Bankruptcy: History, Abuse and Reform
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On the Cover
A man thrown into debtor’s prison sustains himself by eating mice.
The Bettman Archive, Inc.
Bankruptcy Abuse and Bankruptcy Reform

Douglas G. Baird

When the Framers debated the bankruptcy clause in Philadelphia in 1787, the only objection was that giving Congress the power to enact bankruptcy laws might lead it to impose the death penalty upon bankrupts, as had been done in England. This fear proved unfounded. Indeed, we have long viewed bankruptcy law as a vehicle for debtor protection, and perhaps the most prominent feature of our bankruptcy law is the discharge it provides. Much of the recent criticism of bankruptcy law has been that it provides individuals and corporations with too easy a way out of their obligations. Newspapers tell of individuals who live extravagantly and use bankruptcy to make their creditors pick up the tab. We also read of large, apparently healthy corporations, such as the Manville Corporation, that appear to file bankruptcy petitions to escape their obligations under state law. The debate now is not over whether bankruptcy law is too harsh, but whether it is too permissive.

Abuse of the discharge right by individuals and corporations presents two distinct problems. There are important differences between an individual and a corporation wholly apart from bankruptcy law. Perhaps most important, a corporation, unlike an individual, enjoys limited liability on its obligations. A corporation does not need bankruptcy to escape from them. It can simply dissolve under state law. In effect, it already has a discharge right. With or without bankruptcy, the creditors of a corporation that owes more than it has will not be paid in full. The issue when a corporation is in bankruptcy cannot be how much the corporation pays its creditors. The creditors will receive everything the corporation has. The problem is not how much to give them, but rather how to divide what there is among them.

An individual who enters a bankruptcy proceeding stands on a completely different footing. He does not enjoy limited liability under state law, and he cannot dissolve if times become hard. A right to discharge in bankruptcy is an insurance

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Because we have a right to discharge we have the assurance that no matter how bad our financial reverses, through natural catastrophe, bad luck, or simply bad judgment, we can pick up the pieces and start over again.

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protects human capital. After a discharge, a debtor no longer has the disincentives that come from the realization that working harder will bring benefits principally to his creditors and not to himself.

The contours of the discharge right are neither immutable nor clear cut. For example, many have found fault with the current law which gives the debtor not only the right to enjoy all his future earnings, but may also allow him the right to keep his home and his household goods, as well as the clothes on his back. Others argue that an individual ought to be able to waive his right to obtain a discharge on a particular obligation, although this creates the potential, at least in the context of extending credit to consumers, for overreaching (through fine print and otherwise). There is, however, the more basic question of whether granting individuals a right to discharge past indebtedness is still worth its costs.

Creditor practices have changed dramatically during the past several decades. Few of us who went to college and law school in the 1970s took very seriously Polonius's advice about never being a borrower.

If we had, we never would have gone to college, let alone law school. We were able to borrow in large part because of the promise of future earnings. If a discharge were freely available to us, many might opt for bankruptcy, and eventually education loans would be harder to come by. This concern prompted Congress to limit the right to discharge for some education loans. One might argue that this same concern justifies much broader limits on discharge.

Everyone from Visa to Marshall Field's relies upon an individual's future earnings more than did their counterparts several decades ago. The less creditors can rely on future earnings, the harder it will be for all of us (including the vast majority who will never file bankruptcy petitions) to obtain credit. Credit may not simply be more expensive. Those without assets might find themselves unable to obtain loans or even credit cards. Moreover, the creditors who discover that they will not be paid will not always be large financial institutions with deep pockets. Those who become creditors involuntarily (because state law gives them claims against those who ran them over with a car or sold them asbestos) will find themselves without recourse, even though the debtor might make enough in the future to pay some of it back.

Like any dramatic change in the legal order, however, the effects of abolishing the right to discharge are not easy to predict. The principal empirical study to date, commonly called the Purdue Study, was financed by consumer lenders and is badly flawed. It is difficult to know how many people who file petitions in bankruptcy would in fact repay money lent them if they were denied a discharge right. Under existing law, debtors can try to repay part of what they owe. Yet these court- approved efforts to reschedule debts frequently end in failure, even though the debtors who succeed prevent creditors from taking any of their assets. Repayment schedules imposed involuntarily might be even less successful.

If an individual had a predictable and consistent record of past earnings and steady fortunes, he probably would not be in bankruptcy. Individuals in bankruptcy have a hard time keeping their jobs even with a discharge. Moreover, keeping track of the hundreds of thousands who file petitions in bankruptcy, finding out how much they make and how much they should keep, and establishing some mechanism to account for changed circumstances are the ingredients of a procedural nightmare. The ability that debtors have shown over the years to rearrange their affairs so as to keep assets from creditors (either legitimately, such as by ensuring that wills are rewritten in favor of someone else, or illegitimately, such as by transferring assets to people or places where they cannot be found) compound all these problems.

We also have to remember that none of this matters very much for those who present the least sympathetic cases for discharge. Someone with an income of $15,000 who has gambled and snorted $100,000 away is never going to be able to repay his creditors in an era in which the consumer lending rate is above 15%.

"Someone with an income of $15,000 who has gambled and snorted $100,000 away is never going to be able to repay his creditors in an era in which the consumer lending rate is above 15%.”

For a discussion of the problems in the Purdue Study, see Sullivan, Warren & Westbrook, Limiting Access to Bankruptcy Discharge: An Analysis of the Creditors' Data (1983). Among many other problems, the sample does not seem representative, the response rate was low, and there are significant internal inconsistencies in the data that were gathered.

How much property one can expect depends upon whether one lives in a state that has opted out of the federal set of exemptions in section 522 of the Bankruptcy Code.

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that we can obtain credit is a subtle and delicate one. Restricting it (perhaps by tying the ability of the debtor to exempt property even more closely to his willingness to repay past obligations out of future earnings) may be in order. But we must act cautiously. Limiting a debtor’s right to future earnings may well not bring benefits worth its costs.

This subtle balance, however, is not at stake in the second kind of abuse of bankruptcy law that I have identified. When a corporation has more obligations than it can pay, our concern is not the corporation itself, but rather the rights of all those with claims (contingent or otherwise) against it. At least some (and usually most) people with claims against the company are not going to be paid in full. There is nothing that bankruptcy law can do to change this. What it can do, however, is ensure that no one gets an unfair advantage over anyone else and that the process is conducted in a way that protects the value of the firm’s assets while the rights to them are being sorted out. Properly understood, a bankruptcy reorganization has nothing to do with giving a “fresh start” to someone (or something) that has been unlucky. A discharge in this context is simply the natural consequence of reallocating shares in the firm to those who have claims against it. All those with claims against the old company receive in exchange for those claims new claims or interests in the reorganized company.

The Manville Corporation presents an unusual case. Its decision to file a bankruptcy petition was only part of a much larger dance. Manville enjoys the benefits of the halt the bankruptcy proceeding has brought to all the lawsuits against it, while at the same time it seeks to shift any liability it has to tens of thousands of victims of asbestosis from itself to insurance carriers or to the federal government. It is useful, nevertheless, to ask whether a bankruptcy proceeding would be appropriate if no one comes to its rescue and if its liability to victims of asbestosis will, as it alleges, ultimately be in the billions of dollars and, with its other liabilities, exceed its assets.

Under these assumptions, a bankruptcy proceeding offers creditors of Manville some notable advantages. A bankruptcy proceeding should see to it that the creditors (who include tort claimants) will get as much as there is, according to their nonbankruptcy priorities. At the same time, it should ensure that the company does not lose its value as a going concern, as might happen if thousands of creditors independently tried to make sure that they (rather than someone else) were paid.

One must, however, also weigh the disadvantages of allowing a corporation such as Manville to file a bankruptcy petition. The claim of a victim who does not yet even know he is a victim is hard to evaluate. One can argue that when Congress expanded the number of claims that could be heard in a bankruptcy proceeding, it did not intend that a bankruptcy judge would have to consider in every case the torts a debtor may have committed by dumping toxic wastes, or selling defective products, or doing anything else that might later result in injury.5

If we recognize the claims of future tort victims now rather than later, we may undercompensate them. A bankruptcy judge could establish a fund of some kind, perhaps containing securities in the reorganized corporation, that victims could later draw upon. But one cannot create such a fund without both estimating the amount of these claims, all the other claims, and the total value of all the assets of the corporation. Predicting what Manville’s liability would be over the next several decades to an unknown class of victims of unknown size under the laws of 50 jurisdictions is necessarily approximate, and it is in the interest of everyone else involved in the proceeding (including those who have asbestosis now) to underestimate the size of the contingent claims. The smaller the estimate of these claims, the more the assets of Manville will be available for everyone else.

There may, however, be an even greater danger if we refuse to recognize the claims. If the claims of future asbestosis victims are not heard (or if there is no bankruptcy proceeding now), everyone else with fixed claims against Manville could be paid in full. Manville might stay in business and continue to pay its obligations as they arise (including its obligations to those who learned they had asbestosis). But eventually it would run out of money before all claims against it were satisfied. It would be a tragic irony if we refused to allow Manville to enter into a bankruptcy proceeding now out of concern for later victims of asbestosis and later discovered that when the claims of many of these individuals ripened the Manville corporation was merely an empty shell. No one argues that a bankruptcy court is well equipped to sort out all of Manville’s problems, but there is the possibility that a bankruptcy proceeding is better than the alternatives.

1Deciding all the claims in a single forum may also bring economies of scale. The enormous expense of litigating tens of thousands of individual lawsuits could be largely eliminated if each claim were not separately adjudicated. There is the chance, albeit remote, that these savings will be so large that Manville, although unable to meet all its obligations outside of bankruptcy, will be able to meet them inside. If these claims cannot be consolidated under a single class action outside of bankruptcy, however, one can argue that they should not be consolidated inside of bankruptcy either.

5A district judge has, in fact, found that claims of those who have yet to come down with asbestosis are not cognizable under the Bankruptcy Code. See In re UNR, 29 B.R. 741 (N.D. Ill. 1983).
The History of Imprisonment for Debt and its Relation to the Development of Discharge in Bankruptcy

Jay Cohen

Imprisonment for debt occupied a prominent place in English law for over six hundred years, yet surprisingly little is known about how, when, and why it was used. Although imprisonment for debt was a topic of great concern to nineteenth-century authors and social critics such as Dickens, it remains in many respects a historical puzzle to modern lawyers who understand personal bankruptcy rather than civil imprisonment to be the characteristic method of adjudicating the rights and liabilities of insolvent debtors.

This paper examines the origins and development of imprisonment for debt, and attempts to explain why the practice persisted until the mid-nineteenth century despite the

"It strikes me, Sam," said Mr. Pickwick, leaning over the iron-rail at the stairhead, "It strikes me, Sam, that imprisonment for debt is scarcely any punishment at all."

"Think not, sir?" inquired Mr. Weller.

"You see how these fellows drink, and smoke, and roar," replied Mr. Pickwick. "It's quite impossible that they can mind it much."

"Ah, that's just the very thing, sir," rejoined Sam, "they don't mind it; it's a regular holiday to them—all porter and skittles. It's the t'other vuns as gets done over, with this sort o' thing; them down-hearted fellers as can't svig away at the beer, nor play at skittles neither; them as would pay if they could, and gets low by being boxed up. I'll tell you wot it is, sir; them as is always a idlin' in public-houses it don't damage at all, and them as is always a workin' wen they can, it damages too much 'It's unekal,' as my father used to say wen his grog warn't made half-and-half. 'It's unekal, and that's the fault on it.'"

—Charles Dickens, The Pickwick Papers
Although imprisonment for debt was a topic of great concern to nineteenth-century authors and social critics such as Dickens, it remains in many respects a historical puzzle to modern lawyers.

availability of a modern form of bankruptcy from the early eighteenth century. Parliament enacted the earliest bankruptcy statutes in the mid-sixteenth century, but eighteenth-century statutes first provided for the discharge of debts. The ability to obtain discharge was confined to "traders," persons who earned their living by "buying and selling," nontraders were ineligible for debt. The perpetuation of this distinction between traders and nontraders until the mid-nineteenth century seems in retrospect the most curious aspect of the history of imprisonment for debt.

I. The Early History of Imprisonment for Debt

Imprisonment for debt did not exist in the earliest period of common law. A plaintiff could not procure the arrest of his alleged debtor either in advance of suit or after judgment. The plaintiff's execution remedies were the writs of fiere facias and levari facias. The former directed the sale of goods and chattels, the latter allowed the rents and profits of the judgment debtor's lands to be seized and applied to the satisfaction of the debt. In high feudal theory, arrest of the person was prohibited because of his obligation to serve his lord. Similarly, lands were thought to be immune from execution in order not to impose a tenant on the lord.

The first statute authorizing the detention of a defendant upon initiation of a civil suit was the Statute of Marlbridge (1267). The provision dealt with an isolated case, a lord's arrest of his bailiff who failed to make an accounting. The act authorized the bailiff's arrest pending trial, providing that the bailiff owned no land. When such pretrial detention was extended to other types of cases, it became known as imprisonment upon mesne process.

The act of 1267 did not provide for the detention of the bailiff once he had been adjudicated to be liable. Fifteen years later, the statute of Acton Burnel (1283 or 1285) provided not only for the arrest but also for imprisonment of a merchant's debtor. The statute allowed the merchant to bring his debtor before an official to have the debts and due date formally acknowledged. If the due date expired without payment of the debt the official could attach and sell the debtor's chattels to raise the sum owed. A debtor without property could be imprisoned until he reached a composition with his creditor.

The creditor could insist on the continued confinement of the debtor as long as the creditor contributed to the prisoner's subsistence.

The Statute of Merchants (1285) expanded the merchant creditor's power to imprison the debtor after judgment by providing for confinement regardless of whether or not the debtor possessed sufficient chattels to satisfy his debt. In the same year the Statute of Westminster II gave the feudal lord similar power to detain his debtor until a composition was reached.

Succeeding statutes extended imprisonment for debt to all actions in debt and delinque, actions on the case, and actions in annuity and covenant.

The introduction of imprisonment for debt into the common law significantly increased the creditor's coercive power over a debtor. The Statute of Acton Burnel identified the coercive purpose, stating that imprisonment of a debtor should continue until he "made agreement (with his creditors) or his freinds for him." Confinedment was meant to compel payment of the debt, not as punishment for the previous failure to pay.

This coercive imprisonment can be distinguished from two other uses of imprisonment recognized by medieval jurists. Custodial (or preventative) imprisonment was interlocutory, to prevent flight prior to adjudication of the dispute. Imprisonment upon mesne process illustrates the private-law use of this form of imprisonment. In the other use of imprisonment, called penal or punitive, the defendant was confined following adjudication as a sanction for committing the prohibited act. Penal imprisonment is usually associated only with criminal proceedings.

Within this framework, imprisonment for debt stands out as a typical form of coercive imprisonment. Although it might be argued that imprisoning the debtor had punitive overtones, the coercive purpose predominated, since the defendant could always terminate the imprisonment by paying the debt.

II. The Origins of Bankruptcy

By the early fourteenth century debtors had devised various means of evading coercive imprisonment. The ancient taking refuge in a sanctuary enabled a debtor to immunize himself from arrest or imprisonment by remaining within a protected enclave. Simple flight, if successful, enabled a debtor to depart from the kingdom without repaying his creditors, but exile was a high cost. An absconding debtor could be deemed an outlaw, which would result in the escheat of his possessions, if any, to the Crown; in that case, the creditor received nothing unless he specially petitioned the King for a share of the assets. A debtor could "keep house," since the common law forbade entry into a man's house for the purpose of executing civil process, ostensibly on account of the maxim that "a man's house is his castle."

Debtors' ability to circumvent imprisonment gave rise to the earliest bankruptcy law. Although the modern conception of bankruptcy is rateable distribution of the bankrupt's assets among his creditors (resulting in the discharge of the bankrupt's obligation to pay existing debts), the original purpose was simply to facilitate execution against a debtor. The bankruptcy act of 1542 authorized the Chancellor and other bankruptcy commissioners, on petition of the creditor, to summon the bankrupt before them, examine the bankrupt upon his oath, and if necessary imprison him until he forfeited his
The introduction of imprisonment for debt into the common law significantly increased the creditor's coercive power over a debtor.

The 1705 act, like much legislation of the time, contained a "sunset" provision setting a date for its expiration, but subsequent bankruptcy statutes re-enacted the provision for discharging the bankrupt's liability upon existing debts. Because discharge provided limited liability for the bankrupt, it gave him a strong incentive to submit voluntarily to bankruptcy proceedings.

Discharge in bankruptcy was a change of great importance and novelty. Holdsworth believes that it was devised in response to mercantile difficulties existing immediately prior to the passage of the 1705 act, although he was not able to locate explicit evidence of legislative intent. He follows the explanation of Lord Hardwicke in Ex parte Burton (1744) who claimed that the statute of 1705 "which was temporary at first, and never intended to be a perpetual law ... was made in consideration of two long wars which had been very detrimental to traders, and rendered them incapable of paying their creditors." The early statutes do not, however, disclose any particular Parliamentary concern with limiting the liability of traders. The primary purpose of the 1705 act, titled "An Act to Prevent Frauds Frequently Committed by Bankrupts," was said to be the familiar one of protecting creditors from fraudulent debtors. The preamble asserted that bankruptcy was caused "not so much by reasons of losses and unavoidable misfortunes," but rather by an "intent to defraud and hinder (creditors) of their just debts and duties to them due and owing." Similar language can be found in the bankruptcy acts of 1718 and 1732. This language suggests that discharge developed more out of a wish to induce traders to submit voluntarily to bankruptcy proceedings for the benefit of creditors than out of a concern to limit the liability of debtors embarrassed as a result of wartime hardship.

Whatever the motivation behind the discharge provisions, once enacted they served the crucial function of granting a new start to the insolvent trader. This grant of limited liability really changed the character of bankruptcy from a creditor's remedy to a relief benefiting insolvent traders.

III. Relief for the Insolvent Debtor

Coercive imprisonment provided a powerful remedy to the creditor but, from the outset, the statute law authorizing him to imprison his debtor drew no distinction between solvent and insolvent debtors. Critics of the law of imprisonment for debt pointed out that it was paradoxical to confine a debtor who lacked assets for the ostensible purpose of compelling him to pay his debts.

The bankruptcy statutes of 1542 and 1570 imposed severe penalties upon the debtor who sought to evade imprisonment by flight or keeping house, but by the last quarter of the sixteenth century another course of avoiding imprisonment could be followed. The debtor could petition the Privy Council to help him settle his dispute with his creditors. Dawson has observed that "the largest class of (private) litigation dealt with by the Tudor and Stuart Privy Councils was concerned with aid to debtors." The Elizabethan Council established Commissions for Poor Prisoners, in order to secure the release of insolvent debtors. The first commission, established in 1576 and staffed by the Chief Justices of Queen's Bench.
and Common Pleas, the Master of the Rolls, and other high royal officials, sat at Queen's Bench prison.49 The commission had the power to examine the debtor and his creditors for the purpose of arranging a composition which resulted in the imprisoned debtor's release. Creditors routinely acceded to the proposed settlement, and those who did not could be summoned before the commission or Council to give reasons for their refusal.50

The commission's mediation could result in the discharge of the debtor's liability.51 This was the most interesting aspect of the commission's work since, as we have seen, bankruptcy did not discharge the insolvent trader until the early eighteenth century, nearly a century after these commissions ceased to function. Indeed, such discharge would not be available to a non-trader debtor until the mid-nineteenth century.

The commission came into existence to relieve the prisons of a growing contingent of insolvent debtors who had become "a national problem which political agencies could not ignore."52 The commission ceased to be active after the 1590s, and Dawson, "in the absence of direct evidence," attributes its demise to the "doubtful legality of the commission's powers, which created great difficulty in protecting it against attacks in the common law courts."53 The commission represented the least lenient policy towards the insolvent debtor for several centuries to come.

In 1649 the Interregnum Parliament passed the first statute providing for the release of the imprisoned insolvent debtor.54 The act became a model of Parliamentary attempts at debtors' relief for the following century. The statute provided for an imprisoned debtor's release upon his oath that his assets did not exceed five pounds (exempting some basic necessities), and that he had not transferred any part of his estate in trust for his own benefit.55 The liberated debtor did not, however, receive a discharge from his debts; a creditor could sue out a new execution against goods and chattels the debtor might acquire after his release.56

A statute passed in 1670 also provided for the liberation of imprisoned debtors.57 One provision of the 1670 act underscored the essentially coercive nature of imprisonment for debt: a creditor could insist on the continued detention of a debtor even if the creditor could not dispute the veracity of his debtor's oath, so long as the creditor paid a weekly fee for the debtor's subsistence.58

The 1670 statute applied only retrospectively to prisoners already confined. The first statute applicable prospectively to debtors imprisoned subsequently was enacted in 1759, although many retrospective acts had been passed in the interval.59 The 1759 act,60 commonly referred to as the Lord's Act, established essentially the same procedure for the prisoner's release as did the acts of 1649 and 1670. After taking an oath alleging that he had not conveyed or entrusted his assets, the debtor assigned his assets to the creditors who held judgments against him. If the debtor's assets did not satisfy his debts, each creditor received a proportional share of the available proceeds while retaining the right to sue out a future writ of execution to recover the balance.61 As under the earlier statutes, any creditor could insist upon continuing a debtor's imprisonment so long as the creditor paid a weekly subsistence allowance.

The Lord's Act in contrast to earlier statutes contained a "compulsory clause"62 which gave a creditor the option of forcing his imprisoned debtor to prepare a schedule of his assets. The clause was aimed at the debtor who would "rather spend (his) subsistence in prison than discover and deliver up the same towards satisfying (his) creditors just debts."63 If the debtor complied with the creditor's request he would be released, but if he refused he could be transported to America for a term of several years. A debtor who falsified his schedule of assets would be punished for perjury.64

The Lord's Act was the result of over a century of Parliamentary efforts to provide relief for insolvent debtors, but it did relieve the essentially coercive character of the imprisonment itself. In one sense the statute significantly increased creditors' power over debtors, since the compulsory clause enabled creditors to insist upon payment from solvent debtors who had previously retained the option of accepting imprisonment rather than tendering payment. Although the Act obviously benefited debtors, it was also designed to compel repayment of debts, since gainfully employed debtors could repay creditors sooner than imprisoned ones. Parliament had come to resist the futility of imprisoning truly insolvent debtors in order to coerce them to pay their debts.

The procedures prescribed by the Lord's Act did not significantly differ from those of contemporary bankruptcy legislation for so-called traders. A debtor-trader seeking discharge in bankruptcy could be examined concerning the extent of his assets, and required to transfer his assets to his creditors. If his estate proved to be inadequate to satisfy his entire debt the creditors received a pro rata share of available proceeds.

The critical difference between the bankruptcy and insolvent schemes, however, was that while the bankrupt's surrender of his available assets discharged his liability to creditors, the insolvent nontrader remained obliged to pay the balance of his judgment debt after his release. The remainder of this paper will examine the reasons underlying the differing statutory treatment of the trading and non-trading debtor.

IV. The Distinction between the Liability of the Trading and Non-Trading Insolvent

Two basic reasons can be put forth for the failure of the Lord's Act and other insolvent statutes of the late eighteenth and early nineteenth centuries to extend discharge of debts from bankruptcy to the law of insolvency, or differently expressed, for the retention in bankruptcy of the limitations to traders. First, contemporary perceptions of the nature of trade, credit, and mercantile risk were felt to justify discharging the bankrupt trader, but not the insolvent non-trader. Second, the absence of a general law of incorporation until the mid-nineteenth century meant that bankruptcy served as a curious form of surrogate for corporate limited liabil-
occupations the
considered the
individuals seeking their living by buying and selling, such as butchers, ships' carpenters, master tailors, and brickmakers. By contrast, innkeepers, tailors, and common labourers were excluded.

The cases deciding the scope of the definition of a trader did not address the underlying question of why bankruptcy should be restricted to the trader and exclude the nontrader. Contemporary commentators and modern authorities have assumed that the correct answer was supplied by Blackstone:

But [the laws] are cautious of encouraging prodigality and extravagance by this indulgence to debtors; and therefore they allow the benefit of the laws of bankruptcy to none but actual traders: since that set of men are, generally speaking, the only persons liable to accidental losses, and to an inability of paying their debts, without any fault of their own. If persons in other situations of life run in debt without the power of payment, they must take the consequences of their own indiscretion, even though they meet with sudden accidents that may reduce their fortunes: for the law holds it to be an unjustifiable practice, for any person but a trader to encumber himself with debts of any considerable value. If a gentleman, or one in a liberal profession, at the time of contracting his debts, has a sufficient fund to pay them, the delay of payment is a species of dishonesty, and a temporary injustice to his creditor: and if, at such time, he has no sufficient fund, the dishonesty and injustice is the greater. He cannot therefore murmur, if he suffers the punishment which he has voluntarily drawn upon himself. But in mercantile transactions the case is far otherwise. Trade cannot be carried on without mutual credit on both sides: the contracting of debts is therefore here not only justifiable but necessary. And if by accidental calamities, as by loss of a ship in a tempest, the failure of brother traders, or by the nonpayment of persons out of trade, a merchant or trader becomes incapable of discharging his own debts, it is his misfortune and not his fault.

Blackstone's restrictive view of credit appears to have been widely held in the eighteenth century. Only traders faced an enterprise risk which justified limited liability, hence non-traders should be excluded from discharge in bankruptcy. As Crompton stated in his eighteenth-century treatise on practice and procedure, "If persons in other stations of life (non-traders) will run into debt without the power of judgment, the legislature has wisely left them to take consequences of their own indiscretion. Parliament had restricted discharge to traders in order to be "cautious of encouraging prodigality and extravagance" on the part on non-traders.

Blackstone also observed the commercial advantages conferred upon traders by bankruptcy. He recognized the need to grant limited liability to traders, since trade could not "be carried on without mutual credit on both sides." Traders by necessity contracted debts and could become incapable of fulfilling their obligations because of "accidental calamities ..., the failure of brother traders, or by the non-payment of persons out of trade." Therefore traders should be discharged of existing liability so that "by the assistance of ... allowance and industry, (they) may become ... useful members of the Commonwealth." It was in the general interest of commerce to make this form of limited liability available to persons undertaking mercantile endeavors.

Limited liability is a concept that modern lawyers associate with incorporation, but in the eighteenth and early nineteenth centuries bankruptcy provided the only generally available means for a merchant to limit his personal liability. General incorporation of commercial enterprises was not allowed in England until the middle of the nineteenth century. Although joint stock companies, the earliest corporate form, could be traced back to the seventeenth century, they were not numerous and depended upon a royal charter or private act of Parliament for their existence. Incorporation had been a disfavored form of commercial association at least from the time of the so-called Bubble Act of 1720, which remained in effect for more than a century.

The disinterest in using the corporate form can also be attributed to the failure among contemporaries to appreciate that incorporation could effectively shield the corporation's members from personal liability. Blackstone's description of the "powers, rights, capacities, and incapacities" of the corporation included perpetual succession and the right to sue and be sued, but did not include limited liability. The leading modern treatise on English company law observes that "(r)ather
poration statute bankruptcy provided the trader with a means of achieving limited liability for his commercial affairs. Bankruptcy served as a surrogate for the modern corporate form; it had the effect of restricting discharge for debtors who had borne enterprise risk. This function of bankruptcy underlies Blackstone's justification for restricting discharge to traders. Although Blackstone did not know the corporate alternative, he discussed bankruptcy in terms that remind modern readers of the customary justifications for general incorporation—to facilitate mutual credit and to encourage the taking of enterprise risks. Non-traders, on the other hand, encumbered themselves without taking commercial risks that might justify limited liability.

V. The Later History of Imprisonment for Debt

The distinction between traders and non-traders was maintained in the bankruptcy law until the middle of the nineteenth century. Insolvent traders continued to be discharged of liability whereas insolvent non-traders were remanded to imprisonment for debt or possible relief through the insolvency laws. However, two developments of the late eighteenth and early nineteenth centuries lessened the distinction in some cases. The courts gradually developed a more expansive definition of traders that made greater numbers of debtors eligible for discharge in bankruptcy. At the same time philanthropic organizations attempted to discharge the liability of insolvent non-traders.

The courts broadened their definition of trading in the late eighteenth and early nineteenth centuries to include a greater number of activities and occupations.88 Blackstone had declared that only an "industrious" trader would be eligible for bankruptcy and therefore "one single act of buying and selling will not make a man a trader; but a repeated practice (of buying and selling) and profit by it."90 But in Ex parte Moule (1808),89 Lord Eldon stated that infrequent acts of trading would suffice to qualify the insolvent as a bankrupt if he demonstrated an intent to deal more generally.92 Other cases held that the extent of the bankrupt's profits could not determine his status as a trader.93 Thus, writing less than fifty years after Blackstone, a leading authority on bankruptcy could conclude that in order to qualify as a trader an individual need only have "bought once and sold once, with an intention to buy and sell again like other traders in that line of business. I should think that the singular act of buying and selling would have the effect of ten thousand such acts."94

"Although the [Thatched House] Society would expend no more than £10 to obtain the release of a debtor, it was able to liberate more than 15,000 debtors in the last quarter of the eighteenth century."

Although only a trader could obtain a discharge in bankruptcy, some non-traders obtained not only release from imprisonment, but discharge as well because of the activities of the Society for the Discharge and Relief of Persons Imprisoned for Small Debts.95 Founded in 1772, the Society, commonly referred to as the Thatched House Society, attempted to secure the liberty of petty-sum debtors who could become productive upon their release. Although the Society would expend no more than £10 to obtain the release of a debtor, it was able to liberate more than 15,000 debtors in the last quarter of the eighteenth century.96 Moreover, by arranging composition with a debtor's creditors, the Society obtained not only the debtor's release but his discharge from existing liability as well.97

Imprisonment for debt remained the characteristic remedy against an insolvent debtor despite the more liberal definition of a trader and the philanthropic activities of the Thatched House Society. In 1792 the Sheriff of Middlesex testified before a Parliamentary Committee established to "enquire into the Practice and Effects of Imprisonment for Debt"98 that over nine hundred debtors were sent to prison each year in his county, exclusive of London, for failure to pay their creditors.99

The insolvency laws of the first half of the nineteenth century perpetuated the distinction between the discharged bankrupt and the discharged insolvent. An act of 1808100 enabled an imprisoned debtor who owed less than £20 and had been confined for one year to obtain his immediate release, but subject to continued liability upon his debt.101 In 1813 Parliament enacted a new scheme102 that established a Court of Relief of Insolvent Debtors to hear prisoners' petitions for release.103 The procedure of the court closely resembled bankruptcy procedure, calling for transfer of the debtor's property to an assignee who had responsibility for the pro rata payment of creditors. However, the debtor, unlike the bankrupt, remained liable for his unsatisfied obligations. A statute of 1844104 abolished imprisonment for judgments of less than £20, but the law retained the creditor's right to execute a new writ of execution against the debtor's future assets.

In 1861 Parliament finally merged bankruptcy and insolvency.105 By statute it authorized bankruptcy proceedings for the non-trader as well as the trader. The legislation abolished the Court for Relief of Insolvent Debtors and transferred its jurisdiction to the Court of Bankruptcy.106

The Debtor's Act of 1869107 abolished imprisonment for debt and released the remaining imprisoned debtors. The statute retained civil imprisonment only for temporary confinement of petty debtors who were able to discharge their debts but refused to do so.108 The statute also provided punishment for fraudulent debtors.109 A companion Bankruptcy Act of 1869110 ended all distinctions between trading and non-trading debtors. After the promulgation of these statutes all insolvents who had contracted debts by non-fraudulent means could discharge their liability through personal bankruptcy.

Imprisonment for debt persisted for nearly three decades after a Parliamentary Commission's "strongest recommendation" that it be abolished (along with the distinction..."
between trading and non-trading insolvents). Imprisonment for debt's resiliency can be traced to the eighteenth-century justifications for the practice that we have examined in some detail. Creditors were predictably reluctant to abandon the remedy. Even in 1869 a member of the House of Commons continued to argue for the retention of civil imprisonment in the same manner as centuries before. Perceptions of trade, credit, and risk of default gradually changed over the course of the nineteenth century and rendered obsolete Blackstone's sentiment that it was "an unjustifiable practice for any person but a trader to encumber himself with debts of any considerable value." Moreover, it was not until the acceptance of general incorporation with limited liability had taken place that the most compelling argument for ending the distinction between the bankrupt trader and the insolvent non-trader could be made.


2 C. Dickens, Little Dorrit (1857); The Posthumous Papers of the Pickwick Club (1837); see other works cited in Louchheim, supra note 1 at 25-27.

3 This is a term of art which was introduced in the Elizabethan bankruptcy statute of 1570, 13 Eliz., c.7.

4 At one time there was some historical debate as to the scope of civil imprisonment. See Fox, "Process of Imprisonment at Common Law," 39 Law. Q. Rev. 46 (1923).


6 See G. Crompton, Practice common-placed: or, the Rules and Cases of Practice in the Court of King's Bench and Common Pleas, lxvii (3rd ed. 1786) [hereafter cited as Crompton].

7 52 Hen. 3, c.23 (1267).

8 11 or 13 Edw. 1 (1283, or 1285).

9 Id. §3.

10 Id. §14.

11 13 Edw. 1, stat. 3 (1285).

12 13 Edw. 1, stat. 1, c.11 (1285).

13 25 Edw. 3, stat. 5, c.17 (1350).

14 19 Hen. 7, c.9 (1503).

15 The writ of annuity was invented in the late thirteenth century to collect rents which did not issue out of a particular piece of land. See Holdsworth, supra vol. 3, note 1 at 151-152.

16 23 Hen. 8, c.14 (1531).

17 11 or 13 Edw. 1, §14 (1283, or 1285).


19 Langbein, supra note 19 at 38.

20 See J. Nield, An Account of the Rise, Progress and Present State of the Society for the Discharge and Relief of Persons Imprisoned for Small Debts Through England and Wales 16 (1802), who stated that: "When one person causes another to be arrested, it is generally for the purpose of obtaining the debt: his demand therefore is of course expected to be satisfied, either by immediate payment, or by good security." [hereafter cited as Nield].

21 See Treiman, Escaping the Creditors in the Middle Ages, 43 Law Q. Rev. 230 (1927) [hereafter cited as Treiman].

22 Sanctuary, an institution with roots in Anglo-Saxon law, enabled an individual to take refuge within a church or within church lands to escape arrest or criminal sanction. See 3 Holdsworth, supra note 1 at 303-307.

23 Treiman, supra note 24 at 236.

24 Id. at 233.

25 The preamble to the bankruptcy act of 1542 stated: Where divers and sundry persons, craftily obtaining into their hands great substance of other men's goods, do suddenly flee to parts unknown, or keep their houses, not minding to pay or restore to any their creditors their duties, but at their own wills and pleasures consume debts and the substances obtained by credit of other men, for their own pleasure and delicate living, against all reason, equity, and good conscience. 34 & 35 Hen. 8, cap.4.


27 34 & 35 Hen. 8, cap.4 (1542).


29 Id. at 11-17.

30 13 Eliz., cap.7.

31 Id. The statute also reclassified the range of cognizable acts of bankruptcy.

32 An explanation for the initial distinction between the trader and non-trader, in bankruptcy has been suggested by Levinthal who stated that the distinction arose because "merchants were regarded as having peculiar facilities for delaying and defrauding creditors. The landed gentry of England were not subject to the law which was essentially punitive in nature." Levinthal, "The Early History of English Bankruptcy," 67 U. Pa. L. Rev. 1, 16 (1919).

33 Although Levinthal's explanation is presented as a bare conclusion, it does find support in the preamble to the bankruptcy statute of 1604: For that frauds and deceits, as new diseases, daily increase amongst such as live by buying and selling, to the hindrance of traffic and mutual commerce and to the general hurt of the realm by such as wickedly and willfully become bankrupts. 1 Jac. 1, c.15.

34 Subsequent statutes enacted during the reign of James I altered the law but did not change its fundamentally punitive character. The act of 1604, 1 Jac. c.15, explicitly granted power to the bankruptcy commissioners to summon the bankrupt and examine him concerning his assets to determine if he was guilty of fraud. The statute of 1623, 21 Jac. 1, c.19, provided that if the debtor fraudulently concealed or conveyed his property to disrupt the bankruptcy proceedings, or if he could not prove that his bankruptcy arose solely because of commercial misfortune, he would "be set upon the pillory in some public place for the space of two hours and have one of his or her ears nailed to the pillory and cut off." 2 Co. Rep. 25b (1584).

35 Id.

36 4 & 5 Anne, c.17 (1705).

37 Id. § 7.

38 Another temporary act was passed in 1718, 5 Geo. 1, c.24. The act of 1732, 5 Geo. 2, c.30, which was not temporary, provided for the bankrupt's discharge, but only with the consent of four-fifths of his creditors. A modern commentator has speculated that the approval clause was added because "people deliberately 'brought on' their own bankruptcies for the sake of getting rid of their liabilities." Levinthal, supra note 33 at 19, n.67.

39 1 Holdsworth, supra note 1 at 445.

40 1 Atk. 255 (Ch. 1744).

41 Id.

42 "This was the title of the 1705 act, 4 & 5 Anne, c.17.

43 Id.

44 5 Geo. 1, c.24 (1718).

45 5 Geo. 2, c.30 (1732).

46 A Petition to the Kings Most Excellent Majesty, the Lords Spiritual and Temporal and Commons of the Parliament Now Assembled, Wherein is Declared the Mischiefs and Inconveniences arising to the King and Commonwealth by the Imprisonment of mens bodies for Debt (11) (London, 1672).

12 THE LAW SCHOOL RECORD

43 Dawson I, supra note 51 at 410.


45 Dawson I, supra note 51 at 415-416 (text and footnotes).

46 Dawson believed that the commission's ability to secure compositions was due to the support given to it by the Council. Id. at 414. See note 54 supra.

47 Dawson I, supra note 51 at 415.

48 Id. at 416.


51 Id. at 241.

52 12 & 23 Car. 2, c.20 (1670).

53 This suggests that one of the main motivations for the enactment of the statute was to insure decent prison conditions.

54 For a list of these statutes see R. Bevan, Observations on the Law of Arrest and Imprisonment for Debt 30-31 (London, 1781).

55 32 Geo. 2, c.28 (1759).

56 The creditor was forbidden, however, to bring a new action on the original debt, thereby causing the debtor to be arrested upon the same obligation. Id.

57 Id. §16.

58 Id.

59 Id. §17.

60 For a digest of the cases deciding who could be considered a trader, see E. Christian, The Origin, Progress and Present Practice of the Bankrupt Law, vol. 2, 5-45 (London, 1814) [hereafter cited as Christian]. A Succinct Digest of the Laws Relating to Bankruptcy 13-20 (Dublin, 1791) [hereafter cited as Succinct Digest].

61 The definition of a trader can be found in the Elizabethan bankruptcy statute, 1 Eliz. c.7 (1570).

62 These cases are abstracted in Christian, supra note 73 at 7-11.

63 Id.

64 Crompton, supra note 6 at hxx-xx; Succinct Digest, supra note 72 at 2.


66 Blackstone, supra, vol. 2, note 5 at *473-474 (emphasis original).

67 Crompton, supra note 6 at hxx; see also Succinct Digest, supra note 73 at 2.

68 Blackstone, vol. 2, supra note 5 at *473.

69 Id. at *474.

70 Id.

71 Accord, Ex parte Bryan, 1 Ves. & B 211 (Ch. 1812) (Elton, L.C.); Ex parte Megens, 1 Rose 84 (Ch. 1811) (Elton, L.C.).

72 Newland v. Bell, Holt 221, (1816).

73 Christian, supra note 73 at 14-42.

74 See the comments about the Society in the 1792 Parliamentary Committee's report on imprisonment for debt at 47 H. C. Jour. 648 (1792). See also Nield, supra note 21 at 1-27.

75 This estimate is based on the 12,590 prison-
Illustrations as Legal Historical Sources

John H. Langbein

In an important sense, most problems of legal history reduce themselves to what the jargon calls "source problems." Time and again we find that the reason we are having trouble understanding the origins or development of some institution or practice or doctrine is that the sources fail us. The events were not recorded, or were imperfectly recorded, and our vision is correspondingly impaired.

A main activity of legal historical scholarship is the search for new sources, or for new techniques of making awkward bodies of identified materials more usable. In quite recent work Richard Helmholz has been using the records of the English ecclesiastical courts to show that some of the most fundamental doctrinal shifts in the history of the common law may have had their roots in the practice of church courts.3

The incessant search for new sources is not limited to manuscript materials—or even to the printed word. I once found myself hunting among funerary inscriptions in English cathedrals for evidence of changes in the status and authority of the justices of the peace.4 Research on the history of the adversary system and the law of evidence has led me to sources that, only a decade or so ago, I never dreamed existed—sensation-mongering pamphlets that were hawked on the streets of London and the shorthand diaries of a chief justice of King’s Bench.

In recent years I have come to take an interest in contemporary illustrations—mostly woodcuts and engravings that were published in seventeenth- and eighteenth-century printed works—as sources that can sometimes shed a little light on questions of legal history. Changes in production techniques for books and scholarly journals have made it easier to reproduce illustrations inexpensively. In an article in a current number of the University of Chicago Law Review I reprinted about a dozen5—hoping that, in the words of the poet, "the pictures [would] for the page alone." I am reproducing here a few of these and other illustrations.

Mr. Langbein is Max Pam Professor of American and Foreign Law and Russell Baker Scholar. The Law School Record gratefully acknowledges the cooperation and permission of the following collections: Pretrial procedure: illustration of Sir John Fielding presiding, by permission of the British Library. Sanctions: illustrations by John Seller, by permission of the Guildhall Library, City of London. Torture: illustrations from the Constitutio Criminalis Theresiana, from the copy in the Max Planck Institut für Europäische Rechtsgeschichte, Frankfurt. Assize procession and Hogarth: illustrations reproduced by permission of the Trustees of the British Museum.

"A main activity of legal historical scholarship is the search for new sources, or for new techniques of making awkward bodies of identified materials more usable."

I

Illustrations as Legal Historical Sources

John H. Langbein

In an important sense, most problems of legal history reduce themselves to what the jargon calls "source problems." Time and again we find that the reason we are having trouble understanding the origins or development of some institution or practice or doctrine is that the sources fail us. The events were not recorded, or were imperfectly recorded, and our vision is correspondingly impaired.

A main activity of legal historical scholarship is the search for new sources, or for new techniques of making awkward bodies of identified materials more usable. Ordinarily, the prowl for new sources is confined to the written word, that is, to manuscripts and printed works. Immense contributions have been made by the present generation of legal historians in establishing the importance of classes of manuscripts that had been neglected in earlier work. I might mention some examples associated with research conducted at the University of Chicago Law School. John Dawson found in the medieval manorial rolls of Redgrave Manor, now housed in Regenstein Library, the starting place for his great comparative study of the history of the jury. 1 Charles Gray has pioneered the use of manuscript law reports from the Tudor-Stuart period. He obtained important findings by recognizing that "many cases that never found their way into print are reported in manuscript, and many printed cases, including famous ones, appear in alternative manuscript versions, often clearer or more complete versions."2

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This is the earliest depiction* that I have found of the pretrial procedure for investigating cases of serious crime in London in the eighteenth-century. It shows Sir John Fielding, the blind half-brother of Henry Fielding, the novelist, presiding at a pretrial examination in his Bow Street chambers. Fielding's pretrial work, which was subsidized and otherwise encouraged by the state, is becoming a subject of considerable scholarly interest. We are beginning to see in Fielding's practice the key transitional phase of the development by which the rural tradition of private prosecution was adapted to handle huge urban case loads.
In an age before the state possessed the administrative capacity to operate prisons, the blood sanctions—death and mutilation—were the only practicable resort in cases of serious crime. The illustrations reprinted here come from a little book of engravings depicting criminal sanctions circa 1680. It now seems that the copy of this work in the Guildhall Library, London, is the only one that survives. I had occasion recently to reproduce the illustration of pillorying in a discussion of some cases in which persons who had been ordered placed in the pillory were stoned or beaten to death by London mobs. One look at the illustration shows why the person pilloried was so defenseless. It should be said that the object of the sanction was not to expose the sufferer to such physical abuse.

Pillorying was meant as a dignitary sanction, a form of public humiliation, but it risked physical abuse when hostile sentiment exceeded the capacity of the constabulary to protect the offender.

Another illustration from the same source shows burning at the stake, the particularly gruesome form of capital sanction reserved for women offenders who committed treason. (For men the sanction was at least as ghastly—hanging, drawing, and quartering.) Careful readers will notice that the caption describes the sanction as applying both to high and to "petty" treason. Petty treason was committed when a woman killed her husband. Other sources tell us that it was customary for the executioner to strangle the woman before lighting the pyre.
Anglo-American law escaped the worst chapter of Continental criminal procedure, which lasted from the thirteenth to the eighteenth century: the law of torture, by which courts decided when the circumstantial evidence against a suspect was sufficiently grave that he might be subjected to examination under torture for further disclosures that could seal his guilt. I had occasion a few years ago to write a book explaining something of the origins and final decline of this procedural system, as well as its failure to take hold in the common law.\(^1\) I reproduce here two illustrations of one of the main modes of torture, the legscrew. These illustrations come from the appendix to the Austrian criminal procedure statute book of 1769,\(^1\) and were meant as how-to-do-it guides for local craftsmen and court officers in constructing and operating such devices. I thought these “official” illustrations made the point—graphically, as we say—that the law of torture was not simply the third degree, not illegal rough stuff. It was a carefully regulated part of a profoundly flawed system of criminal procedure.
Twice a year the judges of the royal central courts rode out in pairs to visit the counties of England as itinerant trial commissioners. They tried both civil and criminal cases of the more serious sorts to juries composed of men from the county in which the matter originated. Much of Anglo-American civil procedure was shaped by the tradition of centralized pleading followed by decentralized jury trial. I reproduce an engraving of the Chelmsford assize procession, showing the judges arriving in the town in 1762.
I conclude this selection with a familiar illustration that has, however, a special significance for the legal historian. Hogarth's famous Industry and Idleness series chronicles the progress of two apprentices, the industrious one who ascends to become an alderman and finally lord mayor of London; and his erstwhile colleague, who falls into a career of debauchery and crime. Plate 10 of the series depicts the idle apprentice, now apprehended for felony, brought before his former colleague, shown exercising the office of a London alderman. Hogarth was interested in the dramatic potential of the confrontation between apprehended felon and successful alderman, but legal historians are interested in the procedure. The reason the felon was before an alderman is that the aldermen of London served in a rotation as pretrial examining officers in cases of serious crime. They interviewed victims and accused and bound over witnesses and defendants for trial at the Old Bailey. They performed for the core area of London, the so-called "City," the function that Sir John Fielding discharged for the rougher part of the metropolis when he was sitting at Bow Street.

7. A. Pope, Dunciad, bk. 1, line 139 (1728-43).
8. First published as the frontispiece to 3 The Malefactor's Register; or, the Newgate and Tyburn Calendar (London, n.d. [1779])(5 vols.).
11. Constitutio Criminalis Theresiana (Vienna, 1769).
12. D. Ogborne, A Perspective View of the County Town of Chelmsford, in Essex, With the Judges' Procession on the day of Entrance Attended by the High Sheriff & His Officers (1762).
THE FUND
for the
LAW SCHOOL 1982-83
In order to attain the goals established for the 1982-83 Fund for the Law School, increases of approximately seven percent in both the dollar amount contributed and the number of contributors were required. While the number of contributors decreased slightly (three percent), the dollar amount raised exceeded the goal. An approximately eleven percent increase in the amount of contributions resulted in the 1982-83 Fund providing, for the first time, unrestricted gifts to the Law School of more than $750,000.

Responsibility for the success of the 1982-83 Fund belongs to each and every one of the Fund's contributors and volunteer workers. However, special appreciation is due Maurice Weigel and Joseph Mathewson, major donor co-chairmen, and the law firm of Reuben and Proctor, whose Challenge Gift creating a scholarship fund provided the incentive for a substantial number of increased contributions to this year's campaign, which in turn entitled the Law School to obtain the full amount of that Challenge Gift made to the Law School's capital campaign.

I feel quite certain that the results of this year's Fund for the Law School will merely be a stepping-off point for continuing increased support afforded our Law School by its loyal alumni and friends. My personal thanks go to all of you who helped in making the 1982-83 campaign a successful and satisfying achievement.

Ronald J. Aronberg, '57

Each year the Chairman of the Fund for the Law School reminds us of the dependence of the Law School upon alumni support. The only difference this year is that the need has increased. The competition among schools for excellent faculty grows; the cost of maintaining the library and other support services continues to move up; the reduction in government and institutional support for many projects increases the burden.

The response of alumni and friends of the Law School in the past testifies to the high regard that those who know it best have for the School. We know it is the finest in the country. But it cannot hold its preeminent role without the continuing and increasing support of all of us. Dean Casper tells us that the Annual Fund is critical to the School's survival as a great institution. This is our responsibility to the future.

Stuart Bernstein '47
A Message from the Dean

Last year you gave $751,000 to the Fund for the Law School and an additional $30,000 to the separate Clinic Fund. Your contributions made 1982-83 the most successful annual fund year in the history of the Law School. Next to tuition, the Fund for the Law School is the most important source of unrestricted revenue for the annual budget. As Dean, I would not know how to balance the budget if we did not have this fund.

I am frequently asked what the money is used for. One answer to the question is simple and direct. The Fund supports instruction, student financial aid, the Law Library, the Law Review, the Moot Court, the Legal Aid Clinic, placement, alumni activities, and a host of additional tasks. But there is another answer in a way, a more important one. The Fund often enables us to do things that are not routine.

I think both the Law School and its alumni would be hurt if the School could no longer maintain Chicago's reputation for combining rigorous education with the exploration of new and uncharted areas. Our aim is not to create an appearance of dynamism by following fads or fashions, but to develop the depth of understanding that is necessary to maintain a truly dynamic institution. The Fund for the Law School often enables us to pursue new developments in scholarship and legal education.

The 1982-83 Fund for the Law School has not only exceeded its goal but has also obtained the $75,000 for endowment of a scholarship which Reuben and Proctor generously provided as a challenge to contributors. I thank Reuben and Proctor and those among you who have helped. I especially wish to acknowledge the very able leadership of Ron Aronberg, Class of 1957, as National Chairman, Maurice Weigel, Class of 1935, and Joe Mathewson, Class of 1976, as Co-Chairmen for Major Gifts, and Bernard Nussbaum, Class of 1955, directing the efforts of the regional presidents, as well as the support of a great number of other volunteers.

This Law School and the great university of which we are a part will not be able to face the future without the most strenuous efforts to increase our financial base, with equal emphasis on annual giving and capital fund raising. My five years as Dean have convinced me that many of you stand ready to help us preserve Chicago's quality in an era during which higher education is under great pressure. The Law School is most grateful for your support.

Gerhard Casper

Jeanette R. Miller, agent for the class of 1937, and A. Daniel Feldman, agent for the class of 1955—the classes with the highest percentage of graduates contributing to the Fund for the Law School
Comparative Unrestricted Annual Contributions

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Five Classes* with Highest Percentage of Graduates Contributing

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<td>1949</td>
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</tr>
<tr>
<td>1933</td>
<td>42.9%</td>
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</tbody>
</table>

* with more than 20 living graduates

1982-83 Volunteers

The Law School gratefully acknowledges the time so generously contributed by the volunteers listed below:

- Ronald J. Aronberg '57, Fund for the Law School Chairman
- Maurice Weigle '35, Fund for the Law School Major Gifts Co-Chairman
- Joseph D. Mathewson '76, Fund for the Law School Major Gifts Co-Chairman
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#Elaine and Samuel Kersten
*Kirkland & Ellis
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Spencer L. Kimball
Howard R. Koven '47
William M. Landes
Peter D. Lederer '57
Paul H. Leffmann '30
Morris I. Leibman '33
*Liberty Fund, Inc.
Marathon Oil Foundation
*John F. McCarthy '32
Victor L. McQuistion '21
*Robert H. Mohlman '41
*Norman H. Nachman '32
John J. Naughton '49
Phil C. Neal
Robert H. O'Brien '33
*Henry M. Ordower '75

#W. Walden Shaw Foundation
#Fritz Thysen Foundation
*Roger A. Weiler '52
#Jerome S. Weiss Fund
Ira T. Wender '48
*William W. Wilcox '48
#James L. Zacharias '35

Law School Associates ($1,000-$2,499)

Anonymous (2)
Morris B. Abram '40
William L. Achenbach '67
John M. Alex '57
Amoco Corporation
Gregory K. Arenson '75
*Leonard P. Aries '32
Irving I. Axelrad '39
*Ball Corporation
Ingrid L. Beall '56
Bina and Renato Beghe '54
Lee F. Benton '69
Richard B. Berryman '57
George P. Blake '61
#Morris Blank '31
#Charles W. Bond '33
Danny '68 and Judith Solow Boggs '69
Stuart B. Bradley '30
William R. Brandt '50
John W. Broad '42
Alan R. Brodie '54
Herbert C. Brook '36
David N. Brown '66
Peter W. Bruce '70
Laurence A. Carton '47
Gerhard Casper

*S. Richard Fine '50
Firestone Tire & Rubber Company
First National Bank of Chicago
*Henry D. Fisher '32
Daniel Fogel '49
Edward D. Friedman '37
Robert S. Friend '31
*Alvin Fross '51
Maurice Fulton '42
General Electric Foundation
Francis J. Gerlits '58
Burton E. Glazov '63
Irving H. Goldberg '27
R. Howard Goldsmith '49
Thomas A. Gottschalk '67
Richard L. Grand-Jean '67
William N. Haddad
Joel L. Handelman '65
*Thomas N. '73 and Virginia M. Harding '72
I. Frank Harlow '43
E. Houston Harsha '40
#C. J. '52 and Elizabeth B. Head '52
Fritz F. Heimann '51
#Dorothy Herrmann
### Dean's Associates ($500-$999)

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<tr>
<th>Name</th>
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<th>Company/Institution</th>
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<td>Ameritrust Company</td>
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<td>Janet R. '68 and John D. Ashcroft '57</td>
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<td>Irwin J. Askow '38</td>
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<td>#Gary H. Baker '73</td>
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<td>David C. Bogert '33</td>
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<td>James A. Donohoe '62</td>
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<tr>
<td>Dow Chemical Company</td>
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<tr>
<td>Claire T. Driscoll '29</td>
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Century Associates ($100-$499)
Edwin H. Goldberger '50
Samuel D. Golden '49
Larry M. Goldin '79
Goldman-Sachs Fund
Irwin H. Goldman '27
Jeffrey S. Goldman '70
Louis B. Goldman '74
Linn C. Goldsmith '64
Zalmon S. Goldsmith '38
E. Ernest Goldstein '43
John W. Golosinec '30
James C. Goodale '58
Ernest B. Goodman '57
Gerald Goodman '59
Goodyear Tire & Rubber Company
Charles P. Gordon '67
Donald Gordon '79 and Carol A. Johnston '79

Walter C. Greenough '75
A. Russell Griffith '33
Ben Grodsky '33
Karen E. Gross '81
David A. Grossberg '75
A. Eugene Grossmann, Jr. '40
Brimson Grov '34
Mark E. Grummer '76
Alden Guild '57
Robert V. Gunderson, Jr. '79
Solomon Gutstein '56
Harlan C. Hagman '79
Richard D. Hall '39
Willy G. Hallemeech '62
Andrew C. Hamilton '28
Bryce L. Hamilton '28

Morton J. Harris '39
Steven L. Harris '73
Hart, Schaffner & Marx
Hartford Fire Insurance Company
Luther A. Harthun '60
Samuel R. Hassen '34
John D. Hastings '30
Morton Hauslinger '31
Adrienne Rubin Hawes '78
Howard G. Hawkins, Jr. '41
Carolyn J. Hayek '73
and Steven Rosen '73
J. William Hayton '50
Johnnine Brown Hazard '77
Allen Heald '30
James H. '70 and Margaret Hedden '70

David M. Higbee '71
Thomas C. Hill '73
Jordan J. Hillman '50
James M. Hirschhorn '74
Richard A. Hodge '63
Laura Banfield Hoguet '67
Holiday Inn, Inc.
James E. Honkisz '74
Andrew W. Horstman '77
Allan Horwich '69
Household Finance Foundation
Scott W. Hovey '25
Alan J. Howard '72
Glen S. Howard '74
John C. Howard '35
Lawrence Howe '48
Kenneth Howell '59
John C. Hoyle '67
Victor E. Hruska '32
Frank B. Hubachek, Jr. '49
Thomas W. Huber '59
Edwin E. Huddleson, Jr. '30
#Harold W. Huff '36
#Roger M. Huff '76
Robert B. Hummel '42
Joel M. Hurwitz '76
Leland E. Hutchinson '73
Michael L. Igoe, Jr. '56
Spencer Irons '40
Marc R. Isaacson '71
Jerald E. Jackson '49
Laurence Jackson '78
Betty C. '72 and John G. Jacobs '72
Janice M. Jacobson '57
Lowell H. Jacobson '52
Marian Slutz Jacobson '72

* Bryan H. Jacques '32
Ted R. Jadwin '74
David B. Jaffe '81
Harris S. Jaffe '67
Jeffrey Jahns '71
David L. James '60
John M. Janewicz '62
# David A. Jenkins '78
Raymond A. Jensen '50
Gerhardt S. Jersild '31
Richard S. E. Johns
Johnson & Johnson
John A. Johnson '40
Justin M. Johnson '62
Kirk B. Johnson '73
Phillip E. Johnson '65
#Sara L. Johnson '81
#Robert L. Jolley, Jr. '76
John T. Jones '30
Joseph S. Jones '30
Kenneth C. Shepro '76
Deming E. Sherman '68
Nancy M. Sherman '48
Suzanna Sherry '79
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Donald L. Shulman '68
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Nancy J. Shurlow '78
Bernard H. Siegan '49
Henry W. Siegel '63
Michael S. Sigal '67
Mark L. Silbersack '71
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Howard J. Silverstone '62
David F. Silverzweig '33
Blanche B. Simmons '36
Thelma Brook Simon '40
Mark B. Simons '70
#Frederic Singerman '82
Allen Sinsheimer, Jr. '37
Sheldon M. Sissons '62
Peter K. Sivaslian '57
#Skadden, Arps, Slate, Meagher & Flom
David Skeer '39
Barry C. Skovgaard '80
Cynthia A. Sliva '79
Dana H. Smith '77
John F. Smith '51
Michele E. Smith '79
Milan D. Smith, Jr. '69
Tefft W. Smith '71
William J. H. Smith '61
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William C. Snouffer '65
Jean M. Snyder '79
Harry B. Solmon, Jr. '34
Kenneth J. Solomon '67
Rayman L. Solomon '76
*Brad M. Sonnenberg '82
S. Charles Sorensen, Jr. '69
Southeast Bank
John A. Spanogle, Jr. '60
William H. Speck '42
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*Priscilla C. Sperling '79
Ann E. '72 and James E. Spiotto '72
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Zev Steiger '64
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Wallace J. Stenhouse '55

Irving Stenn '27
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Herbert J. Stern '61
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Stanley M. Stevens '73
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John I. Stewart, Jr. '75
Joyce and Melvin Stullman
#Thomas P. Stullman '68
#Barbara J. Stob '81
Paul M. Stokes '71
Preble Stolz '39
Sherwin J. Stone '50
John A. Strain '74
Strasburger & Price
Benjamin A. Streeter III '79
Stephen F. Stroh '72
Stinson W. Stroup '73
Carl W. Struby '74
Barbara Strugala
Dale M. Stucky '45
Student Loan Marketing Association
Leslie A. Stulberg '78
#Barry '74 and Winnifred F. Sullivan '76
Marshall A. Susler '55
John E. Sype '39
Seymour Tabin '40
#James E. Tancula '82
Karen L. Tarrant '73
Kenneth M. Taylor '79
Ilene Temchin '71
Texas Instruments
Theodore L. Thau '34
Nicholas C. Theodorou '82
*William H. Thomas '32
Joseph J. Ticktin '33
John J. '73 and Ricki R. Tigert '76
Joseph E. Tinkham '33
Peter N. Todhunter '37
Erwin A. Tomaschoff '61
Philip R. Toomin '26
#Helen M. Toor '82
Towers, Perrin, Forster & Crosby, Inc.
Forrest L. Tozer '48
John B. Truskowski '70
André Tunc
#David S. Turetsky '82
Roger '76 and Sally
Damon Turner '76
Michael R. Turoff '64
Robert E. Ulbricht '58

Henry J. Underwood,
Jr. '69
Union Carbide
Educational Fund
Union Pacific
Corporation
United Technologies Corporation
Thomas Unterman '69
Upjohn Company
U.S. Fidelity and
Guaranty Company
Edward E. Vail '65
Varian Associates
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Edwin A. Wahlen '48
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Elizabeth L. Werley '79

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#Daniel P. Westman '81
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Frederic J. White '38
#Gilbert F. White
Carlotta N. and Curtis R. Wick
Robert H. Wier '59
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Howard M. Wilchins '69
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Garth D. Wilson '80
Grover C. Wilson '19
*James G. Wilson '74
Daniel M. Winograd '73
Arthur Winoker '60
Bobbie Jo Winship '78
Andrew J. Wistrich '76
*Thomas A. Witt '77
Arthur Wolf '22
Neal L. Wolf '74
Nathan Wolfberg '34
Marc O. Wolinsky '80
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Frank J. Wrobel '44
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Julius Y. Yacker '58
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Donald J. Yellon '48
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Joel Yohalem '62
Joe C. Young '66
Rowland L. Young '48
Arthur W. Zarleno '49
Harry S. Zelnick '80
Mary Gump Ziegler '76
Bernard Zimmerman '70
Dudley A. Zinke '42
Barry L. Zubrow '80
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<td>1929</td>
<td>Samuel J. Benjamin, Claire T. Driscoll, Bernard L. Edelman, Sam S. Hughes, Clyde L. Korman, Harold S. Laden, Fred H. Mandel, Robert McDougal, Jr., Willard T. Orr, Lester Plotkin, Louis Sevin, David B. Shapiro, Arnold I. Shure, Robyn Wilcox</td>
</tr>
</tbody>
</table>

†Deceased.
*Restricted gift.
†Restricted and unrestricted gift.
1933
Milton S. Applebaum
J. K. Blackman
Charles W. Board
David C. Bogert
Benjamin M. Brodsky
Bernard D. Cahn
Robert E. English
Elmer C. Grage
A. Russell Griffith
Ben Grodsky
George L. Hecker
John N. Hughes
Stanley A. Kaplan
David C. Kenyon
Harold Krueley
Morris I. Leibman
Donald P. McFadyen
Robert H. O'Brien
Anne C. Robertson
Sanford B. Schulhofer
Robert L. Shapiro
David F. Silverwzeg
Joseph J. Ticktin
Theodore D. Ticken
Joseph E. Tinkham

1934
Joseph J. Abbell
Burton Aries
John P. Barnes
Florence Broady
Edwin H. Cassels, Jr.
Cecelia L. Corbett
Harold Durschlag
John N. Fegan
Brimson Grow
Samuel R. Hassen
Joseph L. Mack
Roland C. Matthies
Benjamin Ordower
James L. Porter
Kenneth C. Prince
Arthur Y. Schulson
Harry B. Solmon, Jr.
Theodore L. Thau
Raymond Wallenstein
Nathan Wolfberg
Charles D. Woodruff
Charles B. Mahin
Allan A. Marver
Stanley Mosk
Bernard Sang
Sam Schoenberg
Maurice S. Weigle
James L. Zacharias
Joseph T. Zoline

1936
Herbert C. Brook
Harold W. Huff
Carroll Johnson
Donald R. Kerr
John M. Knowlton
Robert E. Levin
Solaman G. Lippman
Herman Odell
Herbert Portes
Raymond L. Rusnak
Donald F. Schumacher
Erwin Shafer
Blanche B. Simmons
Alfred B. Teton
Jerome S. Wald

1937
Sherman M. Booth, Jr.
Kurt Borchardt
Max Davidson
Elaine H. Emery
William Emery
Edward D. Friedman
Frank L. Gibson
Isadore Goffen
Arthur I. Grossman
Elmer M. Heifetz
Earl G. Kunz

1938
Irwin J. Askow
Roger A. Baird
John P. Barden
Walter F. Berdal
Ernest A. Brown
Marcus Cohn
Robert A. Crane
George T. Donoghue, Jr.
Bert Ganzer
Zalmon S. Goldsmith
Henry L. Hill
Warren R. Kahn

1939
Irving I. Axlerad
Paul M. Barnes
John A. Eckler
Stanley K. Fish
Melvin A. Garretson
Richard D. Hall
Morton J. Harris
Arthur O. Kane
Sidney Z. Karasik
Thomas L. Karsten
Harriet J. Levin
William A. Runyan
David Skeer
J. S. Stroud
John E. Sype

1940
Morris B. Abram
Fred C. Ash
Jack G. Beamer
Thad R. Carter
Frances B. Corwin
John H. Gilbert, Jr.
A. Eugene Grossmann, Jr.
E. Houston Harsha
1941
Walter J. Blum
William M. Brandt
Mabel W. Brown
Sherman P. Corwin
Francis C. Dougherty
Howard G. Hawkins, Jr.
J. Gordon Henry
Delome B. Hollins
Byron E. Kabot
Jerome S. Kitzin
Alexander I. Lowinger
* Robert H. Mohlman
Jerome Moritz
John N. Shephard

1942
John W. Broad
George J. Cotisilos
Maurice Fulton
Charlotte B. Hamilton
Robert H. Harlan
John B. Howard
Robert B. Hummel
*Lorenz F. Koerber, Jr.
William W. Laiblin
Philip R. Lawrence
Harry J. Levi
Arthur M.
Oppenheimer
Russell J. Parsons
Donald Ridge
George W. Rothschild
Paul W. Rothschild
Louis M. Shapera
William H. Speck
Dudley A. Zinke

1943
Stanley L. Cummings
E. Ernest Goldstein
I. Frank Harlow
Norman E. Jorgensen

1944
*Dino J. D’Angelo
George B. Pletsch
Frank J. Wrobel

1945
Ralph B. Ettlinger
*Raymond G. Feldman

1946
* Nancy Feldman
George W. Overton, Jr.
Barrington D. Parker

1947
Edward F. Barnicle, Jr.
Stuart Bernstein
Laurence A. Carton
Jacob L. Fox
Theodore G. Gilinsky
Harold Goldberg
Ruth G. Goldman
Ernest Greenberger
Donald M. Hawkins
John Korf
Howard R. Koven
Richard A. Mugalian
Paul Noelke
David Parson
S. Dell Scott
Charles L. Stewart, Jr.
Robert A. Taub
Maynard I. Wishner

1948
Thomas R. Alexander
Robert M. Boyer
Charles M. Constantine
John A. Cook
James H. Evans
Eliza McCormick Feldzen:
S. Goodman
Harold P. Green
Lawrence Howe
Julius M. Lehrer
James N. Lesparre
Leonard Lewis
James T. Lyon
Arthur C. Mayer
Robert A. McCord
Donald R. Newkirk
Raymond M. Norton
*Charles E. Pitte, Jr.
Richard C. Reed
James W. Sack
Nancy M. Sherman
Allen M. Singer
Harold J. Spelman
Charles D. Stein
Forrest L. Tozer
James Van Santen
Edwin A. Wahlen
Morley Walker
Jacob B. Ward
Robert L. Weiss
Bernard B. Weissbourd
Ira T. Wender
Marshall W. Wiley
* William W. Wilkow
Kenneth E. Wilson

1949
Theodore M. Asner
McKibben Brunn
David W. Burnet
Ralph J. Coletta
Sheldon O. Collen
Jack Corinblit
Robert W. Crowe
Michael J. Cullen
Richard G. Dinning
Urchie B. Ellis
Daniel Fogel
Mildred J. Giese
Frank Glazer
Samuel D. Golden
R. Howard Goldsmith
Harry E. Groves
Theodore J. Herst
Frank B. Hubachek, Jr.
Jerald E. Jackson
Eugene M. Johnson
Norman Karlin
Abe Krash
* Sidney I. Lezak
Walter S. Maker
Elson D. Maynard
James J. McClure
Mordecai M. More
John A. Morris
John J. Naughton
*Richard M. Orlikoff
Mildred G. Peters
Victor S. Peters
Henry W. Phillips
Margaret Rosenberg
Joseph P. Roth
Antonio R. Sarabia
James H. Shimberg
Bernard H. Siegan
Arnold A. Silvestri
Bert E. Sommers
LeMoine D. Stitt
Robert S. Weber
Donald H. Weeks
Vytold C. Yasus
Arthur W. Zarlingo
John E. Zimmerman

1950
L. Howard Bennett
William R. Brandt
Dean Breeze
Naomi S. Campbell
Donald J. Dreyfus
S. Richard Fine
Arnold M. Flamm
Raymond N. Goetz
Edwin H. Goldberge
J. William Hayton
Jordan J. Hillman

1951
*Howard Adler, Jr.
*Paul J. Allison
John Borst, Jr.
Harold H. Bowman
* Robert Bronstein
* F. Ronald Buosci
*David G. Clarke
Michael Conant
* Fred J. Dopheide
* Howard W. Edmunds
*Charles Ephraim
* Alvin Foss
* Wendell E. Godwin
Fritz F. Heimann
*Maynard J. Jaffe
*Dirk W. Kitzmiller
*Laurence R. Lee
Charles A. Lippitz
*Marshall E. Lobin
Marshall L. Lowenstein
*Marvin W. Mindes
*Joseph Minsky
* Robert M. Mummey
M. Thomas Murray
*Edward H. Nakamura
Karl F. Nygren
* Alfred M. Palfi
* Thomas L. Palmer
Eustace T. Piakas
Dan R. Roin
Paul A. Rosenblum
* Charles F. Russ, Jr.
* Robert G. Schoerb
John F. Smith
Gerald S. Specter
*Sheldon R. Stein
Thomas R. Sternau
*William J. Welsh
*Frederick G. White

1952
* Robert S. Blatt
Raymond W. Busch
Allan M. Caditz

1983
Arlind F. Christ-Janer  
*James T. Gibbons  
Harry Golter  
*Julian R. Hansen  
Edgar A. Harcourt  
#C. J. Head  
#Elizabeth B. Head Leo Herz  
*Maurice H. Jacobs  
Lowell H. Jacobson  
Jack Joseph  
*Davi V. Kahn  
*Burton W. Kanter  
Edgar E. Lungren, Jr.  
Stephen I. Martin  
William O. Newman  
Calvin Ninomiya  
James D. O'Mara  
*Alexander H. Pope  
*A. Bruce Schimmel  
*Richard F. Scott  
Marshall Soren  
Randolph A. Warden  
*Roger A. Weiler  
*Bernard Weisberg  
*Edwin P. Wiley  
Thomas W. Yoder

1953  
Jean Allard  
Jost J. Baum  
Robert H. Bork  
John W. Bowden  
Ralph E. Brown  
James R. Bryant, Jr.  
Robert V. R. Dalenberg  
Harry N. D. Fisher  
Merrill A. Freed  
David H. Fromkin  
Leon Gabinett  
#David L. Ladd  
Daniel E. Levin  
Robert S. Milinkel  
Robert Morton  
Alexander Polikoff  
Laurence Reich  
John R. Williams

1954  
Boris Auerbach  
Gregory B. Beggs  
Renato Beghe  
David M. Brenner  
Alan R. Brodie  
Hugh A. Brodky  
James E. Cheeks  
Louis J. Cohn  
Arthur L. Content  
Gilbert A. Cornfield  
Raymond W. Ewell  
Leo Feldman  
Raymond W. Gee  
George Kaufmann  
John W. Klooster  
George S. Lundin  
Lewis V. Morgan, Jr.  
Robert E. Nagle, Jr.  
Daniel G. Reese  
Ellis I. Saffier  
Edwin H. Shanberg  
Jay L. Smith  
Hubert Thurschwell  
Lee J. Vickman

1955  
Norman Abrams  
Charles T. Beeching, Jr.  
Jack D. Beem  
Richard L. Boyle  
Hugh A. Burns  
Roger C. Cranton  
Vincent L. Diana  
Joseph N. DuCanto  
Donald M. Ephraim  
A. Daniel Feldman  
Keith E. Fry  
Michael S. Gordon  
John R. Grimes  
George M. Joseph  
†Robert J. Kutak  
Adrian Kuyper  
Robert M. Lichtman  
Joseph S. Lobenthal, Jr.  
Carlton F. Nadelhoffer  
Thomas L. Nicholson  
Bernard J. Nussbaum  
William J. Reinker  
Leonard D. Rustein  
Henry C. Steckelberg  
Wallace J. Stenhouse  
Marshall A. Susler  
Kenneth S. Tollett  
Alan S. Ward  
Harold A. Ward III  
Standau E. Weinbrecht  
Michael A. Wyatt

1956  
Harry T. Allan  
Ingird L. Beal  
John M. Bowles  
Langdon A. Collins  
Joseph Davis  
Charles A. Docter  
William L. Foreman, Jr.  
B. Mark Fried  
Gerald F. Giles  
Lewis R. Ginsberg  
Lorraine Goldberg  
Solomon Gutstein  
Richard K. Hooper  
Michael L. Igoe, Jr.  
Ernest K. Kohler  
Clyde W. McIntyre  
George Miron  
Marshall A. Patner  
Marvin E. Pollock  
Robert C. Poole  
Lawrence Rubinstein  
Marvin Sacks  
Donald M. Schindel  
Preble Stolz  
O. James Werner  
Allen T. Yarowsky

1957  
John M. Alex  
Ronald J. Aronberg  
Stuart B. Belanoff  
Richard B. Berryman  
Stanley B. Block  
Herbert L. Caplan  
Miriam L. Chesslin  
Robert C. Claus  
Kenneth W. Dam  
John D. Donley  
Joseph DuCoeur  
C. Curtis Everett  
Carl B. Frankel  
Barbara V. Fried  
Ernest B. Goodman  
Robert M. Green  
Alden Guild  
David S. Helberg  
†Gordon E. Insley  
Janice M. Jacobson  
Daniel E. Johnson  
P. Richard Klein  
Howard G. Krane  
Peter D. Lederer  
Louis V. Mangrum  
Robert N. Navratil  
Dallin H. Oaks  
Sidney L. Rosenfeld  
Peter K. Sivasian  
Payton Smith  
#Harry B. Sondheim

1958  
Charles R. Andrews  
James E. Beaver  
Edward A. Berman  
William W. Brackett  
Charles R. Brainard  
Richard W. Burke  
Ernest G. Crain  
J. Stephen Crawford  
Charles F. Custer  
Allen C. Engerman  
Ward Farnsworth  
William W. Fulmer  
Francis J. Gerlits  
Robert C. Gobelman  
James C. Goodale  
Donald M. Green  
Richard W. Hemstad  
Charles E. Hussey II  
Kent E. Karolh  
William S. Kaufman  
David Y. Klein  
Ralph B. Long  
Fred R. Mardell  
Oral O. Miller  
Wayne E. Peters  
Robert L. Reineke  
John A. Ritsher  
Frederic P. Roehr III  
Terry Satinover  
John G. Satter, Jr.  
Ronald L. Tondiandel  
Robert E. Ulrich  
Julius Y. Yacker

1959  
George V. Bobrinseky, Jr.  
Jeanne S. Bodfish  
Matthew E. Brislaw  
Kenneth V. Butler  
Pauline C. Corthell  
Robert L. Doan  
Robert H. Gerstein  
John V. Gilhooly  
Gerald Goodman  
Kenneth S. Haberman  
Kenneth Howell  
William T. Huber  
John Jubinsky  
Darrell D. Kellogg  
L. Hugh Kemp  
Sinclair Kossoff  
Frederic S. Lane  
Mark S. Lieberman  
Robert J. Martineau  
Frank D. Mayer, Jr.  
Joseph A. Murphy  
Melvin S. Newman  
C. David Peebles  
Eric S. Rosenfield  
George L. Saunders, Jr.  
Gloria P. Sentner  
Stanley M. Wanger  
Robert H. Wier
1962
Barry M. Barash
Allan E. Biblin
#Martin F. Bloom
Richard W. Bogosian
David S. Chernoff
Robert E. Don
James A. Donohoe

1961
George P. Blake
Philip L. Bransky
Lorenz Q. Bryn Palestin
Craig E. Castle
James C. Conner
Donald C. Dowling
William S. Eaton
Donald E. Egan
Richard R. Edleste
Robert G. Evans
Richard C. Fox
Gabriel E. Gedvila
Haldon K. Grant
Richard R. Harter
Paul H. Haige
Richard A. Heise
Donald L. Janis
Thomas N. Jersild
M. Leslie Kite
Charles E. Kopman
Richard Langerman
Donald A. Mackay
Lawrence P. Nathan
Michael Neussbaum
Richard N. Ogle
S. Richard Pincus
Jerry Pruzan
*Stephen A. Schiller
Larry Scroggins
Calvin Selfridge
William J. H. Smith
Herbert J. Stern
Erwin A. Tomaschoff
Donald M. Wessling

1963
Alexander C. Allison
John D. Boilger, Jr.
George F. Bruder
Charles P. Carlson
Ronald S. Cope
David L. Crabb
Terry D. Diamond
Donald E. Elishburg
Barry E. Fink
Paul J. Galanti
George W. Gessler
Anthony C. Gilberg
Sheldon M. Girser
Marvin Gitter
Burton E. Glazov
Gene E. Godley
James J. Granby
Thomas M. Haney
Richard A. Hodge
Noel Kaplan
Robert M. Leone
Thomas M. Mansager
Michael J. Marks
James C. Marlas
Allan B. McKittrick

1964
Terence J. Anderson
Gilbert F. Asher
Melinda A. Bass
Lawrence G. Becker
Gerald C. Cohn
Josef D. Cooper
L. Jorn Dakin
John D. Daniels
Joseph N. Darweesh
Samayla D. Deutch
Robert J. Donnellan
Frank C. Dunbar III
Richard I. Fine
Linn C. Goldsmith
William S. Hanley
Larry K. Harvey
Harold L. Henderson
David I. Herbst
John D. Hertzler
J. R. Horton
George B. Javara
Kenneth G. Johnson
Robert V. Johnson
Malcolm S. Kamin
Sidney Kaplan
Richard M. Kates
Richard G. Kinney
*Lillian E. Kraemer
Warren Lehman, Jr.
David E. Mason
Laurel J. McKee
John T. McMillan
James J. McNamara
Allen J. Nelson
Kenneth B. Newman
*Alan R. Orschel
Gerald M. Penner
David L. Porter
Stuart G. Rosen
Thomas A. Ross
David B. Sarver
Frederick R. Schneider
Robert L. Seaver
Mitchell S. Shapiro
William L. Sharp

1965
Dennis R. Baldwin
Gordon A. Becker II
W. Donald Boe, Jr.
Andy L. Bond
Michael E. Braude
Frank Cicero, Jr.
John T. Conlee
James M. Cowley
Seymour H. Dussman
Charles L. Edwards
William J. Essig
Bruce S. Feldacker
Gail P. Fels
Sherman D. Fogel
Frank E. Forsythe
Roger R. Fross
John A. Gale
Joseph H. Golant
Robert J. Goldberg
Robert W. Gray
Daniel B. Greenberg
Janice C. Griffith
Joel L. Handelman
Patrick H. Hardin
Carl A. Hatch
Willis E. Higgins
Lawrence T. Hoyle, Jr.
Phillip E. Johnson
Chester T. Kamin
Peter P. Karasz
Daniel P. Kearney
Gerald S. Klein
Michael B. Lavinsky
David M. Liebenthal
Merle W. Loper
Thomas A. McSweeney
David B. Midgley
Peter J. Mone
Thomas D. Morgan
Stuart C. Nathan
Thomas E. Nelson
Mitchell J. New-Delman
Kenneth P. Norwico
David C. Nyberg
Daniel R. Pastace
Kenneth L. Pursley
John A. Rossmeissl
Walter S. Rowland
John L. Runf
Bernard A. Schilke
Mary M. Schroeder
Milton Schroeder
Lloyd E. Shefsky

Martin P. Sherman
Donald S. Shire
Stephen M. Slavin
Zev Steiger
Curtis L. Turner
Michael R. Turoff
Martin Wald
Michael G. Wolfson
Peter B. Work

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<table>
<thead>
<tr>
<th>Year</th>
<th>Authors</th>
</tr>
</thead>
<tbody>
<tr>
<td>1969</td>
<td>Mark N. Aaronson, Melvin S. Adess</td>
</tr>
</tbody>
</table>
1971

Gerardo M. Boniello
Peter W. Bruce
#Walter S. Carr
Joann L. Chandler
Martin R. Cohen
Jonathan Dean
Alan J. Farber
Richard S. Frase
#Marjorie E. Gelb
#Jeffrey S. Goddess
Jeffrey S. Goldman
James Hedden
Margaret Hedden
Walter Hellerstein
George A. Hisert, Jr.
Randolph N. Jonakait
#Jean Kamp
George G. Martin
Terry A. McLroy
Shelley M. Mercer
James W. Paul
*Lee T. Polk
Lawrence E. Rubin
Robert P. Schmidt
Herbert R. Schulze
Alan F. Segal
Paul M. Shupak
Mark B. Simons
Richard A. Skinner
#Ronald W. Staudt
Robert J. Stucker
John B. Truskowski
Francis E. Vergata
#James P. Walsh
L. Mark Wine
Bernard Zimmerman

1972

*Anonymous (1)
Mary D. Allen
Samuel M. Baker
David C. Bogan
*Steven Bowen
Michael A. Braun
#Alys Briggs
Joseph J. Bronesky
John J. Buckley, Jr.
James E. Burns, Jr.
*George J. Casson, Jr.
Michael Chubrich
David R. Clapper
Harlan M. Dellsy
John A. Erich
Howard G. Ervin III
Deborah C. Franczek
David J. Gerber
Don E. Glieckman
*Virginia M. Harding
Alan J. Howard
Betty C. Jacobs
John G. Jacobs
Marian Slutz Jacobson
Jerald A. Kessler
Richard A. Kruk
James P. Lansing
James T. Leak
#Michael S. Luros
J. Kenneth Mangum
John W. Mauck
Michael L. McCluggage
Albert Milstein
*Donna M. Murasky

1973

Anonymous (2)
*Anonymous (1)
Larry A. Abbott
#David Achtenberg
Joseph Alexander
Simon Aronson
*Frederick E. Attaway
Mary L. Azcuenga
Michael F. Baccash
*Gary H. Baker
*Robert S. Berger
Steve A. Brand
*Roger T. Brice
Jean W. Burns
Ronald Carr
Rick R. Cogswell
*Stephen A. Cohen
*John Collins
Rand L. Cook
John R. Crossan
Christopher C. DeMuth
Frank H. Easterbrook
Edna S. Epstein
*Jerry Everhardt
Douglas H. Ginsburg
*Jerald H. Goldberg
Matthew B. Gorson
*Dennis C. Gott
Howard O. Hagen
M. Jean Hamm
Geoffrey R. Handler
*Thomas Harding
Steven L. Harris
*Carolyn J. Hayek
#Raymond P. Hermann
Thomas C. Hill
Irene S. Holmes
Oliver Holmes
Richard P. Horn
Leland E. Hutchinson
Kirk B. Johnson
Michael F. Jones

1974

Franklin G. Allen III
#Margaret D. Avery
James M. Ball
#Sheldon I. Banoff
*James E. Bartels
*Philip H. Bartels
#Clinton R. Batterson
Frederick W. Bessette
Keith H. Beyler
James L. Blomstrom
Joseph Bolton
Richard J. Bronstein
*Stephen R. Buchenroth
John E. Burns
Benon T. Caswell
John M. Clear
Michael G. Cleveland
Rudolph F. Dallmeyer
Nathan H. Dardick
Darrell L. DeMoss
Geoffrey G.
Dellenbaugh
Judith L. Dowdle
#John P. C. Duncan
Patrick J. Ellingsworth
Peggy L. Kerr
Peter Kontio
*Douglas M. Kraus
Lawrence C. Kuperman
*H. Douglas Laycock
Delos N. Lutton
Bruce R. MacLeod
Richard P. Matthews
Donald T. McDougall
Timothy V. McGree
Henry J. Mohrman, Jr.
*Mitchell J. Nelson
*Ellen C. Newcomer
*Willard P. Ogburn
*Daniel B. Pinkert
James C. Pratt
*Steven Rosen
David L. Ross
Gerald G. Saltarelli
Marvin S. Schaar
*Michael Schatzow
*Thomas E. Schiek
Kenneth R. Schmeichel
Marc P. Seidler
Stewart R. Shepherd
Darryl O. Solberg
Robert M. Star
Stanley M. Stevens
Stinson W. Stroup
*Karen L. Tarrant
Mary M. Thomas
John J. Tigert
William H. Tobin
Thomas C. Walker
Neil S. Weiner
E. Kent Willoughby
Daniel M. Winograd
Wayne S. Gitmartin
Walter C. Greenough
David A. Grossberg
#Catherine P. Hancock
Ann Rae Heitland
#Barry W. Homer
#Susan K. Jackson
#John J. Jacobsen, Jr.
#Ruth E. Klarman
Alan M. Koral
Harvey A. Kurtz
Leslie L. Larson
Jeffrey P. Lennard
Deborah J. Lisker
William F. Lloyd
#Christine M. Luzzie
James M. Miller
Robert B. Millner
*David E. Morgans
*Henry M. Ordower
Hugh M. Patinkin
Gloria C. Phares
Nicholas J. Pritzker
Greg W. Renz
*Richard L. Schmalbeck
Michael S. Shooler
David A. Schwartz
David A. Shipley
*Richard F. Spooner
Robert S. Stern
John I. Stewart, Jr.
David S. Tenner
#George Vernon
#George Volsky
Robert F. Weber
Eugene R. Wedoff
Kenneth S. Weiner
Edward E. Wicks
#Edward G. Wierzbicki
Russell L. Winner
George H. Wu

Anthony E. Harris
James M. Harris
Peter D. Heinz
Morris P. Hershman
Kenneth C. Hoogeboom
*Roger M. Huff
*Joel M. Hurwitz
Robert L. Jolley, Jr.
Anne G. Kimball
Christopher M. Klein
George Kovac
#Donald J. Liebentritt
Mitchell J. Lindauer
Richard M. Litzman
Frederick V. P. Lochbihler
Joseph D. Mathewson
Marcia A. McAllister
Brian J. McCollam
#Jack S. Meyer
Alison W. Miller
Samuel S. Mullin
Richard C. Nehls
Michele L. Odorizzi
Thomas J. Pritzker
Philip E. Recht
#Leonard Rieser
Mark R. Rosenbaum
Jeffrey B. Schamis
Kenneth C. Shepro
Timothy Shouvelin
John D. Shuck
Rayman L. Solomon
Steven G. M. Stein
#Winnifred F. Sullivan
Michael J. Sweeney
Ricki R. Tigert
Roger Turner
Sally D. Turner
#Jeffrey D. Uffner
John A. Wasburn
Andrew J. Wistrich
#David C. Worrell
#Mark C. Zaander
Mary G. Ziegler

H. Anderson Ellsworth
*Norden S. Gilbert
Louis B. Goldman
*Howard H. Greengard
Michael R. Hassan
#Ellen Higgins
James M. Hirshchorn
Kathleen J. Hittle
James E. Honkisz
Glenn S. Howard
Ted R. Jadwin
#John M. Kimpel
Keith A. Klopfenstein, Jr.
Herbert W. Krueger, Jr.
Roy F. Lawrence
Robert W. Linn
Alan H. Maclin
Joan C. Maclin
#Lucinda O. McConathy
James B. McHugh
Raymond M. Mehler
Michael Mills
#Michael H. Mobbs
Michael R. Moravec
Franklin Nachman
Martha S. Nachman
#Daniel J. Niehans
William Z. Pentelovitch
Michael E. Pietzsch
Cary N. Polikoff
Michael Quass
Stephen N. Roberts
Matthew A. Rooney
Michael A. Rosenhouse
Glenn E. Schreiber
Donald Schwartz
Susan J. Schwartz
Mark L. Shapiro
#Leonard S. Shifflett
John A. Strain
Carl W. Strubay
#Barry Sullivan
Marc R. Wilkow
#James G. Wilson
#Erich P. Wise
#Susan A. Wise
Neal L. Wolf

1975
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<td>† Herman D. Smith #Lois Bull</td>
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## Special Gifts

**Books Donated to the Law Library**
- Richard I. Badger '68
- Walter J. Blum '41
- Kenneth W. Dam '57
- Leon M. Depres '29
- Frank H. Easterbrook '73
- Richard Harris '62
- Burton W. Kanter '52
- Stanley A. Kaplan '33
- Edmund W. Kitch '64
- Peter Krehel '51
- Bernard D. Meltzer '37
- Keith I. Parson '37
- David L. Passman '67
- Arnold I. Shure '29
- George J. Stigler
- Geoffrey R. Stone '71
- Gordon Tullock '47
- Clifford L. Weaver '69
- Matthew E. Welsh '37
- Irving T. Zemans '29
- Franklin E. Zimring '67
- Much, Shelist, Fried, Ament & Dennenberg

**Flower Garden Fund**
- Leo J. Carlin '19

**Oriental Carpet**
- Lawrence B. Ordower
- Mark R. Ordower '66
- Henry M. Ordower '75

**Refurnishing Alumni Conference Room**
- Burton W. Kanter '52
- Stanley A. Kaplan '33
- Edmund W. Kitch '64
- Peter Krehel '51
- Richard D. Melzer '37
- Keith I. Parson '37
- David L. Passman '67
- Arnold I. Shure '29
- George J. Stigler
- Geoffrey R. Stone '71
- Gordon Tullock '47
- Clifford L. Weaver '69
- Matthew E. Welsh '37
- Irving T. Zemans '29
- Franklin E. Zimring '67
- Much, Shelist, Fried, Ament & Dennenberg

**VOLUME 29/FALL 1983**
E. Donald Elliott, Associate Professor of Law at the Yale Law School, has been appointed Visiting Associate Professor of Law for the 1984-85 academic year. After graduating from Yale (B.A., 1970; J.D., 1974), Mr. Elliott clerked for Judge Gerhard Gesell of the U.S. District Court, and for Judge David Bazelon of the U.S. Court of Appeals for the District of Columbia Circuit. From 1976 until his appointment to the Yale faculty in 1980, Mr. Elliott was associated with the Washington law firm of Leva, Hawes, Symington, Martin and Oppenheimer. Mr. Elliott’s interests include environmental law, administrative law, complex litigation, and common law fields.

Leo Herzel and Stephen M. Shapiro, both partners in the Chicago law firm of Mayer, Brown and Platt, will be Lecturers in Law during the 1984 spring quarter. They will teach a seminar in securities litigation with Professor Frank Easterbrook. Mr. Herzel is a senior corporate lawyer at Mayer, Brown and Platt, which he joined after graduating from law school in 1952. He attended the University of Iowa (A.B., 1947), the London School of Economics (1947-48), the University of Illinois (M.A., 1949), and the University of Chicago Law School (J.D., 1952), where he was editor-in-chief of the University of Chicago Law Review. He is the author of numerous articles on banking, corporate law, securities law, and litigation subjects. Mr. Shapiro is a graduate of Yale College (B.A., 1968, magna cum laude) and Yale Law School (J.D., 1971), where for two years he served on the board of editors of the Yale Law Journal. After graduation, he clerked for Judge Charles M. Merrill of the U.S. Court of Appeals for the Ninth Circuit. He joined Mayer, Brown and Platt in 1972. For the past five years he has been in Washington, serving first as assistant to the solicitor general and, since 1981, as deputy solicitor general of the United States. He recently returned to Chicago to resume practice at Mayer, Brown and Platt. Both Mr. Herzel and Mr. Shapiro are members of Phi Beta Kappa.

James F. Holderman, a partner in the Chicago law firm of Sonnenschein, Carlin, Nath and Rosenthal, has been appointed Lecturer in Law for the autumn quarter of 1983. He will teach a seminar on major civil litigation. An experienced litigator, Mr. Holderman was assistant U.S. attorney for the Northern District of Illinois from 1972 to 1978. In that post he twice received the Justice Department’s Special Commendation Award for Outstanding Service and, in his final year, the Director’s Award for Superior Performance. He is a graduate of the University of Illinois and of its College of Law (J.D., 1971), where he was managing editor of the University of Illinois Law Forum. After graduation he clerked for Chief Judge Edward J. McManus of the U.S. District Court, Northern District of Iowa.

Prentice H. Marshall, U.S. District Judge of the Northern District of Illinois, has been appointed Lecturer in Law for the winter and spring quarters, 1984. Judge Marshall is a graduate of the University of Illinois (B.S., 1949; J.D., 1951), which he attended after two years of service in the U.S. Navy and one year at Carroll College. While in law school, he was elected to the Order of the Coif and was note editor for the University of Illinois Law Forum. After graduation, he clerked for Judge Walter C. Lindley of the U.S. Court of Appeals, Seventh Circuit. From 1953 to 1960 he was associated with the Chicago law firm of Johnson, Thompson, Raymond and Mayer; and he then became a partner in Raymond, Mayer, Jenner and Block (now Jenner and Block). In 1967 he joined the faculty of the University of Illinois College of Law, where he was professor of law at the time of his appointment to the bench in 1973.

Bigelow Teaching Fellows
Each year six Bigelow Teaching Fellows and Lecturers are appointed to design and conduct the legal research and writing program for first-year students. The Fellows for 1983-84 are as follows: Neal R. Feigenson is a graduate of Harvard Law School (J.D., 1980). He received his B.A. summa cum laude in 1977 from the University of Maryland, where he majored in history. During the summer of 1978 he worked as a research and editing assistant for the Harvard Civil Rights—Civil Liberties Law Review, and during the following summer he practiced at the New York law firm of Schulte and McGoldrick. He was associated with Widett, Slater and Goldman, P.C., in Boston from 1980 to 1982. He is a member of Phi Beta Kappa.

Aaron Gershonowitz has been an associate with the New York law firm of Webster and Sheffield since 1980. He received his B.A. summa cum laude in 1977 from the University of Pittsburgh and his J.D. in 1980 from the George Washington University National Law Center, where he served as notes editor of the Law Review. Mr. Gershonowitz worked as a law clerk in the summer of 1979 at Stoppelman and Rosen in Washington, D.C. He is a member of Phi Beta Kappa and the Order of the Coif.

Alan R. Madry is a graduate of the University of Michigan, where he received his B.A. cum laude in 1974 and his J.D. magna cum laude in 1981. Between college and law school, he worked at the Burroughs Corporation in Detroit preparing manuals and teaching courses on architecture and operation of large computers; he spent a year as a freelance technical writer; and in 1977 he was supervisor of documentation for Manufacturing Data Systems, Inc. in Ann Arbor. Mr. Madry has clerked for Chief Judge John Feikens of the U.S. District Court for the Eastern District of Michigan and, in 1982-83, for Judge Pierce Lively of the U.S. Court of Appeals for the Sixth Judicial Circuit.

Joan E. Ruttenberg is a graduate of the University of Illinois (B.A., 1978, summa cum laude) and Harvard Law School (J.D., 1982, cum laude). She is a member of Phi Beta Kappa. Her previous employment includes four months in 1978 as editorial assistant and intern at ISIS Suisse in Geneva and Rome, a Public Advocates internship in San Francisco in the summer of 1981, and a position as tutor in the First Year Writing Tutorial Program at
Harvard Law School in 1982. During the past year Ms. Ruttenberg served as law clerk to Judge Francis D. Murnaghan, Jr., of the U.S. Court of Appeals for the Fourth Circuit.

Lorraine A. Schmall graduated from the University of Illinois at Chicago Circle (B.A., 1971), where she majored in English. After serving for a year with VISTA and teaching English at Christian Fenger High School in Chicago, she earned an M.S. (1974) in educational psychology at Columbia University's Teachers College. She then served as a director of Operation Head Start in Pennsylvania and subsequently worked in remedial reading programs in Maryland and Virginia. In 1978 she began her studies at the George Washington University National Law Center and received her J.D. in 1981 (she completed her final semester at the University of Chicago Law School). Ms. Schmall is currently associated with the Chicago law firm of Baum, Sigman and Gold. She is a member of the Order of the Coif.

Debra K. A. Slade, a native of Canada, has been studying law on a Rhodes Scholarship at Magdalen College, Oxford. She graduated from the University of Manitoba (B.A., 1978; M.A., 1981), where she served on numerous student committees and was elected president of the Student Union in 1979. Her awards include the Richardson Scholarship for Arts in 1979, a Gold Medal in physics, and a grant from the Social Sciences and Humanities Research Council of Canada for research in England on Blake's illuminations during the summer of 1980. In 1981 Ms. Slade was a teaching assistant in the Department of English at the University of Manitoba.

FACULTY NOTES

Walter Blum, Wilson-Dickinson Professor of Law and the Committee on Public Policy Studies, has been appointed to the American Bar Association's commission on taxpayr compliance.

Last spring Dennis Carlton, Professor of Economics, gave a seminar entitled "A Reexamination of Delivered Pricing" at the Federal Trade Commission and at the University of Rochester. He also participated in a conference on futures markets, held at Columbia University in June.

During the past summer Gerhard Casper, William B. Graham Professor of Law and Dean of the Law School, visited Israel as one of several American law school deans invited to meet with justices of the Supreme Court, legal scholars, and political leaders from government and opposition parties.

Following his stay in Israel, Dean Casper chaired the three-week session on American law and legal institutions of the Salzburg Seminar at Schloss Leopoldskron in Salzburg, Austria. Mr. Casper previously taught at Salzburg in 1979. Last year David Currie, Harry N. Wyatt Professor of Law, was a member of the Salzburg faculty. The 1983 faculty included Judge Robert Bork, J.D. '53, of the U.S. Court of Appeals for the District of Columbia Circuit; Deputy Solicitor General Paul Bator, who was a Visiting Professor of Law at the Law School in 1978-79; and Professor Walter van Gerven, president of the Belgian Banking Commission, who was a Visiting Professor in 1968-69. Emily Nicklin, J.D. '77, who practices law in Chicago with the firm of Kirkland and Ellis, was one of a handful of young American lawyers assisting the faculty in introducing a group of about 60 European lawyers to American legal institutions.

Sidney Davidson, Arthur Young Professor of Accounting, Graduate School of Business, and Lecturer in Law, was elected to the Accounting Hall of Fame for 1983. Each year one accountant—in practice, government, or academia—is elected. He was also elected as an academic governor and a member of the Board of Governors of the Hebrew University of Jerusalem.

Professor Frank Easterbrook has been elected to the American Law Institute. He delivered the Addison Harris Lecture at the University of Indiana Law School in Bloomington, on the subject of when judges should declare statutes inapplicable to disputes before them. He has been a member of the SEC's Advisory Committee on Tender Offers, which concluded its work in July. When the committee report was filed, he delivered a separate statement, arguing for deregulation of tender offers.

Richard Epstein, James Parker Hall Professor of Law, delivered a paper, "A Common Law of Labor Relations: A Critique of the New Deal Legislation," to a Yale Law School symposium in February and a workshop at the University of Michigan in April. He also gave a paper, "Agency Costs, Employment Contracts, and Labor Unions," at the seventy-fifth anniversary celebration of the Harvard Business School. Mr. Epstein was a panelist at the AALS Conference on teaching the Law of Torts, held at Boston College Law School in June; and at the Liberty Fund Seminar at Wabash College in August, he delivered lectures on products liability, defamation, and labor law.

On June 8 and 9, Assistant Professor Diane Wood Hutchinson attended luncheons in Houston and Dallas with Assistant Dean Holly Davis. She described the Law School's offerings in international law and briefly summarized her research into extraterritorial applications of U.S. law, especially antitrust law. She has recently completed an article on class actions, which considers the extent to which such actions are truly representative litigation and the extent to which they are only joiner devices.

Stefan Krieger's Regulatory Practice Project at the Mandel Legal Aid Clinic has been awarded a grant of $22,500 by the Department of Education for 1983-84. Students in the project represent low-income individuals and community organizations in regulatory proceedings before the Illinois Commerce Commission. During the last year, the project has successfully petitioned the commission for a rule concerning utility reconnection practices; has challenged numerous credit and collection procedures of local utilities; and has developed an "early warning system" with the commission to notify tenants of planned shut-offs of utility service due to the landlord's failure to pay the bill. This year the project will develop teaching materials and preparation methods for the examination of expert witnesses and for mid-case planning in complex regulatory cases.
On June 2, John Langbein, Max Pam Professor of American and Foreign Law and Russell Baker Scholar, appeared on national television on PBS's "The MacNeil/Lehrer Report." The program was devoted to the problems of expense and complexity in civil litigation. Mr. Langbein emphasized the need for a "loser pays" rule for the allocation of attorneys' fees and other litigation costs, as a deterrent to frivolous claims and adversary contumacy. He observed that every other legal system in the Western world, both continental and English-derived, has a general loser-pays rule. Mr. Langbein was recently elected to the American Law Institute.

Bernard Meltzer, Distinguished Service Professor of Law, spoke at the induction last spring of Alfred Teton, J.D. '36, as a judge of the Circuit Court of Cook County.

Professor Gary Palm spent three days in February evaluating the clinical program at Washburn University Law School in Topeka, Kansas. He made a principal presentation entitled "Teaching Mid-Case Planning" to the Clinical Teachers Training Conference of the Association of American Law Schools in New Orleans in April.

Adolf Sprudzs, Foreign Law Librarian and Lecturer in Legal Bibliography, finished his term as secretary of the International Association of Law Libraries (IALL) on June 30, 1983. He will continue to work with the IALL for the 1983-86 term as a member of its board of directors, and he will also continue as associate editor of the International Journal of Legal Information. At the American Association of Law Libraries Institute on International Law and Business, held at the University of Texas School of Law in Austin in June, Mr. Sprudzs was one of the invited faculty experts and lectured on foreign treaty research. Among his latest publications, co-authored with Professor Igor I. Kavass of Vanderbilt University Law School, are A Guide to the United States Treaties in Force, 1982 edition, part 1, and the Current Treaty Index for 1983 (both published in 1983 by William S. Hein Co.).

In April, Professor Geoffrey Stone delivered the Cutler Constitutional Law Lecture at the Marshall-Wythe School of Law of the College of William and Mary. He spoke on "Contract Regulation and the First Amendment."

On June 24, the U.S. District Court entered a partial, final judgment in Parks v. Pavkovic, a class action filed by Mark Weber, Staff Attorney and Clinical Fellow, and students of his in the Mandel Legal Aid Clinic. The case concerns the rights of handicapped children to a free public education. The judgment requires the State of Illinois and the Chicago Board of Education to end their practice of failing to pay a portion of the cost of residential schooling for the profoundly disabled children who need it. It also requires reimbursement of parents who paid the uncovered costs themselves. Senior law students involved in the case were Binny Miller '83 and Timothy Diggins '83. Opinions in the case are reported at 536 F. Supp. 296 (N.D. Ill. 1982) and 557 F. Supp. 1280 (N.D. Ill. 1983).

Franklin Zimring, Karl N. Llewellyn Professor of Jurisprudence and Director of the Center for Studies in Criminal Justice, served on the five-member editorial board of the Encyclopedia of Crime and Justice, recently published by Macmillan Publishing Co. Designed for a wide general audience, the four-volume encyclopedia is the first comprehensive reference work on the subject.

LAW SCHOOL NEWS
President of Court of Justice of the European Community Visits Law School.

J. Mertens de Wilmars, president of the Court of Justice of the European Community, was a guest of the Law School from May 20 through May 24. During his visit he gave two lectures to Visiting Associate Professor Peter S. Behren's class in law of the European Community. In his first lecture President Mertens de Wilmars spoke on the case law of the Court of Justice in relation to the review of the legality of economic policy in mixed-economy systems; in the second, he discussed the rules of interpretation and their importance for the application of community law.

Mandel Clinic Wins Award

The Chicago Council of Lawyers presented the Edmund F. Mandel Legal Aid Clinic with an award at the group's annual luncheon on October 5. The text of the award commended the clinic for "twenty-five years of distinguished legal service to Chicago's south-side community and for teaching countless law students how to practice law in the real world." The award was accepted by Professor Gary H. Palm, director of the clinic.
Tony Patino Fellowship

Two first-year students, Richard Morgan and Joseph Cancila, were selected on September 30 as the first two recipients of Tony Patino Fellowships at the Law School. The Fellowships provide $5,000 per year and are renewable in the second and third years. A selection committee, chaired by former U.S. Supreme Court Justice Arthur Goldberg, interviewed several students in the first-year class before selecting Mr. Morgan and Mr. Cancila. Other members of the committee were James McGarry, a partner with the New York City firm of Choate, Moore, Hahn and McGarry; Dallin Oaks '57, Justice of the Utah Supreme Court; Clifford Phillips, a lawyer from Beverly Hills, California; Alexander Polikoff '53, Executive Director of BPI in Chicago; and Margaret Rosenheim '49, former Dean and Helen Ross Professor of Social Welfare Policy, School of Social Service Administration, and Lecturer in Law at the Law School.

The Fellowships have been established by Mrs. Francesca Turner in memory of her son Antenor Patino, Jr., who died in 1973 while attending the University of California, Hastings College of Law. The Fellowship Program began at Hastings several years ago. Joseph H. Golant '65 of Romney, Golant, Martin, Disner and Ashen in Los Angeles, has been involved in the Fellowship Program and was instrumental in having it expanded this year to include students at Chicago.

The Fellowships are designed to support students whose personal and academic history shows leadership, good moral character, citizenship, motivation and initiative. Demonstration of these qualities in public service activities is an important factor in the selection process. Richard Morgan is a 1981 graduate of Duke University. While at Duke he was active in the Big Brother Program and received the Durham Community Service Award for three years. Following graduation he spent two years as Headmaster of the Makhokho Secondary School in Kenya. His responsibilities there included administration, teaching and construction projects for the school. Joseph Cancila received his undergraduate degree from the University of Dayton in 1974 and a Masters of Public Administration from Syracuse University in 1976. Prior to entering the Law School he spent six years working for the City of Dayton, Ohio in various professional capacities. His most recent position was Superintendent of Neighborhood Affairs, supervising a community relations staff of 28 people.

First Harry Kalven Prize Awarded to Hans Zeisel

The Law and Society Association, at its annual meeting in Denver, conferred its first biennial Harry Kalven Prize on Hans Zeisel, Professor Emeritus of Law and Sociology, and Mr. Kalven's long-time friend and collaborator. The prize is awarded to honor scholarship that has contributed most effectively to the advancement of research on law and society.

Faculty Honored for Recent Books

D. Francis Bustin Prizes for 1983 have been awarded to Norval Morris, Julius Kreeger Professor of Law and Criminology, for his book Madness and the Criminal Law, and to Hans Zeisel, Professor Emeritus of Law and Sociology, for his book The Limits of Law Enforcement. The prizes have been made possible by the D. Francis Bustin Educational Fund for the Law School and are awarded to members of the University of Chicago Law School and/or students at the Law School in recognition of scholarly and scientific contributions to improving the processes of our government. Both Mr. Morris's and Mr. Zeisel's books were published in 1982 by the University of Chicago Press.

Levi Receives ISBA Award

Edward H. Levi, Glen A. Lloyd Distinguished Service Professor and President Emeritus, was the recipient of the Illinois State Bar Association's first Highest Distinguished Service Award at the group's annual meeting June 24 in St. Louis. The award was given in recognition of Mr. Levi's work in the fields of law and government.

Dam Named to AAAS

Kenneth Dam, the Harold J. and Marion F. Green Professor in International Legal Studies and currently U.S. deputy secretary of state, was named a Fellow of the American Association for the Advancement of Science at its annual meet-
ing last spring. Fellows of the Association are members "whose efforts on behalf of the advancement of science or its applications are scientifically or socially distinguished." Mr. Dam also received an honorary degree in June from the New School for Social Research.

**Comparative Law Put into Practice**

California's new holograph statute incorporates a suggestion made by John Langbein, Max Pam Professor of American and Foreign Law and Russell Baker Scholar, in a law review article. California's new law is expressly patterned on the German law as Mr. Langbein expounded it in "Substantial Compliance with the Wills Act" (88 Harv. L. Rev. 489, 512 [1975]). There has been a voluminous California case law on whether holographic wills with omitted or abbreviated dates are void for violation of the requirement of California law that holographs be "entirely written, dated, and signed" in the testator's hand. Although the Uniform Probate Code of 1969 recommended abolishing the dating requirement entirely, the California statute takes a middle path, establishing that an undated holographic will is invalid "if failure results in doubt as to whether its provisions or the inconsistent provisions of another will are controlling." In recommending the substance of the new law, the California Law Revision Commission quoted from Mr. Langbein's article and noted his conclusion that "[t]he German statute shows that useful formal requirements such as dating need not be eliminated if the proponents are permitted to validate a defective instrument by proving that the defect is functionally harmless."

**Alumni Conference Room Refurnished**

A donation in honor of Benjamin Ordower '34 and his wife Rita, by their children, has enabled the Law School to refurbish the Alumni Conference Room, adjoining the Green Lounge. The room, which contains the piano donated last year by members of the class of 1951, is open for use by faculty, staff, and students of the Law School.

**Stuart Macaulay Named Malcolm Pitman Sharp Professor**

Professor Stewart Macaulay of the University of Wisconsin law faculty, who was a Bigelow Teaching Fellow at the Law School in 1956-57, was appointed to a chair by the Wisconsin Regents last June. Professor Macaulay has taught at the University of Wisconsin Law School since 1957 and is a nationally recognized expert on the law of contract.

An unusual feature of the professorship is that its recipient may name it, and Professor Macaulay chose to be the Malcolm Pitman Sharp Professor of the University of Wisconsin, thus honoring the man who served as a preeminent scholar at both the University of Wisconsin and the University of Chicago law schools. Malcolm Sharp was a member of the Law School faculty from 1933 to 1966.

**Edith Lowenstein Scholarship Established**

Through a bequest in her will, the late Edith Lowenstein '39 has provided the Law School with the Edith Lowenstein Scholarship. This full-tuition scholarship is to be awarded each year to a needy law student who shows promise of becoming a good lawyer through intelligence, character, and general education. The award will be made on the basis of the student's performance during the first year of law school.

A native of Cologne, Germany, Miss Lowenstein was educated at Heidelberg and in the United States, at the University of Chicago Law School (J.D., 1939). After becoming a U.S. citizen, she was admitted to the Bar in Illinois and New York in 1939. The editor for many years of Interpreter Releases, Miss Lowenstein was an advocate for immigrants to this country. She was National Chairman of the Association of Immigration and Nationality Lawyers and served for many years on the board of directors of the American Immigration and Citizenship Conference. She was chairman of the Committee on Immigration and Nationalization of the Bar of the City of New York and was a frequent lecturer, writer, and teacher on immigration and nationality issues. Miss Lowenstein died on June 14, 1980.

**StUDENT NOTES**

**Special Law Review Issue Marks Fiftieth Year**

The University of Chicago Law Review celebrated its fiftieth anniversary this summer by publishing a special issue that included articles by most Law School faculty members and was designed to show the variety of their interests. Matthew Slater '83, who was editor-in-chief...
of the volume, explained, "There are a lot of people doing a lot of different things, and this is an opportunity to show it. Really, an anniversary is an occasion to look inward as well as outward." The first volume of the Law Review was published in 1933, 29 years after the Law School began. Before that, the University of Chicago had joined with Northwestern University and the University of Illinois in producing The Illinois Law Forum.

The anniversary volume, at 550 pages, is nearly twice the size of the usual quarterly review, and the articles are both shorter and less formal than the usual submissions. Among the 20 articles contained in the issue are a legal analysis of the air traffic controllers’ strike by Bernard Meltzer and Cass Sunstein, an argument against the proposed school prayer amendment by Geoffrey Stone, a study of domestic violence by Franklin Zimring, an evaluation of the Supreme Court caseload by Philip Kurland and Dennis Hutchinson, a theoretical justification for prohibiting blackmail by Richard Epstein, and humorous discussions of insignificant Supreme Court justices by David Currie and Frank Easterbrook.

Federalist Society Active

The University of Chicago Federalist Society is a group of approximately 40 law students. Formed in the winter of 1981, it hosts a variety of speakers and discussion meetings. During the past year speakers at society meetings have included Professors Owen Fiss of Yale Law School and Frank Easterbrook and Geoffrey Stone of the Law School speaking on "The Jurisprudence of Justice Rehnquist"; John Cannon '61 of the Mid-America Legal Foundation discussing "Free Enterprise Public Interest Law"; and Professors Dennis Hutchinson and Cass Sunstein speaking on "Do Judges Rule? The Impact of the Legal Realist Movement."

In addition, the University of Chicago Federalist Society was the host for the second annual symposium of the national Federalist Society for Law and Public Policy Studies, a coalition of conservative law students, professors, and lawyers from around the country. The theme of the symposium, held April 8-10, was "Judicial Activism: Problems and Responses."

Speakers included Judge Robert Bork '53 of the U.S. Court of Appeals for the District of Columbia; Judge Richard Posner of the U.S. Court of Appeals for the Seventh Circuit, who is Senior Lecturer at the Law School; and Deputy Solicitor General Paul Bator discussing the proper scope of judicial decision making; Solicitor General Rex Lee '63 and Professor William Kristol discussing roles of courts and legislatures; Judge Antonin Scalia of the U.S. Court of Appeals for the District of Columbia and Professor Cass Sunstein speaking on judicial review of executive decisions; and Justice Dallin Oaks '28 of the Supreme Court of Utah speaking on judicial activism from a state court perspective.

BALSA Dinner

BALSA, an organization of black Law School students, held its annual dinner April 9, 1983. The speaker for the evening was Carol Mosley-Braun '72, the Democratic state representative for the twenty-fifth district.

LSA Officers Chosen

The Law School Student Association recently elected officers for the 1983-84 academic year. Denise Harvey was chosen president; third-year representatives are Mark Gerstein, Joan Lesnick, Matt Lewis, Stu Litwin, and Tony Swanagan; second-year representatives are Mindy Block, Sharon Epstein, Julie Kunce, Margo Ross, and Paul Theiss; and the Chicago Bar Association representative will be Robin Friedman.

Four To Clerk in Supreme Court

Charles Curtis Michael Herz Richard Kapnick

Four Law School graduates have been chosen as clerks for 1984-85 by justices of the U.S. Supreme Court. Charles Curtis '82, who received his A.B. from Harvard University, will clerk for Justice Brennan. He served as clerk to Judge David Bazelon of the U.S. Court of Appeals for the District of Columbia in 1982-83. Michael Herz '82, a graduate of Swarthmore College, will clerk for Justice White for the second year of his two-year clerkship in the U.S. Supreme Court. In 1982-83, Mr. Herz clerked for Judge Levin Campbell of the U.S. Court of Appeals for the First Circuit. Richard Kapnick '82, who received his undergraduate degree from Stanford, will be clerking for Justice Stevens. He is presently completing a two-year clerkship for Justice Seymour Simon of the Illinois State Supreme Court. Lynda Simpson '82, who was an undergraduate at The College of William and Mary, will clerk for Justice Powell. Ms. Simpson is currently serving as clerk for Judge Almya Kearse of the U.S. Court of Appeals for the Second Circuit.

All four graduates held key positions on the editorial board for volume 49 of the Law Review. Charles Curtis was editor-in-chief, Michael Herz was comment editor, Richard Kapnick was managing editor, and Lynda Simpson was executive editor.
Clerkships

Thirty-five Law School graduates have clerkships for 1983-84. Their names and the judges for whom they are clerking are as follows:

United States Supreme Court
- Michael Herz '82 (Justice Byron White)*

United States Courts of Appeals
- Peter Altabef '83 (Judge Patrick Higginbotham, 5th Cir.)
- Jack Beermann '83 (Judge Richard Cudahy, 7th Cir.)
- Michael Brody '83 (Judge Antonin Scalia, D.C. Cir.)
- Sheri Engelken '83 (Judge John Godbold, 11th Cir.)
- Ethan Friedman '83 (Judge Patrick Higginbotham, 5th Cir.)
- Gary Friedman '83 (Judge Wilbur Pell, 7th Cir.)
- Michael Gerhardt '82 (Judge Gilbert Merritt, 6th Cir.)
- Thomas Kelly '83 (Judge Edward Becker, 3rd Cir.)
- Michael Lazerwit '83 (Judge Henry Friendly, 2nd Cir.)
- Lee Liberman (Judge Antonin Scalia, D.C. Cir.)
- Michael Lindsay '83 (Judge Richard Posner, 7th Cir.)
- Rebecca Meriwether '83 (Judge Donald Russell, 4th Cir.)
- William Schwartz '83 (Judge John Butzner, 4th Cir.)
- Ronald Schy '83 (Judge Richard Posner, 7th Cir.)
- Lynda Simpson '82 (Judge Amalya Kearse, 2nd Cir.)
- Matthew Slater '83 (Judge Carl McGowan, D.C. Cir.)
- Edward Wahl '83 (Judge Gerald Heaney, 8th Cir.)

United States District Courts
- William Bier '83 (Judge Glenn Mencer, W.D. Penn.)
- John Browning '83 (Judge William Bertschman, E.D. Ken.)
- Martha Davis '83 (Judge James Moody, N.D. Ind.)
- Timothy Diggins '83 (Chief Judge Andrew Caffrey, Mass.)
- Gregory Farnham '83 (Judge Harold Greene, D.C.)
- Alan Gussin '82 (Judge Susan Getzendanner, N.D. Ill.)*
- Patrick Longan '83 (Judge Bernard Decker, N.D. Ill.)
- David Lucey '83 (Judge Pamela Rymer, C.D. Cal.)
- Binny Miller '83 (Judge Barrington Parker, D.C.)
- James Santelle '83 (Judge Robert Warren, E.D. Wisc.)
- Laura Schnell '83 (Chief Judge Jack Weinstein, E.D. N.Y.)

State Supreme Courts
- Terry Arbit '83 (Justice Charles Levin, Mich.)
- James Finberg '83 (Justice Charles Levin, Mich.)
- Richard Henderson '83 (Justice Lawrence Yetka, Minn.)
- Richard Kapnick '82 (Justice Seymour Simon, Ill.)*
- Maris Rodgon '83 (Justice Seymour Simon, Ill.)
- Steven Teplensky '83 (Justice Charles Levin, Mich.)

* appointed for two-year clerkship

Gail Peek '84 and William Engles, Jr. '85, winners of the 1983 Hinton Moot Court Competition, held May 10, 1983. Winners of the Karl Llewellyn Memorial Cup for excellence in brief writing and oral argument were Mark Gerstein '84 and Will Montgomery '84.
Alumni Events Around the Country

The Alumni Association sponsored a luncheon for Washington, D.C. area graduates on May 17. Following lunch, the Deputy Secretary of State Kenneth Dam addressed the group. Also attending from the Law School was Dean Gerhard Casper.

At a luncheon in Boston on June 20, Professor Richard Epstein discussed "The Paradox of Defamation." The luncheon was held at Purcell's, a Boston landmark.

Graduates and friends of the Law School attending the ABA meetings in Atlanta were invited to a reception sponsored by the Law School. Professor Phil C. Neal spoke at the reception, which was held at the Rizzoli Bookstore and Gallery in the Omni Complex.

The Los Angeles chapter of the Alumni Association sponsored a luncheon at the California State Bar meeting. Judge David Rothman '62 of the Los Angeles Superior Court addressed the group.

Judge Abner Mikva '51 gave a talk to Washington, D.C. area alumni at a luncheon on September 23. He spoke on "An Eye for an Eye and Other New Ideas in Penology."

Clinic Twenty-Fifth Anniversary Reception

On June 1, the Law School celebrated the twenty-fifth anniversary of the Mandel Legal Aid Clinic. More than one hundred alumni and friends of the clinic attended the reception held at the East Bank Club. Dean Gerhard Casper and Gary Palm, Professor and Director of the clinic, briefly spoke about its history. Judge Henry Kaganiec, the first director of the clinic, was also in attendance.

Alumnus Elected President of U.N General Assembly

The Law School's only Panamanian graduate, Jorge Enrique Illueca '56, was recently elected president of the thirty-eighth session of the U.N. General Assembly. Winning by a comfortable margin, Mr. Illueca, who is the vice president of Panama, became the first president of the Assembly ever to serve simultaneously as vice president of a nation.

In 1964 Mr. Illueca was special ambassador to the United States to begin negotiations for a new Panama Canal treaty. In Panama he has been a member of the national legislature, a professor of law, the head of a major newspaper, and a cattle rancher.

Chicago Events

The Loop Luncheon Series held monthly at One First National Plaza continues to attract capacity crowds of alumni. On April 27, Judge Susan Getzendanner of the U.S. District Court, Northern District of Illinois spoke on "A View from the Bench."

In May, Professors Dennis Carlton, William Landes, and Phil C. Neal discussed "The Application of Economics to Anti-Trust Litigation." Justice Stanley Mosk of the California Supreme Court, an alumnus of the Law School, spoke in June about "State Constitutionalism."

The luncheon series resumed in September after its summer hiatus with a discussion by William Ware '75, Chief of Staff for Mayor Harold Washington, entitled "Conflict and Reform: Will the City Survive."

Other luncheons scheduled for the fall included a discussion of "Dispute Resolution Alternatives to Litigation" by Judge Benjamin Mackoff and Joel Henning on October 19, and a discussion of "Race and Our Crowded Prisons" by Norval Morris, Julius Kreeger Professor of Law and Criminology, on November 30.

More than 100 Law School alumni joined other University of Chicago alumni at a private viewing of The Vatican Collections: The
Papacy and Art on August 19. Following the tour, President Hannah Gray, Dean Gerhard Casper, and Assistant Dean Holly Davis joined alumni at a reception held at the University Club.

Kutak Award Established
The Board of Governors of the American Bar Association has authorized the Section of Legal Education and Admissions to the Bar to establish the Robert J. Kutak Award for outstanding contributions to the improvement of legal education. The award will consider the contribution to the development of the profession in its public service aspects; the extent to which the candidate has contributed to the integration of the academic, the judge, and the practitioner into a single profession; and the extent to which the candidate has contributed to excellence in the legal profession, particularly in regards to legal education.

Robert J. Kutak ’55 served the section of Legal Education and Admissions to the Bar as a member of the Council from 1976 until his death in February 1983.

Hofeld New ISBA President
Albert F. Hofeld ’64 was installed as the president of the Illinois State Bar Association at the group’s annual meeting June 24 in St. Louis. He is the third youngest president in ISBA history. Mr. Hofeld recently stepped down as president of the Illinois Trial Lawyers Association, and is a member of the American College of Trial Lawyers and the House of Delegates of the American Bar Association. His Chicago law firm concentrates on personal injury cases.

Judge Teton was formerly with the Chicago firm of Gottlieb and Schwartz.

Milton Herman received an honorary degree (LLD) from The John Marshall Law School in June 1982.


Philip M. Glick delivered the fifth annual H. Wayne Pritchard Lecture during the Soil Conservation Society of America’s thirty-seventh annual meeting in New Orleans last fall. His lecture was published in the September/October issue of the Journal of Soil and Water Conservation. Mr. Glick is an attorney in Chevy Chase, Maryland.

Kenneth C. Prince, Judge of the Circuit Court of Cook County, recently completed his term as chairman of the Illinois Institute for Continuing Legal Education.

Orville E. Ross celebrated his seventy-first birthday in June. He writes that his wife gave him an interesting present, a book entitled The Best Lawyers in America. Mr. Ross is listed in Hawaii under “Creditors’ and Debtors’ Rights.”

Alfred Teton was sworn in as a judge of the Circuit Court of Cook County on March 28, 1983.

Charles Russ, Class Secretary, 1820 W. 91st Place, Kansas City, MO 64114. The class scholarship fund has raised gifts and pledges of more than $15,600, and the first student will receive income from the scholarship this fall.

John Borst was elected general counsel of the Zenith Corporation.

Charles Ephraim became Of Counsel to Bob Kharash’s firm in Washington in September.
Class Notes Section – REDACTED

for issues of privacy
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Grover C. Wilson '19

'19 Grover C. Wilson writes from Hazard, Kentucky that he has been providing specialized legal services since 1960 and has recently published a book, Tell It Like It Is, that has met with a gratifying reception.

Irving R. Senn announces that he is now associated as counsel with the Chicago law firm of Arnstein, Gluck, Lehr, Barron and Milligan.

'29 Milton Hermann received an honorary degree (LLD) from The John Marshall Law School in June 1982.


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'47 S. Dell Scott was honored by The Guild of Children as their 1983 "Man of the Year" of the Foundation for the Junior Blind. Mr. Scott has been active with the Foundation for twenty years and now serves as vice president and a member of the board. The Foundation is a nonprofit organization based in Los Angeles that offers free services to blind as well as deaf children and young people. Dell Scott is a senior partner with Gillin, Scott, Alperstein and Glantz in Los Angeles and also serves as a member of the board of directors of the Metropolitan Water District of Southern California.

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