A Show of Hands
The Law School, Community Service, and the Spirit of Volunteerism

Volume 42, Spring 1996
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The Law School
The University of Chicago
FEATURES

Academic Freedom and Responsibility
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The Law School on the Web
The Law School's Web page continues to grow. New to the homepage: Professor Lawrence Lessig aided in setting up "Cyberspace Law for Nonlawyers," an e-mail Internet seminar. This low-traffic distribution list will post a new message every few days focusing on topics such as the basic principles and myths surrounding copyright law, free speech law, libel law, privacy law, contract law, and trademark law as they apply on the Net, from experts in the field of Cyberspace law. In addition, working papers presented at The University of Chicago Legal Forum seminar "The Law of Cyberspace" are available on the Legal Forum page. A complete list of Law School events has been added as well as faculty biographies, their pictures, and recent publications. All this and more can be found at http://www-law.lib.uchicago.edu/.
Academic Freedom & Responsibility

Each year, a member of the University's faculty is invited to deliver the Aims in Education Address to the entering students in the College. On September 24, 1995, Geoffrey R. Stone '71, provost of the University of Chicago and Harry Kalven, Jr., Distinguished Service Professor of Law, delivered the Aims of Education Address in Rockefeller Chapel. What follows are excerpts from his speech.

Although the struggle for academic freedom can be traced at least as far back as Socrates' eloquent defense of himself against the charge that he corrupted the youth of Athens, the modern history of this struggle begins with the advent of universities, as we know them today, in the twelfth century. In the social structure of the Middle Ages, universities were centers of power and prestige. They were protected, courted and even deferred to by emperors and popes. There were, however, sharp limits on the scope of intellectual inquiry, for there existed a hard core of authoritative established doctrine which was made obligatory on all teachers and students. It was expected that each new accretion of knowledge would be consistent with a single system of truth, anchored in God, and this expectation was often rigidly enforced by the Church, particularly when the authority of the Church itself was questioned.

As scholars and teachers gradually became more interested in science, and began to question some of the fundamental precepts of religious doctrine, the conflict between scientific inquiry and religious authority grew intense. When Copernicus published his astronomical theories in 1543, he did so very carefully, cleverly dedicating his work to the Pope himself and presenting his theories entirely in the guise of hypotheticals. Partly because of these precautions, his heretical publications did not immediately arouse much of a furor.

But by the time Galileo published his telescopic observations some 70 years later, the situation had changed. Galileo immediately was listed as a suspect in the secret books of the Inquisition and was warned that further discussion of the condemned opinion would have its dangers. Despite this warning, Galileo persisted in his work and, as a consequence, he was summoned to Rome, threatened with torture, compelled publicly to disavow his views, and imprisoned for the remainder of his life.

For the next several centuries, university life remained largely bounded by the medieval curriculum. Real freedom of thought was neither practiced nor professed. As one statement of the then prevailing ideal put the point, the teacher
was "not to . . . teach or suffer to be taught anything contrary to prevalent opinions."

This was the general attitude in America, as well as in Europe, and freedom of inquiry and teaching in America was severely limited by the constraints of religious doctrine. In 1654, for example, Harvard's president was forced to resign because he denied the scriptural validity of infant baptism. Harvard explained that it would not keep as teachers persons who had "manifested themselves unsound in the faith."

This was the prevailing attitude until the latter part of the 18th century, which saw a brief period of relative secularization as part of the Enlightenment. By opening up new fields of study, and by introducing a note of skepticism and inquiry, the trend toward secular learning began gradually to liberate college work.

The teacher of science introduced for the first time the discovery, rather than the mere transmission, of knowledge into the classroom.

This shift was short-lived, however, for the rise of fundamentalism in the early years of the 19th century, and a growing counterattack against the skepticism of the Enlightenment, produced a concerted and successful effort on the part of the Protestant churches to expand their

By Geoffrey R. Stone
influence and to tighten their control over intellectual and spiritual life. Thus, the American college in the first half of the 19th century was deeply centered in tradition. It looked to antiquity for the tools of thought and to Christianity for the laws of living. It was highly paternalistic and authoritarian. Its emphasis on traditional subjects, mechanical drill and rigid discipline stymied free discussion and stifled creativity.

Three factors in particular contributed to this environment.

First, the college professor of this era was regarded exclusively as a teacher. Because academic honors hinged entirely on teaching, there was no incentive or time for research or original thought. Indeed, it was generally agreed that research was positively harmful to teaching. In 1857, for example, a committee of Trustees of Columbia College attributed the low state of the college to the fact that some of its professors "wrote books."

Second, educators of this era generally regarded the college student as intellectually naive and morally deficient. "Stamping in," with all that phrase implies, was the predominant pedagogical method, and learning was understood to mean little more than memorization and repetitive, mechanical drill. Moreover, colleges of this era subjected their students to a dizzying array of rules and regulations that constrained and depressed student life. One university, by no means unique, prohibited any student to leave campus without permission, to sing or talk during the time dedicated to study, to play billiards or cards at any time, to associate with idle or "dissolute" persons, or — this is my favorite — to fiddle on Sunday. Needless to say, a college that regards its students as both gullible and depraved is unlikely to engender an atmosphere that even remotely resembles a marketplace of ideas.

Third, freedom of inquiry was smothered by the prevailing theory of "doctrinal moralism," which assumed that the worth of an idea must be judged by its moral value, an attitude that is, quite simply, anathema to intellectual inquiry.

The most important moral problem in America in the first half of the 19th century was, of course, slavery. By the 1830s, the mind of the South had closed on this issue. When it became known, for example, that a professor at the University of North Carolina was sympathetic to the anti-slavery 1856 Republican presidential candidate, the faculty repudiated his views, the students burned him in effigy, and the press demanded his resignation. Refusing to resign, he was dismissed by the trustees. There simply was no open discussion of the issue.

The situation in the North was only slightly better. Most Northerners distinguished sharply between those who condemned slavery in the abstract and those who supported immediate abolition. The latter often were silenced. A few northern institutions, however, were open centers of abolitionism, but they were no more tolerant than the South of opposing views. At Franklin College, for example, the President lost his post because he was not an abolitionist, and Judge Edward Loring was dismissed from a lectureship at the Harvard Law School because, in his capacity as a federal judge, he had enforced the fugitive slave law.

Between 1870 and 1900, there was a revolution in American higher education. Dramatic reforms, such as the elective system, graduate instruction and scientific courses, were implemented, and great new universities were established at Cornell, Johns Hopkins, Stanford and Chicago. New academic goals were embraced. To criticize and augment, as well as to preserve the tradition, became an accepted function of higher education. This was an extraordinary departure for a system that previously had aimed primarily at cultural conservation. Two forces in particular hastened this shift. The first was the impact of Darwinism. The second was the influence of the German university.

By the early 1870s, Darwin's theory of evolution was no longer a disputed hypothesis within the American scientific community. But as scientific doubts subsided, religious opposition rose. Determined efforts were made to hold the line by excluding proponents of Darwinism whenever possible. The disputes were bitter and often very public.

This conflict brought together like-minded teachers, scientists, scholars, and philosophers who believed in evolution and who developed new standards of academic inquiry. In their view, to dissent was not to obstruct, but to enlighten. The great debate over Darwinism went far beyond the substantive problem of whether evolution was true. It represented a profound clash between conflicting cultures, intellectual styles and academic values. In this conflict, science and education joined forces to attack both the principle of doctrinal moralism and the authority of the clergy.

A new approach to education and to intellectual discourse grew out of the Darwinian debate. To the evolutionists, all beliefs were tentative and verifiable only through a continuous process of inquiry. The evolutionists held that every claim to truth must submit to open verification; that the process of verification must follow certain rules; and that this process is best understood by those who qualify as experts.

The triumph of Darwinism shifted the educator's expectations of the student. To train students to comprehend and to explore the mysteries of nature was the new meaning of education. Education now was conceived as the leading out of the mind. It required the teacher to foster individual responsibility and the student to assume the risk of uncertainty. The pedagogical practice of rote recitation was replaced by the exploration of the laboratory and the advent of discussion and even debate as new forms of pedagogical discourse.

The other factor that played a critical role in the transformation of American higher education in the late 19th century was the influence of the German university. More than 9,000 Americans studied at German universities in the 19th century, and these students enthusiastically transported the methods and ideals of the German university into the United States.

The modern conception of a university as a research institution was in large part a German contribution. The object of the German university was the determined, methodical and independent search for truth, without regard to practical application. Such a vision of the research university attracted individuals of outstanding abilities, rather than mere pedagogues and disciplinarians, and this had an important impact on the nature
and quality of teaching, for professors who "wrote books" brought a freshness, a curiosity and a creativity to the classroom. The German professor and student enjoyed an unparalleled freedom of inquiry, and the German system held that this freedom was the essential condition of a university.

Although American canons of education were not receptive to this vision of a university in the first half of the 19th century, by the end of the century the old assumptions had been cast aside. The single greatest contribution of the German university to the American conception of academic freedom was the assumption that academic freedom defined the true university. As William Rainey Harper, the first president of the University of Chicago, observed at the turn of the century: "When for any reason . . . the administration of [a university] or the instruction in any . . . of its departments is changed by an influence from without, [or any] effort is made to dislodge an officer or a professor because the political sentiment or the religious sentiment of the majority has undergone a change, at that moment the institution has ceased to be a university. . . . Individuals or the state or the church may found schools for propagating certain special kinds of instruction, but such schools," Harper concluded, "are not universities."

Although American universities borrowed heavily from the German in this era, there evolved two critical differences between the American and German conceptions of academic freedom. First, whereas the German conception permitted the professor to convince his students of the wisdom of his own views, the American conception held that the proper stance for professors in the classroom was one of neutrality on controversial issues. As President Eliot of Harvard declared at the time: "Philosophical subjects should never be taught with authority. They are not established sciences; they are full of disputed matters, open questions, and bottomless speculations. It is not the function of the teacher to settle philosophical and political controversies for the pupil. . . . The notion that education consists in the authoritative inculcation of what the teacher deems true . . . is intolerable in a university."

The modern conception of a university as a research institution was in large part a German contribution. The object of the German university was the determined, methodical and independent search for truth, without regard to practical application.

Second, the German conception of academic freedom distinguished sharply between freedom within and freedom outside the university. Within the walls of the academy, the German conception allowed a wide latitude of utterance. But outside the university, the same degree of freedom was not condoned. Rather, the German view assumed that, as civil servants, professors were obliged to be circumspect and nonpolitical, and that participation in partisan issues spoiled the habits of scholarship.

American professors rejected this limitation. Drawing upon the more general American conception of freedom of speech, they insisted on participating actively in the arena of social and political action. American professors demanded the right to express their opinions even outside the walls of academia, even on controversial subjects and even on matters outside their scholarly competence.

This conception of academic freedom has generated considerable friction, for by claiming that professors should be immune, not only for what they say in the classroom and in their research, but also for what they say in public debate, this expanded conception essentially empowers professors to engage in outside political activities that can and sometimes do inflict serious harm on their universities in the form of disgruntled trustees, alienated alumni, and disaffected donors. Not surprisingly, the demand for such immunity often has strained both the tolerance of trustees and the patience of university administrators.

These issues were brought to a head in the closing years of the 19th century, when businessmen who had accumulated vast industrial wealth began to support universities on an unprecedented scale. For at the same time that trusteeship in a prestigious university was increasingly becoming an important symbol of business prominence, a growing concern among scholars about the excesses of commerce and industry generated new forms of research, particularly in the social sciences, that often were sharply critical of the means by which the trustee-philanthropists had amassed their wealth.

The moguls and the scholars thus came into direct and serious conflict in the final years of the 19th century. A professor was dismissed from Cornell for a pro-labor speech that annoyed a powerful benefactor, and a prominent scholar at Stanford was fired for expressing his views on the silver question, to cite just two of many possible examples. This tension
continued until the beginning of World War I, when it was eclipsed by an even larger conflict.

During the First World War, patriotic zealots persecuted and even prosecuted those who challenged the war or the draft. Universities faced the almost total collapse of the institutional safeguards that had evolved up to that point to protect academic freedom, for nothing in their prior experience had prepared them to deal with the issue of loyalty at a time of national emergency.

At the University of Nebraska, for example, three professors were discharged because they had "assumed an attitude calculated to encourage...a spirit of [indifference] towards [the] war." At the University of Virginia, a professor was discharged for disloyalty because he had made a speech predicting that the war would not make the world safe for democracy. And at Columbia, the Board of Trustees launched a general campaign of investigation to determine whether doctrines that tended to encourage a spirit of disloyalty were taught at the university.

This is not, of course, the end of the story, for I have not even touched upon more recent controversies, such as McCarthyism, the tensions of the Vietnam era, or the current debate over political correctness. But by 1920 the basic contours of academic freedom already were well defined, and several important themes had emerged. First, and perhaps most important, academic freedom is not a law of nature. It is a practical, highly vulnerable, hard-bought acquisition in the struggle for intellectual freedom. Second, the real threat to academic freedom comes, not from the isolated incident that arises out of a highly particularized dispute, but from efforts to impose a pall of orthodoxy that would broadly silence all opposition. Third, every form of orthodoxy that has been imposed on the academy — whether religious, political, patriotic, scientific, moral, philosophical or economic — has been imposed by groups who were fully convinced of the rightness of their position. And finally, with the benefit of hindsight and perhaps some objectivity, one can confidently conclude that every one of these groups has later come to be viewed by most thoughtful people as inappropriately intolerant, at best, and as inappropriately intolerant and wrong, at worst.

II.

So, what does all this have to do with you and with the University of Chicago? From its very founding, the University of Chicago has been at the forefront of the struggle to define and to preserve academic freedom. At the turn of the century, when universities across the nation faced bitter conflicts between their trustees and their professors over faculty views about social and economic conditions, the University of Chicago declared in no uncertain terms that the "principle of complete freedom of speech has from the beginning been regarded as fundamental in The University of Chicago" and that "this principle can neither now nor at any future time be called into question." Indeed, at the very height of these controversies, President Harper emphasized that: "Whatever may or may not have happened in other universities, in the University of Chicago neither the Trustees, nor the President, nor anyone in official position [may call] an instructor to account for any public utterances...A donor," Harper added, "has the privilege of ceasing to make his gift...but...he has no right to interfere with...the instruction of the university."

Half a century later the University confronted a direct threat to its academic integrity and independence. It was the age of McCarthy. In the spring of 1949, the infamous "Broyles Bills" were introduced in the Illinois legislature. These bills prohibited any person who was "directly or indirectly affiliated with any communist [or] communist front organization" to hold any governmental position, from dog catcher to school teacher, in the State of Illinois. A group of 106 students traveled to Springfield on buses chartered by the University of Chicago chapter of the Young Progressives of America to oppose this legislation. The students paraded through the streets of Springfield, chanted their opposition and, along the way, sat-in at a segregated lunch counter. The Illinois legislators were furious. One proclaimed that he would not send his "pet dog to the University of Chicago" and another asserted that "the students looked so dirty and greasy on the outside that they couldn't possibly be clean American on the inside."

From where we sit today, these words seem rather quaint, perhaps even ridiculous. They were not. These were dark and dangerous days. It was a perilous time to speak. Only a few days after the student demonstrations, Senator Broyles launched a formal investigation of the University of Chicago to determine the extent to which the University was infected by communism and harbored professors who indoctrinated students with subversive and "un-American" beliefs.

President Robert Maynard Hutchins was the first witness to testify before the Broyles Committee. Listen to what Hutchins had to say: "These students...were entirely right to disapprove of [the] pending legislation. The Broyles Bills are...in my opinion,...unconstitutional....It is now fashionable to call anybody with whom we disagree a Communist or a fellow-traveler....One who criticizes the foreign policy of the United States, or the draft,...or who believes that our military establishment is too expensive, can be called a fellow-traveler, for the Russians are of the same opinion. One who thinks that there are too many slums and too much lynching in America can be called a fellow-traveler, for the Russians say the same. One who opposes racial discrimination or the Ku Klux Klan can be called a fellow-traveler, for the Russians claim that they ought to be opposed."

"The faculty of the University," Hutchins continued, "is...one of the most distinguished in the world. [The] principal reason why the University has such a distinguished faculty is that the University guarantees its professors absolute and complete academic freedom. [It] has...been said that some of the faculty belong to so-called 'communist-front' organizations. [But] the University of Chicago does not believe in the un-American doctrine of guilt by association...."

"[As is well known," Hutchins added, "there is a Communist Club among the students of the University. [Its] members...are interested in studying Communism, and some of them, perhaps all of them, may be sympathetic towards Communism....[The]
policy of the University is to permit students to band together for any lawful purpose in terms of their common interests. This is conformable to the spirit of the Constitution of the United States. . . . The University asserts that the policy of education is better than the policy of repression. . . .

At the conclusion of the hearings, a petition bearing the names of 3,000 courageous University of Chicago students was submitted to the investigative committee. The petition read: "As students of the University of Chicago, we believe that the position of our University, which encourages and maintains the free examination of all ideas, is the strongest possible safeguard against indoctrination. Because we believe that this policy of academic freedom for both students and teachers is the best preparation for effective citizenship in the American tradition, we are confident that the people in the State and nation will join with us to encourage the freedom of the University of Chicago and to support it against attack."

I say these students were "courageous" because, in the perilous days in which they lived, they were taking a serious risk in putting their names to so "subversive" a statement. Indeed, the immediate reaction of Senator Broyles upon receiving the petition was to demand "to know . . . something about the signers, of the type of students" they are. "We shouldn't," he said, "accept just anything."

In the 1960s, the University of Chicago, like other universities, found itself buffeted by the storms of the Vietnam War. The University appointed a Committee, chaired appropriately by Professor Harry Kalven, to advise the community on the University's role in political and social action. The Kalven Report declared: "A university faithful to its mission will provide enduring challenges to social values, policies, practices, and institutions. . . . To perform [this] mission, a university must sustain an extraordinary environment of freedom of inquiry, . . . embrace, be hospitable to, and encourage the widest diversity of views, [and ensure] the fullest freedom for its faculty and students . . . to participate in political action and social protest."

In a radio address to America in 1931, George Bernard Shaw startled his audience with the following proposition: "Every person who owes his life to civilized society and who has enjoyed . . . its very costly protections and advantages should appear at reasonable intervals before a properly qualified jury to justify his existence, which should be summarily and painlessly terminated if he fails to justify it." I do not advocate such a program. But I do suggest that every one of us who enjoys the protections and advantages of our hard-won system of academic freedom has a responsibility to justify his existence under it.

There are several ways in which we can meet this responsibility. First, like the students of 1949, we can defend academic freedom when it comes under attack. Like every liberty that is precious to us, the preservation of academic freedom demands vigilance, independence and, sometimes, courage.

Second, we must struggle to define the meaning of academic freedom in our time. The concept of academic freedom is not self-defining. Each generation must give life to this concept in the special circumstances of its own conflicts. This is not as easy as you might think, for the arguments advanced for limiting academic freedom always are seductive. As Justice Holmes once observed, "persecution for the expression of opinion seems . . . perfectly logical."

At the turn of the century, for example, it would have been easy for universities to conclude, in the face of threats from philanthropists and trustees, that academic freedom covers only what professors and students say in their classrooms, not what they say beyond the four walls of the academy, and some did. And in the 1940s and 50s, it would have been easy for universities to conclude, in the face of threats from the McCarthys and the Broyles, that universities should not harbor teachers or students who associate with groups that the government has
The faculty of this University ask nothing of you that they do not also ask of themselves. Professor Gary Becker, Nobel Laureate in Economics, recently observed that "good research often fails." Remember that. Even the most gifted teacher and scholar suffers frustration and failure.

The faculty of this University ask nothing of you that they do not also ask of themselves. Professor Gary Becker, Nobel Laureate in Economics, recently observed that "good research often fails." Remember that. Even the most gifted teacher and scholar suffers frustration and failure. It is only by taking risks, by daring to ask questions no one else ever has asked, that real contributions are achieved. As John Gunther once observed, the University of Chicago "is a school that stands for... freedom of spurious inquiry, freedom to be a gadfly if necessary and freedom not only to be right but to take a chance on being wrong." If your professors ask you to take risks, know that they take risks as well.

But fulfilling the responsibility of academic freedom means more than challenging your classmates and your teachers; it also means challenging yourself. It means being willing to reconsider what you yourself have come to accept as true. You will learn here to ask the hard questions. But it is not enough to examine the premises, beliefs, and assumptions of an earlier time and find them wanting. It is too easy to dismiss those who thought that the earth was the center of the universe, that its resources were boundless, or that separate could ever be equal. You must remember that you, too, hold beliefs that your children or your children's children will rightly regard as naive, foolish, perhaps even obscene. You must be prepared to challenge your beliefs, to reform your world, to challenge the nature of things.

Edward Levi once noted that our faculty warmly welcome our students "because students are where the future lies." It is in this spirit that we welcome you. We hope you will find in these halls the air that Hutchins said is "electric" and that you will take away from this place a stimulation that will last the rest of your days. May your life's experiment be filled with curiosity, boldness and courage.
Last year, the Law Student Division of the American Bar Association honored the students of the University of Chicago Law School for their community and public service work by recognizing the Law School as the Public Interest Law School of the Year. The award lauded the nearly 94,000 hours the students donated last year to various public service activities and their efforts to bring community activism to the forefront at the Law School.

To fully appreciate the award, it is important to put it in the proper perspective. Unlike other institutions, the Law School does not require pro bono hours from its second- or third-year students as a prerequisite for graduation. Yet nearly half the students at the Law School make the effort to set aside a certain number of hours each week to active community involvement. As Dean of Student Affairs Ellen M. Cosgrove recently noted: "Most people feel incredibly fortunate to be at the University of Chicago Law School. There is a sense that one should give something back to the community. The students participate in these projects because they chose to participate, not because they are fulfilling a requirement. That spirit deserves recognition."

It is a spirit first kindled in 1957 with the founding of the Mandel Legal Aid Clinic. From the beginning, the Clinic was never short of students eager to participate in legal aid. The first year, under the chairmanship of A. Conrad Olson '58, the Clinic's Student Committee welcomed the interest of forty-seven volunteers. Throughout the years, that interest never waned; in fact, it grew so that beginning in the early 1970s Clinic participants had to be chosen by lottery for the limited number of positions.

In the early 1980s student involvement at the Law School began to grow at a rapid pace.
Since that time, seven separate student public interest organizations were founded. Three are associated with established national programs (Street Law, Volunteer Income Tax Assistance, and Work-A-Day) while the others are Chicago-born (Neighbors, Women's Clemency Project, Immigration and Refugee Law Project, and the Charity Auction). The common thread they share is that they were all initiated by students who saw needs they believed should be addressed.

In the pages that follow, we focus on these groups. The editor invites readers to look forward to a future issue of the Law School Record in which the Mandel Legal Aid Clinic, its impact on the community it serves, and the legal world will be profiled. For now, here are seven student-directed groups that earned the respect of the American Bar Association, the Law School, and the communities they serve.

**Street Law**

Street Law is the oldest of the student service organizations currently active at the Law School. Modeled after a successful program developed at the Georgetown Law Center, Street Law is a national program that forms a partnership between law schools and area public schools to expose high school students to the fundamentals of the law. Law school students volunteer to act as supplemental teachers in high school American History or American Government classes. They spend one hour each week with students. The program, available as an elective class to junior- and senior-age students, serves as an introduction to the purpose and effects of law in everyday life. The students utilize their own topics and imaginations to develop activities using group discussions, debates on current legal issues, and mock trials.

Street Law was introduced to the Law School in 1980 by Howard Heitner ’82 who was the president of the Law Students’ Association and had heard of the program’s success in other schools. “I knew it would be interesting project for us at the Law School,” Heitner says today. “I wrote away to the Street Law Foundation, received their material, and started the program right up.”

Heitner recalls that during the first year the program drew only two volunteers, Henry Schmeltzer ’82 and Daniel Levin ’81. However, the popularity grew steadily over the next few years. Today, over sixty law students teach approximately 350 students in twelve high school classes. Many of the students are first-year students. All the current board members participated in the program during their first year, including this year’s co-ordinator Jennifer Canel ’97. Ms. Canel believes the reason that law students return to the program every year is that it is rewarding to both the high school students and the law school volunteers.

“The kids are filled with ideas,” Canel says. “You learn so much from them. In fact, we feel the entire experience is as good or better for the Street Law teachers as it is for the high school students.”

“The best part of the program is not necessarily the actual subject matter but the ability to talk with students in a better student to teacher ratio than their teachers are allowed. It’s really great to see the students have a conversation on an current issue because, in our small groups, they can really listen to each other. Just to have inner city students say ‘I never met a lawyer before, do you think I could be that?’ is so wonderful. You can just see how engaged they were.”

**The Women’s Clemency Project**

The Women’s Clemency Project offers law students an opportunity to study legal

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**HENRY C. SCHMELTZER ’82**  
**PARTICIPANT, STREET LAW (1980)**

I became involved with the Street Law program in order to learn what it was like to teach. I was particularly interested in working with students from entirely different backgrounds. I had attended a private boys’ high school outside Washington, D.C., where most of the students were from privileged backgrounds. The high school at which I taught Street Law was located in a working class neighborhood, and the students generally had very different goals and aspirations from those of my high school classmates.

I had not taught prior to my work with the Street Law program and decided to use a modified Socratic method of teaching. Rather than simply repeating the contents of the text, I asked the students to think about situations and to present their views. Some of the students appreciated the fact that their thoughts were being considered while others were irritated at being bothered so early in the morning. By the end of the semester, most of the student were participating enthusiastically.

One student in particular stood out from the others. A senior in high school, she had received consistently high grades but had never considered college because no one in her family had attended before her. We discussed at some length college life and her fears that she would not be able to handle the pressures involved. She was extremely shy, but nonetheless, against her parents’ preferences, applied to and was accepted by DePaul University. She graduated four years later and became a legal assistant.

Street Law was one of the highlights of my years at the Law School.
problems associated with domestic violence. The project is presented to interested second- and third-year student in two components. First, students enrolled in the Domestic Violence seminar offered by Professor Mary Becker '80 study the causes of domestic violence, the legal system's response to the problem, and the controversy over the admissibility of evidence about the "battered woman syndrome" in defense of women who kill their abusers. Concurrently, students participate in an on-going statewide project that oversees the filing of clemency petitions in domestic violence cases. Students become members of teams preparing and filing petitions of clemency on behalf of a woman currently serving a prison sentence for killing or injuring her abuser. Each team consists of two students and an attorney who is either one of the seminar instructors or an attorney participating on a pro bono basis.

The program began in the spring of 1993 when students approached Professor Becker to discuss their interest in work involving women-oriented issues. "At one time, the Mandel Clinic did not do any work involving violence against women," Professor Becker says. "Their major projects focused on areas that didn't directly involve issues connected with women. So, a few students approached me to see what could be done in this area. We decided to hold a strategy session to discuss possible projects."

That strategy session not only included students and faculty from the Mandel Clinic but practicing attorneys involved in individual clemency petitions who wished to implement a statewide project dealing with large numbers of petitions. Thus, the Women's Clemency Project was born. From the beginning, the Project has focused on cases Professor Becker points with pride at the success the program has achieved on many levels. First, awareness in women-oriented legal issues, and domestic violence in particular, has grown among area law schools. Second, this interest is not restricted to female students alone, as each year a steady number of men have actively participated in the project.

Most importantly, the Clemency Project has seen success in its primary goal. A little over a year after that first meeting, Professor Becker and her students delivered to Illinois Governor Jim Edgar twelve clemency petitions they had assisted in drafting. Four of the women represented by the Project eventually were granted clemency.

The Project's work continues. Last year, among the eighteen petitions filed were twelve focusing on the cases the governor had denied clemency the year before. This year, Project members hope to expand the focus to other areas of women's legal affairs, possibly including efforts to improve the living conditions in Illinois women's prisons. In this endeavor, as in all the others, Project members serve as the "voice for these women" and tell their stories.

KATHRYN VACLAVIK '94
PARTICIPANT, WOMEN'S CLEMENCY PROJECT (1993-94)

A very important aspect of the Clemency Project was that the program as a whole worked with the media to get a lot of public attention and support for these women and for what we were attempting to accomplish. That helped each case tremendously. It was interesting for the students to be involved in a process where the outside world was looking in on the situation. There was a great deal of pressure on us because a woman's life and what she would be doing with that life for the next five to fifteen years were at stake. We all felt so strongly about the cause and that we were part of something that acted as a voice for women. It was important, regardless of who was granted clemency, that we acted as their voice and had their stories told. Whether or not they were released in the end, at least someone heard their story.

I was able to handle my case throughout the entire process; from the very beginning of the petition process to the moment my client was released from prison. I was able to see the power that you have with the law and what you can do to make a difference. It still feels like the best thing that I've ever done for anyone. Definitely, this project is the high point in my life thus far.

I still keep in touch with my client. Her life is going well. She is doing many positive things. She is starting a new life and is in counseling to deal with the abuse from the past. To hear someone sounding so strong and positive, after what she lived through, is wonderful. She sent me a Christmas card last year and she sounded so positive—so optimistic and upbeat. It's a really great feeling. I'll never forget it.


**The Charity Auction**

Would you spend $80 to walk Professor Cass Sunstein's dog? Or perhaps $260 to watch movies at the home of Dean Baird? That is what some bidders eagerly paid for these and eighty other items offered on January 26 during the fifth annual Law School Charity Auction. Over the years, the Auction—under the steady gavel of Professor Richard Epstein—has successfully raised almost $70,000 to assist local nonprofit service organizations. Despite its short history, the Charity Auction, spearheaded by the Law Students Association, has become one of the most eagerly anticipated events of the academic year, involving not only the student body, but faculty members, administrators and staff, as well as outside businesses and law firms.

Begun in 1992, the Auction was the brainchild of Lauren Elliot '93. "The underlying purpose to the Charity Auction was to give something back to the neighborhood," recalls Elliot. "I brought two ideas together: the opportunity to work with the community by raising funds for a local organization and the fun of doing it at the same time."

Initial concerns over the success of the auction were swept away as a great outpouring of donated material arrived in the last few days before the event. Elliot and her crew were amazed to find that instead of the few thousand they secretly hoped to raise, the evening ended with a final tally of over $9,000.

"We really did expect there would be such competitiveness between the students bidding on particular items. Someone actually paid money for an old chair Professor Helmholz donated. It astonished me that it wound up to be such a hot item." (Professor Richard Helmholz himself agrees. "I was absolutely dumbfounded that anyone would pay so much for that old high-back chair; perhaps not as dumbfounded as I am that someone would pay as much as they do for taking care of Cass Sunstein's dog, but dumbfounded nonetheless.")

Much of the success of the Auction is credited to Professor Richard Epstein, the auctioneer since the beginning. "He's the best," says Elliot. "He was very instrumental in making it a success, and he still is. Of course, afterward he's always exhausted; we would have to feed him candy bars to keep that sugar level high. But he loved it."

This year, marshaled by Marta Lowe '96, the Charity Auction raised $15,875 to benefit the Woodlawn Organization (TWO), a local public service group serving Chicago's south side. TWO provides a multitude of services from building low rent non-profit housing for families at risk to teaching early childhood development classes for area youth.

The charity auction is one of the few events during the year when the entire Law School gets together, and it never fails to entertain. Organizing it was a pleasure. Most donors are happy to give and people are surprisingly eager to part with their money for a good cause.

The auction is such an anticipated event mostly because of Professor Epstein, but also because we offer items that people wouldn't have access to normally. For example, there is the baseball game with Professor Strauss. It sells for several hundred dollars every year because he is so popular and it's something that you can't do on a regular basis. It is a way for students who really like him to express their appreciation. And, yes, Professor Sunstein agreed to loan out "Bear, the wonder dog" (his words, not mine) for the afternoon.

As a first year student, I saw the Auction from the spectator's perspective and I had a blast. It's a great way to learn about the Law School community. As a second year, I worked as one of the helpers. From that advantage, you begin to get more of a feel for the service aspect. This year as coordinator was incredibly fulfilling for me. I really got to know the Law School faculty and students and the law firms in Chicago who are willing to donate their time and services. That's a pretty incredible experience.
Volunteer Income Tax Assistance
The Volunteer Income Tax Assistance program (VITA) is a nation-wide effort overseen by the Internal Revenue Service and sponsored in part by the American Bar Association's Law Student Division. VITA volunteers prepare income tax returns for those who cannot afford commercial tax preparation assistance and people with special needs, including the disabled, non-English speakers, senior citizens, and homebound taxpayers. Currently celebrating its twenty-fifth anniversary, the program offers free tax advice at over 9,000 sites across the nation. The Law School began its involvement with the program in 1982. This year, over twenty Law School students are actively involved.

Participants are not professional tax preparers, stresses Priya Cherian '96, co-ordinator of VITA program at the Law School this year. "It is not necessary to have an accounting background. But everyone at the Law School is good at reading directions and indexing. These may seem like simple skills but, in the face of general disempowerment, our clients feel, they are very important skills."

Cherian points out that a large majority of clients are scared of filing tax forms. In addition, some clients are illiterate. "We are there for the elderly with Social Security benefits, the unemployed, people who do not have much means at all. They know that we are there in good faith and our clients feel extremely confident because they perceive that, as attorneys, we know what we are doing. I know the volunteers take it very seriously. It's good training and a great way to contribute to the community."

VITA volunteers

What's particularly great about this program is that it is extremely one-on-one. People literally lay their lives before you. It's very personal. I've had clients come in ashamed because they've become unemployed in the last year. That's a huge tax change. They go from W-2s to unemployment benefits. So on top of feeling ashamed they are scared because they don't know how to file their tax forms. It's a relief to them that, in the midst of their economic chaos, someone is there to lend a hand.

It is an intense three weeks but, since it occurs so early in the spring quarter, it comes at the exact point law students are able to give the time. There are so many people here who recognize that we are tied to the community and want to have an impact on it.

Work-A-Day
Like Street Law and VITA, Work-A-Day is a national program which Law School students participate. The program was founded four years ago at the University of Illinois Law School to encourage law students to set aside one day a year to reach out to their communities and begin a career-long affiliation with pro bono work. This year, under the co-ordination of the American Bar Association's Law Student Division, the Law School was one of over fifty schools nation-wide participating in the event.

"The Year of the Child," was the theme this year and over eighty Law Schools students participated, according to Amy Friedlander '96, the co-ordinator of the Law School's program. "We doubled the number of volunteers from last year. Every
year the participation has increased from the previous year. Work-A-Day is the perfect program for people who feel they don't have the time to make a long term commitment to a service project. Half of our volunteers don't have obligations to community service programs.

In keeping with the spirit of this year's theme, volunteers focused their efforts on nine programs and organizations dealing with children's needs. Teams were dispatched to two Ronald McDonald Houses to feed families in residence. Other crews worked at head start programs and the Salvation Army facilities painting offices and classrooms.

One crew labored at a site familiar to some past Work-A-Day participants. They were assigned to the Covenant Development Organization, where they painted a house located on 61st Street, the same house that, last year, volunteers helped clean out in preparation for renovation.

"I was part of the group that worked at Children's Place in Evanston, which is an organization that raises money for children with AIDS," Friedlander said. "We worked at their resell shop, tagging and marking clothing. Although, Work-A-Day is by definition a one-day event, we returned the next day to help them out some more because it was a lot of fun."

The popularity and success of the program thrilled Friedlander who suggests a Chicago school approach to the issue. "Maybe because there is no sense that the market will take care of itself that students feel the need to be involved; more so than they would if there was pressure to be there. I really think it's the kind of students who come. I think that is inspiring."

**Neighbors**

Neighbors is a volunteer community outreach group founded three years ago by a group of students led by David Hoffman '95. Hoffman was disappointed in the lack of interaction with the neighboring low-income Woodlawn community. In the summer of 1993, he approached community leaders with the idea of providing them assistance from a corps of student volunteers. Neighborhood leaders welcomed the idea and Neighbors was born.

The first year of operation proved the program's success, with over eighty-five students spending at least two hours a week volunteering in the Woodlawn community. According to Amy Hagen '97, the current director, the reasons for the program's success are twofold. "The original objective was to have enough diverse activities involving a diverse age range so that every interested law student could find an area that suited them. We also offer a wide range of sites close enough to the Law School to make volunteering convenient. But we are strict in one respect: volunteers must pledge to work at least two hours a week, and school work cannot be used as an excuse for missing a time commitment."

Currently, over sixty law students participate in one or more of Neighbors' nine programs. Volunteers offer one-on-one tutoring at area elementary schools, remedial reading courses at a local drug rehabilitation center, and teach adult literacy courses. They also serve meals at the First Presbyterian Church soup kitchen on Tuesdays. Neighbors' volunteers travel the short distance LaRabida Children's Hospital to visit with the inpatient children. There much of the time is spent simply playing with the children, Hagen says, "many of whom are there for extended treatments and are bored, unhappy, or just lonely and need a friend." Law students spend some after-

**Amy C. Hagen '97**

**Director, Neighbors (1996)**

I began my involvement with Neighbors by volunteering for the drug rehab program. I met a lot of amazing people that first year and the experiences I derived from it were invaluable. I recognized how privileged I had been throughout my life. I learned to connect with someone who looks very different from me and who is in a very different situation than my own. I recognized that it was possible to be a volunteer and that I was lucky to be born in the right place and at the right time. Once, after one gentleman and I finished an incredible conversation, I realized that there was a lot of me in him and vice versa, and if our positions in life had been switched, I might have been just like him and he might have been like me.

I think we truly are making a difference. Woodlawn community leaders have told us that working with our volunteers has improved their impression of the University and the students. That means a lot to us.
noons at a local senior citizens care center serving lunch and engaging in activities to keep residents entertained and active. At the YMCA, volunteers participate in what Neighbors calls the Afterschool Sports Program, though Hagen stresses it is much more than just sports. "Three days a week, our volunteers spend two afternoon hours at the YMCA organizing games like kickball, dodgeball, softball, and basketball with the kids. Many times they also help kids with their homework."

"We also volunteer at a local drug rehabilitation center. There we see men of all ages, some of whom have a high HIV risk factor, while others have served several jail sentences. We conduct remedial reading and writing tutoring there Sundays and Wednesdays. Sometimes, we are there simply for conversation. That has proven to be helpful to them, as well. For the most part, it is the first time they encounter someone who cares about them who doesn't need to, and that is an amazing thing to them."

Hagen mentions that the volunteers are so highly motivated that sometimes it is difficult to decide who benefits the most from the program, the people they assist or the participants themselves. "For us, it makes a great difference in our own lives. It's a great reality check. It's people and life and not academia."

**The Immigration and Refugee Law Society**

The Immigration and Refugee Law Society (IRLS) was founded two years ago to provide interested students with exposure to immigration law matters. IRLS enables students to learn about immigration and refugee law by providing opportunities to work directly on asylum cases in conjunction with the Midwest Immigrant Rights Center. IRLS also allows law students to assist permanent residents in Chicago with the naturalization process.

IRLS was organized in 1994 by Lisa Thomas '96, to satisfy her interest in immigration and refugee work. During her first year at the Law School, she became aware of the work conducted by Roy Petty '81 at the Midwest Immigrant's Rights Center (MIRC) and contacted him. From Petty, Thomas learned that the MIRC was under the umbrella of The Heartland Alliance, a national program involved with general immigration work. The MIRC served as its refugee center. Thomas realized other students might also be interested.

"I felt that the school ought to have a program like this. I didn't feel like just complaining about it. So, I posted signs announcing my idea and wound up never once taking a case. I spent my entire time organizing the volunteers and getting the project off the ground."

The program offers students the opportunity to learn refugee and immigration legal proceedings on the job. Students have opportunities to work on asylum applications, assist with interpretation for MIRC clients at Immigration & Naturalization hearings, write legal briefs, and argue matters before Immigration judges. Additionally, the Society co-ordinates one-day volunteer projects in various Chicago neighborhoods, including assisting with efforts to organize naturalization papers of community members.

Students receive training and supervision from MIRC director Roy Petty who expresses great appreciation for the students' interest and energy, "It's really very helpful having law students involved. They may lack experience but they make up for it by being very bright and enthusiastic. It's a great experience for the law students because these are real people whose lives may be in danger. It's all very sobering. It's certainly no law school exercise. It's real life."

Thomas agrees, remembering the hard work of three Society members during one refugee case. "Linda Sheriff, John Motley, and Nick Coleman worked on a case defending a Palestinian refugee seeking asylum. They basically worked up the entire case, from finding the expert witnesses, to writing to the United Nations to get an amicus brief. They even had the opportunity to argue at a hearing. John Motley was a first-year student at the time. It was a lot of work."

Despite the fact that she hasn't handled a case personally, Thomas has no regrets, "I am really happy I started the society. I have a personal interest in immigration since I've lived in Egypt and France and consider myself an immigrant. It's a field that means a lot to me. It's one of the reasons I went to law school."
CLINICAL PROFESSORS HONORED

On November 30, at an award ceremony held at Chicago’s De Paul University, Michelle Kaplan, clinical professor of law, received the 1995 Dream Makers Award from the Lawndale Chapter of the I Have A Dream Foundation. With chapters nationwide, the I Have A Dream Foundation is a program dedicated to drop-out prevention and scholarship programs for young people. They provide tutoring, mentoring, cultural events, and field trips within the context of empowering young people with the attitudes and skills necessary for success. There are eleven programs in the Chicago area, with similar programs in fifty cities across the country.

Every year, each chapter nominates one or two individuals who best capture the spirit of service to young people, according to Derek Greenfield, project coordinator of the Lawndale program. “The nominees are individuals who have gone above and beyond to provide the kind of service, the love, and nurturing that are important for our young people,” he said.

In presenting this award to Kaplan, Greenfield noted that the Lawndale program “is fortunate that Michelle Kaplan has become part of its extended family of committed supporters. As an attorney at the Mandel Legal Aid Clinic and a clinical lecturer of law at the University of Chicago Law School, Michelle has provided countless hours of pro bono work especially by serving as defense counsel for young dreamers.”

“I was humbled,” Kaplan later said. “I do public interest work because I believe I have an obligation as an attorney and I receive a lot back in the process of doing so. My clients are an inspiration to me as I

[Speaking of her course “Compassion and Mercy”]: “We look at the law, the history, and the debates of the proper role of compassion and mercy in sentencing. There is a long tradition in the common law which is so firm, that in 1976 in the case, Woodson vs. North Carolina, the majority opinion says that to not listen with sympathy to the story of a criminal defendant at the sentencing phase of a capital case would be to treat people as a faceless mass, not as uniquely human individuals. I think that shows you the tradition is very fixed; that there is this role for mercy and compassion in the law. I’m trying to bring that alive again and show where it comes from and what the dividends might be, and to bring back this deeply entrenched tradition.”

On July 1, Martha Nussbaum joined the Law School faculty as a professor of law and ethics in a joint appointment with the Divinity School. Ms. Nussbaum recently began a two-year term as president of the American Society for Political and Legal Philosophy.

Birth: May 6, 1947.
Previous appointments: From 1984 to 1995, Prof. Nussbaum taught at Brown University. As a visiting professor, she has taught at Wellesley, Ecole Normal Superieure de Jeunes Filles in Paris, Oxford, Stanford, University of California at Riverside, University of Oslo (Norway), and twice at the University of Chicago.
Research and Teaching interests: ethics, aesthetics, moral and political philosophy, jurisprudence, law and literature, ancient Greek philosophy, feminist theory, and theories of motivation.
Recent publications: Poetic Justice: The Literary Imagination and Public Life (1996); Essays on Aristotle’s De Anima (co-edited with Amelie Rorty), The Quality of Life (co-edited with Amartya Sen), Passions & Perceptions (co-edited with Jacques Brunschwig), and Women, Culture, and Development (co-edited with Jonathan Glover). She is currently completing a book on curricular controversies in American higher education, entitled Citizens of the World: A Classical Defense of Radical Reform in Higher Education.
Courses: Compassion and Mercy; Liberal Theories of Justice: Rawls and His Critics.
Outside interests: Former professional actress, who enjoyed acting with Burt Lahr, Judith Anderson, and Ruby Dee in Aristophanes’ The Birds.
see what they overcome. Doing this work is so rewarding; so it's ironic that I should be given an award for it."

On February 13, Randolph N. Stone, clinical professor of law and director of the Mandel Legal Aid Clinic, was honored with a testimonial from the Loyola University School of Law in Chicago. It recognized his years of "exemplary service to the legal profession through service to the underprivileged and the outstanding example he has set by his commitment to the highest ideals of the profession."

On April 2, the Anti-Defamation League presented Professor Stone with its Abraham Lincoln Marovitz Civil Rights Award during a luncheon held at Chicago's Palmer House Hilton. Citing his work as a public defender of Cook County and the chair of the ABA's Criminal Justice Section, as well as his years as a law professor and director of the Mandel Legal Aid Clinic, the League praised Stone for his "important and ongoing contribution to the national discussion about crime, the criminal justice system, and the field of civil rights."

**Georgian Leader Credits Law School Faculty**

Citing the enormous amount of work performed in the areas of international constitutional law, Eduard Shevardnadze, President of the Republic of Georgia, personally thanked professors at the Law School.

Citing the adoption of a new constitution by the Parliament of Georgia on August 24, 1995, President Shevardnadze thanked the Law School for all the efforts generated to make such an historic event possible. "Through your generous support, world achievement in the field of Constitutional Law was successfully incorporated in the development of the draft of the Constitution and its further evaluation. The members of your faculty Stephen Holmes, Andras Sajo, Alexander Blankenagel, Larry Lessig, [and] Herman Schwartz made an invaluable contribution to this process. We also appreciate the care and attention that our countrymen receive at your school. On behalf of Georgia and myself, thank you."

Professor of Law Lawrence Lessig explains this is the culmination of a three year effort that began when Prof. Lessig attended a 1992 conference with Georgian officials that focused on various constitutional issues. Impressed at what the Law School and its Center for the Study of Constitutionalism in Eastern

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**Becker Named Shure Professor**

In February, Mary E. Becker '80, a member of the faculty since 1982 and one of the country's leading scholars on feminist legal theory, was appointed the Arnold I. Shure Professor of Law. In announcing her appointment, Dean Douglas Baird praised Professor Becker's extensive work in the areas of family law, feminist theory, women's issues, domestic violence, employment discrimination, and critical race and lesbian/gay legal theory. Dean Baird noted it is fitting that Professor Becker receive a named professorship that honors Arnold I. Shure, the 1929 Law School graduate widely recognized as a tireless defender of victims of discrimination.

Professor Becker received her B.S. from Loyola University, Chicago, in 1969. Before attending law school, she taught first grade for two years and spent a number of years in data processing. In 1980, she graduated from the Law School, where she was a comment editor of the Law Review and a member of the Order of the Coif. Following graduation, she clerked for Judge Abner Mikva '51 of the U.S. Court of Appeals for the D.C. Circuit and for Justice Lewis F. Powell Jr. of the U.S. Supreme Court. She joined the Law School faculty in 1982.

Professor Becker is the A.A.L.S. liaison to the A.B.A. Commission on the Status of Women in the Profession and is the author of one of the first textbooks on women's legal issues and feminist theory, *Feminist Jurisprudence: Taking Women Seriously*. Professor Becker has been active for several years in seeking clemency for Illinois women convicted of killing abusive partners through the Women's Clemency Project, a program she co-founded in 1993.

The Arnold I. Shure Professorship was established in 1971 through a matching grant from the Ford Foundation and the contributions of a large group of friends of the Law School in honor of Shure. Past holders of the Arnold I. Shure Professorship include Allison Dunham and Jo Desha Lucas.
Europe had to offer, five Georgian lawyers arrived in Chicago the following year for intensive training in constitutionalism. After ten days, the lawyers returned to their country to instruct the constitutional drafting commission there.

The following year, after three separate drafts were drawn—one focusing on a strong parliamentary structure of government, the second ensuring a strong presidential leadership, and the third a lengthy version steeped in legal arguments—ten lawyers journeyed to the Law School to work out a compromise. They had been hand-picked by President Shevardnadze and represented the major factions of the constitutional committee.

The lawyers spent that summer hammering out a constitution with the aid of members of the Law School's Center for the Study of Constitutionalism in Eastern Europe, which included Alexander Blankenagel, professor of law at the Humboldt University in Berlin and a visiting professor of law at the Law School; Andras Sajo, founding dean of Central European University Legal Studies Budapest and a visiting professor; and Herman Schwartz, professor of law at American University. The Center acted as a guidepost in constitutional law, raising provisions and answering questions. The committee of lawyers worked out a document which they presented to President Shevardnadze. Alterations were made to this version, which culminated in the final successful vote of the Georgian Parliament in August.

Prof. Lessig acknowledges the birthing process for this constitution was long, but definitely worth the effort. "It is a beginning," he said, "which is all any constitution can hope to be. Its success will depend upon how much room President Shevardnadze gives the democratic process to succeed."
matters of current interest. Speakers included Elizabeth Garrett, assistant professor of law, who participated in the panel discussion analyzing the anti-abuse rules; Jeffrey T. Sheffield, of Kirkland & Ellis, who chaired the Monday afternoon session that focused on clear reflection; Christian E. Kimball '83, of Boston University School of Law, who spoke on "Debtors and Creditors in Multi-Party Relationships," and Stephen S. Bowen '72, of Latham and Watkins, who chaired the Tuesday afternoon session on corporate taxation.

In addition to the lectures and panels, the speakers submitted papers which were subsequently published in the December issue of Taxes. This issue was distributed to graduates practicing law, as well as conference attendees. A limited number of copies are still available. Those interested in receiving one can contact Judith Cottle at 312/702-9624.

DEWEY LECTURE

"Fertility and Coercion" was the subject of the 1995 John Dewey Lecture, presented on October 25 by Amartya Sen, the Lamont University Professor and Professor of Economics and Professor of Philosophy in the Courtyard at Harvard. Addressing an overflow audience in the Weymouth Kirkland Courtroom, Professor Sen's lecture focused on the concerns of world overpopulation and the implications and general acceptability of using various measures of state-sponsored coercion to deal with the problem.

In her introduction of Professor Sen, Professor Martha Nussbaum said of him: "He has deployed his remarkable ability and energy in the service of a creative project of great intellectual importance and, at the same time, great human and social importance. This project, in all its varied manifestations, is nothing less than the reinvention of the old idea of political economy—the idea, that is, that the economist should be both a technically proficient scientist and also a profound conceptual and philosophical thinker about the issues that give the discipline of economics its importance in human life: the nature of preference and desire, the nature of ethical agency, the nature of human well-being and its relation to human functioning. One measure of Sen's unusual achievement here is the fact that, to my knowledge, he is the only person in

LEGAL FORUM SYMPOSIUM

FOCUS ON PRIVACY THREAT IN CYBERSPACE

The impact of cyberspace on the ability of corporations and the government to gather private information about individuals was one of many topics discussed at the Legal Forum's eleventh annual symposium on "The Law of Cyberspace." Held at the Law School on November 3-4, the Symposium featured many of the principal scholars in "cyberlaw" discussing issues of privacy, intellectual property, and the First Amendment.

The Symposium began with opening remarks by Ronald W. Staudt '70, director of Technological Delivery Systems for LEXIS-NEXIS, the computer-assisted legal research system and a sponsor of the symposium. The program continued with remarks by the symposium's keynote speaker Larry Irving, the assistant secretary of commerce and President Clinton's principal advisor on cyberspace. Mr. Irving, co-authored a recent report entitled "Privacy and the National Information Infrastructure," discussed the report's analysis of the danger posed by the lack of uniformity among existing privacy laws and the near lack of protection for transactions over the Internet. He proposed a framework to remedy the problem, focusing largely on provider notice and consumer consent. The report is available at http://www.ntia.doc.gov

The discussion of the threat to privacy continued with the first of three panels, entitled "Privacy in Cyberspace," which was chaired by Professor Lawrence Lessig. According to one panelist, the greatest danger to privacy posed by Internet transactions lies in the ability of corporations to gather information that, while seemingly innocuous in pieces, could be constructed into a dangerous whole. Other panelists discussed the threat to privacy posed by the government, particularly through its efforts to utilize decryption software.

The other panels focused on such
On November 21, 1945, Justice Robert H. Jackson, on leave from the United States Supreme Court and serving as Chief of the United States prosecution, delivered his opening statement before the International Military Tribunal in Nuremberg. Fifty years later to the day, Bernard D. Meltzer '37, the Edward H. Levi Distinguished Service Professor Emeritus, recounted his experiences, memories, and assessment of what has often been described as "the trial of the century"—the Nuremberg Trials.

Speaking before a hushed audience that filled the Glen A. Lloyd auditorium to standing room only capacity, Meltzer explained how he was one of twenty-four Americans on the international team that presented evidence against nearly two dozen German officials at the Palace of Justice in Nuremberg, Germany, for their role in aggressive war and war crimes during World War II. At thirty-one, Meltzer was the youngest attorney to present a case to the tribunal.

Much of Meltzer's work concerned the case against those who had helped finance the German rearmament, those responsible for the systematic plundering and pillaging of occupied territories, and those who aided the deportation and exploitation of millions of slave laborers. He also was responsible for preparing and presenting the case against Walter Funk, one of Hitler's personal economic advisors and, later, undersecretary of the Ministry of Propaganda, headed by Joseph Goebbels. Funk also played a role with the agencies that determined the number of slave laborers required for German industry as well as heading the bank that served as the storehouse of all the valuables stripped from the concentration camp victims.

"Funk wept when confronted with this evidence pre-trial, but claimed that he knew nothing about that ghoulish traffic. The Tribunal concluded that he had known or had not wanted to know."

In addition, Meltzer told how, ten days before the concentration camp case was to be presented, he was asked to work on the preparation. For seven sleepless days, Meltzer and his team calculated and tabulated the horrific evidence.

"The evidence was a lawyer's dream and a humanist's nightmare. It included two totenhuchs—deathbooks—that recorded approximately 300 deaths at the Mauthausen camp, deaths recorded as having occurred in alphabetical order, at brief intervals of time, and in each case because of heart disease. I still recall the hush in the courtroom when those books were put into evidence.

"Nuremberg is made relevant—alas, too relevant—by the ongoing infamies of our own times, such as 'ethnic cleansing' and slaughter in the former Yugoslavia and Rwanda," Meltzer said at his conclusion. "The memory of Nuremberg is also evoked by the rise of neo-Nazism in Germany and the U.S., as well as by the preachers of bigotry, hate and separatism everywhere.

"What drives people to commit such horrors—that is the great mystery," Meltzer said. "It is obviously easier to understand the deliberate killing of one person than the extermination of 500,000."

Professor Meltzer speech, entitled "Remembering Nuremberg," was reprinted last year as the Law School's Occasional Paper #34 and is available from the William S. Hein & Co., 1285 Main Street, Buffalo, NY.

Coase Lecture Series

Cass Sunstein, the Karl N. Llewellyn Distinguished Service Professor of Jurisprudence, delivered the first Coase Lecture of the 1995-96 academic year on November 28. In his lecture, entitled "In Defense of Big Government: On Preferences, Choices, Norms and Roles," Professor Sunstein sought to challenge widely held notions of rationality, choice, and freedom and develop a new conclusion about the relationship between human behavior and the law.

On February 6, Richard Epstein, the James Parker Hall Distinguished Service Professor of Law, continued the series with a lecture entitled "Property Rights and Transactions Costs: Do Good Fences Make Good Neighbors?" that addressed the significance of boundaries: whether in space, time, or over other dimensions such as debt and equity. Professor Epstein's lecture focused on the reasons to respect such boundaries and explained the need to deviate from them in particular cases.

Instituted in 1992 by the Law School's Law and Economics Program, the Coase Lecture Series is named in honor of the 1991 Nobel Laureate in Economics, Ronald H. Coase. The next lecture is scheduled for Tuesday, April 30, and will feature guest speaker Judge Frank H. Easterbrook '73 of the U.S. Court of Appeals for the Seventh Circuit and senior lecturer at the Law School. Graduates and friends of the Law School are welcome to attend. For more information on the Coase Lecture Series, please contact Karen Afshari at 312/702-0220.
The Visiting Committee convened its annual meeting at the Law School on November 2, 1995. Over forty committee members met for the two-day program. This year the program focused on how the Law School should respond to changes in the legal profession. After the traditional continental breakfast and welcome from Dean Douglas G. Baird, the committee members listened to Assistant Deans Richard Badger '68 and Ellen Cosgrove '91 and Professors Richard Epstein and Elizabeth Garrett discuss careers in law, career development, and the mission and goals of the Law School's Placement Office. Particular attention was paid to the Law School's commitment to public service careers. Greg Liberman '97, president of the Law Students Association, and several students offered their views from student perspective.

The committee then adjourned for lunch with a larger group of students to discuss their views. A number of students chose to attend brief seminars in the classrooms conducted by committee members Ricki Tigert Helfer '76, Alison W. Miller '76, and Geoffrey R. Stone '71. Joining the graduate students in this discussion was Randolph N. Stone, director of the Mandel Legal Aid Clinic. The discussion focused on changes in the profession and what the Law School could do to restore the esteem in which law and lawyers were once held. Afterwards, Professors Nussbaum, Richard Helmholz, and Dennis Hutchinson spoke to the committee on the growth and development of interdisciplinary studies at the Law School.

At 4:00 p.m., the Weymouth Kirkland Auditorium was filled as members of the Visiting Committee were joined by faculty, staff, and students for the 1995 Wilber C. Katz lecture. This year's speaker, Professor Daniel R. Fischel '77, the Lee and Brenna Freeman Professor of Law, chose as his topic "Can Corporations Commit Crimes?" which proved to be particularly timely as the Daiwa Bank of Japan was indicted later that evening. A reception followed the lecture, after which the Committee gathered in the Burton-Judson lounge for dinner.

The following day, Committee members met with Professors Michael W. McConnell '79 and Randall Picker '85 as well as Law Librarian Judith Wright and University Provost Geoffrey R. Stone '71 to discuss how a changing curriculum can meet with the needs of a changing profession. The strength of courses such as constitutional law and law and economics, as well as the growth of technological resources at the Law School were discussed. After an executive session with Dean Baird, the Committee joined the faculty for a luncheon featuring a talk from one of the faculty's newest members, Daniel Klerman '91, assistant professor of law, who offered his observations on his experiences at the Law School since joining last July.

A complete list of the members of the 1995-96 Visiting Committee can be found on page 52.
**U of C Pros Top Law Review Writers**

A recent survey conducted by the Chicago-Kent Law School concluded that the most prolific law review writers of any law school in the country are at the Law School. The Chicago-Kent Law Review Faculty Scholarship Survey found that the University of Chicago Law School had an average of 2.37 articles per faculty member in the twenty leading law reviews from 1988-1992.

Dean Douglas Baird considered it an honor to top the list with the most productive faculty, but was quick to point out to a Chicago Daily Law Bulletin reporter that it does not provide a complete picture of the Law School. "At the end of the day, that's important is not the sheer number of articles," he said. "What's important is how we fulfill our basic mission, which is teaching students how to live in the law."

Rankings were based on the number of articles longer than ten pages appearing in the top twenty law reviews from 1988-1992. The authors selected the reviews based on how often they are cited by other sources.

**Roundtable Symposium**

On January 19-20, The University of Chicago Roundtable presented its fourth annual symposium, "Genetics and the Law: The Ethical, Legal, and Social Implications of Genetic Technolgoy and Biomedical Ethics." Physicians, public health policy makers, lawyers, and law professors from across the country gathered to discuss the implications of the Human Genome Project, the international effort to map the building blocks of human DNA, and its effect on law and health policy.

The program began Friday evening, January 19, in the Weymouth Kirkland Auditorium with a keynote address delivered by Judge Richard L. Nygaard, of the U.S. Court of Appeals for the Third Circuit. Judge Nygaard spoke on how the law should react to criminal behavior in light of recent scientific advances and the implications of genetic "predetermination."

The next morning, sessions began in the Courtroom that focused on genetic technologies and their implications for women. Among the featured panelists were Professor Mary Becker '80 and Mary Mahowald, the assistant director of the MacLean Center for Clinical Medical Ethics at the University of Chicago.

Other panels included a discussion of ethnicity and genetics, prenatal testing, the genome industry, and genetic regulation. Panelists included Professor Richard Epstein and Visiting Professor Craig Becker, the associate general counsel for the Service Employees International Union, AFL-CIO.

Papers presented at the Symposium will be published in Volume 3, Number 2, of The University of Chicago Roundtable.

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**In Print**

**The Oxford History of the Prison**

*The Oxford History of the Prison*

Edited by Norval Morris and David J. Rothman

The Oxford History of Prisons is an informative account of the growth and development of the prison in Western Society, from classical times to the present day. The book explores not only the complex history of the prison, but also the social world of inmates and their keepers. Co-edited by Norval Morris, Julius Kreeger Professor of Law and Criminology Emeritus, the book covers such diverse topics as the creation and evolution of the institution in the U.S. and Europe, as well as prison for women, political imprisonment, and prison as a subject in literature.

Hardcover $39.95


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**Poetic Justice**

*Poetic Justice: The Literary Imagination and Public Life*

By Martha C. Nussbaum

In Poetic Justice, philosopher Martha Nussbaum, professor of law and ethics, explores the importance of literary imagination in society. Prof. Nussbaum suggests that as readers of literature we may glimpse the interior experiences of other people. Above all, Prof. Nussbaum asserts that reading asks us to image the value of other lives.

Hardcover $20.00


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**Aging and Old Age**

*Aging and Old Age*

By Richard A. Posner

In his new book, Judge Posner, chief judge of the U.S. Court of Appeals for the Seventh Circuit and senior lecturer at the Law School, examines a wide range of social and political issues relating to the elderly, such as health care, crime, social security, and discrimination. Throughout, he explores such questions as why are old people, presumably with less to lose, more unwilling to take risks than young people? Why don't the elderly in the U.S. command the respect and affection they once did and still do elsewhere? And how does aging relate to creativity across different careers?

Hardcover $29.95

FELLOWSHIPS

Two third-year STUDENT NEWS and Flom were School
journey in Fellowship, one firm of law
services work with advocacy and law school
other

When Arthur Vollmer '15 died in 1964, found among his papers was a program from the 1911 Law School Annual Smoker. The Smoker, a dinner held once a year in a fashion not unlike a roast, was an evening of fine wine, witty speeches, and—one would assume—a lot of cigars and cigarettes burned to many a nub.

As reported in the December 4, 1964, edition of the Law School's student newspaper, The Reporter, Mr. Vollmer's souvenir program of that particular Smoker contained many of the various evening's events, including the chanting of the semi-official "Law School Yell." The Reporter records the yell as follows:

"CHICAGO LAW!
EAT 'EM RAW!
HIT THE PACE!
WIN THE CASE!
LAW! LAW! LAW!"

A side note: your editor discovered this passage before the start of this year's intramural sports program and shared it with several current students and faculty members who, in turn, expressed a desire to utilize this yell during the upcoming men's and women's football season. Of course, your editor is aware that rallying cries alone, no matter how enthusiastic, do not translate into victorious athletic seasons. However, he is pleased to report that both the Law School's women and men swept the intramural championships. The men's team, Motion Denied, was pegged early on as the league's underdogs but fought a highly-charged season to win the their championship title. The women's team—with the unsuitable name of Apathy—beat their cross-Midway rivals to grab the women's title. The Chicago Maroon named team members Genita Robinson '96 the Offensive Player of the Year, Jessica Hough '97 the Defensive Player of the Year, and coaches Sharon Williamson '96 and Kathy Zahorick '96 as Coaches of the Year.

Whether or not Mr. Vollmer's yell had anything to do with the unheard of double victories is up to the reader to decide.

STUDENT NEWS

FELLOWSHIPS AWARDED

Two third-year students from the Law School were selected by the international law firm of Skadden, Arps, Slate, Meagher & Flom as recipients of the 1996 Skadden Fellowship, one of the most prestigious awards in public interest law. Marni Willenson and Ines Monte joined twenty-three other academically outstanding law school graduates and judicial clerks receiving funds for full-time work at legal and advocacy organizations. Monte will journey to Dodgeville, Wisconsin, to work with Western Wisconsin Legal Services while Willenson remains in Chicago at the Chicago Lawyers' Committee for Civil Rights Under Law.

Established in 1989, the fellowship enables each student to spend two years working in the public interest sector, without defaulting on student loans. Skadden Arps receives hundreds of applications for the program but limits the number of recipients to twenty-five.

MOOT COURT TEAMS

On February 11, two moot court teams from the Law School met with great success at their respective competitions. The international law moot court team—Dario Nolasco '97, Alan Schafer '98, and Joe Kim '97, Jenny Gross '97 and Victor Chang '97—advanced to the semifinals at the Jessup Moot Court Competition. This is the best showing for a team from the Law School at the national event which argues points of international law in front of an international tribunal. This year, the topic dealt with a state's right to retrieve a stolen military database and extradite the alleged terrorists responsible for the crime.

During the same weekend, the BLSA Moot Court Competition held at the BLSA Midwest Regional Conference in St. Louis, Law School team members Elisa Davis '97 and Dean Calloway '96 tied for best brief in a field of more than fifty competitors. The topic of discussion was affirmative action.

The success of both teams is attributed
As if the study of law itself wasn't grueling enough, six law students found time to squeeze in rigorous training to participate in the annual Chicago Marathon on October 15. Sporting t-shirts that displayed an uniquely University of Chicago slant to the event ("Law School Marathon Team/Faster Finish = More Time To Study"), the students ran in groups of two and three through the streets of Chicago to the finish line in—as one participant referred to it as—a "respectable time." Pictured above, from left to right, are: Molly Stadium '97 (3:47), Glen Donath '96 (3:55), Anat Limon '96 (3:44), Clint Riley '96 (3:44), and Kelly Duffield '97 (4:08). Not pictured is Katherine Moir '96 (4:16), who ran the race with her father.

"It was great to have an organized team this year, especially at the starting line where there is a lot of tension," said Lee, who had run the course before in 1994. "It helped to look over and see your classmates there with you."

Each one of the team members, all veterans of previous marathons, expressed the desire to continue the practice in the future. Graduates of the Law School are invited to join with Team Law School as they race in next year's Chicago Marathon (the Law School even will provide the nifty team t-shirts). For more information, please contact Assistant Dean Holly Davis at the Alumni Office, 312/702-9628.

to the increased attention given to the events by students and faculty alike. "Because our Hinton moot court program is so successful, students and faculty members have traditionally devoted their efforts in that direction," said Dean of Student Affairs Ellen M. Cosgrove '91. "I was impressed with the level of dedication shown by the students to prepare for these competitions."

CHARITY AUCTION

On Friday, January 26, the fifth annual Charity Auction provided the Law School with two of life's few certainties: A) that Professor Richard Epstein is as skilled and entertaining an auctioneer as he is a teacher; and B) the Auction is one of the most popular events for the entire Law School community. Organized by third-year law student Marta Lowe, the Auction raised $15,875 for The Woodlawn Organization, a local public service group that assists over 17,000 individuals a year on the south side of Chicago with job training and placement programs, counseling, education, and medical support.

New categories joined old favorites on the docket and eager buyers enthusiastically sought them out. Items ranged from Jerry Springer Show tickets to a bowtie (with tying lessons) from Senator Paul Simon, from Chicago Bulls tickets to lunch at the White House with Professor Elena Kagan. The big ticket item this year was an evening of wine tasting with Professor Joseph Isenbergh which went for an remarkable $1,550. (For those keeping score: perennial favorite "An Afternoon With Professor Cass Sunstein's Dog Bear" was on the block, of course, and went for $80.)
Recent speakers at the Law School have included:

1 Ann Coulter
The legal counsel to Senator Spencer Abraham (R-MI) spoke on the Terrorism Bill before Congress and how Republicans and Democrats have switched views on the issue.

2 Edward McNally
A partner at the Chicago firm Altheimer and Gray and former speech writer of President George Bush, Mr. McNally spoke on careers in politics.

3 Benjamin Wolf
The director of the Institutionalized Persons Project of the American Civil Liberties Union of Illinois, spoke on the death penalty.

4 Elmer Gertz ’30
The famed attorney spoke on the highlights of his illustrious career, including his views on clients such as author Henry Miller and murderer Nathan Leopold.

5 Nancy Polikoff
The professor of law at the American University Law School spoke on current legal issues facing lesbian and gay families.
ALUMNI NEWS

CHICAGO

LOOP LUNCHEONS

The fall Loop Luncheon series began on Tuesday, October 17 with a talk on the Supreme Court and recent decisions involving religion. Michael McConnell ’79, the William B. Graham Professor of Law and nationally recognized expert in First Amendment rights and religious freedoms, was the speaker. In his address, entitled “The Supreme Court and Religion: Has the ‘Wall Come A-Crumbling Down?’”, Prof. McConnell discussed aspects of Rosenberg v. Rector and Visitors of the University of Virginia, the case for which he successfully represented the plaintiffs before the Supreme Court. The Court reversed an earlier Appellate Court decision that a Christian student newspaper was not eligible to receive funding from the University of Virginia.

The Honorable Harry Leinenweber ’62 was the guest speaker for the second Loop Luncheon of the fall season. A district judge for the U.S. District Court for the Northern District of Illinois, Judge Leinenweber has served on the bench since 1985 and has received numerous awards for legislative service. The topic of his November 14 talk was “Separation of Powers.”

Loop Luncheons are held throughout the academic year at the Illinois State Bar Association offices, Two First National Plaza, 20 South Clark Street, Suite 900. The Organizing Committee, chaired by Milton Levenfeld ’50, invites you to attend future luncheons. New graduates may attend their first luncheon as guests of the Alumni Association. For more information on the luncheons, please call Holly Davis at 312/702-9628.

AALS

The Law School sponsored a reception at the annual meeting of the Association of American Law Schools in San Antonio for graduates and friend on Thursday, January 4, 1996. Over sixty graduates in the teaching field were present at the event held at the Hilton Hotel Palacio del Rio. Professors Mary Becker ’80, Richard Epstein, Mark Heyman ’77, Michael McConnell ’79, Gary Palm ’67, and Randall Schmidt ’79, as well as Assistant Deans Roberta Evans ’61 and Ellen M. Cosgrove ’91 were in attendance.

THE BRECKINRIDGE DINNER

The second Sophonisba Breckinridge Dinner was held on Thursday, January 18, at Chicago’s Stouffer Riviere Hotel. Named in honor of the Law School’s first woman graduate and member of the Class of ’04, the Breckinridge Dinner celebrates the school’s long history of women graduates and students.

Nearly 200 women students and graduates attended the event which featured as its guest speaker the Honorable Diane P. Wood, judge of the U.S. Court of Appeals for the Seventh Circuit and senior lecturer at the Law School. When weather forced Lillian Kraemer ’64 to cancel plans to preside over the dinner, Professor Tracey Meares ’91 stepped in and introduced her colleague Judge Wood whose address was entitled “The Many Faces of Women Lawyers.”

Other members of the faculty and administration in attendance were Professors Mary Becker ’80 and Elizabeth Garrett, and Assistant Deans Ellen M. Cosgrove ’91, Roberta Evans ’60, and Holly Davis ’76.

The evening was sponsored in part by generous donations made by the law firms of Altheimer & Gray and Kirkland & Ellis.

NEW YORK CITY

Lillian E. Kraemer ’64 was the host of a luncheon at the offices of her firm, Simpson Thacher & Bartlett, November 30. She introduced the afternoon’s speaker, Daniel R. Fischel ’77, the Lee and Brena Freeman Professor of Law and Business at the Law School and author of the recently published book, Payback: The Conspiracy to Destroy Michael Milken and His Financial Revolution. Dean Douglas G. Baird was also attended and spoke informally with graduates.

BOSTON

On November 30, graduates gathered at the offices of Fidelity Investments for a luncheon graciously hosted by John M. Kimpel ’74, president of the Boston chapter. Those in attendance enjoyed the opportunity to listen and meet guest speaker Richard Ross, assistant professor of law and American legal history scholar, as well as Assistant Dean Greg Wolcott.

MIAMI

Graduates from the Miami chapter gathered at the Bankers Club on February 16 for a luncheon hosted by Alison Miller ’76 of Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson and president of the Miami chapter. Geoffrey R. Stone ’71, provost of the University of Chicago and former dean of the Law School, was the afternoon’s guest speaker.

PORTLAND

Dean Baird was the guest speaker at a luncheon held on November 15 held at the offices of Ater Wynne Hewitt Dodson & Skerritt and hosted by Mark Turner ’86. Thomas A. Balmer ’77, president of the
Mentoring Program

An evening of light hors d'oeuvres on Tuesday, October 24, signaled the beginning of a new academic year for Law School students and their mentors. The annual Mentoring Cocktail Party, presented this year at Chicago’s Yvette Wintergarden, provided an excellent opportunity for mentoring pairs to meet.

The Law School’s Mentoring Program was founded in 1992 by three students in the Class of 1995 and for many law students it has proven to be a valuable experience. Student participants obtain career counsel and advice from their mentors. The program’s success can be measured by the fact that in the four years since its inception, nearly two hundred women students have participated.

If you are interested in becoming involved with the Law School’s mentoring program, please contact the Alumni Office. Provide your name, class year, address, firm or business name, phone number (work or home) and area of expertise. The Law School will match you with a student with a similar interest. It is a wonderful chance to help a young law student and have fun at the same time. Send your information to:

The Law School Alumni Office
The University of Chicago Law School
1111 East 60th Street
Chicago, IL 60637

Portland Chapter of the Alumni Association, and twenty area graduates were on hand to hear Dean Baird bring them up to date about events at the Law school. Currently, sixty-eight graduates reside in the Portland area.

Seattle

A luncheon held on September 14 was the occasion for Dean Baird to address the Seattle Chapter of the Alumni Association. Twenty graduates and friends gathered at the offices of Perkins Coie to meet greet the Dean and speak with Chapter President Gail Runnfeldt ’79. Dean Baird spoke informally about the current state of the Law School.

Washington, D.C.

Alumni and friends residing in the D.C. area welcomed Randal C. Picker ’85, professor of law and associate dean, at a luncheon held on October 12. Kenneth L. Adams ’70, of Dickstein, Shapiro & Morin, graciously provided a room at the firm’s Kaufman Conference Center. Edward W. Warren ’69, president of the Washington D.C. chapter, was in attendance to welcome Prof. Picker to the nation’s capital and introduce him to the nearly sixty gathered that afternoon. Prof. Picker, who teaches in the areas of secured transactions, bankruptcy, and environmental law, is co-author with Dean Douglas G. Baird of Game Theory and the Law. His address focused on topics discussed in the book and how game theory is used increasingly by the government. Prof. Picker’s co-author Dean Baird was present as well.

Nothing is more disheartening than to lose track of an old friend. We know it is very important to you to keep in touch with fellow graduates to preserve the camaraderie formed during school days past, as sources for referrals and networking, or just to “talk of many things.” This is one reason why the Law School updates its Alumni Directory every five years. Scheduled for release in summer 1997, the new University of Chicago Law School Alumni Directory will be the most complete yet. In addition to the data graduates have found useful in the past—names, home and business addresses, phone numbers, and academic data—the new directory will keep abreast of the great changes in the telecommunication world by including e-mail addresses and fax numbers.

All the information in the directory will be researched and compiled by the Harris Publishing Company and will be obtained through questionnaires sent to all graduates, followed by telephone verification. Your cooperation in responding to the questionnaires will ensure accuracy in the directory. (Incidentally, if you do not wish to be listed in the directory, please contact the Law School Alumni Office, in writing, as soon as possible.)

All Law School graduates will have the opportunity to order the directory when their information is verified by phone. Distribution of the final classic, library-quality bound edition will be limited to Law School alumni.

Look for details on the project in future issues.
Class Notes Section – REDACTED

for issues of privacy
invitation and see for myself. Bob Bork (we do claim him, even if it's on a sharing basis) who also has a few ideas on how the Beltway really works, will be invited to the Reunion and I hope he comes.

Over the years, I've had a number of calls, lots of notes, and many letters, some quite long and all interesting. The most unexpected letter I've received in many years came from the only female who actually graduated from this distinguished class. She's ducked virtually all the Reunions but I wanted to share with you what she wrote, on official stationery, naturally:

"Dear Chuck:

Thank you for your note about our Law School Class Reunion scheduled for May 10th, Friday. Given the erratic behavior of our Republican House leadership, I have no idea what our floor schedule will be on May 10th, but I would like to attend. With the full faith and credit of the United States in jeopardy because the public debt limit has been raised and a default expected unless the limit is extended, the House went on recess February 2 to February 26! And besides they shut down the government for 26 days! I have no idea what this crowd will have planned for the week ending May 10th! If we are released, I'll come! As soon as a schedule is pronounced, I'll let you know if we can attend. Sorry I can't be more specific.

Very truly your,

s/s Patsy T. Mink
Member of Congress"

What a group we have! I'll treasure this forever, and Patsy, I certainly hope those Draconian Republican Grinches, trying to steal your Christmas, or at least your government, liberate you. We've missed you, and you'll be the Queen of this Reunion, if you show up. The Committee will give you three minutes (no yielding) to tell us anything you want, including sharing your warm feelings for Bob, Phil, Dick, Newt, and all those other fans.

Paul Allison keeps in touch a lot, mail, calls, and more. Nothing new is going on with him, but he'll be in Chicago with us. His children and grandchildren, all have interesting experiences, so ask him. Al Fross and Phyllis will be on a trip to the Middle East and can't come, with regrets.

Al Dropkin had grandson #8 (Bravo!) and would like to come but not on a Friday. OK, Al, come to the Annual Dinner. That's on Thursday the day before, so we'll expect to see you. Al Zontz, who is really a talented photographer and lawyer, retired last year and is studying photography. He and spouse Lennie will be traveling. He enjoyed seeing Ab and Zoe when Ab was in their Washington (the one with the ocean and mountains) to speak to the County Bar at their annual dinner. Al introduced him. He's moved and note this new address: 3874 W. Mercer Way, Mercer Island, WA 98040.

Howie Adler hopes to make the Reunion, (he committed early), but he has a trial starting May 14th. If it settles, he'll be with us, and if not he's sentenced to six weeks in San Diego, which is tough duty any day of the year. The climate averages around 72° all year. Howie and Mary have five grandchildren and holding (you never know about that Howie), with two in the vicinity. That's always a big plus when your children live in the same city with you and especially when they have children, as long as they don't want to borrow large sums long term, use your car for a month or ask you to baby-sit for three weeks. I hope your case settles because I want to see you.

Elliot Epstein sent me a terrific letter. I remember his father. He was a distinguished judge with a great courtroom.

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NAPIL HONORS MIKVA '51

On Friday, October 20, the National Association for Public Interest Law (NAPIL) recognized Abner Mikva as an Outstanding Public Interest Advocate of the Year. Citing his long public service career, the NAPIL commended Judge Mikva for being "a strong supporter of abortion rights, an early advocate of gun control, and, in 1993, ruling that the armed forces may not discriminate against people because of their sexual orientation." In their presentation of the honoree to the 500 NAPIL patrons and friends at the awards dinner, Ralph Neas '71 of Fox, Bennett & Turner, and Geoffrey R. Stone '71, provost of the University of Chicago, lauded the former appellate judge for his lifelong commitment to the causes of justice. Stone noted, "Through it all, Ab has brought a rare intelligence, wisdom, integrity, decency and generosity of spirit to all he has done and to all the lives he has touched. He is, indeed, the exemplar of the public citizen."

Founded in 1986 by law students, the NAPIL is a national coalition of 135 law student organizations working on their respective campuses to inspire and create opportunities for the next generation of public service lawyers. The NAPIL holds the annual awards dinner to recognize not only prominent and inspiring lawyers, but also honors law students who have performed outstanding service during public interest internships sponsored by a NAPIL stipend.
For those tuned into the information highway, my e-mail address is EMZ45@aol.com. I am exploring legal and non-legal career opportunities and would enjoy hearing from our classmates. Having the time to maintain contacts and relationships is a luxury that I am learning to enjoy.

CLASS OF ’69

On September 22, David A. Lander, a partner at Thompson & Mitchell in St. Louis, received the Michael R. Roser Excellence in Bankruptcy Practice Award during the annual meeting of the Missouri Bar in Springfield. The award is presented annually to an individual who "manifests the highest standard of excellence in bankruptcy practice, who has contributed distinctly to development and appreciation of bankruptcy law, and/or who has made an outstanding contribution in the field of bankruptcy administration or practice."

Lander was honored for his twenty-six years of specializing in business bankruptcy and corporate restructurings for financial institutions and small business clients. He is a nationally recognized expert in the agribusiness industry and has worked with the Uniform Commissioners on State Laws to revise and improve the Uniform Commercial Code.

Last October, the Honorable Robert D. Martin, Chief U.S. Bankruptcy Judge for the Western District of Wisconsin, was elected president of the National Conference of Bankruptcy Judges for the 1995-96 term.

CLASS OF ’70

Robert J. Stucker, senior partner and president of the Chicago law firm of Vedder, Price, Kaufman & Kammholz was named the 1996 state crusade vice-chairman for the American Cancer Society, Illinois Division. Stucker will help spearhead the statewide campaign to raise $12.1 million for the Society's fight against cancer.

CLASS OF ’71

Don't forget to mark your calendar for May 9-11, 1996, for the 25th Reunion of the Class of ’71!

Class Correspondent
Karen Kaplowitz
Alschuler, Grossman & Pines
2049 Century Park East, 39th Floor
Los Angeles, California 90067-3213

Henry Balikov has become a director at TLI Systems, Inc., an ADR and environmental consulting firm. Henry's practice focuses on environmental, health, and safety management, he has also been involved with the development of the International Standards (ISO14000), and is on the editorial board of The Journal of Total Quality Environmental Management.

George Big Eagle writes that he was instrumental in "breaking" the stripmining leases that certain companies had obtained on the Northern Cheyenne Indian Reservation in southeast/central Montana.

Larry Corneck's business address has changed to: 750 Lexington Avenue, 25th Floor, New York, NY 10022; telephone: 212-754-2233; fax: 212-754-2372.

GRADUATES GATHER FOR LECTURE PROGRAM

A lecture series at the John Marshall School of Law proved to be a miniature reunion for several graduates of the Law School. In attendance at the 1995 Kravcil Lecture Program were (above, from left to right): Robert Gil Johnston ’60, dean of the John Marshall Law School; Richard L. Polley ’55, CEO and president of Chicago Title Insurance Company; Professor Celeste Hammond ’68, director of John Marshall’s Graduate Program in Real Estate Law which presented the lecture series; and Hugh A. Brodkay ’54, vice-president and associate general counsel of Chicago Title Insurance Company.

This year, the lecture program was entitled "Challenges to American Investors in Real Estate in China, South Africa, and Eastern Europe," included several Law School as participants. Hugh Brodkay delivered the keynote presentation entitled "The American Experience, History, and Resolution: Title Insurance" which was greatly applauded by the real estate attorneys in attendance.

The program’s final event, a panel discussion designated “We’re Not in Kansas Anymore,” was conducted with several Law School graduates as panel members. George Kovac ’76 spoke about his experiences while resident in Alzheimer & Gray's Kiev and Warsaw offices. He was joined by James R. Silkenat ’72, who practices with Winthrop, Stimson, Putnam & Roberts in New York.

Virginia M. Harding ’72, a member of the Kravcil Planning Committee, later commented on the program's great success, due in part to the efforts of the graduates from the Law School. "It shows the importance and utility of the University of Chicago Law School connection (with the John Marshall Law School)," she said. "The 1995 Kravcil Lecture Program clearly benefitted from this connection."
FOUR GRADUATES NAMED TOP YOUNG LAWYERS

David Bernick '78
Donald Bernstein '78
Robert Gunderson, Jr. '79
Emily Nicklin '77

After conducting weeks of research, which included a team of fourteen editors and reporters who interviewed hundreds of leading lawyers, managing partners, and clients, the December issue of The American Lawyer listed the forty-five young lawyers making their marks today and with the promise of leading the profession tomorrow ("Young," a subjective term at best, being defined by The American Lawyer as under the age of forty-five). Though it should come as no surprise that four of the chosen are graduates of the Law School, it is interesting to note that they would have all been enrolled as full-time students during the 1976-77 academic year.

David Bernick '78, of Chicago's Kirkland & Ellis, was cited for, among other things, his work as Dow Corning's national trial counsel during the breast implant product liability suits. Bernick has made it specialty in, as the magazine notes, "defending companies in technical, high-risk product liability and mass tort litigation, mastering the scientific intricacies of pesticides, and nuclear weapons manufacturing. His name is attached to such high-profile litigation as the defense of operators at the Hanford Nuclear Reservation and the Rocky Flats Nuclear Weapons Plant, and of Brown & Williamson Tobacco Corporation in suits brought by states seeking recovery of medical costs due to smoking."

The American Lawyer described Donald Bernstein '78 as "the consummate bankruptcy lawyer." A partner at the New York firm of Davis Polk & Wardell, Bernstein is renowned for his work in "megacases" for such clients as Johns Manville Corporation and LTV Corporation, Drexel, R. H. Macy & Co., and Dow Corning Corporation. He also made a significant public policy contribution with his work in advising Congress on revisions to the Bankruptcy Code in 1994. He currently serves as the chair of the city bar association's committee on bankruptcy.

With an array of start-ups in the Silicon Valley under his belt, such as ArcSys, Inc., Legato Systems, Inc., and Remedy Corporation, Robert Gunderson, Jr., '79 represented issuers in more initial public offerings than any other lawyer in 1985. His clients also include investors Mohr, Davidow Ventures, and Technology Venture Investors, and underwriters such as Morgan Stanley & Co. Incorporated, Alex. Brown & Sons, Incorporated, and Montgomery Securities. The American Lawyer cites the fierce loyalty he receives from high-power CEOs. Recently, he and seventeen partners and associates founded Gunderson Dettmer Stough Villeneuve Franklin & Hachigian in Palo Alto, California.

The article also quotes one client describing Emily Nicklin '77 as "an absolute bulldog" of a trial lawyer, a reputation that is easily understood because of her affinity for taking on litigation at short notice. "What I liked best," the article quotes her as saying, "was someone saying on Friday afternoon, "The trial begins on Monday.' " Last spring, Nicklin, became the first woman to be elected to management committee of Kirkland & Ellis, and is responsible for $2 million in yearly billings. Her reputation for tenacity prompted Dow Chemical Company to tap her as one of the company's key trial lawyers defending the onslaught of breast implant cases.

In all, The American Lawyer sought lawyers who "made a name for themselves as the person that clients wanted on their team," they write. "We sought people who had earned the respect—however grudging—of their peers, who had an impressive client following, who were already generating significant business for their firms, and who had demonstrated leadership within the firm."
Talk in the world of publishing has recently centered on Lynn Chu. As one of the founders of the New York-based literary agency Writers' Representatives (the other founder being her husband, Glen Hartley), Chu is the power-house agent responsible for Newt Gingrich's S 4.5 million advance from HarperCollins for producing two books. Chu initially sought out Gingrich when she learned from a friend that the House Speaker was actively seeking representation. In spite of the fact that HarperCollins already announced its plan to publish Gingrich's To Renew America for S 2 million advance, Chu continued to broker the book around. The resulting bidding war eventually won Gingrich an extra S 2.5 million. It is the biggest deal yet for the firm that also has successfully represented David Brock for The Real Anita Hill, Harold Bloom for The Western Canon, and Sharwin Nuland for How We Die.

Writers' Representatives may shift gears soon and focus on other areas of interest, rather than politics alone. After all, as Chu told Forbes magazine, "I think people are getting sick of politics. I know I am."

big brother, Jake, who is now three-and-a-half years-old. Tom Kivlahan sent an announcement reporting the renaming of his firm, Drost & Kivlahan, Ltd. The firm practices in the areas of corporate law, estate planning, probate, real estate, international law, and litigation, and is located in Arlington Heights, Illinois. Shawn Collins continues to run a four-lawyer litigation shop called The Collins Law Firm in Naperville, Illinois. Shawn and his wife Meg live in Naperville with their fifteen-month old baby, Caitlin Rose.

GOVERNMENT GROUPIES . . .

Peter Krupp continues to love his job as a federal public defender. Peter reports that during each of the federal furloughs the federal public defenders were declared "essential," leaving Peter to wonder, "Who says the Sixth Amendment is a dead letter?" Peter and his wife Vicki have three kids, Aaron, four-and-a-half, Ben, two-and-a-half, and JoAnna, almost a year. Peter continues to commute to Boston by train with Tom Hefferton. Wonder if they would agree to submit a transcript of their commuting conversations for the next edition of the Class Notes? Paul Rosenzweig continues in his job for the Republicans on Capitol Hill. Paul is fretting a bit because, as he says, he needs a Republican victory in November to keep his job. Maybe that'll teach him. Paul heads up the list of those least likely to be seen at the Democratic Convention.

BUSINESS BARONS . . .

Steve Salzer is still managing two manufacturing operations in Elkhart County, Indiana. He reports not missing the law. His son Jake is now two-and-a-half, and his daughter Carey is one year old. Cloyd Laporte has moved from Dallas, Texas, to the New York area, where he is now working for Counsel Connect, the on-line communications and information service for lawyers. Last November, Cloyd and his wife welcomed their new arrival Michael, who joins his eighteen-month older brother George. Cloyd and his family live in Darien, Connecticut. Kate Poverman has decided to join the other business barons. She left the SEC and is now a compliance attorney with Eaton Vance, a Boston investment company. Kate is working three days a week, which she says is ideal. Can't imagine why she likes that better than seven-day work weeks. Her husband Raphael has finally finished his fellowship and is now an attending thoracic surgeon at the Brigham & Women's Hospital in Boston. Kate, Raphael and Gabrielle, now
IN MEMORIAM
The Law School Record notes with regret the deaths of:

The Honorable Hubert L. Will '37

Hubert L. Will '37, the respected senior U.S. District Court judge and long-time friend of the Law School, died December 9, 1995, at his resort home in Oconomowoc, Wisconsin. He served on the federal bench in the Northern District of Illinois since 1961 when he was appointed by President Kennedy. He assumed senior status in 1979.

Judge Will settled thousands of cases during his long distinguished career and earned universal praise for his passion and skill as a juror. Among his most celebrated cases were the In re Folding Carton anti-trust class action litigation which resulted in a $220 million settlement in the 1980s, and the wrongful-death cases generated from the 1979 American Airlines crash at Chicago's O'Hare Airport. He remained active on the bench as recently as last August, when he issued a written opinion in a broadcast-rights dispute between the Chicago Bulls and the National Basketball Association.

In addition, Judge Will pioneered several innovative administrative procedures now considered standard practice in courts throughout the country, such as the establishment of a final pretrial order and the use of bifurcated trials for liability and damages.

Judge Will was born in Milwaukee and received his bachelor's degree from the University of Chicago in 1935 before entering the Law School. After graduation he moved to Washington, D.C., where he joined the general counsel's staff at the U.S. Securities and Exchange Commission. Judge Will was appointed chief of the counter espionage branch of the European Theater of Operations, Office of Strategic Services during World War II, during which he was promoted to captain and awarded a Bronze Star for his work in capturing Nazi espionage agents. He was present at the liberation of several concentration camps at the war's end, a sobering experience he never forgot.

After the war, Judge Will joined the Chicago law firm of Pope & Ballard. In 1949, he joined Nelson, Boodell & Will, where he worked until his judicial appointment. In 1981, he helped found the Federal Judges Association and served as chairman of its Senior Judges Advisory Board.

In 1991, Judge Will was presented the Edward J. Devitt Distinguished Service to Justice Award, an honor bestowed by judges throughout the country to the nation's outstanding jurists. He also was awarded the Clarence Darrow Humanitarian Award in 1969 and received honorary degrees from the John Marshall Law School in Chicago in 1973 and the University of Illinois at Chicago in 1994.

In recognition of his distinguished legal career, the Hubert L. Will Fund for Clinical Legal Education has been established by his family and friends. The fund will be used to support the work of students in the Law School's Mandel Legal Aid Clinic.

Joseph E. Green '31

Retired attorney Joseph E. Green '31, died on July 8, 1995, at his Paradise Valley, Arizona, home. Mr. Green was born on June 15, 1908, in Spencer, Iowa. Before entering the Law School, he received his B.S. in 1928 from Georgetown University. He graduated from the Law School as a member of the Order of the Coif, having served as an editor for the Law Review. Mr. Green retained a solo practice in Chicago for several years before making his permanent home in Arizona. Throughout his life, he retained fond memories of the Law School, especially of Prof. Ernest W. Puttkammer, who once revealed in a letter that he gave Mr. Green the highest grade ever given by him in criminal procedure.

1923
Livingston Hall
November 18, 1995

Miles Jaffe
February 3, 1996

1933
Leonard Cohen
October 30, 1995

Marvin E. Pollock
October 9, 1995

1936
Arno C. Becht
June 1, 1995

James E. Beaver
February 16, 1996
A. Conrad Olson
November 26, 1994

1937
Richard McPartlin
November 16, 1995

1959
Lloyd A. Hale
September 19, 1995

1938
Walter F. Berdal
September 21, 1995

1960
Edward E. Yalowitz
November 23, 1995

1939
William A. Runyan
September 24, 1995

1963
Rex Lee
March 11, 1996

1948
Claude E. Whitaker
November 29, 1995

1967
Jerry J. Mrizek
January 12, 1996

1949
Charles Kralovec
December 24, 1995

1976
Rupert A. Simpson
November 22, 1995

1950
Marion W. Garnett
November 9, 1995

1980
Andrea Sykes Foote
November 3, 1995
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Oak Hill Partners, Inc.
Charles L. Edwards '65,
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The Honorable Cynthia Holcomb Hall,
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Ninth Circuit
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Federal Deposit Insurance Corporation
Seymour M. Hersh
Arthur O. Kane '39,
Kane, Doy & Harrington, Ltd.
Lawrence Shoa-Liang Liu '82,
Lee & Li
Laurel J. McKee '64,
AT & T
Philip R. McKnight '68,
The Hotchkiss School
John A. Morris '49,
Alfredo R. Pérez '80,
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Henry Crown & Company
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Edward Don & Company
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United Kingdom
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Feldman, Hall, Franken, Woodard & Farris
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U.S. Patent and Trademark Office
Philip L. Harris '83,
Kirkland & Ellis
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Winston & Strawn
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Pillsbury Madison & Sutro
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Aetna Life Insurance & Annuity
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Ford Committee
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Hennigan Mercer & Bennett
Alison W. Miller '76,
Stearns, Weaver, Miller, Weisler, Alhadeff & Sitterson
Jeanne L. Nowaczewski '84,
Business & Professional People for the Public Interest
Janet F. Plache '84,
Cleary Gottlieb Steen & Hamilton
Barry C. Skovgaard '80,
Law Firm of Barry C. Skovgaard
Matsuo Takahuki '49
Michael Igoe ’56

“Like other institutions, our Law School faces new challenges and continual change. If we expect it to maintain its leadership, we have to provide it with the necessary resources. In honor of my 40th reunion, I included the Law School in my will, helping to ensure that those after me receive the same opportunities and experiences.”

If you would like to receive information about planned giving opportunities at the Law School, please contact Greg Wolcott, Assistant Dean, University of Chicago Law School, 1111 East 60th Street, Chicago, IL 60637. Telephone number: (312)702-9486.