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Winter 1978

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University of Tennessee College of Law

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# ALUMNI HEADNOTES

The University of Tennessee College of Law

WINTER/SPRING  
1978

Editor: Curtis L. Wells, Assistant Dean



S. DAVID FREEMAN ('56)  
Member, Board of Directors  
Tennessee Valley Authority

ing May 18, 1984. He was nominated by President Carter on July 19, 1977, was confirmed by the Senate on August 4, 1977, and was sworn in on August 11, 1977.

Prior to his appointment, he was a member of the White House energy staff serving as assistant to President Carter's energy advisor, James Schlesinger. From October 1974 until November 1976, he served as a special energy and resources consultant to the Senate Commerce Committee.

Mr. Freeman served as director of the Ford Foundation's Energy Policy Project from September 1971 until October 1974, and is author of *Energy: The New Era*, published in June 1974. From December 1967 until September 1971, he was in the President's Office of Science and Technology, leading an Energy Policy Staff with the responsibility for coordinating energy policy on a government-wide basis. In his last year in OST, his responsibilities also included the broad area of environmental quality.

From January 1966 to December 1967, Mr. Freeman practiced law in Washington, D.C., as a partner in the firm of Swidner and Freeman. Prior to entering private practice, he was assistant to the chairman of the Federal Power Commis-

sion from 1961 to 1965, playing a role in the conduct of the FPC's National Power Survey and in the planning and execution of the FPC's electric power and natural gas regulatory programs.

Before moving to Washington in 1961, Mr. Freeman served as an attorney with TVA in Knoxville from 1956 to 1961, specializing in legal aspects of TVA's power program and in handling transportation matters before the Interstate Commerce Commission and the courts.

Mr. Freeman was born in Chattanooga, Tennessee. He received a civil engineering degree from Georgia Institute of Technology in 1948. From 1948 to 1954, he worked for TVA as an engineer, designing steam electric power plants and hydroelectric stations. In 1954 he entered the law college, continuing to work as an engineer on a part-time basis. He earned a law degree from G.C. Taylor in December 1956, graduating first in his class.

He is a member of the Order of the Coif, the American Bar Association, the Federal Bar Association, the Tennessee Bar Association, the Bar of District of Columbia, and the United States Supreme Court. He also is a licensed professional engineer in Tennessee.

Mr. Freeman and his wife, Marianne, have three children.

S. David Freeman is serving as a member of the Board of Directors of the Tennessee Valley Authority for a term expir-

*In highlighting your classmate David Freeman in this edition of The Headnotes, the editor asked if he could find time in his busy schedule to sketch his views on priority issues facing TVA. The following article is a response to the request.*

THE EDITOR

Since I have been back at TVA I have been trying to assess what TVA (at a "middle-aged" forty-five years old) can do to help solve some of the fundamental problems facing this region.

In the power field, our opportunity is clear and terribly urgent. We have a serious energy crisis that is very real. We are a civilization with a time bomb embedded in our way of life that is going to explode when the oil from the Middle East is either cut off or begins to peak out. And we are not preparing for it by providing the domestic energy alternatives rapidly

enough, or by conserving energy rapidly enough.

TVA has demonstrated that we could harness the river for hydro power, increase the size of coal-fired electric generating plants to decrease the cost of electricity, and build safe nuclear plants; it now has new efforts to make toward people.

Consider just a few of the more important efforts necessary: the need for energy conservation, development of solar energy as a viable option, and environmental excellence as a means of enhancing economic growth.

## CONSERVATION

We must demonstrate that conservation is more than just turning the lights out and more than just a catchword. We need to make investments in conservation that will provide us with the energy equivalent of large power plants. If we are

going to accommodate all of the people that want to come to the Tennessee Valley in future years, we are going to need a very large energy supply. Now it is taking us eight to ten years to finish a nuclear or other large plant. But we know we can put insulation in buildings, install all sorts of energy-saving equipment, and solarize homes in just a few years.

## SOLAR

TVA has got to go for the sun in a big way and demonstrate that solar energy is here and now. We must, in a sense, help people unplug from the TVA system and plug into the sun, because in the long run it is going to save a tremendous amount of energy and save the consumer money.

It just does not make sense to build a new house today that does not incorporate solar energy. These homes are going to be here for fifty years. And we know the cost of fossil fuel is going to go

through the roof before those fifty years are over.

Every solar collector built today is the financial and economical equivalent of what Norris Dam is to us now. Solar energy is going to look very inexpensive to us twenty or thirty years from now, when fuel costs and the costs of building generating plants are so much higher.

### ECONOMIC GROWTH

We also have to remember that environmental excellence can be a drawing card for economic growth. The people who tell you environmental protection is the enemy of growth are simply misinformed. People will want to come here because it is beautiful, and because the air is relatively clean.

This region has a beautiful landscape that can be saved if we strengthen the environmental values we have. We need to tell people that we do not want them to come down here with an industry to use our cheap power and at the same time pollute the environment.

The law says you can only have so much pollution in the air. You do not have to be an expert to figure out that unless we bear down on the existing polluters—TVA among them—and have industries coming in which really toe the air quality line, we are going to be headed for a no-growth policy.

So in a very real sense, environmental protection is a prerequisite to attracting the quality growth that we want. That is one reason why we have to think of conservation and solar as important options for additional energy growth for the next few years.

### THE "OTHER" TVA

Our mission in the energy field is one which TVA is capable of carrying out and doing so with excellence. It is also important to remember, however, that TVA is much more than just an entity that supplies energy.

Besides energy production, TVA has a broad responsibility for economic growth and the social well-being of the people. This "other side" of TVA is funded through congressional appropriations, as opposed to power revenues; though smaller in dollar terms, it is just as important in terms of TVA's mission of demonstration. And it includes diverse areas such as agriculture, forestry, flood control, navigation, and community development. There are some outstanding examples of TVA helping communities solve problems. Elkmont rural village in north Alabama, for example, is a TVA-funded demonstration that may be the wave of the future in showing how to accommodate energy-efficient growth in rural areas without turning the countryside into a strip of neon signs.

But there are many more community problems that we can help solve. I hope TVA can step up its efforts in assisting towns and cities with solid waste manage-

ment programs, in training and economic development programs to help relieve minority unemployment, and in implementing better health care systems.

One major area of emphasis should be getting the people of this Valley involved in what we are doing from the ground up. If we do not do that, TVA might as well be in Washington. TVA's heritage is that it exercises grass roots democracy. I am determined that we will live up to that heritage.



## HIGHLIGHTS OF WINTER AND SPRING QUARTERS

- \* Results of the February Tennessee Bar Examination were much better than those last June, with University of Tennessee graduates' pass rate back up to a more typical 93 percent.
- \* Judge Walter Schaefer, formerly Chief Justice of Illinois, was Distinguished Jurist in Residence for a week during winter quarter. He lectured, visited classes, and held discussions with groups of students and faculty.
- \* Professor Tom Emerson, now Emeritus at Yale, was a guest of the College during the winter quarter. He spoke on the proposed Equal Rights Amendment and civil liberties versus government surveillance activities.
- \* Charles L. Black, Jr., Sterling Professor of Law at Yale and author of many articles and books on Constitutional law, admiralty and other subjects, gave the Fourth Annual Alumni Distinguished Lecture in Jurisprudence on April 6th, early in the spring quarter. His lecture was entitled "Law as an Art."
- \* Law Week (April 24-28) activities were greatly expanded this year to include an art show, a student and faculty talent show, and public lectures on this year's theme: "The Law: Your Access to Justice." Traditional activities continued this year were the old-fashioned lawn party, final round arguments in the Advocates' Prize Moot Court Competition, and the Awards Banquet. Speaker for the banquet was Judge Martha Daughtrey of the Tennessee Court of Criminal Appeals.
- \* Judges for the final round of the Advocates' Prize Moot Court Competition were Chief Judge Harry Phillips of the Sixth Circuit, Circuit Judge Robert Ainsworth of the Fifth Circuit, and Circuit Judge Ruggero Aldisert of the Third Circuit. The four finalists in the

competition were M. Edward Owens, Marc T. McNamee, Stephen P. Parsons, and John D. Steffan.



## VISITING FACULTY

An addition to our faculty for the winter and spring terms is Professor Charles R. Gromley of the Valparaiso University School of Law. Professor Gromley received his undergraduate degree from Kent State University, his J.D. from the University of Kentucky, and his LL.M. from Georgetown.

In 1952-1953 he served as an attorney with the U.S. Department of Agriculture and then assumed a teaching post at the University of Nebraska, 1954-1955. From Nebraska, Professor Gromley went to Willamette School of Law (1955-1960) and then to his present position at Valparaiso.

Areas of teaching responsibility include future interests, personal property, real property, and trusts and estates. While at Tennessee he will teach in the areas of property and decedent's estates.



## DISTINGUISHED VISITING SCHOLAR

In late January and early February of this year, the College of Law was pleased to host Professor Thomas Emerson, Lines Professor Emeritus of the Yale Law School and a noted civil libertarian.

Professor Emerson has been on the Yale law faculty since the days of the Legal Realists. His major teaching and scholarly interests have been in the Constitutional law area. He is particularly well known for his work in the areas of

Dean Penegar chats with Eleanor Nelson, Placement Director, and Professor Charles Black.



Renovation of classroom 104 in progress.



freedom of speech and other First Amendment rights.

He is the coauthor of a major two-volume work entitled *Political and Civil Rights in the United States*, used widely in law schools and in university departments of political science.

Most recently Professor Emerson has been involved with efforts to adopt the Equal Rights Amendment. During his residence with us he gave a major presentation on that subject as well as a speech on the topic "Controlling Government Intelligence Activities."



The visit of Walter V. Schaefer provided the opportunity for a reunion between Judge Schaefer and a former law clerk, Professor John Sobieski. Upon graduation from the University of Michigan Law School, John accepted a clerkship with Judge Schaefer and served in that capacity from 1970 to 1971. Soon thereafter, John joined the faculty of the University of Tennessee where he has taught in the areas of civil procedure, conflict of laws, equity and evidence. In addition, he has served as the Reporter on the Tennessee Supreme Court Advisory Committee on the proposed Appellate Rules.

## DISTINGUISHED JURIST IN RESIDENCE: JUDGE WALTER V. SCHAEFER

by Professor John Sobieski

During the week of January 16th the College of Law was fortunate to have as its guest the Honorable Walter V. Schaefer, former Chief Justice of the Illinois Supreme Court and the College's Jurist in Residence for the winter quarter, 1978. Judge Schaefer's service to American jurisprudence has been so conspicuous and unique as to defy easy summary.

In 1940, after several years of practice, Judge Schaefer became professor of law at Northwestern University, then under the deanship of John Henry Wigmore. Among his colleagues on the faculty were such notables as Walter Wheeler Cook, Nathaniel Nathanson, William Cary (now of Columbia University), Carl McGowan (currently serving on the District of Columbia Circuit Court of Appeals), and Willard Wirtz.

In 1951 Judge Schaefer was appointed by Governor Adlai Stevenson to fill a vacancy on the Illinois Supreme Court, a position he held for the next twenty-five years. During his tenure on the bench Judge Schaefer delivered a number of distinguished lectures including the Oliver Wendell Holmes Lectures at the Harvard Law School, the Benjamin N. Cardozo Lectures, and the Ernst Freund Lectures at his alma mater, the University of Chicago.

Among other awards, Judge Schaefer received the American Bar Association Medal in 1969, the highest award that association can bestow (previous recipi-

ents included Oliver Wendell Holmes, John Henry Wigmore, Roscoe Pound, and Roger Traynor). In its citation the ABA Board of Governors described Judge Schaefer as one who "has brought to his judicial office a comprehensive knowledge of the law, deep insight, broad vision and a wise, humanitarian approach. . . . Judge Schaefer is a rare craftsman, a lawyer's judge whose opinions are models of clarity and judicial learning. He believes that any judge's greatest outward recognition lies in the respect, admiration and affection of his fellow lawyers, and that his greatest inner satisfaction comes from the devotion of his mind and heart to the achievement of the ideal—perhaps unattainable but still inspiring—of universal justice for all men."

Class visits, a faculty forum, some informal remarks to the student body—all played a part in the Judge's visit. It is impossible in the few short words here to do justice either to the substance of the Judge's remarks on a wide variety of legal problems or the kindly, wise, and compassionate spirit prompting them. But it would be far worse not to try.

On more than one occasion Judge Schaefer stressed the importance of a thorough understanding of the facts upon which a court's opinion is based. The absence of a due regard for the facts, he noted, results in a jurisprudence of words and phrases that stills the critical thought which is essential to the success of the common law. For the common law, the Judge observed, is itself on trial in every case.

Some current fashions in judicial opinion writing were the object of well-aimed darts. For example, the Judge decried the use of the word "parameters" which, he observed, lies somewhere between paralysis and paranoia. The achievement of justice is a paramount objective of any court and is in part dependent upon the morality of the judges comprising the bench. But at least as important, in the Judge's view, is "caring."

Judge Schaefer touched us all during his visit, and we all are the better because of it.



Returning for a second time to the College of Law is Professor Michael A. Berch from the Arizona State University College of Law.

A graduate of Columbia Law School in 1959, Mike Berch entered private practice but soon joined government service as an Assistant U.S. Attorney for the Southern District of New York. He went from there to a position as an attorney with the Justice Department in Washington.

Professor Berch teaches in the areas of conflict of laws, federal jurisdiction, practice and procedure, securities regulation, and trial appellate practice. In addition to his academic assignments, Professor Berch serves as the Reporter for the Arizona Supreme Court Commission on Uniform Jury Instructions.



GROMLEY



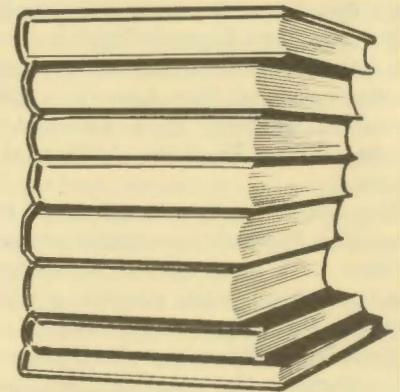
BERCH



EMERSON



## GIFT FROM A DEDICATED ALUMNUS:



### *The Beginning of Our Tennessee Legal History Collection*

Over the years, a number of College of Law alumni have donated their library materials to the Law Library for use by the students and faculty. These gift materials have proved very useful, not only in expanding the library resources, but also in enabling the library to meet the heavy research demands placed upon it by a large student body and a writing and research faculty. The books have been added as duplicate copies and as replacement copies for worn or missing volumes. The Law Library is pleased to bring to the attention of the alumni a recent gift of Tennessee legal materials.

Mr. Clarence Kolwyck, a Chattanooga attorney, College of Law class of 1928 and a past president of the State Bar, has donated his library collection and book cases to the Law Library.

The Kolwyck collection contains over 740 bound volumes plus a large number of unbound law review issues. The collection consists mostly of Tennessee legal materials and contains complete sets or substantially complete sets of the following: *Tennessee Reports*, *Court of Appeals Reports*, *Court of Civil Appeals Reports*, *Chancery Appeals Decisions and Reports*, *Cooper's Chancery Reports*, *Shannon's Cases* and *Thompson's Cases*, the public and private acts of Tennessee except for the years 1821-1831, the *Tennessee Code Annotated*, several volumes of earlier codes, the *Tennessee Digest*, *Corpus Juris Secundum*, the *Tennessee Law Review*, the *Tennessee Bar Journal*, the *Tennessee Lawyer*, *Vanderbilt Law Review*, the *ABA Reports and Journal*, *Judicature*, ABA Section publications, the *Section of General Practice* and *Section of Family Law*, and a number of legal treatises and textbooks.

Of special interest in the collection are several volumes of personal gifts, including Talley-Morris' *Family Law Practice and Procedure Handbook*, the *Report of the ABA for 1920* containing Charles Evans Hughes's speech on legal aid, *History of the American Bar Association*, *Legal Institutions Today*, *English and American Approaches Compared*, *Practical Aspects of Divorce Practice*, *Basic Structure of Children's Services*, and *Psychotherapy in Divorce and Separation Cases*. Several other interesting titles include *Law and Lawyers* by John Green, *The Law* by Frederic Bastiat, *History of Development of the Law* by Morris, *Caruthers History of a Lawsuit*, 7th edition, and the *Magistrate's Manual*, 5th edition.

The book shelving consists of forty-nine Globe-Wernicke Company's solid oak sections with glass doors. These are in mint condition and provide adequate space for shelving the collection.

Because of the comprehensiveness of the collection, the materials will be located in a separate room in the Law Library. The collection will serve as the core for the development of an extensive Tennessee legal library. Duplicates from the library collection will be used to complete several sets, and all the basic sets will be kept current.

The unique nature of the collection will mean that the volumes can be used only in the room, and none of the volumes can be removed. The Library anticipates developing this area into a Tennessee lawyer's office complete with furniture and other appropriate items. The Library would appreciate suggestions from the alumni regarding items that could go into the room; and the Library invites the alumni to visit the room when they are at the College.



## DEVELOPMENTS IN CONTINUING LEGAL EDUCATION

The College of Law has developed several programs for the summer and fall of 1978 which should be of interest to alumni and lawyers generally.

August 20-26, the College will sponsor two week-long institutes.

The first, "An Advanced Professional Development Program for Lawyers," will consist of a course offering involving six subject matter areas. During the week, lawyers will be able to choose three subjects from among six courses offered. The curriculum includes estate planning, civil/criminal Constitutional law, real estate development/finance/taxation, federal jurisdiction and procedure, business planning, and tax planning in divorce.

We believe that this extended time period will allow for a more in-depth analysis of the subjects and will involve lawyers more actively than is possible in shorter programs.

The program format envisions three ninety-minute periods of instruction per day from Monday through Saturday. Lawyers will select one of two courses offered during each time period. The afternoon and/or evening will be left for study and preparation for the next day.

However, the schedule and accommodations have been designed so that leisure time and family activities can be pursued during this week.

The second institute, "The Tennessee College of Trial Advocacy," will be co-sponsored by the Tennessee Trial Lawyers Association, the Tennessee Association of Criminal Defense Lawyers and the University of Tennessee.

The program will seek to teach trial advocacy skills through an intensive learning-by-doing course that combines individual performance, demonstrations of trial techniques, and individual feedback to each participant after each performance through a videotaped review of performances.

Registrants will register for either the civil or criminal division. Each division will have a separate faculty and will use separate problem materials. In some cases, the two groups will be joined together for instruction in areas transcending both civil and criminal problems.

Detailed information concerning both institutes is available; if you wish more information on these programs, contact Assistant Dean Curtis Wells at the College.

While the 1978-1979 Continuing Legal Education calendar has not been completed as of this writing, it is possible to indicate several fall courses.

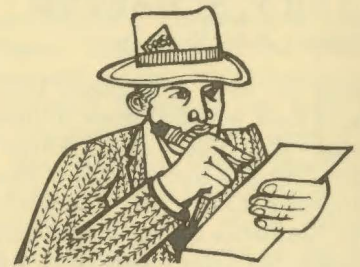
On September 8-9 in Gatlinburg we will focus on problems of *law and aging* in an interdisciplinary program involving lawyers and social workers. The attempt in this endeavor is to examine the so-

cial/psychological problems of aging clients as well as the unique legal and business problems which they encounter. While the emphasis will be on legal problems of elderly clients, it is hoped that through the interaction of lawyers and social workers a better understanding will result in the identification of problems and the solutions available for handling elderly clients' concerns.

In the month of October, we will provide lawyers with an opportunity to learn of developments and new techniques in legal research as well as a review of new publications when we present a program entitled "New Dimensions of Legal Research: Changing Technology, Emerging Trends of Statutory Analysis and Construction and New Publications."

Late in October we shall attempt to explore an area in which it has been assumed that lawyers have instinctive knowledge and skill—the art of negotiation. In this program we shall examine general principles of negotiation, their applicability to specific areas of legal practice, and those psychological aspects of human behavior which have impact on the process. A large part of this program will involve registrants actively interacting in negotiation situations.

A full schedule of Continuing Legal Education courses will appear in the next edition of *The Headnotes*.



## THOUGHTS ON CAREER CHANGES AND OPPORTUNITIES

by Eleanor Nelson,  
Placement Director

In 1972, when Studs Terkle's book *Working* was published, I was fascinated by his account of interviews with people in almost every kind of job that keeps the 20th-century economy alive. When I first read the book, I was not working and, to be quite candid, had no earthly idea what a Martindale-Hubbel might contain. Having now spent twenty-one months in the law school environment as a career counselor, I have looked again with great interest at Studs Terkle's view of the lawyer. The interview was in the section entitled "Second Chance," and I quote Philip DaVinci's own description of his first job with the house counsel of a large insurance company: "I was defending the company against people who had been hit by cars. I honestly took that job because it was the first rung on the ladder." He describes his day in the following way: "It

was so boring. You have a stack of a hundred files on your desk. All you do is make check marks. Go into the court and make the same motion, the same thing, over and over, day after day. And why? To save the company money."

The current list of graduates on the mailing list numbers 200, the phone rings two or three times a week with inquiries concerning job opportunities, and the frequent personal visits regarding career changes indicate that the matter of taking a job as "the first rung on the ladder" is becoming an increasingly serious problem. Even though each person who leaves the University of Tennessee with a Juris Doctorate in hand has reached some conclusions concerning the position that best fits her/his personality and potential, the first career choice may not turn out to be the best one. As Philip DaVinci goes on in the interview with Studs Terkle to suggest, there is *always* a second chance.

Whatever your motive for change, if change happens to be your own personal goal, the Career Planning and Placement Office is here to help. In order to assist you most effectively, we are preparing a series of cards to be used in a cross-filing system to help us know your area of expertise, geographical preferences, and years of experience. Realizing the need for discretion in the search process, this information will be filed in confidence, along with a current résumé.

Current résumés and information on graduates who are looking for a second chance should be an invaluable resource for those of you who are looking for an experienced attorney to fill an opening within your firm. Dean Wells and I met with a Knoxville attorney recently to go over résumés of graduates who want to return to East Tennessee. As we reviewed the possible candidates, he made the comment that more than one downtown firm was looking independently, and that he certainly hoped that no one found out about all of the good résumés on file in the Career Planning and Placement Office until he had a chance to interview them all.

With sincere apologies to this gentleman, this article is clearly to inform those of you needing an experienced associate of our readiness to assist you, as well as to encourage those of you who are not satisfied with that first rung on the ladder to risk a second chance. In thinking about the Phillip DaVincis who are on uncomfortable rungs on the legal ladder to professional satisfaction, I invite you to consider the following thought with which Studs Terkle introduced *Working*: "It isn't the calendar age that determines a man's restlessness. It is daily circumstance, an awareness of being hurt, and an inordinate hunger for 'another way.' As Lundquist, who gave up a 'safe' job for 'sanity' puts it: 'Once you wake up the human animal you can't put it back to sleep again.'"

## 5th ANNIVERSARY OF LEGISLATIVE SERVICE PROGRAM

The Public Law Research and Service Program, winding up its fifth year at the College of Law, is continuing some old programs and experimenting with new ones reported on below.

The Public Law Research and Service Program provided four law students on a full-time basis to the General Assembly's Office of Legal Services during the winter quarter of this year. The students each drafted an average of fifty bills and resolutions for members of the General Assembly. They were working under the joint supervision of Associate Professor Grayfred B. Gray and William Hollings, Esq., of the Legal Services Office.

In its fifth year, the program was funded jointly by the University's Institute for Public Service, the Office of Legal Services, and the College of Law. In its inception in 1974, the program was funded entirely by the Institute for Public Service and the College.

The students, in addition to drafting legislation, also served as members of the staff to a number of the key committees of the General Assembly and did spot research for members. All had the satisfaction of seeing at least some of their work adopted during the session. The students serving in the program were J. Michael Combs of Lebanon, David F. Hensley of Athens, Albert J. Harb of Knoxville, and Robert H. Montgomery, Jr.,

Richard Reaves, Director, Judicial System Education Program; Grayfred Gray, Associate Professor and Coordinator, The Public Law Program; and Charles L. Faires, Associate Professor, Department of Curriculum and Instruction and Director of Media Center



Students from the Law in the High Schools Program.



of Kingsport. Montgomery is a third-year student; the others are all second-year students.

## LAW IN THE HIGH SCHOOLS

Professor Gray, as part of the course requirements for students in his Tennessee Legal System seminar, has law students teaching on a regular basis in Knoxville and Knox County high schools. The students teach as part of a team with a regular classroom teacher. The law students are responsible for four days of class per week and the regular teacher handles the fifth day.

The law students teach consumer, family, landlord and tenant, criminal and individual rights law as well as introducing the high school students to the Tennessee legal system.

The College of Law is the first law school in the South to undertake such a project. It is based on the Street Law Project conducted by Georgetown University Law School in Washington, D.C. Professor Gray has received excellent cooperation from the Knoxville and Knox County public schools in this course.

The course has been very well received by high school students who find it intellectually challenging and highly practical. The high school classroom is an effective forum in which our students sharpen their ability to communicate about the law as well as enhancing their own appreciation of the law in Tennessee.

## THE JUDICIAL NEWSLETTER

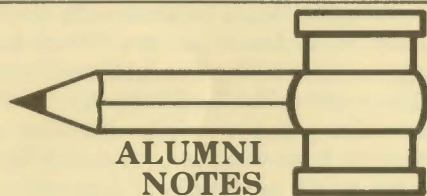
In an effort to provide an up-to-date informational service to all levels of the judiciary of Tennessee, the *Judicial Newsletter* has been reporting Tennessee and United States Supreme Court decisions and recently enacted legislation of the Tennessee General Assembly for over three years. In addition to providing information about institutes and seminars for court-related personnel, later issues have focused upon in-depth articles on current issues of substantive law.

The *Newsletter* is a quarterly publication of the Judicial System Education Program under the administration of Rich Reaves. It is funded in part by the Tennessee Law Enforcement Planning Agency through the Public Law Research and Service Program of the University of Tennessee College of Law, whose coordinator is Grayfred B. Gray. The editorial staff of the *Judicial Newsletter* is comprised of law school students, and Julia Hardin is presently serving as editor-in-chief.

Each issue usually contains six or seven lead articles on various topics chosen for their particular appeal to the interests of Tennessee judges, and also a section summarizing selected decisions of state and federal courts. Subjects covered in past articles have included forensic mental health services in Tennessee, compensation for victims of crime, determinate sentencing, the use of probation as a form of punishment, juvenile status

offenders, the termination of parental rights, the use of interpreters for the deaf, and the fair trial-free press conflict.

At times the writers take a position on the correctness of a current procedure, decision, or statute, and at other times the articles remain strictly reportorial in nature. At all times the *Judicial Newsletter* strives to maintain a quality writing standard. Anyone interested, within or without the walls of the law school, is invited and indeed welcome to contribute articles or comments. So that the *Newsletter* might gain a measure of economic independence, one-year subscriptions are available for \$8.00. Checks may be made payable to the University of Tennessee. For further information, contact the Public Law Research and Service Program at (615) 974-6691.



Albert C. "Al" Harvey ('67) has been named the recipient of the 1978 Sam A. Myar, Jr., Memorial Award, presented annually in recognition of outstanding service to the legal profession and the community.

Al received the award March 24 at Memphis State University's annual "Law Day" banquet at the Holiday Inn-Rivmont. He is a partner in the law firm of Thomason, Crawford and Hendrix.

Within the Memphis and Shelby County Bar Association, Harvey has served as president of the Young Lawyers Association, on the Board of Directors, as a member of the Medical Legal Committee, and as chairman of the Constitutional Convention Committee.

He has also been president of the Young Lawyers Conference, served on the Board of Governors, and served on various committees in the Tennessee Bar Association.

Harvey is presently a candidate for the House of Delegates, August 1978, in the American Bar Association, an organization for which he has represented the Sixth District to the Young Lawyers Section Council, served as chairman of the Ethics Committee of YLS, and served as committee chairman of the General Practice Section.

John H. Cary ('62) has been appointed as the U.S. Attorney for the Eastern Federal District of Tennessee. The oath of office was administered by Federal Judge Robert J. Taylor.

John is a native of Oak Ridge where he returned upon graduation from law school in 1962 to serve as an assistant city attorney. From 1963 to 1965 he engaged in both private practice and as an attorney with the federal government's Small Business Administration. He was appointed

as an assistant U.S. Attorney in Knoxville in 1965.

In 1968 he left the U.S. Attorney's office to return to private practice with the Knoxville firm of Haynes, Gilreath & Cary. In addition, he served as a lecturer here at the College, 1968-1970, and he was a member of the UT Legal Clinic's Advisory Committee, 1970-1972.

Prior to his selection as U.S. Attorney, John Cary had served as an administrative law judge for the Department of Health, Education and Welfare in Kingsport.

One measure of the magnitude of our new U.S. Attorney's activities can be evidenced by the following statistics: the eastern federal district of Tennessee is probably the most diffused in the state; the area covers forty-one counties (almost half of the state's ninety-five counties), 39 percent of the state's land area; it serves 42 percent of the state's population, 1.8 million residents—some 500,000 each in the Greeneville and Chattanooga areas,

700,000 in the Knoxville area and the rest in the Winchester area.

We wish John well in his new position of public trust.

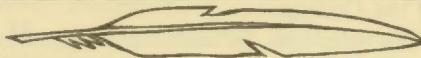
James (Jimmy) Baxter ('73) has been appointed by U.S. Attorney John Cary as an Assistant U.S. Attorney for the Eastern District of Tennessee. Jimmy Baxter will be the first black Assistant U.S. Attorney ever to serve in the district.

Baxter graduated from UT in 1970 with a major in economics. While in college, he was named a UT Torchbearer, was listed in "Who's Who in American Colleges and Universities," and was selected for membership in Omicron Delta Kappa, the men's national leadership fraternity. Induction into Torchbearers is considered the highest honor a student can receive from UT.

In 1973 he was named an Earl Warren Fellow and took part in the Earl Warren Legal Training Program administered by the NAACP Legal Defense and Education Fund. This experience provided training in civil and human rights law. In addition, the fellowship included a year's postgraduate training with Nashville lawyer Avon N. Williams, Jr., a widely known legislator and civil rights lawyer.

Since graduation Jimmy Baxter has been engaged in private practice mostly in the area of litigation. For the past eighteen months, he has served as a member of the Board of Directors of the UT Legal Clinic.

The College of Law was saddened to learn of the death of Wilbur W. Piper ('22). Mr. Piper had been associated with the law firm of Cates, Smith, Tate and Long. Mr. Piper was a Greeneville native, a graduate of Tusculum College and a member of that school's board of trustees for many years. He had also served as an



*Tennessee Law Review* Announces Editorial Board Appointments for Spring Quarter, 1978

Juliet Griffin, Editor-in-Chief of the *Law Review*, has announced the following staff appointments for the spring quarter of 1978:

Bill Long	Executive Editor
Terry Woods	Executive Editor
Gail Bowling	Research Editor
Steve Brigance	Articles Editor
Rich Hamra	Student Materials Editor
Mary Walker	Articles Editor
Fritz Zimmermann	Student Materials Editor

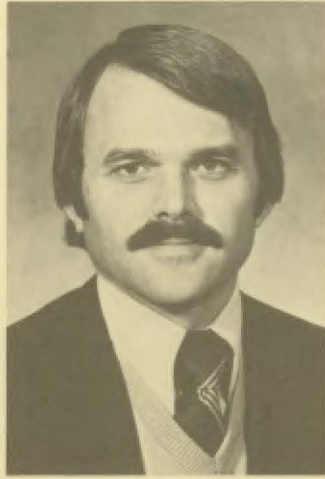


The new U.S. attorney for this district, John Cary, had his family on hand for the swearing-in ceremony. From left are Federal Judge Robert L. Taylor, daughter Laura, Mr. Cary, John, Jr., Mrs. Linda Cary who is holding Christin, and Rebecca, standing in front.





BAXTER



TEMPLETON



MORISON

Assistant U.S. Attorney in Knoxville for a number of years. Mr. Piper was the father of David R. Piper ('58), a Knoxville attorney.

The College of Law is saddened to learn of the death of Robert H. LaFollette ('24) who died in Albuquerque, New Mexico, in January of 1977.

J. Ray Dotson ('57) has joined the Norton, Virginia, law firm of Earls, Wolfe and Farmer. He is a graduate of East Tennessee State University and a veteran of the Air Force. After serving as in-house counsel for several insurance and finance companies in Washington, D.C., Ray became administrative assistant to Congressman William C. Wampler, a position he held for nine years prior to joining the firm.

Incidentally, Joe Wolfe in the firm is the brother of our law librarian, Bardie Wolfe.

Richard E. Ladd ('63) has been appointed Special Judge and Chancellor for Sullivan County.

Harvey M. Templeton, III ('68) has joined the Legal Department at Bowater Southern Paper Corporation in Calhoun, Tennessee.

He came to Bowater from Nashville where he had been employed as staff attorney by the Tennessee Department of Transportation.

The Winchester, Tennessee, native holds a degree in economics from the University of the South at Sewanee and graduated from the University of Tennessee College of Law in 1968. He now resides in Cleveland.

Charles David Morison ('73) has been appointed as staff attorney with the Tennessee Medical Association.

David is a native of Kingsport, Tennessee, and graduated from the College of Law in 1973. He has been in the private practice of law in Clinton, Tennessee, and, most recently, in Nashville. Prior to his entering private practice, he served as a

legal analyst for the Tennessee Legislative Council and is a former legal research assistant for The University of Tennessee, Knoxville.

John N. Foy ('67), senior vice president of Arlen Shopping Centers Company in Chattanooga, has been appointed to the Commission on Presidential Scholars. Foy is one of twenty-six people appointed by the President to select outstanding male and female scholars for recognition of their contributions to scholarly endeavors.

The status of Diplomate of the Court Practice Institute was conferred upon William Kyle Carpenter ('76) and R. Maynard Holt ('68) as a result of their accomplishments during the week-long seminar held in Chicago in February. The institute seeks to promote proficiency in trial skills by employing a learning-by-doing approach to trial advocacy training.

At a later institute held by the Court Practice Institute in March of 1978, the status of Diplomate of the Court Practice Institute was also conferred on Polly Ann Peterson ('76), Kerry Allen Musick ('76), and Theresa Kroll Lee ('77).

As a person involved with continuing legal education, I applaud the efforts of these people to improve their professional competence.

Robert E. Kolarich ('70) has joined the Nashville law firm of Cross and Stiles. Charles Watson Cross ('70) also informed us that the law offices have been moved to the 6th floor of the Home Federal Tower Building.

The law firm of Ratner, Sugarmon, Lucas & Henderson of Memphis is pleased to announce that G. Philip Arnold ('71) has become a partner in the firm and that Richard B. Fields ('76) has been named an associate.

Bill Farmer ('74) has recently been appointed as the first federal Public Defender in the Middle District of Tennessee.

see. Bill was appointed by the Sixth Circuit Court of Appeals upon the recommendation of U.S. District Court Judges in the Middle District. Formerly, he served as Assistant U.S. Attorney in Nashville.

Martha Meares ('71) has been appointed as the Eastern District's first woman Assistant U.S. Attorney by recently appointed U.S. Attorney John Cary (see story on previous page).

A native of Knoxville, Miss Meares entered private practice for a short time and then became an Assistant District Attorney in the First Judicial District (Johnson, Unicoi, Washington and Carter counties) under Lewis W. May.

In July 1977, she returned to the UT Legal Clinic as Chief Trial Attorney and to teach courses in criminal advocacy.

Martha is married to William Brownlow "Brownie" Marsh ('75) who practices in Knoxville and Maryville.

Richard Sidkoff ('73) has been appointed as Assistant Corporate Counsel with Colonial Penn Group, Inc. Colonial Penn specializes in insurance, travel and temporary employment services primarily for older persons. Richard had previously served as assistant counsel and company officer of Provident Mutual Life Insurance Company.

The law firm of Stophel, Caldwell & Heggie in Chattanooga takes pleasure in announcing that William C. Myers, Jr. ('73) and Carl E. Hartley ('73) have become partners in the firm as of January 1, 1978.

J.D. Lee informs us that James E. McCollum ('74) has become associated with his firm in the practice of law. Jim will be primarily in the Knoxville office.

Paul Campbell, Jr., has announced that his son Douglas M. Campbell ('77) has joined him and his brothers, Michael R. Campbell ('75), and Paul Campbell, III ('75), as a partner in the practice of law in Chattanooga. The firm name, Ay lad—Campbell & Campbell.

Robert M. Friedman ('75) and Ben G. Sissman ('75) have informed us of the formation of their law partnership in Memphis. Their office will be located at 100 North Main Building.

Beatrice Heveran ('75) has joined the Massachusetts Consumers' Council as Legal Counsel. Ms. Heveran had been employed as an Assistant Attorney General for the State of Illinois. Prior to her education at UT, Ms. Heveran had received her M.A. from New York University and her B.A. from the College of Mt. St. Vincent in New York.

Marcia Selecman ('76) has been appointed Assistant District Attorney for the 5th Judicial Circuit by District

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## WINTER/SPRING 1978

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Attorney John M. Roberts. The circuit serves Putnam, White, Overton, Cumberland and Fentress counties. For the past two years, Marcia has been engaged in the private practice of law with the Crossville firm of Swafford, Looney and Looney. Her appointment became effective as of March 1, 1978.

Sam Jones ('76) informs us that he has joined Bob Shockey and Jeff Boehm in the practice of law in Chattanooga. The firm of Shockey & Boehm is located at 600 Georgia Avenue in Chattanooga.

The Miami law firm of Bradford, Williams, McKay, Kimbrell, Hamann and Jennings announces the association of Hugh B. Bright, Jr. ('76).

We are particularly pleased with Hugh's success since it was the direct result of the Law College's participation in

the Southeastern Law Placement Consortium—a unified attempt by UT and eight other law schools to improve the job market for our graduates.

Bob Lynch, Jr. ('76) has been appointed as Assistant U.S. Attorney for the Middle District of Tennessee by U.S. Attorney Hal Hardin. Bob attended Middle Tennessee State University before UT law school.

Upon graduation from UT, Bob served with the U.S. Justice Department under its Honors Program—a program open to attorneys with outstanding scholastic background.

Raymond Andrew Shirley, Jr. ('77) has been appointed an Assistant Attorney General for the Second Judicial Circuit by District Attorney General Al Achmutzer. Jr. Ray is a Knox County native but will

reside in Jefferson County.

The Bristol law firm of Gore & Hillman announces the association of Stanley A. Kweller ('77). Stan began practicing with the firm on September 1, 1977.

Perla Perlut ('77) manages to combine a career in both law and opera. The 1977 graduate of the College of Law has recently begun private practice in Etowah, Tennessee. At the same time, Ms. Perlut continues her voice lessons which she began at the age of thirteen in her native Cuba. She has studied at the Pablo Casals Conservatory in Puerto Rico, the University of Puerto Rico and the University of Miami. Perla has performed in concerts at Tennessee Wesleyan College, Cleveland State Community College and in churches in her area.



### DECEMBER GRADUATION CEREMONIES

(l-r) Dean Kenneth Penegar, Commencement Speaker The Honorable Houston M. Goddard ('50), Assistant Dean for Admissions and Student Affairs Mary Jo Hoover, and the Reverend Vaughn Nave.