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Taylor Times

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

OCTOBER 1992

OCTOBER

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18	19	20	21	22	23	24
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October 1 - 3

Southeastern Law Placement Consortium in Atlanta. See Career Services for further information.

October 3

LSAT

October 4 - 6

Phi Delta Phi Phone-a-thon!
Calling all alumni!
Just say "Yes"
and keep the
"Volunteer"
spirit rolling!



October 5 - 9

Record Reviews for the Class of '93 in the Records Office.

October 5 - 30

Breast Cancer Screening by the University Medical Center's Mobile Medical Unit - Various locations on campus. \$65 charge at time of screening. Call 544-6355 for an appointment.

October 6

College of Practical Law begins.

October 14

Centripetals by Professor Fran Ansley on "Lessons About Free Trade From The U.S.-Mexico Maquiladora Program" in the UC Crest Room at noon. Centripetals is a faculty luncheon program that features UT faculty scholarship.

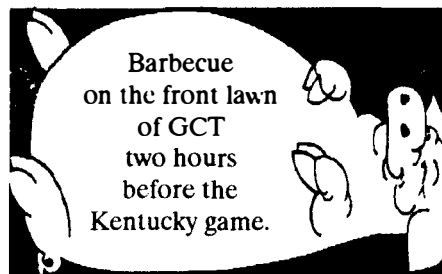
October 14 - 22

Sign-up for Trial Practice, Seminars and Pre-Trial Litigation in the Records Office.

October 16

Honors Banquet & Awards Program at the Radisson. Reception begins at 6:30 p.m.

October 17



\$3 for a sandwich, baked beans & drink! Tickets will be sold prior to the event and at the event. Sponsored by the SBA and the Knoxville Bar Association.

October 21



Docket Day - The Court of Appeals for the Eastern Section will hold court in the Moot Court Room of GCT beginning at 9:30 a.m. Presiding: the Honorable Houston M. Goddard, the Honorable Samuel L. Lewis, and the Honorable Clifford E. Sanders. Law students are invited to view the proceedings.

October 23

Fall Break. No classes!

October 24

National Public Interest Career Information Fair in Atlanta. See Career Services for further information.

October 25

Daylight Savings Time ends. Fall back one hour!

October 29

A Debate between former U.S. Senator and presidential candidate Paul Tsongas and former New Hamp-

shire Governor and White House Chief of Staff John Sununu - 7:30 p.m. in Alumni Hall - Moderated by Professor Glenn Reynolds.



October 31

Banquet Honoring Durward Jones - Radisson Hotel. The festivities will begin at 6:30 p.m. For further information, stop by the Dean's Office or call 974-4241. The event is sponsored by the Tax Section of the Knoxville Bar Association and the College of Law.



HAVE A SAFE & HAPPY HALLOWEEN!

Up-coming Events

November 2-5:

Pre-registration for Spring 1993

November 9-13:

Instructor Evaluations

November 13:

Alumni Lecture
in Jurisprudence

by

Yale Professor of Law
Anthony Kronman

***** VOICES FROM THE LEGAL CLINIC *****

Is a 3.9 Grade Point Average Enough Qualification to Allow Representation of your First Client?
Respectfully submitted by Steven Oberman, Class of '80

As your law school career comes to a close, each of you must prepare yourself for representing your first client.

Whether your interest is civil or criminal, whether your client is a corporation or an individual, your profession will soon be as a counsellor of law. You may even think you know it all since you've never made a grade below 3.8. (The author in no way implies, represents, or certifies that he ever received a grade above 3.0, or would ever associate with anyone who did.)

You know all the black letter law and the red letter law. You know how to brief cases, and write a legal brief. You know how to use a fax machine, copier, dictating equipment, and above all, a highlighter.

Even if you know all these things. I regret to inform you that you are not yet ready to represent your first client. I was fortunate. I attended the University of Tennessee College of Law in its clinical heyday. I took not one, not two, but three different clinical courses. (Of course, that was in the Stone Age when the school year was divided into quarters, not semesters.)

The first day after receiving my license, I received no less than five phone calls from my law school compatriots. They were not calling because I am smarter than they. (No comments, please.) They were calling because I had the foresight to take the clinical courses offered by

UT. They would ask questions such as: Where is the courthouse? Where is the clerk's office? How do I draft a pleading? How do I file my pleading? How many copies do I need? How are the pleadings served upon the opposing parties? How do I get my client out of jail? Who are the judges? Who are the prosecutors I will be dealing with? Why didn't I take clinic like all the smart students?

Boy, did I gain weight on those free lunches my first six months of practice.

Unfortunately, the three year time constraint of law school does not allow much time for practical experience training. This is truly unfortunate because the practical experience does much to assist one in combining the theoretical aspects of the law, evidence and procedure into useful skills.

I will remain forever grateful to Dean Rivkin who assisted me in my first trial. He contributed not only his daily hours, but also his evening hours to teach a virgin student. (My first trial) I'd like to think our preparation was so apparent that we settled the case during the first recess for our original offer. My only regret was that I was unable to complete any portion of the trial after the jury selection process when I had prepared so thoroughly.

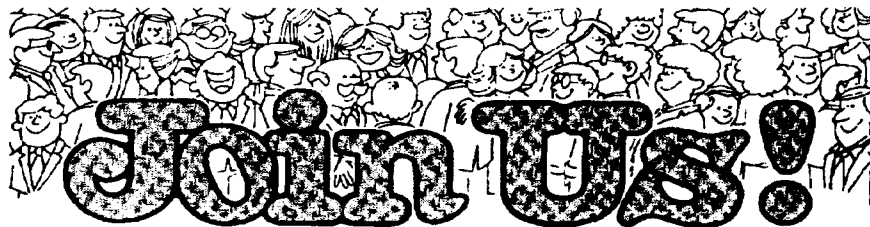
Those who desire to be sole practitioners, or an associate with a small firm may never have another opportunity to

learn to litigate under the guidance of not only a well-trained lawyer, but a well-trained teacher. Not to be overlooked is perhaps the best aspect of working in the clinic -- and that is working with clients who would otherwise never be able to afford such competent and caring lawyers.

In addition to actual litigation, I learned almost everything to practice law -- interviewing clients, setting up files, establishing a file review system, preparing trial notebooks, learning how to negotiate and how to distinguish between good and bad settlements. There remains no question in my mind that my legal clinic courses provided me with the experience necessary to propel me toward my goal of excelling as a trial lawyer. (Note that I did not state I had yet reached my goal.)

Even for those without the aspiration of trying cases, the legal clinic experience will allow you to learn what life is like on the wild side. However, these students will need to exercise extreme caution if they are intent on not learning to love litigation. Worse yet, they might do as I did and realize an enjoyable experience which remains with them for a lifetime -- even if they did not graduate with a 3.9 grade point average.

Note: Steve is a partner in the Knoxville law firm of Daniel & Oberman.



for

A Banquet Honoring Durward Jones

"upon his retirement from the College of Law at the end of 1992"

Saturday, October 31, 1992 - Radisson Hotel - Reception: 6:30 - 7:30 pm.; Dinner: 7:30 p.m.

For further information, stop by the Dean's Office or call 974-4241.

Staff Member Receives "Roses"

Jean Moore, Instructor and Reference Librarian in the Law Library, received the Roses Award on August 28 from the University of Tennessee for her extraordinary effort to assist people in the Law Library. She has been in the Law Library since 1989.

Chancellor William T. Snyder presented her with a gift certificate and framed "Roses" certificate. Jean also got use of a reserved parking place for a month.

Jean was nominated by co-workers. Co-workers say Jean has never met anyone she doesn't like and is a kind, patient and loving person to everyone.

Anderson Honored at TACDL Annual Meeting

Professor Gary Anderson was honored at the Annual Meeting of the Tennessee Association of Criminal Defense Lawyers (TACDL) in Nashville on August 22. TACDL President Reese Bagwell presented Professor Anderson with a plaque. "Gary has done tremendous work," said Bagwell. Last year was a year of special effort and commitment on Professor Anderson's part toward TACDL.

He chaired TACDL's Student Liaison Committee. The Committee presented scholarships to persons for the College of Trial Advocacy and a Bill of Rights Student Essay contest. Professor Anderson also worked on indigent defense work, laid groundwork for the Parole Eligibility Review Board, and researched information for a statute to give habitual criminals and other prisoners the benefits of the 1989 Sentencing Reform Act sentence reductions.

Professor Anderson received an S.B. in 1960 from Iowa State University, a J.D. in 1962 from State University of Iowa, and an LL.M. in 1968 from Harvard. He has been an Associate Professor of Law at Tennessee since 1973 and teaches Criminal Advocacy, Criminal Law and Procedure, Evidence and Trial Practice.

New Student Members of the American Inn of Court Selected

Twelve third-year law students have been selected to join the local chapter of the American Inns of Court for the 1992-93 academic year. They are: Lucinda Albiston, Garrett Asher, J.B. Bennett, Victoria Bowling, Donna Brown, Bryan Delius, Robert Durham, Garry Ferraris, Sherry Mahar, Sharon Patterson, Kevin Townsel, and Gregory Vines.

They were selected for Inn membership based on their academic performance, participation in Moot Court and other law school extracurricular activities, and performance in litigation skills classes. For further information about the Inn, contact Professor Larry Dessem.

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

(1) The Roscoe Pound Foundation announces the 1993 Roscoe Hogan Environmental Law Essay Contest on "Global Climate Change: Treaties, Laws & Legal Remedies." Winners will receive cash prizes and a plaque. Deadline: March 31, 1993.

(2) The American Association of Attorney-Certified Public Accountants Foundation announces its 1992-93 Essay Contest on "Solicitation of Clients in the Dual Practice of Law and Public Accounting." Cash prizes go to the top three papers. The grand prize also includes a trip to the Foundation's national convention. Deadline: March 1, 1993.

(3) The American Law Institute - American Bar Association announces its 4th Annual CLE Essay Contest on "Can (Should) Lawyers Publicize Their CLE Accomplishments, as Students or Teachers, To Attract Clients?" The first prize is \$1,000 and round-trip travel and accommodations to New York City. Deadline: April 15, 1993.

(4) The Brand Names Education Foundation announces the 1992 Ladas Writing Contest on the subject of trademarks, trademark law and related topics. The winning author receives cash, a trip, books, and publication of the article. Deadline: December 31, 1992 for unpublished articles and February 15, 1993 for published articles. (5) The National Energy Law and Policy Institute of The University of Tulsa College of Law announces its Energy Law Essay Competition for 1992-93. The topic may be on any subject related to energy, including traditional subjects in oil and gas law; federal/state regulation of natural resources; development of energy resources on state, federal, or private lands' nuclear power; utilities; solar energy; international aspects of energy; or similar topics. The essay need not be restricted to case law. The prize for the best essay is \$750. Deadline: April 1, 1993.

(6) The Rutherford Institute invites Spanish-speaking students to participate in an essay contest on the topic of the rise of Protestantism in Latin America. First prize includes a full scholarship for an intern position at the Institute in Charlottesville, Virginia from June-August 1993. Participants must register by October 31, 1992 and essay entries (written in Spanish) are due by December 31, 1992.

(7) The German-American Law Association announces its first Writing Contest concerning issues of German-American law. First prize is one round-trip airfare to Germany. Deadline for registration: October 9, 1992.

(8) The American College of Legal Medicine announces a writing competition on Legal Medicine. First prize is \$1,000. Deadline: February 1, 1993.

(9) The Film, Air and Package Carriers Conference of the American Transportation Lawyers Association announces a \$1,500 Essay Award Contest for the best essay on any subject involving transportation. Deadline: December 31, 1992.

(10) The American Intellectual Property Law Association announces the Robert C. Watson Award for 1993. The author

(Continued on Page 4)

("Let's Go For It" continued)

of the best article on a subject relating to the protection of intellectual property will receive \$2,000. Deadline: July 31, 1993.

(11) The 1993 Stephen G. Thompson Student Writing Competition in Communications Law will offer cash prizes for winning manuscripts on any aspect of communications law. Deadline: February 15, 1993.

(12) \$5,000 Writing Scholarships offered by the Food and Drug Law Institute. Applications must be received by April 23, 1993.

(13) The Indian Resource Center announces prizes for innovative law student writing on American Indian Law. The competition is dedicated to the memory of Professor Petra Shattuck who was a legal scholar and strong advocate for Indian rights. Deadline: May 1, 1993.

(14) The American Bar Association Standing Committee on Professionalism announces the Robert B. McKay Professionalism Writing Competition. In an ideal world, lawyers would be able to maintain appropriate levels of income and high professional standards. In these economic times, however, some of the ideals of professionalism will be severely tested. How would you explain to a lawyer struggling to make a living that he or she has a higher calling than maximizing income, and that you can do well while doing good? Deadline: March 1, 1993.

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

TAYLOR TRIVIA: What faculty member played in the band, Statutory Grapes, to earn money for college? Answer to last month's Taylor Trivia: Professor Bob Lloyd was selected "Most Cheerful" at his West Virginia high school.

FACULTY FACTS

Fran Ansley ...

... will serve on the Program Committee for the Fall 1993 Annual Meeting of the American Society for Legal History. Memphis State Law School will host the event.

... will be a member of the Project on Anti-Harassment Policies of the Section on Women in Legal Education of the Association of American Law Schools. The Committee will develop drafts and model policies on various topics which will be presented at forums at the AALS Annual Meeting in January.

... will have her book review of Patricia Williams' *The Alchemy of Race and Rights* appear in the newsletter of the Memphis State Center for Research on Women.

... will write an article on plant closings for the *Georgetown Law Journal*.

Reba Best ...

... and Cheryn Picquet had their 1992 Supplement to *The Insanity Defense: A Bibliographic Research Guide* published by The Harrison Company.

Kate Bunker ...

... attended the AALS Workshop for New Law Teachers in Washington, D.C., in July.

Judy Cornett ...

... attended the AALS Workshop for New Law Teachers in Washington, D.C., in July.

Tom Davies ...

... wrote a summary version of his 1991 *Tennessee Law Review* article on *Illinois v. Rodriques* and had it published in the June 1992 issue of Clark Boardman's *Search and Seizure Law Report*.

Bob Lloyd ...

... will have an article, "Five Rules for Dealing with Guarantors," published in Robert Morris Associates' new anthology.

Cheryn Picquet ...

... and Reba Best had their 1992 Supplement to *The Insanity Defense: A Bibliographic Research Guide* published by The Harrison Company.

Glenn Reynolds ...

... and Rob Merges have signed a contract to do the second edition of *Outer Space: Problems of Law and*

Policy. The second edition will be expanded significantly and is expected to be published in May 1994.

... chaired a space law panel at the annual meeting of the ABA in August. The program, "A Universe of Opportunity: Business, Law and Technology in Outer Space," was sponsored by the ABA's sections on Science & Technology and International Law.

John Sebert ...

... has been appointed to the AALS Special Committee on the Problems of Substance Abuse in the Law Schools. He was the principal staff support during his two years as AALS Deputy Director and now continues his work on the project. The Committee will present a program at the AALS Annual Meeting in January.

... will serve as the AALS Summarians on the ABA/AALS site evaluation team for the University of Houston Law School in October.

Barbara Stark ...

... will be on a panel to discuss "Litigating and Judging International Law Claims in the 1990s" at the AALS Annual Meeting in January in San Francisco. The panel is sponsored by the Section on International Law.

... presented a paper, "International Peace and International Human Rights: Till Human Voices Wake Us," in July at the Dartmouth Workshop on International Organizations. It was sponsored by the Academic Council of the United Nations and the American Society of International Law.

... will serve on the advisory board of the John Tarleton Home in Knoxville.

... presented a paper, "Comparative Family Law and the Sex/Gender System: Rappaccini's Daughters," at American University as part of a symposium entitled, "Discovering Our Connections: Race and Gender in Theory and Practice of the Law".

Barry Werthimer ...

... attended the AALS Workshop for New Law Teachers in Washington, D.C., in July.

Student Stuff

Good luck to *Sua Sponte*. May you be as widely read and appreciated as TT!

Congratulations to the 1992-93 Frederick Douglass Moot Court Team. Team members are Yolanda Mitchell and Clarence Risin. Kevin Childress will serve as the alternate. Yolanda is a second-year law student from Chattanooga and Clarence is a second-year law student from Knoxville. Alternate Kevin E. Childress, a second-year law student, is from Saulsbury.

The results of the Fall 1992 SBA elections are:

1L Class Representatives to the SBA: Howard L. Cleveland IV from Memphis and J. Edward Murphy from Spring City.

Academic Review Board:

1L Representatives: John C. Bowles from Kingsport and Melanic E. Flicklinger from Nashville.

2L Representatives: Mary Beth Barnes from Knoxville and Michele M. Johnson from Nashville.

3L Representatives: Martha Carol Holland from Murfreesboro and Andre W. Zwilling from Raleigh, North Carolina.

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. E01-1610-006-93

Personnel Particulars

Our condolences to Peggy Goodman, Business Office, on the death of her brother last month.

Evelyn Carr, Legal Clinic, received a 10-year service award from UT last month. The Legal Clinic staff and faculty hosted a pizza lunch in her honor and presented her with a painting. Clinic founder and first director, Charlie Miller, attended the festivities.

Micki Fox's daughter, Angela, graduated from AMDA in New York City, on Sunday, September 26, and performed in the academy's showcase performance. Another actor in the family huh!

The Career Services Office staff has increased by one: Kay Brown. Kay will advise students and alumni regarding their career interests and direct them to appropriate resource materials. She will also provide up-to-date career information and develop workshops and seminars for the office. "Helping students find non-traditional law careers," said Kay, "will be a very interesting part of my job." Before joining the GCT family, Kay worked at the UT News Center. After earning a degree in journalism from Memphis State University, she moved to Knoxville to work in the public relations field. Kay and husband, Jack, are avid motorcyclists and Kay also enjoys music and needlepoint. They live in the Karns area with seven cats (four of whom are delightful, adorable kittens who need homes).

Lisa Sellers joins the GCT family as the new annex secretary. Lisa and husband, Dan, moved from Houston, Texas, where she was a junior high school teacher. Dan is now an architectural student at UT. Lisa was born in Oakland, California, went to school at the University of Texas, and met Dan in Central America where they both were missionaries. She is named after the Mona Lisa and has actually met her namesake. In her spare time, Lisa sews, cross-stitches, and reads. She looks forward to a stimulating association with the law school faculty and

Our congratulations to Law Library Director Bill Beintema on his first place win at this year's UT Bake-Off. His entry, Fresh Pear Breakfast Bread, won in the breads division.

Emily Pierce, daughter of Professor Carl Pierce, received the Girls' Scholarship from Webb School and a University of the South Award for academics. Emily is a senior at Webb.

Proposal

Too Many Lawyers?

Vice-President Dan Quayle is not the only person who thinks the country has too many lawyers. At the Louisiana Constitutional Convention, State Rep. Stephen L. Gunn proposed a constitutional prohibition against spending state money to operate law schools. Mr. Gunn specifically is calling for the closing of Louisiana State University Law Center and Southern University Law Center, the state's only public law schools.

"The state is running a huge deficit, and it seems senseless to produce more lawyers when we have too many already," he said. Closing the two public law centers would save the state \$7.4 million dollars. Mr. Gunn said. He compared supporting the schools to "going into McDonald's when you have 16,000 Big Macs and start ordering several hundred more when you're broke."

B.K. Agnihotri, Chancellor of the Southern University Law Center, said: "If you close LSU and Southern, only the rich will be able to attend law schools, Law will turn into an elitist profession, which is not in the best interest of the state, the country, or society." If the proposal is approved by the convention, it will still need voter approval. It would take effect on January 1, 1996.

From *The Chronicle of Higher Education*, September 16, 1992.