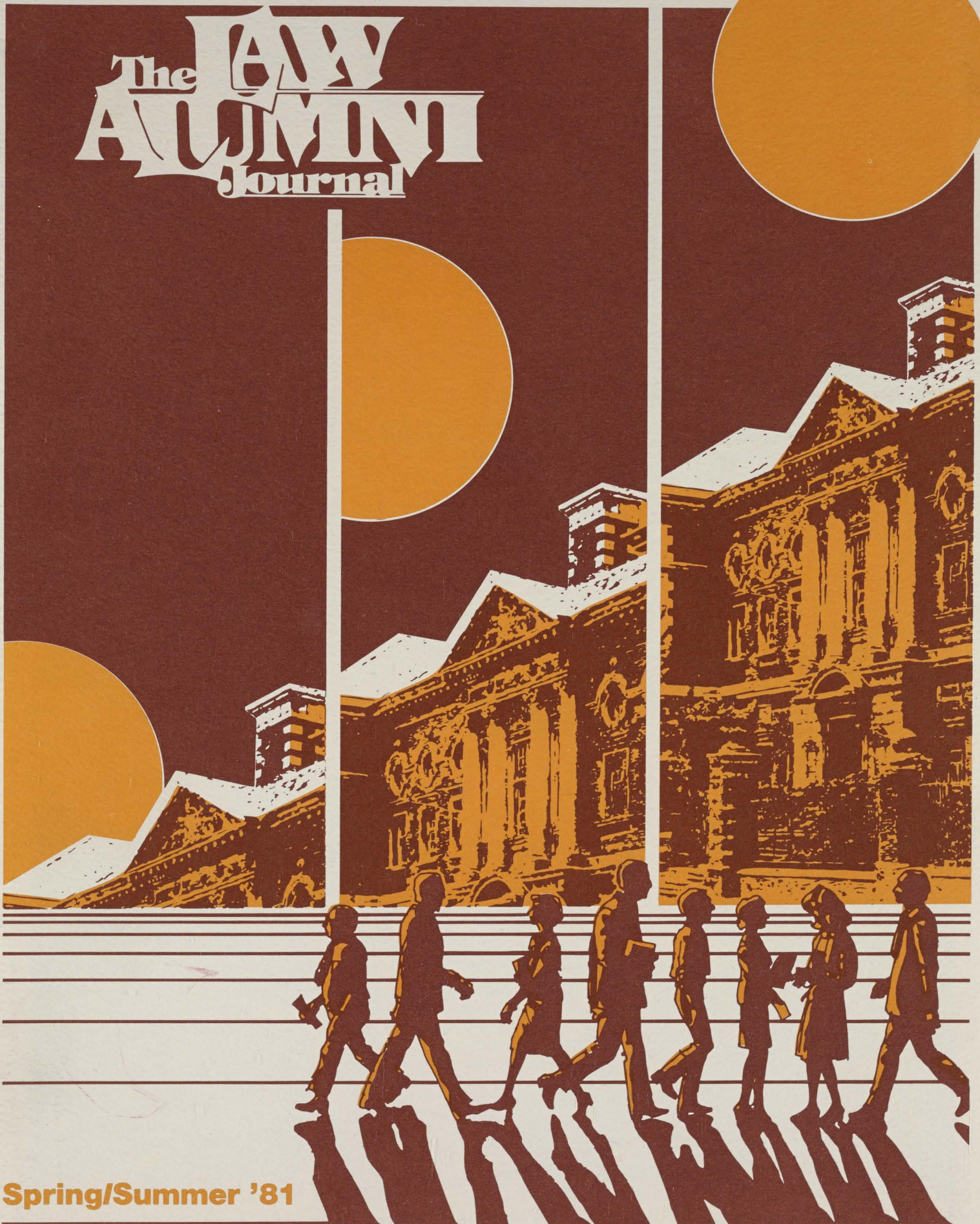


The LAW ALUMNI Journal



Spring/Summer '81

Spring/Summer 1981

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The University of Pennsylvania Law Alumni Society Reception during the American Bar Association meetings will be held on Sunday, August 9, from 5:30 p.m. to 7:30 p.m. at the New Orleans Hilton, in the Norwich Room, Third Floor.



Vice-Dean Beck Invested as Judge of Pennsylvania Superior Court

Phyllis W. Beck, Vice-Dean of the Law School for the past four years became Associate Judge of the State Superior Court on June 23, 1981. Mrs. Beck's appointment distinguishes her as the first woman to sit on that Court.

As Vice-Dean, Mrs. Beck headed most of the Law School's administrative offices and she was the Dean of Students. Prior to her appointment to the Law School, she practiced law privately and concurrently taught law parttime at the Temple University Law School, the institution where she earned her J.D. Degree. She was a full professor at Temple Law School from 1974-1976.

Mrs. Beck's career elevation seems a fitting tribute to her superiority as both administrator and lawyer.

Remarks of Dean James O. Freedman Upon the Investiture of Phyllis W. Beck as Judge of the Superior Court of Pennsylvania June 23, 1981

MAY IT PLEASE THE COURT:

This is an auspicious occasion, and I would like to begin with one of the great remarks of Justice Holmes, who taught us that the theory of our Constitution, as he said, "is an experiment, as all life is an experiment." And in that teaching lies an important truth.

For the mysterious process by which free men and women govern themselves is indeed an experiment—a demanding experiment and one that is hardly or routinely assured of success.

The experiment of democratic government is continually tested in the laboratory of everyday life. Its durability depends upon our self-discipline, upon our vision, upon our commitment to individual and social justice, and upon the quality of the men and women whom we select to make our laws, to administer our laws, and to interpret and apply our laws.

The experiment of democratic government depends upon all of these factors, but none is more important than the wisdom we invest in the selection of our judges. For it is our judges who remind us of our most fundamental values and remain the guardians of our most precious liberties—not only in those great public moments when cases of ultimate national importance come before them, but also in those countless, unheralded instances when the lives and fortunes of ordinary individuals are involved in the homely bits of private litigation that form the only association that most of our citizens have with the law.

The experiment in constitutional government that Justice Holmes described can only succeed, generation upon generation, if we devote as much care to the selection of those judges who dispense justice regularly to ordinary citizens as we do the selection of the Justices of the very highest court in the land.

It is therefore a source of great gratification to participate in this ceremony, because it renews one's pride in this Commonwealth's dedication to insuring that government as an experiment will endure and flourish.

This ceremony marks the elevation to the bench of a woman of extraordinary intellectual and human qualities. For the past five years, I have had the privilege of being Phyllis W. Beck's colleague at the University of Pennsylvania Law School. For the past three years, I have had the even rarer privilege of working closely with her as she performed so brilliantly her responsibilities as Vice-Dean of the Law School.

During the period of her Vice-Deanship, Phyllis Beck administered the affairs of the Law School with a firmness of principle, a steadfastness of character, and a sensitivity of judgment that were entirely remarkable. She dealt daily with a wide range of persons—faculty, students, administrators, alumni—with a keen intelligence, a high sense of purpose, a splendid sense of grace, and a fundamental decency that earned her the most glowing respect.

And if I sound perhaps like a Dean who is temporarily saddened to be losing the services of an outstanding Vice-Dean, I hope you understand that I speak as well as a citizen who is enduringly proud to live in a Commonwealth that is gaining the services of an outstanding judge.

Phyllis Beck will now be called upon to direct her unusual qualities of mind and character and spirit to the work of the Superior Court of Pennsylvania. Her professional qualifications for that high responsibility are beyond doubt.

She came to her career in legal education only after a successful career at the bar. She is a recognized scholar in the area of family law, an area that supplies a significant part of the work of the Superior Court. Her professional training, her judgment and integrity, her idealism and compassion, would be the envy of any court. She meets a standard of excellence that provides every promise that we are all witness today to the start of an important judicial career.

The investiture of Phyllis W. Beck gives reassuring evidence of this Commonwealth's understanding that Justice Holmes was right in describing our Constitution as an experiment, and of this Commonwealth's commitment to making that experiment work. At the same time, her investiture enriches that noble band of men and women who administer and shape those wise restraints that make men free.

It is an honor, Mr. President Judge, to welcome my friend and colleague, Phyllis W. Beck, to the place she has earned on the Superior Court of Pennsylvania.

Transitions—Both Faculty and Administrative

Margo Post Marshall has been appointed Vice-Dean of the Law School, effective August 1, 1981 to replace Judge Phyllis W. Beck of the Superior Court of Pennsylvania. Mrs. Marshall was Assistant Dean of the University of San Diego Law School.

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Professor Martin J. Aronstein, '65, returns as a member of the Law School Faculty this September having practiced with the firm of Ballard, Spahr, Andrews & Ingersoll, Philadelphia for almost 4 years.

• • •

Seth F. Kreimer arrives in the fall as Assistant Professor. He practiced with the Philadelphia firm of Fine, Kaplan & Black for approximately 3 years.

• • •

Visiting for the entire 1981-82 academic year, from the University of Oregon School of Law, is Associate Professor C. Edwin Baker.

• • •

Mrs. Esther Leeds Cooperman has left the Law School Placement Office as of May 31 to join her husband, who is financial vice-president of a bank in Baltimore, Maryland.

WANTED: The Whereabouts of Former Sharswood Law Club Members

This year marks the Centenary of the Sharswood Law Club. Plans are in the making for a gala anniversary celebration. Since our records of members are inadequate, we need to find out who you are.

Those interested in renewing contact with former Sharswood members and joining the celebration of the Club's Centenary, please write or contact Libby Harwitz at the Law School, 3400 Chestnut Street, Philadelphia 19104—(215) 243-6321.

ATTENTION: Members of the Class of 1979

In an effort to maintain the accuracy of our Alumni records, we must regretfully report the correction of an error which attributed Order of the Coif membership to many of the members of '79.

To those of you who were momentarily elated by the honor, we apologize. The Coif bylaws still require membership to be limited to the top 10% of a graduating class, computer errors notwithstanding.

Penn Law Alumni in Teaching

Approximately 110 University of Pennsylvania Law School Alumni have chosen careers in full or parttime law teaching or in law school administration at 65 law schools in the United States and at 9 schools in Europe.

Professor Curtis R. Reitz serves as the conduit for Alumni interested in academic appointments. He maintains an informal clearinghouse of law schools wishing to hire Penn Law Alumni as teachers and administrators. Professor Reitz suggests that the most effective medium for reaching the largest number of prospective employers in academia is through the Association of American Law Schools, which provides a national marketplace through its Faculty Appointment Register. One need only submit a resume to the Register which is then distributed to law schools throughout the country. The address is AALS, Suite 370, One Dupont Circle, N.W., Washington, DC 20036.

The 1981 Roberts Lecturer—Professor André Tunc

This year the Owen J. Roberts Memorial Lecture will be held on October 14 in the auditorium of the University of Pennsylvania Museum.

André Tunc, Professor at the University of Paris I, will deliver the Lecture entitled, "A French Lawyer Looks at American Corporation Law and Securities Regulation".

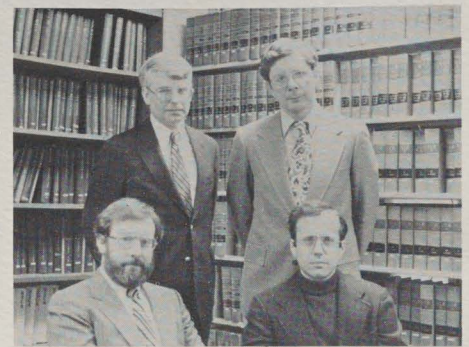
The Keedy Cup—1981

The Annual Edwin R. Keedy Cup Competition will be held November 17, 1981.

Associate Justice of the United States Supreme Court, Byron R. White, will preside over the competition. The Justice will be joined by Judge Harvey T. Edwards, United States Court of Appeals for the District of Columbia and Judge John C. Godbold, United States Court of Appeals for the Fifth Circuit.

Justice Douglas Symposium Presented

Through the organization and efforts of Leon I. Behar, '81, the Law School presented a stimulating symposium, "Justice William O. Douglas and the U.S. Supreme Court: An Appraisal," on March 25. Participants in the program were Professors Vern Countryman of Harvard Law School; James F. Simon, New York University School of Law; Ralph R. Smith of the University of Pennsylvania Law School; and Jonathan L. F. Silver, '73, of the Cardozo Law School. Moderating was Professor Stanley N. Katz, Visiting Professor of Law at the University of Pennsylvania Law School.



University of Pennsylvania Law Alumni presently teaching at The University of South Carolina School of Law are, clockwise from the top left, Professors Peter Glenn, '68; John Freeman, '72; David Owen, '71; and James Flanagan, '67.



Teaching at the UCLA School of Law are Pennsylvania Alumni, Professors Theodore (Ted) Eisenberg, '72; Carrie Menkel-Meadow, '74; Jonathan (Jon) Varat, '72, and Murray Schwartz, '49.

Bernard G. Segal Honored by Law Review

For the first time in its history, the *The University of Pennsylvania Law Review* dedicated an issue—Volume 129, No. 5, May 1981—to a practicing attorney, Bernard G. Segal, '31.

The supplement to the May issue, distributed at the annual Law Review Banquet on April 9, 1981 contains tributes to Mr. Segal by the Honorable Arlin M. Adams, '47; Associate Justice of the U.S. Supreme Court William J. Brennan, Jr.; Law School Overseer, William T. Coleman, Jr.; University of Pennsylvania Law School Dean James O. Freedman; Former Secretary of the U.S. Department of Education, Shirley M. Hufstедler; Former Penn Law School Dean, the Honorable Louis H. Pollock; Associate Justice of the U.S. Supreme Court, Lewis F. Powell, Jr.; the Honorable Samuel J. Roberts, '31; and Jerome J. Shestack, Esq.

The guest speaker at the Banquet, Professor Jesse H. Choper, '60, of the University of California School of Law at Berkeley, delivered the address of the evening, "The Constitutionality of Affirmative Action: Views from the Supreme Court."

The LL.M.s Go to Court

In an effort to enhance their experiences in the United States and at the University of Pennsylvania Law School, a visit to the U.S. Supreme Court was planned for the Law School graduate students by Assistant Dean Alice B. Lonsdorf. In February, the LL.M.s attended a Court session and, afterwards, had the opportunity to meet with Chief Justice Warren E. Burger.

Throughout the year, Mrs. Lonsdorf organized visits to the Federal Courts in the Philadelphia area, as well as to the Philadelphia Court of Common Pleas. In addition, numerous Philadelphia law firms graciously welcomed those graduate students interested in observing the operations of American law firms.

Almost fifty graduate lawyers matriculated at the Law School this past year to obtain advanced degrees. The 1981-82 class promises over fifty potential LL.M. students who will enrich the Law School community with their varied backgrounds and experiences from other legal systems. (See *Conversation with . . . The LL.M.s in this issue*).

The Law School Hosts International Faculty

The International Faculty for Corporate and Capital Market Law, a study group of professors, financiers, lawyers and regulators held their annual meeting at the Law School on March 16-17.

The Faculty, established seven years ago by Professor Robert H. Mundheim was conceived to study and exchange information and workable ideas in an effort to resolve international business law conflicts. The Faculty consists of 14 members and several associate members from 7 countries.

The ALI at the Law School

During the American Law Institute meetings in Philadelphia this Spring, Law School Dean James O. Freedman and University of President Sheldon Hackney hosted members of the ALI at a cocktail party in the School courtyard.



Dean James O. Freedman, center, greets Jerome Shestack, Esq., left, and Former Penn Law Dean Jefferson Fordham, right, at the ALI cocktail reception at the Law School.

The Dean and the Alumni

In addition to his active administrative and teaching schedules, Dean James O. Freedman continues to meet and become reacquainted with Alumni throughout the United States and in Europe.

In March, the Dean traveled to West Orange, New Jersey, where the Northern New Jersey Chapter of the University of Pennsylvania Law Alumni was reactivated under the diligent prodding of Clive S. Cummis, '52. Fifty-eight Alumni attended the function.

Dean Freedman was in London, England in April for the first official overseas Penn Law Alumni gathering. A luncheon honoring the Dean was arranged and hosted by Guy I. F. Leigh,

'70. Frederic G. Bompaire, '79, came from Paris for the occasion.

In May, the Dean attended Alumni functions in Chicago, Illinois and Wilmington, Delaware. He traveled to Atlantic City, New Jersey and to Pittsburgh, Pennsylvania to greet Alumni at Law School-sponsored cocktail parties at both the New Jersey and Pennsylvania Bar Association Meetings. In August, Dean Freedman will attend the meetings of the American Bar Association in New Orleans, Louisiana, where the Law School will host a cocktail party on August 9th at the New Orleans Hilton.



Present at the first overseas gathering of U. of P. Law Alumni, from left to right are: Martin Smith, '79, Frederic G. Bompaire, '79, who came from Paris for the historic occasion, Anthony Haller, '79, Joan L. Ingram, '72, Dean Freedman, Donald Beckman, '59, Guy I. F. Leigh, '70, and Richard N. Toub, '68.



At the reunion of Northern New Jersey Alumni are, from left to right: Honorable Paul G. Levy, '61, Superior Court of NJ, Philip S. Carchman, '66, Mercer County Prosecutor, Dean James O. Freedman, Donald S. Coburn, '66, Essex County Prosecutor Clive S. Cummis, '52.



Chicago Penn Law Alumni with Dean James O. Freedman.



University of Pennsylvania President Sheldon Hackney addresses the Law Alumni Day Dinner gathering.

Law Alumni Day—April 1, 1981

Another memorable Law Alumni Day was celebrated this past April. Festivities began with a performance of excerpts from the Law School Light Opera Company's spring production of Gilbert and Sullivan's "H.M.S. Pinafore."

At the Law Alumni Society's annual meeting Marshall A. Bernstein, '49, stepped down after two years as President of the Law Alumni Society. A framed print of the Law School building was given to him in appreciation of his extraordinary service and dedication to the Society by incoming president, Bernard M. Borish, '43. Dean James O. Freedman received the Order of the Coif Award for Legal Scholarship. Presented by Coif President Joseph G. J. Connolly, '65, the Award recognized Dean Freedman's "written contribution to quality legal scholarship" through the publication of his book, *Crisis and Legitimacy: The Administrative Process and American Government*. Incidentally, copies of Dean Freedman's book were given in appreciation to those Law Alumni Society officers and members of the Board of Managers who had completed their terms of service in 1981.

The Society's nominating committee, represented by Chairman Barton E. Ferst, '44, presented its slate of 1981-82 officers. In addition to President Bernard Borish, the officers include Robert M. Beckman, '56, First Vice-President; Mitchell Brock, '53, Second Vice-President; John A. Terrill, Jr., '76, Secretary; and Morris M. Shuster, '54, Treasurer. The Board of Managers whose terms expire in 1984 are: Harvey Bartle, III, '65; E. Barclay Cale, '62; James Eiseman, Jr., '66; Leon C. Holt, Jr., '51; Robert L. Kendall, Jr., '55; Walter N. Read, '42; and Morris L. Weisberg, '47.

Bernard Borish introduced Thomas N. O'Neill, '53, a past President of the Law Alumni Society, who presented the organization's Distinguished Service Award to the Honorable Arlin M. Adams, '47. Mr. O'Neill's tribute to Judge Adams appears in this issue of *The Journal*.

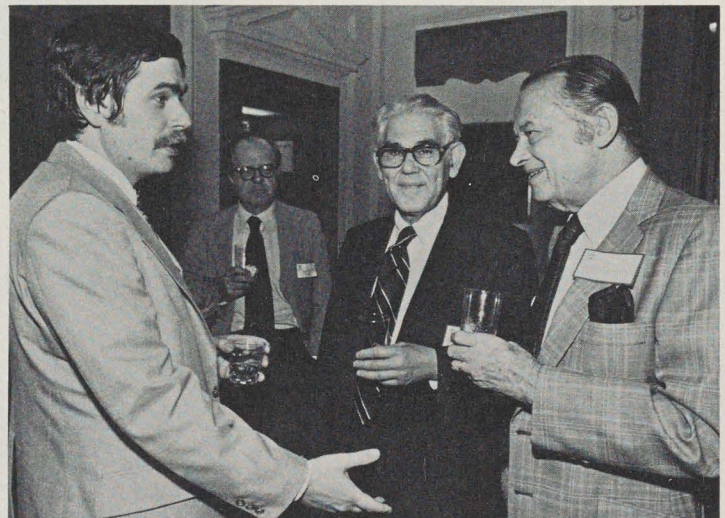
Cocktails and dinner at the School preceded Dean James O. Freedman's remarks to the gathering of Alumni and guests. Sheldon Hackney, President of the University of Pennsylvania, delivered the event's main address.



New Law Alumni Society President, Bernard Borish, '43, with Dean James O. Freedman; Former Society President, Thomas N. O'Neill, Jr., '53; Barton E. Ferst, '44; and Joseph G. J. Connolly, '65, at the Annual Meeting of the Law Alumni Society.



Outgoing Law Alumni Society President Marshall A. Bernstein, '49, receives Law School print from Incoming President Bernard Borish, '43.



Law School Professors Alan T. Cathcart, '74, far left; Noyes E. Leech, '48; and A. Leo Levin, '42, center, with the Honorable Samuel J. Roberts, '31, at the Law Alumni Day reception.



*Light Opera Company performs
"H.M.S. Pinafore" by Gilbert and Sullivan,
on Law Alumni Day, 1981.*

Presentation of the Distinguished Service Award to the Honorable Arlin M. Adams.

by Thomas N. O'Neill, Jr., '53



The Distinguished Service Award of this Society is conferred upon Alumni or Faculty whose careers demonstrate those qualities of character, intellect and social and professional responsibility which the Law School attempts to nurture.

It is my privilege to present this richly deserved award to our friend and fellow Alumnus Arlin Adams.

Those of you with some maturity will understand me when I say that Judge Adams' career closely parallels that of Horatio Alger. I have had no difficulty in finding things to say about Judge Adams. The only difficulty I have had is in fitting a description of all of his accomplishments into a reasonable length of time, which traditionally is a prerequisite for this occasion.

Born in Philadelphia, he attended Temple University. Although he was holding down a full-time job in order to get an education, he finished at the head of his class and was graduated with numerous honors and awards. Shortly before Pearl Harbor, he arrived on the steps of this Law School as a scholarship recipient. As with so many, the war interrupted his education and, for several years, he served in the North Pacific as a Lieutenant in Fleet Air Wing Four of the United States Navy. Returning to the Law School after the war, he was graduated magna cum laude in 1947, was elected to the Order of the Coif, and received the highest recognition attainable by a student, Editor-in Chief of *The Law Review*.

After a year's clerkship with that much loved jurist, Chief Justice Horace Stern, Judge Adams became affiliated with one of the nation's distinguished law firms, Schnader, Harrison, Segal & Lewis.

There he quickly demonstrated a rare combination of ability and zeal. He showed that he possessed the powers of logic, analysis and judgment that are the lawyer's tools of trade. He showed that he could understand and empathize with the concerns and motivations of his clients, that he could be a sympathetic counselor. He quickly acquired a wealth of experience in the trial of cases and the argument of appeals. And like Sir Joseph Porter K.C.B., he performed so well that he became a partner in the shortest time in the firm's history.

His life as a practicing lawyer was a busy and successful one but he was not content merely to serve the needs of his clients. Recognizing the inherent obligations of our profession, he somehow found room for a host of other activities. He gave freely of his time and talent (and still does today) to the organized Bar, the system of justice, the community at large, the academic world, and also to his religion and to his family.

I will tell you about some of his accomplishments.

He earned his Master of Arts in Economics at Temple, and served on the faculty of the American Institute of Banking. He served on the Faculty of this Law School, where he has taught federal procedure and the law of the first amendment. He received the recognition of his professional peers early on, being elected to the chairmanship of the Junior Bar Conference of the Pennsylvania Bar Association, and later to the Chancellorship of the Philadelphia Bar Association. He has been President of the American Judicature Society. He was the Secretary of Public Welfare in Governor Scranton's administration. He has served as a Trustee of Bryn Mawr College, a member of the Board of Overseers of this Law School and of the Wharton School, a Trustee of the School of Social Service, and as Chairman of the Trustees of the Fels Institute. He has been Chairman of the Boards of the Moss Rehabilitation Hospital and the Diagnostic and Rehabilitation Center, and a Trustee of the Albert Einstein Medical Center. He has served as Trustee of several charitable foundations, including the William Penn Foundation. He is presently secretary of that premier group of intellectuals, the American Philosophical Society. He has written extensively, particularly on freedom of religion, and also on Supreme Court jurisprudence and on judicial restraint.

At the age of only 33 he became the youngest President ever of one of the oldest congregations of the Jewish faith in America, Keneseth Israel. In that office he devoted great effort not only to the work of the Congregation but also to

interracial and interreligious activities. For many years, he has been an officer and leader of the Federation of Jewish Agencies in Philadelphia. As a board member of Hebrew Union College, a seminary for the training of rabbis, he has concerned himself with the large social and spiritual obligations of leaders of religion in America.

You may find it hard to credit this but the list I have just given you is not complete. There simply is no limit to this man's energy and to his dedication to the public good. And, with all this, he has been a devoted husband and a father.

The natural progression of Judge Adams' career led to his appointment to the Court of Appeals for the Third Circuit in 1969. At that time, the Judiciary Committee of the American Bar Association found him "exceptionally well-qualified" for the post. This is a much coveted but rarely bestowed evaluation. His performance on the Bench since that time has fully justified this prophecy.

Not surprisingly, Judge Adams has shown that he has a scholar's knowledge of the law and a superb technical proficiency in its application. He reads widely, thinks deeply and has a talent for getting quickly to the heart of the matter. I doubt that any member of the Court is more hard-working than he. He probably has written more concurring opinions than any of his colleagues. This is clear evidence of his willingness, even when he agrees with the result of the majority, to make an exceptional effort to define the doctrinal differences which ultimately lead to the refinement and development of legal theory.

Above all else, Judge Adams' judicial performance is characterized by his overwhelming sense of fairness, his desire that things work out justly for the people before him, in short, his attempt in every case to achieve due process. He is particularly understanding of the problems of that uncommon person, the so-called common man, and of those who ordinarily would not be the primary concern of the system of justice. He has written many notable opinions and I should like to direct your attention to his opinion in *Novotny vs. The Savings and Loan Association*, which was written for a unanimous court *en banc*. That case held that a male employee allegedly discharged because he had accused his employer of unfair discrimination against female employees could maintain a federal cause of action against his employer. You may think that I have chosen a curious example because Judge Adams' reasoning did not thereafter commend itself to a majority of the Supreme Court; yet, I commend his opinion to you as one which, like some of the great dissents of the past, is so well-reasoned and farseeing that it may one day become the law of the land.

Judge Adams' contribution to the work of the Court has earned him both the respect and affection of his colleagues and a nationwide reputation which has led to invitations to sit on all other federal Courts of Appeals save one. Moreover, under the auspices of the Ford Foundation, it has led to a series of seminars abroad with foreign lawyers, judges and the news media on the relationship between the Bench and the Press. From the perspective of the media, it is not an overstatement to say that, of all American judges, he is regarded as the best bridging spirit between the concepts of freedom in the newsroom and order in the courtroom.

Any lawyer who aspires to the Bench would be well-advised to take Judge Adams as his model of temperament and rectitude. Those who have worked closely with him know that there is no trace of pomposity or self-importance in him. They know him to be a decent man, who is considerate of the people who work with him. The instincts of the teacher remain strong in him and I have been told that he runs what is in effect a post graduate course for those of our students who serve as his law clerks. Their presence here today in great numbers speak eloquently to their esteem for him and belies the saying that no man can be a hero to his intimates.

Ladies and gentlemen, there is not an advocate in this room who would not be honored to plead a cause whose merit is as self-evident as this one. Character, social and professional responsibility, judicial distinction, teaching and writing, service to this Law School, the University and the community—it is all there. And intellect there is too, in abundance. But most importantly, the mighty intellect is matched with a mighty heart.

I take great pleasure in presenting the Law School Goat, the Chinese symbol of justice and the symbol of this Society's Distinguished Service Award, to Judge Adams.



The Black Law Alumni Dinner—April 11, 1981

The Black Law Students' Union of the University of Pennsylvania Law School held its Fourth Annual Black Law Alumni Dinner in the Lower Egyptian Gallery of the University Museum.

Approximately 150 Alumni and guests attended the gathering which honored Judge Doris May Harris, '49, of the Philadelphia Court of Common Pleas. Representing the BLSU, Renee Y. Chenault, '82, presented the Annual Black Law Students' Union Award of Distinction recognizing Judge Harris' "services and dedication to the community and the legal profession with sincere thanks and appreciation from the Black Law Students' Union."

The guest speaker of the evening was another Alumna who is a member of the judiciary, the Honorable Margaret Ann Burnham, '69, Associate Justice of the Boston Municipal Court.

Also present at the Dinner were Judge Horace A. Davenport, '50, of the Montgomery County (PA) Court of Common Pleas; Judge Joseph D. Roulhac, '48, of the Akron (Ohio) Municipal Court; and the Honorable Juniata Kidd Stout of the Philadelphia Court of Common Pleas.



From left to right, the Honorable Margaret Ann Burnham, '69, with *Black Law Journal* Editor-in-Chief, Cassandra Jones, '81; the Honorable Horace A. Davenport, '50; the Honorable Doris May Harris, '49; Renée Chenault, '82; and the Honorable Joseph D. Roulhac, '48 at the Black Law Alumni Dinner.



The Honorable Margaret Ann Burnham, speaker of the evening.

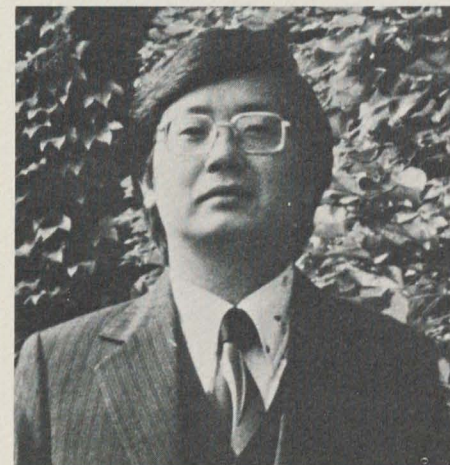


The Honorable Doris May Harris, recipient of the Black Law Students Union Award of Distinction.

THE LL.M.S

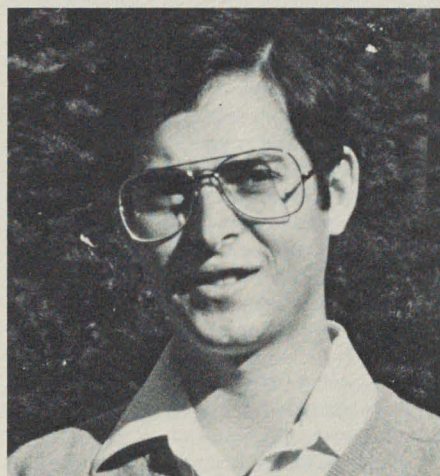


Catherine Khachikian (France): I graduated from the University of Paris I with a specialty in Anglo-American Law. I also practiced law for two years with a lawyer who had clients both in France and in the United States. Before that I practiced law for six years with the Ministry of Education in France. I came to the United States principally to complete my doctoral research in the field of American recognition of judgments. At the same time, I decided to earn the LL.M. degree to help advance my career. Actually, I knew nothing about Penn specifically. My decision to apply here was principally motivated by the fact that this School offers a course in Conflict of Laws.



Cheng-Hsiung (George) Chang (Taiwan): Before I came to the University of Pennsylvania Law School, I worked in the area of international trade. My purpose for coming was to understand American commercial law. This knowledge and understanding, I felt, would help my work in the areas of international trade between Taiwan and the United States. That was my main purpose. Actually, it was my law professor at Soochow University who suggested that I study at this Law School.

LSH: What prompted your pursuit of the LL.M. degree, and how did you choose the University of Pennsylvania Law School as the institution from which to acquire it?



David Gitlin (Israel): I had decided to earn a Master of Laws degree in the States as far back as my law student days in Israel. I also decided, however, that some practical experience would be beneficial so I practiced law for two years prior to coming to this country.

Professionally, having an LL.M. is an asset in my country. Developing an expertise and a specialty in areas that others do not have is most desirable. My area of specialty is international transactions, particularly in the area of the international sale of goods through agents.

Since approximately fourteen law schools in the United States offer an LL.M. program, the possibilities are very narrow and one must carefully choose the place which would best suit one's purposes. My choices were the Universities of Michigan and Pennsylvania. Penn's advantages over Michigan were not necessarily academic ones. The fact that Penn was in a large city made more job opportunities available to my wife. Philadelphia's proximity to New York made us more accessible to our visitors from abroad. I have family here whom I had visited before, so I knew the territory. Ann Arbor, on the other hand, appeared cold and lonely. So we chose Penn and don't regret it.

A record number of graduate lawyers participated in the Master of Laws (LL.M.) Program sponsored by the University of Pennsylvania Law School in the 1980-81 school year. The Class of 1981 boasted 47 international graduate students representing 20 countries which, in addition to the United States, include West Africa, the Republic of China, Algeria and Luxembourg.

The Journal's Spring-Summer "Conversation" is devoted to members of this diverse group, who have candidly shared their impressions and perceptions of this country before and subsequent to having spent the past year in the United States and at Penn Law School.

Contributors to the interview were: Jose Tomas Blanco, who is from Caracas, Venezuela and earned his law degree in 1980 at the Universidad Catolica; Cheng-Hsiung Chang (who adopted the name, George, while here in the States), is from Taiwan, Republic of China and was a 1970 LL.B. degree recipient from Soochow University; David Gitlin of Tel-Aviv, Israel, a 1979 graduate of Tel-Aviv University with an LL.B. degree; Annie Yen-Ni Kao of Taiwan, Republic of China, who received a Bachelor of Law degree from National Chung Hsing University in 1971; Catherine Khachikian, who comes from Paris, France. She earned her law degree from the University of Paris in 1976; Luz M. Meza Bartrina is from Paraguay and earned her law degree in 1980 from the National University of Asuncion; Jacques M. Reding, from Brussels, Belgium, graduated with a degree in law in 1978 from the Universite Libre de Bruxelles; Nathalie Stranjakovich is from Paris, France and received her law degree in 1979 from the University of Paris; and I-Chun Allan Wu of Taiwan, Republic of China, who received his LL.B. in 1980 from Soochow University.

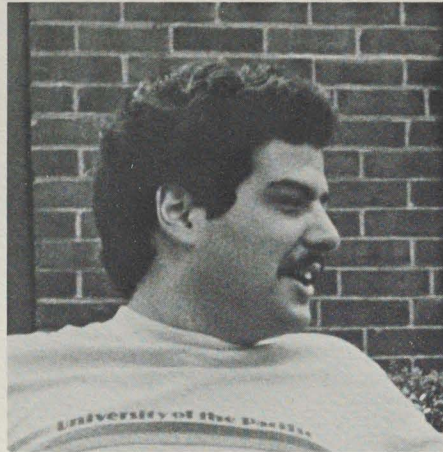
—LSH



Jacques M. Reding (Belgium): After having fulfilled my military duties (as a tennis teacher!) in the army, I practiced law for two years in a medium-sized (fifteen person) firm in Belgium in the area of international law. Our clients were mainly American firms. If one wants to practice international law, it is desirable to be exposed to American Law. It does influence most international relations, etc. I applied to three law schools on the east coast, and was accepted at Columbia and here at Penn. My wife preferred living in Philadelphia and, since the reputations of both schools were similar, we chose the University of Pennsylvania. Another reason for our decision to come here was Professor [Noyes E.] Leech, whom I had heard was a fine teacher of corporate law, which is my chosen specialty.



Luz M. Meza Bartrina (Paraguay): I was in the United States as an exchange student for the year 1971–72 and received my degree from a senior high school in Michigan. Although I returned to Paraguay to attend law school for six years, I made the promise to myself to return to the States and earn a Master of Laws degree at an American university. I was admitted to three law schools which offered the LL.M. program, but chose Penn Law School on the recommendation of the director of my college in Paraguay. He wisely pointed out that Penn was rich in “tradition” and was world renowned.



Jose Tomas Blanco (Venezuela): I had heard about this School for the first time from an Alumnus, Alfredo Toro-Hardy, LL.M. '79. I had previously worked with him so I felt free to approach him for advice concerning my application to Penn Law School for an LL.M. degree. I had not heard about this University previously because it is not very well-known in Venezuela. The Wharton School is quite well-known there but one doesn't hear about Penn's other schools like law, veterinary, medicine, dental, etc. When I received my letter of acceptance, I could not believe it! I called up Alfredo Toro-Hardy in the middle of the night to tell him of my acceptance.

I graduated from law school last July, but as a student, worked in law firms for four of the five years that it took to complete my degree. Working as a student is very common in Venezuela. I worked for two law firms, an economic group and a service company the latter of which I truly enjoyed. My experiences prompted the decision to continue my studies for an LL.M. degree and to further my knowledge in the areas of commercial and international law.



I-Chun (Allan) Wu (Taiwan): I began my career working in a law firm for one and one-half years. My major fields of interest were in the areas of international licensing and international investments. Eventually, I felt the need to gain practical experience in the operation of international trade, so I left the law firm and joined my friend's trading company for ten months. That was my work experience before having come here.

My decision to come to the University of Pennsylvania Law School was based on the recommendation of my former professor, James E. Toms, who is now the Commanding Officer of Legal Affairs at the Naval Base here in Philadelphia. In addition to this Law School, I was also admitted to the law schools of Columbia, Michigan, etc., but Professor Toms felt that Penn had a good reputation and would provide the courses I needed most; moreover, the Toms Family could provide a home base for me. These advantages influenced my choice of Penn Law School.



Nathalie Stranjakovitch (France): I was a student until I came to the States. After my second year of law school, I chose to specialize in a track in the areas of international law. It was during my third year that I took some courses and seminars in Anglo-American law which influenced my decision to continue the study of American law in the United States. I went to the Franco-American Commission for Educational Exchange which was not very helpful. However, they offered some information on American law schools which included some alumni reports. One of the questions on the form was, “According to you, what are the best universities in the United States?”, and Pennsylvania was among one of the ten or eleven schools mentioned. I decided to apply since the courses offered were focused around international law.



Annie Yen-Ni Kao (Taiwan): I had been working for nine years for the Foreign Investment and Corporation Division of Lee and Li, the most respected law firm in my country, the Republic of China. The firm represents approximately 80% of the foreign banks and enterprises doing business in Taiwan. I had from time to time encountered problems which I could not solve with ease in dealing with foreign clients and in the drafting of legal opinions. Therefore, I felt an urgent need to broaden the scope of my legal knowledge in Anglo-American law and to achieve a higher proficiency in English. My employers suggested that I apply for an LL.M. program at a well-qualified United States law school. I chose Penn Law School from the five law schools to which I was admitted because Penn is top in the Ivy League and because of the advanced courses it provided.

LSH: Can you recount some of your early feelings upon arrival to this country last fall, and, more specifically, to your new law school experience?

Nathalie Stranjakovitch: This was my first experience abroad alone—living by myself, trying to organize my life without asking my parents anything, and developing my own course of study without asking anyone's advice. I eventually became accustomed to Philadelphia, but the beginning was a bit frightening. The American students were preoccupied with job interviews during the first semester, and they were a bit difficult to get in touch with.

Jacques Reding: I didn't have the same cultural shock as the others since we lived in this country for a year previously—in Oklahoma, specifically. I had not lived on the east coast, however, which is quite different from Oklahoma. It did take my wife and me a while to adjust to this city—but, once you take advantage of what it has to offer, it can be very nice.

George Chang: I was very attracted to the beauty of the architecture and the entire environment of the University of Pennsylvania campus. I even liked the law dorms very much.

Catherine Khachikian: My very first impression was a terrible one. I had enjoyed a delightful fifteen-day visit with a family in Washington, DC. I arrived here by train in mid-August on a rainy Friday, to an empty campus and thought that, if this was Philadelphia, I would not stay very long! The first impression lasted only twenty-four hours. The next morning I ventured downtown and called the only people I knew in the city whose names were given to me by a mutual friend.

By Monday, I was already an "old" Philadelphian. I spent a couple of hours in the Law School Library where I was graciously welcomed by Mr. Sloane, the Librarian.

David Gitlin: I already knew Philadelphia and had visited the Law School three years before, so my wife and I were spared Catherine's first impressions. We really like Philadelphia a great deal. I think that the Faculty here is very helpful and nice. Their doors are always open. The administrators have always been helpful also. Since the beginning, we have always felt welcome.

Jose Tomas Blanco: My first day also was terrible. I arrived at International House with the flu. As I met people, however, and began to feel more comfortable in the city, I found life easy. The city is quiet—but I think that has a lot to do with the conservatism here in Pennsylvania. I felt very welcome here at the School. I think my fellow LL.M.'s agree that Assistant Dean [Alice B.] Lonsdorf was largely responsible for those welcome feelings.

George Chang: When I first arrived, I went to the registrar's office and my first impression was how very, very friendly everyone was. I was deeply impressed.

Allan Wu: The law dorm was the first place I went when I arrived at the University of Pennsylvania. The rooms were surprisingly smaller than what I had expected, a fact that I did not realize before I came. It was so hot during the summer. However, one good and "cool" thing occurred during my second day here. We met the Faculty, who were very friendly. At our first group meeting, we met Mrs. [Assistant Dean] Lonsdorf and Libby Harwitz—people we could always depend on—who told us about the Law School and about Philadelphia in general. They also informed us of the historical places in the City, which we visited during the celebration of Labor Day. It seemed that every place we went, we always met other LL.M.'s. That is really how we all got acquainted.

Luz M. Meza Bartrina: Although I had been in the States before, Michigan was quite different from Philadelphia. Actually, this year was the first experience I had living without parents. (In Paraguay, children live at home through college and graduate studies.)

Besides the minor obstacle of finding housing here, which was a problem facing many of the LL.M.'s, I adjusted favorably to Philadelphia and its life style. I do like this city very much.

Annie Kao: When I first arrived in Philadelphia, I was surprised that it was not as pleasant and as clean as the other typical, large American cities. In addition, the weather was terribly hot in August and September and the dormitory where I lived did not offer much relief from the heat. Fortunately, my American neighbors were very friendly. The Faculty, Mrs. Lonsdorf, Libby Harwitz and Gary Clinton enthusiastically helped to orient us to living in the School and they told us lots about the city. They also arranged that we visit the courts, law firms and famous museums in Philadelphia and in Washington, DC. I like this University very much now.

LSH: What did you expect educationally before coming to this Law School? Has the experience satisfied these expectations? How do you plan to use what you have acquired?

Allan Wu: For me, the experience has been very nice. Since I planned to study in the areas of Antitrust Law and International Transactions, I did learn a great deal this year. After receiving my degree, I plan to do some further research in these areas, then write articles for publication in my country. In other words, I will try to contribute my newly-found knowledge, especially in the area of antitrust law, to my country.

Jose Tomas Blanco: My goal was to gain a basic knowledge of American law in order to be able to advise people in my country. There is a great deal of technological transfer and investment exchange between the United States and Venezuela. I took all of the possible courses related to the international and corporate areas. Believe it or not, I am planning to acquire another master's degree. I have applied to Georgetown University and to a university in Belgium. If I am not accepted, I will go back to Venezuela and work in a law firm.

David Gitlin: I was pleased with my experiences here. I came with the idea of continuing my studies and obtaining a doctoral degree. Happily, I was accepted into the S.J.D. Program here at Penn Law School and will study and concurrently work with the Philadelphia firm of Wolf, Block, Schorr & Solis-Cohen. So we will be here for a while.

Catherine Khachikian: I did not have expectations as far as the faculty and the academic level of the Law School were concerned. I only knew, upon speaking with American lawyers in Paris, that the University of Pennsylvania Law School had a very good nationwide reputation. As far as my doctoral research is concerned there were no problems. I had all of the materials I needed on American law. I did have difficulties during the first semester when I wanted to do research in international law. I had to go to New York a couple of times since the library here is not sufficiently furnished with suitable materials and books in that area. If the Law School intends to be more internationally oriented with a strong LL.M. program, which will attract large groups of foreigners, I tend to think that some improvements are necessary in the area of research possibilities.

Jacques Reding: I was a bit disappointed. The Law School catalogue advertised that one could choose from among many seminars in the corporate law field, specifically corporate organizations. Upon arrival, however, I discovered that there was only one general seminar in that area that was being offered. I did take other courses which were very enjoyable. The entire experience was incredibly valuable, however.

Annie Kao: The experience of the past academic year has been terrific and invaluable for me. I have learned a lot from living alone abroad.

Nathalie Stranjakovitch: My educational goal here was to gain some basic knowledge of American law. The French system of teaching is mostly theory, and I really wanted to experience the American system and method of legal education. I do agree that we had few choices in the international law field and, in addition, I had difficulty finding materials that I needed in the library. I had to obtain materials on a trip home to Paris during the Christmas break.

George Chang: My goal in the United States was to study American commercial law. During these two semesters, I studied Corporations, Sales and Financing, and took courses in Antitrust which have helped me greatly understand American commercial law. A course I would like to have taken which was not offered is American custom tariffs.

Luz M. Meza Bartrina: My area of specialty is multinationals. Although courses in this area were advertised in the 1980 Law School catalogue, they were either canceled or were not being taught this particular year. So I had to take courses in multinationals at Wharton School which are, of course, taught with a business background in mind rather than with an emphasis on the legal point of view. This could prove difficult for students with primarily legal back-

grounds. Other than that, I was pleased with my experiences at Penn Law School. In fact, I would like to remain here in the States and practice before returning to Paraguay.

LSH: Do many of you plan to remain in this country after graduation? For what period of time? Doing what?

Allan Wu: I think the one-year program has not been enough for me to gain the insights into American law and its legal system that I require. I would like to stay for a while and learn more.

Catherine Khachikian: I will return to France as soon as I finish the research to which I have committed myself. That will be in September or October of this year.

Jacques Reding: I am going back home to Belgium—even before graduation—to work with an American law firm there.

George Chang: After my studies, I plan to return to Taiwan—because my family expects my return.

Nathalie Stranjakovitch: I will remain in this country for one year as an intern with the legal department of an international accounting firm in New York City.

Annie Kao: Upon completion of my degree, I shall stay in the States for one or more years. I plan to travel around this country to experience the background of American society and to do some advanced research in the U.S. legal system and in international business law.

LSH: What were your impressions of the United States prior to coming? Have your experiences this year proven these impressions correct or incorrect?

Jacques Reding: There is no way to have opinions about “the States”. Rather, there are opinions of the various regions of the United States. For example, Philadelphia is certainly a more liberal region than Oklahoma, where we also lived. Philadelphia is, to me, more like Europe. Our idea of the United States is Miami, New York and Los Angeles. As a people, we think of Americans in golf trousers and LaCoste shirts. America to us means freedom. But, in reality, I think that freedom of behavior and of ideas is relative in the United States. I do not think that the perfect model of a free country exists anywhere.

Catherine Khachikian: I came to the States free of prejudices and as flexible as one might be. I tried to remain open to all that might be offered in this country. My basic attitude is a positive one. I don't think that there is less freedom in America than in Europe, as Jacques alluded. It is a different *kind* of freedom. For instance, politics seem to be a taboo subject as far as discussions at social gatherings are concerned. In France, one talks politics very freely with almost *anyone*. That's the topic which brings people together. On the other hand,

through the media and the press, things are disclosed in the United States that would *never* be disclosed in France. America is a country of contrasts in so many ways. It is a young country as far as population and history are concerned and yet it is a highly conservative country in many respects.

Jacques Reding: There seems to be pressure toward becoming and a great importance attached to being an “American” . . .

Catherine Khachikian: But what does it mean to be an American? There are Jewish Americans, Armenian Americans, Americans from the east coast, Americans from New Mexico, and they all feel as though they belong to the same great country, although they still maintain their own identities.

David Gitlin: Don't forget the United States is as big as Europe. Of course, there is diversity.

Jose Tomas Blanco: From my point of view, I was shocked by the informality of many Americans. We are used to dressing for special events in a very different manner.

I do think that Americans are so busy competing with one another for good grades that they ignore other people and their problems. This uncaring attitude can cause pressures and feelings of neglect on the part of visitors from other countries. I think that Americans, on the whole, are very open-minded, however, and I find that a very nice characteristic.

Allan Wu: Most of the people here have *very* different life styles and ideologies than what I have known in Asia. To tell the truth, I don't see myself adapting to this culture. The majority of people in my country feel a great sense of social responsibility. They are free to do whatever they please in a democratic way, but they make great efforts to contribute their talents and abilities to society. In America, I feel that most people are striving for their own well-beings—their struggles are personal rather than societal. There is, of course, more competition here which probably makes people feel that success comes before anything. However, I still prefer the environment where one can contribute to life freely rather than feel a great deal of pressure just for personal success.

David Gitlin: I visited America many times prior to this year, and came back here with a knowledge of the American way of life and its political scene. My ideas about this country were fixed—and most of them were very positive. I like the individualism of the American people and their high regard for common sense, practicality and efficiency. I think that most Americans have a very strong sense of decency. On the other hand, I was shocked by the contrast between this America which exists, and another

America which is, somehow, more obscure from the eyes of foreigners. This is the America which is capable of producing sick people and criminals. So, on the one hand, Americans are good people who are attempting to achieve a better life and, on the other hand, there are those who have no regard for life or *anything*. I was not aware, before I came, of the extent to which this contrast existed.

I was also not aware of the incredible presence of religion in American life. I thought of America as a more secular society but religion appears in so many facets. The motto "In God We Trust" is literally true in the United States.

LSH: To say the least, you have experienced a dramatic year in this country's history. Having witnessed a Presidential election, the release of the Americans held hostage in Iran, the attempted assassination of the President of the United States, and even a first-hand celebration of the world series of baseball, what do you now view as America's strengths and weaknesses?

Jacques Reding: There are many positive points to this country. I am deeply impressed with the opportunities available to young people graduating from colleges and professional schools. The job recruiting system especially is very effective. Another positive aspect of the American people is their constant struggle for excellence.

A negative point I have noticed is that when this country is doing well, that's O.K. It doesn't care too much about other countries. Let's use Iran as an example. Once the American hostages were returned, the United States had nothing to more to say of Iran. There is a pro-American sense that is so pervasive, almost a chauvinism—a feeling that because the hostages are back, no one cares what is going on anymore in Iran.

David Gitlin: Yet, if American intervenes and says what it thinks, then the cry is "Yankees, go home!"

Luz Meza Bartrina: First of all, let me say that I am a great fan of America. But we *all* do wrong things. The difference between America and other countries in Latin America, Europe and the Communist bloc, etc. is that, in America, everything becomes public knowledge. Take ABSCAM and Watergate, for example. Don't you think the same things go on in other countries? The thing is—and maybe this could be considered a weakness—Americans are so open that they make themselves vulnerable to criticism.

David Gitlin: I have some thoughts about one major event that took place in Philadelphia this year that almost overshadowed the Presidential election. That was the Phillies having won the baseball world series. One can say, on one hand, that Americans are really something—a baseball game was won and that was the biggest news in the world. However, it is really a positive reflection on these people. It is nice that a society can relax. . . .

LSH: What was most rewarding about your experience here?

David Gitlin: What I think most rewarding about this country is its positive response to achievements. This is a very special quality. If one does well, there is always support and encouragement. One can feel the very strong correlation between one's achievements and the outside response to them. I don't know *any* place in the world where people are so anxious to help and are so enthusiastic when someone succeeds.

Jacques Reding: In addition to what I received educationally, I consider the most fruitful and long-term value of this experience was to have been exposed to different people with different ideas. I learned how to forget about my own opinions and to listen to others.

Catherine Khatchikian: I totally agree with Jacques. The exposure to a different culture was certainly the most rewarding part of the experience. This will influence both my professional and private lives. As an international lawyer, it will—without a doubt—insure a better understanding of the future situations with which I will be confronted.

Jose Tomas Blanco: Undoubtedly, the experience that I value most from my year here is the opportunity to have formed relationships with people from different parts of the world who have differing philosophies. Living in a foreign environment with other foreigners forced us to share similar problems of language and customs. This brought us together as a cohesive group and was a truly gratifying experience.

The Pound Conference: Perspective on Justice in the Future

A Review by Phyllis W. Beck, Associate Judge, Superior Court of Pennsylvania

Editor's Note: Judge Beck was Vice-Dean of the University of Pennsylvania Law School from 1977 to June, 1981.

A significant, but not widely-reviewed book was recently published. It contained the proceedings of the 1976 Pound Conference at which scholars, lawyers and judges explored judicial reform.

The book is indispensable because of its broad-ranging, creative and carefully-considered proposals for both civil and criminal judicial reform. The book is particularly meaningful to the University of Pennsylvania Law School. While the participants to the Conference were drawn nationwide, Pennsylvania was disproportionately represented. Professor A. Leo Levin, '42, of the Law School, who is also Director of the Federal Judicial Center, was one of its editors. He is also credited with bringing the Conference to a successful fruition. Several participants at the Conference are Overseers of the Law School: Chesterfield H. Smith, a practicing attorney and former President of the American Bar Association; Solicitor General Wade H. McCree, Jr.; Judges A. Leon Higginbotham, Jr. and Arlin M. Adams, '47, both of the Court of Appeals for the Third Circuit; and Professor Edward H. Levi of the University of Chicago Law School, former Attorney-General of the United States.



Bernard G. Segal, '31, former President of the American Bar Association, a major force in convening the Conference, is not only an Overseer but a graduate of Pennsylvania Law School.

The call of the Conference was made by Chief Justice Warren E. Burger who urged the body to seek ways to deliver justice more evenly and swiftly. However, he cautioned that reform should be soundly designed and reviewed every five to ten years. He adopts the premise of Justices Black and Douglas that new programs should be dismantled after a fixed period and not reinstated unless a compelling need for them is shown. He fears that, without review, reform will become fossilized and the adoption of ineffective systems may become embedded in the law.

The Chief Justice suggests certain agenda items for the Conference. Some of the areas for exploration are: alternate dispute resolutions; increased and more sophisticated use of arbitration; computerization of land records and land title searches; non-judicial procedures for transmitting property at death; and non-judicial systems of compensation for injuries resulting from negligence. He urges innovation in dealing with family problems and modernization of pre-trial procedures.

The Chief recognizes the Conference will not settle or solve problems, but he hopes it will stimulate future studies and meetings. The Conference, he notes, is important in highlighting ideas for change. He reminds the reader that change is endemic to law. Law is a generative process with a capacity for growth and adaptation. It is the basis for the orderly evolution of society.

Two seminal papers on civil reform provide a stimulating counterpoint. Judge Simon H. Rifkin* posits that society is asking too much of its courts. The result of reform must be to narrow the arena in which courts act. Judge A. Leon Higginbotham, Jr.** pleads that reform should be carefully undertaken lest it exclude human rights from the courts' agenda.

Judge Rifkin charges that the courts are suffering from success. Americans perceive that no problem is beyond their capability. He states, "The courts are being asked to solve problems for which they are not institutionally equipped, or not as well-equipped as other available agencies."

He characterizes the courts as the handymen of our society. "The American public today perceives courts as jacks-of-all-trades, available to furnish the answers to whatever may trouble us: Shall we build a nuclear plant and if so, where? Shall the Concorde fly to our shores? How do we tailor dismissal and lay-off programs during the Depression without undoing all of the progress achieved during prosperity by anti-discrimination statutes? All these are now the continuous grist of the judicial mills."

Judge Rifkin urges that the workload of the court be lightened. Not to do so will create public dissatisfaction with the administration of justice. His challenge is to relieve the courts of matters which do not require their special expertise.

He notes that courts are called upon to resolve disputes as well as solve problems. He urges the courts to remain dispute-resolvers and not become problem-solvers.

The Judge views each decision in dispute-resolution as a tile in a great mosaic, the design of which changes subtly and gradually. The orderly steps in dispute resolution are fashioned to change the mosaic gradually. The burden of proof is on the plaintiff who wishes to refashion the design.

*Judge Rifkin is presently a partner in the New York law firm of Paul, Weiss, Rifkind, Wharton and Garrison and is a former United States district judge.

**Judge Higginbotham has served on the United States Court of Appeals for the Third Circuit since 1977.

On the other hand, problem-solving is not a subtle endeavor. It is a legislative enterprise requiring fact-gathering, inventiveness and political knowledge. The problem-solver champions a cause and is not a neutral decider. Courts in recent years have blurred these two functions. Judge Rifkin rhetorically asks, "Quo warranto"—by what authority do courts act as legislatures?

Rifkin notes that courts have emerged as problem-solvers because of legislative and executive ineffectiveness. It is more appropriate to improve the sister branches of the judiciary rather than demand that the judiciary take on functions for which it is not equipped. In a democratic society, the courts administer justice and the legitimacy of that function must be protected.

In addition, he would use the sensitive surgeon's knife and cut out of the adversary system traditional judicial jurisdiction such as uncontested probate and matters dealing with punishment for personal behavior such as gambling, prostitution and drunkenness.

Judge Rifkin would also remove from the court personal injury jurisdiction. Not only would the change free the courts' energies, it would also improve its character. He suggests relief be provided to potential plaintiffs on the model of compensation for industrial accidents.

Access to the courthouse should be limited by the strictly interpreted traditional concepts such as case in controversy, standing, primary jurisdiction, exhaustion of remedies and amount in controversy.

He suggests that the civil litigant be required to show "probable merit" before he or she can initiate the judicial process. The need to show "probable merit" would deny access to plaintiffs with capricious claims. The flow of litigation, he predicts, would diminish if "probable merit" were a necessary pre-condition to litigation.

He supports the idea of a judicial impact statement before legislation is enacted. When legislation is under consideration, lawmakers should be required to consider its effect on the courts. Legislators should then balance the social utility of the law against its potential burden on the judicial system.

His last "crie" is for simplification of the law. Referring to the convoluted Internal Revenue Code, he states, "After fifty years of practice, I would no more have the audacity to formulate my own tax return than I would engage in open heart surgery."

As a counterpoise to Judge Rifkin, Judge Higginbotham pricks our consciences and cautions that ill-conceived reform may result in basic injustice. The theme of his paper is that courts are both instruments for dispute resolution and vehicles for justice. He states, "What does it profit us if, by wielding a judicial and administrative scalpel, we cut our workloads down to more manageable levels and leave the people without a forum to secure justice?"

He fears judicial reform may benefit judges and lawyers but not the country's citizens. He applauds the recent expansion of substantive rights as long overdue. It redresses the infamous treatment of blacks and women in the country. The courts, he urges, are the institution of peaceful change. If the courts are not accessible to those who have suffered dehumanization in society, progress toward equality will be stalled. He points to decisions relating to voting rights and reapportionment and asserts that without active judicial intervention, justice would have been denied.

He makes a stirring case for protection of the victims of crimes. Ordinary citizens are entitled to the fundamental right to be secure in their persons and property. He states, "I am not suggesting that the guarantees of the Bill of Rights be suspended. But I do submit that while criminal defendants have a constitutional right to a speedy trial,

society at large also has a vital stake in the prompt disposition of criminal charges against a defendant. Securing prompt disposition of such charges must be a top priority in any reform of the judicial process." Like Rifkin, he endorses an impact statement to accompany legislation. Unlike Rifkin he demands that the statement predict the law's effect on "discreet and insular minorities," the poor, the weak and the powerless.

He separates human rights into the meaningful and non-meaningful. Inconsequential ones relate to the right of a football player to wear his hair long, or the right of prisoners for snacks between meals. Consequential ones relate to racial and gender discrimination, the right to vote, the right to basic protection from over-powering forces of the industrial age, the right to be secure in one's person and property, and the right to be treated with courtesy and consideration by a system that purports to be one of justice, not merely law. "I believe there is a hierarchy of human rights and that the rights I have discussed cluster near or at the top of that hierarchy."

He concurs with Rifkin that a system outside of the courts ought to be developed to resolve automobile negligence cases, longshoremen's suits and medical malpractice actions.

Other contributors to the Conference also deal with significant issues. Dean Erwin N. Griswold calls for Congress to double the number of District Court judges and to augment the number of Court of Appeals judges by 50%. He would also increase the number of circuits to 20 or 22. Supporting Dean Griswold, other speakers noted that the financial investment that the United States makes in its judicial system is miserly. Germany, for instance, has almost three times more judges per capita than the state of California. Germany invests twice as much in its judicial system on a per capita basis as does the United States.

In addition to a greater investment in the judiciary, the system itself should be slimmed down. Professor Earl Johnson, Jr. of the University of Southern California Law School compares the New Zealand system of compensation for injury with ours. In that country all accident-related injuries, whether auto or industrial, are compensated through state administrative boards. The burden of compensating injury falls on all taxpayers as the price of living in a highly industrialized society.

Professor Frank Sanders of Harvard would restructure the judicial system so that only those matters best suited to courtroom litigation would be tried. Alternatives to litigation are arbitration, mediation, the ombudsman's process and negotiation. When a person files a suit, a judicial officer would refer the matter to the process which would resolve it most effectively.

Yale Professor Robert H. Bork, former Solicitor General of the United States, assumes that the overload in the federal system is of crisis magnitude. In the period between 1940 and 1960, the caseload of the federal courts increased about 77%. In the period from 1960 to 1975, it rose again approximately 106%. The proliferation is the result of statutes and regulations implementing social policy. He cautions that we "are steadily transforming ourselves into a highly-regulated welfare state." He is concerned that this overload will convert the judicial system into a bureaucracy with assembly line processing. The prized virtues of the judiciary will not be sustained: "Scholarship, a generalist view of the law, wisdom, mature and dispassionate reflection and—especially important for the perceived legitimacy of judicial authority—careful and reasoned explanation of . . . decisions." The overload creates an environment in which oral argument is not given full reign and judges write fewer opinions. As a consequence, judges

will not explain how they came to their conclusions, and how they support those conclusions by a discussion of the law. Judges will not be constrained by legal precedent, and litigants will not be guided by judicial reasoning.

An imperative to any comprehensive reform is to make the Supreme Court's workload more selective. Bork supports abolition of mandatory appeals and abolition of diversity jurisdiction. Fairness no longer requires the federal system to intervene where the parties are from different states. Modern communication has bound the nation together, attenuating regional feelings. Furthermore, the federal courts are less well-equipped than state courts to deal in diversity matters because they have less expertise in the application of state law.

His most controversial contribution is the wholesale removal from the federal courts of cases relating to the welfare state; matters arising from social security and social welfare laws, federal environmental acts, prisoners' suits, consumer safety acts, truth-in-lending laws, among others, would be barred from federal courts. Many of these cases would not be handled by any court, but informally before an administrative tribunal. Excising this class of cases would remove sufficient work from Article III courts so as to make their load manageable. Bork does not make a convincing argument as to why he would remove this class of cases rather than others such as antitrust matters.

The discussion dealing with criminal law reform is less innovative but equally urgent. Justice Walter V. Schaefer of the Supreme Court of Illinois urges reasonable finality to criminal appeals. He notes, "One of the major causes of dissatisfaction with the administration of criminal law today is that a criminal case seems never to end. Always there is another tack, either in the state court or in the federal court. I think all of us would agree that collateral attacks should be permitted when there is a genuine doubt as to the guilt of the defendant. The problem, however, is that most attacks today do not involve any issues with respect to the guilt or innocence of the defendant." Convictions should be subject to collateral attack only when the prisoner supplements his constitutional plea with a colorable claim of innocence.* This predicate would discourage attorneys from raising every conceivable objection.

Justice Schaefer is critical of the exclusionary rule as a means of controlling police misconduct. He endorses direct internal discipline as more effective to deter improper police conduct than the more remote exclusion of evidence in criminal trials.

The arguments for and against plea bargaining are made by many contributors. Whether it is necessary for the criminal justice system to operate, or whether it is unfortunate because it compromises the judicial process, is not conclusively resolved.

Judge Alvin B. Rubin, a United States District Judge for the Eastern District of Louisiana, finds reform of "voir dire" essential. The defendant under the present system seeks a jury that will be "unfair" in his favor. The United States could profit from the British system of selecting the first twelve jurors. He implores us to examine delay on appeal, reviewability of sentencing, the inequities in post-trial procedures, and the quality of our correctional institutions.

The value of the volume is as a treasure house of ideas. Its weakness is that it is not the result of carefully collected data and research. It behooves the community of lawyers, scholars and researchers to consider the suggested reforms and begin the process of scientifically studying them with a view to improving justice for all.

*H. Friendly, "Is Innocence Relevant? Collateral Attack on Criminal Judgments," 38 U. Chi. L. Rev. 142 (1970).

Upon Elevation to Senior Status in the Third Circuit

by *The Honorable Max Rosenn, '32*



When I was an undergraduate, the great British poets of the 19th century fascinated me. Although he may not have been as lyrical or artistic as Shelley and Keats, I enjoyed Robert Browning most. I found him more exciting and challenging. "Rabbi Ben Ezra" was one of his more provocative pieces. Many of you must remember the first stanza.

*Grow old along with me!
The best is yet to be
The last of life, for which the first
was made:
Our times are in his hand
Who saith, "A whole I planned.
Youth shows but half; trust God;
See all, be not afraid!"*

As a youth of 17 or 18, I may have been uncertain as to what Browning was saying. I know now what he had in mind—Senior Status in the Third Circuit.

Despite my feeble effort to interject a note of levity, I am deeply moved by this evening's festivities. I know that at this particular time it is an effort for my colleagues to cast aside even for an evening the heavy burdens of office. I shall always cherish the years I have spent in judicial service with them, despite an occasional misguided dissent and a heavy handed concurrence. I am also enriched because my tour of duty aboard this court was spanned by the sturdy and skillful leadership of two very unique and distinguished judges—the late, gentle Bill Hastie and our present, inimitable Collins Seitz.

I am, of course, also elated to have each and every one of you here this evening—judicial spouses, other friends, and family. With hardly an exception, all of you have at some time either encouraged, inspired, or supported me. Many of you were here when I took my oath of office. You, too, deserve to share in the joy and significance of this occasion. I wish time permitted me to refer to each of you by name, but discretion is the better part of desire. Besides, I know that the Third Circuit may be long on written opinions, but it is short on oral argument—even from an aging, fellow judge.

And yet, I hope I am forgiven if I do mention several people by name. Bob Trescher and Marvin Comisky add a special note here this evening because they too participated in the ceremonies when Judge [Arlin M.] Adams administered the oath of office to me. Bob, in his capacity as a member of the Standing Committee of the American Bar Association on the Federal Judiciary, played a critical role. As the Third Circuit member of that Committee, he carried the burdens of investigation preceding my appointment and the enormous risks of endorsement. Marvin Comisky, in his capacity then as President of the Pennsylvania Bar

Editor's Note: To mark his assumption of senior status in the United States Court of Appeals for The Third Circuit, Judge Max Rosenn, '32, was honored by his friends and colleagues on the Court at a dinner in May, 1981.

What follows are Judge Rosenn's remarks delivered at this milestone in his judicial career.

Association, also added a bright glow to those ceremonies with his approving remarks in behalf of the Pennsylvania Bar.

I leave this Court as an active judge spiritually and mentally enriched by my association with it. I practiced at the bar for almost 40 years before I ascended the bench. I appeared in this Court as an advocate from time to time and more frequently in the appellate courts of Pennsylvania. Yet, never have I as an active, practicing lawyer had any real appreciation or understanding of the extraordinary dedication and devotion to justice as is demonstrated by American appellate judges in general, and the judges of this court in particular. As an inactive judge, I believe that I now can speak with a certain amount of objectivity. Regardless of the high or low estate of the parties or the complexities of the issues, there is a passion for justice and a search for truth that brooks no restraint. Never have I witnessed any one of my colleagues shirk responsibility or work. On the contrary, almost tenderly, each has often sought to lighten the load of the other.

When the judicial process and the individual judges who administer it give to the legal and social problems of a *Pennhurst* the many, many hundreds of hours of prodigious research, study, and deliberation that have been devoted to it by my colleagues, the citizens of the land can indeed have confidence and pride in their courts. When an indigent Marjorie Lehman can gain the serious attention of this court over many months on a matter of jurisdictional policy in behalf of her three illegitimate children, and command four separate opinions from this Court, the bar and the public should know that the judges perform their tasks carefully, conscientiously, and with fidelity to their oath of office.

At times, my colleagues may disagree but that disagreement is never personal. In fact, restrained disagreement not only enlivens the process and sharpens the issues, but often adds genuine substance

to the judicial process. My old American History professor, Allen Nevins, used to say that only from the conflict of ideas comes crystallization of thought. And that aphorism is true not only in academia but also in the judiciary.

As must be evident to everyone here, I believe we have a great court and it justifiably has a fine reputation. The judges, whose hearts are lit up with fire from the skies, toil unselfishly from early morn until the long hours of the night, often seven days a week. They are inspired in their pursuit of justice and righteousness with almost a religious fervor. I sometimes think that they were all meant to be clergy—and in their judicial work they express a religious passion that would be equally at home in the church or synagogue. They search with inexhaustible patience to protect the innocent of their rights and to relieve the oppressed. They do not favor the person of the mighty; they are not partial to the poor. With awesome purposes and dedication, they look to the law and their conscience, truly consecrating their lives in the divine pursuit of justice. Just a few days ago, Justice John Stevens reminded his colleagues on the Supreme Court that they should accord to the dedicated circuit judges “the deference that their work merits.”

But despite the competence, faithfulness, and integrity of the judges, this is not to say that the judiciary does not have problems. Each judge can bear witness to that statement, and especially the Chief Judge who carries responsibility for the administrative burdens of the court. Even as this Court meets this week to consider cases *en banc* and in its role as a judicial council, there are persons in powerful places who would do their utmost to disable or devalue the judiciary. I am not certain that they understand clearly their own motivations. It may be a concerted effort to elevate the executive or legislative branches of government at the expense of the judicial. It may be an expression of resentment generated by forced judicial incursions into policy areas formerly considered taboo by the courts, such as segregation and reapportionment. Even if the courts unilaterally attempted to withdraw from “this expanding interventionism,” an article in the current issue of the “Judicature Journal” observes that “[t]he structure of contemporary government, the character of modern politics, and the dynamics of American society make it virtually impossible for the courts to retreat from this prominent new policymaking role.” It may well be that the bottom line expressed by the hostility toward the judiciary is a strong resentment to its independence.

The press carries almost daily reports of efforts to destroy the independence of the judiciary and restrict their jurisdiction.

The evil impact of a weakened or diffused judicial system is not so much on the judiciary as it is on the bar and the litigant. The source of the attack on the judicial system today differs from those in bygone days. Beginning with Jefferson’s attack on the judiciary to Franklin Roosevelt’s court packing plan, attacks on the alleged excesses of judicial prerogatives came from liberals; today, the measures designed to curb judicial responsibilities emanate from the radical conservatives.

The *National Law Journal* recently reported that a plethora of bills has been introduced into the Congress in an attempt to strip federal courts of their authority to decide cases in areas such as abortion, school desegregation, school prayer, and males-only draft registration. Twenty-two of these bills would enable effective constitutional change by a mere majority vote of each house and the President’s signature. Once the nation starts down that dangerous declivity there is no telling where it may find bottom.

Tom Wicker recently described this court-stripping fever, not as conservatism “but a radical departure from the constitutional and legislative precedents of 200 years.” He reports the effort to strip power from one of the equal branches of the federal government and to transfer it to the Congress as no idle threat but a plan that is deadly serious. If successful, it would reflect “an unconservative triumph of temporary political attitudes over established procedures—including that of amending the Constitution.”

In addition to the external threats to the federal judicial system, and the domino effects such threats may have on the state judicial systems, there may be in the not too distant future some internal dangers as well. The first century of this nation’s history is commonly referred to as the agricultural period. The advent of the industrial revolution left its imprint on the last century. But the startling development during this past decade that most of our goods are now made abroad is notice to us that our great industrial era is at an end. There are signs now that we are about to commence, in our third century, the computer era with all possible electronic fury which will find us turning to the production, development, and application of computers as the dominant industry of the nation. This Court has been among the first—if not *the* first—to demonstrate innovativeness in the use of technology and what we have done has been worthwhile. The use of computers together with social science data has already been demonstrated effectively by the defense in several important trials in this country. Social science data was fed into the computer, we are advised, in the Mitchell-Stans cases and several other weighty cases to assist in the selection of

jurors. The frequency of acquittals in those cases reveal the effectiveness of the technique, although not necessarily the accuracy of the verdicts. Our concern now as a court must be that we do not become so engrossed in the technology for expediting the work of the court that judicial thought and reasoning fall victim to the technology.

It would be a tragedy indeed if the soul, the spirit, and the passion of the law as revealed by the judges should in some fashion succumb to the cold, inanimate computer juggernaut. I agree with Judge Markey’s admonition to the Sixth Circuit that “the judicial process cannot become a mechanical, technical, value-free process and remain judicial.” (79 FRD at 212.)

I am fearful that I may have taken advantage of you this evening with my extended remarks. Please forgive me. This has been a beautiful evening. The kindness which you, Judge Seitz, Judge Adams, and the rest of the court have shown me—not only on this occasion, but through the years—leads me to believe that the long and strident struggle has not been in vain.

When Oliver Wendell Holmes addressed the Harvard alumni on the fiftieth anniversary of his graduation, he expressed a thought that bears repetition tonight:

Life is a roar of bargain and battle, but in the very heart of it there rises a spiritual tone that gives meaning to the whole. It transmutes the dull details into romance. It reminds us that our only but wholly adequate significance is a part of the unimaginable whole. It suggests that even while we think that we are egotists we are living to ends outside ourselves.

And so on this note, I leave active status with a great respect for the court as an institution. In similar vein, I take leave of the judges who compose it with the highest admiration and affection. God bless you all.

In Retrospect: 1943–1981

by Paul Gay, Associate Librarian, Biddle Law Library

Editor's Note: After nearly 40 years of service to the Biddle Law Library, Associate Librarian Paul Gay, retired in June, 1981.

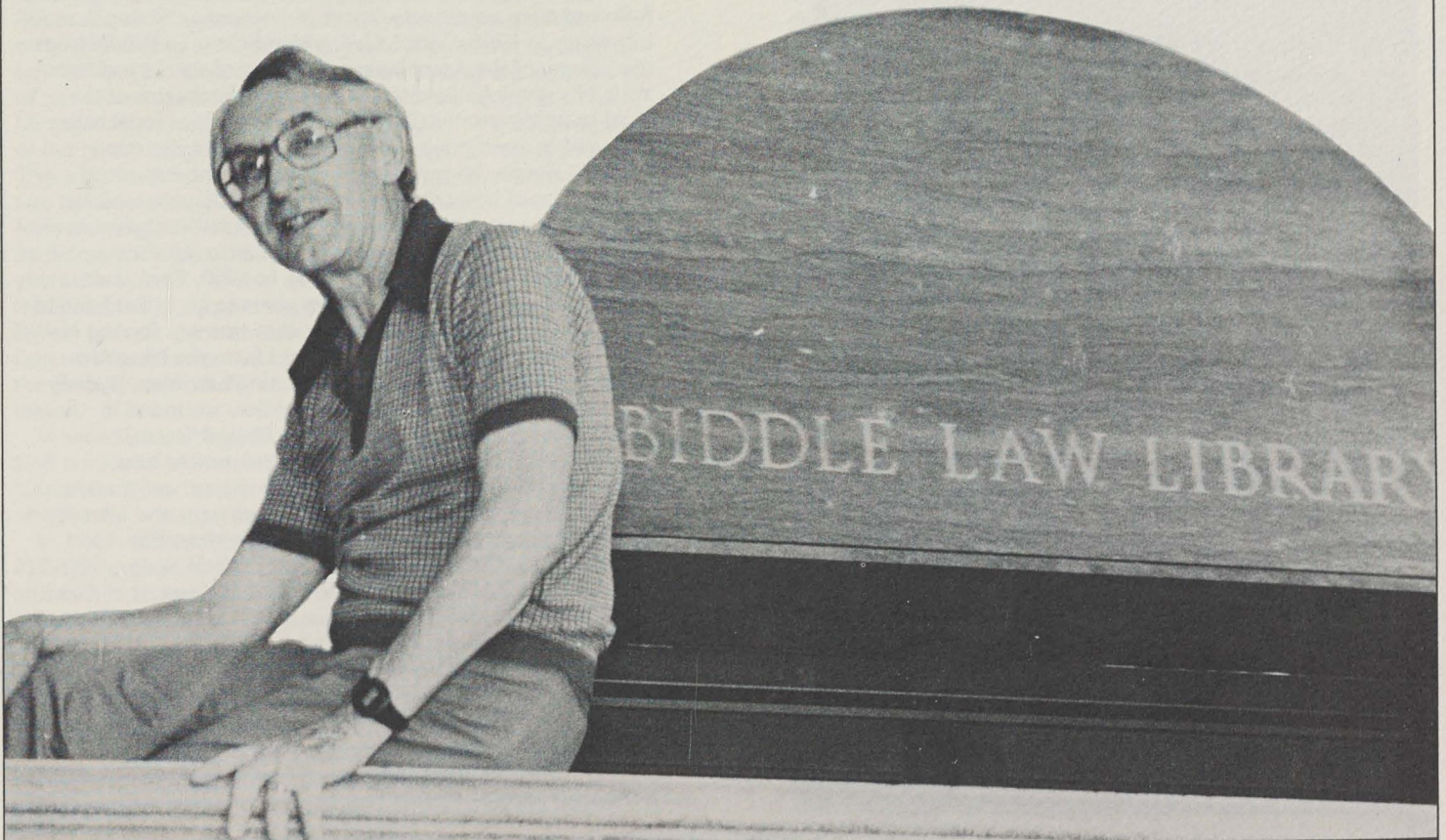
This article chronicles Mr. Gay's life and times here at the School from his arrival in 1943 to the present. It is also a valuable and insightful personal history of what has become the present University of Pennsylvania Law School and Biddle Law Library.

July 1943. Thirty-eight years have passed since I joined the staff of the Biddle Law Library as a cataloguer. The campus environment was then quite different than it appears today. There were no high-rises. Chestnut and Walnut Streets east of 38th Street as well as 34th Street north of Walnut were still lined with private houses—formerly handsome residences but by then beginning to show their age and many of them letting out rooms to Drexel and Pennsylvania students. The campus was still bisected by Woodland Avenue with the old trolley cars lumbering their way toward West Philadelphia. Hill Hall, the Fine Arts building, the Van Pelt-Dietrich complex, the Faculty Club, Dietrich Hall and many other structures had not yet reached the architect's drawing board. Among the landmarks which have now disappeared were the Horn and Hardart restaurant at the corner of Walnut and 34th Streets—a gathering place for faculty, staff and students—the Normandie Hotel at Chestnut and 36th on the site now occupied by the Holiday Inn, and the William H. Allen bookstore on Woodland Avenue east of 34th Street presided over by the genial Anna Allen—a meeting place for people with

scholarly interests. The physical division between Drexel and Pennsylvania was then much clearer than it is now. In the early forties, the University of Pennsylvania was still a comparatively small school with perhaps 6,000 students and a budget of about 25–30 million dollars.

In 1943 we were engaged in World War II, the most destructive war that humankind, in its obtuseness, had brought about up to that time. As a result, educational institutions of higher learning became almost depleted of students, faculties, staff and funds, but somehow the "civilizing" process limped along.

The Law School, along with other departments of the University, became a partial victim of the war effort. From that time until 1963 all activities of the School were housed in the Georgian-style building erected in 1900. When dedicated, the building was considered one of the most beautiful and useful law school plants in the country. In 1940, when Herbert F. Goodrich resigned the deanship to accept appointment to the United States Court of Appeals for the Third Circuit, the responsibility of seeing the Law School through the years of World War II fell on the



shoulders of Edwin R. Keedy. Enrollment fell sharply from 338 students in 1940–41 to 44 by the spring term of 1943. The School went into year-round operation so that the course of study could be completed in two calendar years. I came to the Law School in 1943 and spent most of my time for the next two years checking footnote citations for the Law Review as the editorial staff had become practically non-existent. Under the direction of the then Biddle Law Librarian, Layton Register, this editorial apprenticeship served me a practical introduction to legal materials and methods of legal research. The end of World War II brought an influx of veterans to the Law School, and the postwar years have been marked by a substantial broadening of curricular offerings and the intensification of the educational process, with an expansion of the Faculty, and through an institutional commitment to greatly increased research activity on the part of both the faculty and the students. These new trends in legal education at Pennsylvania have been vigorously promoted and supported by the post-war deans of the Law School: Earl G. Harrison, 1945–48; former Supreme Court Justice Owen J. Roberts, 1948–51; Paul W. Bruton, Acting Dean, 1951–52; Jefferson B. Fordham, 1952–70; Bernard Wolfman, 1970–74; Louis H. Pollak 1974–78; Covey Oliver, Acting Dean, 1978 and, our present Dean, James O. Freedman, who was appointed in 1979.

At this point in my retrospective, a brief history of the Biddle Law Library with which I have been associated for so long, might not be amiss.



The Law School Library was founded in 1896 with a gift of over 5,000 volumes given to the School by the family of George W. Biddle, a distinguished Philadelphia lawyer, as a memorial to his three sons. These volumes had been purchased from Benjamin H. Brewster, a former Attorney General of the United States, and the library was then named "The George Biddle Memorial Library" becoming, in 1894, the "George and A. Sydney Biddle Memorial Library." The A. Sydney part of the title was in memory of Algernon Sydney Biddle who had been an esteemed member of the Law Faculty from 1887 until his death in 1891. About this time, Effingham B. Morris deposited with the Library 965 volumes which had been bequeathed to the School by law Professor P. Pemberton Morris. In 1897, Mrs. Arthur Biddle, widow of one of George W. Biddle's sons, presented her deceased husband's library—about 4,000 volumes—to the Library. Shortly before the removal of the Library to the new Law School Building, the name was changed by the

Trustees of the University, with the approval of the family, to the "Biddle Law Library." In 1906, about 1,800 volumes were received from the estate of Richard C. McMurtrie, former Chancellor of the Law Association of Philadelphia. This gift included many items of great rarity. By 1900, when the Library moved into its present quarters, it consisted of about 22,000 volumes and, by 1925, was believed to be the second largest law school library with almost 70,000 volumes. In 1938–39 the collections counted about 101,000 volumes and, in 1980, about 317,000 volumes. The first librarian of the organized library was S. Stanger Izard who occupied the position from 1886 to 1896 to be succeeded for a brief period, 1896–97, by Edmund Jones. He, in turn, was followed by Margaret Center Klingelsmith, herself a graduate of the Law School and a legal scholar. Her translation of Nicholas Statham's *Abridgment of the Law* was published in two volumes in 1915. This work, a collection of early English cases, was printed in Rouen in about 1490 and is thought to be the first printed English law book. Biddle owns one of the few known extant copies. During Mrs. Klingelsmith's more than thirty year tenure, 1897 to 1931, the collections increased not only in size but also in subject and geographical coverage. The foundations of the Library's rare book collection were laid during those years. She made trips to Europe for the specific purpose of acquisitions and, in 1910, she purchased about 800 English and continental titles of the sixteenth, seventeenth and eighteenth centuries for a total investment of \$1,555.44. Mrs. Klingelsmith was succeeded in 1931 by Layton B. Register, a 1908 graduate of this School. After practicing law for a few years, 1909–12, he spent two years on a Law School traveling fellowship studying the legal systems of France, Spain and South America. Upon his return to Philadelphia, he joined the firm of Henry, Pepper, Bodine and Stokes where he remained until 1924 when he came to the Law School as Assistant Professor and, in 1931, as Biddle Law Librarian. Under his regime, the collections of foreign law materials were greatly increased due to his special interest in the civil law of Western Europe. Layton Register resigned in 1945 and was followed after a short interim when I served as Acting Librarian. In 1946, Carroll C. Moreland came to Biddle from the Library of the Association of the Bar of the City of New York. His special interest in the everyday problems of the legal practitioner stimulated the acquisitions of legal titles intended to strengthen the collections in that direction. While at Biddle, he served as President of the American Association of Law Libraries in the 1955–56 year, and he authored, among other books, *Research in Pennsylvania Law* (1953 with Erwin Surrency) and *Justice Under Law: The American Legal System* (1957). In 1959, Carroll was granted a leave of absence for two years to go to Pakistan to organize governmental libraries in that country. During his leave, Sydney B. Hill, who had retired from the New York Bar Association Library served as Acting Librarian. Sydney Hill was one of the first American soldiers wounded in World War I and, on his return to the United States, he traveled around the country for the government as a promoter of U.S. war bonds. Carroll Moreland resigned in 1952 to return to the Far East for another year and later to assume the duties of Librarian of the American Bar Foundation in Chicago. With the departure of Sydney Hill and the resignation of Carroll Moreland, the author of these notes served a second time as Acting Librarian, for the year 1962–63, until the arrival of Morris L. Cohen as Professor of Law and Biddle Law Librarian in the summer of 1963. The incumbent came to Biddle from the Law School of the State University of New York at Buffalo where he had been Associate Professor and Librarian. He left us in 1971 to become Librarian and Professor of Law at Harvard Law School. During his stay at Biddle, Morris served as President

of the American Association of Law Libraries, 1970–71, and authored *Legal Research in a Nutshell* (1971). His vision, energies and enthusiasm were most helpful in the planning for the renovation of the Library which took place during his tenure. Richard Sloane, the present Biddle Law Librarian and Professor of Law, came to us from the prestigious New York law firm of Cravath, Swaine and Moore in 1971, and brought with him the drive and energy one usually associates with the active practice of law in a large metropolitan city. He, too, like his predecessors, is productive in legal research writing—*Recommended Law Books* (1969), *How to Find the Law* (with M. L. Cohen, 1976)—and has contributed to numerous legal journals. During the Moreland/Cohen/Sloan tenures, the Library almost tripled in size, from about 112,000 in 1946 to over 317,000 today. I am most grateful to Carroll Moreland, Morris Cohen and Richard Sloane for having made it possible for me to participate in the activities of the Special Libraries Association and the American Association of Law Libraries.

During its very early period, the Library was housed in center city Philadelphia where the Law School was then located—at first from 1887–95, in the Girard Building and then, from 1895–1900, in the Old Court House south of Congress Hall on Sixth Street. In 1900, it moved with the Law School to its present home. As the Library grew in size and the School Faculty and curriculum were greatly enlarged, it became clear by the late nineteen fifties that larger quarters were needed—the original building was bursting at the seams. The first step in physical renovation was completed in January, 1963, with the dedication of the “U” shaped addition on the west side of the existing building. This new addition contains classrooms, and administrative and faculty offices, thus freeing much needed space in the old building for library and office expansion. Some of this freed space, a former large classroom, was “appropriated” by the Library through my recommendation to house a collection of basic duplicate materials for the specific use of the Law Review editors, thus relieving pressure on the limited seating facilities on the floors above. The next step was the rehabilitation of the original building. In 1967, after years of planning through a Law School building committee, the building was emptied of its contents and much of its entrails were removed. The Library was moved to temporary quarters in the basement of the newly completed Dietrich Building on Walnut Street. There it remained until January 1969 when the renovation was completed and we were able to move back. As originally planned, in 1964–67, it was expected that ample facilities would be available for the next fifteen to twenty years. Now, barely twelve years later, the time has come to think seriously of future needs. The present quarters of Biddle include the entire second floor and four additional floors of stacks over the core of the building. In addition, the Faculty and Law Review Libraries are separately maintained.

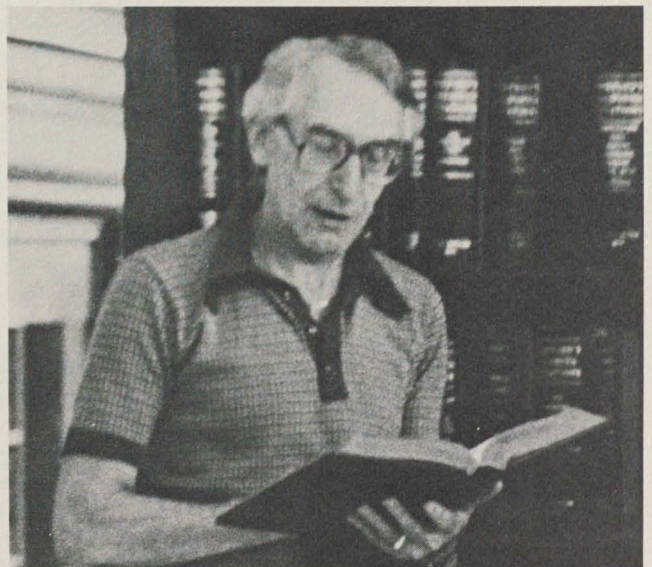
When I first came to Biddle, in 1943 as a cataloguer, the staff consisted of four full-time persons, including the Librarian. There is now a staff of twenty-three full-time employees—nine professional and fourteen supporting.

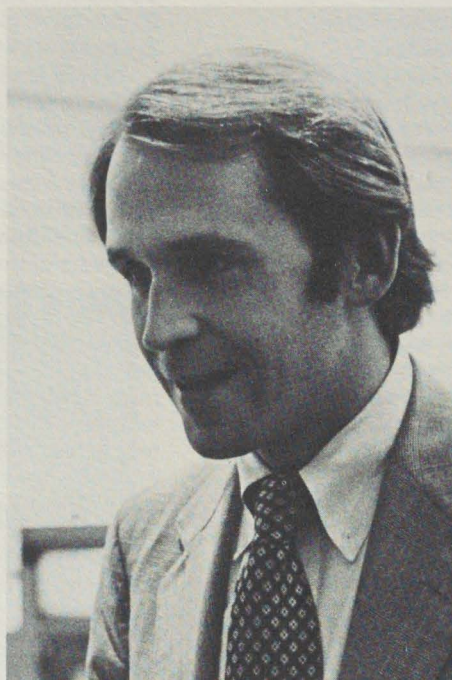
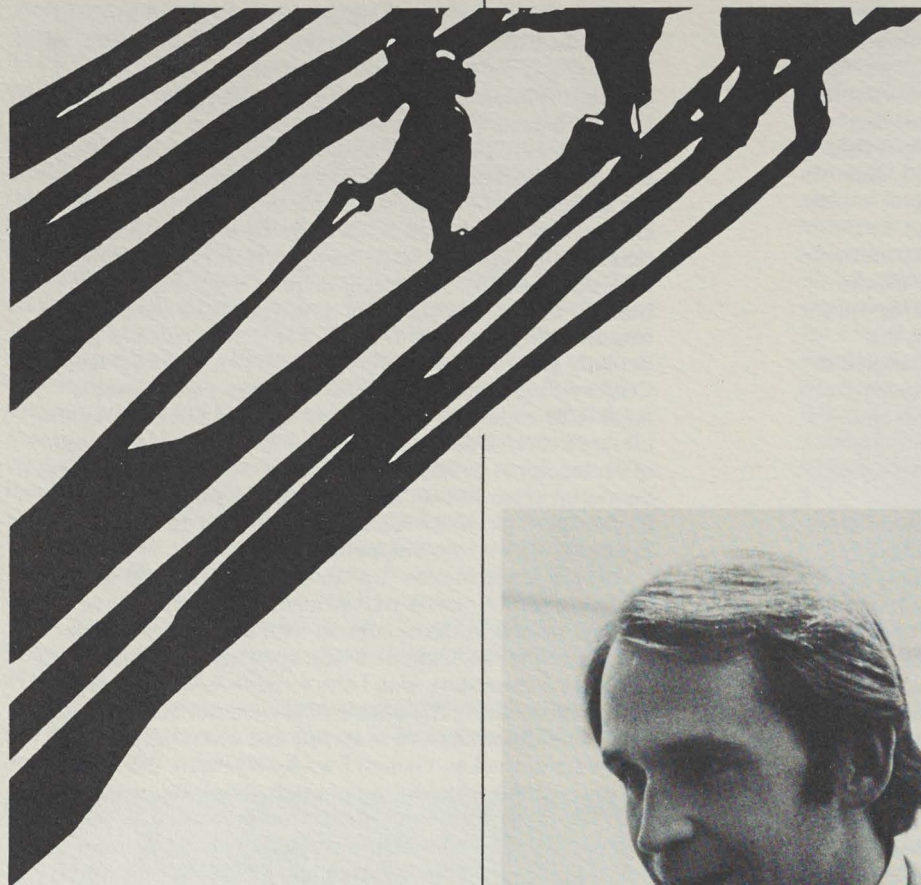
In 1944–45, the Library budget amounted to a total of \$17,618 including \$12,080 for salaries and \$5,538 for books and miscellaneous expenditures. Of course, one must remember that these war years and the activities of the Law School were greatly curtailed. The 1980–81 budgeted figures, including income from special funds, amount to over \$690,000.

Now a word about the collections. The Library is strong in Anglo-American materials—statutes, court decisions, treatises, government documents. It maintains special collections in the field of air and space law and environmental

law. As a member of the U.S. depository system for legal materials, Biddle receives selected federal documents. International and foreign materials have always been given special attention. During the Margaret Klingelsmith and Layton Register regimes, the basic works on the civil law countries were purchased and, during the past ten years, the foreign law collections have been greatly strengthened by the acquisition of works dealing with the law of Eastern Europe and Asiatic countries. With the expansion of the curriculum and research activities after World War II, purchases were and are still being made in fields related to law. Biddle's rare book collection, of which I have curatorial responsibility, consists of about 5,000 volumes and is particularly strong in Sixteenth, Seventeenth, and Eighteenth Century English titles. In 1931, the Library purchased a large folio collection of books on Canon Law. Many of the Library's rare books were obtained through the generosity of Philadelphia collectors and a large number of them can be traced to the former ownership of prominent Philadelphia families—Cadwalader, Biddle, Binney, Burd, Ingersoll, McMurtrie, Shippen, etc.

As I gradually moved “up” to the administrative level, looking after the day-to-day activities and problems of the Library, I came in closer contact with the administrative officers of the Law School. It has been my good fortune to have had a rewarding and, I like to believe, a compatible relationship during my tenure of service not only with the deans and librarians I have served, but with many other members of the Law School Faculty and staff. During the planning of the addition to the original building and the 1967–68 renovation, Vice-Dean Theodore (Ted) Husted was a most delightful person to work with. Among his successors, James (Jim) Strazzella and Phyllis Beck have been most willing to listen and to assist in solving library problems as have Assistant Dean Robert Maguire and Assistant to the Dean, Rae DiBlasi. I treasure my long friendships with the senior members of the Faculty-emeriti as well as those still active—Paul Bruton, Alexander Frey, Clarence Morris, John Honnold, George Haskins, Louis Schwartz, Paul Bender, Howard Lesnick, and Edward Sparer, among others. I shall also treasure the understanding and friendship of my immediate chiefs, Carroll Moreland, Morris Cohen and Richard Sloane and of my long time friend and colleague, Nancy Arnold. Having served in various capacities on University committees, it has been my privilege to come to know and appreciate the friendship of the Faculty members, the administrators and the staff of the various departments of the University.





Assistant Professor **Stephen B. Burbank** has been appointed to the Advisory Board of the Institute of Contemporary Art and has been elected to the Advisory Board of Outward Bound, Inc. He and Daniel Segal, a Lecturer at the Law School, are co-reporters of rules, implementing the Judicial Councils Reform and Judicial Conduct and Disability Act of 1980, with respect to allegations regarding conduct or disability filed against federal judges and magistrates in the Third Circuit. In May, Mr. Burbank addressed Alumni of the James Wilson Law Club on the subject of televising criminal trials.

Director of Placement, **Helena Clark**, received a Certificate of Appreciation on the occasion of the 10th Anniversary of the National Association of Law Placement for her role in founding the Association and for her service as President of N.A.L.P. in 1974-1975. The Association was founded at the University of Pennsylvania Law School in 1971.

Dean **James O. Freedman**, during the month of March, addressed the Young Lawyers Section of the Philadelphia Bar Association on "Legal Education in the Year 2000," and the Antitrust and International Law Sections of the Atlanta, Georgia Bar Association on "Law and Economics in a Law School Curriculum." While in Atlanta, Dean Freedman was the guest speaker at the annual meeting of the Atlanta Chapter of the University of Pennsylvania Alumni Association.

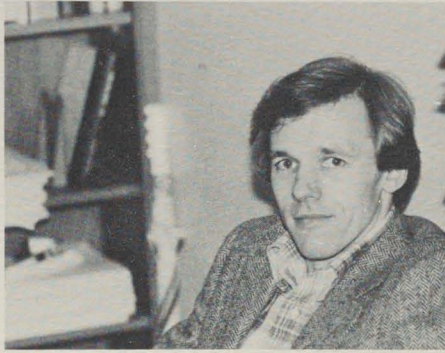
In April, Dean Freedman delivered a paper entitled "Political Accountability and the American Administrative Process" at the annual meeting of the Administrative Law Group of the Society of Teachers of Public Law held in Birmingham, England.

In May, the Dean was the moderator at the International Symposium on Inflation and the Law in Israel. Five professors from the University of Pennsylvania Law School delivered papers at that Conference.

Dean Freedman is presently serving as Chairman of the Pennsylvania Legislative Reapportionment Commission that will realign the State's 253 districts in the light of new data produced by the 1980 U.S. Census. In addition, he continues to serve as a member of the Philadelphia Board of Ethics, reactivated in December, 1980, by Mayor William Green.



Professor **George L. Haskins** gave the Annual Lecture of the Supreme Court Historical Society on May 18 in Washington, D.C. Delivered in the restored court chamber in the U.S. Capitol Building, the address was titled "Law Versus Politics in the Early Years of the Marshall Court." It dealt with the two-fold perils faced by John Marshall upon his appointment as Chief Justice in 1801 of "whether the Supreme Court would languish in benign obscurity or go down under the lash of the active contempt felt by the newly-elected Jeffersonian Republicans in Congress." Chief Justice Warren E. Burger of the United States Supreme Court was among those attending the Lecture.



Associate Professor **Henry Hansmann's** article "Reforming Nonprofit Corporation Law" appeared in the January, 1981 issue of the *University of Pennsylvania Law Review*. During the month of March, 1981, Mr. Hansmann presented the paper, "The Rationale for Exempting Nonprofit Organizations from Corporate Income Taxation," at seminars at the law schools at Stanford University, the University of Southern California, and at the University of California at Berkeley. During the same month, he also presented a paper on "Nonprofit Enterprise in the Performing Arts" at an economics faculty workshop at the University of California at Santa Cruz.

In May, Professor Hansmann was a visiting scholar at the Center for Socio-Legal Studies at Wolfson College, Oxford University, England. He attended the Conference on Inflation and the Law in Israel with several of his colleagues from this Law School, where he presented a paper on "Worker Management of Enterprise in an Inflationary World."



Professor **Jan Z. Krasnowiecki** was the recipient of this year's Harvey Levin Memorial Award for Teaching Excellence, presented to him by the graduating Class of 1981.

He recently addressed the Wisconsin State Bar Association at its spring meeting in Milwaukee on the subject of "The Impact of the Bankruptcy Code on Real Estate Development and Financing." Professor Krasnowiecki gave a series of lectures on "Zoning Litigation Pitfalls and Picking the Remedy" as part of the Land Use Law and Litigation Seminar sponsored in April and May by the Pennsylvania Bar Institute.

Associate Professor of Psychiatry and Law, **Dr. Richard G. Lonsdorf**, spoke to the Crisis Intervention Association in April on "Involuntary Commitment of the Mentally Ill: The Lawyer's Dilemma." In June, he delivered an address, "The Right to Treatment and The Right to Refuse Treatment" to the American Hospital Association.

Professor **Robert H. Mundheim** has become a consultant to the firm Fried, Frank, Harris, Shriver & Jacobson, with offices in New York City and Washington, D.C.



Professor **Curtis R. Reitz** attended a week-long meeting of contracts teachers organized by the American Association of Law Schools, where he served on the planning committee of the group. He has been appointed, along with Judith N. Renzulli, '80, as *amicus curiae*, in *United States v. Criden, Philadelphia Newspapers, Inc.* appellant (the ABSCAM case).

Professor **Stephen Schulhofer** testified on sentencing reform before the Subcommittee on Criminal Justice of the United States House Judiciary Committee. His article on police interrogation, "Confessions and the Court," was published in the March, 1981, issue of the *Michigan Law Review*. In December, 1981, Professor Schulhofer will participate in a conference on European legal integration at the European University Institute in Florence, Italy. He will present a paper on the role of human rights guarantees in promoting legal integration in a federal system.

Professor **Louis B. Schwartz** spoke at the University of Pennsylvania Law Alumni Society Forum on "ABSCAM and Other Aspects of Prosecuting Public Officials" in February. In April, he presented a paper and conducted a seminar on "Government Regulation of Technology: Implications for Industrial Organization" to a group of corporate executives, as part of a series on Technological Change, sponsored by the Liberal Studies Program of the University of Pennsylvania Graduate School of Education. Mr. Schwartz was a panel discussant on "AT&T: Divestiture or Separate Subsidiaries," at the Ninth Annual Telecommunications Policy Research Conference at Annapolis, Maryland, held April 27-28. His article, "Options in Constructing a Sentencing System: Guidelines Under Legislative or Judicial Hegemony," was published in 67 *University of Virginia Law Review* 637 (May, 1981). Mr. Schwartz presented a paper on "Inflation and Utility Rate Regulation," as a participant with four Law School Colleagues at the International Conference on Inflation and the Law in Israel in May.

Professor Schwartz addressed the University of Pennsylvania Law Alumni of Northern California in San Francisco. He also represented the Law School at a cocktail party given in honor of New Jersey Alumni in conjunction with the New Jersey Bar Association meetings in Atlantic City.

Assistant Professor **Ralph R. Smith**, at the invitation of United States Senator Orrin Hatch (R-Utah), testified at the Senate Judiciary Subcommittee on the Constitution hearings on affirmative action. Professor Smith has been commissioned by the Carnegie Corporation of New York to prepare a report on Attrition and Retention of Minority Students in the nation's law schools.

Professor **Clyde Summers** was the keynote speaker at the American Bar Association's first National Institute sponsored by the Section of Labor and Employment Law. Mr. Summers spoke on "Personal Rights in the Workplace: The Developing Law." He served as a member of the National Research Council Committee to Review the United States Postal Service's Planning for an Electronic Mail Service System. He was one of two law professors on the committee composed of corporate executives and engineers, university professors of business and engineering, and U.S. Postal Service Operations Research Analysts.

Professor Summers delivered the address "Your Legal Rights in Your Union" on June 14 in Minneapolis, Minnesota, at the Regional Conference on Union Democracy sponsored by the Association for Union Democracy, Inc.



'29 **Irvin Stander** of Philadelphia spoke on May 26 at the Spring Series sponsored by the Philadelphia Bar Association Committees on Professional Education. A workers' compensation referee, author and lecturer, Mr. Stander spoke on "The Toxic Tort Litigation Explosion."

Mr. Stander is the author of *Guide to Pennsylvania Workers' Compensation and Workers' Compensation Handbook*.

'31 **Irvin J. Kopf** has moved his offices to 1112 Western Savings Bank Building, Philadelphia.

William H. Vincent has announced the removal of his offices to 1401-05 Lewis Tower Building, Philadelphia.

'33 **John E. Power, Jr.**, has announced the location of his new offices at 1401-05 Lewis Tower Building, Philadelphia.

'34 **Lester Miller** has become associated with the firm of Robert Morris, P.C., 1606 One East Penn Square Building, Philadelphia, 19107.

'36 **Honorable Joseph S. Lord, III**, of the United States District Court for the Eastern District of Pennsylvania, participated in a three-judge panel which heard the semi-final arguments of the Merna B. Marshall Moot Court Competition.

'38 **Honorable Gregory G. Lagakos** of the Philadelphia Court of Common Pleas, has written an article entitled "Equitable Distribution of Marital Property Under the Pennsylvania Divorce Code," which has been published in three parts in *The Legal Intelligencer*, the daily newspaper of the Philadelphia Bar Association. The three-part article, one of the most extensively written on the subject, explores equitable distribution since the enactment of the new Divorce Code on July 1, 1980.

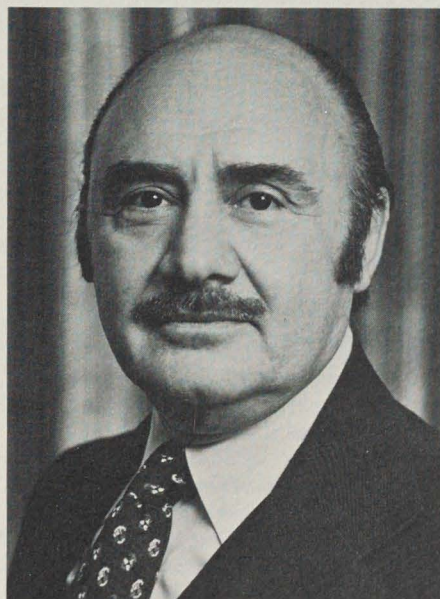
'39 **Robert C. Porter** of Summit, New Jersey, has been re-elected to a second six-year term as a member of the Board of Overseers at Bedoin College. He is Chairman of the Board of Eberstadt Asset Management, Inc., of New York City. Mr. Porter also serves as Chairman of the Board of Chemical Fund, Inc. and of Surveyor Fund, Inc.

Judge Roy Wilkinson, Jr. was installed as a Supreme Court Justice of the Pennsylvania Supreme Court at ceremonies in City Hall, Philadelphia. Justice Wilkinson filled a vacancy created last September by the retirement of former Chief Justice Michael J. Eagen. Judge Wilkinson, nominated for the judgeship by Governor Dick Thornburgh, was selected from a list of nominees submitted to the Governor by the Appellate Court Nominating Commission.

'40 **James L. Jack, Jr.** of Indiana, Pennsylvania, has been named to the Board of Directors of the Savings & Trust Co. of Pennsylvania. He also serves on the Indiana Area Advisory Board of the Bank.

'41 **Herbert J. Johnson, Jr.** of Erie, Pennsylvania, has been elected to a one-year term as treasurer of the Pennsylvania Bar Association. A member of the firm of Evans, Johnson, Scarpitti, Bernard, McCullough & Wittman, he is a former member of the Pennsylvania Bar Association Board of Governors and now serves as a trustee for the Pennsylvania Bar Insurance Fund. He is also a member of the Bar's Legislative Process and the Credentials and Admissions Committees.

Mr. Johnson is also a former Erie County District Attorney, former special agent of the FBI and former Erie County Judge.



Michael C. Rainone of Philadelphia is responsible for the revision of the oath which is now administered to new lawyers admitted to the Pennsylvania Bar. The language of the original oath, which was written almost 150 years ago, was criticized as "archaic." Says Mr. Rainone, a Vice-President of the Lawyers Club of Philadelphia, "A person taking *this* oath will feel *trusted*. The negatives are out of there."

'42 **Walter N. Read**, President of the New Jersey State Bar Association and a member of the Haddonfield firm of Archer, Greiner & Read, received the Distinguished Alumni Award from the Friend's Select School of Philadelphia Alumni Association on May 8.

Mr. Read was also the recipient of the University of Pennsylvania Law Alumni Society's Award of Merit on May 15, at the New Jersey State Bar Association meetings in Atlantic City.

'43 **Bernard M. Borish**, former Chancellor of the Philadelphia Bar Association and President of the University of Pennsylvania Law Alumni Society has been appointed to the Philadelphia Gas Commission by Philadelphia's Mayor William J. Green.

'44 **L. James Huegel** of Pittsburgh, Pennsylvania, has retired as Executive Vice-President of Consolidation Coal Company. Since 1966 he has been responsible for marketing and transporting the Company's production in the United States and throughout the world. Mr. Huegel has opened a consulting office in the 300 Sixth Avenue Building in Pittsburgh. He continues as Chairman of the Board of Trustees of Franklin and Marshall College and as a Director of the Eye and Ear Hospital in Pittsburgh.

'47 **Honorable Arlin M. Adams** of the U.S. Court of Appeals for the Third Circuit, participated in a panel which heard the final arguments in the Merna B. Marshall Moot Court Competition in Philadelphia.

Judge Adams was the recipient of the University of Pennsylvania Law Alumni Society's Distinguished Service Award on Law Alumni Day, April 1, 1981 (See *Featured Events*).

Robert M. Landis of the Philadelphia firm of Dechert, Price & Rhoads was appointed to the Board of Directors of the Federal Reserve Bank of Philadelphia.

Michael Von Moschzisker has been appointed Public Information Officer of the Court of Common Pleas of Philadelphia. In this capacity, he is responsible for all materials distributed to the press and public special ceremonial events and the Judicial Speakers' Bureau.

'49 **Honorable Doris M. Harris** of the Court of Common Pleas of Philadelphia, recently participated in a panel hearing the semi-final arguments of the Merna B. Marshall Moot Court Competition. Judge Harris was the 1981 recipient of the University of Pennsylvania Law School Black Law Students Union Award of Merit at the BLSU Alumni Day held at the University Museum, April 11. (See *Featured Events*).

Honorable Marvin R. Halbert of the Court of Common Pleas of Philadelphia, conducts a weekly interview in the *Pennsylvania Law Journal-Reporter* entitled "In Chambers." Judge Leonard Sugarman, '55, of the Chester County, Pennsylvania Court of Common Pleas, was the subject of his April 6, 1981 interview.

Jay H. Rosenfeld announced the relocation of his offices to Suite 1919, 1700 Market Street, Philadelphia, 19103.

'50 **Paul L. Jaffe** of the Philadelphia firm of Mesirov, Gelman, Jaffe, Cramer & Jamieson, is among the eleven new members elected to the Board of Governors of Dropsie University. A member of the Board of Trustees of the Federation of Jewish Agencies of Greater Philadelphia, the Moss Rehabilitation Hospital and the American Jewish Committee, Mr. Jaffe also serves as Vice President of the Union of American Hebrew Congregations.

'51 **Honorable Harold Berger**, former judge of the Philadelphia Court of Common Pleas, is Co-Chair of the Federal Bar Association's standing National Committee on the Federal and State Judiciary.

Honorable Joseph L. McGlynn, Jr., of the United States District Court for the Eastern District of Pennsylvania, participated in a panel hearing semi-final arguments of the Merna B. Marshall Moot Court Competition.

Honorable Norma L. Shapiro of the United States District Court for the Eastern District of Pennsylvania was a participant in a panel hearing semi-final arguments of the Merna B. Marshall Moot Court Competition.

'52 **Thomas M. Garrity** of Norristown, Pennsylvania, was elected to the Executive Committee of the Pennsylvania Bar Association's Conference of County Bar Officers.

'53 **Vincent J. Apruzzese** of the firm Apruzzese and McDermott, Springfield, New Jersey, was a key participant in the fifth annual "Arbitration Day" program sponsored by the American Arbitration Association on June 12, 1981 at the New York Hilton.

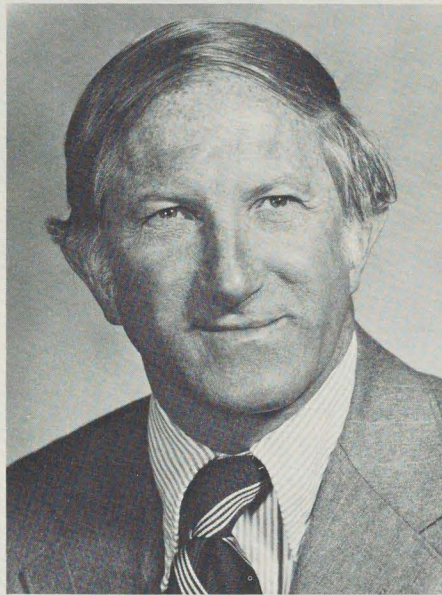
Honorable Edward J. Bradley, President Judge of the Philadelphia Court of Common Pleas, was the keynote speaker at the Tribute to the Irish Patriots on March 17, conducted by The Society of The Friendly Sons of St. Patrick.

John Butterworth of Philadelphia was elected Vice-President of The Hospital Attorneys Association of Southeastern Pennsylvania.

Elizabeth Hill Carson of La Jolla, California, was the moving force in the competition of the La Jolla High School Parker Community Auditorium. Mrs. Carson, who is President of the La Jolla Civic Center Corporation, was one of fifteen San Diegans named a "Woman of Dedication" in February, 1981.

Thomas N. O'Neill, Jr. of the Philadelphia firm Montgomery, McCracken, Walker & Rhoads, has been elected President of the Pennsylvania Bar Association's Conference of the County Bar Officers. Mr. O'Neill is a member of the Pennsylvania Bar Association's Board of Governors, is a former Chancellor of the Philadelphia Bar Association, and is a former President of the University of Pennsylvania Law Alumni Society.

Honorable David N. Savitt, Administrative Judge of the Philadelphia Court of Common Pleas, is a member of the Committee which planned and finalized a comprehensive exchange agreement between the Law Schools of Temple University and Tel Aviv University.



William B. Scatchard, Jr. of Moorestown, New Jersey, was sworn in as President of the Camden County Bar Association on May 26. Mr. Scatchard is a partner in the firm of Capehart and Scatchard, of Camden and Moorestown. He is a member and Past President of the Pennsauken New Jersey Board of Education, currently serves as Chairman of the Clients' Security Fund of the Bar of New Jersey and is Vice President of the New Jersey Chapter of the Federal Bar Association.

'54 **Honorable Berel Caesar** of the Philadelphia Court of Common Pleas, participated at a Conference on mental health treatment and patients' rights sponsored by Hahnemann Medical College and Hospital in March, 1981.

William L. Glosser of Johnstown, Pennsylvania has been appointed to the Securities & Exchange Commission's Advisory Committee on Shareholder Communications.

Pace Reich of Philadelphia, was elected President of the Hospital Attorneys Association of Southeastern Pennsylvania.

Thomas E. Waters, Jr., of Norristown Pennsylvania, is the new President of the Montgomery Bar Association. A partner in the firm of Waters, Gallagher & Trachtman, Mr. Walters is the 50th President of the 1,000-member bar association. Thomas E. Waters, Sr., '26, his father, was President of that Bar Association in 1950.

'55 **Honorable Leonard Sugarman**, of the Chester County, Pennsylvania, Court of Common Pleas was interviewed by Philadelphia Court of Common Pleas Judge, Marvin R. Halbert, '49 in the April 6, 1981 issue of the *Pennsylvania Law Journal-Reporter*.

Joel H. Weinrott has announced the relocation of his offices to Suite 1919, 1700 Market Street, Philadelphia, 19103.

Mervin M. Wilf, of Philadelphia, has relocated his offices to Suite 1100, 1401 Walnut Street.

'56 **Honorable Dolores K. Sloviter** of the U.S. Court of Appeals for the Third Circuit, participated in a panel which heard the final arguments of the Merna B. Marshall Moot Court Competition.

'57 **Alvin S. Ackerman** has merged his practice with the Media, Pennsylvania firm of Fronfield & DeFuria for the general practice of law.

'59 **Charles E. Mather, III**, of Philadelphia, has been elected President and Chairman of the Board of the Pennsylvania Academy of the Fine Arts, the oldest art school and museum in the country. Mr. Mather is the President of Mather and Company, Insurance Brokers and Average Adjusters, Mather LTD., and Mather Limited.

Walter Allen Smith of Narberth, Pennsylvania was honored on May 8, 1981 at the annual Friends Select School Alumni Association banquet. He received the Alumni Service Award for his long-standing and dedicated service to the School.

'60 **Anthony G. Amsterdam**, who has been teaching at the Stanford Law School in Palo Alto, California since 1969, will be teaching at the New York University School of Law. Professor Amsterdam chose the NYU Law Faculty over Columbia, Harvard and Yale—the other schools competing for his services—because of his preference in NYU's clinical studies program, through which students are taught "courtroom and real-life skills, as opposed to traditional book-oriented academic theory."

Mark K. Kessler, of Philadelphia, has combined and relocated his firm which is now Braemer and Kessler, 13th Floor, Two Girard Plaza, Philadelphia, 19102.

Charles F. Quinn, of Glenside, Pennsylvania, was the subject of a newspaper article in the Glenside News, praising his work as a volunteer local organizer for the National Taxpayers Union, a non-partisan group interested in fiscal conservatism.

'61 Former State Senator **Franklin L. Kury** has joined the firm of Tive, Hetrick & Pierce, 240 North Third Street, Harrisburg, Pennsylvania, where he serves as a specialist in government regulation.

'62 **John E. Gillmor** of Philadelphia was elected senior Vice President and General Counsel of INA Health Care Group, Inc.

'63 **Judah I. Labovitz** is a member of the firm of Pomerantz, Levy, Haudek & Block, 295 Madison Avenue, New York, 10017.

'65 **Harvey Bartle, III** of Philadelphia, former Insurance Commissioner and Attorney General of the Commonwealth of Pennsylvania, has returned to the firm of Dechert, Price & Rhoads, 3400 Center Square West, 1500 Market Street, Philadelphia, 19102, as a Partner.

Sheldon N. Sandler of Wilmington, Delaware, has become a partner in the firm of Young, Conaway, Stargatt and Taylor, Wilmington, Delaware, as of April, 1981.

'66 **D. Barlow Burke, Jr.**, has been appointed deputy Dean of the Law School of American University, Washington, DC. He has been a member of American's Law Faculty since 1970 and will retain his position as Professor.

Philip S. Carchman, of the firm Carchman, Annich, Sochor & Schuster, One Palmer Square, Princeton, New Jersey, has become the Prosecutor of Mercer County.

Michael M. Coleman of the Philadelphia firm of Pepper, Hamilton & Scheetz, has been appointed to the Board of Trustees of the Philadelphia College of Art. He is a founder of Philadelphia Volunteer Lawyers for the Arts and has been Director of the Greater Philadelphia Cultural Alliance since 1977.

Stephanie W. Naidoff, Legal Counsel of Thomas Jefferson University, Philadelphia, was elected Secretary of the Hospital Attorneys Association of South-eastern Pennsylvania.



Mary-Jane ("MJ") Snyder, since joining 20th Century Fox Film Corporation in July, 1980, has been promoted to Senior Counsel and Director of Telecommunications Legal Affairs, responsible for the legal matters involving pay and subscription television exhibition and the manufacture and distribution of video cassettes and video discs.

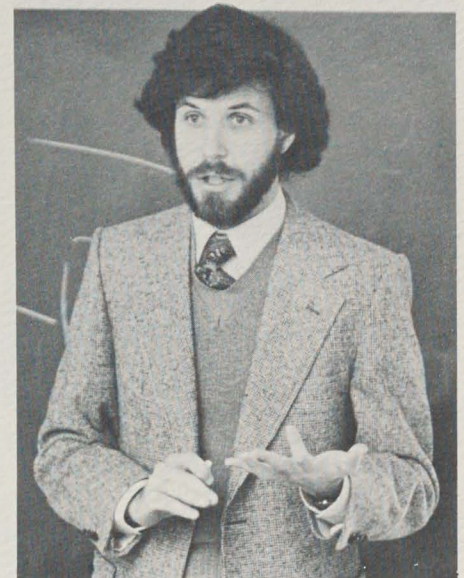
Bernhardt K. Wruble, of Washington, DC, the Executive Assistant to the Secretary of Energy, Charles W. Duncan, Jr. has been awarded the Secretary of Energy's Distinguished Service Metal.

'67 **Ira Brind**, President of Brind Leasing Corporation, has been nominated to the Board of Directors of the Hospitals Authority of Philadelphia and the Equipment Leasing Authority.

William B. Gray, of Burlington, Vermont, after 14 years of government service, has joined the firm, Sheehey, Brue & Gray, P.O. Box 66, 119 South Winooski Avenue, Burlington, 05402. Mr. Gray was the United States Attorney in Vermont from 1977 until 1981.

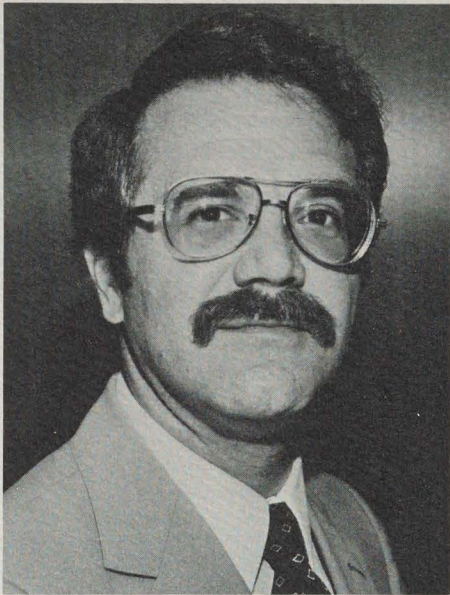
Michael Yukevich, of the law firm Thorp, Reed & Armstrong, Pittsburgh, PA, has been elected Chairman of the Board of Trustees of the Kiski School, a boarding school for boys, in Saltsburg.

'69 **Ross Van Denbergh** of Philadelphia has been re-elected Treasurer of the Board of Managers of Friends Hospital of Philadelphia.



James L. Winokur is Professor of Law at the University of Denver College of Law, where he is also Director of the Bar-risters' Cup Program for Excellence in Appellate Advocacy. (See *Symposium*) His casebook, *Materials for the Basic Course in Property*, is about to be published by Michie/Bobbs-Merrill. In the "appreciations section" of the preface of his forthcoming book, Professor Winokur notes how "This project has been indirectly but strongly influenced by my mentors, Curtis Reitz, Jim Freedman, Paul Bender, Bob Mundheim . . ." Also included in his list of those who made ". . . special, individual contributions to my work—tangible and otherwise . . ." was Lou Marks, '69, Mr. Winokur's classmate and friend.

'70 **Sean O'Callaghan** is associated with the firm Lawrence, Evans, Grant Associates, P.C., 40 Darby Road, Paoli, Pennsylvania, 19301.



Steve Stone of Philadelphia, has been elected Vice-President and General Counsel, and Assistant Corporate Secretary of Blue Cross of Greater Philadelphia. Mr. Stone is accountable for managing the Plan's legal affairs and for developing and maintaining sound governmental relations and legislative liaison.

'71 **Barry M. Abelson** of Philadelphia, has combined his firm and has relocated his offices under the name Braemer and Kessler, 13th Floor, Two Girard Plaza, Philadelphia, 19102.

Kenneth R. Goldstein, of Pelham Manor, New York, has been promoted to Director of Taxes for Loral Corporation, New York City.

K. W. James Rochow, of Philadelphia, has published an article, "The Far Side of Paradox: State Regulation of the Environmental Effects of Coal Mining" in *81 West Virginia Law Review* 559 (1979). It was republished in *Land Use and Environmental Law Review* (1980). In addition, Mr. Rochow presented a paper on hazardous waste regulation at the Japanese-American Environmental Conference at Stanford in the summer of 1980. He is currently an Assistant Attorney General of Pennsylvania and Director of the Eastern Region Litigation Office of the Pennsylvania Department of Environmental Resources.

'72 **James J. Donohue** has become a partner in the firm of White & Williams, Philadelphia.

Cornelius T. Finnegan, III has become a partner in the New York City firm of Willkie, Farr & Gallagher, One Citicorp Center.

John T. Fitzgerald, of Rochester, New York, has been elected a partner in the firm of Nixon, Hargrave, Devans & Doyle. The firm, with over 130 attorneys, has offices in Washington, D.C., West Palm Beach, Florida, and New York City, in addition to Rochester.

George J. Hartnett is a partner in the firm of White and Williams, Philadelphia.

Peter F. Marvin has become a member of the Philadelphia firm Miller, Schreiber & Sloan, 1529 Walnut Street.

David F. Sexton, of Rye, New York, Vice-President and General Counsel of The First Boston Corporation, is Secretary of First Boston, Inc. which is the holding company for The First Boston Corporation, an international investment banking firm and institutional broker/dealer of securities based in New York City.

Lance H. Wilson, of Washington, D.C., has been named executive assistant to Samuel R. Pierce, Jr., Secretary of the Department of Housing and Urban Development. In his new position, Mr. Wilson provides advice and assistance on the management and implementation of the Department's programs to assure that the objectives set forth by Congress and the President are fully achieved.

'73 **David R. Glyn** has become a member of the Philadelphia firm of Wolf, Block, Schoor & Solis-Cohen as of February 1, 1981.

George E. Heck, Jr., former Tax Manager at Price, Waterhouse & Co., and International Tax Manager at Smith Kline Corporation has become associated with the firm of Kauffman & Van de Van, P.C., Philadelphia.

Richard W. Kessler has become a member of the firm of Meltzer & Schiffrin of Philadelphia.

Alan Shakin recently completed an assignment as Special Assistant U.S. Attorney for the District of Columbia and has returned to the Consumer Product Safety Commission where he is Associate General Counsel.

Joel W. Todd of the firm of Kuller & Todd, P.C. announced the firm's relocation to 1420 Walnut Street, Suite 620, Philadelphia, PA.

'74 **Jonathan W. Delano**, Administrative Assistant to U.S. Representative Doug Walgren (D-Pittsburgh), has been elected to the Board of Directors of the Administrative Assistants Association, a bipartisan Capitol Hill professional organization of the chiefs of staff of the 435 congressmen in the U.S. House of Representatives.

Michael T. Everett is now a resident partner in the Hong Kong office of the firm Heller, Ehrman, White & McAuliffe.

Robert C. Gerlach has become a member of the firm of Ballard, Spahr, Andrews & Ingersoll, Philadelphia.

Elliott J. Hahn, is an Assistant Professor of Law at California Western School of Law in San Diego. He has been appointed to teach Japanese Business Law this summer at the University of Tokyo as part of the Santa Clara School of Law Summer Study in Tokyo Program, and has also been appointed to the San Diego International Affairs Board.

Frederica Massiah-Jackson recently acted as honorary chairperson at a tribute dinner of the Half Century Square Club where Joseph E. Coleman, University of Pennsylvania Law School Overseer and former President of Philadelphia's City Council received the Club's "Humanitarian of the Year" Award.

Robert A. McIntire has become a member of the Baltimore, Maryland firm, Semmes, Bowen & Semmes, Maryland National Bank Building, 10 Light Street.

Carrie Menkle-Meadow spoke at a workshop on Professional Development of Women legal Educators on March 26-30, 1981 in San Diego. Ms. Menkle-Meadow is also a Chairperson for the Association of American Law School's Section on Women in Legal Education.

Ronald D. Morelli has become a partner in the firm of Meyer, Unkovic & Scott, 1400 Frick Building, Pittsburgh, Pennsylvania.

Helen Pomerantz Pudlin has become a member of the firm of Ballard, Spahr, Andrews & Ingersoll, Philadelphia as of April 1, 1981.

Joseph F. Roda formerly of the Philadelphia firm of Kohn, Savett, Marion and Graf, P.C. has opened law offices at the Cipher Building, 36 East King Street, Lancaster, PA, 17603.

'76 **Wendella P. Fox**, formerly with the National Labor Relations Board, has become associated with the Philadelphia law firm of Freedman and Lorry, P.C.

'77 **E. Marianne Gabel** has become a partner in the newly-formed firm of Jaisel, Sferrella and Gabel in Delaware, Ohio.

Jesus M. Manalastas is a partner in the firm of Angara, Abello, Concepcion, Regala & Cruz, a leading firm in Makati, Metro Manila, Philippines.

'78 **B. Stocklin Enright** is teaching at the University of Willamette in Salem, Oregon.

'79 **Elise R. duPont**, of Wilmington, Delaware, has been named to a federal government post in the Agency for International Development, the nation's chief foreign aid organization. Mrs. duPont will be Assistant Administrator of the Bureau for the Private Sector, the agency which funds programs to underdeveloped nations.

Donald M. Millinger of Philadelphia has published an article in the June, 1961 issue of *American Artist* entitled, "Resale Royalty Rights." Mr. Millinger practices with the firm Wolf, Block, Schoor & Solis-Cohen, is a member of the Philadelphia Voluntary Lawyers for the Arts, and is legal counsel to the Philadelphia Chapter of Artists Equity Association.

Pamela J. Murphy, presently teaching Legal Research and Writing at the Paul M. Hebert Law Center of the Louisiana State University in Baton Rouge, will be practicing with the Washington, D.C. firm of Sachs, Greenebaum & Tayler in the fall. Ms. Murphy and Rick D'Avino, '80, will be married in September, 1981.

Jeanne C. Olivier was appointed Executive Director of the Thomas J. Watson Foundation, an organization based in Providence, Rhode Island engaged in awarding fellowships to graduating college seniors for a year of independent study and travel abroad. Ms. Olivier, herself a Watson Fellow, has taken a two-year leave of absence from her position with the New York firm of Shearman and Sterling.

Peter Roorda of Amsterdam, Holland, wrote an article in the February 1981 issue of the *National Law Review*, *Ars Aequi*, based on his experiences as a graduate student at the University of Pennsylvania Law School. He is presently practicing law in the firm of Stibbe, Blaisse & DeJong, Amsterdam.

'80 **Richard D'Avino**, presently completing a judicial clerkship with Hon. Alvin Rubin of the United States Court of Appeals for the Fifth Circuit, will be practicing this fall with Cohen & Uretz of Washington, D.C. Mr. D'Avino and Pam Murphy, '79, will marry in September, 1981.

Nils Petterson-Hagh was appointed Counsel to Mobil Exploration in Oslo, Norway. He practiced formerly with the firm of Arnold & Porter, Washington, D.C.

Beth Olanoff has become associated with the Philadelphia firm of Goodman & Ewing, 1429 Walnut Street, Philadelphia, 19102.

'81 **Twekiat Menakanist** has been appointed Assistant Professor on the faculty of law at Thammasat University, Bangkok, Thailand. He will be teaching a seminar class in Criminal Law.



Having read Professor Louis B. Schwartz's booklet "Studying Law for Fun and Profit, With an Appendix: "Exploring Philadelphia," Samuel S. Cross, '49, wrote the following letter in appreciation of both booklet and author.

Dear Lou:

A couple of days ago I picked up "Studying Law for Fun and Profit," and the book quite naturally opened at the centerfold and the first paragraph under "Ideology" on page 25 caught my attention. After reading that paragraph, which I found to be the best statement on the subject I can ever remember seeing, I knew that I had to read your piece from cover to cover.

Your book is a classic. I think it was most generous of you to devote the time and attention that the work must have taken, for the benefit of students and prospective students. As I look back upon my own experience at the Law School, with my struggles and uncertainties, I would have been enormously enlightened and relieved had I had your book to read.

I went to law school without any intention of practicing law. I was seeking to expand my intellectual exposure to something other than the rather severe engineering discipline under which I had been trained and go into business. Nevertheless, I did take the bar exam and then everyone I spoke to encouraged me to go into patent law with my background, which I did with a New York firm. By the time of graduation you and your fine colleagues had titillated me enough about law that I decided to give it a whirl. Patent law turned out not to be my cup of tea, so three years later I took a job with a small, growing corporation in Connecticut (The Perkin-Elmer Corporation) and became General Counsel and Secretary. There I had a fascinating career and numerous opportunities to shift into operational management positions. However, as my work and interests diversified I realized more and more that I really wanted to remain a lawyer and not become solely a business executive. Having reached that conclusion, I resigned in 1964, at age 45, married, with three young children, and came here to Stamford, [Connecticut] where I hardly knew a soul, and hung out my shingle. From that point on, my interests have expanded in many directions and I have developed the professional spirit of lawyering which your book describes so well.

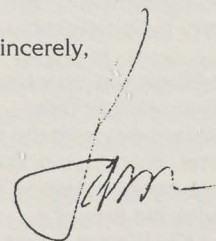
The only reason I recite this long personal tale is to reinforce what your book brings out so vividly, namely the numerous options that a legal education provides, not only in terms of seeking that first job but also in redirecting one's career as the years roll on.

I was also especially impressed by your focus on the procedural aspect of our system of jurisprudence. Somehow the importance of procedure escapes many of our younger practicing lawyers who sometimes complain that all the partners ever do is go through legal tactics rather than come to grips with substantive issues. I still chuckle at the ploy I pulled a few years back in forcing my business luncheon club here in Stamford to admit women guests and women members. My approach there is a good example of the lesson you teach at the bottom of page 25 and top of page 26 of your book. After cajoling the club's directors and arguing with them for two or three years, I finally threw down the gauntlet and decided to litigate. At first I consulted a couple of the women's organizations in Connecticut who made an extensive analysis of federal and state policies and law on sex discrimination and constitutional issues. My female candidate for membership also filed a complaint with the State Human Rights Commission, but the Chairman called me and pointed out that he had some three hundred needy cases on file which he didn't have the resources to get to and hardly felt that he could turn down those cases in deference to spending his meager resources on my problem or my candidate's abuse. In any event, the sex discrimination approach seemed weak to me, since I was aware that the Superior Court judges, when sitting in Fairfield County, were extended guest privileges at the club and were middle-aged or elderly males. Hence, I could hardly see them interfering with the age old practice of the club's "all male" policy. Moreover, what really annoyed me was my own membership rights being restricted rather than any particular zeal for doing battle on behalf of the women's movement. With corporate law being my forte and knowing that we had placed in our Nonstock Corporation Act an ultra vires provision similar to the one in the Stock Corporation Act, I decided to proceed on the theory that the directors of the club had acted ultra vires in preventing me from bringing a lady guest to lunch and in rejecting another lady lawyer whom I had proposed for membership. I won the case on that basis, and hardly anyone, including most members of the Bar, understands what the case is all about. The newspapers of course picked it up as a victory over sex discrimination. (See *Cross v. Midtown Club, Inc.*, 33 Conn. Sup. 150, 365 A.2d 1227 (1976).)

Anyway you see that, like you, I have been enjoying the richness which a legal education has added to my life. As the years roll on, I become more and more grateful to the Law School and to Faculty members like yourself who managed somehow to get through to this confused, post-war student.

With all best personal regards,

Sincerely,



The following review of **Morris on Torts**, by Professor Emeritus Clarence Morris and his son, C. Robert Morris, Jr., was written by Professor André Tunc in the **Revue Internationale de Droit Comparé**.*

Professor Tunc, of the University of Paris I, is the University of Pennsylvania Law School's 1981 Owen J. Roberts Memorial Lecturer.

Clarence MORRIS et C. Robert MORRIS, Jr.—**Morris on Torts**, "University Textbook Series", 2e édit., Mineola, The Foundation Press, Inc., 1980, xiv + 443 pages.

C'est avec joie qu'on voit paraître une nouvelle édition de cet excellent petit manuel de la responsabilité civile aux Etats-Unis.

Les auteurs, dans leur préface, le présentent d'une manière modeste. C'est un ouvrage qui s'adresse avant tout à des étudiants débutants. Il ne prétend nullement être complet, ni dans son texte, ni dans ses références.

Tout cela est vrai. Mais cela le rend particulièrement précieux, non seulement pour l'étudiant américain, mais pour le chercheur étranger. Car les deux auteurs—père et fils—, s'ils ont voulu rester simples et clairs, connaissent admirablement la matière. C'est donc une riche pensée et la sélection d'une large information qu'ils ont mises à la disposition du lecteur, d'une manière remarquablement didactique. L'exposé n'est jamais superficiel : les auteurs trouvent le temps d'exposer les facteurs procéduraux et sociologiques d'un problème, les faits des décisions les plus marquantes, les critiques adressées à une règle ou à une institution et les projets de réforme. L'ouvrage, bien entendu, est parfaitement au courant des dernières décisions ou des derniers courants de pensée.

L'ouvrage ne vise pas à remplacer les traités ou les gros recueils d'arrêts et documents qui existent en la matière. Son genre est différent. Mais il convient admirablement au chercheur qui désire une introduction au droit de la responsabilité civile aux Etats-Unis et, au chercheur déjà initié, il apportera une documentation et une réflexion de haute qualité.

André Tunc

*Translation available upon request.

The Joys of Reuniting

Eight quinquennial classes celebrated milestone reunions this spring—each holding festivities unique to its particular needs.

The **Class of 1931** gathered for a 50th reunion "weekend", June 5-7, at the Hershey Hotel in Hershey, Pennsylvania. On June 13, Dan and Rita McCauley graciously sponsored the **Class of 1941's** 40th Reunion Party at their home in Wynnewood, Pennsylvania. Approximately 60 classmates and their spouses were in attendance. The **Class of 1946** met on Law Alumni Day, April 1. On June 6, the Law School was the setting for the **Class of 1951** 30th Reunion party where 50 Alumni and guests celebrated. The 25th anniversary of the **Class of 1956** was a "classmates only" function, held at the Law School on Friday, May 15th. Prior to their reunion dinner, the 50 attendees gathered in the Law School's Moot Court Room for discussion between classmates and a panel of 1956 Alumni *not* in the active practice of law. The group included George L. Bernstein, Executive Managing Partner of Laventhal and Horwath; The Honorable Edmund S. Pawalec of Philadelphia Court of Common Pleas; The Honorable Dolores K.

Sloviter, of the United States Court of Appeals, Third Circuit; and Richard V. Holmes of Smith Kline Corporation. The **Class of 1961** celebrated its 20th at the St. Davids Golf Club in St. Davids, Pennsylvania. A record 75 classmates and guests attended. On May 23, the 15th Reunion party of the **Class of 1966** was held outdoors in the Law School Courtyard. The classmates reconvened the next day for Sunday brunch at elan in Philadelphia's Warwick Hotel—arranged by 1966 Vice-President Peter Stern. The **Class of 1976** celebrated its 5th reunion on Saturday, June 13th. After a day at the Law School playing baseball and volleyball, '76's evening's activities included a cocktail party at a local restaurant.

There are Law School classes which meet annually although they are not quinquennial celebrants. The **Class of 1933** held its 48th annual reunion on June 12 at the Blue Bell Inn in Blue Bell, Pennsylvania. Thirteen classmates, many accompanied by spouses, attended the event. On May 29, the **Class of 1939** held its 42nd reunion.

The **Class of 1971** plans to hold its 10th reunion in the fall of 1981.



'07 George Ovington, Jr.,
Philadelphia, PA 19111
April 20, 1981

'14 Harry I. Miller,
Fort Lauderdale, FL 33308

'15 Samuel C. Powell,
Ogden, UT 84401
August 11, 1973

'16 Honorable Leo Weinrott,
Philadelphia, PA 19107
April 1, 1981

'17 Edward J. Swotes,
Meadowbrook, PA 19046
March 13, 1981

'22 Isabel Drummond,
Philadelphia, PA 19103
April 12, 1974

'24 Maurice B. Schreibman,
Philadelphia, PA 19103
July 20, 1971

'27 John A. Taylor,
Erie, PA 16502
March 21, 1981

'28 L. Burkhardt, Jr.,
Woodbury, NJ 08096
September 26, 1980

'29 Elinor McCarthy Voelker,
Lake Worth, FL 33460
May 22, 1976

'30 Samuel E. Ewing,
Delray Beach, FL 33445
April 6, 1981

Alexander S. Gorny,
Scranton, PA 18509
April 10, 1963

'31 C. Dudley Saul, Jr.,
Haddonfield, NJ 08033

'32 Paul M. Levitan,
Milton, PA 17847
February 13, 1975

Honorable F. Joseph Thomas
Meadville, PA 16335

'32 William Tuttle, Jr.,
Merion, PA 19066
December 19, 1980

'33 Edward A. Kaier,
Bryn Mawr, PA 19010
May 31, 1981

H. Martin Molony,
Sacramento, CA 95821
February 23, 1981

Henry B. Oestreich,
Ambler, PA 19002
May 19, 1981

Lawrence R. Van Deusen,
Scranton, PA 18501
January 29, 1981

'35 John W. Donges,
West Collingswood, NJ 08107
November 28, 1973

T. F. Dixon Wainwright,
Bryn Mawr, PA 19010
January 21, 1981

Frank J. Zugehoer,
Wilmington, DE 19806
March 19, 1981

'36 Bernard V. Lentz,
Philadelphia, PA 19118
April 21, 1981

John Meck,
Hanover, NH 03155
March 2, 1978

Augustus Schermerhorn,
Delray Beach, FL 33444
February 14, 1979

'37 Joseph P. Devine,
Longport, NJ 07403
February 24, 1981

'40 John C. Everett,
Wilsons, VA 23894
May 12, 1972

Paul V. Miller,
Bethlehem, PA 18018
February 23, 1981

'41 Henry Cadwalader,
York Harbor, ME 03911
March 1, 1981

'50 Stanley Bashman,
Philadelphia, PA 19118
March 14, 1981



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Richard C. Csaplar, Jr., '59	Leon C. Holt, Jr., '51
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