collared face;
Quick consuming look, swallowing up,
Judging, rushing past, gone;
Leaving me broken further, crushed
and hurting, degraded;
One more stare
Judgment oozes uncontained and silent
from those eyes;
A feeling that one is violated,
stripped, exposed;
I am angry now, fighting mad
But broken and crushed as a tiny
powerless child;
Feeling shame just from those stares
blush the pain of shame
Being caught in private thing in public
The private is just my life exposed.

Anonymous Homeless Person

1993-94 Visiting Faculty

D. Fenton Adams of the University of Arkansas School of Law, Little Rock has accepted a visitor's position to teach Commercial Law and Insurance. Professor Adams earned an A.B. in 1947 and a LL.B. in 1949 from Dickinson College where he served as editor in chief of the *Dickinson Law Review*. Before joining the faculty at the University of Arkansas in 1977, Professor Adams taught at Dickinson School of Law. He teaches commercial law, commercial paper, contracts, and insurance.

Leo J. Raskind of Minnesota has accepted a visitor's position to teach Antitrust and Income Tax. Professor Raskind earned a Ph.D. in 1952 from the London School of Economics and a LL.B. in 1955 from Yale. He has also taught law courses at Ohio State and Vanderbilt.

Daniel M. Sklar has taken a leave of absence from the Los Angeles law firm of Sklar, Coben, Levinson & Dorenstein, Inc. to accept a visitor's position to teach Entertainment Law and Trial Practice. He has been involved in all aspects of entertainment law and litigation for over thirty years and has practiced coast-to-coast. Professor Sklar earned an A.B. in 1949 from the University of Colorado and a LL.B. in 1952 from Harvard. His interest in writing lead to several articles on trusts and jurisprudence. He is a member of the Beverly Hills, California and American Bar Associations, and the Los Angeles Copyright Society.

Dr. Jurgen Salzwedel of Bonn, Germany, has accepted a visitor's position to teach Comparative Environmental Law. Dr. Salzwedel earned a J.D. in 1957 and has studied law at Berlin, Cologne and Humboldt Universities. In 1988, he visited UT as part of the Knoxville-Bonn Exchange Seminar and presented a lecture entitled, "Water Management Objectives in the Execution of Federal Water Law and Effluent Charging." Dr. Salzwedel is a member of the Board of the German Water Protection Union and the Environmental Law Society. He also serves as an environmental advisor to the Commission of the European Community.

18

Emeriti News

Portraits of Miller and Overton Added to Collection

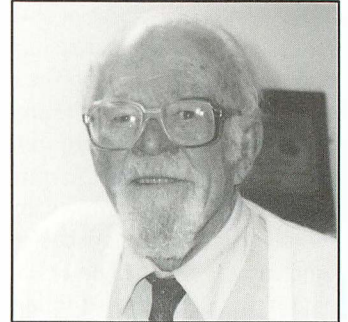
The College of Law has officially added portraits of Charles H. Miller and E.O. Overton to its walls. Professor Miller, founder of the Legal Clinic, retired in 1976 and Professor Overton retired in 1977.

After the 1993 Miller Lecture in Professional Responsibility on March 12, Dean Wirtz unveiled the Miller portrait. It hangs in the Legal Clinic lobby.

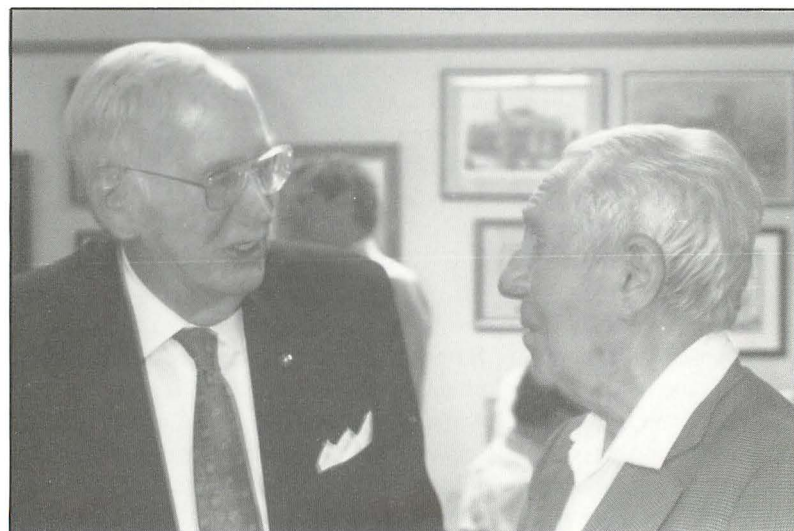
The official portrait of E.O. Overton was unveiled at a reception in his honor on June 1. Faculty, friends, and family celebrated the occasion with E.O. The portrait hangs in the Law Library.

Colonel McDonald Gray visits with faculty and staff at the College of Law regularly.

He also enjoys visits with alumni and takes great pride in their accomplishments.



(From left) Professor Gerald P. Lopez, the 1993 Miller lecturer, Dean Wirtz, and Mr. Miller.



Charlie Miller (left) congratulates E.O.



University of Tennessee College of Law

ALUMNI NETWORKERS

A career launching program sponsored by the Career Services Committee of the Alumni Advisory Council and Career Services

Dear Alumnus/a:

You're invited to join an exciting project designed to be of tremendous assistance to our students who are about to enter the legal profession. The Career Services Committee of the Alumni Advisory Council, in cooperation with the Career Services office, is sponsoring a project to build a network of alumni who're willing to give several hours a year by phone or personal interview to assist our graduates in the transition from academics to the practice of law.

The program has been planned because students tell us that the best way we can assist them is in finding a job. While many legal employers schedule interviews on campus each year, the majority are law firms seeking only students with the highest academic qualifications. Most small firms, not being in a position to send a representative to campus, usually hire new associates from personal referrals or chance interviews.

As a practicing attorney you are in an excellent position to be aware of employment opportunities in your area and to be of assistance to new Tennessee alumni. In many instances you would know which firms have recently moved to larger offices and which firms have recently obtained new clients and might need additional legal staff. As a participant in the program serving as an alumni networker, you would simply advise students of local opportunities. Once the door has been opened, their chances of finding employment would be greatly improved.

Another way in which you can assist students is by advising them on your particular expertise in law. Having someone with whom to talk who actually practices in a particular area can be invaluable to a student who is trying to decide what type of legal career to pursue. "Networkers" are needed not only in the traditional areas of practice, but also in some of the more unusual fields of law, as more and more students are expressing an interest in learning about alternative career options.

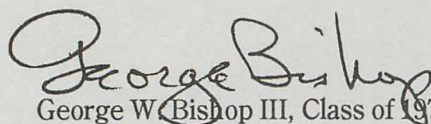
Out-of-state alumni can also be particularly helpful. As you may be aware, the majority of our students, 70 to 80 percent of each class, remain in Tennessee. Many of the other students who would like to locate outside of Tennessee do not know where to begin a job search in their targeted geographical areas. Career Services receives some out-of-state listings, but again, they are predominantly from large firms with high academic requirements. As an out-of-state alumnus/a, you can act as the link between Tennessee graduates and opportunities in your area.

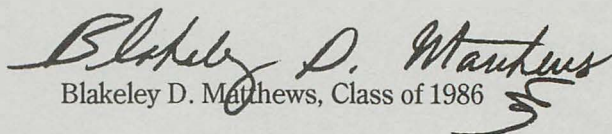
If you would like to become a part of this program, simply complete and return the attached profile sheet. Students, who will be given a list of several alumni based on their particular interests and needs, will be instructed to write or call you to schedule a convenient meeting time. Consultations will be distributed among as many alumni as possible on a rotation basis, so that no one alumnus/a will be called upon excessively.

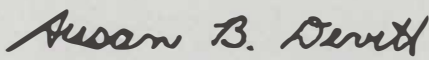
We would also like to remind you that we have a very active Career Services staff which is eager to assist you with your employment needs. Requests for year-round, summer, and single project clerks, as well as entry-level and experienced attorneys will be processed promptly. A staff member will be happy to schedule an on-campus interview, post a notice on the job board or include your listing in the College of Law's monthly alumni employment opportunities newsletter, Job Briefs. If any of these services would be of assistance to you, please contact Joann (Gillespie) Rothery, Director of Career Services at the College.

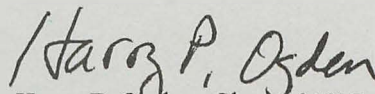
Our graduates need your help, and with your support we can give them an edge over the many graduates competing for jobs.

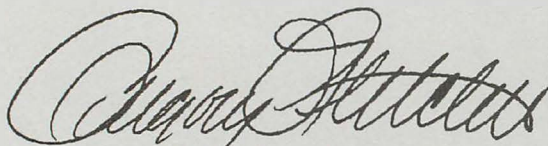
Sincerely yours,

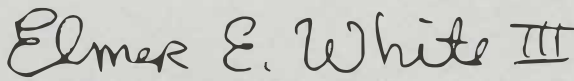

George W. Bishop III, Class of 1975

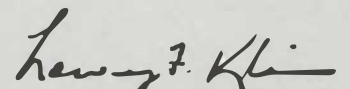

Blakeley D. Matthews, Class of 1986



Susan B. Devitt, Class of 1987


Harry P. Ogden, Class of 1975


Gregory G. Fletcher, Class of 1977


Elmer E. White, III, Class of 1982


Lowry F. Kline, Class of 1965


L. Marie Williams, Class of 1976

Alumnus/a Networker Profile

Description of practice (Check one.)

- Law firm
- Sole attorney for business/corporation
- Attorney in legal department of business/corporation
- Government
 - Federal _____
 - State _____
 - Local _____
- Public interest/legal services
- Other _____

(Please explain.)

Number of years in practice _____

Size of firm (including associates) or number of attorneys in corporate legal dept., agency, etc.

- Self-employed 11-25 51-100 251-500
- 2-10 26-50 101-250 501 or more

From the list below, please rank 1-2-3 the areas which constitute the major part of your practice.

- | | | |
|--|--|--|
| <input type="checkbox"/> Administrative | <input type="checkbox"/> Entertainment | <input type="checkbox"/> Oil & Gas |
| <input type="checkbox"/> Admiralty/Maritime | <input type="checkbox"/> Environmental | <input type="checkbox"/> Patent |
| <input type="checkbox"/> Bankruptcy | <input type="checkbox"/> General | <input type="checkbox"/> Personal Injury |
| <input type="checkbox"/> Civil Rights | <input type="checkbox"/> Health Law | <input type="checkbox"/> Probate and Estate |
| <input type="checkbox"/> Commercial/Business | <input type="checkbox"/> Immigration | <input type="checkbox"/> Public Interest |
| <input type="checkbox"/> Communications | <input type="checkbox"/> Insurance | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Constitutional | <input type="checkbox"/> International | <input type="checkbox"/> Sports |
| <input type="checkbox"/> Criminal | <input type="checkbox"/> Labor | <input type="checkbox"/> Tax |
| <input type="checkbox"/> Domestic Relations | <input type="checkbox"/> Litigation | <input type="checkbox"/> Worker's Compensation |

Other _____

(Please explain.)

Practice primarily In-Office Trial

Name _____ UT Law Class 19 _____

Title of position _____

Name of employer _____

Address _____

City, state, zip _____ Phone number _____

Availability as Alumnus/a Networker

I am available to advise students as follows:

- Telephone calls
- Correspondence
- Informational interviews
- Speaker's Bureau for on-campus panels and workshops



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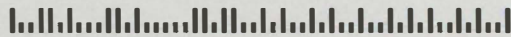


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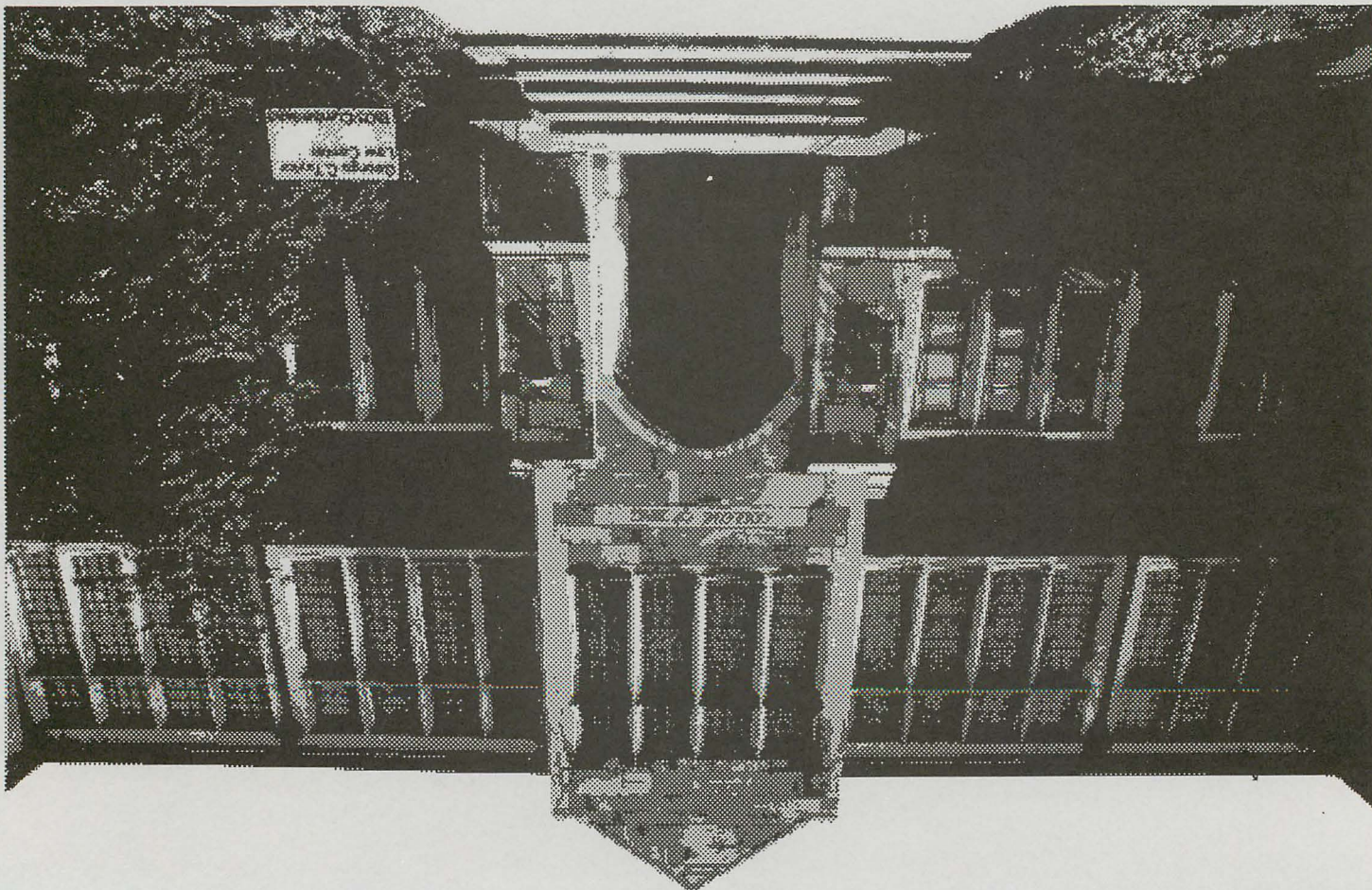
FIRST CLASS PERMIT NO. 477 KNOXVILLE, TENNESSEE

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Career Services
University of Tennessee
College of Law
1505 West Cumberland Avenue
Knoxville, TN 37916-9989



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The Mediation Clinic

Description by Professor Grayfred B. Gray

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1993

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What is the Mediation Clinic?

The Mediation Clinic is a course in which law students will mediate real legal disputes pending in Knox County General Sessions Courts, in Knox County schools, at the University, or in the community. The cases may involve landlord-tenant issues, property disputes between unmarried people who have been living together, parents and school officials, or other kinds of legal problems. The College of Law offers the Mediation Clinic in cooperation with the UT Conflict Resolution Program. The Mediation Clinic is not part of the Civil and Criminal Advocacy Legal Clinics that provide representation for individual clients.

What is mediation?

Mediation is a process of conflict resolution in which an impartial third party helps people in a dispute make informed decisions to resolve their differences for themselves. Mediators do not decide the dispute but help the parties communicate and identify workable alternatives. Mediation is often confused with arbitration, which works in the opposite way. Arbitrators decide a dispute for the parties.

Why do lawyers need to know how to mediate?

Some lawyers are taking on the role of mediator. Even more lawyers work on behalf of clients who are parties in mediated disputes. They need to know how mediation works to represent clients effectively when the clients mediate. Businesses and individuals increasingly prefer mediation to litigation. They prefer it because mediation is private, speedy, less expensive, helps to preserve valuable relationships, and produces agreements that are likely to be fulfilled with less conflict. Some states now require mediation before litigation. In others, courts encourage mediation. In Tennessee the Supreme Court's Commission on Dispute Resolution has mediation under consideration as part of its study of appropriate dispute resolution methods. The General Assembly in 1993 enacted statutes on confidentiality and privilege for divorce mediation and funding for victim-offender programs.

Who can take the Mediation Clinic?

Second- and third-year law students may take the Mediation Clinic.

What are the work, grading, and credit for the clinic?

Mediation of real cases is the main work. Mediation will be done in teams of two as it is done in the Knoxville Bar Association Mediation Service. Each team is likely to mediate 10 or more cases. The course carries 3 hours of credit. Extra classes will be held during the first weeks so students can begin to mediate real cases early in the semester.

Where and when will students mediate real cases?

Students will mediate cases in the City-County Building, on campus at UT, at local schools, and other locations depending on the kind of dispute. Mediation sessions will be scheduled according to the kind of case and the schedules of the parties and mediators.

What degree requirements does the Mediation Clinic satisfy?

The Mediation Clinic satisfies the College's requirement for Interviewing, Counseling, and Dispute Resolution. A student also can satisfy either the Expository Writing Requirement or the Planning and Drafting Requirement in the Clinic.

Will the course satisfy certification requirements for mediators?

States are beginning to certify mediation as a separate profession. The basic requirement appears to be about 40 hours of training in mediation plus additional substantive hours for various kinds of disputes. The course will exceed the basic requirements and may satisfy substantive requirements for some kinds of disputes.

Want to know more about the Mediation Clinic?

Professor Grayfred Gray is a mediator with the Knoxville Bar Association's Mediation Service and has taken approximately 200 hours of instruction in mediation. He will serve as the instructor for the Mediation Clinic. For further information, call him at (615) 974-6834.

Development News

New Presidents' Club Members

Thanks to:

Diane and Bob Cupp
Elizabethton

Julia S. Howard
Ted L. Flickinger, Jr.
Knoxville

Lisa E. and Gregory M. Reed
Murfreesboro

Janet S. and John H. Underwood
Brentwood

Claude K. Robertson Law Scholarship Created

Claude K. Robertson passed away in April at his home in Knoxville at the age of 61. Upon his death, the College of Law received funds from a life insurance policy to establish a scholarship. The Claude K. Robertson Law Scholarship will be available annually to law students who have demonstrated outstanding academic performance and who are residents of Tennessee. The first scholarship award will be made during the 1994-95 academic year.

Mr. Robertson was born and raised in Tullahoma. He came to Knoxville in 1954 and graduated from the University of Tennessee College of Law in 1958. His life was filled with state and community service as well as church and neighborhood interests. His legal work in public financing greatly imprinted and shaped the future of Knoxville.

Donations to the Robertson Scholarship may be sent to the Office of Development and Alumni Affairs, College of Law, 1505 West Cumberland Avenue, Knoxville, Tennessee 37996-1800.

Class of '93 Chooses Scholarship as Class Gift

The Class of '93 has established a scholarship at the College of Law with gifts and pledges totalling over \$28,000. With gifts from the members of the Class of '93, the College of Law will establish a permanent named scholarship in the Class' honor. The need-based scholarship will be awarded annually to a second- or third-year law student once it is endowed. It is the class' intent to assist a student with the greatest financial need.

The '93 Development Council began its work in February. Members are: Christy Allen, Garrett Asher, Heidi Barcus, Heather Beemon, Victoria Bowling, Samuel Brown, Stephen Crump, Garry Ferraris, Jackie Garton, Susan High-McAuley, Marian Howard, Rachel Inman, Milton Magee, Sherry Mahar, Jack Mayfield, Phillip Newman, Wilfred Nwauwa, Lisa Ramsay, Suzanne Scott, Chris Sockwell, Shari Tayloe, Kevin Townsel, Greg Vines, Elizabeth Waldrop, Melvin Werner, and Clinton Woodfin.

ETLAW Celebrates Susan B. Anthony

Each year the East Tennessee Lawyers Association for Women holds a fundraiser in celebration of political activist and feminist Susan B. Anthony's birthday. The event benefits the Susan B. Anthony Scholarship Fund at the College of Law. ETLAW presented "America on Trial: *Planned Parenthood v. Casey*" on February 19.

Tennessee Law Review Business Manager Micki Fox produced and directed the show which included alumni and students as well as other local community leaders. Visiting Professor of Law Phil Prygoski concluded the evening by presenting an update on the disposition of *Casey* in the Supreme Court and the effect of *Casey* on Tennessee's abortion statute.

The scholarship which was established in 1990 is given annually to a law student for enhancing the legal rights of women and for academic achievement. Sharon D. Frankenberg, Class of '88, serves as this year's ETLAW President.

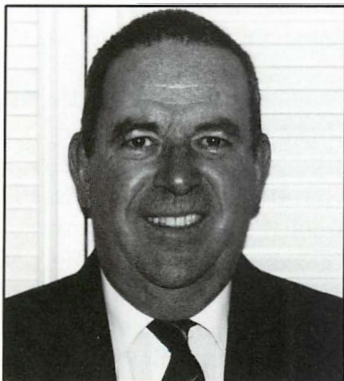


Part of the 'America on Trial' cast: (from left) Dr. Don Lighter, Knoxville Pediatrician; Professor Prygoski; Scarlett May, Class of '91; Mary Aubry, Class of '86; Bernie McNabb, Executive Director, Knoxville Center for Reproductive Health, Inc.; Libby Sponholtz, Class of '83; Micki Fox; Helen de Haven, Class of '80; and Suzann Swiney, UTK student.

Graham Scholarship Endowment Established

John Joseph Graham, Class of '70, from Bridgeport, Connecticut, has established an endowment to create a scholarship at the College of Law. Once endowed, the John Joseph Graham Scholarship will be awarded annually to a second- or third-year law student who has demonstrated excellent academic performance.

Before attending the College of Law, John was a successful businessman in his home state



with a degree in business administration from the University of Connecticut. While in law school, he was on the Dean's List and was a member of Phi Alpha Delta and Phi Kappa Phi Honor Society.

John concentrates his law practice in the fields of negligence and personal injury. He is licensed to practice in Connecticut and Florida and has been admitted to the Federal District Court of Connecticut, the U.S. Court of Appeals for the Second Circuit and the U.S. Supreme Court. John is a member of the Connecticut, Florida, and American Bar Associations, the Connecticut Trial Lawyers Association, the Association of Trial Lawyers of America, the American Judicature Society, and the American Arbitration Association.

John's alumni connections include serving as the President of the New York Alumni Chapter, 1980-85, and being a member of the Board of Governors of the National Alumni Association, 1982-85.

Public Service Fund Established to Honor Judge Robert L. Taylor

Family and friends of the late Judge Robert L. Taylor have established a public service fund in his honor at the College of Law. The Judge Robert L. Taylor Public Service Fund will be used to encourage and support law students' activities in public service. The fund may be used for scholarship assistance to students who have demonstrated a strong interest in pursuing public service legal careers, for loan forgiveness for students who accept public service jobs upon graduation, or for stipends to students engaged in summer public service jobs.

Judge Taylor, who died in 1987, served on the U.S. District Court of the Eastern District of Tennessee longer than any other judge. Donations to the Taylor Fund may be sent to the Office of Development and Alumni Affairs, College of Law, 1505 West Cumberland Avenue, Knoxville, Tennessee 37996-1800.



Thank You!

..... to the Knoxville law firm of Susano, Sheppard & Giordano for donating their 1992 copy of *Martindale & Hubbell Law Directory* to the College of Law Legal Clinic.

Two Alumni Join Benefactors Society

The Honorable Shirley B. Underwood, Class of '48, and Roy T. Campbell, Jr., Class of '50, have made deferred gifts to The University of Tennessee College of Law and are qualified for membership in the Benefactors Society. The Benefactors Society recognizes alumni who have committed more than \$100,000 to the University since 1963.

Judge Underwood has served as Juvenile Court Judge in Johnson City since 1961. She is a member of the Dean's Circle and the Alumni Advisory Council. Roy Campbell is an attorney with the Newport law firm of Campbell & Hooper. He is a member of the Dean's Circle.

Two Alumni Become Benefactors

Two College of Law alumni have become benefactors, so to speak, to the Lady Vols. Frankie E. Wade, Class of '78, and T. Robert Hill, Class of '68, have agreed to establish the Lady Vol Trial Lawyer Scholarship. Priority for the scholarship shall be given to UT Women's Varsity Athletes and/or UT Women's Athletics Staff from the UT Women's Athletics Program who seek a law degree from UT.

Both Frankie and Robert are avid Lady Vol basketball fans. Frankie practices in Jackson with the law firm of Hill, Boren, Drew & Martindale, P.C. Robert is a partner in firm.

Scholarship Established to Honor Father

The son and daughter-in-law of a prominent Murfreesboro attorney have established a scholarship in his memory at the College of Law. The William C. Wright Memorial Scholarship, which will be funded by James C. and Kathy Denise Wright, will be awarded to a law student who is currently enrolled or has been admitted, and has demonstrated successful academic performance.

James is a member of the Class of '80 and is a partner with the Knoxville law firm of Butler, Vines, Babb & Threadgill. William Wright, who died in 1975, was not only a well-liked, successful attorney, but a tireless worker for his community and state.

Alumni News

Class of `39

The Honorable W. FRANK CRAWFORD of the Tennessee Court of Appeals in Memphis, can now be seen on the big screen in this summer's hit movie, *The Firm*. He swears in Mitch McDeere (Tom Cruise) to the Tennessee bar in a brief, but all too important, part of the movie.

Class of `40

The Honorable WILLIAM H.D. FONES, SR., of Memphis, was honored as a new Life Fellow of the American Bar Foundation at their 40th annual meeting in Boston last month. Judge Fones, a former Chief Justice of the Tennessee Supreme Court, is also a member of the American Judicature Society and a former member of the Executive Council Conference of Chief Justices. Judge Fones was also inducted into the Order of Senior Counselors at the 1993 Tennessee Bar Association meeting in June. Senior Counselor signifies fifty years of membership in the TBA.

ALBERT E. HOLTSINGER was inducted into the Order of Senior Counselors at the 1993 Tennessee Bar Association meeting in June. Senior Counselor signifies fifty years of membership in the TBA. He practices in Clinton.

Class of `41

HOWARD P. FREEMON was inducted into the Order of Senior Counselors at the 1993 Tennessee Bar Association meeting in June. Senior Counselor signifies fifty years of membership in the TBA. He is a partner in the Lawrenceburg law firm of Freemon & Williams.

Class of `42

ARTHUR D. BYRNE was inducted into the Order of Senior Counselors at the 1993 Tennessee Bar Association meeting in June. Senior Counselor signifies fifty years of membership in the TBA. He is a partner in the Knoxville law firm of Poore, Cox, Baker, Ray & Byrne.

◆REUNION YEAR◆

Class of `43

The Honorable C. HOWARD BOZEMAN was inducted into the Order of Senior Counselors at the 1993 Tennessee Bar Association meeting in June. Senior Counselor signifies fifty years of membership in the TBA. He is a retired county judge.

Class of `47

CAYCE L. PENTECOST was inducted into the Order of Senior Counselors at the 1993 Tennessee Bar Association meeting in June. Senior Counselor signifies fifty years of membership in the TBA. Before retiring, he served as Public Service Commissioner for 24 years.

◆REUNION YEAR◆

Class of `48

JOHN M. MARTIN, JR. was inducted into the Order of Senior Counselors at the 1993 Tennessee Bar Association meeting in June. Senior Counselor signifies fifty years of membership in the TBA. He is the tax counsel for Food Management Institute of Washington, D.C.

Class of `49

JOHN I. FOSTER, JR., was inducted into the Order of Senior Counselors at the 1993 Tennessee Bar Association meeting in June. Senior Counselor signifies fifty years of membership in the TBA. He practices law in Chattanooga.

Class of `50

J. FRASER HUMPHREYS, JR. was installed as the 113th president of the Tennessee Bar Association at their annual meeting in June. He is a senior member and president of the Memphis law firm of Humphreys Dunlap Wellford Acuff & Stanton, P.C.

Class of `51

EUGENE L. JOYCE was inducted into the Order of Senior Counselors at the 1993 Tennessee Bar Association meeting in June. Senior Counselor signifies fifty years of membership in the TBA. He is a partner in the Oak Ridge law firm of Joyce, Meredith & Flitcroft.

Class of `55

S. JACK CARROUTH of Tallahassee, Florida has retired after 14 years with the U.S. Attorney's Office of the Northern District of Florida and 21 years of private practice in Tallahassee. He plans to stay in the area and enjoy the good weather.

Class of `57

W. HOWARD CARPENTER has retired as the Labor Relations Director for Olin Corporation and lives in Louisville, Tennessee with his wife, Mable.

◆REUNION YEAR◆

Class of `58

BERNARD E. BERNSTEIN and his wife, Barbara, received the 1993 Brotherhood/Sisterhood Award from the Knoxville Round-table of the National Conference of Christians and Jews. They were honored for their more than 30 years of community service. Bernie is a partner in the law firm of Bernstein, Stair & McAdams.

Class of `60

ROSS B. CLARK II will serve as the Tennessee Bar Association's Governor of the 9th District of Tennessee for the next year. He is with Apperson, Crump, Duzane & Maxwell in Memphis.

Class of `61

JOHN B. WATERS, JR., stepped down as Director of the Tennessee Valley Authority in May. He concluded a nine-year term as TVA Director, which included almost two years as chairman. As chairman, John emphasized water quality in Tennessee and has promised to continue serving as an advocate for the river system. He will join the Knoxville law firm of Long, Ragsdale & Waters. John was named to the Metropolitan Knoxville Airport Authority in July.

Class of `62

SIDNEY GILREATH presented "The Problems with Several Liability" at a Knoxville Bar Association seminar entitled, "Modified Comparative Fault in Tennessee: *McIntyre* One Year Later" in May.

ROBERT W. RITCHIE has been selected to be a member of Leadership Knoxville Class of '94. Leadership Knoxville's purpose is to strengthen the knowledge and understanding of the community. He is a partner in Ritchie, Fels & Dillard, P.C.

◆REUNION YEAR◆

Class of '63

DONALD F. PAINE received an Alumni Achievement Award from the College of Law's chapter of Phi Delta Phi in April. He is a partner with the Knoxville law firm of Paine, Swiney & Tarwater.

Class of '64

DAN L. NOLAN, JR. will serve as the Tennessee Bar Association's Governor of the Middle District of Tennessee for the next year. He is with the Clarksville law firm of Daniel, Harvill, Batson & Nolan.

Class of '66

WALTER W. BUSSART formally announced his candidacy for governor of the state of Tennessee in March. Walt is a partner in the Lewisburg law firm of Bussart & Doughty. He will serve as the Tennessee Bar Association's Governor of the 4th District of Tennessee for the next year.

GEORGE W. McHENRY, JR., continues to practice law with his firm, McHenry & Staffier, P.C., in Washington, D.C. The firm was founded in 1975 and its members specialize in energy law.

Class of '67

DON R. CASTLEMAN was invited back this spring to visit the Moscow State Institute of International Relations at the International Business School in Moscow. He had previously visited in 1992. He teaches corporate tax, estates and trusts, estate planning, and partnership at Wake Forest University Law School in Winston-Salem, North Carolina. While in Moscow, Professor Castleman taught various law and business courses that relate to a free market economy.

ALBERT C. HARVEY, JR., has been promoted to Major General in the Marine

Corps. He will command 20,000 active- and reserve-duty Marines in the 4th Marine Division, a unit that deals with combat arms logistics. He is a partner with the Memphis law firm of Thomason, Hendrix, Harvey, Johnson & Mitchell.

DALTON L. TOWNSEND presented "Products Liability and Contribution" as part of a seminar entitled, "Modified Comparative Fault in Tennessee: *McIntyre* One Year Later," for the Knoxville Bar Association. He is a partner in the Knoxville law firm of Hodges, Doughty & Carson.

◆REUNION YEAR◆

Class of '68

J. WALLACE HARVILL will serve as the Tennessee Bar Association's Governor of the 6th District of Tennessee for the next year. He is with the Centerville law firm of Harvill & Lovlace.

Class of '69

SAMUEL J. FURROW of Knoxville received the Phi Delta Theta International Fraternity's '92 Raymond L. Gardner Alumnus of the Year Award in March. The honor recognizes outstanding achievement in community service, higher education and fraternity involvement. He is the owner of Knoxville Motor Company, Furrow Auction Company, and Furrow Machinery Corporation.

JAMES M. MADDOX was recently elected as a Fellow to the American College of Trust and Estate Counsel. He practices law with the Maddox Law Firm in Hobbs, New Mexico. The firm is a five-person general practice law firm in Southeastern New Mexico, with concentration in estate planning, probate, and tax law, as well as general corporate practice.

ARTHUR SEYMOUR, JR. was reappointed to a seat on the citizen's advisory board for the operation of the Knoxville Civic Coliseum and the Convention and Exhibition Center. He is a partner with Frantz, McConnell & Seymour.

Class of '70

RALPH L. DeLUCCIA, JR. was sworn in as Judge for the Superior Court of New Jersey on March 2, 1993. His new address is: Superior Court of New Jersey, 77 Hamilton Street, Paterson, New Jersey 07505. He previously served as corporation counsel for the city of Paterson and also maintained a private law practice in Saddle Brook, New Jersey.

MICHAEL Y. ROWLAND was elected to a one-year term on the board of governors of the Tennessee Trial Lawyers Association. He is a partner in the Knoxville law firm of Rowland & Rowland, P.C.

Class of '71

ROGER W. DICKSON has become a fellow of the American College of Trial Lawyers. He serves on the Board of Trustees and is a partner in the Chattanooga law firm of Miller & Martin.

◆REUNION YEAR◆

Class of '73

THOMAS O. BRATCHER will serve as the Speaker for the Tennessee Bar Association's House of Delegates for the next year. He is with the McMinnville law firm of Stanley & Bratcher.

PETER H. FAUVER was appointed to the New Hampshire Superior Court last year. Prior to the appointment, he was a part-time District Court Judge in Conway, New Hampshire, and a partner in the law firm of Cooper, Fauver & Deans, P.A. He lives in Freedom with his wife, Deborah, who is also an attorney.

THOMAS W. GRAHAM was elected Circuit Judge in 1990 for the 12th Judicial District in Tennessee which includes Franklin, Marion, Grundy, Sequatchie, Bledsoe, and Rhea Counties. His new address is P.O. Box 993, Jasper 37347. Judge Graham also serves as a member of the Tennessee Pattern Jury Instructions Committee.

Alumni News

KELLEY HINSLEY is serving as a County Commissioner for Hamblen County, Tennessee.

RANDALL E. NICHOLS has been selected to be a member of Leadership Knoxville Class of '94. Leadership Knoxville's purpose is to strengthen the knowledge and understanding of the community. Randy is a District Attorney General. He is also on the board of directors for the Metropolitan Drug Commission and a member of the Downtown Rotary.

PETER J. TOWLE announces the opening of Towle & Schwamm for the general practice of law. His office is located in Suite 505B, Franklin Square, 9724 Kingston Pike, Knoxville 37922. The office telephone number is 615/690-4636.

Class of '74

PHILLIP M. KANNAN is the Associate General Counsel at Martin Marietta Energy Systems, Inc. in Oak Ridge. He is also a Practicing Fellow at the College of Law where he teaches government contract law.

ROBERT C. LANGSTON has become a Broker/Associate with Banner Elk Realty in Banner Elk, North Carolina. His new address is P.O. Box 2036, Banner Elk 28604.

HOWARD H. VOGEL was elected vice president of the Tennessee Bar Association at their annual meeting in June. He is a partner with the Knoxville law firm of O'Neil, Parker & Williamson.

Class of '75

The Honorable J. DANIEL BREEN will serve as the Tennessee Bar Association's Governor of West Tennessee for the next year. Judge Breen is a Magistrate for the Western District of Tennessee in Jackson.

PAUL CAMPBELL, JR. will serve as immediate past president of the Tennessee Bar Association for the next year. He is a partner with the Chattanooga law firm of Campbell & Campbell.

JOHN B. HARDAWAY III announces the opening of Hardaway Law Firm, P.A. for the practice of Intellectual Property Law in Greenville, South Carolina. The firm will practice both domestically and internationally.

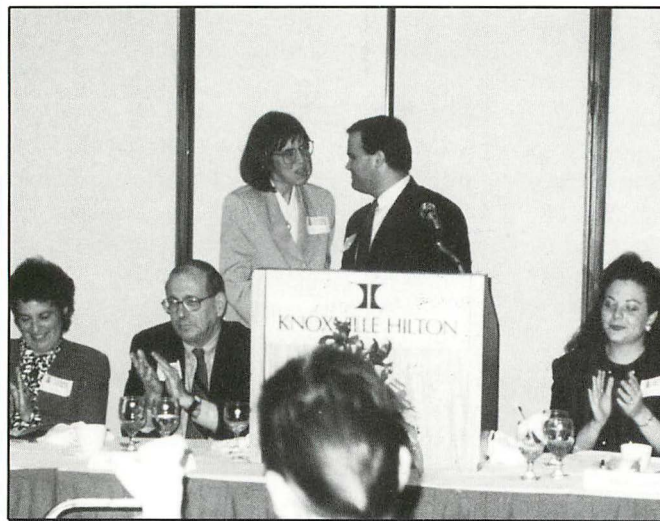
Class of '76

PATRICIA J. COTTRELL has been appointed the Chief Deputy Attorney General for the state of Tennessee. She works in Nashville.

JEFFREY W. GUILD has become associated with the Chattanooga law firm of Miller & Martin. He previously was with the Fletcher Bright Company of Chattanooga.

WILLIAM (Bill) R. RICE was named Chancellor of UT-Memphis in March and was also named Vice President for Health Affairs of the UT system. He has spent his entire career with UT.

BRENDA WILLET STUCKEY was awarded the John Minor Wisdom Award by the American Bar Association at a ceremony in Phoenix, Arizona, on November 5, 1992. The award was established by the ABA Section of Litigation to recognize high standards of professionalism and outstanding contributions in promoting an open profession and an open system of justice. Brenda, who has served as Litigation



Pete Halverstadt, Class of '94, (standing) presented Margaret Behm, Class of '76, with a PDP Alumni Achievement Award. Others pictured include: Professor of Law Amy Hess (left), Sam Crutchfield, PDP Executive Director, and Mistress of Ceremonies Micki Griffin, Class of '94 (right).

MARGARET L. BEHM was the guest speaker at the Phi Delta Phi Initiation and Banquet, April 2, in Knoxville. Known for her political actions for women's rights, Behm spoke about the motivations driving law students, and what their goals as lawyers should be. She opened by speculating on students' motivations to be lawyers, and then suggested that those motivations help determine what kind of lawyer one will become. The goals that one should have as a lawyer occupied the majority of Behm's commentary. New lawyers should maintain an enthusiasm for the law, be prepared for court, have patience, and work hard for success. A balance in life - between family, community and service - should be maintained. Behm believes that lawyers should be helpmates, advisors and advocates, and that they should be politically involved because, as she says, "life is politics." This statement of her belief is reflected by her actions. Behm drafted legislation to extend group health insurance benefits after divorce, death of a spouse, or job termination, for pregnancy and child support. She has also been active in the political campaigns of Albert Gore, Jr. for Senator and U.S. President; Marietta Shipley for Circuit Court Judge; and Martha Craig Daughtrey for the Tennessee Supreme Court. Margaret co-founded Shipley & Behm in 1980, the first all-woman law firm in Nashville. She is now associated with Dodson, Parker & Behm in Nashville.



Brenda Willett Stuckey

Director for East Texas Legal Services in Nacogdoches for 10 years, was honored for her work on behalf of nursing home patients, public housing residents, and uninsured children in need of health care. She not only supervises a staff of 25 attorneys, but also carries an extensive caseload herself. Brenda has authored many community education brochures to advise poor people of their legal rights. She lives with her husband, Curtis, and their two children, Joshua, 14, and Ginny, 9. Curtis is also an attorney.

Class of '77

WILLIAM A. COHN was elected President of the East Shelby County Bar Association. The bar association is a relatively new organization which is only three years old and consists of lawyers who practice or live in the eastern part of Shelby County. William passed the Tennessee bar in 1978 and since 1987 has maintained an office in Tennessee. The office is located at the Koger Center at the corner of Walnut Grove and Germantown. Additionally, he is a member of the Bar of the State of Texas and maintains an office at One Galleria Tower in Dallas. William has been certified as a specialist in Creditors' Rights by the Commercial Law League Academy of Commercial and Bankruptcy Law Specialists, and is the first lawyer in west Tennessee to obtain board certification as such a specialist.

COLMAN B. HOFFMAN has become of counsel for the Nashville office of Heiskell, Donelson, Bearman, Adams, Williams & Caldwell. He concentrates his practice in the banking, corporate and securities area. Colman has assisted several banks statewide in their mergers, acquisitions, formation, bank regulatory matters, and holding company formations. He has also represented the FDIC in the successful recovery of bankers blanket bond claims. Colman served as Assistant Commissioner and Legal Counsel of the Tennessee Department of Financial Institutions from 1981-86. During the Tennessee banking crisis, he assisted in the closing of 32 banks, drafted the Tennessee Financial Institutions Conversion Act, and represented the First Tennessee State Chartered Savings and Loan in its conversion to a bank charter. He is currently chair of the American Bar Association's Banking Law Subcommittee on State Law Developments. Colman is a certified public accountant and admitted to practice law in Texas and Tennessee.

THERESA KROLL LEE has been named Assistant Secretary and Senior Counsel for the Texas Eastman Division of the Eastman Chemical Company in Longview, Texas.

RAYMOND A. SHIRLEY, JR. was elected to a one-year term on the board of governors of the Tennessee Trial Lawyers Association. He is a partner in the Knoxville law firm of Lockett, Slovis, Weaver, Rosson, Rutherford & Shirley.

LIBBY SNYDER was named Vice President and Assistant to the Chairman of Fannie Mae in July 1992. Fannie Mae, the nation's third largest corporation in terms of assets, is the largest private investor in home mortgages in the United States and is based in Washington, D.C.

Class of '79

LARRY T. HARLEY has been selected by the Board of Directors of the Southwest Virginia Legal Aid Society (SVLAS) as the organization's new

Executive Director. He has been employed as SVLAS's Litigation Supervisor since 1985. Prior to 1985, Larry was employed as their Senior Attorney, Staff Attorney, and Paralegal. He has also served as the Assistant Director of Admissions at Emory and Henry College in Emory, Virginia from 1974-75. SVLAS, a private non-profit organization, provides free, high-quality legal representation to low-income residents of the cities of Bristol and Galax as well as the counties of Bland, Carroll, Grayson, Smyth, Washington, and Wythe. Larry's address is SVLAS, 554 South Main Street, Marion, Virginia 24354 and his telephone number is 703/783-8300.

NICHOLAS J. MANRING had an article, "Historic Preservation Law in Washington," published in the July 1993 issue of the *Washington State Bar News*. He and his wife, Donna, proudly announce the birth of twin boys. Austin Benjamin and Dimitri Jordan were born on May 11, 1993 in Spokane. They join Nathan, 14, and Frances, 8. Larry is in private practice in Garfield with Bishop & Manring.

CHRIS RALLS announces the opening of his new office on June 1, 1993. His address is Suite 343 Highland Complex, 343 High Street, Maryville 37801. The office telephone number is 615/977-6899.

PAMELA L. REEVES will serve as the Tennessee Bar Association's Governor of the 2nd District of Tennessee for the next year. She is with the Knoxville law firm of Watson, Hollow & Reeves.

EDWIN TOWNSEND, JR. will serve as the Tennessee Bar Association's Governor of the 7th District of Tennessee for the next year. He is with the Parsons law firm of Townsend & Townsend.

PAULA R. VOSS is the Chief Assistant Public Defender for the 6th Judicial District in Knoxville. She and husband, Ed Shoemaker, Class of '80, have two children: Jessica, 6, and Nicholas, 4.

Alumni News

Class of '80

MEREDITH DeVAULT has been promoted from Assistant Attorney General to Senior Counsel to the Attorney General for the State of Tennessee. She will work in the Antitrust Division of the Attorney General's Office in Nashville. Meredith and her husband, Ken Pence, proudly announce the birth of their second child, a daughter, Meredith Masengill Pence, on March 1, 1991.

BRENDA Y. HALL was appointed in February 1993 to serve as a member of the Board of Professional Responsibility of the Supreme Court of Tennessee. She is a partner in the Kingston law firm of McDonald & Hall.

CYNTHIA M. ODLE is currently an Assistant Attorney General with the Tax Division in Nashville. She is also serving as President of the Davidson County Democratic Women, as a member of the Metro Nashville Taxicab and Wrecker Licensing Board, and as secretary of the Board of Directors of Immanuel Baptist Church.

W. TIMOTHY ROGERS has been named Dean of Students at The University of Tennessee, Knoxville. He previously served as the Associate Dean of Student Conduct and Orientation.

C. EDWIN SHOEMAKER is associated with the Maryville law firm of Kizer & Black. He received the LL.M. degree in tax from Emory University in May 1992. Ed and his wife, Paula Voss, Class of '79, have two children: Jessica, 6, and Nicholas, 4.

LARRY D. WILKS was appointed in January 1993 to serve as a member of the Board of Professional Responsibility of the Supreme Court of Tennessee. He is associated with Wilks & Clark law office in Springfield and Nashville. He will also serve as the Tennessee Bar Association's Associate General Counsel during the next year.

Class of '81

PHYLLIS GOLDEN MOREY became a partner in the law firm of Pepper, Hamilton & Scheetz on October 1, 1992. The firm is a national general practice firm with offices in Pennsylvania, New York, New Jersey, Delaware, Michigan, and Washington, D.C. Phyllis works out of the Detroit office. She is married to Blondell Morey, who is also an attorney, and is the mother of three daughters: Tameka, 17, Chantel, 3, and Whitney, 5 months. Tameka will attend Duke University this fall.

MARGARET A. SMITH has accepted a permanent position with the U.S. Attorney's Office in the Eastern District of Virginia after a 7-month detail. She has been assigned to the Civil Division and will work affirmative litigation cases.

Class of '82

BETH STRICKLIN BATES is the Director for The Homelessness Project for the West Tennessee Legal Services and Managing Attorney in their Dyersburg and Jackson offices. The Homelessness Project is a year old and its staff generally handles public benefits and housing cases for homeless persons.

TODD J. CAMPBELL has been appointed Counsel to the Vice President of the United States. His office is in the Old Executive Office Building in Washington, D.C. Todd was a partner with Gullett, Sanford, Robinson & Martin in Nashville before the appointment.

Dr. ERIC S. ENGUM has opened an office in Knoxville and will provide services in clinical neuropsychology, psychotherapy and forensics. His office is located in Suite 340, Executive Tower #1, 408 North Cedar Bluff Road 37923.

DAVID A. HANNAH was certified as a specialist in the areas of Residential and Commercial Real Estate Law by the Texas Board of Legal Specialization in December 1990. He is associated with the Houston, Texas law firm of Williams, Birnberg & Andersen, L.L.P. David and his wife, Kelly, have one son, Collin, who will be two years old in August.

GREG MILLER is now a District Judicial Referee in Jacksboro. He was previously associated with Basista, Young & Miller in Jacksboro.

ROBERT A. RILEY has been named Field Service Director for the Kentucky Department of Public Advocacy. He will oversee delivery of public defender services through the field office system for the entire state.

S. JASPER TAYLOR IV is the County Attorney for Crockett County. He is also a member of the Industrial Board and the Board of Education for the county.

◆ REUNION YEAR ◆

Class of '83

MARK S. DESSAUER will serve as the Tennessee Bar Association's Governor of the 1st District of Tennessee for the next year. He is with the Kingsport law firm of Hunter, Smith & Davis.

MARK H. FLOYD is pleased to announce the opening of Floyd & Bryant, A Professional Corporation, in Nashville. His office is located in Suite 200, 303 Church Street. Mark has an extensive background in representing management in all areas of labor and employment law throughout the country. He is admitted to practice in California and Tennessee. Mark serves on the American Bar Association's Labor and Employment Law Section, Employee Rights and Responsibilities Committee, and Contagious Diseases and Other Health Issues in the Workplace Subcommittee. He is also a member of the Tennessee and California Bar Association's Labor and Employment Law Section. Formerly, he served as chair of the Tennessee Bar Association's Subcommittee on Worker's Compensation Reform and was the publisher of *The California Labor Letter*.

M. THOMAS JURKOVICH has been named national field director of the Democratic Congressional Campaign Committee. He will work out of Nashville.

ROLAND ROBERT LENARD has been

selected as a member of Leadership Clarksville for 1992-93 and has been appointed as a member of the Clarksville Board of Zoning Appeals. In November 1992, he was elected Councilman for Clarksville.

Class of `84

STEVE COOK, an Assistant U.S. Attorney in Knoxville, received one of the 1993 Director's Awards for Superior Performance from the Executive Office of the U.S. Attorneys. He was cited for his work on prosecutions under the drug kingpin law.

TERESA D. DAVIDSON was appointed to the Board of Directors of the Corporate Counsel Division of the Maricopa County Bar Association in October 1992. She will also serve as the editor of the Division's *Law and Legal Trends Monthly Bulletin*. Teresa is associated with the Phoenix, Arizona law firm of Johnston, Maynard, Grant & Parker.

LEON FRANKS took time off from his duties as a Knox County District Attorney in 1991 to participate in Operation Desert Shield and Desert Storm. He served with

the 101st Airborne Division in their 489th Civil Affairs Unit.

HOWARD B. HAYDEN took office as the President of the Young Lawyers of the Memphis Bar Association in November 1992. He also became a member of the Memphis law firm of Evensky & Hayden.

RUTH JOHNSON HILL, Reference Librarian and Legal Research Instructor at Loyola Law School in Los Angeles, spoke at the annual meeting of the Tennessee Library Association in Nashville in April. Her topic was "Gutenberg in the 21st Century: The Electronic Book and Libraries of the Future."

ANTHONY F. PAGANO III was promoted to the position of Counsel/Section Chief, Conservatorships/Receiverships Section, Valley Forge Office Legal Division of the Resolution Trust Corporation. He is responsible for all conservatorship and receivership operational issues related to the savings and loan bailout work in the Northeast United States.

Class of `85

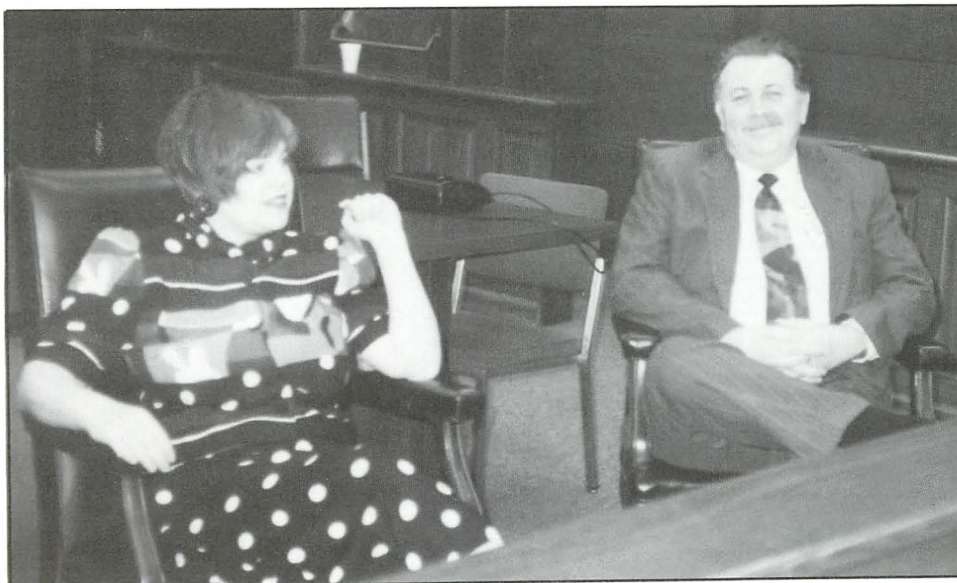
KEITH D. FRAZIER has been elected president-elect of the Young Lawyers Division of the Tennessee Bar Association. He is with the law firm of Baker, Worthington, Crossley, Stansberry & Woolf in their Nashville office.

RICHARD T. REDANO has been elected to a two-year term on the Board of Directors of the Houston Intellectual Property Law Association. He is associated with the Houston, Texas law firm of Rosenblatt & Associates.

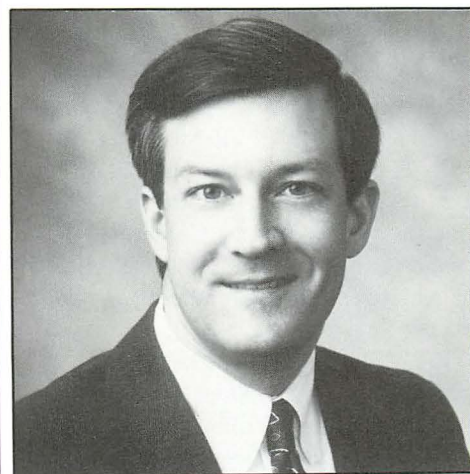
Class of `86

JEFF ANDERSON has been elected Mayor of Johnson City, Tennessee. He is also associated with Baker, Worthington, Crossley, Stansberry & Woolf in their Johnson City office.

JOHN A.W. BRATCHER was appointed Clerk and Master of the Chancery Court of Rutherford County, Tennessee, in Murfreesboro on October 1, 1992. After graduation from law school, he served as a clerk for the Honorable W. Frank Crawford of the Tennessee Court of Appeals. From September 1987 until the appointment, he was associated with the Murfreesboro law firm of Bullock, Fly & McFarlin. John lives in Murfreesboro with his wife, Carole.



Trish Dennis, Class of `87, and Jesse Farr, Class of `69, presented "Personal Injury Practice: Solo or Group" in February to law students. The program was sponsored by Career Services. Trish and Jesse both practice in Chattanooga.



BEN A. BURNS has been named a partner in the Nashville office of Baker, Worthington, Crossley, Stansberry & Woolf. In addition, Ben has been elected

as President of the Young Lawyers Division of the Nashville Bar Association for 1993.

JOE A. CONNER has become a member of Heiskell, Donelson, Bearman, Adams, Williams & Kirsch in their Chattanooga offices where he is a member of the litigation group. He is a member of the Tennessee and American bars. Joe has extensive experience in commercial litigation and handles cases involving lender liability, construction law, employment discrimination, and bankruptcy.

CHARLES J. FLEISCHMANN was elected to the Board of Governors of the Chattanooga Bar Association on April 6. He is a partner in the law firm of Fleischmann & Fleischmann.

ODELL HORTON, JR. has been selected to be a member of the Class of 1994 Leadership Memphis. He is an Assistant General Counsel at The University of Tennessee-Memphis.

MICHAEL C. PATTON has become a member of Heiskell, Donelson, Bearman, Adams, Williams & Kirsch in their Memphis offices and concentrates his practice in business and commercial litigation. He has significant experience in bank litigation involving both recovery/loan workouts and lender liability, commercial litigation involving mechanics' and materialman liens and property issues, and litigation involving residential and commercial construction. Mike is a member of the Memphis, Tennessee, and American bars, and serves as editor of the newsletter of the Title Insurance and Law Committee of the Tort and Insurance Practice Section of the American Bar Association.

STEPHEN E. ROTH has become a member of Heiskell, Donelson, Bearman, Adams, Williams & Caldwell in their Knoxville offices where he concentrates his practice on litigation. He has authored and edited articles published by the *Tennessee Law Review* and by the American Bar Association. Steve is a

member of the Knox County Home Rule Charter Commission, the Executive Board of the Tennessee Young Lawyers Conference, the American Bar Association, and the Executive Council of the Litigation and Debtor-Creditor Committees of the ABA's Young Lawyers Division. He chairs the ABA/YLD Bankruptcy Committee.

DEBORAH TANENBAUM McCORMICK has become a principal in the Nashville law firm of Stokes & Bartholomew.

Class of '87

KENNETH M. BRYANT is pleased to announce the opening of Floyd & Bryant, A Professional Corporation, in Nashville. His office is located in Suite 200, 303 Church Street. Ken, formerly with Dearborn & Ewing, practices primarily in the area of general civil and commercial litigation. He is a member of the American Bar Association's Litigation Section, the American Trial Lawyers' Association, and the Tennessee and Nashville bars.

MARK DEBORD and his wife, Patti, proudly announce the birth of their daughter, Katie Lauren, on May 20,

1993. He is associated with Hunton & Williams in Richmond, Virginia. Mark concentrates on labor law.

RICHARD A. DEMONBREUN opened his own law office in Nashville in March. His address is 519 Demonbreun Street 37203. Richard will have a general civil practice which will include personal injury, workers' compensation, aviation, and bankruptcy law.

JAMES N. GORE, JR. has been named a shareholder with the Knoxville law firm of Kennerly, Montgomery & Finley, P.C., effective January 1, 1993. He practices primarily in the areas of general civil litigation and workers' compensation defense.

JOHN J. HOLLINS, JR. and Elizabeth Thompson were married on October 3, 1992. In January of 1993, he was named a partner in the Nashville law firm of Hollins, Wagster & Yarbrough, P.C. John's practice is concentrated in the areas of personal injury/insurance defense, criminal defense, and domestic relations.

JULIE WATSON became a member of the Chattanooga law firm of Heiskell,



Kazakhstan Delegation to the U.S.: (from left) Kasym Maulenov, Advisor to the President of Kazakhstan, E.Z. Derbisov, Minister of Finance, Gary Carpentier, Class of '90., Senator Robert Dole, Republican Leader of the U.S. Senate, and Larisa Glad, interpreter.

Donelson, Bearman, Adams, Williams & Caldwell, on February 1, 1993. She is the mother of daughters Jessica, 6, and Rebecca, 3.

◆REUNION YEAR◆

Class of `88

FRANK CALLAWAY has been named Assistant General Counsel for IRT Property Company in Atlanta, Georgia.

DEANNA J. DAUGHERTY and her husband, Douglas, are pleased to announce the birth of their son, Douglas Craig, on September 4, 1992. Deanna is associated with the Knoxville law firm of Hodges, Doughty & Carson. Doug is Vice President of Special Accounts with First American National Bank.

LEONARD MADU, as co-chair of Clergy and Laity Concerned in Nashville, continues to write on educational, cultural, and social matters for area newspapers. Clergy and Laity Concerned is an interfaith group that addresses issues of human rights, world hunger, defense spending, and employment. He also continues to work on behalf of the Haitian people as their country struggles to overcome poverty. Leonard is an attorney and international trade consultant.

E. JEROME MELSON became a partner in the Knoxville law firm of Watson, Hollow & Reeves in April 1993.

WELDON E. PATTERSON and his wife, Laura, proudly announce the birth of their daughter, Preston Park, on June 15, 1992. He is associated with the Knoxville law firm of Poore, Cox, Baker, Ray & Byrne.

Class of `89

BECKY L. ARNOLD is associated with the law firm of Rappaport & Rappaport of Binghamton, New York.

GEORGE PHILLIPS is now the Counselor to the Assistant Attorney General of the U.S. for the Civil Division. He works at the Department of Justice in Washington.

Class of `90

GARY CARPENTIER became Legislative Counsel for Congressman Raymond J. McGrath from Long Island, New York after graduation. McGrath was a member of the Committee on Ways and Means and Gary was his Chief Trade Counsel before the Subcommittee on Trade. Gary was responsible for areas of legislation that included corporate taxation, mass media, customs law, banking and securities, and pension law. As Chief Trade Counsel, Gary was instrumental in shaping U.S. trade policy and legislation regarding the North American Free Trade Agreement, the Uruguay Round of the General Agreement on Tariffs and Trade, the Enterprise of the Americans Initiative, and trade policy with Asia. He was also one of the principal authors of the Andean Trade Preference Act which was enacted into law in January 1992 and changed the U.S.'s trading relationship with Columbia, Bolivia, Equador and Peru. After McGrath retired in January 1993, Gary joined a law firm in Washington, D.C. that specializes in taxation and trade legislation. He also currently is an Adjunct Professor in the Masters of International Trade Program at the Washington College of Law at The American University in Washington. He teaches a course entitled, "The Settlement of International Trade Disputes." Gary also serves as an Adjunct Scholar at The Tax Foundation, a Washington tax think-tank. He has an article, "Trade Agreements and Dispute Settlement Mechanisms in the Western Hemisphere," accepted for publication in the Fall 1993 issue of the *Case Western Reserve Journal of International Trade*. In May of 1993, Gary hosted a delegation from the Ministry of Finance of Kazakhstan, a newly independent state from the Soviet Union. Kazakhstan and the U.S. signed a Taxation Policy Protocol during the visit. The two nations have formulated trade policy as Kazakhstan becomes a market economy country.

ANDRE COURÉ is an attorney/advisor for the Social Security Administration in

Knoxville. He received the SSA Associated Commissioners Award for Volunteer Service for 1993. Andre is a member of the Tennessee Task Force on the African-American Male.

JAKE HARDISON, JR., and his wife, Jennifer, proudly announce the birth of daughter, Christina Nicole, on March 31, 1993. Jake is an attorney-advisor with the Central Intelligence Agency's Office of the General Counsel in Langley, Virginia.

G. TODD HOUCK returned to his hometown of Mullens, West Virginia, and joined the town's oldest firm, Moler, Staton, Staton & Houck. His new address is P.O. Box 357, Mullens 25882.

VIRGINIA A. SCHWAMM announces the opening of Towle & Schwamm for the general practice of law. The office is located at Suite 505B, Franklin Square, 9724 Kingston Pike, Knoxville 37922. Her office telephone number is 615/690-4636.

Class of `91

HOWARD LEO BEALE II and Susan Dickey were married on March 21, 1992 in her hometown of Rockford, Tennessee. They now live in Signal Mountain and Leo practices law with the Chattanooga law firm of Spears, Moore, Rebman & Williams.

JAMES C. CONE is an Associate practicing with the Knoxville law firm of Jenkins & Jenkins.

JACK H. (Nick) McCALL, JR., has become associated with the Nashville law firm of Farris, Warfield & Kanaday. His essay, "Conforming Rhetoric With Reality: An Integrated Approach to the Limitation of International Transfers of Conventional Arms," won the American Bar Association's 1992 Bruno Bittker Essay Contest. The contest was sponsored by the ABA's standing committee on World Order Under Law.

Alumni News

Class of '92

RICHARD L. GAINES has received a full tuition grant from the Ford Foundation to attend the Columbia L.L.M. program. He will complete a judicial clerkship with the Honorable H. Emory Widener, Jr., U.S. Court of Appeals in Abingdon, Virginia this summer and begin his studies in the fall.

CINDY JUDD and Brent Hubbell were married on September 5, 1992 and now live in Sparta, Tennessee where Cindy has just opened her own law firm. Her office telephone number is 615/836-2766. Cindy and Brent have also just purchased a new home.

STEPHEN S. OGLE has become associated with the law firm of Crawford, Crawford & Newton. His address in P.O. Box 4338, Maryville, Tennessee 37802 and his telephone number is 615/982-5431.



JUDY TURCOTT (right) attended the Moot Court Banquet in April to present an award. The first annual Judith Turcott Special Service Moot Court Award was presented to Lisa L. Ramsay, Class of '93, by Judy at the banquet. Judy said being recognized for her work with the board last year had been a positive experience and she wanted to help promote Moot Court Board services. Lisa was on several moot court teams and served on the Moot Court board. After graduation, she will become associated with the Knoxville law firm of Lewis, King, Krieg & Waldrop.

Class of '93



MARGARET L. GRAY received the American Bar Association Bureau of National Affairs Award for Excellence in Labor and Employment Law. She is the first at UT to receive the award, which is offered at only 29 other law schools. The award was presented to Margaret at the Moot Court Banquet in April.

SUZANNE N. SCOTT received a 1992 Phi Delta Phi Balfour Scholarship. Suzanne ranked above more than 100 applicants nationwide to be one of only ten recipients of the scholastic achievement award. After graduation, she will be associated with the Chattanooga law firm of Miller & Martin.

Class of '94



MARY E. (Micki) GRIFFIN had two photographs included in the Knoxville Museum of Art's "From the Mountains to the Mississippi" exhibit this summer. The pictures were taken while she

served in the Peace Corps in Honduras.

AMY E. HADDAD had her note titled, "Constitutional Law - Fourteenth Amendment Right to Equal Protection - Criminal Defendant's Racially Discriminatory Exercise of Peremptory Challenges *Georgia v. McCollum*, 112 S.Ct. 2348 (1992)," published in the Fall 1992 issue of the *Tennessee Law Review*.

ELIZABETH C. PRICE had her note titled, "Torts - Federal Preemption of State Common Law - Federal Cigarette Labeling and Advertising Act *Cipollone v. Liggett Group, Inc.*, 112 S.Ct. 2608 (1992)," published in the Fall 1992 issue of the *Tennessee Law Review*.

Class of '95

TRENNY M. ROGERS and SUZANNE M. SWEET coached Webb School of Knoxville during the 1993 Tennessee High School Mock Trial Competition. The team won the regionals and placed second in the statewide competition in Nashville in March.

IN MEMORIAM

- Harold S. Duncan '48
Chattanooga
- George T. Fritts '39
Knoxville
- William C. Hayes '90
Knoxville
- Melvin G. Hobbs, Sr. '44
Knoxville
- Spears McAllester '43
Chattanooga
- Frank J. McGhee '22
Knoxville
- Ford P. Mitchell, Jr. '57
Chattanooga
- David L. Oakley, Jr. '35
Knoxville
- John Vane Overton, Jr. '43
Knoxville
- James E. Patching, Jr. '39
Chamblee, Georgia
- Herbert F. Peters '49
Silver Springs, Florida
- Claude K. Robertson '58
Knoxville
- R.C. Smith, Jr. '48
Knoxville
- James M. Underwood '36
Maryville



Irma Freestate, President of the Hispanic Law Students Association for 1992-93 and a member of the Class of '93, and Jack Kramer, Co-director of the Diocese of Knoxville, Hispanic Ministry.

HLSA Presents Program on Migrant Workers and Their Problems

The Hispanic Law Students Association (HLSA) hosted a discussion by Jack Kramer, Co-director of the Diocese of Knoxville, Hispanic Ministry, in March. Mr. Kramer spoke on the problems of the Knoxville area Hispanic population as well as Hispanic problems nationwide. HLSA is an active student organization which acts as a clearinghouse for information regarding migrant workers, collects demographic data on Hispanic populations in Tennessee and surrounding states for recruitment purposes, addresses issues of Immigration Law, and informs the public concerning the needs of Hispanics.

The following is a synopsis of Mr. Kramer's remarks by David Musich, a journalism intern at the College of Law during the Fall 1992 semester.

A rough hand shakes you out of a restless slumber, and you awaken to a new but always familiar sight: the field may be different, beans this time instead of tomatoes, but the familiarity is always there. Florida was your home last week until the oranges were all harvested, and now you've moved north for the late season pumpkins. Perhaps you'll move on to Texas later in the winter, or back to Florida. You hope there will be work there, that you won't be separated from your family, that the car won't break down, that you'll live to see tomorrow.

This is what an estimated 6,000 migrant Hispanic workers in East

Tennessee wake up to every day. The migrant cycle is a frustrating one. A family, or individual, is always on the move, never calling one place home for more than a few months. The migrant worker faces a society that doesn't speak his language, know his customs, recognize his humanity. As the "socially invisible" minority, Hispanics of all classes suffer.

In an attempt to deal with the problems Hispanics encounter, Jack Kramer came to the Catholic Diocese of Knoxville to work with Father Mike Roark of the Hispanic Ministry, which tries to help Hispanics by maintaining documentation and data, by being an advocate for their needs, and by referring problems to appropriate agencies. Because 80 percent of the 25 million Hispanics in the U.S. belong to the Catholic Church, it is an ideal agency to deal with the problems Hispanics encounter. In 1986, in conjunction with the Immigration Reform Act, the Catholic Church was approved to act as a "connecting" device to help Hispanics seeking citizenship.

A situation known as "peonage" is common among migrant Hispanic workers. With the promise of shelter and transportation in exchange for work, a migrant worker comes into the U.S. expecting work and shelter. Often, however, the shelter provided is inside the workplace, such as a warehouse or restaurant. These situations, along with sweatshop conditions, lead to challenging

legal problems. Although the conditions are opulent compared to those a migrant Hispanic may face in his own country, Kramer says, "Our laws have to be geared to our standards and not those of other countries."

To deal with the legal challenges that Hispanic migrant workers face, the legal services of upper East Tennessee have expanded. Unfortunately, it is difficult to determine to what extent the services need to expand because there is no reliable data relating to the Hispanic migrant population of East Tennessee. The last census estimates that the permanent Hispanic population of 36 East Tennessee counties is between 9,000 and 10,000. But Kramer says these figures are not accurate because there is no motivation for the Hispanic to participate in the census. Additionally, they have a historical distrust of the government and have been marginalized outside the culture of the U.S. Kramer estimates the actual permanent Hispanic population is closer to 14,000. With more and more migrant workers deciding to stay in the area, that figure is constantly growing and making it more difficult to keep track of the actual population. Local areas that draw migrant workers include the Cocke County/Newport area, for tomatoes; Hamblen and Jefferson Counties, for tobacco; Unicoi County, for tomatoes and strawberries; and Rhea County, also for tomatoes.

**Depositions and Other Discovery
Knoxville Bar Association Pretrial Practice Seminar
November 20, 1992
R. Lawrence Dessem**

I. Governing Law of Depositions.

A. Rule 30 generally governs depositions.

1. Deposition can be taken of any person.
2. Deposition timing and notice.

B. Federal Rule of Civil Procedure 45(a)(3) was amended in 1991.

1. Counsel now can issue subpoenas as officer of court.
2. Rule 45(c)(1), "Protection of Persons Subject to Subpoenas," requires party or attorney responsible for subpoena to "take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena."
3. Person commanded to produce documents or things need not appear in person unless commanded to do so by subpoena. Rule 45(c)(2)(A).
4. See generally David D. Siegel, "Federal Subpoena Practice Under the New Rule 45 of the Federal Rules of Civil Procedure," 139 F.R.D. 197 (1992).

C. Local rules often govern (and restrict) depositions.

II. Should You Depose a Witness?

A. Advantages.

1. Follow-up on witness answers is possible.
2. Witness demeanor can be observed.
3. Spontaneous witness testimony can be obtained.
4. Witness can be pinned down to a specific story.
5. Deposition of party or corporate decision-maker may lead to settlement.
6. Deposition may be the only way to obtain information from a particular witness (who won't talk voluntarily or whom you can't approach without going through counsel).

B. Disadvantages.

1. Depositions are very expensive.
2. Your depositions may trigger depositions by other parties.
3. Your questioning may educate other attorneys about your case.
4. You may not want to memorialize testimony.

C. Alternatives.

1. Informal discovery, including interviews and witness statements.
2. "Staged discovery," under which initial discovery is limited to that necessary to resolve motion for summary judgment or other pretrial motion.
3. Under Rule 29, counsel can stipulate that deponent will provide written answers to interrogatories rather than deposition testimony. *United States v. South Carolina*, 445 F.Supp. 1094, 1099 (D.S.C. 1977), aff'd mem., 434 U.S. 1026 (1978).

D. Fit depositions within overall discovery plan.

1. When during discovery should depositions be taken?
2. In what order should depositions be taken?
3. Sequence and timing of discovery is generally up to parties under Rule 26(d).
4. Discovery plan can be presented to court and adopted in court order at Rule 26(f) discovery conference.

III. Deposition Logistics.

A. Depositions can take several forms.

1. Videotaped depositions. F. R. Civ. P. 30(b)(4); Tenn. R. Civ. P. 30.02.
 - (a) Tennessee Rule requires that notice and subpoena state that deposition will be recorded by videotape and whether a stenographic record also will be made.
 - (b) Specific taping procedures are set forth in rule, requiring identification of counsel, taking of oath, and visible clock on camera.
 - (c) Proposed amendment to Federal Rule 30 contains similar provisions.
2. Other depositions “by other than stenographic means.” F. R. Civ. P. 30(b)(4).
3. Telephone depositions. F. R. Civ. P. 30(b)(7).
4. Depositions upon written questions. F. R. Civ. P. 31.
5. Corporation or organization can be asked to designate deponent under Rule 30(b)(6).
 - (a) Organization must provide testimony on “matters known or reasonably available to the organization.”
 - (b) Deposition witness should come to deposition prepared to give “complete, knowledgeable and binding answers.” *Marker v. Union Fidelity Life Ins. Co.*, 125 F.R.D. 121, 126 (M.D. N.C. 1989).
 - (c) “One of the purposes of Rule 30(b)(6) is to curb any temptation a corporation might have to shunt a discovering party from pillar to post by presenting deponents who each disclaims knowledge of facts clearly known to someone in the corporation.” *Federal Deposit Ins. Corp. v. Butcher*, 116 F.R.D. 196, 199 (E.D. Tenn. 1986).
 - (d) Examining party can still choose deponent(s).
 - (e) See generally Mark A. Cymrot, “The Forgotten Rule,” *Litigation*, Spring 1992, at 6.

B. Documents can be requested in connection with deposition. F. R. Civ. P. 30(b)(5); 45(a)(1).

C. Timing and location of deposition.

1. Requirements of Rules.

- (a) Federal Rule 30(b)(1) requires, but does not define, “reasonable notice” for depositions.
- (b) Tennessee Rule 30.02(1) requires 5 days notice for depositions in county where suit is filed and seven days notice for other depositions.
- (c) Leave of court is generally required if plaintiff seeks to take deposition prior to 30 days after service of summons and complaint. F. R. Civ. P. 30(a).

2. Practical considerations.

- (a) Arrange mutually convenient time and location with other counsel.
- (b) Arrange for room and court reporter.
- (c) Serve notice and, if a third-party deposition, subpoena.
- (d) Rule 30(g) provides for sanctions if party noticing deposition fails to attend or if deponent doesn’t appear for deposition because they were not subpoenaed.

IV. Examination of Deponent.

A. Prepare for deposition in advance.

1. Interview deponent if possible.
2. Review documents and other discovery responses concerning deponent.
3. If deponent is an expert, discuss deposition questioning with your expert.
4. Prepare deposition outline.

B. Meet with reporter at deposition.

C. Start of deposition.

1. Ask reporter to put deponent under oath.
2. Be specific concerning any stipulations.
3. Rules of Procedure and Evidence preclude need for stipulations in most cases.
4. Introduce lawyers and court reporter.
5. Ask if witness has ever been deposed before.
6. Ask witness to let you know if they do not understand a question or have not finished their answer.

D. Examination strategy will depend on purpose of deposition.

1. Trial deposition.
2. Discovery deposition.
3. Most depositions are both.

E. Deposition questioning.

1. To alleviate witness anxiety, start with non-controversial subjects (background facts such as employment situation).
2. Move from open-ended questions seeking narrative answers to closed-ended questions summarizing witness testimony.
3. Questions can proceed chronologically or logically by topic.
4. Stop, look and listen!
5. Pin witness down.
 - (a) Most witnesses can give some estimates.
 - (b) If witness “doesn’t remember,” give them time to think and ask what will help them remember.
 - (c) Deponent can be asked if there is anything else concerning a particular subject about which they have knowledge.
6. Create usable transcript.
 - (a) Rule 32(a)(1) provides that deposition may be used “for the purpose of contradicting or impeaching the testimony of deponent as a witness, or for any other purpose permitted by the Federal Rules of Evidence.”
 - (b) Rule 32(a)(2) provides that party deposition may be used “by an adverse party for any purpose.”
 - (c) Reporter only can take down verbal responses.
 - (d) Be sure transcript is self-contained.
 - (e) Refer to documents in unambiguous fashion, preferably by deposition exhibit numbers.
7. Witness can be asked to perform simple calculations or draw simple exhibits.
8. Ask what documents were reviewed in preparing for deposition.
9. Be considerate to deponent, reporter, and counsel.

V. Defending Depositions.

A. Most important part of defending deposition occurs during witness preparation.

B. Prepare witnesses on deposition procedure and substance.

1. Explain deposition to witness.
2. Witness should review documents about which they are likely to be questioned.
3. F. R. E. 612 may permit other parties to obtain documents witness has reviewed.

C. During deposition, stay awake!

D. Ask for a break if your witness is becoming tired.

E. Be sure witness is given sufficient time to answer and reviews documents before answering questions.

F. Don’t presume that any statements are off the record unless all counsel agree.

G. Deposition Objections.

1. “Evidence objected to shall be taken subject to the objection.” F. R. Civ. P. 30(c).
 - (a) “Objections to the competency of a witness or to the competency, relevancy, or materiality of testimony are not waived by failure to make them before or during the taking of the deposition, unless the ground of the objection is one which might have been obviated or removed if presented at that time.” F. R. Civ. P. 32(d)(3)(A).
 - (b) However, “Errors and irregularities occurring at the oral examination in the manner of taking the deposition, in the form of the questions or answers, in the oath or affirmation, or in the conduct of parties, and errors or any kind which might be obviated, removed, or cured if promptly presented, are waived unless seasonable objection thereto is made at the taking of the deposition.” F. R. Civ. P. 32(d)(3)(B).

2. Client should be instructed not to answer if privileged testimony is sought.
 - (a) Unless protective order is obtained or Rule 30(d) motion is sought, instructions not to answer must be limited to privileged matter. *Ralston Purina Co. v. McFarland*, 550 F.2d 967, 973 (4th Cir. 1977); *First Tennessee Bank v. Federal Deposit Ins. Co.*, 108 F.R.D. 640 (E.D. Tenn. 1985).
 - (b) Examining counsel should be sure record reflects a refusal to answer.
3. Avoid speaking objections.
 - (a) Objections shouldn't be used to cue witness.
 - (b) "It is too late once the ball has been snapped for the coach to send in a different play." *Eggleston v. Chicago Journeymen Plumbers' Local Union No. 130*, 657 F.2d 890, 902 (7th Cir. 1981) (en banc), cert. denied, 455 U.S. 1017 (1982).

H. Question witness to clear up ambiguities.

I. Make statement on record that deposition is concluded.

J. Witness shall sign deposition unless signature is waived by parties or witness can't or won't sign. F.R. Civ. P. 30(e).

VI. Deposition Disputes.

A. Rule 26 protective order can be sought prior to deposition if deposition locale or timing is oppressive or unduly burdensome or if subject matter specified in Rule 30(b)(6) deposition notice is objectionable.

1. However, "[b]ecause of its nature, the deposition process provides a means to obtain more complete information and is, therefore, favored." *Marker v. Union Fidelity Life Ins. Co.*, 125 F.R.D. 121, 126 (M.D. N.C. 1989).
2. Rules 26(c)(5) and 26.03(5) also provide for protective orders "that discovery be conducted with no one present except persons designated by the court."

B. Rule 37 motion to compel deposition testimony can be sought.

1. Ask reporter to mark notes if immediate resort to court is contemplated.
2. If instruction not to answer is given, ask attorney upon what privilege he relies.
3. Judge may entertain motion during deposition.

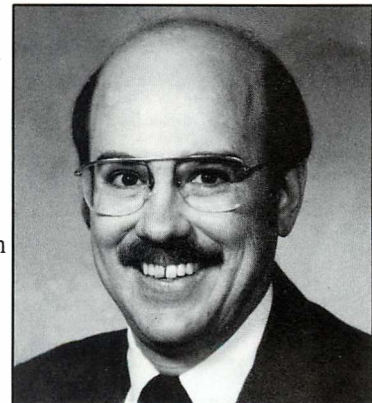
C. Rule 30(d) permits "motion to terminate or limit examination" if deposition is conducted "in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party."

1. "[A] lawyer should not ask a witness a question solely for the purpose of harassing or embarrassing him" EC7-25.
2. Deposition can be suspended so motion can be made.
3. Be sure transcript reflects conduct justifying termination of deposition.



Larry Dessem serves as the Associate Dean for Academic Affairs at the College of Law. He also teaches civil procedure, federal courts, pretrial litigation and trial practice and is a popular speaker at CLE programs throughout Tennessee and the country. He received the Harold C. Warner Outstanding Teacher Award and Student Bar Association's Outstanding Faculty Member Award in 1989 and the Chancellor's Award for Excellence in Teaching in 1993.

Professor Dessem earned a B.A. in 1973 from Macalester College and a J.D. from Harvard in 1976. He is the author of two books: *Pretrial Litigation* and *Pretrial Litigation in a Nutshell*. He is a reporter for the Federal District Court Advisory Group and is a member of the Tennessee Supreme Court Commission on Dispute Resolution.





3 for '93 Homecoming

3 for '93 Homecoming

3 for '93 Homecoming



October 1-2, 1993
It's Homecoming Weekend

CLE PROGRAM

1 Make Your Computer
Earn It\$ Keep
Friday, October 1
12:45 - 4:15 p.m.
Room 118
George C. Taylor Law Center
1505 West Cumberland Avenue
3 hours of Tennessee CLE
\$40 per person

A panel of Tennessee attorneys will tell how they actually use computers to save time and earn them more money. Parking is available in the University Center Parking Garage across the street. Don't wait to register. Because this program involves extensive demonstrations, it will be necessary to limit attendance.

REUNIONS

2 Welcome home
to all
College of Law classes!

Friday, October 1
6:30 - 8:30 p.m.
\$10 per person
Carolina Room
Hyatt Regency
500 Hill Avenue SE

Reunion Classes:

Class of
'33; '38; '43; '48;
'53; '58; '63; '68;
'73; '78; '83 and '88.

FOOTBALL

3 Traditional Barbecue

Saturday, October 2
Two hours before kick-off
UT v. Duke

On the front lawn of GCT

Buddy's Buffet
(barbecue, sauce, buns, baked
beans, slaw and a drink)
\$6 per person.



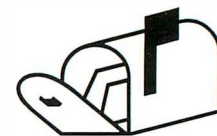
Music, food & fun!

A block of rooms has been reserved at the Hyatt Regency for law alumni who plan to attend '93 Homecoming.

Rates are \$99 for a single/double. Call 615/637-1234 to make your reservation by September 10, 1993.

"3 for '93 Homecoming" is being coordinated by the College of Law's Office of Development and Alumni Affairs (615/974-6691).

3 for '93 Homecoming R.S.V.P. form
Please respond by Friday, September 24, 1993.



PLEASE PRINT

Name: _____ Class: _____ Spouse/guest: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

_____ I/we will attend the CLE program on Friday. (\$40 per person)

Please make _____ reservations.

_____ I/we will attend the Reunions on Friday. (\$10 per person)

Please make _____ reservations.

_____ I/we will attend the Barbecue on Saturday. (\$6 per person)

Please make _____ reservations.

Enclosed is a check made payable to "The University of Tennessee" for \$ _____.

R.S.V.P. to: College of Law, Office of Development and Alumni Affairs
1505 West Cumberland Avenue, Knoxville, Tennessee 37996-1800

Alumni Address Change and News for the next issue of Headnotes

If your address or job status has changed or will soon change, let us know.

Name: _____ Class: _____

Firm Name/Organization: _____

Address: _____

City/State/Zip: _____

Phone: _____

This is my: _____ Office Address _____ Home Address

Is this a change of address? _____ Yes _____ No

Would you like your new work address published? _____ Yes _____ No

If yes, please list your former address: _____

Please send your information to: Office of Development and Alumni Affairs
The University of Tennessee College of Law
1505 West Cumberland Avenue
Knoxville, Tennessee 37996-1800

Our telephone number is 615/974-6691. Please call if you have any questions.

News/Awards/Honors

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. E01-1610-008-94



First Annual *Tennessee Law Review* Ethics Seminar

Saturday, September 18, 1993

9:00 a.m. - 12:30 p.m.

UT University Center

3 hours of Tennessee CLE

\$75 for lawyers; \$35 for non-lawyers

Program:

- Ethical Problems in Estate Planning and Administration
F. Evans Harvill
Daniel, Harvill, Batson & Nolan, Clarksville, Tennessee
- Conflicts of Interest Problems
Ed E. Williams III
Baker, Worthington, Crossley, Stansberry & Woolf,
Johnson City, Tennessee
- Ethical Problems in Trial Practice
Donald F. Paine
Paine, Swiney & Tarwater, Knoxville, Tennessee

For more information or to have a brochure mailed to you, call Micki Fox at 615/974-4464.

Alumni Headnotes

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