"THE SOHMEN SCHOLARS"
A Tenth Anniversary Celebration
Beijing, China

"LAW PROFS: ON WRITING BOOKS"

SMU Dedman Faculty
Books published by Yale (2), Oxford (2), Michigan, Aspen, and Routledge-Cavendish. p. 8

Justice For All? Perceptions of Racial and Ethnic Bias in Our Courts p. 36

5 Years of World-Changing Collaboration on the Rule of Law p. 32

Dr. Helmut Sohmen ’66
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## FEATURES

**“THE SOHMEN SCHOLARS”**  
A Tenth Anniversary Celebration, Beijing China.  p. 4

**“LAW PROFS: ON WRITING BOOKS”**  
SMU Dedman Law Faculty  p. 8

## ADDITIONAL HIGHLIGHTS

**“JUSTICE FOR ALL?”**  
Perceptions of Racial & Ethnic Bias in our Courts  p. 36

**FULBRIGHT SCHOLARS**  
Professors Xuan-Thao Nguyen & John S. Lowe Receive Fulbright Scholarships  p. 7

**RULE OF LAW FORUMS**  
SMU Dedman School of Law Marks Its 5th Year in Hosting “Rule of Law Forums”  p. 32

## CAREER SERVICES

Restructures to Meet Challenges  p. 26

## ADMISSIONS

Launches Undergraduate Pre-Law Scholars Program  p. 27

## EVENING PROGRAM UPDATE

Reinstated Evening Program Celebrates 5th Anniversary  p. 24

## SMALL BUSINESS CLINIC–AT&T

AT&T Lawyers Volunteer Time to Support the Law School’s Small Business Clinic  p. 38

## DISTINGUISHED ALUMNI AWARDS

2008–2009 Award Winners  p. 40

## FACULTY SCHOLARSHIP

SMU Dedman School of Law Faculty  p. 78

## FACULTY ARTICLE

By Daniel W. Shuman, M. D. Anderson Foundation Endowed Professor of Health Law  p. 58

## CLASS NOTES

Alumni News & Accomplishments  p. 110

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**REUNION WEEKEND**  
A Tenth Anniversary Celebration, Beijing China.
Dean John Attanasio stood before the international law students, as he does each year at orientation. He introduced himself and his staff. Then he asked each of the students to introduce themselves and tell why they were in the SMU Dedman School of Law’s International LL.M program.

A young Asian student rose from his chair and gave his name. “I’m a Sohmen Scholar,” he proudly announced, “and I came here because I intend to be the future President of China.”

A French student seated next to him stood. “And I’m here at SMU because I want to become friends with the future President of China.”

While the students and faculty smiled and laughed at the comments, the importance of the moment was not lost on Dean Attanasio. A vision was becoming a reality.

Only a decade earlier, Hong Kong businessman and SMU Law School graduate Helmut Sohmen had an idea to develop a program that recruited and educated the best and brightest Chinese law students to study international law in Dallas. The hope was that these young lawyers would return to China to help encourage and develop much needed legal reforms.

To achieve this vision, Dr. Sohmen donated $2 million in 1998 to the SMU Dedman School of Law for the creation of the Sohmen Scholarship Program. Dr. Sohmen contributed another $1 million to the fund in 2008.

“My wife and I have always been interested in supporting education because we believe that education is the first and foremost solution to the problems in our world,” says Dr. Sohmen, who is the chairman and president of BW Shipping Group, which is a global leader in private shipping, tankers and bulk carrier fleets.

The scholarship, which covers tuition and living costs, originally went to one student per year. Since then, it has been expanded to four students per year.

“People ask me, what can four people really accomplish in a country as large as China?” Dr. Sohmen says. “I tell them, four people can do a lot over time. The right four people can change the future. Of course, we are talking about a lot more than just four people getting the scholarships.”

During the past 11 years, 46 of China’s top law graduates have attended SMU’s International LL.M. program thanks to the Sohmen Scholarship. Many scholars have returned to China to become partners in the country’s leading law firms, general counsels in the...
nation’s businesses, and professors at its most prestigious educational institutions.

“Being a Sohmen Scholar in China is shorthand for being extraordinarily bright and successful,” says Dean Attanasio. “The Sohmen Scholars are in high demand for jobs at China’s law firms and businesses. Sohmen Scholars are teaching constitutional law and international law at China’s largest and most influential law schools.”

Dr. Sohmen’s history with SMU goes back to 1964, when he attended SMU’s Master of Laws for Foreign Law School Graduates Program. He graduated two years later with a Master of Comparative Law degree.

“I benefited greatly from my studies at SMU,” says Dr. Sohmen, who was born in Linz, Austria in 1939. “Going to SMU changed my life. The experience was invaluable to my career. I wasn’t planning to be a businessman. I assumed I would be in the legal field for the rest of my life. I thought about being an academic or a judicial officer. But sometimes, one’s experiences and opportunities change one’s thoughts and decisions and directions in life.”

“Being at SMU opened my eyes to opportunities and to finding solutions to problems in law and business,” Dr. Sohmen says. He worked as a lawyer for the Royal Bank of Canada in Montreal, before his wife, Anna Pao, persuaded him to join the family’s shipping business in Hong Kong in 1970.

BW Shipping now has 12 offices internationally, serves more than 40 ports, and sails the five oceans. Over the past four decades, Dr. Sohmen has held many prestigious positions. He chaired the Hong Kong Shipowners Association and the Hong Kong Chamber of Commerce. He was president of the Baltic and International Maritime Council in Copenhagen and the chairman of the Pacific Basin Economic Council in Honolulu. And he is currently the deputy chairman of the Hong Kong and Shanghai Banking Corporation.

In May 2009, Seatrade, which is the maritime industry’s leading trade publication, awarded Dr. Sohmen its prestigious Lifetime Achievement Award.

But through it all, Dr. Sohmen and his family have been dedicated to promoting educational opportunities for those who need it. He has funded several scholarship programs at universities around the globe.

The idea for the Sohmen Scholarship Program came during a 1998 conversation with Dean Attanasio. “I told John that I wanted to pay something back to
the law school and to help improve the reputation of the law school internationally,” says Dr. Sohmen.

“John and I recognized the need to try to bring out more bright scholars from China to the rest of the world to help them understand how legal systems in other countries operate and to get them to experience life in other countries, and then have them return to China with this knowledge and experience,” says Dr. Sohmen. “Our goal was to create an elite group of young lawyers who would go back to China with this knowledge to help with the reforms in the China legal system. The rule of law plays a strategic role in the economic and political reforms that are taking place.”

“The concern in the early days of the scholarship was the risk that students would be lured to stay in the west,” says Dr. Sohmen. “To meet the ultimate objective and to prevent any criticism from the leaders of China, we wanted scholars who were committed to return to China.”

Dr. Sohmen says that this hasn’t been a concern for the past few years. The scholars are eager to return to China, he says, pointing to the student who dreams of becoming his nation’s president. “It is good to have ambitious students,” he says.

Dean Attanasio points out that Dr. Sohmen, who became SMU’s first international trustee in 1999, travels to Dallas twice annually for university board meetings. He always takes time to have lunch with the scholars at the law school.

More than 30 of the Sohmen Scholars came from across China in October 2008 to gather for the 10th anniversary celebration of the program at the Shangri-La, China World Hotel in Beijing. Each of the students personally thanked Dr. Sohmen and his wife for their commitment to the international law program at the SMU Dedman School of Law.

Guo Li was one of the first Sohmen Scholars, attending SMU in 1999 after graduating from Peking University Law School, where he now teaches.

“That year was my first long period of overseas study,” says Professor Li. “It greatly broadened my horizon and consolidated my understanding of the U.S. laws and American people.”

Professor Li says that he is constantly reminded of the classes he took with Professors Attanasio, Crespi, Norton, Rogers and Nguyen as he teaches his law students in China now.

“The Socratic method and case laws impressed me most at that time,” he says. “I learned a lot from my classmates as well. There were 46 students from 19 legal jurisdictions in the LL.M. class of that year. I still remember vividly the first time when we all met in Walsh room. Although bantered by my fellow classmates as too serious, I did enjoy very much the time at SMU. Such affinity and friendship will certainly continue. Now each year I help arrange the interviews with new candidates in China for the SMU Dedman Law study.”

Professor Li says that all the Sohmen Scholars share the same great appreciations toward Dr. Sohmen. “As time goes on and the group keeps growing, it will become even clearer the contributions the Sohmen Scholarships have made in shaping the rule of law in China. It has also strengthened the tie between SMU and China.”

SMU Dedman School of Law Professor Xuan-Thao Nguyen, who selects many of the Sohmen Scholars, added, “It is a great pleasure to have the Sohmen Scholars on our campus. We pick the top law students in China and they provide excellent exposure for our J.D. students. Sohmen scholars are picked because we believe they will become not only great lawyers, but great leaders.”

Guo Kejun, a Sohmen Scholar in 2002, remembers the impact of meeting Dr. Sohmen.

“It was a very important moment in my life to meet and have dinner with Mr. Sohmen. After that meet-

ing, I decided to be a lawyer in China after my graduation from SMU,” he says. “Now I am a partner in Beijing DeHeng Law Office, which is one of the biggest and the most famous law firm in China. I lead the corporate team to provide legal service for a lot of important enterprises, such as the Three Gorges Company, the Datang Power Company and the Agriculture Bank of China.

“The Sohmen Scholarship changed my life,” he says. “I hope more and more Chinese students can benefit from it. I wish that China benefits a lot from the Sohmen Scholarship in the future.”

Jiequing Lu, a 2007 graduate of SMU’s LL.M. program, says the Sohmen Scholarship is “the most coveted scholarship” granted to one or two of the best post-graduates in Fudan School of Law each year.

“Being a Sohmen Scholar is the most important identity I cherish,” says Ms. Lu. “It is not just about Dr. Sohmen graciously paying the tuition fee for the law school. It also relates to some grand goal of each Sohmen Scholar making contributions to improving the Chinese legal system in his own way. I have deep respect for Dr. Sohmen as I came to understand the efforts he has made to shape the young legal minds in China.”

Ms. Lu says SMU taught her to be a “sharp thinker.” She points to the intellectual stimulation of being challenged by professors to seek every possible alternative for each case. “In the real world, it also works if you could be methodological and logical,” she says.

“But the experience I had at SMU is more than academics,” says Ms. Lu. “I enjoyed hanging out regularly with my host family, sharing views on different cultures with international students, traveling with my SMU friends to the exciting tourist spots in the States. My SMU experience was a real eye-opener.”

“Dr. Sohmen, thank you for giving me the opportunity to have the best education,” says Ms. Lu. “You are my inspiration!”
FULBRIGHT SCHOLARS

FULBRIGHT SCHOLAR GRANT AWARDED TO PROFESSOR XUAN-THAO NGUYEN

SMU Dedman School of Law Professor Xuan-Thao Nguyen received a Fulbright Scholar grant to develop an intellectual property law curriculum at the Vietnam National University Faculty of Law in Hanoi. Nguyen, born in Vietnam but raised in the United States, was the first American law professor to lecture at the Vietnamese law school. “When I leave, they will teach the students using the curriculum I have developed,” Nguyen said. “I’ve been working on a book for them to use.” Nguyen’s award allowed her to work in Vietnam from January through June 2009, as one of approximately 1,100 U.S. faculty members and professionals who have traveled abroad through the Fulbright Scholarship program.

Professor Nguyen received her B.A. from Oberlin College and her J.D. from Northeastern University School of Law. She joined the Dedman School of Law faculty in 2003 and focuses her teaching and research on intellectual property, the internet, commercial law, and taxation. Nguyen has authored treatises and casebooks on those topics, and her scholarship has also been published in numerous law review articles. Professor Nguyen is a frequent speaker at national and international conferences. She also organizes and chairs the SMU Dedman School of Law Annual Symposium on Emerging Intellectual Property Issues and provides technical expertise to the Vietnamese government, law schools, and bar associations.

JOHN LOWE, GEORGE W. HUTCHISON PROFESSOR OF ENERGY LAW, NAMED FULBRIGHT SENIOR SPECIALIST IN ENERGY LAW

Last fall Professor John S. Lowe was named a Fulbright Senior Specialist in Energy Law and served as the Borden Ladner Gervais LLP Visiting Chair of Energy Law and Policy at the University of Alberta. He also taught at Universidad de ESAN, in Lima, Peru, during his leave, and at Universidade Agostinho Neto, in Luanda, Angola, this past summer. Lowe is a visiting professor annually at the Center for Energy Petroleum and Mineral Law at the University of Dundee, Scotland, the University of Melbourne and the University of Sydney, in Australia, offering a course in international petroleum transactions. “Teaching internationally is a great way to see other cultures and legal traditions. And law schools around the world are drawing on the faculty of the Dedman Law School to make courses available to their students that they do not have the expertise to offer,” says Lowe. Professor Lowe was named Senior Associate Dean for Academic Affairs at SMU Dedman School of Law in June 2009.

A member of the faculty since 1987, Lowe received his Bachelor of Arts Degree in 1963 from Denison University and his Bachelor of Laws Degree in 1966 from Harvard University. He has written many articles and books, including Cases & Materials on Oil & Gas Law, Hemingway on Oil & Gas Law Taxation, and International Petroleum Transactions. Professor Lowe is currently an International Legal Advisor for Iraq oil issues in the Commercial Law Development Program of the U.S. Department of Commerce.
SMU DEDMAN SCHOOL OF LAW FACULTY

Any of these could easily be – in fact, many already have been – the topic of front page articles in the New York Times or the Wall Street Journal. They are subjects being debated in the halls of Congress, studied by global think tanks, and discussed at judicial conferences, bar associations, and international corporate retreats. Some of these issues are discussed around dinner tables.

These important subjects are also the focus of new books authored by faculty members at the SMU Dedman School of Law. Nine SMU law professors have either written monographs or restatements during the past year or are currently under contract to write them within the next year. The books are being published by some of the leading academic publishers, including Oxford Press, Yale University Press, Aspen Press, and the University of Michigan Press.

“Our faculty is showcasing its expertise like never before,” says SMU Law Dean John Attanasio. “We have more and more faculty members in so many different areas of law writing books and publishing articles. Legal scholarship must be encouraged and promoted.”

“These books increase the profile of the individual professors and increase the prestige of the SMU Dedman School of Law,” says Attanasio. “To say that I am proud of their accomplishments would be a significant understatement.”

Indeed, the power of the pen cannot be over-emphasized. Judge Minor Wisdom of the U.S. Court of Appeals for the Fifth Circuit, in an interview just a few weeks before he died in 1999, told a reporter for The Dallas Morning News that he feared too many lawyers and judges “fail to understand the influence of the written word.”

“We learn and we teach through writing,” Judge Wisdom said. “Words help us understand why things happen and why some of those things need to change.”

From Chief Justice John Marshall to Justice Sandra Day O’Connor, leaders of the legal profession have publicly acknowledged the historic role of academic scholarship in the development of the law. Legislators,
from Tip O’Neil to Bob Dole, have trumpeted the written work of professors and practitioners to shape our nation’s laws. It is how legal trends, developments, and ideas – new and old – are examined and vetted. It is the foundation of the permanent record we know as jurisprudence.

Besides, as Mark Twain put it more simply, “It is no use to keep information private, which you can’t show off.”

As a lawyer and journalist who has published five books, two of which were bestsellers, I understand the significant effort that each of the nine SMU Law professors have invested in their projects. They have chosen subject matters that are fascinating and topical, and yet fall within their professional expertise. They have spent months – in some cases, several years – meticulously researching in preparation to write. Each has collected boxes and boxes of materials.

And then comes the writing, which can be a daunting task. Scores of notepads have been consumed developing outlines and organizing the materials into presentable patterns of thought. Each professor is passionate about his or her subject matter. They found the process of doing a book intellectually challenging as well as personally gratifying.

“I actually love writing,” says Marc Steinberg, Senior Associate Dean for Research and the Rupert and Lillian Radford Professor of Law at SMU. “Writing is a way for me to channel what I do well. It is also wonderful for me to be able to use and teach from my own textbook, because it gives me better control.”

Steinberg’s passion for writing is evident in the fact that he has authored or co-authored more than 125 law review articles and more than 25 books on securities regulation and litigation. He has published three books during the past year, including Securities Regulation: Liabilities and Remedies, and is writing a fourth.

“Writing has treated me well,” he says. “The most important thing we do is teach, which includes building relationships with our students. But the second most important thing we do is write, because writing allows us to influence practitioners.”

Most legal scholars, Steinberg included, stay close to home on their subject matters. They write what they know, what they teach, and what they find fascinating. Steinberg, for example, has written three books on lawyers’ professional responsibilities under Sarbanes-Oxley and other federal securities acts. As a result, he has established himself as one of the most sought-after legal experts to testify on the liabilities and ethical responsibilities of business lawyers.

“Most of the problems big law firms face is when they have a rogue satellite office doing something the partners in the other offices don’t know about or aren’t adequately supervising,” he says. “For this reason, we are seeing more and more firms hiring their own in-house general counsels.

“It is entirely fortuitous that I ended up focusing on securities litigation,” says Steinberg, who was retained as an expert in the Enron and Martha Stewart cases. “I didn’t even take a securities law class in law school.”

Steinberg accepted a position as legislative counsel for then Senate Minority Whip Robert Griffin of Michigan, which led to Steinberg accepting a staff attorney’s position in the enforcement division of the U.S. Securities and Exchange Commission. Those kinds of credentials are cherished by trade publishers who seek writers with an insider’s insight into how things operate.

Such experiences led to the topic of Steinberg’s upcoming book, the third edition of his co-authored Treatise on Insider Trading, to be published by Oxford University Press, with sections called “Optimal Compensation for Corporate Executives” and “The Temptation to Consider Insider Trading Moral.”

“There have been tons of insider trading cases – probably too much emphasis on insider trading,” he says. “A criticism of the SEC, rightly or wrongly, is that it hasn’t gone after the big fish. It focuses on the cases that are easy to win. The reason is that the SEC has been a lawyer-driven enforcement agency. It needs to diversify. It needs to hire top flight MBAs and CPAs who are hungry.”

JENIA TURNER
Associate Professor of Law

Having already written numerous law review articles, Associate Professor Jenia Iontcheva Turner has just finished writing her first book, which will roll off the press later this year. Plea Bargaining Across Borders is not your usual textbook.

Starting with the first two sentences in the introduction, Turner has written a book that is both scholarly and easy to read. “Over the last three decades, a quiet revolution has occurred in criminal
plea bargaining, according to Turner. “American scholars have long expressed concerns about the fairness of plea negotiations. Some have even compared the coercive aspects of plea bargaining to the procedures of medieval inquisitions.”

“It has been those and other concerns, according to Turner, that have kept most countries from adopting plea bargaining.”

“Most civil law systems, such as Germany, have long been opposed to plea bargaining,” says Turner. “That started changing informally in the early 1990s. No laws were changed, it just started quietly happening between lawyers and judges. There was no clear legal authority to allow it, so it was done between the lines.”

Turner says that the Federal Court of Justice in Germany, which is the country’s highest court dealing with the application of criminal law, opened the door to certain types of plea agreements in an opinion in 1997. Then, in May 2009, the German legislature finally approved plea bargaining. Turner points out that the reforms in the German system are being closely watched by other countries.

“There were several legal principles that were roadblocks to plea bargaining in Germany, including one of mandatory prosecution,” she says. “If there is evidence of a crime, the prosecution is forced to pursue the most serious crime. There is no discretion. Everyone was to be treated equally before the law.”

“German judges play a much bigger role in an inquiry into the facts, and judges can alter the charges based on the facts or require prosecutors to obtain or present more evidence,” she says. “Bargaining about the facts or charges is still, in theory, prohibited and reducing charges from, say, drug distribution to possession in return for cooperation is prohibited.”

The most important point of the book, says Turner, is to understand these changes and how they are coming about. “There are certainly good and bad aspects of the plea bargaining systems as they are developing,” she says. “But the U.S. could learn a lot from these experiments.”

**Daniel Shuman**

M. D. Anderson Foundation Endowed Professor of Health Law

Most people, including many judges, practitioners, and professors, have the idea that legal scholarship has, by definition, very little application in a person’s daily life. Professor Dan Shuman, who is the M.D. Anderson Foundation Endowed Professor of Health at SMU Dedman School of Law, demonstrates this is simply untrue in his new book *Evaluating Mental Health Disability in the Workplace*. This book is a must-read for general counsel, private lawyers who advise clients on health and labor issues, judges and legislators, as well as mental health professionals and psychologists.

“Evaluating Mental Health Disability in the Workplace isn’t likely to trigger a call from Oprah,” says Shuman, whose courses include torts, evidence, law and social science, and mental health law. “But for employers, their lawyers, and clinicians on whose judgment our safety depends, this book is a long awaited comprehensive analysis of the legal, ethical, and clinical issues..."
that surround mental disability in the workplace.”

The facts speak for themselves. One in every four individuals in the U.S. workforce has suffered or will suffer from a psychiatric illness during a year. The impact on the individual’s work, his or her colleagues, family, and the employer are enormous—job loss, workplace violence, and lawsuits, according to Shuman, who co-authored the book with Dr. Liza H. Gold, who is one of the most prominent and knowledgeable forensic clinical psychiatrists in the nation. Both Gold and Shuman have been recipients of the American Psychiatric Association’s prestigious Manfred S. Guttmacher Award, which is given annually to outstanding work in forensic psychiatry.

“The truth is that this was not a topic that I awoke thinking about at 3 a.m.,” says Shuman. “I had read Dr. Liza Gold’s work. She is the most thoughtful forensic psychiatrist out there. So, when she called, I jumped at the chance to work with her.”

Evaluating Mental Health Disability in the Workplace develops a much needed assessment model and practical evaluation guidelines to determine psychiatric illness at work. It also examines the legal and ethical aspects of employee examinations, including issues of confidentiality and various disability benefit programs.

“I have written about law and psychiatry for over 30 years and thought I had written about everything that mattered in the field—criminal competence to stand trial and to waive counsel; mental health and executions; criminal responsibility including the insanity defense and sentencing; child custody, visitation and abuse; competence to execute a will or manage one’s affairs; damage claims for mental and emotional loss,” says Shuman. “I thought I had written about everything under the sun that fell within law/psych.”

However, Shuman says he quickly learned in researching for this book that there were a few things he had previously overlooked such as public safety, employer profitability and liability, and the quality of the lives of employees “that cut across the country.”

This book allowed him to conduct original research and examine studies and data that are already available. “I am an empiricist,” he says. “I may use an anecdote to explain the data, but not as a substitute.”

Thanks to technology, Shuman and Gold were able to work on their book together in real time, even though they live more than twelve hundred miles apart. “We spent two or three hours at a time without writing a thing, just explaining the issues from our professions’ perspectives,” he says.

Shuman, who has written or contributed to scores of books and articles, says writing is one of the benefits of his position and he thinks more professors should do it and do it more often.

“I think I would write if I was a short order cook,” he says. “I am incredibly fortunate to have been blessed with a modicum of talent, to be willing to make a fool of myself in public, and to find a job where that was rewarded.”

Jeffrey Kahn
Assistant Professor of Law

As much as Shuman leans on statistics, Assistant SMU Law Professor Jeffrey Kahn relies on historical documents, recent legal battles, and storytelling in preparing for his upcoming book, International Travel, National Security, and the Constitution in War and Peace, which will be published by the University of Michigan Press. Kahn, who teaches constitutional law and an advanced level seminar on counter-terrorism, starts with an anecdote.

“How does this happen?” he asked himself. “I thought it must be a constitutional rights violation. This cannot be right.”

Kahn’s intellectual curiosity has taken him on a wonderful journey that traces the history of the right to travel, how Passports and travel visas were handled for generations, and
how the government’s controls on travel have changed since the terrorist attacks of September 11, 2001. The book examines two apparently colliding legal principles and values: the fundamental right of movement as a U.S. citizen and the government’s ability to protect national security.

This is Kahn’s second book. “I spent my extra time in law school in the most unusual way, I wrote a book,” he says. Federalism, Democratization, and the Rule of Law in Russia, was published by Oxford University Press in 2002, the same year he graduated from the University of Michigan School of Law.

“The actual hardback book literally came out of the mailbox and I held it in my hands just two weeks before graduation,” Kahn says. “Writing a book during law school was really tough, but I preferred the challenge of creating my own scholarship to the more traditional activity in law review of editing someone’s work.”

But Kahn says he wouldn’t do it any differently. An editor at the University of Michigan Press read Kahn’s article in the UCLA Law Review in December 2008 on international Travel and the Constitution, and thought it would make a great book.

“Writing is hard work, but it is so exciting sitting at the National Archives, going through documents that haven’t been reviewed in decades, and reading the Cold War-era stories of officials struggling to reconcile free movement and national security interests. These stories really resonate today,” he says.

“International travel is part of America’s DNA. There would be no America without the explorers, settlers, slaves, revolutionaries, and wave after wave of immigrants who traveled (if not always freely) from a known world to an unknown world. Such travel was so crucial to the idea of America that the most famous landmark in New York Harbor commemorates it.”

“The No-Fly List that is now operated by the TSA (Transportation Security Administration) is created from data compiled by the Terrorism Screening Center, a multi-agency center funded by the FBI,” says Kahn. “The official who acts to restrict a person’s travel is not directly accountable for the appearance of a traveler’s name on the database compiled by other agents and analysts whose identities are unknown. Attempts to rectify perceived misclassifications on such lists are stymied by government assertions of the need to protect classified information, sources, and methods.”

But it wasn’t always like this.

“By comparison, we know exactly who granted and denied every passport between 1928 and 1953 and we know exactly what she looks like,” he says, showing a photograph of Ruth B. Shipley, who was the Chief of the State Department’s Passport Division and arguably the most powerful civil servant in Washington, D.C. President Franklin D. Roosevelt proudly called Shipley his “wonderful ogre.”

“So, what is Kahn’s conclusion? “Your right to travel is not what you think it is,” he says. “Citizens have long enjoyed some freedom of movement. But that freedom, like so many freedoms, is not absolute. With international travel, there’s a balancing test between a citizen’s right to travel and the government’s right to national security. The problem is, the government always wins because we have long viewed a citizen’s foreign travel as implicating the nation’s foreign policy interests. That may be how a monarchy views the travel of its subjects, but I don’t think it is how a republic should view its citizens.”

Ndiva Kofele-Kale
University Distinguished Professor, Professor of Law

Passion about the subject is also what drives Ndiva Kofele-Kale, who is a University Distinguished Professor of Law. He has spent nearly two decades researching, writing, and lecturing about “grand corruption” and its negative effects on the socio-environmental development of the Third World, with an emphasis on Africa.

“Academic scholarship is not just part of our intellectual mission but a necessary condition for survival in the Academy,” says Kofele-Kale, who teaches courses on private and public international law.

If Kofele-Kale’s previous work is any indication, his next book will be a major success. He authored a groundbreaking book in 2006 called International Law of Responsibility for Economic Crimes: Holding State Officials Liable for Acts of Fraudulent Enrichment, published by British publisher Routledge-Cavendish. The book established the professor as one of the leading authorities in the area of international anti-corruption. As one reviewer commented, “Some books elegantly record history and some books make history. This book does both. It is a brilliant, fiercely useful, absolutely essential book – a serious and compelling work in the field, and should be read by scholars and policymakers everywhere.” In addition, the book was cited multiple times in the official preparatory documents of the United Nations Charter Against Corruption, which documents have the authority of law.
The major obstacle to the development of Third World states was the stranglehold Euro–American capitalist/imperialist interests had on them,” Kofele–Kale says. “We believed that Third World underdevelopment, far from being an original or ‘natural’ state, was rather a condition imposed by the international expansion of capitalism. The ‘dependence’ school aptly referred to this phenomenon as ‘the development of underdevelopment.’”

Kofele–Kale says that giant multinational corporations were presented as the vehicles for this global expansion of capitalism. The corporations had no loyalty to the developing nation, but only to their shareholders in Europe and North America.

“But in the zeitgeist of that period, multinationals were painful reminders of Virgil’s warning to the people of Troy to never trust the horse and to beware of the Greeks even when they came bearing fruits! Multinationals like Trojan horses were not to be trusted because in the end they placed the interests of their shareholders over those of the nation,” he says. “As a consequence, they were generally held responsible for the theft of Africa’s enormous wealth and resources, siphoning its scarce capital for transfer to Europe and America. Thanks to this unrestrained flight of capital, while the ‘tigers’ of Asia advanced economically most African states found themselves sliding backwards decades after achieving sovereignty.”

Rather simplistically, we believed that in order to escape from their ‘underdevelopment’ all that the African states had to do was to take control of their natural resources and wealth,” says Kofele–Kale. “To do that would require ‘taming’ the multinationals, so to speak, through outright expropriation or nationalization or joint ventures and other forms of partnerships that would permit locals to gain a significant foothold in these enterprises.”

Those efforts were largely achieved in 1962 when the United Nations General Assembly adopted the now famous Resolution 1803 proclaiming the inalienable right of all peoples and nations to exercise permanent sovereignty over their natural resources and wealth. The U.N. followed this 12 years later with the adoption of the Declaration on the Establishment of a New Economic Order (May 1974) and the Charter of Economic Rights and Duties of States (December 1974).

The problem, according to Kofele–Kale, is that an equally disturbing monster surfaced, which also kept the people of those countries from enjoying the fruits of their natural resources.

“In our singular focus on exogenous spoliation, we had completely ignored a far more insidious form of illegal appropriation of Africa’s wealth and resources – one organized and meticulously executed by African leaders themselves,” he says.

In Combating Economic Crimes, which is set to be published next year, Kofele–Kale breaks new ground by focusing on potential new efforts to use the international criminal justice system as an instrument to detect, seize, and confiscate illicitly-acquired wealth. By prosecuting for illicit enrichment, the people are able to recover some of the resources their leaders stole from them and prevent it from happening again in the future.

“Illicit enrichment is defined in these conventions to include a reverse burden clause which triggers an automatic presumption that any public official found in ‘possession of inexplicable wealth’ must have acquired it illicitly,” he says. “It is then up to that official to explain how he acquired such wealth, and failing to ‘reasonably explain’ the sudden increase in his wealth, in relation to his lawful earnings during the performance of his functions, the official could be found guilty of the offense of illicit enrichment. This has become a very powerful tool in the global war against official corruption. The goal of the illicit enrichment offense is to ease the prosecution’s burden, given that the gathering of evidence for a corruption case presents a range of challenges not found in the prosecution of other types of criminal and civil offenses.”

However, reversing the burden of proof raises important human rights issues, since they conflict with the right to be presumed innocent. Unfortunately, Kofele–Kale says, the recent spate of international legislation against official corruption provides no clear guidelines on how to proceed in balancing the right of the accused to be presumed innocent against the competing right of society to trace and recapture illicitly acquired national wealth.

“Combating Economic Crimes sets out to address what has been left unanswered by these multilateral conventions,” he says, including “the level of burden of proof that should be placed on a public official who is accused of illicitly enriching himself from the resources of the State and the right balance to be struck between the accused individual’s right to presumption of innocence and the protection of legitimate community interests and expectations to a corruption-free society.”
ELLEN PRYOR
Associate Provost; Homer R. Mitchell Professor of Law and University Distinguished Teaching Professor

Professor Ellen Pryor’s book may not have as sexy a title as the other authors’, but it may be the most influential – or at least will be the most cited. Pryor is the Homer R. Mitchell Professor of Law at the SMU Dedman School of Law and the Associate Provost. Her courses focus on tort and compensation law.

Earlier this year, the prestigious American Law Institute of Law asked Pryor to take a lead role in one of its most important projects: to be the ‘Coordinating Reporter’ for the Restatement Third of Torts. In addition, she has been asked to be a Reporter for the Restatement on Physical and Emotional Harm that relates to the tort liability of those who retain independent contractors.

“The Restatement of Torts has been extremely influential, cited by courts thousands of times since its first publication,” says Pryor. Since its foundation in 1923, the ALI has issued two Restatements of Torts – the first in 1934 and the second in 1965.

“These Restatements of Law originated as efforts to produce, in one or two volumes, a coherent and clear expression of the ‘common law’ (judge-made law) in various areas – for example, Property, Contracts, and Torts,” says Pryor. “These Restatements are written in a format that includes ‘black letter’ (the basic distilled rules), comments (key comments), and Reporter’s notes. A Restatement of a body of law is a major project, and takes years to complete.”

In the early 1990s, the ALI, with its 4,000 judges, practitioners and law professors as members, decided to commence a Restatement Third of Torts.

“This was understandable, given the enormous changes in tort law since 1965, including common law changes and statutory changes. The ALI decided to commence the Restatement Third of Torts by taking up specific topics, starting with the topics that seemed particularly to warrant restating given the extent of changes in the law. Thus, the Third Restatement of Torts did not begin as a ‘gestalt’ project with the aim of covering all of Tort law. Rather, it began by means of several major topics, starting with Products Liability and then Apportionment of Liability, which refers generally to the topic of how tort divides fault among various actors (including plaintiffs and co-defendants).”

A third major portion of the Restatement Third is now nearing completion. This project is titled “Liability for Physical and Emotional Harm,” and basically it covers the law of negligence and common law strict liability, with the exception of damages.

“I am incredibly excited about playing a role in coordinating and continuing to draft the Restatement Third of Torts,” says Pryor. “It’s a chance to contribute to a highly respected mode of scholarship that has been influential for judges and lawyers. It’s a chance to grapple with theory and doctrine together, not just in the abstract, but for a publication that aims to clarify and improve the vast body of tort doctrine. It’s a chance to work with the amazing professors and practitioners (judges and lawyers) in law.”

LACKLAND BLOOM
Professor of Law

In 1998, SMU Law Professor Lackland Bloom decided there was a huge hole in the academic scholarship that examined how the Supreme Court of the United States interpreted the Constitution. There were many books and articles that focused on overall theory of constitutional interpretation: that is, how the justices should interpret the Constitution. But there was a gap with respect to the study of how the Court and individual justices actually did interpret the Constitution. As a constitutional law teacher, that was the type of book that Bloom wished that he could simply pull off of the shelf and read and since it didn’t exist, he decided to write it himself.

For more than a decade, Bloom plowed through thousands of
For example, he says that the major—

some that are not widely read today.

interpretive techniques including

history that showcase the various

opinions throughout the Court's

time to do it right.

reasoner and a great textualist,” he

says. “He was the first one there,

first one to deal with so many

crucial constitutional issues includ-
ing judicial review, the scope of

congressional power and the mean-
ing of the Commerce Clause just to

mention a few. He was able to write

on a blank slate.”

Bloom says that there have been

opinions throughout the Court’s

history that showcase the various

interpretive techniques including

some that are not widely read today.

For example, he says that the major-

ity and dissent in Pollack v. Farmers

Loan and Trust, in which the

Supreme Court in 1895 invalidated

the income tax, engaged in “rich

and deep” debate over the original

understanding of the clause in issue.

Most people are not familiar with the

case, he notes, since it was overruled

by the Sixteenth Amendment.

Bloom says that the pure number

of constitutional opinions issued by

the Court increased from the Warren

Court forward although in recent

years the Court has been hearing

fewer cases period.

Bloom also says that you need

not go back much further than

June 2008 when the Supreme Court

handed down District of Columbia v.

Heller, which examined the

Second Amendment’s right of

individual gun ownership, to find

one of the best cases ever discussing

original understanding.

“Heller is like an archeologist

discovering a yet unexplored tomb,”

he says, since the Second Amend-

ment has been part of the Constitu-
tion for over two hundred years

but only received its first detailed

consideration by the Court last year.

“We think intuitively that conserva-
tive justices are more inclined

toward original understanding. But

in Heller, we have Justices Scalia

and Stevens going toe-to-toe on

what the generation that ratified the

Second Amendment thought that it

meant.”

Bloom says there are no justices

on the Court today capable of

the rhetorical brilliance of Holmes,

Brandeis, Frankfurter or Jackson.

In that sense, it is not as much fun

to read the opinions of the current

Court as was the case with some of

its predecessors.

“Justice Scalia is good for an

entertaining quip now and then but

his opinions certainly don’t rival the

Brandeis concurrence in Whitney v.

California or the Jackson opinion for

the Court in West Virginia Board of

Education v. Barnette, for instance,
in terms of literary quality.”

“The question I get asked

most is, how has constitu-
tional interpretation changed?” says

Bloom. “I don’t think it has changed

that much because the type of legal

reasoning used by John Marshall and

Joseph Story is as persuasive today as

it was then. Constitutional law and

doctrine have changed immensely

but the interpretative methods

haven’t changed radically. There is,
of course, a far greater accumulation

of precedent and doctrine for the

justices to consider today, however.”

CHRISTOPHER HANNA

Altshuler Distinguished Teaching

Professor and Professor of Law

O

n eight occasions, SMU

law students have awarded

Professor Christopher Hanna

the Dr. Don M. Smart Teaching

Award for Excellence. That feat alone

is extraordinary. Even more remark-

able is that Hanna teaches tax law.

Now, Hanna is looking to do

with a book what he does in the

classroom: bring tax law alive.

“I know a lot of people

think tax law and they

think boring, but the truth

is that most people are very

interested because most

people have strong feel-

ings about paying taxes,”

says Hanna, who is also

the Altshuler University

Distinguished Teaching

Professor at SMU. “We

plan to write to a broader

audience than just tax
attorneys, reaching out to business leaders, accountants, and policy makers by showing the impact of inside and outside forces on the development of tax law. We are trying to bring the process to life.

“Warren Buffet has been quoted as saying, ‘Just let ’em feel that you can save ’em something on taxes and nobody will keep you out,’” he says.

Hanna, who has previously authored two books and numerous articles, is writing The History of the Joint Committee on Taxation (“working title only,” he says) with University of Virginia Law Professor George K. Yin, who served as the Joint Committee’s chief of staff from 2003 to 2005. Hanna was a “consultant in residence” at the Joint Committee from 2000 to 2006.

The Joint Committee on Taxation, established in 1926, is one of only a handful of active joint United States Congressional committees. It is a non–partisan committee and operates with an experienced professional staff of economists, attorneys, and accountants, who assist members of the majority and minority parties in both houses of Congress on tax legislation.

How can the work of a Congressional Committee be interesting enough for a book? There have been books and even movies about the inside workings of the House Select Committee on Assassinations, the Committee to Prosecute the President, and even the committee that investigated fraudulent TV game shows.

“It is funny that you mention the Nixon impeachment, because we plan to have a chapter in the book on that,” says Hanna. “The Joint Committee was involved, examining Nixon’s tax returns as part of his impeachment inquiry. And don’t forget, Nixon’s Vice President, Spiro Agnew, resigned over taxes.”

Hanna says even the very creation of the Joint Committee is a fascinating story. In 1924, U.S. Senator James Couzins of Michigan complained that the Bureau of Internal Revenue was overtaxed with inefficiency and waste and that hundreds of millions of dollars were not being collected from large and powerful corporations as a result. Days later, Sen. Couzins was informed that then–U.S. Treasury Secretary Andrew Mellon, in retaliation, had ordered the IRS to investigate the possibility that Couzins owed $10 million in back taxes.

Not to be outdone, Sen. Couzins convinced his colleagues in the Congress to pass the Revenue Act of 1926, which created the Joint Committee’s oversight authority of the IRS.

Hanna has been reviewing documents that date back to the 1920s and has been interviewing key figures with knowledge about the Joint Committee’s operations and history. For example, he’s interviewed Ward Hussey, who is now 91 years old.

“Mr. Hussey worked as the legislative counsel for the House of Representatives starting in 1946,” he says. “He would sit through the Joint Committee’s meetings and then actually write the language in the bills that became part of the Internal Revenue Code. He had some good stories.”

“We want to explain the importance of the committee with respect to the tax legislative process from the committee’s inception in 1926,” says Hanna. “I think clearly the history of the committee helps us understand our current tax system and how our tax system came to be where it currently is.”

Ever wonder the origins or true meaning of legal phrases, such as “billable hour,” “blue laws,” or “testifying?”

SMU Dedman School of Law Professor Beth Thornburg is a co-author of an upcoming book that will provide those answers in an authoritative and entertaining manner. Law Talk, which is set to be published by Yale University Press in 2010, will be a compendium of American talk by and about law and lawyers—a kind of Black’s Law Dictionary, only much more detailed and enjoyable to read.

The English language abounds with colorful expressions associated with law and lawyers—words and phrases that people use every day, often with little awareness of their linguistic history or legal significance. Such phrases include “a pound of flesh,” “boilerplate,” “aid and abet,” and “don’t make a federal case out of it.”

“This book tells the stories behind the expressions, combining authoritative scholarship with a light touch that will appeal to a broad audience of lawyers, students, language scholars who are interested in the history of language, and the general public, who we hope will find the information accessible and entertaining,” says Thornburg, who teaches Civil Procedure, Conflict of Laws, and Texas Procedure. She is co-authoring the book with University of Wisconsin Law School Professor Marc Galanter; Fred Shapiro, who is the editor of the Oxford Dictionary of American Legal Quotations; and James Clapp, author...
Law Talk is arranged alphabetically, with each word or phrase having a sort of encyclopedia-like essay explaining what it means, where it comes from, how it’s used, or the like.

“We try to tell interesting stories about origins and usages, and also to debunk urban legends and misunderstandings about some of them,” she says. “One of our premises is that language about the law and lawyers permeates popular culture, and that Law Talk reflects and influences the way Americans feel about our legal system.”

Thornburg says she and her co-authors have discovered usages of some words or phrases that are significantly earlier than what people now believe, disproved some generally believed origin stories (“Blue laws were not printed on blue paper and testifying is not named after a ritual involving the testicles”), and tracked down some interesting stories about more contemporary Law Talk (“The link between Dr. Seuss and the nickname – ‘wet foot, dry foot’ – of the U.S. policy on Cuban immigrants”).

Thornburg says Underwood Law Library Associate Director Greg Ivy helped her access a host of historical databases that made research into early uses of words possible in ways that would never have been possible at an earlier time.

“In the past, people would have to travel to special book collections and stumble across words in likely (or unlikely) places, where we can now sit at our computers and bring the world of historical documents to our homes and offices, all in ways that help us to better understand our own world,” she says. “It’s pretty darned cool.”

Thornburg, who has written or co-authored several books and more than two dozen law review articles, says that faculty scholarship “keeps us at the growing edge of knowledge in our fields, so we can pass that on to our students.”

“Academics, unlike most lawyers who are in the trenches of practice, have the freedom to examine the bigger picture of the policy implications of developments in the law, unconflicted by the ways in which the changes might impact clients,” she says. “Sometimes that bigger view allows us to see a solution to a problem that’s obscured by the need to focus on the details. We also involve our students in our research, always when it is incorporated into our classroom teaching, and often because the students work as our research assistants – helping to refine their research and writing skills, and giving them a taste for the joy of figuring things out.”

“A side effect of faculty scholarship is that it can enhance the reputation of the law school with the practicing bar, the judiciary, or the academy,” says Thornburg. “A strong reputation for the law school helps us recruit good students and talented young faculty, and also helps our alumni by maintaining and growing the value of their SMU degrees, locally, nationally, and internationally. It can also create opportunities to poke the law in a positive direction.”
After serving as a Senior Appellate Court Attorney for the California Court of Appeal since 2005, Jeffrey Bellin has joined the SMU faculty as an Assistant Professor of Law.

Bellin received his J.D. from Stanford Law School in 1999 and was a member of the Order of the Coif as well as an Associate Editor of the Stanford Law Review. He graduated summa cum laude with a B.A. in political science from Columbia University, where he worked as a columnist for the Columbia Daily Spectator.

Following his graduation from law school, Bellin served as a law clerk to the Honorable Merrick B. Garland of the U.S. Court of Appeals for the District of Columbia Circuit. Starting in 2000, he worked for two years as an Assistant United States Attorney in the United States Attorney’s Office in Washington, D.C. He then spent two years as a Litigation Associate at Latham & Watkins LLP in California before beginning his time as a Senior Appellate Court Attorney for the California Court of Appeals.

Bellin’s primary areas of concentration include criminal procedure, evidence, criminal law, and criminal justice. He is particularly interested in proposing and evaluating reforms designed to improve the reliability and legitimacy of the jury trial system and has written extensively on the subject.

Bellin’s most recent article, entitled “Circumventing Congress: How the Federal Courts Opened the Door to Impeaching Criminal Defendants with Prior Convictions” and appearing in the U.C. Davis Law Review, is a critique of the legal framework that governs the impeachment of testifying defendants with prior convictions. This project encourages increasing the number of defendants who testify at their own trials and resulted in speaking engagements for Bellin at Chapman Law School and the San Diego Federal Public Defender’s Office.

Bellin’s passion also led to an article, published in 2008 by the University of Cincinnati Law Review, entitled “Improving the Reliability of Criminal Trials Through Legal Rules That Encourage Defendants to Testify,” in which Bellin examines legal rules that discourage defendants from testifying in the American criminal justice system. The article proposes reforms which will not only strengthen the American criminal justice system, but which are more consistent with early American legal history than with the current system.

Bellin has also published two additional articles, one of which assesses the use of lie detector technology in the testimonies of criminal defendants. Bellin counters the claim that advances in this technology will enable criminal defendants to call their testimonies scientifically reliable based on the results of the tests. The other article explores the treatment of jurors within criminal procedure.

Bellin has plans for future research as well. He intends, for example, to collect data regarding defendant testimony, such as the percentage of defendants who testify at trial. He also wants to pursue a project regarding commonplace encounters between police officers and citizens and how these fit within the Fourth Amendment.
SMU Dedman School of Law Welcomes New Faculty Members

Meghan Ryan joins the SMU Dedman School of Law faculty from the University of Minnesota Law School, where she has been a Visiting Assistant Professor since January 2008, teaching courses in sales, advanced criminal procedure, and criminal law.

After graduating with an A.B. in Chemistry from Harvard University, Ryan received her J.D. from the University of Minnesota Law School in 2005, where she graduated *magna cum laude* and was inducted into the Order of the Coif.

In her time at law school, Ryan was a member of both the Minnesota Law Review and the Minnesota Journal of Global Trades, and received the American Law Institute–American Bar Association Scholarship and Leadership Award.

Upon graduation from the University of Minnesota, Ryan clerked for the Honorable Roger L. Wollman of the United States Court of Appeals for the Eighth Circuit in South Dakota. She then took a position as an Associate at Dorsey & Whitney, LLP in Minneapolis, where she practiced commercial and appellate litigation for two years.

With a particular interest in criminal law, criminal procedure, and statutory interpretation, Ryan intends to focus her research and writing on prisoners’ and criminal defendants’ rights. In particular, she plans to study the effects of societal and technological change on criminal law and procedure.

Ryan published an article in 2007 in the *North Carolina Law Review* that focused on the way in which lower courts should apply Supreme Court precedent in light of the evolving standards of decency test. The article, “Does Stare Decisis Apply in the Eighth Amendment Death Penalty Context?”, argues that lower courts should be allowed to determine that punishments which have previously been determined by the Supreme Court to be neither cruel nor unusual are unconstitutional due to evolving standards of decency.

Professor Ryan is currently working on a new project entitled “Does the Eighth Amendment Punishments Clause Prohibit Only Punishments That Are Both Cruel and Unusual?” which analyzes the Punishments Clause in the Eighth Amendment and concludes that the Clause prohibits only punishments that are both cruel and unusual rather than prohibiting both cruel punishments and unusual punishments. Ryan will argue that the cruelty and unusualness components of the Clause should be independently assessed by the Supreme Court and will draw on First Amendment theory to help answer Eighth Amendment questions, such as how the Court should evaluate the cruelty component of the Punishments Clause.
Jessica Dixon Weaver was appointed an Assistant Professor of Law, after serving at SMU as Director of the W.W. Caruth, Jr. Child Advocacy Clinic and Lecturer-in-Law since 2002.

Dixon Weaver received her B.A. from the University of Pennsylvania in 1992 and her J.D. from the University of Virginia in 1995 where she served as Notes Development Editor of the Virginia Law Review.

After graduation, she practiced labor and employment law and juvenile law and opened her own legal practice in 1997. During her time in private practice, she functioned as guardian/attorney ad litem for neglected and abused children, represented parents in termination cases, and served as a defense attorney for juveniles in delinquency cases.

Dixon Weaver first came to SMU Dedman School of Law in 2001 as the founding Director of the W.W. Caruth, Jr. Child Advocacy Clinic. She taught an interdisciplinary child advocacy course each semester to eight students whom she also supervised as they served as guardian/attorney ad litem for abused and neglected children. The W.W. Caruth, Jr. Child Advocacy Clinic has been instrumental in serving the needs of abused and neglected children in the community.


Additionally, Dixon Weaver is the co-chair of the Juvenile Justice Committee of the Dallas Bar Association; a public policy member of TexProtects, a division of Prevent Child Abuse Texas; and a member of the Regional and Dallas Disproportionality Advisory Committees for the Department of Family and Protective Services, which are committed to reducing the disproportionate number of African-American children in the Texas child welfare system.

She has also made presentations based on her research to various groups, has organized and chaired several conferences, and has given numerous interviews, including an appearance on the Today Show in April 2008, to discuss the removal of the children from the polygamist ranch near El Dorado, Texas.
SMU Dedman School of Law Professor Ndiva Kofele-Kale was one of two SMU faculty members named University Distinguished Professors, as announced by the Office of the Provost in April 2009. The University Distinguished Professorships were created in 1982 by SMU’s Board of Trustees to honor outstanding faculty members who meet the highest standards of academic achievement. University Distinguished Professors are appointed in perpetuity and receive cash awards of $10,000 per year for five years.

Upon receiving the award, Kofele-Kale said, “For a scholar nothing is quite as rewarding as the recognition of one’s peers. I cannot adequately express my gratitude to Dean John Attanasio, to those who recommended me for the University Distinguished Professorship, and to Provost Paul Ludden, the one person empowered to make the award. I read from it an indication of the high esteem in which my modest contributions to scholarship are held. Atmosphere is critical to the writing process. John Attanasio has created an enabling environment that I find makes writing much easier.”

Professor Kofele-Kale received his undergraduate degree from Beloit College in 1970, a Master’s of Arts from Northwestern University in 1972, a Doctorate of Philosophy from Northwestern University in 1974, and a J.D. from Northwestern in 1984. He joined the faculty at SMU in 1989, teaching courses on international law and business associations. He is the co-managing editor of Kluwer International Publishers’ *International Economic Development Law* series and served as associate editor of *The International Lawyer*. Professor Kofele-Kale has authored and co-authored many books and articles on international law, as well as political science, economic policy and governance. In addition, Professor Kofele-Kale has appeared before various international tribunals and organizations, including the United Nations Human Rights Commission and the African Commission on Human and Peoples’ Rights, to defend the human rights of indigenous minority peoples.

Dean John Attanasio noted, “Professor Kofele-Kale is one of the world’s leading authorities in the area of anti-corruption law. The law school is grateful to the Provost for this recognition of Ndiva’s achievements.”
As SMU Dedman School of Law moves forward with the historic SMU Unbridled, Second Century Campaign to increase funding of scholarships and faculty chairs, it is fitting that a family who has been so generous to the law school would step forward again to make more funds available for matching gifts.

Bob Dedman ’84 announced the third Dedman Match last spring at a day-long retreat of the Law Campaign Steering Committee at the Omni Mandalay. Dedman explained, “My family has a long history with the law school: Robert H. Dedman received his LL.M. in 1953, I received my J.D. in 1984, my mother Nancy McMillan Dedman was named honorary alumna, and my nephew Jonathan Dedman Dietz will graduate from the law school in 2010.” Dedman discussed his father’s vision that the law school should be not just a very good law school, top 25, but that it should strive to be a great law school, in the top 10. Dedman continued, “There is a symbiosis between business and law. Every great business center has a top ten law school.” Dallas is a top business center. It needs a top law school. SMU Dedman School of Law is poised to be that school. Dedman acknowledged that although times are tough, he stated, “We can turn adversity into advantage.” He went on to say that the law school had made tremendous progress to date and that “we are at a turning point to accomplish the strategic vision of the law school. And I am confident of our success because of the leadership in the room today.”

Dedman explained that the third match would function much like the first two matches. Under this match, $4 million is available for matching endowment funding. Dedman explained, “Of the match, 70% is for scholarship and 30% is for chairs or professorships. The donor must give at least the university minimum before the match is triggered. And donors have the ability to ‘double your money.’” Alan Feld ’60, Convening Co-Chair for the Second Century Campaign, thanked Bob Dedman and Nancy Dedman, who were both present at the campaign retreat, for their tremendous generosity and continued leadership.

With this announcement, the Dedman family, through the Dedman Foundation, has designated that $12 million of their $20 million naming gift be used to match endowment gifts for law scholarships, faculty chairs, and faculty research grants. The Dedman Match has been extremely successful – creating 28 new scholarships (including 7 full scholarships), 19 faculty research funds, and 2 chair/professorships. To date, $8.6 million has been matched by the Dedman family, generating almost $12.5 million in endowment gifts from alumni and friends.

The Dedman Foundation board includes Patricia Dedman Nail, who earned a master’s degree from SMU; and Robert H. Dedman, Jr., who received both J.D. and M.B.A. degrees from SMU and serves on the law school’s Executive Board.
Last fall, the Noel family endowed the law school deanship with a $4 million gift in honor of their father, the late Judge James Noel, Jr. ’38. The Dedman family matched this gift with $1 million. On October 28, 2008 SMU marked the Noel’s generosity with a luncheon celebration in Karcher Auditorium. Dean Attanasio said, “It is fitting that we would honor the Noel family on the date of Judge Noel’s birth. We remain grateful to the Noels for their tremendous generosity. This is a tribute to Judge Noel and a historic moment for the law school. Only a relatively small number of law schools have the deanship endowed, and even fewer at the $5 million level.”

Will Noel ’82 remarked, “When our father was in law school he was known as ‘Soapy Noel.’ In his campaign to be elected Student Bar President, he promised to clean up student government. He handed out bars of soap as part of his campaign, which earned him the nickname of ‘Soapy.’” Judge Noel graduated from SMU School of Law in 1938 with an L.L.B. and received two bachelor’s degrees from SMU as well. President John F. Kennedy appointed Judge Noel to the federal district court bench in Houston in 1961, where he served until he took senior status in 1976. Judge Noel married Virginia Grubbs Noel, who left practicing law at Baker and Botts to raise their five children: James L. Noel III, Carol Noel King ’76, Edmond O. Noel ’75, William D. Noel ’82, and Robert C. Noel ’80, ’89. Judge Noel served as the campaign chair to the first law school campaign in 1956.

The Noel family, who live in Houston, are very connected to SMU. Four of the five Noel children have SMU degrees, including three from the SMU Dedman School of Law. Carol Noel King, Will Noel, and Robert Noel all received their J.D.s from SMU. Ed Noel and his wife Patrice both received their undergraduate degrees from SMU. Jim Noel, also a lawyer, stayed in Houston to work in the family business while attending law school. Jim and his wife, Melinda, have a daughter, Mindy (McGehee) Riseden, who graduated from SMU Dedman School of Law in 2003. Carol’s and Robert’s spouses, J. Stephen King and Deanna Moore Noel, also hold SMU Dedman Law degrees. Will Noel, married to Barbara, has served as a long-time member of the SMU Dedman Law School Executive Board and is a member of the Campaign Steering Committee.
NEW ASSOCIATE DEAN FOR DEVELOPMENT AND ALUMNI AFFAIRS

Lynn Switzer Bozalis ’90 has been promoted to Associate Dean for Development and Alumni Affairs for the law school. “This promotion is well deserved and in recognition of her tremendous accomplishments. In this role, Lynn will continue to oversee development, alumni affairs, external relations, and marketing and communications for the law school,” said Dean John B. Attanasio.

Lynn returned to the law school in 2006 as the Director of Development and in 2007, alumni, marketing, and external affairs were placed under her leadership. No stranger to the law school, Bozalis not only received her J.D. from SMU, she also spent more than six years as the law school’s Assistant Dean and Director of Admissions and Financial Aid, and taught two semesters of Disability Law as an adjunct professor. Prior to that, she was a trial associate in the Dallas office of Baker Botts L.L.P. As a law student, Bozalis graduated Order of the Coif. She was also elected President of the Student Bar Association, served on law review, was a member of the Barristers, and received a Hatton W. Sumners Scholarship.

Bozalis has a strong track record when it comes to attracting high-quality students. In the six years she spent as Assistant Dean of Admissions at the law school, the median entering student GPA rose from 3.17 to 3.60, and the median LSAT score jumped four points. In 2003, she left the Dedman School of Law to work as Director of Admissions at Greenhill School, her old high school. After three years, however, she was ready to return to SMU. Since her return, Bozalis’ primary focus has been to raise funds for SMU Unbridled: Second Century Campaign. The law school’s primary goals for the campaign are to dramatically increase the scholarship endowment and increase the number of endowed faculty chairs to enable SMU to continue to attract and retain top students and faculty.

Bozalis comments, “It is truly a privilege to work with our alumni and friends. We have a tremendously talented and successful group who are dedicated to further enhancing SMU Dedman School of Law’s reputation.”

Bozalis further explained, “SMU Dedman Law is poised to be a top law school. By objective measures such as placement, scholarship, and per capita endowment, we are firmly established as at least a top 25 law school. Strategic investments in students and faculty are crucial to both our continued and future success.”
Paul Ward ‘75, formerly Vice President for University Administration and General Counsel at Arizona State University, was named Vice President for Legal Affairs, General Counsel, and Secretary to the Board of Trustees at Southern Methodist University, effective January 1, 2009.

“We are pleased to welcome Paul Ward to SMU,” said SMU President R. Gerald Turner. “As an SMU law alumnus, he knows the University well, and his extensive background in legal affairs at other universities gives him the knowledge and experience to lead SMU’s legal affairs division.”

At SMU, Ward will oversee legal services to the University, including the supervision of three staff attorneys and the selection and management of outside counsel. Additionally, as Secretary to the Board of Trustees, he will work closely with the President and senior administrative officers in coordinating the Board’s activities.

“Paul Ward brings the perfect combination of legal knowledge and practice for this position, and I am delighted he has been selected,” said Michael M. Boone ‘67, chairman of SMU’s Board of Trustees legal committee. “I know he will play an integral role in SMU’s development through his collaborative work with the Board, President Turner, faculty, staff, and students.”

Ward became the Vice President for University Administration and General Counsel at ASU in September 2004. He served as General Counsel at ASU starting in June 1991. Prior to his association with ASU, he served the University of South Carolina System as General Counsel from 1979 to 1991. Previously, he was engaged in private practice in the Washington, D.C., office of Casey, Lane & Mittendorf.

Ward served as president (1996–97) and as a member of the Board of Directors (1988–92 and 1993–98) of the National Association of College and University Attorneys (NACUA). In June 2000, he received the prestigious Distinguished Service Award from NACUA. He currently serves as a member of the NCAA General Counsel Advisory Board. In addition, he recently concluded a term in the American Bar Association House of Delegates. In 2002, Ward received the Thomas S. Biggs Award at the Stetson University College of Law, National Conference on Law of Higher Education.

Ward graduated from SMU Dedman School of Law in 1975 after earning his B.S. and M.A. from Eastern Illinois University. He has been admitted to practice law in Texas, Arizona, South Carolina, Indiana, the District of Columbia, and the United States Supreme Court.

Ward succeeds S. Leon Bennett, SMU’s Vice President for Legal Affairs and Governmental Relations, General Counsel, and Secretary to the Board of Trustees, who was with the University from 1983 until his retirement on December 31, 2008.
CAREER SERVICES
Restructures to Meet Challenges

Under the leadership of Assistant Dean Karen Sargent, the Office of Career Services restructured its staff and focus during the summer of 2009. The changes were designed to meet the challenges of the existing and future legal marketplace and to ensure that SMU Dedman School of Law remains a top school at which employers want to recruit and where prospective students want to attend. Two major goals were identified. First, the Office of Career Services will substantially increase job development in small to mid-sized law firms, as well as in the corporate and government sectors, while continuing to expand opportunities with large firms. Second, the office will provide more focused counseling for our students. Assistant Dean Karen Sargent will oversee this job development initiative and will concentrate on increasing outreach to regional and national large firms.

To accomplish these goals, in June the law school hired Steve Yeager ’93 and Temesha Evans-Davis ’00 to serve as Career Services Directors. Yeager is leading the development of employment opportunities with small and mid-sized firms and corporations, while Evans-Davis is concentrating on job openings with federal, state, and local governments and the courts.

“Finding a job in a small or mid-sized firm is very different from seeking a position with a large firm,” Steve Yeager said. “I put together a job search guide for our students called ‘How to Land a Job in a Small or Mid-Sized Law Firm’ that walks them through the process, and I will present a program on the topic in early September. We have also developed a database of approximately 400 small and mid-sized firms for our students to use.”

On the corporate side, Yeager’s goal is to help students gain practical experience in corporations through internships, as well as to help the JD and JD/MBA students find permanent jobs in corporations. He has prepared a database of corporations in the Dallas area and has started to reach out to alumni and others in many of these companies.

In connection with opportunities with govern-ments, Temesha Evans-Davis said, “I have begun an outreach campaign to area local, county, state, and federal employers. We have been meeting to discuss how best to strengthen ties with the SMU Dedman School of Law, including increasing government employers’ presence on the campus through programming and events, as well as by identifying internship and employment opportunities and communicating them to our students.” With regard to positions with the courts, she hopes to create additional opportunities through outreach and collaboration with them, as well as with bar and legal associations.

STEVE YEAGER ’93
Yeager earned his Bachelor of Business Administration degree, summa cum laude, from SMU in 1990 and graduated, cum laude, from the SMU Dedman School of Law in 1993. While in law school he was on the SMU Law Review and a member of Barristers, and he managed a tutorial program for all first year students. After law school Yeager joined Jones Day as an associate and later became General Counsel of a financial services firm.

TEMESHA EVANS-DAVIS ’00
Evans-Davis graduated summa cum laude from Grambling State University in 1994 with a Bachelor of Science degree in Chemistry. At SMU Dedman School of Law she was a Sarah T. Hughes Scholar and graduated cum laude in 2000. During law school Temesha served as the Student Director of the Academic Support Program and as an Articles Editor of the SMU Law Review. Upon graduation from law school she clerked for Judge Carl E. Stewart of the United States Court of Appeals for the Fifth Circuit. After her clerkship she practiced labor and employment law with Hunton & Williams LLP and Epstein Becker Green Wickliff & Hall, P.C.
**ADMISSIONS**

Launcheds Undergraduate Pre-Law Scholars Program

![Image of Carl Sewell, SMU Board of Trustees Chairman and Dallas Business and Civic Leader]

This fall, SMU Dedman School of Law will launch its Pre-Law Scholars Program. The program, suggested by the Chairman of SMU’s Board of Trustees Carl Sewell, will accept approximately 20–30 SMU undergraduate students per year. The Pre-Law Scholars Program targets undergraduates interested in pursuing law school following graduation. These students will be guaranteed automatic admission into the Dedman School of Law provided that certain conditions are met.

In order to be admitted into the Pre-Law Scholars Program, students must first be admitted into SMU undergraduate school as a first-year or transfer student. Although no additional application is required for the program, admission to the program is highly selective. All students who have indicated an interest in pre-law on their regular applications will automatically be considered for the program. Provided there is additional space, SMU undergraduate students with at least 30 hours of coursework and a cumulative GPA of 3.85 are also eligible to apply for the program.

To gain automatic admission into the law school upon graduation from SMU, certain criteria must be met. In addition, program scholars must also successfully complete the Pre-Law Scholars class taught by the law school, be without significant character issues, and never have attended law school previously.

The required Pre-Law Scholars class, taught at the law school, is to be taken in the students’ sophomore or junior year and includes lectures in a variety of legal fields. Students will also have the chance to interact with current law students through a mentorship program and will receive invitations to law-related events such as conferences and symposia, distinguished speakers, law school class visitations, presentations on career paths, and law alumni panels.

The Pre-Law Scholars Program will create a vehicle for undergraduate students interested in a career in law to learn more about the profession and will help the law school recruit outstanding SMU undergraduates.

**ADMISSIONS TRENDS:**

The median LSAT and GPA of incoming evening students for Fall 2008 was 6th highest in the country.

In the fall of 2008, the full-time class median GPA of 3.78 was 7th highest in the country and their median LSAT of 164 was 27th highest in the country.
The law school’s evening program has some of the most well-rounded professionals in the country, not to mention their credentials. **THE MEDIAN LSAT AND GPA OF INCOMING EVENING STUDENTS FOR FALL 2008 WAS SIXTH HIGHEST IN THE COUNTRY.** Every year, the faculty is impressed at the classrooms full of educators, established business people, and entrepreneurs bringing a dynamic to the classroom that is hard to find elsewhere.

In 2004 SMU Dedman School of Law reinstated its part-time program for evening students. Now celebrating its fifth year, the evening program has enjoyed great success, eliciting positive responses from the students, the faculty, and the Dallas community. Created to extend the opportunity to earn a J.D. from SMU to people with full-time jobs or families, the evening program is a 4-year alternative degree track available to those with a limited schedule. The program’s required curriculum is equivalent to that of the full-time program, and its courses are taught by the same distinguished faculty.

According to Dean John Attanasio, Dedman reinstated the evening program in 2004 because “we knew that there was an amazing talent pool of students in the community who, but for a more flexible schedule, would pursue a law degree.” A market study conducted in the spring of 2003 seconded his opinion. Within two weeks, the study received 1,700 responses with 71% of respondents indicating that they would definitely or probably apply for admission to such a program. Most of the respondents were in professional fields; 43% had masters degrees, and 6% had doctorates. Clearly the opportunity for a more flexible J.D. program was in demand.

The proposed program also gained support from graduates of the former evening program at the law school, which operated from 1938 to 1969. Tom Luce, who graduated from the original evening program in the class of ’66, said, “SMU is rendering a great community service by offering an evening law school. I know from personal experience that many people would...
not otherwise be able to attend law school. The education I received in SMU’s evening program prepared me in every way to become an attorney.” Tom Luce went on from SMU to become the founding partner of Hughes & Luce and the Chairman for the National Center for Educational Accountability.

As a full–time mother to three sons, Louise Raggio could only attend law school at night. She was also a supporter of the program’s reinstatement: “I am an attorney because the SMU evening law school program was available. My husband kept our three children when I went to school.” After graduating from SMU in 1952, Louise became an attorney with Raggio & Raggio and was later inducted into the Texas Women’s Hall of Fame.

Evening program graduate Erle Nye ’65 also offered his endorsement, saying, “The administrative law training I received at SMU has been tremendously helpful to me in managing an organization and conducting business transactions amid so much change.” Nye went on to become Chairman of the Board and Chief Executive of TXU.

The first Hispanic woman to graduate from SMU Law School, Adelfa B. Callejo ’61 could not have attended law school without the evening program. Callejo reflects, “Getting a legal education is terribly important. It’s a very powerful weapon in helping others. One of the reasons I went to law school was to be an advocate.”

Reflecting on the program’s past five years, it’s safe to say its supporters were not disappointed. Although only one class of evening students has graduated, the program has already enjoyed tremendous success. Employment rates between the evening and day programs are comparable, with starting salaries for evening students slightly higher than for full–time students. The Dedman evening program received 623 applications for the 2008–2009 school year, up from 567 for 2007–2008.

The program’s success is due in large part to SMU’s dedication to provide evening students with the same advantages as full–time students. All evening core and bar courses are taught by full–time faculty with SMU. Evening students also have the opportunity to complete clerkships and to be on law review. Dean Attanasio explained, “We try to be very accommodating for the evening students, so we try to schedule classes in such a way that they can go to class fairly easily and work full time. It’s this flexibility that allows evening students to take advantage of Dedman’s many opportunities outside the classroom.”

Karla Roberts, a 2009 graduate from the evening program, explains her perspective on the evening program’s appeal. According to Roberts, “The evening school is unique because students can work through law school and obtain on–the–job legal experience while simultaneously learning about the same legal issues in the classroom.”

Assistant Dean of Students Martin Camp, evening program professor for Land Use and Real Estate Transaction, appreciates the program for the different types of students it brings into his classroom. When asked about his favorite aspect of the program, Dean Camp said, “I especially enjoy the diversity of life and work experiences that many older evening students bring to the classroom discussions. This enriches everyone’s understanding of the cases. I also find that these students take the law school experience very seriously and are prepared and enthusiastic. I know it is a challenge to work during the day and attend class four nights a week. But it is a challenge our students master time and again and for which I admire them greatly.”

After five years, the evening program is a veritable success according to students, faculty, and community members alike. With the help of its supporters, it should continue to grow and improve as it becomes an even more established part of the Dedman School of Law. With the creation of its evening program in 2004, SMU provided the Dallas community with a much needed J.D. program available to those with a full–time job or family.

Members of the Dallas community have definitely taken advantage of the opportunity. The first class of evening program graduates lends testament to the program’s success as these new lawyers enter the community as highly educated, very capable members of society who are giving back.

Dean Attanasio said, “We are very proud of the success the evening program has enjoyed in its first five years. The high quality and great potential I see in our evening students, combined with the enthusiasm of our faculty and their support of the program, assures me that the future of the evening program is very bright.”
SMU FIRST
IN BAR PASSAGE

SMU Dedman School of Law ranked first in the Texas Bar passage rate for the July 2008 Bar Examination.

“We are very pleased with the performance of our students on the July 2008 Texas Bar Examination. It is evidence of the high quality of our student body and the outstanding curriculum and teaching at the school,” said John B. Attanasio, Dean of the SMU Dedman School of Law.

In first place, SMU had a passage rate of 93.97%. The University of Houston Law Center was second with a passage rate of 93.33%, followed by Baylor University School of Law in third with 91.58%, and the University of Texas School of Law in fourth with a 90.24% passage rate.

In the previous year, on the July 2007 Bar Examination, SMU had the second highest passage rate, with 92.44% passing the exam. Over the last three years (2006, 2007, and 2008) SMU has had an average passage rate of 92.17%, second only to Baylor.

KATHLEEN TURTON ’04 TO LEAD THE CHILD ADVOCACY CLINIC

Kathleen Turton has been appointed interim Director of the W. W. Caruth Jr. Child Advocacy Clinic. Ms. Turton is a 2004 graduate of the law school and holds a B.S., with special honors, in Microbiology from the University of Texas at Austin. After graduation, she practiced as an Associate with Keane, Fowler & Donohue, handling a wide variety of family law matters and served as an adjunct professor at El Centro, Dallas County Community College, where she taught family law to paralegal students. She has also been appointed by the Dallas County District Courts to represent abused and neglected children, as well as children caught in the middle of family disagreements, and has served as a Visiting Associate Judge in Dallas County. From 2005-2007, she served as the Chairman of the Dallas Bar Association Family Law Section Pro Bono Committee, and has helped train attorneys who volunteer their time for pro bono clients in the nuts and bolts of family law. A trained Family Law Mediator and member of the College of the State Bar of Texas, she has extensive education and experience in conflict resolution.

MAKING THE GRADE

Texas Lawyer ranks SMU Dedman School of Law first in student satisfaction.

Using a scale of one to five, students ranked their schools according to placement office helpfulness, preparation for practice, collegiality, technology, teaching quality, library services, faculty accessibility, and student diversity. The average overall score for the nine schools was 3.84.

SMU, which received an overall score of 4.09, had the highest scores in four of these eight categories: placement office helpfulness, teaching quality, collegiality, and technology. Additionally, the law school ranked in the top three schools in library services, preparation for practice, and faculty accessibility.
On October 14, 2008, Gerald J. Ford ’69 presented “Comments and Observations on the Current Financial Crisis” to students gathered in the Hillcrest Classroom. “We are honored to have such a distinguished graduate of this law school share his time, knowledge and expertise with us today. He is one of the most successful businessmen in our country today,” said Dean Attanasio while introducing him.

Among his many accomplishments, in 1994, Gerald J. Ford led a group that bought First Nationwide Bank, a San Francisco savings and loan, which was then merged with four other savings and loans over the next four years, including Golden State Bancorp. The merged entity took the name Golden State Bancorp and under Mr. Ford’s leadership eventually merged with Citigroup, Inc. in 2002.

He told the audience that he had been in the banking business a long time and, “I would say it is more troublesome than I have ever seen it.” He indicated that a key difference between today’s financial crisis and that of the late 1980s and early 90s is that there are fewer banks healthy enough to roll up weaker banks. With many banks dealing with their own credit-quality problems, Mr. Ford said he expects more troubled banks to end up in the hands of private-equity investors this time.

Mr. Ford has deep ties with SMU. He served as Chairman of the Board of Trustees of SMU from 2002 to 2006, and currently serves as a Trustee and on the Trusteeship Committee of SMU. He is the Convening Co-Chair of the University’s Capital Campaign. He is an Executive Board Member of the Dedman School of Law. Mr. Ford received his B.A. from SMU in 1966 and his J.D. from SMU in 1969. His generous gift for the building of the football stadium bearing his name brought football back to the campus in 2000. He was named a Distinguished Alumnus of SMU in 1995 and received the Robert G. Storey Award for Lifetime Achievement from the Dedman School of Law in 2002.
Five Years of WORLD-CHANGING COLLABORATION

SMU Dedman School of Law Continues its Commitment to Advancing the Rule of Law

RULE OF LAW FORUM, EGYPT, JUNE 2006
U.S. Senator Kay Bailey Hutchison (Texas) and Dean John B. Attanasio meet with the delegation from Egypt.

RULE OF LAW FORUM, INDONESIA, MAY 2008 (left to right): Prof. Dr. Mieke Komar-Kantaatmadja ’70, United States Supreme Court Justice Stephen Breyer, Prof. Dr. Bagir Manan ’81.

RULE OF LAW FORUM, CHINA, NOVEMBER 2007
“For all human beings, justice has been a natural demand. Since civilization began, people wanted justice, and they understand it intuitively,” said United States Supreme Court Justice Stephen Breyer in an interview with Dean John B. Attanasio in 2006.

Justice is a key component of the notion known as the “Rule of Law”—one of the world’s paramount concerns and an area of particular focus for SMU Dedman School of Law. “[T]he Rule of Law involves four basic requirements: equality under the law; a respect for individual rights; an independent and honest judiciary; and transparent court proceedings,” said U.S. Senator Kay Bailey Hutchison.

The law school has actively advanced the Rule of Law by bringing together high-ranking officials from countries around the world through its “Rule of Law Forums” and by publishing important papers on the topic by distinguished authors from across the globe.

Five years ago, under the leadership of Dean John B. Attanasio and the vision of Senator Hutchison, SMU Dedman School of Law began hosting “Rule of Law Forums.” Since 2004, the law school has hosted ten “Rule of Law Forums” for countries with evolving legal systems.

In the Spring 2009 issue of its law journal The International Lawyer, the law school published a groundbreaking collection of papers on the Rule of Law written by scholars and jurists from around the world.

Since 2004, the law school has hosted ten “Rule of Law Forums” for countries with evolving legal systems.

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Members of the delegations have included senior members of the judiciary, legislature, and executive departments, including Chief Justices, Speakers of Parliaments, and Ministers, as well as prominent business leaders. Four U.S. Supreme Court Justices, fourteen Members of Congress, two Cabinet Members, many SMU Law Faculty, and numerous others, have participated in the Rule of Law Forum.

Some of the basic ideas and principles of the Rule of Law were established at the turn of the 13th century. The central idea behind the Rule of Law was that every person is subject to the law of the land—essentially creating limits on the absolute power of a king and/or government and making each subject to the law. Rules were also established regarding imprisonment, a jury of one’s peers, and justice not being denied to any free man. These rules were the central components that established British Common Law, and subsequently the democratic American legal and governmental system. The Rule of Law Forums at SMU Dedman School of Law were established to broaden understanding of the Rule of Law today in countries with evolving legal systems.

Each Rule of Law Forum provides delegates the opportunity to discuss important issues with their respective counterparts in the United States. For example, if a delegation faces challenges in their home country due to inadequate housing, they might visit the United States and the Federal Reserve Bank. In Washington, D.C., delegates meet with Senators, Congressional Representatives, members of the Executive Branch, and the United States Supreme Court. The SMU Dedman School of Law also hosts an additional series of meetings in Dallas involving law school faculty and members of the Texas judiciary. Dallas business leaders have also participated in these forums, bringing their unique perspectives on the Rule of Law as it affects business.

As part of the general dialogue in each Rule of Law Forum, Dean John B. Attanasio, a specialist in United States Constitutional Law, explains the functions and legal
procedures of a democratic society and how its people, government, and constitution are interrelated. Key to the discussion is an explanation of how the United States Constitution regulates only the government, not the private affairs of private citizens, and that the United States is a federalized system with power divided vertically among national, state, and local governments.

The Rule of Law can exist in any type of government, however, not only in democratic systems. The differences would occur in a country’s level of dedication to the principles of the Rule of Law, democracy or not. “A rule of law means that [people] will follow the law. It means that people are not free arbitrarily to act... people have to live under a system of rules,” said Justice Breyer.

SMU Dedman School of Law is proud to advance the Rule of Law on an international level both through its Rule of Law Forums and also one of its premier law journals, The International Lawyer. Published in cooperation with the ABA Section of International Law and co-edited by Dean John B. Attanasio and Senior Associate Dean for Research Marc I. Steinberg, the Spring 2009 issue of The International Lawyer contains a distinguished group of papers and addresses on the Rule of Law written by authors from all over the world. The collection includes the work of prominent jurists and government leaders from the United Kingdom, Pakistan, Singapore, the United States, the International Criminal Tribunal of Rwanda, and the United Nations.

In his paper on the Rule of Law, the Honorable John M. Walker of the United States Court of Appeals for the Second Circuit argues that Rule of Law development has three requirements: “First, there must be laws in place to establish the institutions of judicial administration. Second, these institutions must be up and running, and there must be competent, well-trained people running them. And third, the Rule of Law must have political support, which means, in a democracy, that the people must understand, support, and comply with it.” Judge Walker adds a caveat, however, noting that “countries will not succeed in Rule of Law development unless the countries’ leaders make it a top priority.”

The Rule of Law, regardless of the land in which it is operating, must be known to everyone, and not kept secret. “The rules have to be public,” said Justice Breyer in his interview with Dean Attanasio. “You can’t have a law that people don’t know about, you don’t keep it in your drawer. You make it public so people know and they can follow it.”

Certainly, as Sir Anthony Clarke, the Master of the Rolls and Head of Civil Justice in England and Wales, stated in his speech which appears in the Rule of Law collection in The International Lawyer, “Civil justice reform remains a hard and arduous task. It still requires the judiciary and the legal profession to act with determination and conviction.” SMU Dedman School of Law, through the Rule of Law Forums, is committed to the task of advancing the Rule of Law around the world.
The Appellate Judges Education Institute (AJEI), co-hosted by SMU Dedman School of Law and the ABA Judicial Division Appellate Judges Conference, is the pre-eminent provider of appellate judicial education in the United States.

The annual AJEI programs are designed for appellate judges, lawyers, and staff attorneys and are unique in their focus on the challenging issues that judges and lawyers confront in the appellate arena. The 2008 Summit was held in Phoenix, Arizona from November 13 through 16. Over 250 appellate judges, practitioners, and court staff attorneys from around the country attended the conference.

The three-day program offered lectures by some of the most prestigious members of the legal community, including remarks by Justice Sandra Day O’Connor at the annual AJEI Dinner. Lectures on very timely topics included “The Rule of Law in Challenging Times,” by Chief Justice Ruth McGregor of the Arizona Supreme Court; “Whiskey is for Drinkin’, Water is for Fightin’ – Current Fights over Western Water,” by Professor Joe Feller of Sandra Day O’Connor Arizona State University College of Law; and “Emerging Issues in Prisoner Litigation,” presided over by Jodie Brown of U.S. District Court, District of Arizona; Andrew Jacobs of Snell & Wilmer L.L.P; JoLynn Nesset of U.S. District Court, District of Arizona; and Michael Richter of U.S. District Court, District of Arizona.

The conference also included several panel discussions on topics of interest, such as “Appellate Decision-Making and the Impact of Technology,” moderated by Professor Richard Sherwin of New York Law School; “Is Chevron Out of Gas? Current Trends in Administrative Law,” moderated by Professor Nathan Cortez of SMU Dedman School of Law; “Supreme Court Review/Preview,” moderated by Dean John Attanasio of SMU Dedman School of Law; and “Think Before You Google: Ethical Limitations of the Curious Appellate Judge,” moderated by Professor Elizabeth Thornburg of SMU Dedman School of Law.

The Summit provides an opportunity for judges and lawyers to network and educate themselves about current appellate legal issues and practices, but it’s not a program without a sense of humor. The Council of Appellate Staff Attorneys group of AJEI carried on their tradition of a t-shirt exchange, and attendees were further instructed that “the only permissible form of tie [was] the Bola tie, which is Arizona’s ‘official state neckwear.’”

Professors Nathan Cortez, Elizabeth G. Thornburg, and William V. Dorsaneo III all participated as speakers in the 2008 AJEI Program.
Although strides have been made in realizing the American Dream of equality in our justice system, race and culture continue to affect processes and outcomes in the courtroom.

In an effort to address ethnic bias in American courts, SMU Dedman School of Law and the Judicial Division of the American Bar Association (ABA) hosted a full-day symposium with three panels of distinguished academics, judges, and attorneys. The Program entitled “Justice for All?: Perceptions of Racial and Ethnic Bias in Our Courts” was held on Tuesday, April 2, 2009, in the Hillcrest auditorium of the Underwood Law Library. The symposium addressed the presence and impact of bias among judges and juries, whether racial and ethnic bias infects the exercise of discretion by prosecutors, and how language and cultural differences impact experiences and outcomes in litigation.

“We have a wonderful justice system that is a model throughout the world and it can improve substantially,” said United States District Judge Barbara M.G. Lynn ’76, in her introductory remarks. Judge Lynn spearheaded the conference in her role as the 2008–2009 Chair of the ABA’s Judicial Division.

ABA President Tommy Wells commented on the ABA’s efforts to raise awareness of and find solutions to issues involving racial and ethnic bias in the courtroom as well as the organization’s support of research that addresses bias. “True diversity and inclusion still eludes us in our practice of law. It’s time to go beyond talking about the problems and call the legal profession to face up to the challenge and to determine what’s next,” Wells said. “Justice system bias has the potential to affect many levels of the judicial branch, whether they be litigants, witnesses or attorneys.”

The first panel of the symposium, moderated by Mark Curriden, Communications Director for Vinson & Elkins LLP, dealt with “Decisionmaker Bias,” through an analysis of disparities in sentencing studies and racial correlations to the death penalty. SMU Law Professor Daniel Shuman maintained that “bias is pervasive... has existed, does exist and will exist throughout our legal system.” Furthermore, individuals and decisionmakers...
differ in opinions about what causes bias and what it actually means. Judge Michael B. Hyman expounded on the fact that decisionmakers, namely judges, “cannot dismiss bias as non-existent” and likened its infection in a system of justice to that of a computer virus. In analyzing the strengths and weaknesses of a case, Judge John Creuzot ‘82 suggested that our respective backgrounds influence decisionmaking and can potentially contribute to misinterpretation.

The second panel, on “Prosecutorial Discretion,” was moderated by SMU Law Professor Aaron D. Lacy and focused on the public’s perception of the judicial process and how it can shape decisions in the courtroom. Yale Law Professor Tracey Meares commented that “by focusing on a public–regarding notion of fundamental fairness we keep our ‘eye on the prize...’ we think about the groups of people that get to participate in the process, more rule–based notions of fairness, and we think about the appearance of justice.” Balancing the interest of the public eye and the interest of the law that says everyone must be treated fairly and impartially can be difficult for policymakers, particularly for chief prosecutors. Public favor or “political expediency,” as Judge C. Darnell Jones, III explained, unfortunately can influence decisionmaking. He encouraged the audience, particularly the judges, to “never back down from enforcing what is right” in order to diminish bias in matters such as probation offers, negotiated guilty pleas, and damage awards. Interestingly, Judge Jones added, “[L]awyers have to be proactive; judges can’t be proactive. We [judges] can only do what comes in front of us and that’s all we can control at the moment.” Meares suggested that adopting rules on the basis of fundamental fairness leads to “contextual, forward–looking jurisprudence,” which in turn leads to the potential for greater public commitment to the processes within the law, which ultimately leads to enhanced abiding by the law.

Building on the judicial, prosecutorial, and academic perspectives of courtroom bias, the third panel focused on “Issues of Interpretation/Cultural Conflict.” Judge Ramona G. See observed that the biggest interpretational problems in her Los Angeles courtroom occurred with self–represented litigants who did not speak English or who did not have a professional interpreter. This pertained directly to the findings of a 2006 focus group study, discussed by Southwestern Law Professor Christopher Cameron, which resulted in three recommendations directly from jurors. The jurors recommended more interpreters in civil cases, more diversity on the bench, and more help for self–represented litigants. SMU Law Professor George Martinez then discussed how race, culture, and the courtroom are connected, specifically to damage awards, payment of claims, and tort awards.

In an effort to discuss next steps and future considerations regarding courtroom bias, Robert Nelson of the American Bar Foundation noted that it is “good to have various kinds of research about how the courts operate.” He suggested a combination of qualitative and quantitative data, to be preceded by “working groups of scholars and judges and prosecutors coming together.” Nelson also cautioned that “there’s not a quick fix,” and that “we have to redesign the institutions before we get to the individual result.”

Recordings of the entire symposium, including the keynote address delivered by Former ABA President Dennis W. Archer, can be viewed at: http://www.abanet.org/jd/justiceforall.html.
Beginning in 1947, SMU was one of the first law schools in the country to sponsor a legal clinic, a place where members of the community could go to qualify for and obtain pro-bono legal assistance. The clinical program at SMU Dedman School of Law has evolved over the years, reflecting changing perspectives in legal education and innovation in legal practice. However, at its core, the program remains committed to its original ideals: public service, professional responsibility, and outstanding training for students. Now encompassing six specialized clinics and three projects, the clinical program at the SMU Dedman School of Law remains a national model of excellence. The Small Business Clinic, one of the six clinics in the law school’s program, is no exception.

Formed in 2005 due to an ever-increasing number of small businesses on a budget that need legal advice, the Small Business Clinic began by providing free legal services to new and existing small businesses and non-profit groups that could not afford to pay legal fees. It also served the needs of students who wanted hands-on training in how to work with clients directly at a corporate/business level.

Under the guidance of Clinic Director Larry Jones, the clinic provides services ranging from startup services, contract negotiations, and business plan counseling, to copyright and trademark analysis, and business licensing issues. New businesses and non-profit groups need a great deal of help getting started, and the clinic proves to be a tremendous help to clients.

“We actually help people realize their dreams, which is just about the most satisfying thing I can think of,” said Darrell Guy ’95. Guy, a general attorney for AT&T, and Justin Freeman, a third-year law student who oversaw the student participation in the clinic during the 2008–09 academic year, collaborated on a new initiative at the clinic supported by in-house lawyers at the world headquarters of AT&T Inc., now located in downtown Dallas. Senior Executive Vice President and General Counsel for AT&T Wayne Watts ’80 envisioned the mentoring program.

Before the collaboration with AT&T, third-year law students participating in the Small Business Clinic program would work solely under the supervision of Clinic
Wayne Watts ’80 is responsible for all legal matters at AT&T and oversees a corporate team of more than 450 attorneys.

Outside his demanding full-time position, Watts serves as a Co-Chair of the Second Century Campaign Steering Committee for Dedman School of Law as well as a member of the Law School Executive Board. Watts is an alumnus of the law school’s criminal clinic and a big supporter of the AT&T attorney mentor program now in operation at the Small Business Clinic. “It just seemed to be a practical thing for us to do,” Watts says. “My experience working in the clinic when I was a law student at SMU was rewarding and memorable. Clinic work really teaches you the value of being a lawyer and gives you hands-on experience that complements what you’re learning in class. I am proud of all our attorneys who volunteered to participate in the program. I know it’s a great experience for both them and the students.”
Alumni, family, and friends of Southern Methodist University Dedman School of Law gathered on February 21, 2009, to honor the recipients of the 2008–2009 Distinguished Alumni Awards. “This is a night to celebrate the achievements of seven very distinguished individuals who reflect brilliantly the caliber of alumni who come from one of the greatest law schools in the United States,” said Dean John B. Attanasio, as he welcomed the overflow crowd for the dinner and ceremony held in the Beverly Ballroom of the Park Cities Hilton.
RUSTY HARDIN ’75
The Robert G. Storey Award for Distinguished Achievement

A 1965 graduate of Wesleyan University in Middletown, Connecticut, Rusty Hardin earned his law degree in 1975 at SMU. After graduating from Wesleyan and before law school, he taught American History at Montgomery Academy in Montgomery, Alabama, and served 5 years in the U.S. Army, resigning with the rank of Captain after 15 months in Vietnam.

For over 15 years Hardin established his reputation as an Assistant District Attorney in Houston. During that time he never lost a felony jury trial and earned acclaim for his cross-examination skills in celebrated cases. He was named Texas Prosecutor of the year in 1989. Hardin entered private practice in Houston in 1991, engaging in both civil and criminal trial practice at the state and federal levels. In 1994, he was named Chief Trial Counsel for the Whitewater Independent Counsel’s Office. In 1996, he established Rusty Hardin & Associates.

Hardin’s practice has been a diverse mix of approximately 85 percent civil trial work and 15 percent criminal trial work. Clients have been as varied as Arthur Andersen in both its civil and criminal cases; ExxonMobil; Rice University; the Houston Texans; and various professional athletes such as Warren Moon, Wade Boggs, Scottie Pippen, and Roger Clemens. He is also a nationally-recognized speaker on trial tactics.

Hardin’s first words when accepting the award were: “No one who knew me in law school would expect me to be here tonight.” After the laughter subsided, he held the evening’s printed program—containing the biographies of all of the evening’s honorees—high in the air, and said, “The common thread of these people [the honorees] is public service.” He then declared, “I wouldn’t be here today without SMU. I am an absolutely unapologetic lawyer. I believe in what we do and I love what we do. I have loved every minute I’ve been a lawyer.”

Since 1986, the law school has hosted the Distinguished Alumni Awards Ceremony. Attended yearly by a wide variety of alumni, friends, faculty, staff, students, and previous winners, the evening provides a wonderful opportunity to gather and acknowledge the accomplishments of our distinguished alumni.
ANIELA BRALY ’85
The Distinguished Alumni Award for Corporate Service

Angela Braly has been President and Chief Executive Officer of WellPoint, Inc. since June 2007. Wellpoint is the nation’s largest health benefits company in terms of commercial membership – more than 35 million Americans nationwide are covered through its subsidiary health plans. The company employs over 40,000 associates, generates operating revenue in excess of $60 billion annually, and is #32 on the list of Fortune 50 companies. Braly has been widely recognized for her success. In 2008 Braly was ranked #4 on Forbes magazine’s “World’s Most Powerful Women” list, and was ranked #5 by Fortune magazine on its list of the “50 Most Powerful Women.” The Wall Street Journal named her #1 on its list of “Women to Watch.”

A native of Dallas, Angela Braly received her undergraduate degree from Texas Tech University and earned her J.D. from SMU in 1985. She began her career in private practice with Jackson Walker in Dallas and was a partner in the St. Louis law firm of Lewis, Rice & Fargersh, before she joined RightCHOICE Managed Care, Inc., owned by Wellpoint, as General Counsel. In 2003 she became President and CEO of Anthem Blue Cross and Blue Shield in Missouri, also owned by Wellpoint. In 2005, Braly took over the position of Executive Vice President, General Counsel and Chief Public Affairs Officer for Wellpoint, Inc. She managed the nation’s largest Medicare claims-processing business and the federal employee health-benefits business.

At the Awards dinner, Braly gave credit to her law school friends for setting her up on a blind date with Doug Braly; the couple has been married for 23 years. Braly thanked the law school faculty who “taught me how to identify issues, and even more importantly, taught me how to find solutions to even the most complex problems. Little did I know that one of those complex problems for me would be to find responsible reform of the healthcare system in the United States.”

THE HONORABLE JANE BOYLE ’81
The Distinguished Alumni Award for Judicial Service

Judge Jane Boyle graduated with honors from the University of Texas at Austin in 1977 and earned her J.D. from SMU in 1981. She began her legal career as an Assistant District Attorney for Dallas County, where she remained until 1987. Judge Boyle then served as an Assistant United States Attorney for the Northern District of Texas.

Judge Boyle’s judicial career began in 1990, when she was appointed to the position of United States Magistrate Judge for the Northern District of Texas, Dallas Division, a position she held for twelve years. In 2002, President George W. Bush appointed her to be the United States Attorney for the Northern District of Texas. She is the first woman to serve as the top federal prosecutor for the Northern District of Texas. Two years later, in June 2004, President Bush appointed Judge Boyle as United States District Judge for the Northern District of Texas.

Judge Boyle’s impressive career has also earned her the appreciation of her peers. At the 2008 Annual Meeting of the State Bar of Texas in Houston, Judge Boyle was presented the Samuel Pessarre Outstanding Jurist Award by the Texas Bar Foundation. The award honors an active Federal or State Judge who exhibits an exceptionally outstanding reputation for competency, efficiency, and integrity.

At the Distinguished Alumni Awards dinner, Judge Boyle was most thankful to the law school for its training.
of lawyers. She said, “I have had a front row seat at both the state and federal court houses and the lawyers educated at SMU have the highest ethics, highest training and really want to counsel and help people. Thank you SMU Dedman School of Law – you are doing a great job!”

DARWIN J. BRUCE ’95

The Distinguished Alumni Award for Public Service

Darwin J. Bruce is the Chief Operating Officer for The Potter’s House of Dallas, Inc., a globally-recognized multicultural, nondenominational church of more than 30,000 members. With over 50 outreach ministries, the church was founded in 1996 by Bishop T.D. Jakes. Through its initiatives, The Potter’s House is helping families around the world and in the local community by providing humanitarian programs and assistance. Bruce joined The Potter’s House in 2004. He is responsible for managing all of the business affairs for the organization and its affiliated entities. He has also been in charge of organizing, developing, and managing the legal department to support the organizations affiliated with The Potter’s House.

Bruce humbly gives much credit for his success to others, saying, “I have people around me who support me, love me and provide the platform for me to be successful. I thank my family, friends and Mr. T.D. Jakes, who embodies leadership, and the Potter’s House family for their support.”

He has been a guest speaker at Business Management Seminars across the country and has lectured in the areas of business law and business management. He is the author of a book titled The Map to Entrepreneurship.

ROBERT A. GWINN ’54

The Distinguished Alumni Award for Private Practice

Robert A. Gwinn had an impressive 54-year career in insurance defense, after graduating from SMU Law School in 1954. Gwinn’s practice was concentrated in the fields of medicine and aviation. Board-certified in Civil Trial Law and Labor Law, Gwinn was involved in the Air Florida Flight 90 case after the plane crashed into a Potomac River bridge in icy conditions in 1982. He joined the Dallas law firm of Johnson, Bromberg & Leeds in 1983. Later, he partnered with SMU Law School graduate Rob Roby, forming the firm of Gwinn & Roby.

Gwinn also devoted himself to serving the legal community. In 1984, he served as President of the Dallas Bar Association. Gwinn took a leadership role in improving court facilities and encouraging pro bono efforts by Dallas lawyers. For his significant contributions to the legal profession over the years, Gwinn received the Dallas Bar Association Trial Lawyer of the Year Award in September 2008.

Steve Gwinn, son of Robert Gwinn and an alumnus of the class of ’90, spoke on behalf of his father at the Awards dinner. Steve thanked the law school and gave credit to his mother for supporting his father’s efforts throughout his career, noting that her help and encouragement had made the Distinguished Alumni Award possible. Steve noted that he had learned a great deal about practicing law from his father. He related his father’s advice that “you learn a lot when you win.”
a case, but you learn a lot more when you lose a case.” According to Steve, his father said he had learned a lot on both ends of that rule.

SMU Dedman School of Law has also recognized the accomplishments of one of its foremost international alums, Mieke Komar Kantaatmadja. Dr. Komar currently serves as a Justice of the Supreme Court of Indonesia and as a Professor of Law at the Universitas Padjadjaran School of Law in Bandung, Indonesia.

Dr. Komar received her Master of Laws in Comparative and International Law degree at SMU School of Law in 1970.

Before coming to the United States to study law at SMU, Dr. Komar received her doctoral degree from the Universitas Negeri Padjadjaran in 1988. Her thesis “Security Rights in Indonesian Aircraft: An Air Law Perspective” was published the following year. She has published and spoken on various topics, including Electronic Commerce and Electronic Legal Issues in Indonesia. Dr. Komar participated in the Indonesian Rule of Law Forum hosted by SMU Dedman School of Law in May 2008.

Dean Attanasio presented the Distinguished Global Alumni Award to Dr. Komar at an impressive ceremony held at the Law School of the University of Padjadjaran in the City of Bandung, Indonesia in March. Many justices of the highest courts of Indonesia, along with faculty members of the university and other dignitaries, attended the ceremony where Dr. Komar spoke eloquently about her student days at SMU.

Marilyn Hussman Augur’s dedication to SMU Dedman School of Law makes her an obvious choice for the Honorary Alumnus Award. Currently, she is working diligently as Second Century Campaign Co-Chair for the SMU Dedman School of Law; she also serves on the Executive Boards of the Dedman School of Law and the Cox School of Business.

Augur is President of the Marilyn Augur Family Foundation, a philanthropic foundation which gives priority to organizations serving basic human needs such as food, shelter, clothing, health, and education aimed at transforming the lives of those living in poverty or in prison. Additionally, she is the former chairman of North Texas Mountain Valley Water Corporation, she serves on the Board of Directors of WEHCO Media Inc, and she is a managing member of Marilyn Augur Enterprises LLC.

Augur received her B.A. degree in Mathematics from the University of North Carolina in 1960 and her M.B.A. degree from SMU. An active civic volunteer, she has been honored with the philanthropy award from Dallas–based Wipe Out Kids Cancer (WOKC) in 2005, the Flora Award in 2005, and the Kim Dawson Attitude Award in 2002.

In accepting the Honorary Alumnus Award, Augur said, “I have watched the law school gain in its stature and its prominence in all the marks of a great law school. There is so much wonderful momentum in the law school. I am so grateful to be associated with the school.”

THE HONORABLE MIEKE KOMAR KANTAATMADJA ’70

The Distinguished Global Alumni Award (Presented in Indonesia)

SMU Dedman School of Law has also recognized the accomplishments of one of its foremost international alums, Mieke Komar Kantaatmadja. Dr. Komar currently serves as a Justice of the Supreme Court of Indonesia and as a Professor of Law at the Universitas Padjadjaran School of Law in Bandung, Indonesia.

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Thank you!

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The Rise of TRANSNATIONAL NETWORKS

Professors Turner and Colangelo organized an international summit on “Transnational Networks” in the legal field, the concept of interrelationships among colleagues and how they potentially affect international law and organizations.
A conference on “The Rise of Transnational Networks” was held at the SMU Dedman School of Law on November 7, 2008. This full-day conference, co-sponsored by The American Society of International Law, featured four different panels and a luncheon presentation that addressed transnational networks’ formation, functions, advantages and disadvantages, legitimacy, and overall effectiveness. Each panel was dedicated to the discussion of a different facet of these networks and was made up of experts from across the nation.

The first panel was comprised of four speakers who delivered presentations concerning “Transnational Networks and International Cooperation: Contributions and Challenges.” This panel was moderated by Associate Professor Jenia Turner of SMU Dedman School of Law, who co-organized the conference with Anthony Colangelo, Assistant Professor of Law at SMU. Professor Turner teaches International Organizations, International Criminal Law, and Criminal Procedure. In her opening remarks, Professor Turner described the conference as “an exciting and thought-provoking discussion of a timely topic in international law and international relations” and outlined the topics to be addressed by the first panel: the history of transnational networks, the contributions these networks have made to international cooperation, and the challenges they face in both effectiveness and legitimacy. Kal Raustiala, Professor and Director of the UCLA Ronald W. Burkle Center for International Relations at the UCLA School of Law, was the first panelist and presented a broad overview of the “big picture issues” within transnational networks. Concerning the inception of these kinds of networks, Professor Raustiala stated that the rise of networks can be considered in two ways: “One is to think about globalization and the other one is the Internet...the Internet can kind of stand in for all these communicative technologies that are so important and globalization for interdependence and the pressures it creates to cooperate across borders.” Raustiala described international networks as an alternative to the numerous international organizations that were created after the Second World War. Without these networks, the remaining options would be to “negotiate and develop shared rules” or to “apply [U.S] law extra-territorially...where we often see that happen in the competition realm.” Professor Raustiala concluded by highlighting questions surrounding transnational networks such as “What are the effects of these networks? Who participates in these networks? Do these networks disguise the exercise of power?” These questions and more were addressed throughout the rest of the conference.

C. Paul Rogers III, Professor of Law and Former Dean of SMU Dedman School of Law, moderated the second panel which discussed “International Competition Policy.” Panelists Russell Damtoft and Eleanor Fox both focused on the International Competition Network (ICN), which was established in 2001 and which promotes effective antitrust enforcement worldwide. In evaluating the effectiveness of the ICN, Professor Fox said, “It’s had enormous good effect on many countries, especially players in the world who were out in the cold as far as their governments were concerned [because] now they’re linked into a very important network of common interest. Is it sufficient? I think it is not sufficient. I think that there will come a day when we must think more seriously about coherence in the world.” Transnational networks may be an integral part in creating this coherence.

This panel was followed by the luncheon presentation, an Alfred P. Murrah Lecture, delivered by Justice Adel Sherif, Deputy Chief Justice, Supreme Constitutional Court of Egypt. This lectureship was established in order to commemorate the work of Judge Alfred P. Murrah, who was a Judge of the United States Court of Appeals for the Tenth Circuit from 1940 until 1975, as well as the Director of the Federal Judicial Center from 1970 to 1974. Justice Sherif, who has an extensive background of working within transnational networks, delivered a lecture addressing “Judicial Dialogue Across Borders.”

JUSTICE ADEL OMAR SHERIF, Deputy Chief Justice, Supreme Constitutional Court of Egypt
Describing the formation of this form of communication, Justice Sherif said, “Judicial dialogue has really…become progressive over the last ten years or so. And what makes it progressive is the firm belief that judges themselves will have this impetus to improve their judicial performance and be able to communicate to each other and to show their respect for common values and international law.” He described two specific examples of such judicial dialogue, one involving judicial integrity which resulted in a widely-adopted Judicial Code of Conduct and one involving environmental law within which he called judicial involvement a “recent phenomenon.” In both instances judges from many different countries and legal systems found common ground.

The third panel was moderated by Marc I. Steinberg, Senior Associate Dean for Research and Rupert and Lillian Radford Professor of Law at SMU. In this panel on “International Finance Regulation,” the panelists largely focused on the relationship between transnational networks and the current financial crisis. “The role of networks is going to be of increasing importance in the international financial area and networks of networks are going to be very important,” said Joseph Norton, James L. Walsh Distinguished Faculty Fellow and Professor in Financial Law at SMU. In evaluating the impact of these networks, Professor Zaring, Assistant Professor of Legal Studies at the Wharton School of the University of Pennsylvania, said, “We don’t know exactly what these networks have contributed to this financial crisis but at the very least we can say that perhaps they created the relationships which have facilitated the international responses that have happened so far. I think we need to stay tuned before we can decide whether networks can, and indeed should, solve big international problems like the one that seems to be facing us today.”

The fourth and final panel, moderated by Professor Colangelo, discussed “Transnational and International Criminal Law.” The first speaker, Cecile Aptel, Senior Fellow at the International Center for Transitional Justice, focused on the relationship between criminal law and transnational networks and the existence of the transnational criminal networks. Of these networks Aptel said, “They’re very powerful. And they’re very organized. And they are totally informal, of course, yet they’re very well equipped, very well financed, [and] they have fantastic means of communication across borders.” However, because criminal law is so strongly associated with the states, it becomes complicated when crimes are committed by people of different nationalities. “There is an increasing disconnection between the crimes and where they happen or how they happen and the state structure where the criminal matters really lie,” said Aptel. As a result, “professionals involved in investigation and persecution are building transnational networks as a response and as a way to try to correct this problem.” Bill Burke-White, Assistant Professor of Law at the University of Pennsylvania Law School, also spoke about the problems inherent within international criminal law, saying, “In respect to the prosecution of international crimes, the problem is that states have very divergent interests. The state where the crimes occurred is...either directly involved with or tacitly involved with the crimes themselves. This makes it hard to motivate national governments to cooperate with an international prosecution or to undertake prosecutions themselves.” The third panelist, Elena Baylis, Associate Professor of Law at the University of Pittsburgh Law School, spoke about the use of networks in post-conflict states, states ravaged by war or other extreme violence. Describing a group of people called “post conflict justice junkies,” people who carry out international interventions in these states, Baylis said, “These transnational networks are important in international criminal law context because they are more effective than other mechanisms at the role of conveying information and resources in these post-conflict states. Typically national institutions are pretty destroyed in a post-conflict state and so there’s not the same kind of bureaucracy and framework in place at other places and times.”

Although there are varied opinions on the current effectiveness of transnational networks, all panelists agreed that the influence of these networks is rising and that the networks have the potential to represent a new and effective way to address the intractable problems that most nations face and which often have international ramifications.
On January 14–15, 2009, SMU Dedman School of Law, The Guildhall at SMU and the Center for American and International Law (CAIL) co-hosted an International Summit on the Law and Business of Video Games. The two-day summit delivered perspectives about the business of video gaming to a lively and inquisitive audience of gamers, lawyers and business people.

Above Left: DR. PETER RAAD, Professor and Executive Director, The Guildhall at SMU

Above: YINGFENG ZHANG, Deputy General Counsel for Shanda Games and ’09 LL.M. Graduate; XUAN-THAO NGUYEN Professor of Law, SMU Dedman School of Law

Left: ZACH BISHOP, Hunton and Williams Associate and JJ RICHARDS, General Manager of Platform Services, Microsoft Advertising, Microsoft Corporation
Digital gaming is one of the world’s fastest growth industries, creating new investment opportunities, social paradigms, business models, and a host of legal issues,” said SMU Dedman School of Law Professor Xuan-Thao Nguyen.

Admittedly not a “gamer” herself, but feeding her fascination with the global impact of the gaming industry, Nguyen partnered with Dr. Peter Raad from The Guildhall at SMU and the Center for American and International Law in a two-day symposium on the law and business of video games on January 14–15, 2009. Hosted at SMU Dedman School of Law, in the Hillcrest Classroom of the Underwood Law Library, a room of nearly 100 gamers, lawyers, and business people combined and discussed topics ranging from business models, copyright questions, free-speech issues, recession resistance, and international regulations—all related to the industry of video games, both online and console.

According to PricewaterhouseCoopers’ Global Entertainment and Media Outlook for 2008–2012, the global gaming industry will jump from $41.9 billion in 2007 to $68.3 billion in 2012. The annual growth rate of 10 percent would best all other media sectors except for online advertising and access. Anita Frazier, an Analyst for the market research firm NPD, reported in May 2009 that “video games account for one-third of the average monthly consumer spending in the U.S. for core entertainment content including music, video, games….” While a portion of that share stems from the premium price of console games, we’re also seeing an overall increase in the number of people participating in gaming year-over-year.” Recent NPD reports also showed that more Americans played video games than went out to the movies.

With such growth, international competition, and inherent legal complexities in the industry, the law school’s conference on the Law and Business of Video Games was well timed. While there are thousands of video game conferences that occur around the world, few, if any, focus on the business and legal aspects of gaming.
Panels focused on topics ranging from gaming development and business models, whether the industry is recession-proof, regulations and roadblocks for foreign-made games, ownership, and intellectual property protection.

In his opening remarks, Keynote Speaker Mitch Lasky of Benchmark Capital said, “We’re in the middle of one of the most profound structural changes in the video game business that has occurred since the mid-70s.” He likened the fundamental changes in the industry to a “tectonic shift,” with the main “plates,” per se, being content innovation and distribution innovation. “Content innovation drives audience expansion. It’s the most obvious sign of the industry’s progress. Distribution innovation is what creates value. Content doesn’t create value.”

Michael Yatsko, Advisor for PricewaterhouseCoopers, suggested to the audience of developers and investors, “You need to really preserve the creative nucleus of the various studios that you have and that you bring into the fold as you scale the business.” Commenting on what to keep in-house and what to outsource, Yatsko advised the audience to ask the question: How does activity X, Y, & Z contribute to our strategic advantage? “If it doesn’t,” Yatsko said, “it qualifies as an outsource... I think the people that don’t react quickly enough will fall by the wayside in this economy.”

Overall, however, the panelists and audience agreed that the industry has potential for growth, despite a downturned economy.

Discussing games and legal issues and challenges, Zach Bishop, a Southern California attorney for Hunton & Williams, said, “There probably are no game developers that develop all of their content from scratch... A single game could have up to ten licenses.” Issues of ownership arise with music, content, and even screen fonts. Every element of a videogame is proprietary and owned by someone.

Further, Bishop suggests “internaliz[ing] the work-for-hire rule... every single thing that somebody does for you should be in writing.” He also recommends forward-based thinking on gaming deals that include agreements on additional platform/operating system development, ancillary rights, and marketing rights. Barry Seaton, partner at Barry C. Seaton, P.C., said, “There’s no contract that’s going to be able to address every potential situation that may come up... A good development contract, a good publishing contract will cover most scenarios and have a good dispute resolution process.” J. J. Richards, General Manager for Microsoft Advertising/Microsoft Corporation, commenting on online games and the clarity of its terms of use and opt-in/opt-out policies, said, “We’re getting smarter as fast as we make mistakes.”

Throughout the conference, the audience of game developers, business owners, investors, and lawyers was inquisitive and lively. Such thorough coverage of the legal and business aspects of gaming, contrary to the focus of most gaming conferences, triggered sharp questioning and heavy audience participation.

BARry Seaton said, “I’ve been very impressed... with the level of experiences and intelligence of the people in the room here as I’ve been listening to the conference.”

SMU Dedman School of Law is proud to have had Professor Xuan-Thao Nguyen envision the conference and also to have had Deputy General Counsel Yingfeng Zhang speak on behalf of Shanda Games, the largest gaming company in China. Zhang was in Dallas attending the law school as an international LL.M. student during the conference.


For more information, visit: www.game-business-law.com
This past school year the SMU Dedman School of Law hosted a series of discussions on the implementation of tax policy entitled the “Tax Policy Colloquium Series.”

This series was co-organized by SMU Dedman School of Law Professors Christopher H. Hanna and Henry J. Lischer, Jr. and featured speakers from seven different law schools, including the Netanya Academic College, School of Law, in Israel. Between October 2008 and March 2009, each speaker hosted a discussion on a specific aspect of tax policy.

“The colloquium was a remarkable success. Many of those who attended commented on how timely the topics were and how thoroughly the speakers presented the issues and proposals for change. Professor Lischer and I look forward to another successful Colloquium Series next year,” said Hanna.

Professor Hanna has experience in a number of areas of taxation. He has assisted the U.S. Joint Committee on Taxation in its study of the U.S. tax system as well as its study of Enron, and served as a tax advisor to the Presidential Campaign of George W. Bush in 2000. Professor Lischer serves as the admissions examiner of the U.S. Tax Court in Washington, D.C. and has published widely on matters of federal income taxation, federal estate and gift taxation, and estate planning.

The series will continue into the 2009–2010 academic year.
On February 24, 2009, Chief Judge Robert H. Henry of the United States Court of Appeals for the Tenth Circuit delivered a Goldberg Lecture in the Hillcrest Classroom entitled “‘A Decent Respect to the Opinions of Mankind’ Sometimes Requires a Second Look: Musings on Medellin, Federalism, and International Obligations.”

Henry was appointed to the United States Court of Appeals for the Tenth Circuit in 1994, and on January 1, 2008, he became Chief Judge. In 1986, he was elected State Attorney General of Oklahoma, where he served from 1987 to 1992. From 1993 to 1994, Henry served as Dean and Professor of Law at Oklahoma City University School of Law. He currently serves as chair of the Judicial Conference Committee on International and Judicial relations. Henry is also on the Board of Advisors for the National State Attorneys General Program at Columbia Law School and was selected by Sandra Day O’Connor to serve on the Advisory Board for the Judicial Outreach Program of the American Society of International Law.

Chief Judge Henry spoke at length about America’s current “fussiness” toward international relations, saying, “Oddly, given reality, American politics seem to have an aversion to international cooperation and coordination, especially if human rights are involved. Now, I say ‘given reality,’ because I don’t think there has ever been a time when internationalism is more necessary.”

In light of this attitude, Chief Judge Henry suggested that “it’s good to band together with one message in foreign relations, even if that one message may come from several different voices. We should have a coherent policy in international relations because it’s in our national interest, and it shows respect for our own promises and it shows respect for the international community.”

Along with international law and relations, Chief Judge Henry also stressed the importance of foreign law. Admitting that he could not “imagine a scenario where foreign law would ever be controlling in a matter of American constitutional law,” he suggested that “in open areas, especially when the other countries are similarly situated with us—Canada, Australia, the U.K., Israel, South Africa and Switzerland might actually give us a clue that might be helpful.”

Chief Judge Henry also discussed the case of Medellin vs. Texas, a “truly . . . difficult case coming after convergence of national values.” The case deals directly with Article 36 of the Vienna Convention on Consular Relations (VCCR), which states that any person detained in a foreign country is entitled to be informed “without delay” of his right to have his consulate immediately contacted about the detention. The case arose after Jose Medellin, a Mexican citizen who was sentenced to death for rape and murder, appealed his sentence on the basis that he was not informed of his rights as presented in the VCCR.

The Irving L. Goldberg Lecture Series was established by his former law clerks to honor the life and work of Judge Irving L. Goldberg, who died in 1995. Goldberg was a founder with Richard A. Gump and Robert S. Strauss of the firm today known as Akin, Gump, Strauss, Hauer & Feld.
The Honorable Randy J. Holland, a Justice of the Delaware Supreme Court since 1986, was the keynote speaker for the 16th Annual Corporate Counsel Symposium, hosted by the SMU Dedman School of Law and the SMU Law Review Association. Along with Justice Holland’s presentation entitled “Delaware Corporate Law: Boundaries and Balance,” the symposium also covered topics such as green lending impacts on the borrower, current issues in employment law, corporate governance, issues in negotiating hedging facilities, the latest trends in law and technology, and the role of general counsel in internal investigation. The symposium was held on October 8, 2008 at the Omni Mandalay Hotel in Dallas.

The 43rd Annual Air Law Symposium took place on February 26–27, 2009, at the Hotel InterContinental in Dallas. Hosted by the SMU Dedman School of Law’s Journal of Air Law and Commerce, this is the oldest and largest annual aviation law symposium in the world.

The symposium’s luncheon speakers were Colleen C. Barrett, President Emeritus, Southwest Airlines, who spoke on “LUV Relationships”; and the Honorable Catharina Haynes, Judge of the U.S. Court of Appeals for the Fifth Circuit, whose speech was entitled “Perspectives from the Bench.” The symposium also featured panels on “What Legal and Logistical Issues Arise When Your Case Leaves the U.S. for Foreign Shores?” and “What Does It Take to Settle an Aviation Case with Me?”

Other speakers included Donald R. Andersen, Stites & Harbison, PLLC; Steven O. Rosen, The Rosen Law Firm; James Healy-Pratt, Stewarts Law LLP; Gerald C. Sterns, Sterns & Walker; and Jonathan M. Hoffman, Martin, Bischoff, Templeton, Langslet & Hoffman LLP.

A variety of additional topics were covered throughout the two days, including recent developments in aviation law, the emergence of composite aircraft, the evolving state of aircraft lessor liability in the United States, and real–life ethics for aviation lawyers.

Charles Tarpley, who serves as the Chair of the Air Law Symposium, is instrumental to its success. According to Paul Rogers, an SMU law professor and former dean of the Dedman School of Law, Tarpley is “almost solely responsible for making and keeping our annual Air Law Symposium the preeminent event in the country in the aviation law field.”

Tarpley graduated from Southern Methodist University School of Engineering and currently consults with policyholders and insurance companies on aviation insurance matters.
On February 3, 2009, SMU Dedman School of Law hosted a five-judge panel of the United States Court of Appeals for the Armed Services. The panel heard oral argument in the case of United States v. Gustavo A. Delarosa as part of the Court’s “Project Outreach.” This program was developed to provide public awareness of the operation of a federal court of appeals and the military justice system.

In the lower court Delarosa, Aviation Ordnanceman Third Class U.S. Navy, was convicted of aggravated assault on his five-month-old son at his off-base apartment in Norfolk, Virginia. The appeal heard at the law school questioned whether or not the lower court determined that the Appellant’s assertion of his right to remain silent was “scrupulously honored” in accordance with the United States Supreme Court’s decision in Michigan v. Mosley, 423 U.S. 96 (1975) and also whether or not the lower court erred in upholding the military judge’s decision to deny the Appellant’s request to have his confession to local police suppressed.

A central fact issue in the case was whether or not the Appellant unambiguously invoked his right to remain silent. If he did so, the police are obligated to honor the invocation before engaging in further discussion. If he did not do so, then the police are under no obligation to discontinue questioning, as held in Davis v. United States, 512 U.S. 452 (1994).

In the appeal, Preston Lee Jones, a third-year law student at SMU, filed an amicus curiae brief along with supervising attorney Brook A. Busbee, in support of Petty Officer Delarosa. Jones also presented oral argument with Supervising Attorney Mike McCollum.

Jones argued that there were two reasons for the decision of the lower courts to be reversed. “First, Petty Officer Delarosa’s confession should have been suppressed because detectives asked questions intended to illicit a confession after Petty Officer Delarosa had unambiguously invoked his right to remain silent; and second, Petty Officer Delarosa’s right to remain silent wasn’t scrupulously honored by the detectives in this case.”

In a 4 to 1 decision rendered on May 6, 2009, the court affirmed the decision of the lower court, holding that the Motion to Suppress the confession was properly denied. Judge Charles E. Erdmann, who wrote a lengthy dissent, disagreed with the majority’s conclusion that Delarosa ambiguously asserted his right to remain silent and would have reversed the lower court’s decision and authorized a rehearing.

On May 30, 2009, Ninth Circuit Court of Appeals Judge Consuelo Callahan delivered a lecture to students entitled “Good Judging: Is It Harder Than It Looks Or Is It Different Than You Thought?” Judge Callahan explained the challenges judges face in trial versus appellate courts, state versus federal courts, and as appointed or elected judges.

She also gave students advice about how to work with judges in the courtroom to win cases. She suggested that researching the judge presiding over a case and tailoring arguments using knowledge of the judge’s past rulings would make an invaluable difference. Finally, Judge Callahan advised students interested in becoming judges to seek out summer clerkships and internships with judges.

Judge Callahan, who was appointed to the Ninth Circuit Court of Appeals in 2003, received her A.B. from Stanford University, her J.D. from McGeorge School of Law, and an L.L.M. from the University of Virginia School of Law. She has received the Susan B. Anthony Award for Women of Achievement, the Stockton Peacemaker of the Year Award, and the Action on Behalf of Children Award. In 1999, Judge Callahan was inducted into the San Joaquin County Mexican–American Hall of Fame.
RUSTY HARDIN ’75

Enjoying the Practice of Law: “Loving Every Minute of It”

In a talk entitled “From SMU to the High Profile Case and Loving Every Minute of It,” Rusty Hardin ’75 told law students how much he enjoys practicing law and spoke of his desire that each of them feel good about what they do. “Whenever you look forward to Friday, or dread Monday, it’s time to start looking around for another job,” Hardin advised. He spent the first fifteen years of his career as an assistant district attorney in Houston, earning acclaim for his cross-examination skills in celebrated cases. During that time he never lost a felony jury trial and was named Texas Prosecutor of the year in 1989.

Hardin entered private practice in Houston in 1991, engaging in civil and criminal trial work at both the state and federal levels. In 1994, he was named Chief Trial Counsel for the Whitewater Independent Counsel’s Office, serving under both Bob Fiske and Ken Starr. In 1996, he established Rusty Hardin & Associates, where his practice has been a diverse mix of roughly 85 percent civil trials and 15 percent criminal trials. Clients have been as varied as Arthur Andersen in both its civil and criminal cases; ExxonMobil; Rice University; The Houston Texans; and various professional athletes including Warren Moon, Wade Boggs, Scottie Pippen, and Roger Clemens. Hardin urged law students to keep in mind that “no matter how cynical people get, whenever something is wrong in their life, it’s the legal profession they look to for help.”

SANDER ESSERMAN ’76

Arguing Before the Supreme Court – “Keep it Simple”

On Tuesday, April 14, Sander “Sandy” Esserman ’76 delivered a lecture entitled “Taking a Case from the Bankruptcy Court to the Supreme Court.” In his talk, Esserman described his experience working on Travelers Indem. Co. v. Pearlie Bailey. The case originated in bankruptcy court and was eventually appealed to the Southern District of New York, the Second Circuit, and the Supreme Court. On March 30, 2008, Esserman appeared for oral argument of the case before the Supreme Court of the United States.

Esserman described the logistics of the case using visual aids. He explained, “One of the biggest mistakes that you can make in court is to overcomplicate things. It’s important to make it simple to understand the concepts. This case is pretty complicated, but I’m going to try to make it real simple.” The case involved a company that filed bankruptcy after asbestos suits had been filed against it. It took several years to resolve the suit and the case had many different layers of complicated twists, but Mr. Esserman managed to make the extremely complicated case seem straightforward. He spoke matter-of-factly and presented the more complicated concepts on the board. Students benefitted from the opportunity to study his way of simplifying a case.

Chairman of the American Bar Association Business Bankruptcy Subcommittee, Esserman is a partner with Stutzman, Bromberg, Esserman and Plifka, where his expertise is financial reorganizations. He has served as lead counsel to debtors, secured creditors, trustees, indenture trustees, and several creditor committees in Dallas, New York, and across the U.S. Esserman has also taught a course in Advanced Bankruptcy at SMU Dedman School of Law as an adjunct faculty member. He has published several articles, and most recently he co-authored the Collier Handbook for Trustees and Debtors in Possession, published in 2008.
On April 1, 2009, Jason Ning ’96 described to law students his experience as an entertainment lawyer turned screenwriter. Ning began his career as a legal intern with Disney in Los Angeles which eventually led to a position within the DreamWorks legal department. He later worked within the legal departments of both Sony Pictures and Warner Bros.

After enjoying success as an entertainment lawyer for several different television and film production companies, Ning decided on a drastic career change: to become a screenwriter. In 2005, Ning successfully transitioned from practicing law to working as a screenwriter when he was offered a staff writer position on the NBC television show Crossing Jordan. Since then, Ning has worked on Burn Notice for USA Network and, most recently, on 90210 for the CW Network.

Ning talked about the advantages his law degree afforded him while pursuing his passion for screenwriting. He also gave students advice about breaking into the highly coveted and competitive entertainment law industry. Interested students should apply for entertainment internships, network, and focus their studies on copyright law and trading law, Ning recommended. Ning met with students after his remarks and spoke further on the necessary steps to breaking into the entertainment law industry.

Addressing a group of eager law students on April 8, 2009, Texas Solicitor General James C. Ho spoke about appellate advocacy and the role of his office in Texas.

Appointed by Attorney General Greg Abbott, Ho is the State’s chief appellate lawyer and is responsible for supervising all civil and criminal appeals on behalf of the Attorney General. Formerly an associate at Gibson, Dunn & Crutcher, and law clerk on the United States Supreme Court, Ho is the first Asian-American to hold the office of Solicitor General.

Ho fielded questions about his experience as a clerk for the Court, recommending students apply for clerkships after graduation. He said it gives new lawyers the daily opportunity to see the final product of many lawyers with years of experience.

Ho also recommended students get comfortable with public speaking, which will help with appellate advocacy. “My best advice is to seize every possible opportunity you can to get on your feet and talk,” he said. Ho recommended that rather than being intimidated by the panel of judges, lawyers should speak to them like colleagues and see questions as opportunities.

Ho advised the students to focus most on writing, however. According to Ho, “You can be a great appellate lawyer without being a great oral advocate. You can’t be a great appellate lawyer without being a great writer.” Although most lawyers know writing is important, Ho said that editing skills are often overlooked.
What Should We Permit Mental Health Professionals to Say About “The Best Interests of the Child”?

AN ESSAY ON COMMON SENSE, DAUBERT, AND THE RULES OF EVIDENCE

An article by Daniel W. Shuman, M. D. Anderson Foundation Endowed Professor of Health Law, SMU Dedman School of Law
INTRODUCTION

Throughout the judicial system, experts have increasingly been asked “how do you know what you claim to know” before their testimony is permitted. Curiously, that is not the case in child custody and visitation determinations, arguably the most important question courts decide. Courts that demand to see published studies in peer-reviewed journals before permitting an expert to offer an opinion about the relationship between the defendant’s drug and the plaintiff’s injuries, permit an expert to offer an opinion in a custody dispute without demanding an equivalent foundation. Why? How did we come to this disparate treatment of expert testimony and should it continue?

AN OVERVIEW

Common sense demands judicial scrutiny of both an expert’s qualifications and the validity of the methods and procedures the expert employs. Qualifications are a claim to group membership in a relevant trade, calling, or profession. Unless a proposed expert expects to demonstrate the legitimacy of his or her claimed field of expertise tabula rasa, the individual’s claim of expertise vicariously relies on the group’s claim.

Qualifications are a necessary, but not a sufficient, basis for a claim of expertise. The decision-making research explicates why scrutiny of an expert’s qualifications and the expert’s methods and procedures ought to be conjunctive considerations. Experts and expertise are not the same.

One of the most consistent findings of decision-making research is that the actuarial method of judgment and decision making outperforms the clinical method of judgment. The research on human judgment and decision making reveals that judgments of experienced clinicians are as susceptible to error as lay judgments and that experts, like untrained, lay decision-makers, use decision-making strategies or mental shortcuts known as heuristics, in arriving at decisions that contribute to the error rate. Decision makers often ignore the importance of sample size and base rates and assume that isolated incidents are representative and capable of being generalized to a broader range of activities. Decision makers also tend to err by giving inappropriate weight to information based on its availability, such as relying on more dramatic recent stories or anecdotes to the exclusion of known statistical information. Decision makers often overestimate their knowledge about a decision. Decision makers evaluate information and attribute causality in very different ways based upon the framing of the information and tend to anchor their decisions stereotypically and select information to support them based on conclusions reached before receiving data about those decisions. There is no correlation between confidence and accuracy of clinical decision-making by either lay or expert decision makers. Strategies for reducing these errors, such as warning decision makers about them, have not proven effective to correct these error-inducing strategies in lay or expert decision makers. Thus, the certainty that well-qualified experts bring to their clinical judgments reveals nothing about the likelihood that they are correct, and “forensic decision-making is just as flawed as typical clinical judgment.”

However sensible these conjunctive requirements may seem, this was not, and is not, always the case. When the common law evidence rules were developing in the seventeenth and eighteenth centuries, little scientific research existed on most legally relevant issues, and the best information that the community had to offer could be found in the opinions of those who were most qualified on the subject. Prior to the existence of large research institutions, large scale funding for research endeavors, and sophisticated research methodologies, the best information that was likely to be obtained within the judicial system’s temporal constraints was from the most highly qualified experts. Thus, as the rules for the admissibility of experts initially developed, scrutiny of the expert’s qualifications subsumed scrutiny of the expert’s methods and procedures.

The enduring legacy of the general acceptance test of Frye v. United States is its recognition that qualifications are a necessary but not a sufficient condition for the admissibility of expert scientific evidence. The Frye opinion, addressing the admissibility of evidence of a precursor to the polygraph, described the expert who had administered the instrument as a scientist and raised no question as to the expert’s qualifications, yet that was not sufficient to justify admission of this expert’s testimony about the test results. Even if the expert had appropriate qualifications in his or her claimed field of expertise, Frye required that the expert’s methods...
and procedures have gained general acceptance within the relevant professional community as a vehicle to assess their validity.

_Frye_ was an important advancement in judicial scrutiny of expert witnesses; nonetheless, it suffered from several fundamental flaws. First, ironically for a decision that sought to impose limitations on novel scientific evidence, _Frye_ did not offer a definition of science, let alone novel science, either to articulate the scope of the rule or a metric to assess the quality of science in cases within its scope. Second, _Frye_ relegated trial judges to a passive role in the determination of admissibility of expert testimony, delegating the crucial decisions to the establishment in the field to which it belonged. Indeed, many trial judges seemed to like _Frye_ because it got them off the hook. Third, _Frye_ seemed to assume that being popular (i.e., generally accepted) was the same as being right.

The U.S. Supreme Court’s decision in _Daubert v. Merrell Dow Pharmaceuticals, Inc._ provided the Court with, among other things, the opportunity to respond to the flaws in _Frye_. Whatever else may be said about _Daubert_, it did respond to _Frye_’s fundamental flaws. First, _Daubert_ articulated a definition of science. Second, _Daubert_ placed responsibility for the admission decision squarely on the trial judge. _Daubert_ articulated a method of analysis, beyond mere popularity, to assess being right.

It would, however, be wrong to view _Daubert_ narrowly as a response to _Frye_’s analytical flaws, or as a technical interpretation of the standard for admissibility under the _Federal Rules of Evidence_. The judicial system’s approach to the admission of scientific expert testimony reflects our profound ambivalence about the use of juries. “On the one hand, the jury is a cultural icon as revered in the United States as the flag, its con-

The common law rules of evidence in operation prior to the adoption of the _Federal Rules of Evidence_ in 1974 took a relatively restrictive approach to the receipt of expert testimony, fearing that an uneducated, naive jury might abdicate its decision-making responsibility to the expert. Thus, expert testimony was generally admissible only when the issues were wholly beyond the knowledge of the fact finder. The _Federal Rules of Evidence_ reflected a “general approach of relaxing the traditional barriers to ‘opinion’ testimony” premised on greater confidence in the intelligence and sensibility of jurors. _Daubert_ was decided against the backdrop of a shift towards greater restrictiveness to advance the business and insurance industries’ tort reform agenda.

Understanding what this increased judicial scrutiny of scientific experts has meant for mental health professionals appearing as expert witnesses requires a comparison of _Daubert v. Merrell Dow Pharmaceuticals, Inc._ and _Barefoot v. Estelle._ In _Barefoot_, the Supreme Court addressed a constitutional challenge to a state court’s acceptance of clinically based expert psychiatric testimony on a defendant’s future dangerousness in a capital sentencing proceeding. The psychiatrist had not examined the defendant but had opined, in response to a hypothetical question, that based on his experience, whether the defendant was in a prison setting or in society at large, there was a “‘one hundred percent and absolute’ chance” that the defendant would commit future acts of criminal violence. The American Psychiatric Association’s amicus brief asserted that a large body of research demonstrated that
long-term predictions of future dangerousness were inaccurate and more often than not wrong. The Court nonetheless upheld the admissibility of this evidence, observing that:

[T]he rules of evidence generally extant at the federal and state levels anticipate that relevant, unprivileged evidence should be admitted and its weight left to the fact finder, who would have the benefit of cross-examination and contrary evidence by the opposing party.

The 1993 decision in Daubert presented a challenge to a federal district court’s interpretation and application of the Federal Rules of Evidence in a toxic tort claim. The plaintiffs asserted that Bendectin, defendant’s anti-nausea drug ingested during pregnancy, had caused limb reduction birth defects. The plaintiffs proffered the expert testimony of chemists and biostatisticians whose qualifications were not challenged by the defendant, who sought to link the limb reduction birth defects to Bendectin based on animal studies, pharmacological studies comparing Bendectin with known teratogens, and re-analysis of published epidemiological studies. The defendant objected to the plaintiff’s experts’ testimony, asserting, among other things, that it was generally accepted that only epidemiological research was appropriate to establish a causal link between Bendectin and human limb reduction birth defects and that of thirty published epidemiological studies, none found such a link. The trial court agreed and excluded the plaintiff’s experts’ testimony, as did the court of appeals. In a decision that failed to cite or distinguish Barefoot, the Supreme Court required the trial judge to determine “whether the reasoning or methodology underlying the testimony is scientifically valid and of whether that reasoning or methodology properly can be applied to the facts in issue.”

Strikingly, Daubert does not contain a single reference to Barefoot. The plaintiff’s experts in Daubert offered relevant evidence; thus, if Barefoot’s standard of relevance applied, the expert testimony should have been admitted with its weight left to the fact finder. Conversely, if Daubert’s requirement that the trial judge assess the scientific validity of the methodology underlying the testimony applied in Barefoot, the expert testimony should have been excluded.

What meaning should be drawn from the disparate treatment of expert testimony? The expert in Barefoot unabashedly presented his opinions based on clinical inference with no reference to any research. In Daubert, on the other hand, the experts offered to present research-based, scientific testimony. While that is not the only significant difference between the cases, the language of these opinions strongly supports the conclusion that the methodologies underlying the testimony provide the critical distinction. Daubert wrestles with the scientific method and discusses many of the major works addressing it, while Barefoot seems unconcerned with the validity of the research underlying the expert’s conclusions or how the research was applied in this case.

The disparate treatment of expert opinion that is implicit in Barefoot and Daubert is explicit in several state supreme court decisions which reason that juries distinguish between research- and clinically-based expert testimony. Representative of this approach is the Supreme Court of Florida’s decision in Flanagan v. State, which assesses the standard to apply to scrutinize the admissibility of the testimony of a psychologist who opined that a defendant charged with sexual battery of a child met...
the profile of a typical child sexual offender:

[P]ure opinion testimony, such as an expert’s opinion that a defendant is incompetent, does not have to meet ... [the legal standard for the admissibility of scientific information], because this type of testimony is based on the expert’s personal experience and training. While cloaked with the credibility of the expert, this testimony is analyzed by the jury as it analyzes any other personal opinion or factual testimony by a witness. Profile testimony, on the other hand, by its nature necessarily relies on some scientific principle or test, which implies an infallibility not found in pure opinion testimony. The jury will naturally assume that the scientific principles underlying the expert’s conclusion are valid. Accordingly, this type of testimony must meet ... [the legal standard for the admissibility of scientific information], designed to ensure that the jury will not be misled by experimental scientific methods which may ultimately prove to be unsound.

This model of juror behavior is not supported by any cited studies. No study of juror decision making finds that jurors assess expert testimony based on distinctions between research- and clinically-based opinions. My research reveals that jurors seek to make expert-specific decisions based on rational criteria—the expert’s qualifications, reasoning, factual familiarity, and impartiality—and are not deferential to particular classes of experts. Moreover, these cases theorize that jurors will routinely give greater weight to testimony that invokes the mantle of science, not that jurors are any better able to assess the validity of the testimony.

Whatever concerns may exist about the application of Daubert or other equivalent scrutiny of expert mental health professional testimony in other settings, their testimony about children falls into a hotly debated and politically charged arena. From starkly contrasting assumptions about the believability of children’s testimony to assumptions about the consequences of children’s participation in judicial proceedings, the judicial system seeks guidance from mental health professionals precisely because the stakes are so high and our doubts about our own expertise so great. Given these stakes and doubts about our expertise, what level of scrutiny should apply to expert mental health professional testimony on this topic?

THE APPLICATION OF DAUBERT AND EQUIVALENT SCRUTINY TO EXPERT TESTIMONY ABOUT CHILDREN

Why would courts facing mental health professionals’ clinical inference about the best interests of the child fail to engage in “a preliminary assessment of whether the reasoning or methodology underlying the testimony is scientifically valid and of whether that reasoning or methodology properly can be applied to the facts in issue”? One explanation may be the best interests standard itself. This indeterminate standard has transformed the substantive legal standard in child custody and visitation issues, and the role of mental health professionals as expert witnesses in child custody and visitation determinations. Although some contend that mental health professionals “empirical findings directly or indirectly relevant to questions for which judges deciding difficult cases need answers are virtually nonexistent,” the best interests standard assumes that mental health professionals have a sound basis for answering these questions. Although psychiatric and psychological testimony is not required in child custody and visitation proceedings utilizing the best interests standard, its use is extensive. Interestingly, in one survey, family law attorneys revealed that they do not regard mental health professional input as helpful in reaching appropriate custody determinations, but that they present such testimony largely to counter their opponents’ experts.

Testifying about how the best interests of a child will be served by a particular custodial arrangement entails a prediction. To assess the ability of mental health professionals to make accurate predictions requires that the outcome (i.e., the best interests of the child) be “operationalized,” or described in a fashion capable of measurement. The best interests standard is indeterminate. The ability to predict it cannot be measured.

Another explanation used to justify less rigorous scrutiny of a mental health professional’s input on the best interests of the child is that these cases are often tried to the court sitting without a jury. As there is no right to trial by jury, save Texas, for cases applying the best interests of the child standard, it might be argued that there is no need for rigorous scrutiny in these cases because judges, unlike jurors, are immune from decision-making errors based on unreliable expert testimony. Not only is there an absence of research supporting the conclusion that judges apply different decision-making strategies to assess expert testimony than jurors, but some of the most scathing attacks on the assessment of experts have been launched against judges. The research does suggest that, in general: “[J]urors use criteria as rational and practicable as those suggested for use by trial judges in Daubert v. Merrell Dow Pharmaceuticals, Inc. to assess the admissibility of scientific evidence. Indeed, when considered in light of doubts about the abilities of trial judges to apply Daubert, past research that finds that jurors tend to decide cases consistently with judges, and an anecdotal collection of claims of error made by judges...
in admitting scientific evidence, juries may be as discerning as the judges who are charged with shielding them from certain expert testimony.”

There is no basis to conclude that judges are immune from errors in assessing the foundation for expert testimony.

CONCLUSION

There is often an inverse correlation between the legal relevance of social science research (e.g., effect of parents’ hostilities on child’s mental health) and its scientific grounding. The best research is likely to be of general application and is unlikely to be useful in predicting outcomes in particular cases.

It would be wrong to end this essay with the conclusion that the problem is mental health professionals simply need to try harder to answer the questions that the legal system poses to them. If there is good reason to doubt that psychologists’ and other mental health professionals’ testimony about the best interests of the child often meets Daubert or equivalently rigorous scrutiny, laying the blame at the feet of mental health professionals is misplaced. Perhaps the problem is not that psychologists and other mental health professionals do not have empirically grounded answers to these questions necessary to resolve specific cases, but rather that the legal system has chosen a standard based on the assumption that mental health professionals do have systemic answers to these case specific questions.

FOOTNOTES

1. Professor of Law, Southern Methodist University School of Law, Dallas, Texas. An earlier version of this essay was presented at the American Bar Association Section of Family Law and American Psychological Association Conference on Children, Divorce, and Custody: Lawyers and Psychologists Working Together, Los Angeles, California, April 17, 1997. Work on this essay was supported by a grant from the M.D. Anderson Research Foundation. Amina Memon and Ellen Solender provided thoughtful insights on earlier drafts for which I am extremely grateful. Ashley Fitzell, J.D. candidate, Southern Methodist University School of Law, provided invaluable research and editorial assistance. [lynn i need your help here, what can i cut?]


15. See State v. Foret, 628 So. 2d 1116 (La. 1993); E.I. du Pont De Nemours & Co. v. Robinson, 923 S.W.2d 549 (Tex. 1995).


18. Id. at 919.

19. Id. at 920 21.

20. 463 U.S. at 898.


22. Id. at 592.
After six years of service, Roy Anderson, Vinson & Elkins Distinguished Teaching Fellow and Professor of Law, is stepping down as Senior Associate Dean for Academics to take a sabbatical leave and then return to full-time teaching. He is passing the torch to John Lowe, George W. Hutchison Professor of Energy Law, who assumed the role of Associate Dean for Academics in June.

Professor Anderson received his Bachelor of Arts degree in 1966 from Texas Christian University, his J.D. in 1969 from Southern Methodist University, and his LL.M. in 1975 from Yale University. A former Notes and Comments Editor for the Journal of Air Law And Commerce, Anderson teaches in the areas of contracts, sales, and commercial remedies. He served for many years as the adviser for the SMU Law Review and for the moot court program.

“It was a pleasure to have had the opportunity to work closely with our Dean, my faculty colleagues, and our extraordinarily talented administrative staff these past six years, during a period of great progress in the history of our law school,” Professor Anderson said. “I am particularly grateful to my good friend and colleague John Lowe, a great lawyer, teacher, and scholar, for agreeing to become our new academic dean. He and John Attanasio will undoubtedly provide us with great leadership in the coming years.”

Professor Anderson is the author of numerous law journal articles and a two-volume treatise entitled Damages Under the Uniform Commercial Code (2d ed. 2003), and the co-author of Anderson, Bartlett & East’s Texas Uniform Commercial Code Annotated (2003). Anderson’s article, “The Wolf at the Campfire: Understanding Confidential Relationships,” won the Texas Bar Foundation’s Award for the outstanding law review article for 2000. He is also co-author of the three volumes of the Texas Litigation Guide that deal with commercial litigation.

“As Associate Dean, Roy took on many difficult tasks, including chairing the Ad Hoc Self Study Committee and the Ad Hoc Evening Program Evaluation Committee,” Dean Attanasio said. “He also worked extensively with many other committees including the Part-Time Transition Committee, the Curriculum Committee, and the Appointments Committee. I would like to extend my sincere thanks to him for his great service to the law school and wish him a restful and productive sabbatical.”
Following in the footsteps of Professor Roy Anderson, John S. Lowe, George W. Hutchison Professor of Energy Law, has been appointed the Senior Associate Dean for Academics for the SMU Dedman School of Law.

“In his teaching, scholarship, and chairmanship of the Appointments Committee, John has played an important role in advancing the aspirations of the Law School towards being one of the top law schools in the nation,” said Dean John B. Attanasio. “I am sure that he will do an excellent job as Senior Associate Dean for Academics.”

A member of the faculty since 1987, Professor Lowe received his Bachelor of Arts Degree in 1963 from Denison University and his Bachelor of Laws Degree in 1966 from Harvard University. He has written many articles and books including *Cases & Materials on Oil & Gas Law*, *Hemingway on Oil & Gas Law Taxation*, and *International Petroleum Transactions*. He has served as a visiting professor at the University of Texas, a Distinguished Visiting Professor of Natural Resources Law at the University of Denver, and as the Visiting Judge Leon Karelitz Chair of Oil and Gas at the University of New Mexico.

Last fall Professor Lowe was named a Fulbright Senior Specialist in Energy Law while serving as the Borden Ladner Gervais LLP Visiting Chair of Energy Law and Policy at the University of Alberta. Currently, he is an Honorary Lecturer and Principal Researcher at the Center for Energy Petroleum and Mineral Law at the University of Dundee, Scotland and a Senior Fellow of the Faculty of Law, University of Melbourne, Australia.

Professor Lowe is also an International Legal Adviser for Iraq oil issues in the Commercial Law Development Program of the U.S. Department of Commerce. He is former chair of the Section of Environment, Energy & Resource Law of the ABA and former president of the Rocky Mountain Mineral Law Foundation.

“I look forward to carrying on the great work done by Roy Anderson in this position and facing the challenges of the future with support from our collegial faculty and leadership from the Dean,” Professor Lowe said. “I think the future of this great law school is to be among the highest achievers in the coming years.”
Professor Linda Eads received the 2009 Lola Wright Foundation Award at the Annual Texas Bar Foundation Dinner held on June 26, 2009, at the Belo Mansion in Dallas. The award is presented each year in connection with the State Bar of Texas Annual Meeting and recognizes outstanding public service in advancing and enhancing legal ethics in Texas. A cash award of $5,000 is given to the recipient for donation to the charity of his or her choice. Eads designated SMU Dedman School of Law to receive the contribution.

Last fall the Texas Lawyer selected 30 Texas women out of more than 500 nominated to be profiled in their magazine as “Extraordinary Women in Law.” Eads was selected because of her outstanding work on the significant overhaul of the Texas Rules of Disciplinary Conduct, as chairwoman of the State Bar of Texas disciplinary rules committee from 2004 to 2007. She oversaw the committee’s December 2006 report to the Texas Supreme Court containing comprehensive recommendations for changes in the rules.

Professor Eads received her B.A. from American University in 1971 and her J.D. from the University of Texas School of Law in 1975. She has been a member of SMU’s faculty since 1986, taking a leave of absence to assume the post of Deputy Attorney General for Litigation for the State of Texas from 1999 until 2000. During that time she participated in the appeal to the 5th Circuit of the decision in Hopwood v. Texas. Eads teaches and writes in the areas of evidence, legal ethics, constitutional law, and women and the law. She was voted best classroom teacher and recipient of the Don M. Smart Award for Excellence in Teaching in 1989, 2004, 2006, and 2008.

Associate Professor Mary Spector has been selected as one of the 2009 Bellow Scholars by a committee of the American Association of Law Schools (AALS) Section on Clinical Education for her project on “The Impact of Debt Collection Litigation on Consumers and the Courts.” The Bellow Scholar Program recognizes and supports projects undertaken by clinical law teachers. Awards are made every two years on the basis of “innovative proposals designed to improve the quality of justice in communities, to enhance the delivery of legal services, and to promote economic and social justice.” The projects become the focus of information-sharing, discussion, and critique at the annual AALS Clinical Conference and at the Bellow Scholar Workshops at the University of Pennsylvania.

Spector is Co-Director of the Civil Clinic, Director of the Consumer Law Project, and Associate Professor of Law at SMU Dedman School of Law. She received her B.A. from Simmons College and earned her law degree from Benjamin N. Cardoza School of Law in 1986. Professor Spector joined the faculty at SMU in 1991.
FRED MOSS RECEIVES THE ROBERT E. OLIPHANT AWARD

The National Institute for Trial Advocacy (NITA) presented its 2008 Robert E. Oliphant Award for outstanding service to Professor Fred Moss. From 1980 to 1989, Moss was the Director of NITA’s Southern Regional Trial Training Program. Since 1991, he has acted as the Director of NITA’s Southern Deposition Skills course. In 2005, Moss received the Honorable Prentice Marshall Faculty Award from NITA “for his 25 years of teaching innovations and extraordinary contributions to the NITA.”

Moss received his B.A. from Georgetown University and his J.D. from Villanova Law School, where he was on the Villanova Law Review. After serving as a prosecutor with the U.S. Attorney’s Office in Washington, D.C., Professor Moss was a teaching fellow and lecturer at Harvard Law School. Moss moved to SMU Law School in 1978 and dedicated thirty-one years to the school. Professor Moss retired from the faculty at the end of the spring 2009 semester. Moss had a very distinguished tenure at the law school. He taught lawyering, criminal law, evidence, trial advocacy, criminal procedure, and professional responsibility, and directed the law school’s Criminal Clinic. He also published numerous articles and co-authored a treatise on Texas evidence. Moss served as a visiting professor at Cornell Law School in 1990. Throughout his career, he regularly guest lectured at continuing legal education seminars on evidence and professional ethics topics.

CHRISTOPHER H. HANNA RECEIVES 2009 DR. DON M. SMART AWARD

This year, the SMU Dedman School of Law’s graduating class again recognized Professor Christopher H. Hanna with the 2009 Dr. Don M. Smart Award for Excellence in Teaching. Professor Hanna is Altshuler Distinguished Teaching Professor and Professor of Law. He has been a visiting professor at the University of Texas School of Law, the University of Florida College of Law, and the University of Tokyo School of Law, as well as a visiting scholar at Harvard Law School and the Japanese Ministry of Finance. Hanna received his undergraduate degree in accounting at the University of Florida and his law degrees at the University of Florida College of Law (J.D., 1988) and New York University School of Law (LL.M. in Taxation, 1989). He has authored numerous articles in various areas of taxation including international taxation, corporate taxation, partnership taxation, and tax accounting. His first book, entitled Comparative Income Tax Deferral: The United States and Japan, was released in July 2000. Clearly a much loved teacher, Hanna received the award for the eighth time.
In May 2009, Professor Anthony Colangelo received a J.S.D. Degree from Columbia University School of Law. Prior to coming to SMU, Professor Colangelo held an Associate-in-Law research and teaching fellowship at Columbia Law School, where he earned an LL.M. Degree in 2006.

Colangelo received his B.A., summa cum laude, from Middlebury College and his J.D., magna cum laude, from Northwestern University, where he was Notes Editor of the Northwestern University Law Review. After law school Colangelo clerked for the Honorable Ralph K. Winter of the United States Court of Appeals for the Second Circuit. Professor Colangelo’s scholarly and teaching interests are in the fields of conflict of laws, civil procedure, U.S. foreign relations law, and private and public international law. His scholarship has been selected for presentation at the prestigious Stanford/Yale Junior Faculty Forum, and his articles have been cited at the U.S. Court of Appeals and U.S. District Court levels.

Professor Joshua Tate earned his Ph.D. in History from Yale University in 2009. He is a graduate of Yale Law School, where he was Executive Editor of both the Yale Law Journal and the Yale Journal of International Law. Following a clerkship with the Honorable Carlos F. Lucero of the United States Court of Appeals for the Tenth Circuit, Tate served as the Ribicoff Fellow at Yale Law School for 2003–04, and as a Golieb Fellow at NYU Law School for 2004–05. He has been a full-time faculty member at SMU Dedman School of Law since the fall of 2005, and has also been a visiting faculty member at the University of Pennsylvania Law School.

Professor Tate’s research and teaching is concentrated in the areas of legal history, property, and wills and trusts. He has written articles on modern inheritance law and the legal history of ancient Rome, medieval Europe, and nineteenth–century America in the Journal of Legal History, Yale Journal of Law and the Humanities, and Journal of Law and Religion, among others. Tate has also given invited presentations at numerous academic conferences, colloquia, and workshops both in the United States and abroad. He is currently engaged in a study of the development of property rights and remedies in medieval England, focusing on advowson litigation.
Speaking in six different countries around the world, Dean John B. Attanasio presented his paper on theories related to the causes of the current global financial crisis. The overall discussion and ideas are relevant for international thinking in academia and in the business world. The Dean addressed audiences in Brunei, Korea, Thailand, Indonesia, China, and the United States. He gave four presentations to government officials, business people and members of the academy in Brunei in July 2009, and Dean Attanasio also appeared in late 2008 on CCTV-9 (China Central Television) on a program called “Dialogue.” In his paper, Dean Attanasio makes comparisons between the 2008-2009 global financial crisis and the global financial crisis of 1997-1998. A decade ago, SMU Dedman School of Law organized a series of six conferences to study the problem. Attanasio incorporated the lessons and wisdom from those conferences into his analysis of the economic problems of today.
After 32 years of teaching students at SMU Dedman School of Law, Regis Campfield, Marilyn Jeanne Johnson Distinguished Law Faculty Fellow, is retiring. “Regis has been a credit to this University,” says Dean John B. Attanasio. “His dedication not only to his students but also to his many extracurricular projects is admirable. In retirement he will be missed by both students and fellow faculty alike.”

Originally from Western Pennsylvania, Campfield received his B.B.A., *cum laude*, from the University of Notre Dame in 1963 and his J.D. from the University of Virginia in 1966. While at the University of Virginia, Campfield met and married his wife Mary, a Ph.D. candidate attending the same institution. After law school he went on to practice with Squire, Sanders & Dempsey. Campfield also served a brief stint as an enlisted man in the Air Force, followed by a turn as a Navy Reserve Judge Advocate General Corps officer.

He then returned to his undergraduate alma mater to teach. As a tenured faculty member at Notre Dame Law School, Campfield taught Wills and Trusts, Estate and Gift Taxation, and Estate Planning. He also founded the Notre Dame Tax & Estate Planning Institute, a continuing legal education program which he continues to chair. During Campfield’s time at Notre Dame, his two children, Allison and Claire, were born.

In 1977 Campfield visited SMU and accepted a position as Professor of Law. Campfield recalls, “Giving up a tenured post at Notre Dame was difficult but SMU was, and is, an exciting place, with a great faculty, strong leadership, good students—and my wife’s hometown.” While with SMU, the much admired professor taught courses in Wills and Trusts, Estate and Gift Taxation, and Estate Planning. Campfield also remained an active contributor to legal scholarship, and is the author of many books and articles on estate planning. He is an author of *Taxation of Estates, Gifts and Trusts* (now in its 23rd edition); *Estate Planning & Drafting* (now in its 3rd edition); *Fiduciary Tax Guide* and *Taxation of Income*, among many others.

A year after joining the faculty at SMU, Campfield became a member of the Estate Planning Study Group, an invitational group of 34 practicing lawyers and one academic from nearly every major area of the country. The group meets 2-3 times annually to debate and discuss issues, before the meetings of the American Bar Association Tax Section. Campfield hails this association as one of particular intellectual significance to him.

Campfield is also a Life Fellow of the American Law Institute, a fellow and former Regent of the American College of Trust & Estate Counsel, a past member of the Council of the International Academy of Trust and Estate Law, a past chair of a committee of the Tax Section of the American Bar Association, and a Fellow of the American College of Tax Counsel. According to Campfield, “These professional associations gave me a perspective on developments in the law and practice and thus greatly enhanced my contribution to the learning environment that we provide students at SMU.”

Campfield received the Distinguished Accredited Estate Planner award, which is a lifetime achievement award from the National Association of Estate Planners & Councils. In honor of his service as chairperson of the Notre Dame Tax and Estate Planning Institute for over thirty years, University of Notre Dame Law School named its 5,000 volume collection on estate planning the Regis and Mary Campfield Collection in Estate Planning. Campfield has been a visiting professor at the University of Virginia School of Law. He retires from SMU Dedman School of Law as Professor Emeritus of Law and the Marilyn Jeanne Johnson Distinguished Law Faculty Fellow Emeritus.
Frederick C. Moss

Frederick C. Moss is retiring after 31 years of dedicated teaching at SMU Dedman School of Law. Commenting on the departure of the much-admired professor, Dean John B. Attanasio said, “It will be difficult to see Fred go. Throughout his career with the law school, he inspired and emboldened his students in their pursuit of legal knowledge. He was an integral part of our faculty and he will be missed.”

Originally from Washington, D.C., Moss received his undergraduate degree in history from Georgetown University in 1965. He went on from there to Villanova Law School in Pennsylvania where he was on the Villanova Law Review. While in law school, Moss clerked for the U.S. Department of Justice’s Criminal Division as a part of the school’s honors program. Upon graduating in 1968, he accepted a permanent position with the Department of Justice in Washington, working in the Criminal Division.

In the spring of 1969, Moss was called to active duty by the U.S. Army to serve in the Vietnam War. After a year in Ft. Carson, Colorado, Moss was assigned to a transportation battalion in Vietnam that ran an Army port on the Saigon River. There, he oversaw the hiring and payment of the company utilizing the port. While in Vietnam, Moss was promoted to Captain.

After his tour ended in 1971, Moss returned to the U.S. and accepted a position as an Assistant U.S. Attorney in Washington, where he prosecuted both local and federal crimes. In 1975, he enrolled at Harvard Law School in pursuit of a Masters Degree in Law. Moss spent his first two years at Harvard as a Teaching Fellow, teaching in Harvard’s first year legal program and supervising students in the school’s Prison Clinic, receiving his Masters Degree in 1977. His third year with Harvard he accepted an appointment as Lecturer in Law and created, administered, and taught in Harvard’s first Prosecution Clinic course. In 1978 Moss accepted a position as a law professor with SMU.

Moss’s time at SMU demonstrated his wide variety of skills and passions as well as his dedication to legal education. While at SMU, Moss taught lawyering, criminal law, evidence, trial advocacy, criminal procedure, and professional responsibility; and he directed the law school’s Criminal Clinic. From 1980 to 1989, Moss was the Director of the National Institute for Trial Advocacy’s (NITA) Southern Regional Trial Training Program. Since 1991, he also acted as the Director of NITA’s Southern Deposition Skills course. In 2005, Moss received the Honorable Prentice Marshall Faculty Award from NITA “for his 25 years of teaching innovations and extraordinary contributions to the NITA,” and in 2008, NITA presented him with the Robert E. Oliphant Award for his outstanding service.

Additionally, Moss co-authored a treatise on Texas evidence and published numerous articles in the areas of his expertise. Moss also served as a visiting professor at Cornell Law School in 1990. Throughout his career, he regularly guest lectured at continuing legal education seminars on evidence and professional ethics topics.

Reflecting on his tenure with SMU, Moss says, “SMU is a very good place to work. My colleagues are wonderful; the setting is lovely; the students are great.” He adds, “I know that it would be hard to ‘pull the plug’ and simply disappear from this place. Thirty plus years of coming to my office six days a week is a habit that will be hard to break. So, I’ll be around.”

Moss is also excited as he anticipates his upcoming retirement, however. He remarks, “At points in our lives we turn the page in our life’s book and there is a new chapter. Retirement is a new chapter in my life. I’m really looking forward to it.”
Dr. Adel Omar Sherif has been the Deputy Chief Justice of the Supreme Constitutional Court of Egypt since December 2002. He earned his LL.B. (1979), Advanced Studies Diploma in Public Law (1980), Advanced Studies Diploma in Administrative Law (1981), and Ph.D. in Constitutional Law (1988) from Cairo and Am Shams Universities in Egypt. After working in private practice for a short period of time, he was appointed to the Egyptian judiciary, commencing his judicial career at the Council of the State, where he served in various judicial positions between 1980 and 1992. In 1992, Justice Sherif moved to the Supreme Constitutional Court, Egypt’s Supreme Court, as Assistant Counselor for the Commissioners’ Body. He was promoted to full Counselor in 1993 and was assigned Acting Head of the Commissioners’ Body that same year. In December 2002, he was promoted to the position of Deputy Chief Justice. Justice Sherif was a Visiting Fellow at the International Human Rights Law Centre of the College of Law, DePaul University, in Chicago in 1992; the Human Rights Centre of the University of Essex from 1993–94; and the Federal Judicial Center in Washington, D.C. in 1996; and was a Visiting Professor at the Faculty of Law, McGill University from 1998–99. He often represents the Egyptian judicial community in international conferences and seminars and has already received many honors and awards at the international level. In addition, he has served as the Rapporteur of a series of international human rights conferences known collectively as “The Cairo Conference” and for two regional and international conferences on capacity building of judges on environmental law. He has written and published widely on various legal aspects including human rights, constitutional issues, Islamic law, criminal law, and environmental law.

Justice Sherif taught Comparative Law II: Islamic Law.

Rudolf Dolzer is a Distinguished Visiting Professor & Director of the Institute for International Law at the University of Bonn in Bonn, Germany. Dolzer received his J.D. from the University of Heidelberg and his LL.M. from Harvard, where he also acquired an additional J.D. Before joining the faculty of the University of Bonn, Dolzer was a Professor of Law at the University of Heidelberg and at the University of Mannheim, where he served two years as Vice Rector. He spent six years as a member of the German Parliament, and he was Director General at the Office of the Federal Chancellor.

He taught International Commercial Arbitration and Foreign Investment.

Professor Grossfeld is Professor of Law at the Muenster University in Muenster, Germany. At Muenster, he also serves as the Director of the Institute for International Business Law, as well as the Director of the Institute for Cooperative Research. Professor Grossfeld received his J.D. degree from Muenster University and his Master of Law degree from Yale. He is recognized as one of the leading European law scholars in Comparative and International Business Law. Professor Grossfeld has previously taught as a visiting professor at SMU, Michigan, Texas, Chicago, and NYU (where he is a permanent member of their Global Law School Faculty).

Professor Grossfeld taught Comparative Law I and II.
Judge Don Bush
Visiting Professor


Judge Bush taught Trial Advocacy.

Professor David Elkins
Visiting Professor

Dr. David Elkins is a Senior Lecturer and Distinguished Teaching Fellow at the Netanya College School of Law in Israel. He is the author of *Taxation of Intellectual Property: Patents, Copyright, Goodwill and Know-How and Taxation of Corporations and Their Shareholders*. He has also published numerous articles in leading Israeli and American law reviews and professional journals, some dealing with subjects such as tax accounting and corporate taxation, others exploring the concepts of distributive justice and horizontal equity. Prior to his academic appointment, Dr. Elkins served as Senior Assessor and as Senior Assistant to the Legal Advisor for the Israeli Tax Authority. He received his L.L.B. from the Hebrew University of Jerusalem and his L.L.M. as well as his Ph.D. from the University of Bar Ilan.

Dr. Elkins taught Corporate Tax and Income Taxation.

Judge David C. Godbey
Visiting Professor

Judge David C. Godbey was appointed to the Northern District of Texas by President George W. Bush in 2002. Prior to accepting this appointment, he served as Judge of the 160th District Court (Dallas) 1995-2002; and Dallas County Presiding Civil District Judge, 1988-99 (elected by civil district judges). Judge Godbey was in private practice with the law firm of Hughes & Luce, L.L.P., from 1983-94. He was a law clerk to Hon. Irving L. Goldberg, United States Fifth Circuit Court of Appeals, 1982-83. He graduated with a J.D. from Harvard Law School, magna cum laude, in 1982 where he served on the Harvard Law Review. He also holds a Bachelor of Science Degree from SMU where he graduated magna cum laude in 1978. He is a member of the American Board of Trial Advocates, Dallas Chapter. He was Civil Jurist of the Year 1997. He is also a member of the American Law Institute and was appointed Temporary Justice, Texas Supreme Court, to hear *In re TXU* (2001). He has served as a Commissioner with the National Conference of Commissioners on Uniform State Laws (1999-2004) and has been involved in numerous other professional appointments and organizations.

Judge Godbey taught Ethical Dilemmas in Legal Practice along with Judge Lynn.

Judge Barbara J. Houser
Visiting Professor

The Honorable Barbara J. Houser is United States Bankruptcy Judge for the Northern District of Texas. She received her B.S. with honors in 1975 from the University of Nebraska. Upon graduation from Southern Methodist University School of Law in 1978, Judge Houser joined Locke, Purnell, Born, Laney & Neely in Dallas and then Sheinfeld, Maley & Kay, P.C., until she was sworn in as a United States Bankruptcy Judge in January 2000. Judge Houser lectures and publishes frequently on corporate restructuring and insolvency law. She is a past chairman of the Dallas Bar Association’s Committee on Bankruptcy and Corporate Reorganization. She is a contributing author to *Collier on Bankruptcy* (15th Ed) and the *Collier Bankruptcy Manual* (3rd Ed).

Judge Houser taught Creditor’s Rights.
Justice Joseph B. Morris

After graduating from Southern Methodist University School of Law in 1973, Justice Morris began his private law practice in Dallas litigating civil cases in state and federal courts. In 1987, he became the Presiding Judge of the 101st District Court in Dallas. Five years later he joined the Fifth District Court of Appeals in Dallas as one of its Justices. He has served there since 1992.

Justice Morris has been a frequent lecturer at continuing legal education seminars on topics involving trial and appellate procedure. He has previously been an adjunct professor teaching Texas Pre-Trial Procedure at Texas Wesleyan University School of Law. Justice Morris is now serving on the Texas Commission on Judicial Conduct and has served twice as its chairman.

Justice Morris taught Texas Trial & Appellate Procedure.

Professor Boe Martin

Boe W. Martin is a partner at Bell, Nunnally & Martin LLP. His areas of expertise are Bankruptcy and Reorganization, Creditors’ Rights, Real Estate, and Real Estate Finance. He has extensive experience in representing debtors and creditors in Chapter 11 and other insolvency proceedings. In 2005 and 2006 Professor Martin was selected by Texas Monthly as a “Texas Super Lawyer.” He received his B.A. from Texas A&M University in 1962, his L.L.B. from University of Texas in 1964, and his L.L.M from George Washington University in 1970. Professor Martin has taught Real Estate Transactions at the University of Texas School of Law and at the University of Houston Law Center. He began teaching as an adjunct professor at SMU Dedman School of Law in 1972. He has taught Payment Systems, Real Estate Development Law, Secured Transactions, Property, and Torts at the law school.

Professor Martin taught Secured Transactions and Torts.

Chief Justice Linda Thomas

The Honorable Linda Thomas is Chief Justice of the Fifth District Court of Appeals, the State’s largest intermediate appellate court. Chief Justice Thomas received her B.A. from University of Texas at Arlington and her J.D. from SMU. She served eight years as a family court judge and has been on the appellate court since 1987. Chief Justice Thomas is Board Certified in Family Law and has been awarded the prestigious Sam Emison Award by the Texas Academy of Family Law Specialists for meritorious contributions to family law. Chief Justice Thomas is a nationally-recognized leader in legal and judicial education.

Chief Justice Thomas taught Family Law.
**PROFESSOR YEHIEL KAPLAN**

**Visiting Professor**

Professor Yehiel Kaplan is a senior lecturer at Haifa University, Faculty of Law. He teaches and writes about Jewish Law and Family Law. Professor Kaplan earned his LL.B. Degree in 1983 and his LL.M. Degree in 1985 at The Hebrew University of Jerusalem. He was a Visiting Scholar In Medieval Roman and Canon Law at the University of California Law School at Berkeley from 1987 to 1988. Professor Kaplan has taught a wide variety of courses dealing with Jewish Law and Family Law at the University of Haifa, the Hebrew University of Jerusalem and Tel–Aviv University. He has published several articles, including most recently “The Power of Interpretation: Religious Scholars Elevate the Status of Female Guardians in Jewish Law,” which appeared in the Cardozo Journal of Law and Gender.

Professor Yehiel Kaplan taught a course entitled Introduction to Jewish Law.

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**THE HONORABLE DUAN XIAOJING**

**Visiting Scholar**

The Honorable Duan Xiaojing serves on the Supreme People’s Court of the People’s Republic of China. Xiaojing came to SMU Dedman School of Law as a Visiting Scholar during the 2008–2009 academic year. During her ten-month stay beginning in October 2008, Xiaojing took a leave of absence from her position as a judge in China in order to study and compare U.S. laws and court systems to the Chinese system. She focused particularly on how U.S. courts determine whether a matter should be tried before a jury or to the bench. While here, she met with state and federal trial and appellate judges, observed trials, and attended classes at the law school taught by Professors Forrester, Nguyen, Hanna, and Norton. Xiaojing was pleased with her experience as a Visiting Scholar at SMU Dedman School of Law, saying, “I would like to thank Dean Attanasio again for his invitation so that I could have such an opportunity to experience and enjoy American society, culture and customs in an in-deapth manner. This was really a memorable time for me.”

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**MARTIN CAMP PUBLISHES THE LAW FIRM ASSOCIATE’S GUIDE TO CONNECTING WITH YOUR COLLEAGUES**

In the spring of 2009, Assistant Dean of Student Affairs Martin Camp ’79 published The Law Firm Associate’s Guide to Connecting with Your Colleagues, which he co-authored with Communication Consultant Barbara Miller. It is the second volume in the Law Firm Associate’s Development Series, published by the American Bar Association, Law Practice Management Section. Designed as a resource for first-year associates, the book explains how to build career-furthering relationships. Camp explains, “It focuses on the importance of understanding the expectations of senior lawyers, coworkers and staff, and how to meet those expectations effectively. It’s essential to develop long term relationships with colleagues.”

The book describes common obstacles and challenges first-year associates often face. Each chapter addresses questions asked by actual associates. It explains, for example, when and how to say “no” to a partner’s request to work on a project, and what actions to take if (and when) an associate makes a big mistake. Taking the appropriate tone in challenging situations is crucial to an associate’s career success.

Before returning to his alma mater in 2005, Camp practiced law as a partner with Jones Day for over 20 years. At Jones Day, Camp played an active role in associate recruitment and development. His book reflects the valuable, practical lessons learned through his experience working with associates at one of the world’s largest international law firms.
ROY ANDERSON
Senior Associate Dean for Academic Affairs and Vinson & Elkins Distinguished Teaching Fellow and Professor of Law

PUBLICATIONS: Annual Supplement to DAMAGES UNDER THE UNIFORM COMMERCIAL CODE (2008); TEXAS UNIFORM COMMERCIAL CODE ANNOTATED (with Bartlett & East (2008 revision)).


MAUREEN ARMOUR
Co-Director of Civil Clinic and Associate Professor of Law


J. ATTANASIO
Judge James Noel Dean and William Hawley Atwell Chair of Constitutional Law

PUBLICATIONS: CONSTITUTIONAL LAW TEACHER’S MANUAL (with N. Redlich & J. Goldstein) (Lexis-Nexis, 2009); 2008 Supplements to CONSTITUTIONAL LAW & UNDERSTANDING CONSTITUTIONAL LAW (Lexis-Nexis, 2008)


AWARDS: Distinguished Alumnus Award, Marist School, Atlanta, GA, (May 2009).

LACKLAND H. BLOOM, JR.
Professor of Law


ALAN BROMBERG
University Distinguished Professor of Law


AWARDS: Woodrow Wilson High School Hall of Fame, Dallas, TX, (April, 2009).
ANTHONY J. COLANGELO  
**Assistant Professor of Law**


NATHAN CORTEZ  
**Assistant Professor of Law**

**Publications:** International Health Care Convergence: The Benefits and Burdens of Market-Driven Standardization, 26 Wis. Int’l. L. J. 646 (2009); Recultrubing the Legal Risks of Cross-Border Health Care, Yale J. Health Pol’y, L. & Ethics (forthcoming).


**Presentations:** Moderated Panel and Presented “Everything but the Argument: the Oft-Neglected Parts of the Appellate Brief,” at the Appellate Judges Education Institute Summit, (Phoenix, Arizona, (November, 2008)).

GREG CRESPI  
**Professor of Law**


**Presentations:** Participant, Supreme Court of Texas, “Proposed Changes to the Texas Disciplinary Rules of Professional Conduct,” (February-June, 2008; Lecturer, Evidence, BARBRI in Georgia (June 2008)); SMU Dedman School of Law Representative, 2008 Annual Evidence Summit, Texas Center

AWARDS: Named by Texas Lawyer’s magazine as one of 30 “Extraordinary Women in Texas Law” for having an impact on law and lawyering in Texas within the past five years (September, 2008); Lola Wright Foundation Award from the Texas Bar Foundation in recognition for outstanding public service in advancing and enhancing legal ethics in Texas (June, 2009).

DAVID EPSTEIN
Professor of Law


JEFFREY M. GABA
Professor of Law


CHRISTOPHER H. HANNA
Altshuler University Distinguished Teaching Professor and Professor of Law


PRESENTATIONS: “Hot Issues in Corporate Tax Accounting,” sponsored by Alliance for Tax, Legal and Accounting Seminars (ATLAS) (Dallas, TX, (May, 2008)); “Enron: How to Report Profits and Pay No Taxes,” to Chulalongkorn University & Siam University, (Bangkok, Thailand, (June, 2008)); Taught “Income Taxation of Individuals, Corporations and Partnerships” at the University of Tokyo School of Law summer session, (Tokyo, Japan, (Summer, 2008)); “The Intersection of Tax and Financial Accounting,” 32nd Comparative Law and Politics Symposium hosted by the University of Tokyo Graduate School of Law and Politics, (Tokyo, Japan, (August, 2008)).

APPOINTMENTS: Council of the State Bar of Texas Tax Section.

LARRY JONES
Director, Tax Clinic


Jeffrey Kahn
Assistant Professor of Law


Appointments: Colin Powell Fellow, John Goodwin Tower Center for Political Studies.

Ndiva Kofele-Kale
University Distinguished Professor of Law


Presentations: “Apologies and Reparations in International Human Rights Law,” Commentary on Professor Al Brophy’s presentation: “Considering William and Mary’s History with Slavery: The Case of President Thomas Roderick Dew,” Colloquium on law and Citizenship, SMU Dedman School of Law, (Dallas, TX, (February, 2008)); Judge, Regional Finals of the European Law Moot Court Competition, SMU Dedman School of Law, (Dallas, TX, (February, 2008)); Guest Lecturer, “Corruption and Economic Development,” Harriman Institute, School of International and Public Affairs (SIPA), Columbia University, (New York, NY, (March, 2008)); “Participatory Rights: An Emerging Regional Custom in Africa,” XXIII Socialist International Congress, (Athens, Greece, (July, 2008)).

Appointments: University Distinguished Professor, Southern Methodist University, (Dallas, TX, (April, 2009)).
D. AARON LACY
Associate Professor of Law

PUBLICATIONS: The Most Endangered Title VII Plaintiff?: Exponential Discrimination Against African-American Males, 86 Neb. L. Rev. 552 (2008); Hair Today, Gone Tomorrow: Conforming for Hire, Mid-Atlantic People of Color Legal Scholarship Conference, University of Maryland School of Law, (Baltimore, Maryland, January, 2009); “Hair Today, Gone Tomorrow: Conforming for Hire,” Mid-Atlantic People of Color Legal Scholarship Conference, University of Maryland School of Law, (Baltimore, Maryland, January, 2008).


HENRY J. LISCHER, JR.
Professor of Law


JOHN S. LOWE
Professor of Energy Law

PUBLICATIONS: 2009 Cumulative Pocket Parts, KUNTZ, LAW OF OIL AND GAS (with Anderson, Smith & Pierce); OIL AND GAS LAW FORMS MANUAL (5TH ED. WEST 2008) (with Anderson, Smith and Pierce).

PRESENTATIONS: Presented a one-week short course on “International Oil and Gas Contracts” at the University of Dundee, Scotland, (June, 2008); Presented a one-week course on “International Oil and Gas Transactions” at the University of Melbourne, Australia, (May, 2008); Presented a one-week course on “International Oil and Gas Transactions” at the ESAN University, Lima, Peru, (October, 2008); “Operator Liability, Removal and Succession,” Rocky Mountain Mineral Law Fnd. Special Inst. On Operating Agreements, Denver, CO, (March, 2008); “U.S. Energy Policy and Canada,” Fulbright program lectures in Edmonton and Calgary, Alberta, Canada, (November, 2008).

APPOINTMENTS: Fulbright Scholar and Visiting Borden Ladner Gervais LLP Chair of Energy Law and Policy, University of Alberta, Edmonton, Alberta, Canada, (Fall, 2008); International Legal Advisor, Commercial Law Development Program, U.S. Dept. of Commerce.

GEORGE A. MARTINEZ
Professor of Law


PRESENTATIONS: Panelist, “Prosecutorial Discretion” and Planning Committee Member, “Justice for All: Perceptions of Racial and Ethnic Bias in Our Courts,” Co-sponsored by the ABA Judicial Division, SMU Dedman School of Law, (Dallas, TX, (April, 2009)).
THOMAS W. MAYO  
Associate Professor of Law  


AWARDS:  President’s Associates Outstanding Faculty Award (January, 2008).  

JOSEPH MCKNIGHT  
Larry and Jane Harlan Faculty Fellow and Professor of Law  


PRESENTATIONS:  “How an American Industrialist Helped Unions Organize and its Message for Today,” Labor and Employee Relations Association, San Diego Chapter (San Diego, CA, (March, 2009)).  

CHARLES J. MORRIS  
Professor Emeritus of Law  


PRESENTATIONS:  “How an American Industrialist Helped Unions Organize and its Message for Today,” Labor and Employee Relations Association, San Diego Chapter (San Diego, CA, (March, 2009)).  

XUAN THAO NGUYEN  
Professor of Law  

Presentations:


Awards: Fulbright Scholar, Vietnam National University Faculty of Law, Hanoi, Vietnam, (Spring, 2009).

Joseph Norton

James L. Walsh Distinguished Faculty Fellow in Financial Institutions and Professor of Law

Publications:


Presentations:

“Reflections on the Evolvement of Transnational Networks in the Financial Sector Area: From the Basel Concordat to Breton Wood II,” SMU Dedman School of Law Conference on “The Rise of Transnational Networks,” (Dallas, TX, (November, 2008)).

Ellen Smith Pryor

Associate Provost for Honors and International Programs and Homer R. Mitchell Professor of Law and University Distinguished Teaching Professor

Publications:


Presentations:


C. Paul Rogers, III

Professor of Law and Former Dean of the Law School

Publications:


Presentations:

Panelist, “Decisionmaker Bias” and Planning Committee Member, “Justice for All: Perceptions of Racial and Ethnic Bias in our Courts,” Co-sponsored by the ABA Judicial Division, SMU Dedman School of Law, (Dallas, TX, (April, 2009)).
MARY SPECTOR
Co-Director of Civil Clinic, Director of Consumer Law Project, and Associate Professor of Law


Appointments: 2009 Bellow Scholar, AALS Section on Clinical Education, for her project “The Impact of Debt Collection Litigation on Consumers and the Courts.”

MARC I. STEINBERG
Senior Associate Dean for Research and Rupert and Lillian Radford Professor of Law


JOSHUA C. TATE
Assistant Professor of Law


Presentations: “New Voices in Trusts and Estates,” Section on Donative Transfers, Fiduciaries, and Estate Planning, Annual Meeting of the Association of American Law Schools, (San Diego, CA, January 2009)); “Caregiving and the Case for Testamentary Freedom” SMU Dedman School of Law Faculty Forum, (Dallas, TX, September 2008); “Property, Legal Transplants, and the Birth of the Common Law,” Dallas Bar Association, Legal History Discussion Group, (Dallas, TX, December 2008)).

ELIZABETH C. THORBURN
Professor of Law


Presentations: “Think before You Google: Ethical Limits on Judicial Research,” Appellate Judges Education Institute, (Phoenix, AZ, November 2008)); “Judicial Research and the Intersection of Ethics and Evidence Law,” Faculty Forum, Texas Wesleyan School of Law, (Fort Worth, TX, September 2008).
“Judicial Hellholes, Lawsuit Climates and Bad Social Science: Lessons from West Virginia,” Faculty Forum, SMU Dedman School of Law, (Dallas, TX, March, 2008).

Jenia Iontcheva Turner
Associate Professor of Law


Jessica Dixon Weaver
Assistant Professor of Law

Presentations: “Legal Implications of the FLDS Compound CPS Case,” SMU Godfrey Lecture Series, Southern Methodist University, (Dallas, TX, October, 2008); “Texas Mis-step: Why the Largest Child Removal in Modern U.S. History Failed,” SMU Godfrey Lecture Series, Southern Methodist University, (Dallas, TX, September, 2008); “Attorney Ad Litem: Advocating for your Client,” Interdisciplinary Training for Children’s Attorneys: FLDS Cases, (May, 2008).

Peter Winship
James Cleo Thompson, Sr. Trustee Professor of Law


2009 HOWIE SWEENEY MOOT COURT COMPETITION

The distinguished panel of judges for this year’s championship round of the Howie Sweeney Moot Court Competition consisted of Judge Consuelo Callahan of the United States Court of Appeals for the Ninth Circuit, Judge A. Joe Fish of the United States District Court for the Northern District of Texas, and Justice Elizabeth Lang-Miers of the Court of Appeals for the Fifth District of Texas. Adam Doupe ’10 and Gemma Galeoto ’10 argued for the appellee against Rwan Hardesty ’10 and Bobby Luyties ’09 for the appellant in front of a packed audience in the Hillcrest Classroom.

Judge Callahan ensured the competitors encountered a hot panel, questioning Hardesty, the first speaker, less than a minute into her argument. This active panel continued throughout oral arguments as the judges tested each competitor’s knowledge of the case law and the facts of the case.

After the argument concluded, the panel complimented the students on their efforts and provided sage advice. Justice Lang-Miers suggested that advocates argue more slowly and cautioned students and lawyers to be careful when conceding arguments. To the surprise of the students, Judge Callahan advised that they did not have to use every second of their allotted time. “If things are going your way, and the questions are answered, you can wrap it up,” she said. Judge Fish echoed the other judges’ comments. “I would have been proud personally to have any of you represent me,” he said.

After the panel deliberated, Doupe and Galeoto were declared the winners and also won best brief. Luyties won best advocate for the competition.

SARAH T. HUGHES DIVERSITY SCHOLARSHIP

Serious, professional, tough-minded: this is a lawyer. But what about: goofy, carefree, and maybe even funny? With songs like “Billing Time” (“As long as my heart beats, I gotta fill my time sheets”) and “Law Firm of the Hells” (“Cream of the crop, work til’ you drop”) for example, the annual Bar None production features a variety of skits, songs and scenes that parody the lives of lawyers. Each year the production has a specific theme and this year’s, “Scumbag Billionaire,” starred nearly 50 different performers from among the Dallas-area legal community, including attorneys, judges, paralegals, legal secretaries, and law clerks. In its 24th season, this year’s production featured music from The Beatles, Dolly Parton, Les Miserables, Beyonce, and many others.

Although a good opportunity to prove that lawyers have a humorous side too, this production serves an important purpose. Sponsored by the Dallas Bar Association and the Dallas Bar Foundation, the Bar None production raises funds for the Sarah T. Hughes Scholarship at the SMU Dedman School of Law.

Established in 1981, this scholarship is awarded to several minority students each year who have been selected by the Dallas Bar Foundation. The scholarship covers the cost of tuition and fees and is renewed the second and third years of law school, provided that the student remains in good academic standing. Intended to increase the number of minority students in Dallas and in the legal profession as a whole, this scholarship was named in honor of Judge Sarah Tilghman Hughes, United States District Court Judge for the Northern District of Texas. Appointed by John F. Kennedy, Judge Hughes was the first woman to serve as a federal district judge in Texas and she devoted much of her time to advocating for the rights of women and minorities.

The Bar None production was held from June 17th to the 20th at the Greer Garson Theater at SMU. Since the inception, over $1.2 million has been raised for the Sarah T. Hughes Diversity Scholarship that has helped 43 law students.
On April 3, 2009, the Association of Public Interest Law (APIL) held the third annual APIL Fool’s Auction on campus at SMU. The event itself raised over $30,000 for summer stipends provided to SMU Dedman Law students to work for public interest organizations across Texas and the country. The Auction’s theme — “Where Lawyers Are the Punch Line” — allowed the Dallas legal community to poke fun at itself. Proceeds from the auction, coupled with matching funds from the Dean’s discretionary fund, and a $5,000 contribution from the Texas Bar Foundation, through the Lola Wright foundation, made it possible to fund twenty-five $3,000 stipends.

The stipends go to pay law students to work six weeks during the summer as public interest law interns. Internships vary depending upon each student’s interests and the needs of the agencies where the students are placed. Among this summer’s placements are internships with Legal Aid of NorthWest Texas, the Dallas County Public Defender, the Human Rights Initiative, and the Dallas County District Attorney’s family violence division.

The APIL Fool’s Auction took place in Umphrey Lee Ballroom, and approximately 400 people attended. With over 250 items up for auction, it was the largest and most successful auction since the event began in 2007.

“We were happy that so many generous people showed up to support the community’s public interest organizations and the SMU law students who work so hard for them,” said Auction Coordinator Rachel Kingrey. A second-year law student, Kingrey served as the faculty liaison for last year’s auction and will be APIL President for the 2009–2010 school year.

“We want people to know that even if students who are graduating don’t pursue a public interest career, every lawyer should think about taking time to serve the community,” Kingrey said.

The live auction started with one of the most anticipated items of the night: the right to throw a pie in Professor David Epstein’s face. Excited students bid against one another until third-year student Dustin Appel finally won with a bid of $130. With audience anticipation growing, Appel and Epstein got the Auction off to a flying whipped-cream start.

Many other auction items were donated by the community, professors, and students, including a yoga trip with professors, a trip to California for golf, and tickets to Dallas Mavericks games.

“We are so grateful to the professors,” said 2008–2009 APIL President Liz Austin. “They are always our biggest supporters and we couldn’t do this auction without them.”

Four of those supportive professors served as auctioneers for the event. Professors Linda Eads, Anthony Colangelo, Mary Spec-tor, and Paul Rogers engaged the audience throughout the night and kept the bidder numbers flying into the air.

Over 100 SMU law students volunteered their time to ensure the auction went smoothly. “Once again the students came through to help their fellow students,” Kingrey said. “We are lucky to go to school with such great people.”

The APIL Auction continues to gain popularity annually. Due to the event’s growing number of attendees, the event was moved from law school grounds to a larger venue on campus.
In the fall of 2008, Professors Jenia Turner and Anthony Colangelo and alumna April Carter ’99 launched a new externship program for second- and third-year SMU law students that provides academic credit to SMU law students while they serve in the International Criminal Tribunal for the Former Yugoslavia (ICTY) internship program.

ICTY, established in 1993, is a United Nations court of law that deals with war crimes from conflicts during the 1990s in the Balkan region of southeastern Europe. It is one of nearly 150 international organizations housed in The Hague, the third largest city in the Netherlands. The Hague is essentially the seat of international justice and is home to the International Court of Justice (ICI), the primary judicial organ of the United Nations.

The three-month (minimum) ICTY externship program provides SMU law students extraordinary exposure as it often involves direct casework, research, and writing on precedent-setting decisions concerning genocide, war crimes, and crimes against humanity.

April Carter ’99, Legal Officer in the Office of the Prosecutor for ICTY, has used her law school training in domestic and international prosecution and is proud to be an integral part of the externship program. “The experience SMU Law students are gaining as a result of working for the Tribunal is something they will carry with them for the rest of their careers. The cases on which the students work have served to shape international criminal law.”

SMU law students would agree. Rebekah Bailey, a 3L who participated in the program, remarks, “Working at the ICTY provides the opportunity to participate in international criminal law at the Tribunal whose work has greatly advanced the field. Drafting decisions and writing portions of an upcoming final judgment allow me to practically apply my education in an international arena. It’s incredibly rewarding to know my work helps bring the rule of law to the war-ravaged former Yugoslavia. My externship confirms and deepens my desire to pursue a career in international criminal law.”

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CLASS OF 2011 ORGANIZES LOCAL FUNDRAISING EFFORT FOR HOMELESS CHILDREN’S CHARITY

Contracts Professor David Epstein challenged his 1L students to raise money supporting Project Night Night, a non-profit organization that supplies homeless children with care packages. Each gift contains a storybook, security blanket, and stuffed animal. In some cases, its contents are the child’s very first new belongings. Over half of daytime students within the class of 2011 met his challenge and donated at least $100 toward this special organization. Participating students procured donations from classmates and professors by offering greeting cards in exchange for $20 donations. As a result, this ambitious and caring group of 1Ls collectively raised over $11,000, exceeding their initial goal of $10,000. Additionally, Strasburger & Price, LLP, Fulbright & Jaworski and Baker Botts covered expenses incurred during the project, ensuring that the entirety of generated revenue from the greeting card sale supported homeless children.

Thanks to Professor David Epstein’s encouragement and direction, the initiative of student leaders Michael Winn and Ann Chao, and the impressive participation from the overall 1L student body, the fundraiser was a tremendous success. Most importantly, their efforts in support of Project Night Night have positively affected homeless children’s lives.
BROOKE SCHIEB

Brooke Schieb earned her Bachelor’s degrees in Political Science and Art History at SMU. In law school she served as President of the SMU Law Review Association, a member of the Barristers, research assistant for Professor Joseph McKnight, and a mentor to first-year law students.

Brooke found her experiences at SMU Dedman School of Law extraordinary both inside and outside the classroom. She said, “Each of my professors was not only knowledgeable and interesting, but also accessible. Because of open-door policies and participation in student activities, the faculty at SMU inject themselves into the law school community in a way that is unparalleled. In addition, SMU’s clinical program provides students with the opportunity to gain practical legal experience helping real clients solve real problems. My experiences in the Civil Clinic were incredibly rewarding. With the guidance of my professor-supervisors, I learned how to manage a case from beginning to end, respond to the needs of clients, and deal professionally with opposing counsel—and had fun doing it!”

She is clerking for United States District Judge Richard A. Schell in the Eastern District of Texas in Sherman, Texas. Upon the completion of her clerkship, she plans to pursue a career in litigation in the Dallas office of Jones Day.

TIFFANY DILLARD

Tiffany Dillard arrived at SMU Dedman School of Law two weeks after graduating from Sam Houston State University. During her second year at SMU, she served as President of the Black Law Students Association (BLSA). As President, she strengthened the foundation laid by former Presidents and brought BLSA’s mission to forefront by leading the organization under the theme “Mission Is Possible.” During her third year, Tiffany was selected by Career Services to serve as a student representative at the ABA Judicial Clerkship Program in Boston. The work experience she acquired during law school was extensive, including a judicial internship at the Supreme Court of Texas and at the Texas Court of Appeals, First District. She also served as a research assistant for Professor D. Aaron Lacy. It is her career goal to work in employment law.

Tiffany says, “I came to law school because I always wanted to be a lawyer and wanted the intellectual challenge. While the competitive environment at any law school is inevitable, at SMU friendship was also inevitable. The faculty and staff were friendly and interested. Professors were often available right after class and during office hours, and were great people with whom to discuss career goals.”

Tiffany enjoyed mentoring and was a participant in BLSA’s Buddy System as well as an informal mentor to anyone who needed it. She also felt it a duty to “keep it real” to those seeking the “real deal” on law schools in general, and SMU in particular. Her approach has been helpful in increasing the diversity of the law school’s student body.
DUSTIN LEE APPEL

Dustin Appel came to SMU after a career as an accountant in the transportation and oilfield services sectors, including several years spent living and working in Russia, Kazakhstan, and Uzbekistan. He is a Certified Public Accountant, and he speaks Russian—two skills that he found useful in studying law.

“Accounting, like other technical fields such as science and engineering, is a great background for a law student. As the law becomes increasingly more complex and area-specific, lawyers will need a deeper understanding of the substantive, as well as legal, issues that their clients face to provide real value and counsel. But for everyone, studying law is a lot like learning a foreign language. Unfamiliar terms, intricate and sometimes confusing rules—it can be intimidating. The best thing is just to jump in and immerse yourself. At SMU Dedman School of Law, the faculty and my fellow students made sure I had the chance to really do that—through class discussions, advocacy competitions, law review, the clinic program, and a hundred other ways. It was a wonderful experience.”

Dustin graduated summa cum laude and was inducted into the Order of the Coif and Order of the Barristers.

AUSRA LAURU-SAITE-KROMELIS

While in law school, Ausra served as the President of the law school’s International Law Society and helped organize presentations to law students on international law topics by prominent members of the Dallas legal community, the International Law Section of the State Bar of Texas, the International Criminal Tribunal for the Former Yugoslavia, and the World Bank. In addition, she served as a member of the SMU Law Review, as Chair of the Judicial Commission of the Student Bar Association (SBA), served on the SBA Elections Committee, and was a student member of the Dallas Bar Association.

AUSRA LAURU-SAITE-KROMELIS

Ausra said, “A major highlight of my law school career was working as a mentor for the International LL.M. students and visiting scholars from all over the world that chose SMU Dedman School of Law for their Master of Laws and SJD degrees. Being from a foreign country myself (I was born in Lithuania), I could understand their concerns, sometimes even a cultural shock, and was happy to facilitate their integration into the law school community.”

Ausra served as a research assistant for both Dean John B. Attanasio and Professor Roy Anderson and did a judicial internship with Judge Catharina Haynes in the 191st Civil District Court in Dallas. Ausra was selected as the recipient of the Donald C. McClear-L-Gardere Leadership Scholarship and the Dallas Lawyers Auxiliary Foundation Scholastic Achievement Award. She graduated summa cum laude.

MUKUL KELKAR

Mukul Kelkar began his time at SMU Dedman School of Law working as a first-year representative in the Student Bar Association. During his second year he served as President of the Asian American Law Students’ Association. In his third year he was elected President of the Student Bar Association.

Mukul said, “I’m most proud of our ability to successfully manage our budget to purchase new furniture for the student body. My efforts were acknowledged by winning the Kennedy Scholarship for my dedication to the school.”

In addition to these leadership roles, Mukul worked in the Criminal Justice Clinic, where he was able to secure a “Not Guilty” verdict for a client at trial. “My SMU experience was incredible. My classes and professors challenged me in ways I never imagined. The opportunities at SMU are boundless. I’m extremely thankful for the privilege to have studied here. The school has prepared me to be a great lawyer, and an even better person,” he said.
BILL RICHMOND

Bill Richmond chose SMU Dedman School of Law believing it would provide ways to lay the groundwork of a successful legal career. “The opportunities, though, were even more diverse and accessible than I could have imagined,” he said. Bill capitalized on these options by serving as an Associate Managing Editor of the International Law Review, Chairman of the Board of Advocates, and member of the Barristers Society. Over three years, he competed in twelve advocacy competitions, winning awards at ten, including being named National Champion of the 2008 Thomas Tang International Moot Court Competition with teammate Lindsey Griffin.

Encouraged by the school’s supportive atmosphere, he also graduated cum laude, was selected to the National Order of Barristers, and earned the Fred C. Moss Award for Outstanding Graduating Advocate. “Even without a lawyer in my family or connections in Dallas, SMU provided a solid rock upon which I can build my career.” Bill is an associate at Sedgwick, Detert, Moran & Arnold, LLP in Dallas.

HEATHER S. BETHANCOURT

Heather earned her undergraduate degree in Political Science and International Studies from Texas A&M University. During her time at SMU Dedman School of Law, she was Administrative Editor of the SMU Law Review, Director of the Student Bar Association Mentor Program, criminal and constitutional law tutor under the Academic Skills Assistance Program, and Research Assistant to Dean John B. Attanasio. She graduated magna cum laude and Order of the Coif and joined Jones Day this fall.

“I am privileged to have been a part of the second class of the revitalized evening program at SMU Dedman School of Law. After six years in human resources, finding a law school that valued my professional experience was important. SMU was the perfect fit. The faculty encouraged students to share their varied life experiences to foster discussion. Represented professions included doctors, engineers, financial professionals, teachers, and law enforcement officers. I am grateful to have benefited from so many unique perspectives on the law. And the students treated each other with professional courtesy. I felt camaraderie with my classmates and supported by the faculty members. The diverse atmosphere and respectful working relationships created an environment that afforded me the opportunities to begin a successful and rewarding legal career,” she said.

STEPHANIE GONZALES

“When I decided to come to SMU, who would have thought that I would never want to leave? The past three years have been filled with memories that I will never forget. I have loved every single minute of it,” said Stephanie Gonzales.

While at SMU Dedman School of Law, Gonzales took advantage of every opportunity she could. She was the Case Note & Comment Editor for the SMU Science and Technology Law Review, President of Women in Law, Historian for the Hispanic Law Students Association, and Chief Justice Committee Co-Chair for the Jackson Walker Moot Court Board. The majority of Gonzales’ third year was spent in the school’s Criminal Justice Clinic. She started out as a summer student in the Criminal Justice Clinic, became the Chief of the Courthouse, and then earned the title of Master Chief of the Criminal Justice Clinic. She started out as a summer student in the Criminal Justice Clinic, became the Chief of the Courthouse, and then earned the title of Master Chief of the Criminal Justice Clinic (a title that was specially created for her). As a Master Chief, she taught new clinic students and supervised the Chiefs. “The practical experience I learned in the Criminal Justice Clinic under the excellent direction and supervision of Mike McCollum and Brook Busbee has by far been the best thing about SMU. Seeing firsthand the teamwork and camaraderie between everyone involved with the Criminal Justice Clinic makes me proud to have been a part of it,” she said.

Gonzales was the recipient of the A.J. Thomas Award, and she graduated as a member of the Order of the Barristers. She currently works as an Alumni Recruiter for the Law School Admissions Office, which allows her the opportunity to share her experiences with prospective law students. Gonzales plans on continuing her passion for being in the courtroom by working as a criminal attorney.
Jerry (Yingfeng) Zhang graduated with a law degree from East China University of Political Science and Law (“ECUPL”), located in Shanghai, in 2000. In 2001, Zhang joined Shanda Interactive Entertainment Limited as their Deputy General Counsel, where he continues to be responsible for managing both the Legal and IP departments. He assisted with Shanda’s IPO, as well as with the IPO of a subsidiary of the company. Both currently trade on the NASDAQ. In addition, Zhang has been involved in numerous mediations and litigation matters, including a $15 million copyright case in Shanghai, which was the largest copyright dispute in Shanghai at the time.

Through his experience handling the company’s SEC compliance work and working on projects involving large multinational corporations such as Disney, Motorola, and PepsiCo, Zhang came to appreciate the value of possessing a thorough understanding of the American legal system. He started by attending a corporate compliance seminar sponsored by the U.S. firm Arnold & Porter LLP, and then he participated as a panelist at a Corporate Governance & Compliance Seminar sponsored by Lexis Nexis. His experiences at these seminars gave him greater motivation to further study about American law. His experience working in China’s IP sector allowed him to take part in a number of IP litigations as well as act as a board member of the Copyright Protecting Society of Shanghai and the Copyright Society of China. He came to realize the importance of intellectual property rights for IP companies and that China suffers from a shortage of research on IP law. At the same time, as more Chinese businesses go public in the U.S., there is a growing need in China for lawyers who are knowledgeable about Chinese law and familiar with U.S. law.

With encouragement from Professor Xuan-Thao Nguyen to participate in the LL.M. program, Zhang took temporary leave from his family and job in China to pursue the LL.M. degree. He said of SMU Dedman School of Law, “I consider your university my first choice. [SMU Law] possesses world-class faculty, advanced research facilities, and a stimulating academic atmosphere; all of which I believe were essential for and conducive to the development of my abilities.”

Shadi Alshdaifat received his Bachelor of Law degree from Mutah University in Al Kerak, Jordan.

Prior to obtaining his LL.M. degree at SMU Dedman School of Law, Shadi worked as an attorney-in-training at the Sultan Shwaqfah Law Office in Anman, Jordan.

While attending SMU Law, Shadi worked at the law office of Tiffany Mir in Bedford, Texas.

Alshdaifat explained, “I was considering applying to an LL.M. program for quite some time but could not decide which school I should choose and how to make the right choice. Fortunately, one of my friends told me about the LL.M. program at SMU... I submitted my application and was accepted. Both semesters of school flew by like one week. It is amazing how fast time goes by when you truly enjoy what you do! I love Dedman Law School. Joining this program was probably one of the best academic decisions I have made. We were about 53 students from all over the world: Jordan, Japan, China, Taiwan, Saudi Arabia, Brazil, Germany, Mexico, Russia, Panama, Indonesia, Ukraine, Russia, India and so on. The fact that all of the students admitted to the program have studied law in their home countries and are licensed to practice law there makes this experience very valuable. We had an amazing opportunity to meet new people and make friends with intelligent professional individuals from all over the globe. [We] studied together, shared our experiences and views, and built new friendships. Moreover, we created our own school schedule by selecting classes that would benefit our professional Law career in the best possible way. At SMU, LLM students are treated just as JD students. We get to choose the same classes and professors and participate in all school activities throughout the semester.”

Alshdaifat’s overall impression of the international SMU Law program was very positive. He said, “If anyone is debating between law schools as I was, please take a look at SMU Dedman School of Law and give it your priority consideration. You will never regret it.”
a great...

INTERNATIONAL TRADITION

SMU DEDMAN SCHOOL OF LAW was one of the first schools in the United States to establish a LL.M. program in international and comparative law. We are proud of the more than 1400 graduates from 70 countries who hold prominent positions in government, legal practice, business, the judiciary, and legal education worldwide. We currently have justices in the Phillipines, Korea, Indonesia, and Japan as well as in the Foreign Ministry of Georgia, among many others.

RECENT INTERNATIONAL ALUMNI APPOINTMENTS:

SOBCHOK SUKHAROM '81
Supreme Court President, Thailand
October 2009

SOMANAHALLI MALLAH KRISHNA '59
Minister for Foreign Affairs, India
May 2009
GRADUATION 2009

SMU DEDMAN SCHOOL OF LAW

held its annual hooding ceremony on May 16, 2009. It was surely a day to remember, not only due to heavy rains forcing a venue change, but also because graduation caps and gowns changed quite dramatically, both in style and color. 2009 was the first time since 1992 that the hooding ceremony was not held in the outdoor Law Quad. Dean Attanasio, in his opening speech, thanked staff members Bobbye Heine and Maggie Froneberger for working in the rain and being prepared for TWO ceremonies, just in case weather permitted the graduation to occur in the beautiful outdoors Law Quad like in years past.
HONORABLE BARBARA M.G. LYNN ’76 gave the commencement speech. See excerpts from her speech in Class Notes.
TAILGATE PARTIES
Please... 
join us 
for FUN, 
FRIENDS, 
& FOOD!

2009 Season 
Home Games:

Saturday, September 5, 2009
SMU vs. Stephen F. Austin
Tailgate at 5:00-7:00 pm
Kickoff at 7:00 pm

Saturday, October 10, 2009
SMU vs. East Carolina
Tailgate at 5:00-7:00 pm
Kickoff at 7:00 pm

Saturday, October 17, 2009
SMU vs. Navy
Tailgate at 5:00-7:00 pm
Kickoff at 7:00 pm

Saturday, November 7, 2009
SMU vs. Rice (Homecoming)
Tailgate at 12:00-2:00 pm
Kickoff at 2:00 pm

Saturday, November 14, 2009
SMU vs. UTEP (Family Weekend)
Tailgate at 12:00-2:00 pm
Kickoff at 2:00 pm

Saturday, November 28, 2009
SMU vs. Tulane
Tailgate at 12:00-2:00 pm
Kickoff at 2:00 pm

*Times subject to change

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CLASS REUNIONS
Saturday, April 25, 2009
CLASS REUNIONS
Saturday, April 25, 2009
CLASS REUNIONS
Saturday, April 25, 2009

For more reunion photos, visit:
www.law.smu.edu/Alumni-Development/Photo-Gallery
The SMU Dedman School of Law expresses sympathy to the families and friends of the following law school alumni:

James W. Bookhout ’37
June 20, 2009

Edward C. Fritz ’40
December 19, 2008

Joseph G. Rollins, Jr. ’41
November 2, 2008

Nita H. Smith ’45
September 28, 2008

Fred M. Bruner ’48
December 26, 2008

John Fox Holt II ’48
September 8, 2008

Jean S. Patton, Jr. ’48
August 22, 2008

James F. Williams ’48
March 8, 2009

J. Kirby Ellis, Jr. ’49
November 15, 2008

William A. Hunter ’49
July 18, 2009

Millard F. Carr ’50
May 22, 2009

Shannon Jones, Jr. ’50
February 12, 2009

Elbert M. Morrow ’50
January 24, 2009

William A. Pritchard ’50
December 1, 2008

H. Mathews Garland ’51
September 5, 2008

David G. Hanlon ’51
February 14, 2009

Bill F. Kryzda ’53
January 3, 2009

Robert B. Payne, Sr. ’53
April 4, 2009

William F. Courtney ’55
December 8, 2008

Richard Lanier Thomas ’55
April 11, 2009

Thomas P. Alexander ’56
November 2, 2008

William T. Ward ’56
July 7, 2009

John R. Vandevoort ’57
June 27, 2009

Dwight D. Arthur ’58
May 7, 2008

Charles E. Galey ’59
September 21, 2008

Siddapur V. Ramanna ’60
May 18, 2009

Paul J. Keohane ’63
February 10, 2009

Charles G. Luedtke ’63
May 22, 2009

O. Jan Tyler ’63
April 22, 2009

Richard M. Hull ’64
February 20, 2009

Roger R. Scott ’65
July 1, 2009

Dan James Anderson ’66
September 1, 2008

John E. Humphreys ’66
April 4, 2009

Mohamed Aboul–Enein ’67
November 16, 2008

Charles E. Beresford ’67
October 21, 2008

R. L. (Robert Lee)
Eschenburg II  ’67
December 17, 2008

James A. Mattox ’68
November 8, 2008

Henry Jackson Zinn ’68
November 3, 2008

Ronald P. Barbatoe ’69
June 9, 2009

Donald Graham
Canuteson ’69
February 23, 2009

Laura Ford ’69
December 20, 2008

Ronald J. Prichard ’70
October 25, 2008

Harold R. Clements II ’72
January 8, 2009

George T. Allison, III ’74
June 18, 2009

Lawrence F. Blais ’74
August 2, 2008

John Ernest Phillips ’75
March 20, 2009

Michael C. Barrett ’77
January 11, 2009

Steve A. Mandell ’77
April 15, 2008

Lynn Hastings ’79
November 1, 2008

Jim Hudson ’79
May 3, 2009

Peter J. Riley ’81
August 1, 2009

Jefry Scott Bodley ’82
May 5, 2009

Rona Robbins Mears ’82
December 18, 2008

Brandi Barfield–White ’84
April 5, 2009

Larry R. Killough, Jr ’85
August 7, 2008

Homer Baskin
Reynolds III ’87
April 5, 2009

James D. Slack ’92
October 16, 2008
Richard M. Hull ’64
Co-Founder of the Dallas Volunteer Attorney Program (DVAP)

Richard M. Hull ’64 died February 20, 2009. He graduated from SMU with a B.A. degree in 1962 and a J.D. in 1964. Upon his law school graduation, Hull received the highest grade for that year on the Texas Bar exam and, as a result, was selected to deliver his colleagues’ acceptance response to the Texas Supreme Court at the swearing-in ceremony in Austin.

Hull was a leader in volunteer efforts and was one of the primary implementers and co-founders of the Dallas Volunteer Attorney Program (DVAP), which provides legal services to the poor. The program has been named the Most Outstanding Program in the State of Texas by the State Bar, as well as the Most Outstanding Pro Bono Program in the United States by the American Bar Association. DVAP is now the leading model in the nation for cooperative efforts of private lawyer volunteers and professional poverty lawyers. In 1999, the Dallas Bar Association granted Hull its Lifetime Achievement Award for his work in bringing legal services to the poor.

In addition to the Dallas Volunteer Attorney Program, Hull served as a member of the Dallas Bar Association’s Pro Bono & Legal Aid Activities Committee, which he chaired for two terms. He also served as Vice-Chairman of the Dallas Bar Association’s Amnesty Task Force as well as Vice Chairman of the State Bar of Texas Committee for Legal Services to the Poor. He was a member of the Board of Trustees of Jesuit Preparatory School of Dallas, which he chaired in 1986, and a member of the Jesuit Foundation; he also developed the Richard M. Hull Family Scholarship at Jesuit. He received the Distinguished Alumni Award for Public Service from the SMU Dedman School of Law in 2005.

Dr. Mohamed Aboul-Enein ’67
Senior Vice President of the Supreme Constitutional Court of Egypt

Dr. Mohamed Aboul–Enein ’67 died November 17, 2008. He was the Director of the Cairo Regional Centre for International Commercial Arbitration, which offers both Asian and African countries specialized services to help settle trade and investment disputes by promoting fair operations of expeditious and economical procedures. Prior to his current position, Aboul–Enein served as a Constitutional Advisor to the People’s Assembly (Parliament) in Egypt and a Professor of Law at Cairo University.

Born in Egypt, Aboul–Enein received his law degree from Cairo University and his LL.M. from the University of California Berkeley. In 1967, Aboul–Enein became the first doctoral degree candidate to receive his S.J.D. from the SMU School of Law. He received the Distinguished Global Alumni Award from the SMU Dedman School of Law in 2005.

Prior to his Director position in Cairo, Aboul–Enein was Senior Vice President of the Supreme Constitutional Court of Egypt. Before that, he served as a Member of the Egyptian Judiciary and as a Justice of the Supreme Constitutional Court of Egypt. He was also a Professor of Constitutional Law and Public Finance at Algeria University, a Visiting Scholar at Harvard Law School, and a Visiting Professor at the King Fahd University of Petroleum and Minerals in Saudi Arabia.

Aboul–Enein served as Vice President of the International Federation of Commercial Arbitration Institutions (IFCAI), comprising 85 international arbitral institutions, and as Chairman of the IFCAI Section. He was elected Secretary General of the Union of Arab Arbitration Centers, Vice President of the London Court of International Arbitration, and Vice President of the Egyptian Branch of the International Law Association.
IN MEMORIAM

MICHAEL C. BARRETT ’77
Chairman of Barrett Daffin Frappier Turner & Engel, LLP

Michael C. Barrett ’77 died January 11, 2009. Born in Salt Lake City, Utah, and raised in Sherman, Texas, Barrett graduated from the University of Texas at Arlington with a Bachelor of Science Degree in 1974 and a Master of Arts in 1975. He earned his J.D. at SMU School of Law in 1977. Recognized as a pioneer and leader in the mortgage banking industry, Barrett founded and served as chairman of the mortgage banking law firm, Barrett Daffin Frappier Turner & Engel, LLP. Barrett also served as Chairman Emeritus of National Default Exchange LP and as a member of the Executive Advisory Board of Frost Bank Group. Barrett sat on the Executive Board of the SMU Dedman School of Law as well, where he established the Jean Kyle Jury Award.

Barrett was admitted to practice before the United States Supreme Court, the United States Courts of Appeal for the Fifth and Eleventh Circuits, and the Supreme Courts of Texas and Colorado, as well as every federal district court in Texas. He was a Fellow of the Texas Bar Foundation, the American College of Mortgage Attorneys, and the State Bar of Texas. Barrett was Board Certified in Civil Trial Law by the Texas Board of Legal Specialization, and served as a frequent advisor on mortgage banking issues for the Texas Supreme Court and the Texas Legislature.

His passionate support for many charitable and public service organizations included work with Hope’s Door, KickStart, and Dallas Junior Forum. An avid supporter of veterans’ causes and the Addison Police Department, Michael also founded BDF Homeworks Foundation to provide key financial support to many local charities.

RONA MEARS ’82
Chair of the American Bar Association International Section

Rona R. Mears ’82 died December 18, 2008. Born in Stillwater, Minnesota and raised in Moorhead, Minnesota, Mears graduated from the University of Minnesota in 1960 with a degree in interior design. After her family moved to Dallas, she joined the First Unitarian Church, where she served as church administrator during the 1970s. In 1982 she earned her law degree from SMU School of Law and her Master of Business Administration degree from Southern Methodist University.

Mears practiced international corporate, trade, and commercial transactions law as an associate and then as a partner at Haynes and Boone, L.L.P. for twenty years until her retirement in 2002. Mears wrote and lectured extensively on international legal issues. Active in numerous bar and professional activities, she served as Chair of the American Bar Association International Section and was appointed by the U.S. Departments of State and Justice to serve as a private sector member of the NAFTA Advisory Committee on Alternative Dispute Resolution. Among her professional honors, Rona was elected a member of the American Law Institute, and received the Distinguished Alumni Award for Private Practice in 2000 from SMU School of Law, and the ABA Section of International Law Mayre J. Rasmussen Award for the Advancement of Women in International Law.

Mears’ community activities included membership for over 35 years in Chapter BZ of P.E.O., a philanthropic educational organization in Dallas, having been initiated in her mother’s chapter in Moorhead, Minnesota in 1962. During her retirement years, Mears devoted herself to writing projects, notably a mystery novel and a book on George Washington’s agricultural and business pursuits.
1951
David A. Johnson has been named Shareholder in the tort and insurance litigation and commercial litigation practice groups at Cowles & Thompson PC.

1956
Mohamed Samin Uddin Khan has been named the First Chairman of the Copyright Board of Pakistan.

1959
S.M. Krishna has been appointed Minister of Foreign Affairs of India.

1961
Adelfa Callejo was honored by the Dallas Independent School District Board of Trustees who approved the naming of a new school in Pleasant Grove as the “Adelfa Callejo Elementary School,” and she received the Reynoldo G. Garza Lifetime Achievement Award presented by the Hispanic Issues Section of the State Bar of Texas.

1962
Dan Busbee has retired from Atom Energy Corporation, after more than two decades of service to the company.

1963
George Coleman has received the Dan Rugeley Price Memorial Award presented by the Texas Bar Foundation. This award honors an attorney who serves the profession as a volunteer and legal scholar while also actively practicing law, and who exhibits dedication to the Bar.

1965
R. Bruce La Boon was nominated by President George W. Bush to the Board of Directors of the Mickey Leland National Urban Air Toxics Research Center.

1966
George Bramblett has received the Dallas Lawyers Auxiliary’s 27th annual Justinian Award honoring dedication to community service.

1967
James W. Gibson has been recognized by the Texas Mediator Credentialing Association with an endowed scholarship in his name for his achievements in the field of mediation.

1968
Eldon L. Youngblood was selected for inclusion in The Best Lawyers in America 2009.

1969
John D. Ellis, Jr. is serving as a Member of the American Bar Association House of Delegates as a Delegate of the Houston Bar Association.

1970
Harriet Miers is serving as Dallas Bar Association Co-Chair of the new mentoring program “Amachi Texas.”

1971
Albon O. Head, Jr. has been selected for membership in The Best Lawyers in America.

OLD FRIENDS UNITE AT C.S. POTTS SOCIETY LUNCHEON

Members of the C.S. Potts Society, made up of all the alumni who graduated more than 50 years ago, gathered for an annual luncheon on December 11, 2008. Guests were treated to a delicious lunch and each received a small present before they headed home. Dean Attanasio updated attendees on the latest accomplishments of the law school and the event was held in the nostalgic Lawyers Inn, recently named Godwin Gruber Lawyers Inn in 2005.
**ADELFA CALLEJO ’61 RECEIVES REYNALDO G. GARZA LIFETIME ACHIEVEMENT AWARD**

The Reynaldo G. Garza Lifetime Achievement Award was presented to Adelfa Callejo ’61 by the Hispanic Issues Section of the State Bar of Texas at its meeting in Dallas in June. The award is named for Judge Reynaldo G. Garza, who was appointed in 1961 to become the first Mexican-American federal district judge and who in 1979 became the first Mexican-American federal appellate court judge. Working full-time during the day, Callejo attended night school at SMU, studying simultaneously for her B.A. and J.D. degrees. She was the first Hispanic woman to graduate from the SMU School of Law, and the first to practice law in Dallas. Since then, Callejo has been in private practice in Dallas for 45 years with her husband Bill, who received his law degree from SMU in 1966.

Callejo has won numerous awards for her years of service in the community and the legal profession, including the Ohtli Reconocimiento recognition award from the Mexican government, the Texas Peace Officers Association’s Humanitarian Award, the Hispanic National Bar Association’s Lincoln–Juarez Award, the American Bar Association’s Spirit of Excellence Award, and the Martin Luther King, Jr. Justice Award from the Dallas Bar Foundation. She has received the SMU Profile in Leadership Award, the Texas Center for Legal Ethics and Professionalism Sandra Day O’Connor Award, the Greater Dallas Hispanic Chamber of Commerce Leadership Award, and in 2007 she received the Robert G. Storey Award for Distinguished Achievement from the SMU Dedman School of Law in 2007. Most recently, the Dallas Independent School District Board of Trustees named a school “Adelfa Callejo Elementary School” in her honor.

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**CLASS OF 1970 HAS EARLY CELEBRATION AT TRADER VIC’S FOR UPCOMING 40TH REUNION**

Under the leadership of Mike Alexander ’70 and Kim Thorne ’70 and the communications efforts of John Jackson ’70, the Class of 1970 held a very successful nostalgic gathering at Trader Vic’s on April 2, 2009, in preparation for celebrating their 40th Reunion in the spring of 2010. Classmates came from as far as California to rekindle friendships and share old memories.

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**1973**

*Drew Bagot* has joined Cowles & Thompson in Dallas as a Shareholder practicing insurance and health care law in the corporate and business section.

*Harold Gaither Jr.* has been reappointed by Gov. Rick Perry to the Juvenile Justice Advisory Board.

**Wayne Harding** has joined DLA Piper as Of Counsel.

*Tony Patterson, Jr.* is serving as a member of the American Bar Association House of Delegates as a Delegate of the Health Law Section.

*Larry V. Smith* has become a Member of McGlinchey Stafford PLLC and practices in the firm’s Dallas commercial real estate business transactions group, and was selected for inclusion in The Best Lawyers in America 2009.

**1974**

*Robert Ansiaux* received his PhD in history from the University of Texas at Arlington in 2006, and has taught United States and World History at both the University of Texas at Arlington and Eastfield College while maintaining his law practice.

*Orrin Harrison* received a Presidential Citation from the State Bar of Texas for leadership of the Task Force on Grievance Committee Structure.

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*Bruce Cheatham* with Bracewell & Giuliani in Dallas has been elected to Membership in the Fellows of the Texas Bar Foundation.
Larry G. Holt has been appointed by Gov. Rick Perry to serve as a Commissioner at the Texas State Library and Archives Commission.

Gary L. Ingram was selected for inclusion in The Best Lawyers in America 2009, and was featured as a “Top Attorney” in Tarrant County by Fort Worth, Texas magazine.

Jeff Kinsel has been named by Super Lawyer Corporate Counsel as one of the nation’s top attorneys in the civil litigation practice area.

Peter G. Pierce has released his first book, *Baseball in the Cross Timbers - The Story of the Sooner State League.*

Paul Ward has been named SMU’s Vice President for Legal Affairs, General Counsel and Secretary to the Board of Trustees.

John B. Holden was selected for inclusion in The Best Lawyers in America 2009.

Barbara M.G. Lynn gave the Commencement Address at the SMU Dedman School of Law in May 2009.

Prater Monning III of Dallas received the State Bar of Texas Nancy L. Garms Memorial Award for outstanding contributions to law-focused education.

Steven D. Wolens has joined McKool Smith P.C. as Principal.

1975

Mike Lynn was named a top-defense lawyer in the DFW Metroplex for 2009 by the *Dallas Business Journal.*

Ted Lynn has been presented with the John Howie Award for Courageous Pursuit of Justice in the Face of Adversity by The Dallas Trial Lawyers Association.

1976

Edward Hertenstein has been selected as an “Ohio Super Lawyer” by *Law and Politics* magazine, *Northern Ohio Live* magazine,

and *Cincinnati Magazine.*

George Coleman ‘63 of Dallas received the 2009 Dan R. Price Memorial Award from the Texas Bar Foundation. The Award honors an attorney who serves the profession as a volunteer and legal scholar while also actively practicing law. The recipient exhibits dedication and zeal for service to the public and to the Bar. Friends and family of Dan Price, an Austin lawyer, endowed this award to memorialize the qualities and accomplishments of his life. The award carries with it a $1000 scholarship to be donated in the recipient’s name to the Texas law school of his or her choice. Coleman designated his alma mater, SMU Dedman School of Law, as recipient of the scholarship.

Coleman earned his B.S. degree from the University of Oklahoma in 1961 and his LL.B. from Southern Methodist University in 1963. From 1963 until 2007, he was an attorney with Jenkens and Gilchrist, P.C., and in 2007, he formed the Law Office of George W. Coleman. He is the former Co-Chair of the American Bar Association Business Law Section Committee on Relations with State Bar Associations, former Chairman of the State Bar of Texas Business Law Section, and is an elected member of the American Law Institute. Since 1995, Coleman has given over 100 lectures on topics such as partnership laws and legal ethics. Coleman is a former board member of the Center for Nonprofit Management and a former board member of the Dallas Business Committee for the Arts. He is a Life Fellow of the Texas Bar Foundation.

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1977

Robert K. Carrol of Nixon Peabody was recognized by the Chambers and Partners Chambers USA: America’s Leading Lawyers for Business as leaders in their field, Labor & Employment, California.

Richard O. Faulk has received a Distinguished Law Firm award at the 10th annual Burton Awards.
Susan Mead was selected for inclusion in The Best Lawyers in America 2009.

Robert R. Roby is serving as Dallas Bar Association co-chair of the new premier program “Amachi Texas.”

Jill Spencer was appointed Executive Vice President, General Counsel and Chief Strategy Officer of the Federal Home Loan Bank of Atlanta.

Morris K. Withers has moved to Greeley, Colorado and has become General Counsel for Crop Production Services, Inc.

1978

David W. Chew was awarded a 2008 National Asian Pacific American Bar Association Trailblazer Award.

Barry Sorrels was elected first Vice President of the Dallas Bar Association.

1979

Mina Akins Brees was awarded a 2009 Fulbright Scholar Grant by the U.S. Department of State as a visiting professor at the Institute for International Relations at the Taras Shevchenko National University in Kiev, Ukraine.

Tim Gavin has been named Managing Partner of Carrington, Coleman, Sloman & Blumenthal LLP.

Michael K. Pierce has been elected to serve on the Management Committee for 2009 in the corporate and securities section for Thompson & Knight.

1980

Larry Hance was selected for inclusion in The Best Lawyers in America 2009.

Jonathan Hustis has joined Phillips & Reiter in Dallas.

Gordon M. Shapiro was selected for inclusion in The Best Lawyers in America 2009.

Betsy Whitaker has been named Chair of the Judicial Compensation Commission by Gov. Rick Perry.

1981

Wanda McKee Fowler has joined Wright Brown & Close in Houston as a Partner.

John A. Gulick, III has been named a wealth management specialist in the Harris Private Bank North Scottsdale.

William O. Holton, Jr. of Sullivan & Holton in Dallas was recognized by the State Bar of Texas for 10 years of membership in the State Bar Pro Bono College.

Alfred N. Kay has moved to Austin to start legal seminars for consumers in the areas of divorce.

Mark Shank has been elected a fellow of the College of Labor & Employment Lawyers.

George Bramblett ’66 Receives Justinian Award

The Dallas Lawyers Auxiliary presented the 2009 Justinian Award to George Bramblett ’66. The award is given annually to a Dallas Bar Association member who has actively demonstrated a long-standing dedication to volunteer service in the Dallas community. A partner in Haynes and Boone’s Business Litigation Practice Group for more than 30 years, Bramblett was named Trial Lawyer of the Year by the Dallas Bar Association in 2001. He serves as a fellow in both the American College of Trial Lawyers and the American Board of Trial Advocates, where he was President of the Dallas Chapter. In 2008, Bramblett was selected to receive the Dallas Bar Foundation Fellows Award, the foundation’s most prestigious honor.

A frequent CLE speaker, Bramblett has also written widely on courtroom procedures, including “The Court’s Charge” and “The Ultimate Trial Notebook,” both penned for the State Bar of Texas. Bramblett received his undergraduate degree from SMU in 1963 and his J.D. from SMU School of Law in 1966. In 2001 he received the Distinguished Alumni Award for Private Practice from the law school. He currently sits on the law school’s Executive Board and is a co-chair of the Law School Capital Campaign Committee. He also chairs the Board of Trustees of Baylor College of Dentistry and has served on the Board of the Southwestern Medical Foundation since 1997.
JUDGE BARBARA M.G. LYNN ’76 DELIVERS COMMENCEMENT ADDRESS

Barbara M.G. Lynn, United States District Judge for the Northern District of Texas, Dallas Division, gave the SMU Dedman School of Law Commencement Address on May 16, 2009. Judge Lynn’s inspirational remarks included the administration of an oath to the graduates, and other lawyers present, to signify their obligations to their profession:

“I will not reject from any consideration personal to myself the cause of the impoverished, the cause of the defenseless, or the cause of the oppressed. I will endeavor always to advance the cause of justice and to defend and to keep inviolate the right of all persons whose trust is conferred upon me as an attorney at law. I will do justice, I will perform my work with integrity and I will protect the rule of law whenever and wherever it is in jeopardy.”

She concluded her remarks with her wish for the graduates that “you will realize the legacy of Atticus Finch, Sandra Day O’Connor, Margaret Brent, Clarence Darrow and Abraham Lincoln. Stand tall and be proud. You are lawyers,” she said.

Judge Lynn graduated from the University of Virginia in 1973 with a Bachelor of Arts Degree with Highest Distinction and went on to Southern Methodist University School of Law where she graduated summa cum laude in 1976. She then joined the law firm of Carrington Coleman Sloman & Blumenthal as its first female associate and became its first female partner in 1983. When appointed to the federal bench in 2000, she was the first woman to serve as a federal judge in Dallas-Fort Worth since the late Sarah T. Hughes, who retired from the active federal bench in 1975. She received a Distinguished Alumni Award from the SMU Dedman School of Law in 1999 and currently serves on the Law School’s Executive Board. In 1992, Judge Lynn was the first recipient of the Louise B. Raggio Award given by the Women Lawyer’s Association. She was presented the Sarah T. Hughes Award by the State Bar of Texas’s Women and the Law Section in 2006. She also served as 2008-2009 chair of the 4,000-member American Bar Association Judicial Division, having previously served as chair of the National Conference of Federal Trial Judges and the ABA Section of Litigation.

Sobchok Sukarom, Vice President of the Supreme Court of Thailand, has been named President of that Court effective October 1, 2009.

Paula Fisette Sweeney of Dallas received the State Bar of Texas Gene Cavin Award for substantial contributions to State Bar continuing legal education and was one of 30 Texas women named “Extraordinary Women in Law” by Texas Lawyer.

Louise Ellen Teitz testified before a hearing of the Subcommittee on Administrative Oversight and the Courts of the Senate Judiciary Committee on the subject of “Leveling the Playing Field and Protecting Americans: Holding Foreign Manufacturers Accountable.”

Shannon T. Vale has joined Pirkey Barber in Austin as a Partner practicing intellectual property and trademark law.

Cody Wilbanks has been promoted to General Counsel and Corporate Secretary of Idearc Inc. in Dallas.

J. Winston Krause has been appointed by Gov. Rick Perry to the Texas Lottery Commission.

Kathleen McElroy LaValle has been named one of the 2009 Top 25 Changemakers by the Dallas Business Journal.

Gregg S. Weinberg has merged his law practice with the firm of Roberts Markel, P.C., Houston, Texas.

1982

Mark T. Josephs was selected for inclusion in The Best Lawyers in America 2009.

Robert D. “Bob” Kilgore has joined Tuggle Rosenthal Pauerstein Sandoloski Agather in San Antonio as a Partner practicing labor and employment law.

Gregg S. Weinberg has merged his law practice with the firm of Roberts Markel, P.C., Houston, Texas.
ANGELA BRALY ’85 FEATURED IN NEW YORK TIMES, FORBES, AND FORTUNE

On Sunday, July 5, 2009, not long after Angela Braly ’85 was presented the Distinguished Alumni Award for Corporate Service by the SMU Dedman School of Law, she told her life story to The New York Times. In the article entitled “Cutting Through the Clutter,” she described growing up as the fourth of five children, working hard, and making her own opportunities. After earning her undergraduate degree in Finance, Braly decided law school was the best next step. In college, she explained, “Whenever I would ask the reason behind a certain business decision, the professor would attribute it to a legal requirement. I didn’t want that to be the end of the story; I wanted to understand why.” Braly enrolled in SMU School of Law in 1982. “I’ve found that a legal background allows you to cut through the clutter and identify the important issues.” Braly learned her law school lessons well at SMU. She began her career in 1985 with Jackson Walker, then went on to a St. Louis law firm, from which she joined Blue Cross and Blue Shield of Missouri as general counsel in December 1997, before becoming its president in 1998. After Wellpoint acquired the company in 2002, she became general counsel of Wellpoint and in June, 2007 became its CEO. Wellpoint ranks 32nd on the 2009 top Fortune 50 list of companies, and Angela Braly is number 8 on the 2009 Forbes list of 100 most powerful women.

1983
Eric M. Khein has purchased an office building in Belleville, Illinois and has relocated his law firm to that location. Rhein also teaches Criminal Justice at Southern Illinois University at Edwardsville.

Joseph D. “Chip” Sheppard, III was named 2008 Finalist for Missouri Lawyer of the Year by Missouri Lawyers Weekly.

1984
George Bennett and wife, Catherine, welcomed a daughter, Madeleine Ann Bennett, into their family on May 3, 2009.

Connie Miller has joined King & Spalding’s Charlotte office as Partner.

1985
Charla G. Aldous has earned the 2008 Trial Lawyer of the Year award from the Texas chapters of the American Board of Trial Advocates.


Angela Braly told her life story to The New York Times, which was published on Sunday, July 5, 2009, titled “Cutting through the Clutter.” Braly was ranked #8 on Forbes magazine’s 2009 “World’s Most Powerful Women” list.

Siriporn Chaiyasuta, who serves as the General Counsel of Chevron Asia South Ltd., has been named the #2 Most Outstanding In-House Legal Counsel in the Asia-Pacific, by Asian Legal Business magazine.

Michele Wong has received the Award for Outstanding Contributions in Professional Services from the Greater Dallas Asian Chamber of Commerce.

Bruce A. Stockard has joined Bell Nunnally & Martin as Partner.

1986
Richard P. Bobowski has joined Friedman & Feiger LLP.

Sally Crawford was elected 2009 Chair of the Dallas Bar Association Board of Directors.

James Robert Griffin was selected for inclusion in The Best Lawyers in...
JENNIFER EVANS MORRIS ’99 ELECTED PRESIDENT OF TEXAS YOUNG LAWYERS ASSOCIATION

In May 2009, Jennifer Evans Morris ’99 was elected President of the Texas Young Lawyers Association (TYLA) to serve from June 2010 until June 2011. She is a partner at Carrington, Coleman, Sloman & Blumenthal, L.L.P. in Dallas where she practices complex commercial litigation. She served as TYLA secretary in 2007-08. Morris has been an active member of the TYLA Board of Directors and Dallas Association of Young Lawyers Board of Directors since 2004. She has served on the Community Partners of Dallas Executive Committee and Board of Trustees since 2003 and is a member of the grant committee of the Dallas Women’s Foundation. Morris earned both her B.A. and J.D. from Southern Methodist University.

Jennifer Evans Morris ’99, a Partner at Carrington, Coleman, Sloman & Blumenthal, L.L.P., was elected President of the Texas Young Lawyers Association (TYLA) in May 2009. She will serve as President from June 2010 until June 2011. Morris is a complex commercial litigator at Carrington, Coleman, Sloman & Blumenthal, L.L.P., where she has been a partner since 2009 and has been named to the 2009 Legal Elite list by Virginia Business magazine.

David S. White has been honored by LexisNexis for having a Top 50 Blog in the field of insurance.

Jeff Rasansky has published “Preventing, Discovering and Acting on Claims of Daycare and Childcare Abuse,” a guide for identifying and preventing daycare abuse, and has received, along with Jeremi Young, the first ever “Cy Pres: Impact on Justice Award” in recognition of the cy-prés donation of $230,160 to the Texas Access to Justice Foundation.

Mark M. Sloan has been elected to serve on the Management Committee for 2009 in the real estate and banking section for Thomson & Knight.

1987
William A. Bond has been named Partner at McDonald, Fleming, Moorhead, Fergusson, Green, Smith, Blankenship, Heath & de Kozan, LLP.

Susan E. Coleman has been named a 2008 Great Woman of Texas by the Fort Worth Business Press, and has been recognized as a “Top Attorney” by Fort Worth, Texas magazine.

Drew Fossum has been named Vice President and General Counsel for Tenaska Energy, Inc. He will continue to serve as Vice President and General Counsel for Tenaska Marketing.

Catherine A. Nichols has joined TCI Wealth Advisors as their Chief Operations Officer handling compliance, human resources, and organizational development.

1988
Mary A. McNulty has been elected to serve on the Management Committee for 2009 in the tax section for Thompson & Knight, and has been elected Secretary of the State Bar of Texas Tax Section.

J. Scott Sexton was selected for inclusion in The Best Lawyers in America 2009 and has been named to the 2009 Legal Elite list by Virginia Business magazine.

David S. White has been honored by LexisNexis for having a Top 50 Blog in the field of insurance.

1989
James J. “Jody” Scheske has been named Partner in charge of Akin Gump Strauss Hauer & Feld’s Austin office.

Van Beckwith was named a Top–Defense Lawyer in the DFW Metroplex for 2009 by the Dallas Business Journal.

Cynthia S. Buhr has joined Plains Capital Corporation in Dallas as Vice President and Assistant General Counsel.

Bradley W. Foster has joined Andrews Kurth LLP’s Dallas office as a Partner in the litigation section.

J. Jeffery Johnston won second place in the Texas Bar Journal 2009 Short Story Fiction Writing Contest for his story “Marsdenbia.”

Ramona Martinez received a 2007-2008 State Bar of Texas President’s Award for her work as a founding member of the Dallas Diversity Task Force.

Jeff Rasansky has published “Preventing, Discovering and Acting on Claims of Daycare and Childcare Abuse,” a guide for identifying and preventing daycare abuse, and has received, along with Jeremi Young, the first ever “Cy Pres: Impact on Justice Award” in recognition of the cy-prés donation of $230,160 to the Texas Access to Justice Foundation.

Mark M. Sloan has been elected to serve on the Management Committee for 2009 in the real estate and banking section for Thompson & Knight.

Katherine Staton spoke at the Embry-Riddle Aeronautical University’s 20th Anniversary Aviation Law & Insurance Symposium and moderated the North Dallas Chamber of Commerce’s “Beyond the Wright Amendment: The New Love Field Terminal.”
1991

Vicki D. Blanton has joined American Airlines as Senior Benefits Counsel in the legal department.

LaDawn Conway has opened a new branch of Alexander Dubose Jones and Townsend LLP.

Lori Murphy of Tollefson Bradley Ball & Mitchell, LLP has been named Partner.

Steven E. Ross has been named head of Gardere Wynne Sewell LLP’s intellectual property practice group.

Martin M. Van Brauman has become the Chief Legal Officer, Senior Vice President, Corporate Secretary, and a Member of the Board of Directors of Zion Oil & Gas in Dallas.

Simon Whiting has become Board Certified in labor and employment law in Texas.

1993

Charla Bradshaw Conner has joined Koons, Fuller, Vandenberg Eykel & Robertson PC as a result of Gregory & Connor PC’s merger with Koons, Fuller as the firm’s Denton office.

Collin J. Hite was elected as a Member of the Virginia Association of Defense Attorney’s Board of Directors for a 3-year term.

Chia-Yi Hsieh was a Judge in Taiwan, and is now pursuing his studies at IU–Bloomington School of Law.

Albert Tan has been awarded the 2009 Outstanding Attorney Achievement Award by the Asian American Law Students Association at SMU Dedman School of Law.

Robert J. Witte has been named as one of the 2009 Ten Outstanding Young Americans by the United States Junior Chamber (Jaycees). The presentation of the 71st annual black-tie awards ceremony was held September 26, 2009, in Orlando.

1994

Kirsten M. Castaneda has been elected to serve on the Executive Committee of the American Bar Association’s Council of Appellate Lawyers for 2008–2009.

Michael R. Cramer has joined Bailey & Galyen in Dallas as a Senior Attorney in the business litigation practice.

Melissa Drennan has joined PepsiCo, Inc. as Division Counsel to the Business Solutions Group.

Matt Henry has been hired at Vinson & Elkins in their Dallas office as a Partner.

Joel R. Sharp has joined Hunton & Williams LLP as a Partner in the Litigation & Intellectual Property practice.

Jon Van Gorp has been named to the Crain’s Chicago Business “40 Under 40” list.

1995

Jamil N. Alibhai was named a Top-Defense lawyer in the DFW Metroplex for 2009 by the Dallas Business Journal.

Ron Chapman, Jr. was named a Top-Defense lawyer in the DFW Metroplex for 2009 by the Dallas Business Journal.

Erik Nealy Cox has joined Stroz Friedberg as Managing Director and Deputy General Counsel, and was selected as one of Dallas–Fort Worth’s “40 Under Forty” by the Dallas Business Journal – entrepreneurs and executives who have already achieved significant business success and poised for much more.

John S. Gray received a Distinguished Law Firm award at the 10th annual Burton Awards.

Tom Tollefson is serving as the Senior Assistant General Counsel – Marketing Group for U-Haul Internation, Inc in Phoenix, Arizona. He married Dubravka Milas, MD and has three children: Thomas Luke, Matea Laura, and Leia Maria.

1996

Luis Bartolomei has formed Reyes Bartolomei Browne, with Angel Reyes III and Spencer Browne ’03.

Ashley Harden was named Chief Deputy General Counsel at the Texas Comptroller of Public Accounts.

David T. Norton with Shackelford, Melton & McKinley in Dallas has been elected Chairman of the Aviation Section of the State Bar of Texas, and serves as the Chairman of the National Business Aviation Association’s Domestic Operations Committee.

Anthony C. Odiorne was the former Chief Public Defender for Wichita County. He is now an Assistant Public Defender located in Amarillo for the West Texas Public Defender’s Office.

Marquette Wolf has been presented with the John Howie Award for Courageous Pursuit
of Justice in the Face of Adversity by The Dallas Trial Lawyers Association.

1997

Gela Bezhauhvilii has been appointed head of the Intelligence Department of the country of Georgia.

Faust Bowerman has joined Hawkins Delafield & Wood LLP as Tax Partner.

Pamela Bridges has been recognized by Texas Attorney General Greg Abbott as Assistant Attorney General of the Year.

Lakresa McCole Brown has been appointed by Walmart as its Chief Diversity Officer, responsible for the oversight and coordination of the diversity strategy for Walmart’s U.S. business.

Michelle R. Brown has been named Partner at Jones Day.

Michael J. Fogarty has started his own firm, Fogarty, L.L.C where he practices intellectual property law.

Hansjoerg Heppe and Rosario Chachy Segovia Heppe (’99) have announced the birth of their son, Otto Arturo Joerg Leopold Heppe, July 2, 2009.

Curtis E. Smolar has been added as a Partner to Ropers Majeski Kohn & Bentley’s Intellectual Property Practice in its San Francisco office.

1998

Richard Cortez, Jr. has joined Hunton & Williams’ Dallas office as an Associate.

Scott H. Kimpel has joined the Securities and Exchange Commission as Counsel to Commissioner Troy A. Paredes.

Tonya Parker was elevated to Partner at Gruber Hurst Johansen Hail L.L.P.

Gabe Reed has been organizing and promoting the South American stadium tour for the legendary rock band KISS.

Julie B. Steamer has joined Akerman Senterfitt as Of Counsel.

Richard J. Wallace has joined Sheehan & Stone, L.L.P. as a Partner.

William R. “Bill” Weinberg has become the first Texas attorney to be certified as a Leadership in Energy and Environmental Design Accredited Professional by the U.S. Green Building Council.

1999

Chad Arnette has joined Kelly Hart & Hallman as Partner.

Allen Dikey has joined the finance group of Munsch Hardt Kopf & Harr PC as a Senior Attorney in the Dallas office.

Steve Dollar has been named Senior Associate at Fulbright & Jaworski L.L.P. in their Dallas office.

Omar Galicia was named Partner in Dallas at Wilson Elser Moskowitz Edelman & Dicker LLP.

Horacio Garcia Masi has returned to his native Argentina with his wife Belen and two daughters Catalina and Juana.

Rosario Chachy Segovia Heppe and Hansjoerg Heppe (’97) have announced the birth of their son, Otto Arturo Joerg Leopold Heppe, July 2, 2009. Rosario also was named Senior Director for Fluor Corporation.

Jennifer Evans Morris has been elected President-elect of the Texas Young Lawyers Association and was presented a Texas Young Lawyers Association President’s Award of Merit.

Dena DeNooyer Stroh has become President of the Dallas Association of Young Lawyers.

2000

Jennifer Knott has joined Cherry, Peteresen, Landry & Albert LLP.

Laura C. Mason has become a Shareholder in Oppenheimer, Blend, Harrison and Tate in San Antonio.

Aaron Tobin has been appointed as Head of Intellectual Property and Copyright Practice at Anderson Jones PLLC, and has been named Director of the Dallas Association of Young Lawyers.

Jennifer Evans Morris has been named Principal in the Dallas firm of Fish & Richardson P.C.

Catherine Bright has joined Winstead in Dallas as an Associate with the wealthy preservation practice group.

Noelle Garsek has been elected an Income Shareholder at Winstead P.C.

Michelle Hartmann of Weil Gotshal was named a Rising Star by Texas Monthly Magazine for 2008.

Barrett Howell has been elected President of The PLAN Fund, a Dallas-based non-profit, microfinance lending organization, and has joined Winstead PC in the Corporate Securities/M&A section.

Judd Leach has been selected to join the Real Estate Council of Austin’s 2009 Leadership Development Council class.

William J. Moore has joined Munsch Hardt Kopf & Harr, PC as an Associate in the Litigation/Dispute Resolution practice group.

Thomas Reger, Il has been named Principal in the Dallas firm of Fish & Richardson P.C.
K.D. Shull has joined FutureWei Technologies Inc. as In-House Counsel.

Stephanie Yarbrough has been appointed to the S.C. Venture Capital Authority Board of Directors by the S.C. Senate President Pro Tem Glenn McConnell.

2002

Jessica Brown has been appointed as Head of Entertainment Law Practice at Anderson Jones PLLC.

David de la Torre has joined Ernst & Young in Peru dealing with oil & gas, mining and energy transactions.

W.R. “Trey” Dyer, III has joined the firm of Cherry, Petersen, Landry & Albert in Dallas as an Associate.

Dyan M. House has joined Munck Carter, P.C.

Brent T. Huddleston has joined Bell Nunnally & Martin as Partner.

Sheryl Kao has been appointed to the Board of Directors of Dress for Success Dallas.

Jennifer M. Perkins has joined the public interest law firm the Institute for Justice.

Alan Rosenberg has joined Stuber, Cooper, & Voge, PLLC in Frisco as an Associate.

Stephanie M. Smith was selected by Texas Tech University’s College of Human Sciences for its Distinguished Alumni New Achiever award, and has become an Adjunct Professor of renewable energy for the McDonough School of Business at Georgetown University.

M. Seth Sosolik has joined Kronen Morse Lan PC as an Associate.

Jason A. West has opened Jason A. West & Associates, PC in Longview.

Kristen M. Wilson and Jacob Wilson have welcomed their first child Jacob Benjamin Wilson II on April 16, 2009. Kristen is an Attorney at Wyatt, Tarrant & Combs, LLP in Memphs. Jacob is a Corporate Attorney at FedEx in Memphs.

2003

Mario E. Aleman has joined Morgan & Morgan in their International Division handling corporate matters.

John Preston Baker has become a Partner with Burford & Ryburn LLP.

Spencer Browne has formed Reyes Bartolomei Browne, with Angel Reyes, III and Luis Bartolomei ’96.

Stephen M. Gerdes, II was selected to participate in the first State Bar of Texas Leadership class for 2008-2009.

K. Nicole Voyles has been named Principal in Webb & Voyles P.C.

2004

Luke E. Alverson has accepted the position of Senior Securities Counsel with Flowserve Corporation in Irving, Texas.

Shanna Nugent has joined David Goodman & Madole P.C.

Renee S. Strickland has co-founded Mockingbird Software LLC to develop legal iPhone applications. The Apple iPhone store has published Mockingbird’s searchable-content versions of the Texas Rules of Civil Procedure, Appellate Procedure, and Evidence, and the Texas Code of Criminal Procedure.

K. Nicole Voyles has been named Principal in Webb & Voyles P.C.

LINDSAY M. GERMANO ’04 NAMED PRO BONO LAWYER OF THE YEAR

The Dallas Volunteer Attorney Program (DVAP) presented the Pro Bono Lawyer of the Year Award to Lindsay M. Germano ’04 at its annual awards reception in October 2008. Germano donated more than 500 hours to the Dallas Volunteer Attorney Program during a 12-month period. She served as a Lend-a-Lawyer in 2007, working three months in the DVAP offices serving pro bono clients. Germano is an associate with Weil Gotshal & Manges currently practicing out of the firm’s Hong Kong office. She received her J.D. cum laude from SMU Dedman School of Law in 2004 where she was President of the SMU Law Review Association. She received her B.A. cum laude from Rice University in 2001.

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K. Nicole Voyles has been named Principal in Webb & Voyles P.C.
Klemchuk Powers Taylor LLP as a Litigation Associate, and has been named Director of the Dallas Association of Young Lawyers.

Chip Brooker has been named Treasurer of the Dallas Association of Young Lawyers.

Scott F. Ellis has joined Bell Nunnally & Martin as Senior Counsel.

Lindsay Germano has been recognized as the 2008 Pro Bono Lawyer of the Year by the Dallas Volunteer Attorney Program.

Nicolyn Garza Harrison has joined Richie & Gueringer as a Commercial Litigation Associate.

Tyron (Ty) Hoover is serving as Executive Director of World BioBank.

Sarah Kownacki has been presented Texas Young Lawyers Association’s President’s Award of Merit, and has been named Secretary of the Dallas Association of Young Lawyers.

Kristy Piazza has been presented Texas Young Lawyers Association’s President’s Award of Merit.

Craig Pritzlaff has joined Curran Tomko Tarski, L.L.P. in their Environmental Section.

Katherine H. Stepp has joined the firm Deans & Lyons LLP as an Associate.

2005 Quinn Baker has joined Cox Smith Matthews as an Associate.

Yesenia Cardenas has joined Kane Russell Coleman & Logan PC as an Associate.

Jonathan Childers has been named Director of the Dallas Association of Young Lawyers.

Timothy Darley of National Teachers Associates Life Ins. Co. and John Greco ’05 of Touchstone, Bernays, Johnston, Beall, Smith & Stoltenwerck, LLP have been elected officers of the North Texas Association of Insurance Counsel.

Jessica Ehrlich has relocated to New York City to work as a Legislative Analyst at Bloomberg Law.

Melissa S. Hayward has received the Housing Crisis Center’s Jean Shepherd Award for being its 2009 Pro-Bono Volunteer Attorney of the Year.

T Nguyen of the Turley Law Firm was named a Rising Star by Texas Monthly Magazine in March 2009.

Clifton A. Squibb has formed Hamilton & Squibb with Rhodes W. Hamilton.

THAILAND ALUMNI GATHERING

Dean John B. Attanasio and Professor Christopher Hanna meet with a group of alumni from Thailand on a Spring 2009 visit.
2006

Adam Biggs has joined the Albritton Law Firm in Longview in the patent litigation and other complex civil litigation division.

Ashley Dawn Bowline married Chase Russell on May 16, 2009.

Lauren A. Cook has accepted an Assistant District Attorney’s position with the Kaufman County District Attorney’s office.

Lloyd A. Lim has joined Winstead PC.

Meyling Ly has been named Director of the Dallas Association of Young Lawyers.

Lindsay K. Martin has relocated to the New York office of McKool Smith as an Associate.

Jim Mueller has been named an Associate at the Dallas office of Goranson, Bain, Larsen, Greenwald, Maultsby and Murphy PLLC.

Whitney Whitehead has joined Payne Mitchell Law Group as an Associate.

2007

Matthew Brysacz has joined Cox Smith Matthews as an Associate.

Jonathan L. Howell has joined Munsch Hardt Kopf & Harr in Dallas as an Associate with the firm’s reorganization and corporate finance practice group.

Jennifer R. Lan has joined Kroney Morse Lan PC as an Associate.

Michael Ma was hired as an Associate at Burford & Ryburn LLP.

Heather Morgan was hired as an Associate at Burford & Ryburn LLP.

Michele Sheets was hired as an Associate at Burford & Ryburn LLP.

Elizabeth Wilson has been named DHBA Representative of the Dallas Association of Young Lawyers.

Siera Wuinonez has joined Winstead PC as an Associate in the Finance and Banking section.

Christopher L. Evans has been added as an Associate at Weil, Gotshal & Manges LLP.

George Finney has been published in the June 2009 edition of the University of Florida Technology Law Review with his paper “The Evolution of the GPL and Contributor Agreements in Open Source Software” and he taught a graduate level course in the Engineering School’s Computer Science program “Special Topics in Open Source Software Licensing,” and he has been named as SMU’s Information Security Officer.

Lincy George has been named DBA Representative of the Dallas Association of Young Lawyers.

Richard Kreminski has been named the Dean of the College of Science and Mathematics at Colorado State University – Pueblo.

Summer L. Mendoza has joined Tollefson Bradley Ball & Mitchell, LLP in Dallas as an Associate.

Jill D. Meyer has been added as an Associate at Weil, Gotshal & Manges LLP.

Stephanie Smiley has been hired at Greenberg Traurig LLP’s Dallas office as an Associate in the litigation practice group.

Melanie Spriggs has joined the firm of Jackson Walker LLP as an Associate in the litigation section.

D. Michelle Vincent Parker has joined Thompson & Knight’s Real Estate and Banking Practice Group in Dallas.

2008

Cole Bredthauer has been hired at Cantey Hanger LLP as an Associate.
SMU Dedman School of Law maintains a highly prestigious international alumni base, with graduates in some of the top positions in business, legal practice, the judiciary, and government.

S.M. Krishna ’59 took office as India’s Minister for External Affairs in May 2009 and Sobchok Sukharom ’81 was appointed as President of the Supreme Court of Thailand for a two year term beginning in October 2009.