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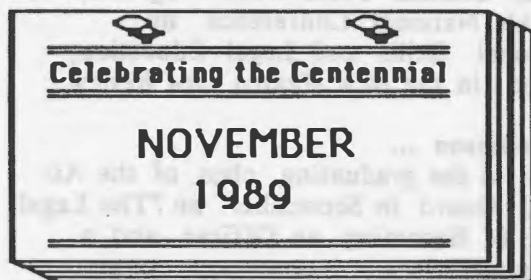
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TAYLOR TIMES

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

NOVEMBER, 1989



November 1

Assistant U.S. Attorney Michael E. Mitchell presents "Federal Environmental Cases I Have Known and Loved" - 11:00 a.m. - Moot Court Room

November 1

"Taking Law School Exams" Seminar - 11:00 a.m. to 12:30 p.m. - Room 118 - Law Women. Featured speakers and topics include: Professor Carol Mutter on preparation of study materials, such as the outlining technique; Professor Fran Ansley on actual study techniques during the exam period; Professor Tim McLemore on exam answers and methods, i.e. "IRAC" and explanation of how professors are trying to test the student's knowledge; and Professor Larry Dessem on coping with stress after exams or reaffirming self-worth despite exam performance.

November 2

Phi Beta Kappa Lecturer: Norval Morris, the Julius Kreeger Professor of Law and Criminology at the University of Chicago, on "Race and Crime" - 1:00 p.m. - Moot Court Room

November 2

Deadline for submitting resumes to Career Services for Department of Energy/Oak Ridge Operations interviews.

November 2 - 4

AALS Faculty Recruitment Conference, Washington, DC

November 8

Gary Davis, a senior fellow with the University of Tennessee Energy, Environment Resource Center, presents "Forty Years Without Accountability: The Oak Ridge Clean-Up" - 11:00 a.m. - Moot Court Room

November 8

Major Carol DiBattiste, U.S. Air Force, presents "Anatomy of an Air Force Murder" - 11:00 a.m. - Room 118

November 8

Major Carol DiBattiste, Chief Recruiting Attorney, U.S. Air Force, will interview candidates for positions with the Judge Advocate General in Career Services.

November 9

Bob Hall presents "Hands Off," a self-defense seminar - 7:30 p.m. in the Music Building on Volunteer Boulevard - The seminar is open to everyone and supported by Law Women.

November 11

Centennial CLE program on "Hearsay Under the New Rules" by Professor Neil Cohen and Attorney Charles Susano - \$6 per UT College of Law graduate - 8:00 a.m. to Noon - Moot Court Room

November 13

The Department of Energy/Oak Ridge Operations will be on campus during the week to interview in Career Services.

November 17

Alumni Advisory Council Meeting - 1:00 to 4:00 p.m. in the College of Law

November 17

Centennial Alumni Appreciation Dinner - The Radisson Hotel, 401 Summit Hill Drive - 6:30 p.m. reception (cash bar) - 7:00 p.m. dinner - R.S.V.P. by November 10 in Suite 14.

November 17

Advocates' Ball - 9:30 p.m. to 1:00 a.m. - The Radisson Hotel - \$25 per couple/\$15 per person - Semi-formal - Cash bar/free hors d'oeuvres - Featuring music by "Mainstreet." Proceeds benefit the Alan Novak Student Loan Fund - Sponsored by the SBA. For ticket information contact Russ Johnson, Kathy Leiderman, or Charne Prater.

November 22

On-Campus Interviewing Ends

November 23 - 24

Thanksgiving Break

.....
TAYLOR TRIVIA: In what year were formal law placement services established? Answer to last month's Taylor Trivia: The first black graduate of the University of Tennessee College of Law was Roy Bartley James Campbelle, Jr., Class of '56. Mr. Campbelle passed away earlier this year.
.....

**Tom Davies ...**

... will be one of the opening speakers for the AALS Workshop on Law and Social Science in March 1990 in Washington, DC.

Susan Kovac ...

... was a member of the ABA Site Inspection Team at Texas Tech Law School, Lubbock, Texas, in September.

Charles Miller (Professor Emeritus) ...

... was presented the Charles S. Murphy Distinguished Alumni Award for 1989 from Duke University Law School last month. Professor Miller graduated from Duke with an undergraduate degree in 1928 and from the law school at Duke in 1934. The Duke Law Alumni Association presented Professor Miller with the award for his service to the community and to legal education.

Carol Mutter ...

... served as a member of a panel during a UT forum in September on the Maryville frozen embryo case.

Glenn Reynolds ...

... has been quoted in two recent issues of *Insight*. The September 11 issue included Professor Reynold's quotes in an article on Japan's expanding space program, and the September 18 issue featured quotes in an article on commercial space launchings. ... testified at a legislative hearing in Washington, DC, last month on H.R. 2946 (Patents in Space). The session was conducted by the House Judiciary Committee and its Subcommittee on Courts, Intellectual Property, and the Administration of Justice. ... had his book, *Ower Space: Problems of Law and Policy*, co-authored with Robert P. Merges, reviewed in *Science*, Vol. 246, October 6, 1989, by Edward Gordon, Albany Law School.

Dean Rivkin ...

... had his presentation, "The Evolution of In-House Clinical Field Work Programs," to the ABA's National Conference on Professional Skills and Legal Education, published in the *New Mexico Law Review*.

Jim Thompson ...

... spoke to the graduating class of the Air National Guard in September on "The Legal Aspects of Becoming an Officer and a Gentleman."

Dick Wirtz ...

... anchored a panel on Music Copyright Law at the annual meeting of the Southeast Chapter of the Music Library Association last month at UT's Hodges Library.

Marilyn Yarbrough ...

... won the YMCA's Tribute to Women award last month for her leadership in the field of education.

**NEW MEMBERS OF TLR ANNOUNCED**

The following second-year law students have successfully completed the 1989 Candidacy Program of the *Tennessee Law Review*: Lance Baker, Dan Berexa, Cynthia Bibb, Pam Byrd, Jeff Calk, Susan Christenberry, Jim Cornelius, Tony Creasy, Mike Dillon, Beth DuPree, Kimberly Dyslin, Carla Fox, Sarah Garland, Ralph Gibson, Mark Hanshaw, Sean Haynes, Peter Heil, David Hill, Bob Horton, John Lippl, John Little, Scarlett May, Nick McCall, Bill Mynatt, Patsy Owen, Marty Phillips, Barbara Powell, Jeff Reed, Dirk Rountree, Norman Templeton, Sharon Tranchant, Ed Weis, Joe Welborn, and Jim Wilson.

MOOT COURT TEAMS SELECTED

The Moot Court Board announces members of three of its 1989-90 teams.

Constitutional Law Team - Scarlett Beaty, Tony Dalton, Robin Kimmelman, Valerie Maguire, Jere Ownby, and Marty Phillips

Frederick Douglass Team - Natasha Metcalf and Gary Smith

Environmental Law Team - Russ Johnson, Don Ruis, and Crystal Schrof

National Trial Team - William Brown, Wynne Caffey, John Floyd, Robert Gorham, James Holt, and Jeff Rader with Jerry Ownby and Mike Randles as alternates

THE "LET'S GO FOR IT" SECTION FOR LAW STUDENTS

- (1) The American Law Institute-American Bar Association Committee on Continuing Professional Education will provide a limited number of full-tuition scholarships to allow law students to attend Environmental Law, February 15-17, 1990, in Washington, DC.
(2) The International Association of Defense Counsel announces its 1990 Legal Writing Contest on any subject concerning the defense of civil litigation. Cash prizes will be awarded to the winners. Deadline: April 16, 1990.
(3) The National Association of College and University Attorneys announces its National Legal Writing Competition for the best law student article on a topic relating to legal issues in higher education. The first place article will receive \$1000 and publication in The Journal of College and University Law. Deadline: June 8, 1990.
(4) The American College of Legal Medicine announces a writing competition for an outstanding original paper on legal medicine. Winners will receive cash prizes. Deadline: January 31, 1990.
(5) The American Law Institute-American Bar Association Committee on Continuing Professional Education announces its second annual "CLE Essay Contest." All papers should answer the question, "What are the legal criteria of professional competence for lawyers?" The winning essay will receive \$1000 and publication in the ALI-ABA's CLE Journal and Register. Deadline: March 1, 1990.
(6) The Family Law Section of the American Bar Association announces the 1990 Howard C. Schwab Memorial Essay Contest. Students may write on any aspect of family law. Top papers will receive cash prizes. Deadline: April 7, 1990.
(7) Georgetown University Law Center is accepting applications for its LLM in Advocacy Fellowships. 22 two-year fellowships are being offered.

See the contest bulletin board or Mary Jo Hoover for further information.

News YOU SHOULD KNOW

OUR CONGRATULATIONS ... go to Judy B. Kelley, Law Library Serials Department, for receiving a 5-year Service Award from UT. ... go to Nancy J. Proctor, Law Library, for receiving a 5-year Service Award from UT. ... go to the Fee Tails, 1989 UT-Knoxville Softball Champions (again). Team members are Sherry Dougherty, Lisa Eischeid, Tamara Hart, Dee Anne Irvin, Stephanie Jennings, Susan Jones, Nancy Kenley, Jan Kirby, Angie Magill, Charne Prater, and Robbin Sarrazin. Craig Johnson and Russ Johnson are the team's coaches. ... go to Brian Lett, youngest son of Betty Lett, Legal Placement Assistant, Career Services, on receiving a \$500 scholarship from the Tennessee Society of Certified Public Accountants. Brian will graduate from UT-Chattanooga in December. ... go to Micki Fox, Law Review, on getting the part of "the friend" in Truman Capote's Christmas Memories which will be presented by the Tennessee Stage Company in December at the Bijou.

Who's who and what's what with law students 1989-90!

Contact persons for various student organizations:

- CHRISTIAN LEGAL SOCIETY
President - J. Allen Rider
Vice-President - Sherry Dougherty
Secretary - Norman Templeton
Treasurer - Ray Stevens
Faculty Advisor - Carol Mutter

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 does not discriminate on the basis of sex or handicap in the education programs and activities which it operates, pursuant to Title IX of the Education Amendments of 1972, Public Law 92-318, and Section 504 of the Rehabilitation Act of 1973, Public Law 93-112, respectively. This policy extends to both employment by and admission to the University. Inquiries concerning Title IX and Section 504 should be directed to the Director of Affirmative Action, 403B Andy Holt Tower, University of Tennessee, Knoxville, TN 37996-0144; telephone 615/974-2498. Charges of violation of the above policy should also be directed to the office of the Director of Affirmative Action.

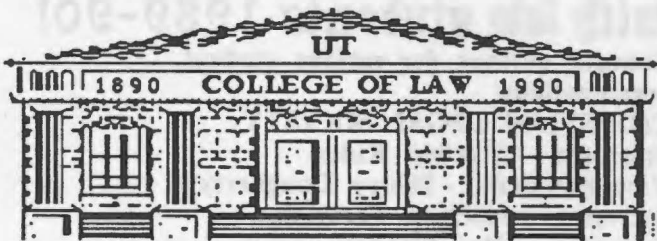
IN MEMORIAM

James C. Kirby, Jr.
1928 - 1989

Birthplace: Kirby, Tennessee
Spouse: Barbara Eggleston Kirby
Education: B.A. magna cum laude, Vanderbilt University, 1950; J.D. cum laude, New York University, 1954; LL.M., New York University, 1954.

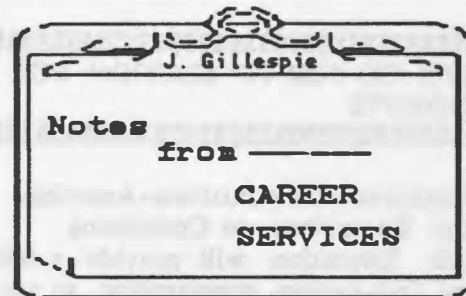
Career Path: 1st Lt. U.S. Army Judge Advocate General's Corps, 1955-57; private practice, Waller, Davis & Lansden, 1954-55 & 1957-61; Chief Counsel, U.S. Senate Judiciary Subcommittee on Constitutional Amendments, 1961-63; Associate Professor & Professor of Law, Vanderbilt University, 1962-65; Professor, Northwestern University, 1965-68; Professor of Law, New York University, 1968-70 & 1974-79; Dean & Professor, Ohio State University College of Law, 1970-74; Vice President & General Counsel, Secretary, NYU, 1974-76; Director, Appellate Judges Seminars, NYU, 1976-78; Professor of Law, The University of Tennessee, since 1978; Acting Dean, 1980-81.

Recent Publications: *Representation and Responsibility* (with others); *Developments in State Constitutional Law* (with others); *Fumble: Bear Bryant, Wally Butts and the Great College Football Scandal*; "The Year They Fixed the World Series," 74 ABA Journal 64.



TAKE PRIDE IN GCT!

This old building needs all the help it can get to look good, so please observe our sign-posting policy. Since there are large bulletin boards in strategic locations, there is no need to cover the walls, marble, or glass doors with tape and paper. Please post notices on the bulletin boards and use tacks, not staples. On those special occasions when there is a need to display posters which will not fit on the bulletin boards, easels will be made available. Ask the personnel in the Business Office or the Public Law Institute for assistance. This policy applies to the entire law school community.



On campus, Wednesday, November 8 ...

... Major Carol DiBattiste

Chief Recruiting Attorney

United States Air Force

Career Management and Plan Division

Office of the Judge Advocate General

(Education: J.D., Temple University School of Law, 1981; LL.M., Columbia University School of Law, 1986.

Experience: Private practice; Instructor in Military Justice and Trial Advocacy, Air Force Judge Advocate General School, Maxwell Air Force Base, Alabama; Faculty at the National Institute for Trial Advocacy at the Coast Regional in New Orleans, Western Regional in Berkeley, Mid-Atlantic Regional in Philadelphia, and the Northeast Regional in New York.

Recent Publications: "Air Force Espionage: Recurring Issues," *Air Force Law Review*, Vol. 32 (1990); "Federal and Military Rape Shield Rules: Are They Serving Their Purpose," *Naval Law Review*, Vol. 27 (Winter 1988).

.....will present "Anatomy of an Air Force Murder," - 11:00 a.m. - Room 118.

.....will interview 3Ls as candidates for positions with the U.S. Air Force Office of the Judge Advocate General. Those interested in interviewing should sign-up in the Career Services Office.

New On-Campus Listing:

The Department of Energy/Oak Ridge Operations will come on campus during the week of November 13 to interview 3Ls for positions it anticipates during 1990. The office provides a full range of legal services, similar to in-house corporate counsel, including counseling management and support personnel in virtually all areas of the law, including environment, government contracts, personnel, finance, security, property, and state and local taxation. Students interested in interviewing with them should submit a resume to Career Services by 5:00 p.m., Thursday, November 2.

UPCOMING EVENTS

December 1

"Representing Children," a CLE program featuring representatives from national child advocacy organizations - 8:00 a.m. to 4:30 p.m. UC Shiloh Room - \$25 fee for law students - For further information, see Julie Hardin or Betty Stuart in Suite 14.

December 5 - 14

Fall 1989 Semester Examinations

December 14

Winter 1989 Hooding Ceremony - 4:00 p.m. Moot Court Room

*** VOICES FROM THE LEGAL CLINIC ***

by *Dean Hill Rivkin*, Director, UT Legal Clinic

Many law students undoubtedly see clients coming and going from the offices of the Legal Clinic and wonder what kind of cases does the Legal Clinic handle. Our two centerpiece courses --Civil Advocacy and Criminal Advocacy --embody not only the educational component of the Clinic's mission, but also the Clinic's public service responsibilities. To understand the nature of the Clinic caseload requires a brief history of the UT Legal Clinic.

Since 1948, the Legal Clinic has represented literally tens of thousands of individuals and organizations in and around Knox County. When the federal government assumed responsibility for neighborhood legal services in the 1960's, the UT Legal Clinic served as the *de facto* public defender's office for Knox County. Although today we are very limited in the number and types of criminal cases that we can handle, the Legal Clinic serves as an important resource for the criminal justice system in Knox County. When Knox County receives state funding for a public defender next year as is expected, the Legal Clinic will work closely with the Public Defender's office in handling criminal cases on behalf of indigent defendants, just as we do with the Knoxville Legal Aid Society in representing poor people in civil cases.

As this brief history shows, the Clinic has had a long tradition of serving those individuals in the community who could not otherwise obtain legal representation from the private bar. On the civil side, the Clinic will handle almost any type of case that does not involve the potential for a fee over \$300. Occasionally, the Clinic will handle cases where statutory fees are available from the private bar. The cases we don't handle, such

as automobile accident cases, are referred to the Knoxville Bar Association's Lawyer Referral Service. Beyond fee-generating cases, there are few categories of cases that have not appeared on the Legal Clinic's docket. Those that have include advocacy for children and the elderly, for welfare and social security recipients, for prisoners and students, and for persons of color seeking vindication of their statutory and constitutional rights.

How do we select among the large number of calls and referrals we receive daily? Both in our civil and criminal courses, a major criterion is diversity. As best we are able, we seek to ensure that each student maintains a variety of cases during the course of the semester. Obviously depending on the complexity of each matter, each student in the civil course will be responsible for approximately 8-10 cases each semester. Some of these are short-cause cases, ones that can be completed in a matter of weeks. Others are cases that have been in the Legal Clinic for years, where the clinical faculty serve as the continuity for our clients.

On the criminal side, the faculty have an arrangement with the Knox County General Session Courts for case selection. Under this arrangement, the faculty select a broad variety of interesting cases (e.g., burglary, assault, drug violations, shoplifting, etc.) from the court's "jail docket, and the court appoints the Clinic to handle the defense. Students represent Sessions Court clients in preliminary hearings and in misdemeanor trials. Clinic students also appear regularly in Division III of the Knox County Criminal Court, where they primarily represent indigent defendants charged with DUI, a growing and challenging area of legal representation. Most Sessions Court cases are completed within a few months. Each student in Criminal Advocacy will handle approximately 8-10 cases each semester.

In succeeding columns, we plan to discuss and analyze some of our actual cases. We have many with tremendous legal and human interest. The idea of having a live law firm within the confines of the Law School has gained widespread acceptance around the country. It brings a measure of vitality and practicality to the education of law students and injects the Law School into the community in ways that strengthen the idea of law as an important component of social and economic justice.