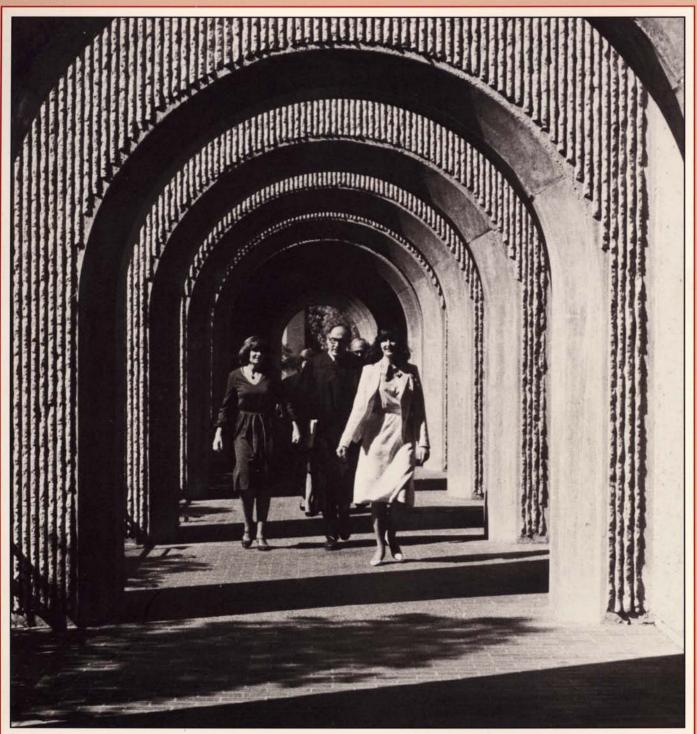


FALL 1983 VOL. 18, NO. 1



Heroin Options / Savings & Loans / Board of Visitors / Law Fund Annual Report

Cover:

Cover:
Supreme Court Justice William H.
Rehnquist ('52) returned to campus
May 6 to judge the Marion Rice
Kirkwood Moot Court Competition
(see page 50). With him here are
Lecturer Nancy Millich (left),
advisor to the Moot Court Board,
and Marilyn Drees (right), a
second-year student serving as
court clerk. Justice Rehnquist was
an honored guest at the Board of
Visitors banquet that evening. Visitors banquet that evening.

Photo by John Sheretz

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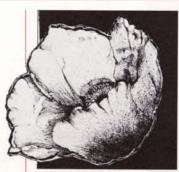
FALL 1983

STANFORD LAWYER

Editor: Constance Hellyer Associate Editor: Michele Foyer Art Director: Barbara Mendelsohn Stanford News and Publications Production Artists: Linda Ruiz, Marco Spritzer, Ginny Mickelson, Mark A. Bonacorso, and Suzanne Mathison

Photo and art credits: page 67.

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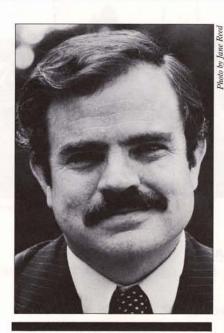
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From the



John Hart Ely

s you may have seen, the cover story of the May 22 issue of The New York Times Magazine about legal education focused on Stanford Law School. And although it was titled "The Trouble with America's Law Schools," we actually came off

pretty well.

The thesis of the article was that the second and third years of law school tend to get boring and that no one has really found a consistently effective antidote-which is certainly true. But, as the author (David Margolick) grudgingly admitted, our faculty at least is hard at work on the problem, and of the schools that form the elite "inner circle" of legal education Stanford has the best chance of solving it. (Our innovative "Lawyering Process" courses and various simulated/clinical offerings received much attention, both textual and pictorial, in the article.)

Mr. Margolick also recognized that we have embarked this year on a program to help our students think about what they want to do with their lives, rather than automatically gravitating toward the most prestigious bigcity law firm willing to hire them. The career planning meetings that I and other faculty members have been holding with students, and the modest loan program we have instituted for those who want to spend one of their two summers in some "alternative" form of employment, were described as what in fact they are-symbolic-but nonetheless valued as such.

What Mr. Margolick didn't stress are the enormous strides we are making in the area of Law and Business. Of course this is a program given renewed energy and focus by Charlie Meyers, but this last year we have really begun to put it all together. As part of our reform of the first-year curriculum we have incorporated into the second term a new course in Economics and Finance Theory, which will function as a prerequisite for what we expect to be a very popular business law track in the upper years. Thus our dream of having a genuine business sequence is finally becoming a reality. (We will also give a section of Business Associations for those who have not taken the prerequisite and do not desire such an intense law and business experience: "Corporations for

Cosmologists"?).

More important are people. In addition to Myron Scholes, the first joint appointment ever made by the Law and Business Schools, we have added Tom Campbell, most recently Director of the Bureau of Enforcement of the FTC; Ellen Borgersen, most recently a partner at Morrison & Foerster; and Bob Gordon, most noted as a legal historian but particularly interested in the history of the American corporate bar (and, like Campbell, teaching a section of Business Associations this coming year). Other good news is that the funding of the Ralph M. Parsons Chair in Law and Business was completed this year and Ken Scott was named its first incumbent, and Ron Gilson, one of the leading corporate law scholars of his generation, was promoted to full

professor.

I know that when I was appointed Dean, some of you were concerned that my commitment to the area of law and business might be less deep than that of Charlie Meyers (who, I am bound to say, has gone a bit overboard to demonstrate the depth of his interest). It's true that business law is not my field,* but it is one that touches the careers of most lawyers, certainly of most of our graduates, and we are further blessed by the presence on our campus of a business school whose status equals our own. I have therefore made it one of my chief priorities to insure that our business curriculum will be so far out front that people will be at a loss to say who's

Business Law vs. Public Interest Law: A False Dichotomy

second-something along the line that Charlie Munger has suggested to me: "The Best of the Stanford and Harvard Business Programs Combined, Improved, Condensed, with Dross and Twaddle Removed, but with Almost All Essential Areas Covered, and Related to the

World of the Lawyer.'

As I say, the recent strides we've made in the area of law and business are something Mr. Margolick doesn't mention, and I honestly think the omission was meant to be a favor. For, remember, his praise was for the gains we had made (albeit too limited in his view) in clinical teaching and public interest law initiatives. A simultaneous push in the area of law and business apparently struck him as somehow inconsistent, and he was enough of a gentleman to refrain from accusing us of schizophrenia.

In fact the contradictions that some see among law and business, public interest law, and clinical teaching are largely imagined. Our initiatives on all three of these fronts are quite intentional, and I am more than happy to

identify myself with each of them.

It is true that clinical teaching has tended to be identified with "poverty law," undoubtedly because it was a label first attached to teaching done in conjunction with legal aid clinics. It still is that at some law schools, and indeed it is partly that at Stanford. But clinical teaching at Stanford, as the *Times* article does indeed make clear, has progressed far beyond the legal aid clinic model. Most of our clinical teaching is now done by simulation - thus eliminating calendar problems and genuine ethical conflicts in which real people can get hurt, and insuring an appropriate and controllable blend of interesting legal issues—and a good deal of it has nothing to do with "poverty law" (at least not overtly: more of this later on). The first year Lawyering Process course features a wide range of legal situations, and there are wholly clinical offerings in areas as diverse as family law, real estate, and labor law. In short, clinical teaching, as the name implies, is a mode of teaching: it designates neither a specific subject nor a particular ideological outlook. Skills learned clinically are transferable skills.

But what about business law and public interest law? Aren't they both subject areas, as opposed to modes of teaching, and aren't they, indeed, inconsistent? Nonsense again. In the first place, business enterprises are

certainly capable of acting in what all would agree is "the public interest," and many would define generally keeping the government off the backs of free enterprise as a public interest career. (I take it there are occasions on which all of us would agree that such a campaign is needed, though obviously there is wide divergence on the subject of how often they occur.)

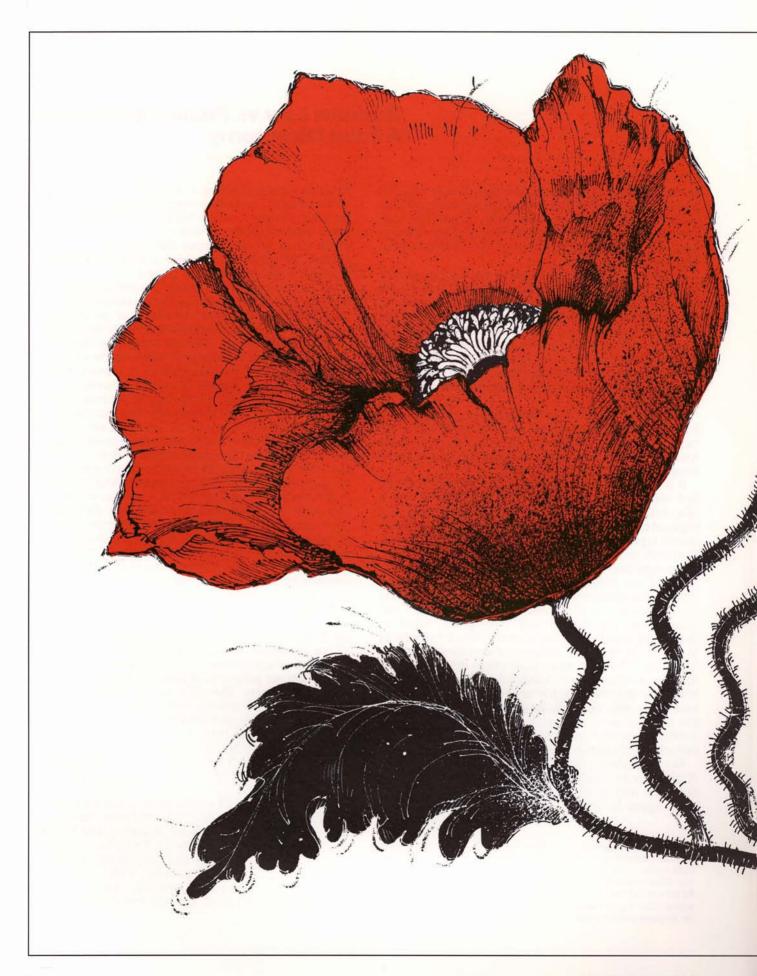
Let us, however, define "public interest law" more narrowly (and controversially) as the representation of interests that cannot, without charitable or governmental aid, afford to hire representation for themselves (poor people, environmental interests, etc.). The dichotomy remains invalid. The same skills and even the same substantive doctrines that one invokes to represent those able and willing to pay can be equally valuable-indeed they are indispensable – in the defense of those who are not. It is a naive and dangerously ill-prepared lawyer who supposes that commercial, business, and property courses are somehow irrelevant to the representation of the poor, let alone "the public interest." Beyond all that, as I note in my January 25 memorandum to the students on "Exposure to Career 'Alternatives'": "Our profession is filled with examples of men and women whose basically large firm practices have involved significant activity, intermittent or continuing, devoted quite explicitly to serving the profession and the public." (This memorandum is reprinted in full on pages 53-55.)

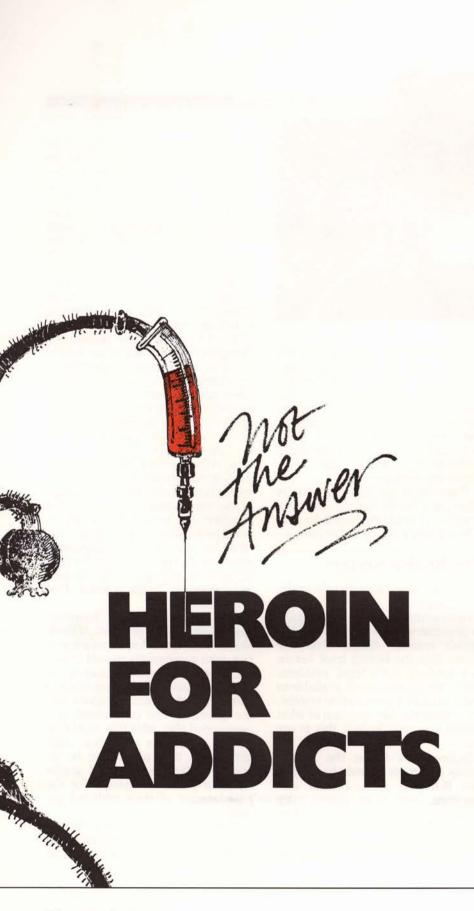
We therefore intend, without fear of contradiction, to continue strengthening our clinical teaching program to the extent our resources permit (such teaching is in fact very expensive, primarily in terms of manpower) because clinical teaching, done right, is interesting and good teaching, calculated to make effective lawyers of all our graduates no matter what kind of practice they elect. But we also intend, with equal vigor, to continue to strengthen our programs in Law and Economics and in Law and Business. The skills and knowledge imparted by these programs will also make more effective lawyers of all our graduates, no matter how they end up spending their lives. Beyond that, we are aware, most of our graduates will be business lawyers for much of their careers. That doesn't mean they can't also be public interest lawyers, and that too is an instinct we very much

mean to encourage.

All that is by way of amplification and clarification of the Times article. I do have one criticism though, Mr. Margolick: my book is entitled *Democracy and Distrust*, not "Democracy and Discontent." Those less charitable than I have suggested that that mistake epitomizes the accuracy of the article as a whole. That's not fair: as I said, in Mr. Margolick's generally dismal world of legal education, Stanford came out looking pretty good. It should.

^{*}The Times article quoted me to the effect that I personally would not be most comfortable working in a large corporate law firm, and to the further effect that most members of the faculty probably also feel that way. (That much seems obvious: after all, we're here rather than there.) As the context may not sufficiently indicate, however, this was said by way of rebutting the common student charge that somehow the faculty are engaged in a conspiracy to channel them into large firm practice.





By John Kaplan

lackson Eli Revnolds Professor of Law

t is not at all clear why heroin should be the "hardest" drug. It is, after all, a white powder indistinguishable to the eye from cocaine, mescaline, various amphetamines and barbiturates, nicotine, and caffeine - some of which are "soft" and others not popularly considered drugs at all. It is true that heroin is addicting, but this complex property is shared by many drugs we do not consider "hard" at all.

In all probability, the hardness of heroin, in the public view, stems from a combination of factors: the condition of those users who come to our attention; the public attitude toward the kinds of people who use the drug; the serious criminal penalties for its sale or use; the strong social disapproval it evokes; and the enormous social cost to the nation attributed to its use.

Estimates of these costs (rough at best) run about ten billion dollars a year, including the amounts stolen by addicts to support their habits; the cost of apprehending, processing, and imprisoning those whose offenses arise from the use or sale of heroin; and the sums spent on the treatment of addicts.

This figure does not, by any means, reveal the entire cost of heroin to our society. Nowhere do the usual calculations account for the erosion of civil liberties and the police corruption related to attempted enforcement of the heroin laws; the diversion of large profits to organized crime; the lowered quality of life in large areas of our cities; and the pain suffered by the families of addicts and, more directly, by the addicts themselves.

Probably the most popular suggestion today for lowering the costs of heroin abuse in the United States is that we should adopt what is thought to be the British system. We would then make heroin legally available to addicts at a very low price while maintaining the prohibition for sales

to anyone else.



Obviously, if we could make such a system work, it would have many advantages. A policy that allowed addicts easy and cheap access to the drug would free us from the costs that we all suffer from making the quest for heroin so difficult. However, such a policy could also entail unknown but perhaps huge public health and welfare costs.

What could we hope to gain by adopting a heroin maintenance program? And would the hoped-for benefits outweigh the probable costs?

The British System

Before we look more closely at the advantages and disadvantages of heroin maintenance, it will be helpful to describe what is often called the British system. Almost everyone knows that the British treat heroin as a medical, not a legal, problem; hence, they make heroin available to addicts under a prescription system. Unfortunately, like so much of what almost everyone knows, this is not true.

Before 1914 (when the United States Congress passed the restrictive Harrison Act), British and American laws as to opiates were similar. Though Britain had, in 1868, restricted the right to sell opiates to pharmacists, opiates were still freely available and were widely consumed

in tonics and as home remedies. The drugs were used not only to cure ills and to make people feel better, but also to quiet children. In some areas, such as "the fens" around Cambridge, opiate addiction was quite common, but, though this was seen as a public health problem, it was not regarded as very important. As in the United States, it was the pressure resulting from the international opiate traffic that required that something be done about Britain's own legal treatment of opiates.

In 1920, Parliament passed the Dangerous Drugs Act, a law which, on paper, seems strikingly similar to our Harrison Act of six years earlier. Most opiates were prohibited from over-the-counter tonics, and it was made a serious criminal offense to buy or sell such drugs outside of

medical channels.

As in the Harrison Act, the issue of medical maintenance of addicts was unresolved, and even the language of the two statutes was parallel. The Harrison Act provided that opiates could be supplied by a physician only "if in the practice of his profession," while the British law allowed a physician to supply opiates "so far only as is necessary for the practice of his profession."

The crucial difference, however, came with the interpretation of these words. Unlike the American authorities, who successfully moved to prevent any maintenance on opiates, the British appointed a distinguished committee of physicians to look into the question. The commission recommended that addiction should be treated simply as a medical complaint and that physicians be allowed, under very general guidelines, to prescribe opiates for the maintenance of their addicted patients.

The authorities enforcing the law not only acquiesced in this view but, in practice, left the occasions of maintenance almost entirely up to the physicians. As a result, under the British approach, addiction became a matter between the addict and his physician. The doctor would prescribe morphine or heroin and the addict would obtain his supply from a pharmacy just as he would any other medicine.

The situation endured essentially without change until the 1960s. By that time, many American authorities were convinced that Britain had "the answer." And even those who disputed whether heroin maintenance would work in the United States tended to agree that Britain's system was working quite well in that country.

There were only a few hundred addicts in the whole nation. These were overwhelmingly medical addicts, who had become addicted during a course of treatment with opiates—often for chronic pain. They did not use drugs for euphoria and did not seem particularly inclined toward crime. Probably most significant, they did not belong to any addict subculture; indeed, most addicts did not even know another addict.

Not only did the addicts themselves seem to adjust well to heroin maintenance, but there were societal benefits as well. Because of the low price of the drug, no addict had to steal or sell drugs to maintain his habit.

In addition, the heroin maintenance system was credited with having prevented the development of an illegal market. Since addicts could obtain heroin quite inexpensively from their private physicians, and then, after World War II, virtually without cost from the National Health Service, it was believed that no profit could be made from trafficking in the drug.

Of course the system was not foolproof. The addict could conceivably sell a part of his supply, if he wished to and could find a buyer. And the individual physician had to be trusted, for the benefit both of his patient and of society, to hold down the level of his opiate prescriptions to the amount needed to sustain the addict's habit. Nonetheless, by all accounts the system worked well until the early sixties. Then it began to break down.

The Breakdown of the System

It has been said that the problem was caused by a few American-style addicts who came to Britain fleeing a new Canadian law which sharply increased the penalties for drug violations. Others have argued that the social use of heroin was a cultural innovation imported from the United States.

Perhaps the most important factor was the development of a youth culture which was, for the first time, large and affluent enough to develop certain folkways of its own in opposition to the dominant older culture. This style not only included clothing (Carnaby Street) and music (the Beatles), but the recreational taking of marijuana, "pills," and, to a limited extent, opiates.

In any event, it is now clear that a relatively small number of young men who centered their lives on opiate taking and dealing, aided by a considerable degree of naiveté or simply profiteering on the part of a few British physicians, quickly destroyed the British system as it then existed. The new-style addicts, it turned out, could often induce physicians into prescribing considerably more than needed to sustain their habits, and they were able to find ready purchasers for the surplus among their friends. Between 1961 and 1969 the number of British addicts increased more than fivefold, and, perhaps even more significant, the kind of addict changed dramatically.

The new addicts were younger and less stable and had values very different from those of the medical addicts who had previously been the grist for the system. While the total number of addicts in Britain still amounted to only about three thousand—a figure which could be matched in a five-block area of Harlem— the public became alarmed; a commission was convoked to look into the problem; and, in 1967, Parliament made major changes in the system.

The most important change was the withdrawal of the ordinary private physician's power to prescribe opiates for the maintenance of addicts. Only physicians specially licensed for the purpose could now do this. Moreover, though some general practitioners were in fact licensed to do so, the prescription of heroin or morphine to maintain addicts soon became restricted, as a practical matter, to a number of hospitals and clinics—of which the thirteen in London handled the great bulk of British addicts.

These clinics were staffed by physicians who quickly became specialists in heroin addiction and who tended to be considerably more suspicious of addicts' stated requirements than individual practitioners had been. The clinic physicians recognized that their responsibility was not only to their patients but to society as well. They tried very hard to make sure that their patients used and did not sell the heroin they had prescribed, refrained from the use of other illegal drugs, and held steady. noncriminal, employment. The preference was still that the addict be weaned away from his drug, but it was understood that he would continue to receive his heroin if he made a tolerable adjustment.

So far as we can tell, the switch to the clinic system was, for the most part, successful. The explosive



growth of heroin addiction was halted, and the success of the clinics at reducing diversion of prescribed heroin is shown by a doubling of the price of the drug on the illegal market in 1968, when the clinic system took hold.

In recent years, however, there has been vet another major alteration in the British system. Unlike the 1967 change, which was the result of a new statute amidst considerable publicity, this one has been the product of a gradual and almost unnoticed evolution. The pressures toward greater social control over a new and more refractory kind of addict, together with a feeling that, by and large, oral methadone was a safer and more therapeutic maintenance drug than injectable heroin, have caused the clinics to maintain fewer and fewer addicts on heroin and to substitute methadone instead.

The extent to which this has occurred would surprise those who still believe in the unique "British system." One study of two London clinics showed that only five of 2258 addicts under treatment were receiving heroin. Another clinic entirely discontinued prescribing heroin when the staff decided that the major reason they were still maintaining a few patients on that drug was to impress visiting Americans.

Even the few clinics that still maintain any number of addicts on heroin or morphine do so under a kind of grandfather clause. Those patients who were started on such drugs when they originally were treated for addiction, and have made what their physicians regard as a good adjustment, may continue to receive those drugs.

New addicts, those who have returned to the clinic after temporarily dropping out of treatment, and those who have not adjusted in the sense that they have remained unemployed or been in trouble with the law, have been placed on oral methadone, often over their strenuous objections. In short, as a practical matter, the "British system" of prescribing heroin to maintain addicts is no more.

The Relevance of the British Experience

Of course, the fact that Britain has abandoned heroin maintenance does not in itself mean other nations should not try it. After all, the British may simply have made a mistake. On the other hand, one might argue that even if the British were correct in abandoning maintenance in their country, conditions in our quite different country may be more favorable.

However, most observers (including the author) believe the opposite -that conditions in this country are less, not more, favorable to a heroin maintenance approach. For one, heroin addicts in Britain and America are very different kinds of people, and were even more so when the British system was most conspicuously successful. A far higher percentage of British addicts were medically created, while many more American addicts initially used heroin for pleasure. Similarly, most American addicts had criminal records before their first use of heroin, while this is true of a much

smaller percentage of British addicts. White youths are overrepresented among British addicts, while ethnic minorities are overrepresented among American addicts.

Another important but often overlooked point is that medicine is practiced quite differently in the two nations. Heroin maintenance fits comparatively well into an organized system of health delivery such as the National Health Service. Our present anarchic medical system may have some advantages over socialized medicine, but a number of commentators on the British system have pointed out how much easier it is to care for heroin addicts in a clinic setting where a wide variety of other ailments are also treated, and in a system which also cares for the many health needs of addicts apart from their maintenance.

Finally, the number of addicts in the United States is so much larger than the number that British heroin maintenance has ever coped with that the changes in the scale of the problem might produce genuine

differences in kind.

In short, though the British experience with heroin maintenance provides us with a considerable amount of arguably relevant data, it is not very helpful in deciding whether the United States should attempt such a system. Perhaps the most reliable conclusion we can draw is that our heroin problems would probably be fewer today had we begun some kind of opiate maintenance at the time we passed the Harrison Act. Turning back the clock and starting from that point a second time is obviously impossible, however, so we must consider the costs and benefits of heroin maintenance in today's world.

Heroin Maintenance Options

Heroin maintenance is an extremely plastic concept. As the British ex-

perience indicates, relatively small changes in the method of implementation—such as the shift from prescription by private physicians to that by specialized clinics—may result in very different consequences.

Let us look at two quite different ways of maintaining addicts on heroin—the prescription system and the use-on-the-premises system. As we will see, each of these has its own problems. Afterward we will examine the more complex policy issues related to any government narcotics maintenance program.

The Prescription System

At the one extreme, we might follow the pre-1967 British system and simply allow any private physician to prescribe heroin for the maintenance of his addict patients. This measure would be unlikely to work, since it failed even in Britain. Rather than open ourselves to the charge of setting up a straw person, then, let us adopt, as our extreme, the model of heroin maintenance that the British used in 1969, in the early stages of the clinics.

Heroin clinics would prescribe heroin on the basis of the clinic physician's assessment of the addict's need, and the addict then would pick up his supply at a pharmacy of his choice. Such a system would probably have a strong appeal for the great majority of addicts. The amount of time and energy they would have to spend in getting their heroin would be vastly reduced, and they would be using a safer and far cheaper drug.

Many of the social costs of heroin prohibition would be lowered by such a system. A higher percentage of addicts would be able to stabilize their doses and become more productive citizens. And even those who continued to steal would at least not have to meet the demands of an expensive heroin habit. Moreover, the system would not be very expensive to administer. The best recent estimate of the cost per addict is about \$2,500, or about one-fifth more than a well-run methadone program costs today.

The Problem of Leakage

The prescription system, however, has one major and intractable disadvantage. Those addicts who pick up their supply of low-cost heroin will have a strong incentive to resell at least part of their supply. This problem is not a mere consequence of sloppy administration. It is inherent in any system that allows the addict to possess resellable heroin outside the confines of a guarded clinic, laboratory, or hospital.

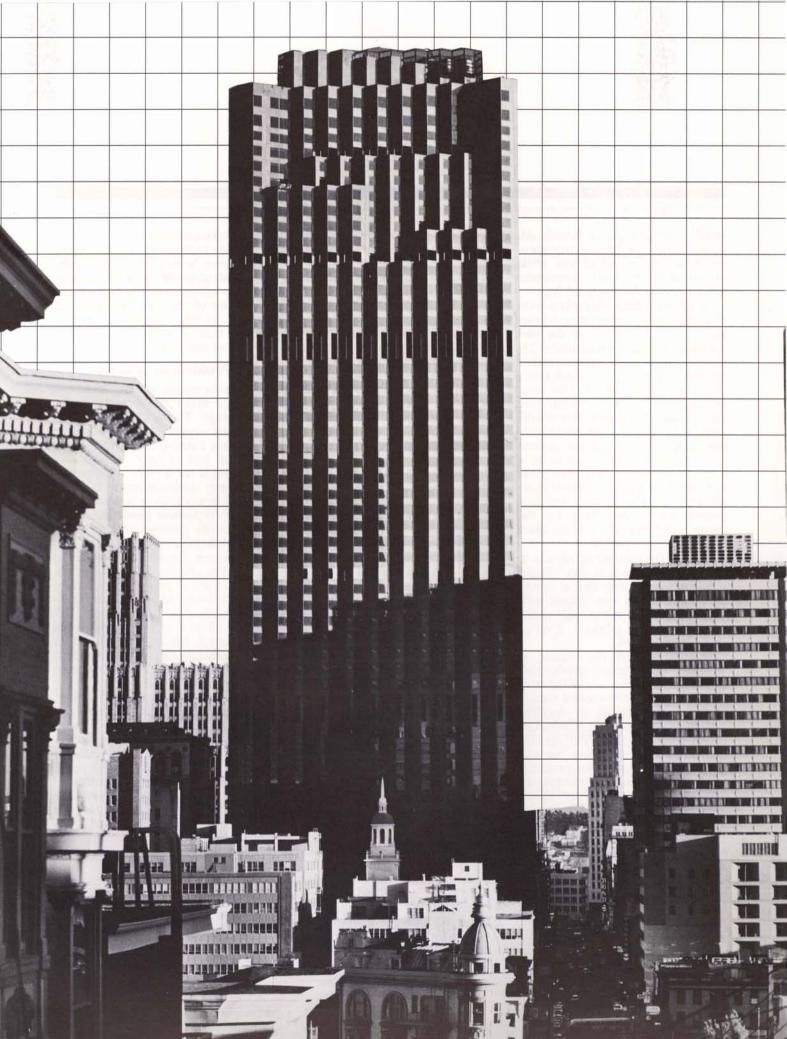
Of course, the clinic staff will try to lower the amount of heroin the addict can sell by prescribing no more than he needs. Several factors, however, make their task extremely difficult. First, it is impossible to tell how much heroin an addict does need. Often he will be able to make a convincing case that his tolerance

has increased his need.

To complicate the matter further, today's heroin addicts have learned how to get along on wildly fluctuating heroin dosages. Their intake varies enormously when times of heroin glut are succeeded by shortages, and even during periods of stable price and supply, when their income changes. If the addict wishes to earn money by selling part of his prescription, he can lower his use, either temporarily or permanently, and simply get along on less.

In addition, since methadone will probably remain available on the street at a lower price than heroin, it is likely that an addict would be able to stave off withdrawal by using that drug. This would allow him to sell all

(continued on p. 61)



Thrift Institutions In a Changing World

By Kenneth E. Scott

Ralph M. Parsons Professor of Law and Business

ot since the 1930's has the financial services environment in America been so unsettled. Financial institutionsincluding banks, savings and loan associations, stock brokerage firms and money funds-are experimenting with new services and combinations of services. Competition for the consumer's capital is intense. Old distinctions between the categories of financial institutions are being blurred and, in fact, broken down. New alliances are being formed. All of these changes-some fostered by new legislation and some in spite of legislation on the books-have legal as well as economic aspects, now and in the uncertain future.

A discussion of the legal aspects of the emerging new financial services environment is an exercise in double projection. You must forecast the evolution of that new environment before you can foresee what the salient legal issues it will raise are most likely to be and what outcomes are to be expected.

In addition, to understand the critical legal problems of that future environment you must have some view of the linkage between law, on one hand, and technology and competitive forces, on the other. If you focus on the present or the immediate future, the task is easy: The law shapes competition and governs the uses of technology. But in the longer run, technological changes and competitive pressures remake the law. So, to look at the law of the new financial services environment in a way more interesting and relevant than a mere recitation of the current statutes, we must seek to understand where the forces of technological advance and competition are taking us.

The Consequences of Technological Change

On the technological side, it is evident that we are in the midst of a genuinely revolutionary rate of growth in the speed and capacity of information processing and communication systems. More and more information is being brought to bear on decisions and transactions that

are being handled ever more quickly and inexpensively. This process, we are told by experts in the field, has far from run its course, so the consequences we can already discern will become magnified in the future.

What are those consequences for financial institutions? They are many and significant. First of all, the new technology — with very powerful computers and sophisticated software at its core and numerous access terminals and concentrators deployed in the overall network—becomes very expensive. Electronic funds transfer (EFT) networks can be operated most efficiently only at high transaction volumes—much higher than existing automated teller machine (ATM) networks have achieved.

This technology, therefore, increases the economies of scale applicable to banking, with a corresponding enlargement of the scope of natural geographic market areas for banking products. Unit banking rules become a more and more costly anachronism, as does the use of state lines to truncate banking markets artificially. Those financial institutions that can take advantage of scale economies and serve natural market areas will have an advantage over those institutions

that, because of regulation, cannot do so. This means that geographic market barriers created by law are going to come under ever-increasing cost pressure; it would indeed be foolish to rely on them in the future.

Second, the new technology affords far more flexible, convenient, and economical means of delivering financial services than the longtraditional set of branch offices and teller lines. Investment in branch offices is being made obsolete, and office capacity will undergo continuing reduction. EFT terminals will proliferate, and the inappropriateness of treating terminals as branches for various legal purposes will become more obvious. It is sensible for financial institutions to share terminals and networks on a voluntary basis in some circumstances, but mandatory sharing statutes are anticompetitive and may be invalid under the antitrust laws.

But more fundamentally, the new modes of delivering financial services are enabling households to become much better managers of their assets and liabilities. The cost in time and inconvenience to customers of smoothing out their cash flows, shifting funds among investments with different degrees of liquidity and risk, and obtaining and paying off credit lines is all declining sharply. In such an environment, it makes very little sense for financial institutions to be arbitrarily defined, or confined, in terms of the products they offer. There are areas in which specialization has its virtues, but these do not include having one institution offer checking accounts, another savings accounts, and a third money funds. That world is ending, and it is not a cause for regret.

The world that is replacing it will be marked by new financial service packages that tie together various services, so they can be more economically produced and consumed. What those efficient combinations



are, or will be, is not easy to discern. We are now witnessing a process of exploration, which undoubtedly has elements of trial and error about it. Traditional industry lines are being broken ever more frequently, as the recent history of financial acquisitions makes evident. A life insurance company (Prudential) acquires a large securities brokerage firm (Bache), as does a leading creditcard company (American Express and Shearson). A major retailer (Sears), which already owns an insurance company (Allstate) and a savings and loan association (Allstate Savings), buys a securities firm (Dean Witter) and a real estate broker (Coldwell Banker). A giant bank (Bank of America) acquires a leading discount broker (Charles Schwab). And so on.

Several observations may be offered on this process of service repackaging. To begin with, most of the impetus is coming from outside the banking industry, which is part of the price of the present system of bank regulation. Entrants from lessregulated kinds of businesses have the edge in responding to new technology and new opportunities. The consumer of banking services cares very little whether the services come from an institution called a bank, so long as his needs are met in a way superior to other sources. One of the few advantages that savings and loan associations have in this competition is that they are not subject to regulation as banks or bank holding companies by the Federal Reserve Board, and that is no small boon.

For another point, it is not apparent that all these packages will be winners. Banks obviously now believe that gains can be made by combining deposit services and securities services; and it is true that both involve the processing of massive transactions volumes and a fairly frequent interflow of funds. But are there equally plausible reasons for believing that the combination of life insurance and securities business affords major production economies or consumption convenience?

One should also question the conclusion that, whatever the gains from certain packages, they are best achieved by acquisitions leading to integrated firms. One alternative is cooperative arrangements between separate firms. Merrill Lynch, for instance, offers its Cash Management Account through contractual relationships with Bank One in Ohio. There is also the even more important alternative of packaging entrepreneurs-firms that assemble different services from specialized producers and offer them to retail institutions for sale to the public.

Nonetheless, the overall point seems clear. The financial service industry is being restructured, and the old modes of business have limited prospects for successful survival. Broader and more flexible product lines, rendered possible by advances in computer and communications technology, are going to dominate the new financial services environment—a development that existing legal obstacles may impede but cannot prevent.

The Impact of Inflation

This brings me to the issue of how the nature of competition in the financial services industry has been altered in the past few years, and how that will also shape the future. The moving force in redrawing the competitive picture in banking has been the high and variable rate of inflation experienced in the 1970s, with resulting wide fluctuations in interest rates. High interest rates have had one set of consequences, and rapid fluctuations have had another, so they should be kept distinct.

Several periods of high interest rates have now largely destroyed the Regulation Q era of controlled deposit markets. When, in a time of rising market rates, ceilings move little or not at all, enormous costs are imposed on depositors, and large incentives exist to find ways around the restriction, while the response of regulators is of necessity cumbersome and laggard. Sooner or later the horse will leave the barn, and then locking the door will become irrelevant. Familiar examples are afforded by NOW accounts and money market funds: the not inconsiderable expenses required to create them are justified only by the reduction in the costs of Reg Q borne by depositors.

Even if the recent decline in interest rates is permanent (an optimistic assumption), Reg Q will most probably not be restored to its former tarnished glory. Competing institutions have now come into existence, and they constitute a powerful lobby against extension of the buyers' cartel that Reg Q represents. Consumer attitudes have changed, because consumers have been educated about the cost of deposit ceilings and learned alternative ways of transacting. The fighting before Congress over the 1980 and 1982 depository institutions acts was only a struggle over the pace of the inevitable. There will be essentially a free market rate paid for most deposit funds well before the formal date of 1986, as the Depository Institutions Deregulation Committee (DIDC) actions of December 6, 1982, have now made clear.

The spreading competition for funds has also added to the pressure against geographic market barriers. On the investment and lending side, those barriers have been mostly ineffectual for some time, at least at the wholesale or commercial customer level. Loan production offices. correspondent or syndication relationships, and servicing arrangements have all been used to get around the law's hostility to portfolio diversification and the flow of funds to their most productive uses. It is on the deposit liability side and at the retail level that the barriers remain a real impediment to competition. The McFadden Act, the Douglas amendment to the Bank Holding Company Act, and the Savings and Loan Holding Company Act prevent unfettered interstate branch competition by banks and S&Ls, but other institutions and other forms of competition do cross state lines. The fact that no statute prohibits federal S&Ls from branching or merging across state lines is another potential advantage, so far only partially realized, for the savings and loan industry.

As competition for deposit funds has led non-banks, such as Merrill Lynch, to break into banking markets, product-line barriers have also come under pressure - in particular, the distinction between banking and the securities business. The banking industry has made several unsuccessful tries to get a partial repeal of the Glass-Steagall Act, so that banks could offer mutual funds and underwrite municipal revenue bonds; surely, the effort will be renewed. Even more important, the limitation of bank holding companies to "closely related" activities, as so far rather narrowly defined by the Federal Reserve Board, is likely to receive more attention soon.

The rapid interest-rate fluctuations of the 1970s have had their own consequences, making painfully apparent the dangers of a long-term asset structure when combined with short-term liabilities. The problems of the savings and loan business have not gone unnoticed by the public, although federal deposit insurance has forestalled any real crisis of confidence. But I suspect there are now relatively few supporters-in government, academia, or even in S&L management-for the continuation of a set of institutions mandated by law to make fixed-rate investments on the basis of withdrawable accounts.

The Thrift Industry Today

Where do all these developments leave the traditional thrift industry in the 1980s? I do not pretend to much certainty in answering that question, but I will at least try to work out the ramifications of one line of analysis. Historically, the savings and loan business has been based on performing two functions-making real estate mortgage loans, and servicing savings accounts. Nothing in the new environment will cause these functions to disappear, because both are needed and both will continue to be performed by some institutions, although not necessarily in the accustomed mode.

Computers, communications, and competition do not seem likely to revolutionize real estate lending. It is an activity that exhibits modest scale economies, and one that S&Ls have already acquired expertise in performing. In principle, there is no reason to believe that S&Ls cannot continue to compete successfully, so far as the lending function itself is concerned.

What has changed in mortgage lending, of course, is that our recent experience with volatile inflation and interest rates has led to the creation

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of a whole variety of new mortgage instruments, designed to adjust to or shift the risk of rate fluctuations. The legal issue thereby generated is whether the terms of those instruments will be dictated more by market forces or by the regulatory process in ways that impede their effective use. The most sweeping argument for regulation of the design of alternative mortgage instruments is that lenders should not be allowed to shift the risk of market interest rate increases to the borrower, who is less informed about such matters and less able to predict their future course. While it is no doubt true that the average lender is more sophisticated about financial markets than the average borrower, it is probably also true that the average mortgage borrower is better hedged against inflation (through his salary and real estate equity) than the typical S&L has been, and hence is the superior risk-bearer in this instance.

The other arguments for regulation of mortgage instruments are mostly a familiar sort of consumer protection rationale-a blend of assumed consumer ignorance and a failure to recognize that the allocation of various risks in the contract is inevitably reflected in the price term. If the regulators were content to place some sort of ceiling on the prepayment penalty, for example, it is hard to see how substantive regulation of the other areas of the contract could be justified. But although flexibility in the design and evolution of mortgage instruments is certainly desirable, these issues probably do not impact institutional survival in any major way.

The traditional S&L financed its holding of a mortgage portfolio on a base of savings accounts, however, and here more problems are foreseeable. There is little specialized knowledge or skill needed to service savings accounts, and there are large-scale economies in storing the information and processing the

transactions. From the customer's standpoint, it is desirable to be able quickly and cheaply to shift funds among different asset holdings and to access a secured line of credit whenever needed. The broad-spectrum financial institution seems to possess substantial advantages over a savings specialist, at least for the more affluent customers who own securities and write checks. But only about 20 percent of adults own stocks, and a significant fraction of the population still does not have checking accounts. In competing for the savings of this segment, broadspectrum offerings count for little. The savings specialist may still have a role, but it is a diminishing one.

When the two functions of mortgage lending and savings receiving are combined in a single institution. additional difficulties emerge. The dangers of short-term borrowing and long-term lending moved from the status of theoretical concerns to real world nightmares in the 1970s. and of course adjustments were made. New mortgage instruments in effect shortened asset maturities. and new savings certificates lengthened liability maturities. However, a balance has not yet been achieved. The thrifts have obtained constantly broader lending and investment authority, which can also be used to produce a shorter average maturity of assets. The Garn-St Germain Act of 1982 may have marked the culmination of that trend for the time being, with authority (albeit limited) for commercial as well as consumer lending, and for equipment leasing.

But authority is one thing, while its effective exploitation is another. As thrifts enter unfamiliar fields, what comparative advantages do they have over institutions already there? Are there production economies in adding general commercial lending to real-estate lending, or a limited number of checking accounts to savings accounts? The answers are not easy to discern.

In short, the traditional savings

and loan association, with a mortgage portfolio supported by a savings account base, does not seem a good candidate for survival. Even if inflation stays down and mortgage rates decline toward what were once considered normal levels, the competitive circumstances of the past will not be restored.

The Thrift Industry in the Future

In what directions, then, may we expect the thrift industry to evolve? There are a number of possibilities. Some institutions will join in the new financial conglomerates that are emerging. This process has been under way for some time, but it is now accelerating: Citicorp, Sears, and Household International all own savings and loan associations. Some of the largest S&Ls may take the lead in making such combinations and become nuclei to which other services are added. In either event, S&Ls have at present one great tactical advantage in the contest to create some nationwide financial institutions-they do not transform their parent companies into bank holding companies. That means they can add other financial services. extend EFT networks (and even branches, if acquired in supervisory mergers) across state lines, largely ignore the Glass-Steagall Act by offering securities services, and so on. This advantage is a legal artifact and may not be permanent, but it is of no small value while it lasts.

What the geographic scale of these new financial conglomerates will be is not yet clear. Some will be national in scope, but others will probably be regional; the scale economies involved are still being determined. But however much the Independent Bankers Association may pine for the days of the local institution comfortably protected in its local market, the clock cannot be turned back. That means that in the S&L

business, as in banking, we have too many small and separate institutions, and many will disappear. It would be better for all concerned if that occurred by voluntary and negotiated merger rather than by failure or receivership, but no doubt we will see more of both. The mix between acquisitions and failures will be determined in part by the way the banking agencies and the Department of Justice's Antitrust Division interpret the Clayton Act strictures against market concentration. Definitions of banking markets have for the past two decades been unrealistically narrow, following the Supreme Court's 1963 Philadelphia National Bank decision, but that may now be changing, at least so far as the Department of Justice is concerned.

Does this mean that only financial conglomerates will be viable in the future? Will all savings and loans either meld into broad-spectrum firms or vanish? That seems unlikely, but they will be transformed in major ways. Some will become consumer banks, although for that they will need broader authority than they now have on both the asset and the liability side. At present, S&Ls are too constrained by percentage-of-assets investment limitations (in both their chartering legislation and the tax code) and by restrictions on offering checking accounts and competing for funds. The needed authority may be obtained by further amendments of the law, or by conversion into other types of financial institutions.

Some S&Ls may move from being financial intermediaries holding large loan portfolios to being primarily mortgage bankers-originating real estate loans but selling them to pension funds and other institutional investors or packaging them into mortgage pools for sale to the public. There are advantages to portfolio diversification, in terms of reducing unnecessary risk, that a specialized lender cannot achieve;

but there are also advantages to specialization in originating and servicing particular types of loans. One strategy might be for some associations to use a reduced base of savings accounts to carry, not an extensive loan portfolio, but rather the inventory of a dealer being held briefly before resale. In this manner, the ultimate credit and market risk is borne by more diversified lenders.

Another strategy might be for associations to draw on their knowledge of real estate to move into real estate development directly, a trend long discernible in California and a few other states (although limited in amount). Real estate development is

a much more risky line of business than secured lending, and the required equity capital is accordingly much more expensive. S&Ls would, therefore, have a competitive advantage in such pursuits if they alone could raise funds at the lower rates commanded by relatively riskless insured deposits, reinvesting at the higher rates associated with the equity interest in real estate development. That of course amounts to transferring the risk to the Federal Savings and Loan Insurance Corporation (FSLIC) and exploiting its

uniform premium system.

The FSLIC is currently studying the possibility of varying its premium according to an institution's risk; but the risk FSLIC initially had in mind appeared to be mostly the market risk from an imbalance in asset and liability maturities, rather than the higher variance in returns from activities like real estate development. To be of value, the FSLIC study must encompass not only both those kinds of risk, but another kind as well. The risk to the insurance corporation is not simply a direct function of the portfolio risk of the firm, because the failure of a financial institution is not an unmistakable event, like an auto accident or a flood. An S&L failure represents a judgment by a supervisory agency to close the firm or force it out of existence. The insurer's risk is powerfully affected by the supervisor's decision to foreclose or forbear, a decision that is not easily modeled or assessed. In any event, it is good to see the idea of a risk-based variable insurance premium being taken seriously. Ten years ago, Tom Mayer and I made such a proposal* in a study done for the Hunt Commission, and at that time the idea was regarded as so far out that the Commission disposed of it in a sentence or two.

(continued on p. 61)

^{*}Scott and Mayer, Risk and Regulation in Banking: Some Proposals for Federal Deposit Insurance Reform, 23 STAN. L. REV. 857 (1971).



Suren M. Saroyan '29

"It's important for me to do something for the Armenian people," said Suren M. Saroyan ('29), whose parents immigrated to America in 1888.

Saroyan, now in "semi-retirement" at 78, cut back his San Francisco commercial law practice fifteen years ago to devote more time to his personal interests. The American National Committee to Aid Homeless Armenians (ANCHA) was high on his list.

He helped found the volunteer organization, of which he is current president, following World War II, when he learned that Armenians were stranded in parts of Eastern Europe in displaced persons camps without food, medicine, or homes.

"We haven't had a homeland of our own since the Ottoman and Turkish invasions in the seventeenth century," he explained. "Between 1890 and 1916 the Turks massacred one-and-a-half-million Armenians and banished another three-hundred thousand. To this day they deny this fact."

Saroyan spent countless hours on ANCHA affairs during a busy law career that included 23 years (1939-62) as liquidation counsel for the California state superintendent of banks. Ever mindful of the rights of the dispossessed, Saroyan made sure that all Japanese-American depositors received their checking and savings deposits back with legal interest from the banks he liquidated.

ANCHA, which now has offices in San Francisco, Los Angeles and New York, has since 1949 helped more than 24,500 Armenians immigrate to the United States—a complicated process involving clearances from the United Nations, U.S. visas,

flight arrangements, transportation loans and an orientation program.

Saroyan has made over 137 trips at his own expense to New York to greet and process new arrivals. "I talk to them about what to expect in the United States," he said, "—that it is a country of laws and not people.

"I explain our freedoms, which many have never known, and the importance of the responsibility that goes with that freedom.

"Nearly all these newcomers become industrious and law-abiding American citizens," said Saroyan with pride. "Many are now factory owners, successful shopkeepers, shoe manufacturers, jewelers, watchmakers, and even chefs—such as the chef at the Olympic Club."

Neoma, Mr. Saroyan's wife of fifty years, is vice-president of ANCHA, mother of their two grown daughters, and grandmother of their seven grandchildren. She swears that her husband has been living "nine lives"—including not only ANCHA and his law practice, but also work for the Armenian Apostolic Church and Community Center of San Francisco, a successful foray into ballet and opera production, and activities in the Democratic Party as a delegate and alternate to the Democratic National Conventions.

The Saroyans enjoy traveling and have visited every country in Europe and the Near, Middle and Far East.

Of all his endeavors, Saroyan's deepest interest has been helping homeless Armenians. "I remember the prejudice against my people when I was in high school," he said. "The situation has improved tremendously. Today we have an Armenian governor.

"It has been a fruitful life," he said, "but too short for a person to accomplish all his dreams."

Laurence Weinberg '33

"I've always liked trains," said Laurence Weinberg, referring to his pro bono work as special representative to the Coachella Valley Association of Government (CVAG) commission assigned to rail transportation.

Transportation is a new area for Weinberg, 73, whose career includes almost twenty years with Loeb & Loeb in Los Angeles, where he specialized in entertainment law. During 1947-48, while on leave of absence from the firm, he organized the legal department at Universal Studios.

Weinberg left Loeb & Loeb in 1959 to start his own practice, which was principally concerned with trade regulation and antitrust issues. In 1960, he was named general counsel and member of the board of directors of Superscope, the national distributor of Sony tape recorders.

Weinberg formally retired in 1979 and moved to Rancho Mirage, where he is now deeply involved in probono work. "These projects bring me in contact with a lot of people and keep me mentally active," he said.

"There are two special matters on which I am currently at work for CVAG. One is to bring railroad passenger service from Los Angeles to the Coachella valley. The second is to improve Highway 86, which runs from Indio to Brawley and is known as "the killer highway."

The special transportation needs of the handicapped and elderly in the Coachella valley are another concern of Weinberg, who chairs the Sunline Transportation Study Group on the problem.

Weinberg's pro bono activities also include serving as chairman of the Rancho Mirage Rent Commission. He hears petitions presented by landlords and tenants about rent standards for mobile homes. "This work gives me a taste of what it is like to be a judge," he said. "I've

really enjoyed it.'

Had pro bono work been part of his retirement plan? "Not at first," he said. "When I began considering retirement in 1965, I purchased a residence in what later became the city of Rancho Mirage. I think change is easier to handle if you have an idea of where you are going.

"Soon after the purchase, I became involved in a local zoning controversy and met many people active in

it might be interesting to do some pro bono work and made known my desire to the people I had met during the zoning controversy. A year later, I was named chairman of the Rent Control Commission. After that, one thing led to another."

Has his definition of success changed throughout the years? "No. I've always placed the lucrative aspect of practice third or fourth down the line. I think it's more important for me to get good results and a sense of satisfaction.

"I have a feeling of great happiness with the way things have worked

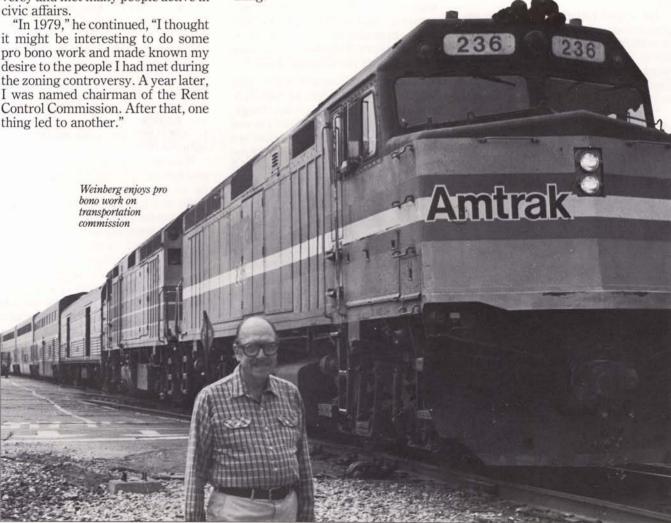
out," Weinberg reflected.

"Retirement has never given me a dull moment. My practice was successful, and I believe I made the best transition possible from active practice. I wouldn't want to change anything.

"But most important," Weinberg continued, "I have a happy married life—and that's the tops.

Weinberg's wife, Marion, also an attorney, joined him in practice when he started his own firm. Both their children attended Stanford, and two of their five grandchildren were born on the campus.

The senior Weinbergs have just returned from a six-week trip through Canada and the northern United States. By train, of course.



H. Baird Kidwell '33

Former Hawaiian Supreme Court Justice H. Baird Kidwell keeps active in law by teaching a legal writing section during the winter term at the University of Hawaii Law School.

Kidwell, now 72, began his career at O'Melveny & Myers in Los Angeles, followed by over 35 years at Goodsill Anderson & Quinn of Honolulu (formerly Jenks, Kidwell, Goodsill & Anderson), where he handled banking and property development issues, as well as serving as counsel for the Bank of Hawaii and the Hawaiian Trust Company.

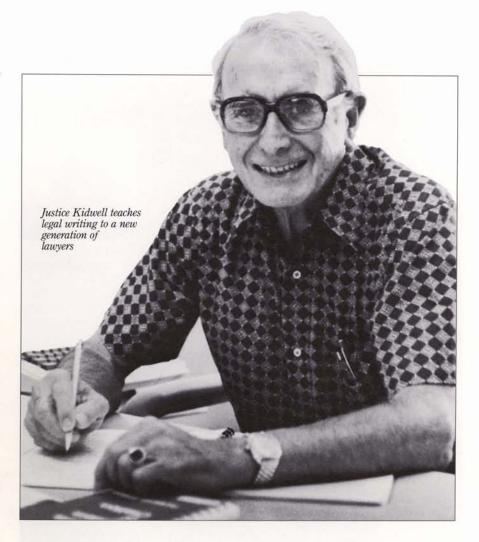
Kidwell has also been active in state and national bar activities, including a term as president of the Hawaiian Bar and as a member of the Board of Governors of the American Bar Association.

While finalizing plans for retirement from Goodsill, Anderson in late 1974, Kidwell was, much to his surprise, asked to sit on the Hawaiian Supreme Court.

Soon after his term on the court ended in 1979, Kidwell was offered the part-time adjunct professorship at the University of Hawaii. "I guess I like to be flogged a little, but I'm happy to do the research to stay one step ahead of my students," he explained. "The one-to-one contact is very gratifying.

"I particularly relish the increased freedom to express my views without having to worry about offending clients or preserving impartiality," he observed. "A lawyer must often submerge his own values to those of the client. Now I'm letting mine come through more."

Kidwell is also enjoying the increased leisure time afforded by part-time employment. "There is a greater opportunity to follow my own interests," he said. "At last I



have the time to read more deeply in philosophy and jurisprudence."

Avid lovers of the outdoors, Kidwell and his wife, Margaret (AB '39), spend a lot of time at their country place in the north of Oahu and on Sierra Club camping trips and walking tours. During recent years the Kidwells have pitched their tent in Kenya, Nepal, Peru, and Norway.

Any views about retirement that he would like to share? "It is often difficult to retire if you have been raised with the obligation not to be idle." he said. "One needs to shake off that sense of guilt. By the time I had finished the period on the court, I was ready.

"Yes," Kidwell concluded, "these are some of the best years."

Harvey Rothschild '42

"I'm having a ball," said Harvey Rothschild with a laugh, as he talked about his last ten years—an entrepreneur's dream come true. Several years after retiring as president and owner of Dolly Myers, a large Seattle clothing firm, Mr. Rothschild, now 66, started a mail-order company which, much to his surprise and delight, has become a multimilliondollar business.

Mr. Rothschild, who never practiced law, left the clothing business in 1970, after his first wife died. "Her death was a great emotional shock to me," he said. "We had known each other for so long—we'd married

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when I was studying law and she was a doctoral student.

"Margery urged me to slow down," he recalled, "but I thought I was too young and there would be plenty of time to enjoy things later. While I was wrapped up in business, she was always eager to explore each new experience which life offered.

"Too late," he said, "I realized that she had been wiser. I determined then that as much as possible, I would do what I really wanted."

For the next two years, Rothschild traveled all over the world, scuba diving wherever he could. During a holiday in Germany he received the inspiration for his new business.

A German language teacher, who encouraged Rothschild to converse by focusing on common objects, one day removed a custom arch support from her shoe. A lively discussion ensued, as the teacher had once sold the product.

Two nights later Rothschild woke up at three in the morning. "I had a fully blown picture in my mind of a better way I could take footprints to order the arch support," he said. "I also wrote out a complete mail-order marketing plan."

Within a few days he had tracked down the manufacturer of the product and worked out an agreement. "The manufacturer thought I was crazy. I didn't know whether I could sell the product by mail," Rothschild said, "but I sure wanted to try."

He set up his new business—Featherspring International—in the basement of his Seattle home. "It took from 1972 to 1976 to learn how to sell the product," he recalled. "All my past marketing and finance experience came into play. I even wrote some of the ads. After I linked up with a Chicago-based mail order advertising firm in 1976, things really began to skyrocket."

Today, Rothschild employs 65 people and has just moved to larger offices. As the national director of the Better Business Bureau, he also travels frequently within the United

States.

But he hasn't allowed himself to become too wrapped up in his business, although he enjoys it immensely. Rothschild's second wife, Ulla, who had worked with him for years and is an "excellent administrator," helped him set the company up so that it would run efficiently without their constant presence.

"We spend an eighth of our time in Seattle, one-half at our second home in Hawaii, and the rest traveling

abroad," said Rothschild.

Some of the Rothschilds' more exotic trips include an African safari, ballooning and cooking lessons in Burgundy, and a cruise through the Panama Canal. Recently he took his four children, their spouses, and seven grandchildren scuba diving off the Yucatan coast.

"All the time I see more clearly that success means being able to do what one really wants," he said. "For me, the business is the most wonderful hobby, and I enjoy the time I spend traveling with my wife.

"Retire?" he asked incredulously. "Not while my health lasts. My next plan is to take hang-gliding lessons—it's something I've always wanted to

do."

Edwin Gerhardt '34

After almost forty years as an admiralty lawyer for Lillick, McHose & Charles in San Francisco, Edwin Gerhardt suffered a serious stroke. His doctors gave him an ultimatum: retire.

"It was a big blow to me," recalled Gerhardt, 71. "I had always been so active. My work was really central to how I thought of myself as a man. I was a lawyer, period.

"For awhile I sat around and raged and sulked," he said. "But when a friend suggested that I do some community service work, I decided to investigate."

Over the past eight years, Gerhardt, a resident of Menlo Park, has been a volunteer with Little House, the Kiwanis Club, and the Advisory Council of Retired Senior Volunteers

He has served on administrative boards, visited convalescent homes, taught dominoes, driven elderly patients to doctors, called bingo, written newsletters, delivered meals, and staged plays for benefits. In 1980 he received a special commendation from Little House for his services to hospital patients.

"My own frustrations recede when I attempt to bring out a smile or occasional laughter to the people I visit, he said. "When I teach dominoes, I'm not just teaching dominoes, but trying to impart some joy and understanding as well.

"I have gained so much from this work, I think about people and value my friendships much more now. And I have learned a great degree of tolerance, patience and empathy."

Have his views on success changed? "I think I burned too much midnight oil and should have spent more time with my family. Those bonds are really important as you get older," he observed. "I am really thankful for my wife and daughter. I couldn't have gotten through this without them."

Any advice for younger lawyers? "Yes. I would counsel them to consider financial planning from the first day they go to work," he said. "Get a good investment counselor. Learn to shield money, and figure out the tax consequences of what you do, so that you will still have a fair income when you are no longer working."





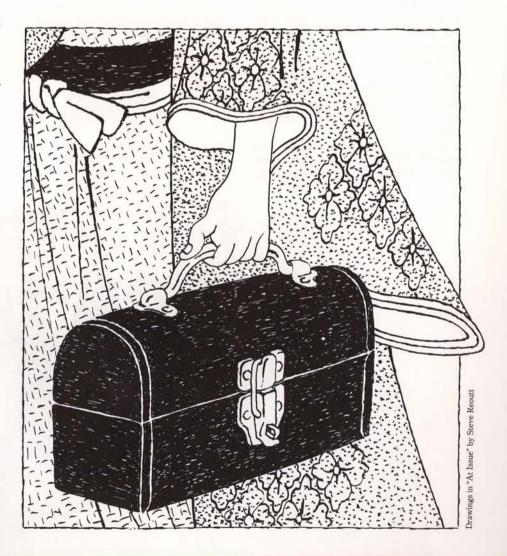
Union 'Rights' in the Fremont GM-Toyota Plant

By William B. Gould *Professor of Law*

he General Motors-Toyota joint venture at Fremont, California, poses a host of difficult legal labor questions that may ultimately have to be resolved by the National Labor Relations Board, the courts, or both. Beyond the legal issues, labor problems inherent in this innovative effort cannot be fully understood without some appreciation of the Japanese labor environment.

President Eiji Toyoda of Toyota has made it clear that the national agreement between General Motors and the United Auto Workers will not apply to the new Fremont facilities, and that preferential hiring rights will not be given to UAW members who were employed before the GM assembly plant was

*An occasional section of comment and opinion. Views herein expressed are not endorsed by the editors or by Stanford Law School. Readers are invited to respond. Contributions on new topics are also welcome.



closed last year. Toyoda's position—that the new plant would "start from scratch"—is likely to be upheld in the courts. They will accord rights to the UAW only if GM-Toyota can be regarded as a "successor" to the GM assembly plant as a matter of federal labor law.

Successorship may be proved in one of two ways. The first would be through a successorship clause in the UAW-GM agreement applicable to Fremont. Such a clause would require a new business entity using the same facilities to assume the terms of the old contract. Since there is no such provision in the UAW-GM agreement, the union must rely on a second theory-that GM-Toyota is the successor in the sense that there is a "continuity within the employing industry" between the new entity and the old assembly plant. While it is difficult to estimate with precision the results of successor cases that go to court, the relevant factors as viewed by the courts appear to make the UAW's position somewhat weak.

An important consideration in the successorship issue is whether GM-Toyota will change the method and scale of operations at Fremont, as well as the products that it manufactures there. Plans to increase reliance on robots and to adopt the kanban system (the integration of parts-manufacturing facilities with the assembly plant) are signs of substantial change that argue against successorship. So does the two-year hiatus between the closure of the assembly plant and the start of a new facility in 1984. A lack of preferential hiring, however, is the most telling argument against successorship. The UAW cannot oblige management to bargain until it establishes that it represents a majority of the work force's "full complement."

While American industrial relations may prove to be a cultural shock for Toyota, U.S. labor law

itself is not. This is due to one of the great ironies of the post-World War II period—the imposition, during the MacArthur occupation, of our labor law as it was in 1945. The Japanese, of course, have shaped it to their own needs during the intervening years.

Although GM-Toyota cannot discriminate against union-member applicants in Fremont (the UAW can be expected to be vigilant on this point), Toyota can do so in Japan. This is because Japanese judges, unlike their American counterparts, have excluded applicants (as opposed to incumbent employees) from their law's protection on the grounds that management prerogatives ought not to be circumscribed in what is necessarily a detailed selection process. Why the difference between the two countries? Since, as a matter of law and practice, Japanese workers cannot be laid off with ease, the argument accepted by the courts is that Japanese companies need more freedom in their screening procedures.

The biggest problem that the Japanese face in this country is the tendency of American workers to define their jobs in terms of specific classifications. Japanese company unions (which are loosely affiliated with national federations) not only encourage flexibility in job assignments but also have found a way to include supervisory and white-collar personnel within their ranks, thus diminishing disputes over work assignments. As one GM labor executive said to me: "In Japan, when the line breaks down, it's like Mario Andretti's car pit. The supervisors are in there with their sleeves rolled up."

Thus, just as the law gives many advantages to GM-Toyota in resisting the UAW at Fremont (though not quite as many as it would have in Japan), different practices in the two countries make the Japanese wary of adversarial-type American unions.

Yet the chances are that the law

will be largely irrelevant to recognition problems at Fremont because of the longstanding UAW-GM relationship. The odds are that the UAW will use its leverage with GM and become the bargaining agent at Fremont. We can expect hard bargaining as the contract is put together. GM-Toyota's strong legal position will no doubt soften up the union.

For starters, management will seek and probably obtain more flexibility in work assignments. (It also will vigorously resist Japanese-style UAW incursions into white collar ranks.) New procedures may be proposed for the resolution of grievances—another area in which Japanese and American practices differ markedly. But labor relations that smack of paternalism will be more difficult to sell to California auto workers, regardless of their previous work experience.

The Japanese have avoided or resisted unions in most of their American production facilities. If I am correct in assuming that the UAW will have a bargaining relationship with GM-Toyota, it will present an unusual opportunity for East and West to meet. Fremont may be an important listening post for those (I count myself among them) who would like our system to promote more cooperation and less conflict.

[Reprinted with permission from the Los Angeles Times, March 11, 1983.]

Professor Gould, a Stanford Law faculty member since 1972, has just completed a book comparing American and Japanese labor law and policy. He has twice (in 1975 and 1978) been a visiting scholar at the University of Tokyo. Other experience includes service with the United Automobile Workers (as assistant general counsel) and with the National Labor Relations Board.



Congressional Responses to Supreme Court Decisions: Distinguishing Constitutionality and Wisdom

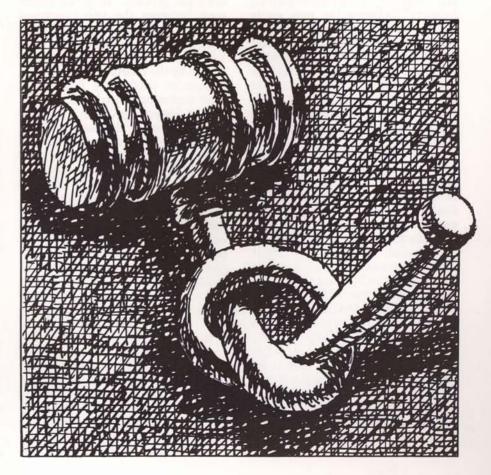
By Gerald Gunther William Nelson Cromwell Professor of Law

he failure of the New Right's assault on the Supreme Court last year was widely portrayed—especially in the media and political forums—as just desert for the movement's resort to "illegitimate" weapons.

The assault involved two major proposals before the Ninety-seventh Congress venting disagreement with controversial Supreme Court decisions on abortion and school prayer. Both were blocked in the Senate by a filibuster. However, similar legislative proposals by the New Right are pending before the present Congress.

The conventional wisdom asserts that Congress has no business trying to curb Court rulings by a majority vote and that the only legal route for challenging Court decisions is the constitutional amendment process.

The conventional wisdom strikes



me as wrong. It rests on a profound misunderstanding of our constitutional scheme. As a matter of sheer constitutional power, Congress may voice disagreement with Court rulings through a range of methods short of constitutional amendment. Like the political branches' control of judicial appointments and of the size of the Court, the weapons recently wielded by the New Right are legitimate as a matter of sheer congressional authority – whatever one may think of their effectiveness or desirability.

Indeed, when the judiciary survives the recurrent firestorms of criticism because Congress is persuaded not to resort to these weapons except under the most extreme circumstances, the system works at its best and the stature of the Court often emerges all the greater. What may fairly be added is that the wisest congressional response to objectionable Court decisions is through the constitutional amendment process - and that all other routes are usually illadvised (but *not* wholly illegitimate) end runs around that preferable method.

The Helms antiabortion proposal, for example, rested on substantial constitutional grounds-grounds advanced by the modern Court itself. The premise was that Congress, under its power to enforce the Fourteenth Amendment, has some authority to redefine Court-articulated constitutional rights.

Before the mid-1960s, most scholars would indeed have branded that technique as lawless. But, ironically, it was the liberal Warren Court, in the 1966 Katzenbach v. Morgan decision (sustaining a section of the Voting Rights Act of 1965), which provided some legitimacy for the New Right's approach of the 1980s.

Justice Brennan's majority opinion in Morgan conceded to Congress power nearly coequal with that of the Court to delineate the contours of constitutional rights. The "conservative" Justice Harlan warned in dissent that the ruling opened the door to an impairment of traditional judicial authority. I have always thought that Justice Harlan was right. Ever since Morgan, constitutional scholars have worried about its implications. Yet neither the commentary nor the Court itself has ever clearly curtailed the *Morgan* power.

In perspective, the recent blocking of the antiabortion drive constitutes a wise judgment by Congress to rescue the Court from its own Frankenstein monster. Congressional abstention in this instance may in the long run do more to discourage invocation of the Morgan power than anything the Court or commentators have been able to achieve.

The Helms school prayer proposal rested on even stronger historical and legal grounds. The central premise of the Helms effort to bar federal court intervention in "voluntary" school prayers was that Congress has authority over the Supreme Court's appellate jurisdiction.

The claim that Congress determines the kinds of issues the Court may hear is hardly novel or revolutionary. Soon after the Civil War, in the only case putting the question to a direct test (Ex parte McCardle), the Court bowed to just such a curb. And over the years, many constitutional scholars have agreed that Congress does indeed have that jurisdictionstripping authority.

The question remains whether the Court defenders who blocked the Helms bills were themselves guilty of resorting to improper means. The anti-Court bills were defeated because the New Right could not muster the necessary 60 votes to impose cloture on filibusters waged by the Court defenders. Filibusters have traditionally been the weapons of reactionary, antimajoritarian forces.

Yet the recent liberal filibusters had special justifications. Court defenders plausibly claimed that the constitutional amendment route is the only wise way to overturn Court decisions. Congressional initiation of amendments requires a supermajority (two-thirds) vote. The imposition of cloture to shut off filibusters requires a similar supermajoritythree-fifths of the Senate. Initiating a filibuster thus was the only method available to the Court defenders to insist upon the considered consensus of a supermajority as a precondition for congressional modification of Court-established rights.

These recent developments, then, underscore the wisdom of our constitutional scheme: rather than immunizing the Court from all congressional responses, it permits political tensions to be aired; and congressional self-restraint in resorting to the weapons at its command leaves the Court better off for having met and survived the challenges from the

political arena.

The defeat of the Helms bills is thus best viewed as a welcome example of the sober second thought of Congress in defending and probably strengthening the Court-not by repudiating extremist, "lawless" measures, but, in the healthiest traditions of our constitutional scheme, by abjuring legitimate but imprudent devices to impose curbs on the judiciary.

Professor Gunther presented an expanded statement of his position in June 1983 at the Chief Justice Earl Warren Conference of the Roscoe Pound American Trial Lawyers Foundation; the Conference proceedings will be a billed at the Conference procee ceedings will be published.

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Prison Labor: Time To Take Another Look

By Byron D. Sher Professor of Law

he concept of prison labor has been out of fashion in recent years. In my view there are compelling reasons to revive and expand work programs for prisoners.

Like many states, California has long experience with prison labor. In fact, the California state constitution explicitly mandates the practice in the following words: "the Legislature shall, by law, provide for the working of convicts for the benefit of the state" (Article XIV, Section 5).

California's first state prison - San Quentin-was founded on the principle that the construction and operation of the institution should cost the taxpayers little or nothing. Convict labor would not only eliminate taxpayer expense but also return a profit to the private contractor who supervised the convicts.

Construction of San Quentin began in 1852. A ship hulk, towed from the frontier city of San Francisco to Point Quentin in Marin County, served as living quarters for both men and women prisoners while they built their new land-based home.

After the prison was completed, the inmates were leased out to local farmers and manufacturers for manual labor. In 1858, however, scandals over corruption and brutality at the prison ended private operation of San Quentin.

Due to overcrowding at San Quentin, a second state prison was established in 1883 along the American River near the town of Folsom, a site with access to ample supplies of both water and rock. The Natoma Mining Company donated the land for the prison on the condition that it would control the quarry output after the prison itself was finished. Parts of the state capitol building and the city of Sacramento are made from granite rock quarried, cut, and crushed by Folsom prisoners.

In furtherance of the notion that the prisons should cost the state as little as possible, a system of prison industries was soon started. At San Quentin, for example, convicts were employed in the manufacture of jute bags for the storage of grain. (Previously, jute bags had been imported by the state and sold to local farmers at a profit.)

Extensive use of prison labor continued in California and other states until the Great Depression, when high unemployment prompted the passage of federal legislation to limit or halt the shipment of convict-made articles in interstate commerce. These laws, most of which are still on the books, have continued to hobble the growth of many prison industries.

World War II, with its labor shortages, temporarily reversed the decline of prison industries. Prison labor restrictions were set aside and the War Production Board encouraged the states to put their convicts to work. San Quentin's old jute mill was converted to the manufacture of sandbags for the Marine Corps; the new furniture factory became an assembly line for naval assault crafts; and textile plants were used to recycle uniforms for the Pacific

World War II also saw the birth of California's conservation camp system, which still uses inmates to fight fires and perform related conservation work for the Department of Forestry. (Today there are still nearly 3,000 prisoners in conserva-

tion camps.)

After the war the California Department of Corrections (CDC) was established to turn the State's disparate prisons into a single, statewide correctional system. The new department decided to convert prison industries exclusively to the production of goods for the public use. Thus, in 1947, CDC received permission to begin making automobile license plates at Folsom Prison. Approval to manufacture school desks at San Quentin soon followed. The trade-off for establishing new industries was the legal agreement to limit purchase of prison products to public agencies.



After a spurt of expansion in the post-war years, prison industries began to experience a slow and steady decline. Convict labor became unfashionable in a time of growing emphasis on "medical model" rehabilitation programs stressing counseling and therapy.

During the administration of then-Governor Reagan, several agricultural and industrial operations were actually abandoned. From the highwater mark of the mid-1960s, when 3,300 inmates were employed in 45 separate enterprises, "correctional industries" was reduced in 1981 to 2,300 inmates employed in only 34 enterprises.

In the past three years, however,

interest in prison labor has revived, due in part to the rapid expansion in the number of prisoners. The California prison population has almost doubled in the last decade and today stands at 35,000 inmates, an all-time record. And the CDC predicts, given the accelerating increase, that the figure will reach 60,000 within five years.

At the same time, the state government has been undergoing fiscal contraction. The CDC is scrambling to find money to build enough new prison beds and hire enough staff to run its institutions. Although in June 1982 California voters approved a bond issue to finance construction of new prisons, the amount author-

ized – \$495 million – will actually pay for only one-quarter of the facilities needed by the end of this decade.

The cost of housing a prisoner in California today is \$13,000 a year. The cost of new prisons, according to CDC plans, is between \$80,000

and \$100,000 per cell!

The necessity for cutting correctional costs is apparent. The Legislature has recently turned to self-supporting prison work programs as one way to do so. The idea is to cut costs both directly by increasing the self-sufficiency of prisons and indirectly through sale of convict products or services. Two significant legislative actions were taken last year to help put California prisons back on a productive footing.

The first was to create work incentives for inmates. A new time-credit system, called "worktime," was substituted for the previous "goodtime" system (which had been awarded automatically whether or not a prisoner worked). Under the new system, a prisoner can earn one day of credit for every full day of work. Thus, a prisoner who chooses to remain idle will receive no credits and will serve his full sentence. In addition, the amount of time credit a prisoner can lose for misconduct while in prison was lengthened from 45 days to a year.

The second legislative act abolished the old Correctional Industries Commission (which had been charged with limiting the size and revenues of prison industries) and created a new Prison Industry Authority. The Authority was given a mandate to expand prison labor programs, the power to borrow private or public funds, and the ability to fashion its own personnel and procurement policies outside of the normal civil service system.

The paramount question which must now be answered is what sort of work can inmates do that will not bring them in competition with

(continued on p. 67)

Goard of VISITORS

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Graduates and friends of the School had an opportunity May 5 and 6 to learn of developments during the first year of John Hart Ely's deanship and to offer their comments and advice.

The occasion was the annual meeting of the Board of Visitors – a

group of 100 representatives serving three-year terms on the advisory group.

This year's program included reports on "the state of the school" by Dean Ely and the four associate and assistant deans, a review of the rapid progress of the Law and Business Program, a discussion by Stanford's distinguished constitutional law faculty of a complex school desegregation case, and a special panel, featuring four seasoned lawyers, on the realities of "successful lawyering," with implications for legal education.

Supreme Court Justice William H. Rehnquist, a 1952 graduate of the School, joined the Visitors for dinner on the final evening, following the annual Marion Rice Kirkwood Moot Court Competition, over which he presided [see p. 50].

The meeting this year was the twenty-fifth for the Board of Visitors. The Board was first organized in the fall of 1958 by 36 alumni, at the invitation of University President J. E. Wallace Sterling, on the recommendation of Dean Carl B. Spaeth and faculty of the School.

Stanley A. Weigel ('28), the Board's first chair (1958-63), was an honored guest, as were seven other former chairs: Hon. Murray Draper ('30), chair from 1963 to 1966, John B. Lauritzen ('32), 1966-67, Allan E. Charles ('27), 1968-69, Martin Anderson ('49), 1970-71, Hon. Robert F. Peckham ('45), 1971-72, Justin M. Roach, Jr. ('55), 1975-76, and Del Fuller, Jr. ('55), 1981-82.

Over 600 graduates and friends of the School have served on the Board since its founding, sharing with the School the benefits of their rich and varied experience.

"The record of excellence which Stanford Law School has achieved," Dean Ely recently said, "is in no small measure due to the support and service" that Board members have "so generously provided."

Welcoming Remarks

L. N. ("Les") Duryea '50 Chair, Board of Visitors

The Board of Visitors, Chairman Duryea noted, has the "excellent purpose" of enlarging the scope of the School's friendships and the perspective and wisdom such friendships can provide. The Board has had some notable results over the years, including the formation of a Dean's council (now the Advisory Council on Law and Business); recommendations, since implemented, for changes in the curriculum; the establishment of a chair for clinical legal education; and growth in the Law Fund.

Members of the Board thus have a real opportunity to influence the development of the School, Duryea observed. In addition, he noted, there is the opportunity to become better informed about the School and about the general course of legal education.

Finally, he said, the meetings are "habitually a lot of fun."



Students Sharon Gwatkin and Eric Fingerhut in a witty reprise from West Coast Story (see page 57)



Victoria Diaz '75, assistant dean of the School, with Les Duryea '50, Board of Visitors chair



Dean Ely with Carolyn Gunn, during the special West Coast Story after-dinner performance May 5

Board of Visitors STATE OF THE SCHOOL

John Hart Ely Richard E. Lang Professor and Dean



Judge Betty Fletcher and Judge Tom Griesa '58 (first row), Christopher Seaver '79 and Nelson Ishiyama '72 (second row)

t's been a good year at Stanford Law School," Dean Ely reported. Considerable strength has been added to the faculty and staff; the student body is lively on several fronts; and generally the School "feels good about itself."

However, two problems are of great concern, he said. One is the cost of housing in the area and the impact this could have on faculty recruitment. The second is the pressure on student aid funds, which are essential in maintaining a diverse student body, both ethnically and in terms of social class. Student aid is, in fact, "our only real emergency," he said, a subject he expanded upon later in the session.

The faculty, Dean Ely observed, is first rate—"I don't think person for person there is a better faculty in the country." Despite the School's small size, it embraces a broad spectrum of opinion in an atmosphere not of division but rather of "enormous trust"—rare attributes which the Dean is pledged to cultivate.

Four new professors—including Myron Scholes, the finance theorist whose appointment was announced

earlier this year [see Stanford Lawyer. Winter 1982/83]—are joining the permanent faculty, he said. They are: Professor Robert Gordon, a Harvard-trained legal historian who was here last year as a visiting professor; Associate Professor Ellen Borgersen, previously a partner with Morrison & Foerster in San Francisco; and Associate Professor Thomas J. Campbell, who holds degrees in both economics and law and was, until July 1, director of the Federal Trade Commission's Bureau of Competition. "The School's ability to recruit excellent new faculty,' observed Dean Ely, "is obviously very good."

The Dean was also pleased to announce that two more endowed chairs have been filled this year, both with distinguished members of the present faculty. The first is the Kenneth and Harle Montgomery Professorship of Clinical Legal Education, to which Paul Brest-an originator of the experimental Curriculum B and "one of the centerpieces of the faculty as a scholar, teacher, and citizen"-has been appointed second holder (following Anthony Amsterdam). The second is the new Ralph M. Parsons Professorship of Law and Business, which will have as its first holder Kenneth E. Scott, an alumnus of the School ('56) with broad business experience as a practicing corporate lawyer, state banking regulator, and bank general counsel. A third chair, also new, was filled earlier in the year: The Robert E. Paradise Professorship of Natural Resources Law, for which oil-and-gas law expert Howard Williams was, Dean Ely noted, "the perfect choice."

Turning to curricular developments, Dean Ely reported that the School's program in Law and Business has made enormous progress, which Professor Scott and Professor Ronald Gilson would describe later in the program. The Dean also drew

attention to the establishment of a unified first-year curriculum-soon to be discussed by Dean Mann-which will incorporate the "best features" of the experimental

Curriculum B program.

Looking to future curricular developments, Dean Ely announced that he had formed two new committees—one on Law and Biotechnology, the other on Law and Information Science—both including faculty from other schools in the University, to consider the implications for legal education of these fast-developing fields.

The Dean also voiced his interest in "the study of law as a profession," by which he meant not only professional ethics but also the sociology, economics, and "culture" of legal practice, all areas where other academic disciplines could shed light.

Teaching methodology is another area where fresh approaches are needed, Dean Ely said. "How can we reinject the interest without reinjecting the sadism?" The School this year made some changes in response to this concern. One was to require that grades be entered in nearly all of a student's courses. After the first semester, he explained, students will be able to take only five courses on a "3K" (essentially pass/fail) basis. Previously they had been able to take all their courses 3K, though of course few did. (At the same time, he noted, the School raised the median grade from 2.75 to 3.2, a level closer to that of equivalent law schools throughout the country.)

The School's students are, Dean Ely reiterated, "outstanding." The class that entered in the 1982/83 year had a median LSAT score of 753, and their composite undergraduate grade point was 3.79. The median age has dropped slightly, to 23, though there are several older students with experience in the work world and/or other disciplines. The class is roughly one-third female.

Applications for the coming year (1983/84) dropped about 20 percent from the previous year, which would be worrisome except that, Dean Ely explained, similar drops have also occurred at the other leading law schools. The reason appears to be a foul-up at the Law School Admissions Services, which in an early ranking for their revised test placed some scores in a lower percentile than they should have been, apparently discouraging a number of potential applicants from trying for top schools.



Dean Ely

The Dean expressed concern, however, over the recent decline in minority group members accepting admission to the School. Minority representation in entering classes has dropped during the past three years from 22 percent to 16 percent to the present 11 percent. This trend, Dean Ely said, must not be allowed to continue. Consequently, financial aid—a cornerstone of any minorities recruitment effort—is "my highest priority."

The School this year accepted two big grants that will help, he continued: the A. Calder Mackay Scholarship Fund that accompanied the endowment for the new Mackay Professorship; and the Harold G. King Financial Aid Fund (to be recognized in the naming of the Moot Court room). Another effort to increase student aid funds is focused on the Carl B. Spaeth Fund, for which a mail appeal will go out in June. The Dean welcomed suggestions and assistance from members of the Board of Visitors in this important endeavor.

Over all, he reported, the School's fund-raising efforts have been going well. "We made our Law Fund goal" this year, he said, "and in addition have received some generous large

gifts."

Dean Ely then expressed his very great pleasure in meeting and getting to know Stanford Law alumni/ae-"a really enjoyable part of the job for me"-at events here at the School, and in gatherings throughout the country. The program for the present Board of Visitors meeting, he said, was designed with "a great deal of free, and two-way, communication in mind." Opportunities for questions and discussion were built into each of the sessions, and lunches featuring student presentations and discussion were scheduled for the second day. Another form of feedback-from attorneys taking part in the special panel on "Successful Lawyering" put together by Board Chair Les Duryea—should be taken as an invitation for further participation. Dean Ely encouraged the Visitors to take full advantage of all opportunities, formal and informal, to exchange ideas and observations with him, the faculty, and the staff of the School.

He closed by introducing Associate Dean Keith Mann, saying, "There is no one who has had more to do with the development of excellence in this School over the past several decades."

Board of Visitors

STATE OF THE SCHOOL continued

J. Keith Mann Associate Dean, Academic Affairs



Dean Mann



Robert Paradise '29, Theodore Weisman '31, and Professor Howard Williams (holder of the new Paradise Chair in Natural Resources Law)

Dean Mann reviewed the evolution of the Stanford Law School curriculum from the late 1800s (the Harvard model), through the 1950s ("a real curriculum taught by giants"), to the innovations now being implemented.

"We have been laboring for something that will be modern and that will prepare people not only for what they will be doing right out of law school but also twenty years later," he said. Students should receive a balanced curricular experience that imparts the necessary traditional knowledge, cultivates the essential technical lawyer's skills, and simultaneously fosters a capacity for adaptation to the changing world in which they will live their professional lives.

Dean Mann noted that even those courses that appear to have the same name as twenty years ago may differ

greatly in content.

In the past, he observed, the structure of education at most American law schools was fairly uniform. In recent years, however, some schools, Stanford notably among them, have begun to move in new directions. "Times have changed, and issues have changed," he said—"not to mention students. The curriculum in all years is being expanded, ways are being sought to familiarize students with the institutional arrangements in which they are likely to work, more small group instruction is being provided, and students are being given more opportunity to educate themselves."

Stanford is, he said, in the forefront of these developments. "Providing to all in the course of their three years a distinctively different and progressively more advanced kind of academic or practical learning experience remains a foremost

but elusive target."

Dean Mann then outlined the revised first-year curriculum being introduced in 1983/84. This curriculum is based on the traditional first-year sequence but incorporates important elements of the experimental Curriculum B, which ran parallel to the standard Curriculum A for the past three years. The distinction between Curriculum B and the rest of the first-year program will have been eliminated. The revised first-year course of study, he said, seeks to offer the new law student "a

broad exposure to the variety that is the law and the variety of ways in which differing minds approach it."

All entering students, Dean Mann explained, will now begin the autumn term with a four-day program, designed and tested in "B," "to introduce them to the study of law." Topics covered include case analysis, legal institutions, and law and society or legal culture. "Students seemed to appreciate the establishment of an introductory foundation facilitating the transition into the regular class structure," he said.

The rest of the term will be devoted to the basic first-year subjects—Civil Procedure, Contracts, Criminal Law, and Torts, as well as legal research and writing.

The spring term includes two more required courses (Constitutional Law and Property) and a continuation of legal research and writing. In addition, students will choose two or three electives from among a varied menu of "perspective" courses: Law and Philosophy (Jurisprudence), Law in Radically Different Cultures, History of American Law, Economics for Lawyers/Finance Theory [see "Law and Business" discussion below], Legislative and Administrative Process, and Lawyering Process.

Lawyering Process, Dean Mann explained, is an innovative course, developed by Professor Paul Brest and several colleagues as part of Curriculum B, which introduces students to "adversarial procedures, issues of professional responsibility, and alternative methods of settling disputes, such as arbitration."

The development of the Economics for Lawyers/Finance Theory course is regarded as an important step in creating a modern business law curriculum.

In sum, Dean Mann said, "the revised first-year curriculum represents a highly promising blend of the traditional with the new."

Thomas F. McBride Associate Dean, Administration

Dean McBride, for whom this was a first appearance before the Board of Visitors, expressed his pleasure at coming to Stanford.

The School's financial situation, he reported, is very much affected by trends both outside and within the University. These trends include inflation (especially evident in utility costs), government financial aid policies, substantial tuition increases (the 1983/84 Law School tuition is \$9,178), and the financial resources of the University—which is experiencing a "real crunch" in recovering actual direct and indirect costs from research grants and contracts.

"The result," Dean McBride said, is that "we have to run to stay even."

This year, the School was asked by University planners to pare its budget for fiscal 1984 by \$120,000. This we did, McBride said, with minimal impact on program, by generating some new income through such steps as increasing the application fee (from \$35 to \$40) and by making significant cuts in administrative expenses.

Student aid needs are, Dean Mc-Bride said, another major concern. Since 1979, scholarship expenditures have exhausted available reserves. "We need to direct more dollars into financial aid, particularly loans, recognizing that most of our graduates will have the future earnings to comfortably afford loan repayment," he observed.

"And we need to maintain the utmost flexibility in use of financial aid funds, making strategic allocations between the relative levels of scholarships and loan support." Dean Diaz and her staff are, he said, now examining the gift terms of

existing School endowed and expendable funds to see whether some portion might be appropriately redirected to student aid, particularly

student loan, purposes.

The School is also stepping up its efforts to collect delinquent loans from graduates. "Our overall delinquency rate is about 5.2 percent," Dean McBride noted. The central University administration has been increasingly aggressive in its collection actions, and the Law School will also be taking additional action.

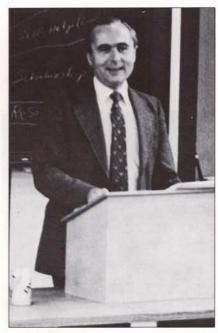
A third major area of activity for Dean McBride has been the "computerization" of the Law School. "The Dickensian image of lawyers with ink-stained fingers and yellow pads is simply not true here," he said. "Both professors and administrative staff are eager to employ the latest

technologies.'

So far, IBM personal computers have been provided to faculty and secretaries to meet basic word-processing needs. And next year he anticipates substantial increases in computer applications in the administrative functions of the Law School. Student access to computers, both for wordprocessing (term papers, etc.) and for actual class assignments, is also planned. Two faculty members are presently developing computerized instructional exercises.

The ability to access research data quickly will be increased next year, too, with the introduction of the WESTLAW legal research data base. LEXIS is already available in the Law Library. Dean McBride expects to see "improvements in work-load patterns and productivity" in various areas of the School as a result of these technological advances.

He concluded by saying that his purpose, and that of the administrative staff he supervises, is "to support the faculty and students in the essential educational enterprise."

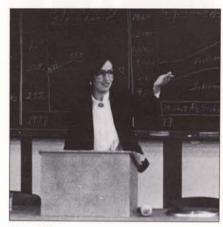


Dean McBride

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Board of Visitors STATE OF THE SCHOOL continued

Victoria S. Diaz Assistant Dean, Development and Alumni/ae Relations



Dean Diaz

Dean Diaz began by introducing her two closest aides, Elizabeth Lucchesi, director of alumni/ae relations, and Kate Godfrey, director of the Law Fund.

Alumni/ae relations, Dean Diaz said, "complement our development efforts by fostering the good feelings which generate the interest and support so vital to the School."

Former students of the Schoolnow approaching 6000 in numberare located throughout the country, she noted, with the majority (52 percent) in California.

Dean Diaz was pleased to report that several active School alumni/ae societies now exist, including groups in Los Angeles and the District of Columbia. The School is encouraging the further organization of groups in New York, Chicago, and other cities and areas.

"One of our goals during these first two years of John Ely's deanship," she said, "has been for him to meet as many of the School's alumni/ae as possible." The Dean has consequently traveled extensively, meeting graduates and friends at a variety of functions, an effort which will always continue but with particular intensity through the coming academic year.

Dean Diaz then described the development, or fund-raising, programs of the School. These are in two categories: the Annual Giving Program (the "Law Fund") and the Major Gifts Program.

The Law Fund includes personal solicitation at the "Quad" (\$100+) and "Inner Quad" (\$1000+) giving levels, special reunion-year class drives, and the annual appeal-a series of mailings in which class agents play an important role.

Since 1970, when the School first began using volunteers extensively, the Fund performance has climbed more than sevenfold-a tribute, she said, to the effectiveness and energy of those who have become involved.

The Fund is, Dean Diaz noted, "an important source of monies for the School." During the 1982 calendar year, \$927,242 was raised, of which \$510,454 is being used to support a portion of the School's 1982/83

operating budget.

Dean Diaz also mentioned the Deferred Giving Program, headed by Charles Stearns ('33), to encourage advance planning by friends and graduates of the School. "The School has been fortunate," she said, "to receive a number of generous beguests in the past year that have augmented its endowment significantly.'

[A full report of the 1982 fund year is included in the Annual Report of Giving elsewhere in this issue.]

The School's development goals for next year, Dean Diaz said, are to raise the level of participation-now only 31 percent - of alumni/ae in the Law Fund program; encourage more Quad and Inner Quad volunteers to make solicitations in person; begin developing a sense of class identification while future graduates are still students; and begin soliciting new graduates in the first year after commencement (rather than waiting a year, as is the current practice). "I think the sooner we can get graduates in the habit of givingno matter what the amount - the more likely we are to increase our level of participation," she said.

Dean Diaz then turned to the Major Gifts Program. "Most such fund-raising efforts are," she said, "program- or project-specific." The priorities for the next three to five years, she said, are student financial aid and faculty support (primarily for

research and housing).

The School has just launched a campaign-with a letter from Shirley Hufstedler to 500 graduates - to increase the Carl B. Spaeth Fund, which provides financial aid to

minority students.

Potential new donors are, she said. being urged to adopt terms for their gifts that allow the School maximum flexibility to allocate financial aid funds where most needed, e.g., scholarships or loans-at any given time. "We are pleased that the S. H. Cowell Foundation, in its recent grant, has done so," she said.
In working out the complex terms

of major gifts-including those involving deferred giving, real property, and various kinds of endowments- the School has available, Dean Diaz pointed out, the services of the University Office of Development's sophisticated legal staff to help private counsel and/or donors develop the best plan possible for the gift in question.

Dean Diaz concluded with the observation that "the School has been blessed with the energies and commitment of our graduates and friends-many of them present today-who are generous with their time and money. We are indeed

grateful."

Margo D. Smith Assistant Dean, Student Affairs

Dean Smith, a 1975 graduate of the School, began her first official presentation to the Board of Visitors by describing her new responsibilities.

"The Dean for Student Affairs," she said, "ideally represents the students' concerns to the Dean, administration, and faculty." In addition, she makes herself available to counsel individual students, assists student organizations and, beginning in the fall of 1983, will administer the externship program.

One of Dean Smith's major goals, she said, is to maintain and increase the number of minority students at Stanford Law School. So far this year, she reported, 36 of the minority applicants offered admission to the entering class have accepted. This represents a healthy rebound from the somewhat disappointing number of acceptances (21) at this time the previous year. Of course, a few students will change their plans (19 of the 21 accepting actually enrolled last fall), she noted, but "we can still expect improved representation of minorities in the class entering this fall."

Dean Smith will be traveling to the Midwest and East during the coming year to carry the message to prospective students that "California is not the end of the world."

Three "firsts" occurred in the Admissions area this year, she reported. The first was the new LSAT which, to complicate matters, had a percentile ranking scale that was initially inaccurate. The scale has since been corrected, and all should go more smoothly next year.

A second "first" was the introduction by the School of a \$200 tuition deposit, due at the time of acceptance. This has proven no barrier to committed students, while discouraging interim acceptances from the uncommitted.

The third new development Dean Smith described was the offer of deferred admission to those applicants who requested such an arrangement. A number of students, including seven minority students, have taken advantage of this arrangement, many to pursue special opportunities such as Rhodes and Marshall scholarships or work abroad, which should enhance their personal development and their interest as classmates.

Student-edited scholarly publications, Dean Smith noted, continue to be "a source of pride" to the School. Plans for the upcoming volume of the *Stanford Law Review* include a symposium on Critical Legal Studies with articles by four faculty members. The *Stanford Journal of International Law* drew praise for a recent issue on International Antitrust. And the Environmental Law Society, which this year published a revision of its 1975 handbook on *Historic Preservation in California*, has seven other volumes in preparation.

She then touched on the many and varied student activities at the School, including 20 organizations (3 new this year), the Law Forum (which brought former West German Chancellor Helmut Schmidt to campus in April), La Raza (Hispanic students), and BLSA (blacks).

Dean Smith closed with some reflections on student life at the School. "Stanford's smallness breeds an intimacy and supportiveness that is seldom seen," she said. "Despite the competition for grades and jobs in this age of the soft job market, our students continue to care about the well-being and success of their fellow students—and that," she concluded, "is very special."



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Dean Smith

Fall 1983 Stanford Lawyer

Board of Visitors

SUCCESSFUL LAWYERING: IMPLICATIONS FOR LEGAL EDUCATION AT STANFORD



Panelists Munger, Guggenhime, Duryea, and Renfrew

L. N. Duryea Chair, Board of Visitors

our attorneys with long practical experience participated in this special panel. Board Chair L. N. Durvea, who organized the session and acted as its moderator, introduced his guests: Richard E. Guggenhime (Harvard '32), a past president of Stanford's Board of Trustees and former partner, now of counsel, to Heller, Ehrman, White & Mc-Auliffe; Charles T. Munger (Harvard '48), a founder and former partner of Munger, Tolles & Rickershauser, now serving as chairman of Blue Chip Stamps; and Charles B. Renfrew (Michigan '56), whose career includes 15 years as partner in Pillsbury, Madison & Sutro, 9 years as U.S. district judge (for Northern California), and a new position as vice-president of Standard Oil Company of California. Duryea (Stanford '50) was a founding partner of his own Newport Beach firm for 15 years until merging it with Memel Jacobs Pierno & Gersh last year.

Duryea reflected warmly upon the professional rewards of dealing with the many attorneys who are outstanding practitioners and persons. But he also expressed concern about the seeming lack of "balance, maturity, and judgment" of some welleducated attorneys. Recognizing that law schools alone cannot remedy this problem, he asked whether "anything can be done to guide that bright student into some perception of judgment that makes him more valuable when we hire his services."

Law school is a sophisticated trade school, he observed, that guides us to learn to think. "But," he added, "into that thinking process that leads us to decisions we need an assessment of purpose, a sense of values, and the ability to determine that some solution may be better than a perfect solution."

Characteristics among young lawyers that disappoint him include, he said: "the tendency to make every legal matter a game, habitual cynicism, a dedication to negative criticism, lack of reverence for the need for solutions, feelings of omnipotence that only he or she can solve the problem, and indecisive-

ness by those too analytical and perfectionist to ever come to a conclusion."

Duryea recalls suggesting to former Dean Charles Meyers that the School teach students "some judgment," to which Meyers retorted, "tell me how to teach it and I will." All Duryea could say, at that point, was "you might mention it once in a while." That exchange, and many personal experiences and conversations, led him to initiate this panel.

Duryea also cited a number of broader issues that he feels attorneys should be concerned with, the most important being access to the legal system. "I travel with 'comfortable' people," he said, "but for personal matters they really can't afford to open a file in my office." Those less fortunate, he pointed out, often find the cost of legal representation prohibitive—a situation that "undermines our whole system based on law."

Acknowledging that the legal system suffers greatly from too much legislation (from both legislators and the courts), he expressed his belief that the real problem was the participating attorneys. "The tragedies of ill-prepared attorneys are well known," he said, "but the quieter tragedy of the well-prepared attorney without the common sense to seek a solution is as great an impediment."

Duryea concluded with a pithy summary of Harvard President Derek Bok's recent critique of the legal profession and education: "The brightest students go into the law. Our legal system is a mess."

Each of the panelists who follows provides a different perspective on these problems, Duryea explained – Renfrew as a former judge, Munger as a client, and Guggenhime as a practitioner of business law with extensive "societal involvement."

The Hon. Charles B. Renfrew

Judge Renfrew drew attention to a split in attitude toward the legal profession. Public polls indicate that respect and confidence in lawyers is eroding, he said. Yet if you talk to individuals who have actually retained lawyers, "they think theirs are able and effective."

The dichotomy, though an ancient one, appears to be widening, Renfrew observed. One reason may be the ever-increasing number of lawyers we have in this country—almost 200 for every 10,000 citizens, which is over three times more than in England, almost twenty times more than in Japan, and maybe 50,000 more than in China.

Another problem, he said, is the rise in unnecessary, frivolous lawsuits that pursue private petty causes rather than the public good.

"Americans have a propensity for turning social and political problems into legal problems," he noted. Perhaps this is because they have more confidence in the judiciary than in other institutions. Or it could reflect a kind of insecurity arising from the industrialization and urbanization of our society.

One result is an explosion in new legislative proposals—as many as 25,000 or 30,000 a year in Congress, 5000 and up in state legislatures. Another is an "unbelievable pollution" of new laws and regulations, taking up almost 100,000 pages of the Federal Register each year.

In such an environment, Judge Renfrew believes, we need lawyers trained not only in the "how of law" but also in the "why of law." Techniques like discovery, he pointed out, should be used not just "because they are there" but for some particular purpose.



Judge Thelton Henderson, Vaughan Williams '69, and James Siena '61



"I think that what you have to remember is that you are training people to be professionals, members of a learned profession, and techniques and skills are simply not enough," Renfrew said. "Learning is a lifetime process and it should be devoted toward the public. As soon as a profession stops serving the public, it becomes a trade.

"There is," he concluded, "an absolute shortage of real professionals in the law."

Fall 1983 Stanford Lawyer

Board of Visitors

SUCCESSFUL LAWYERING continued



Dean Margo Smith '75, with Sally Schreiber '76 and Ellen Corenswet '75



Charles Silverberg '55 and Carl Robertson '64

Charles T. Munger

"I couldn't resist accepting Les's invitation," Mr. Munger began, "because to explain, even for a minute or two, what to a client is most irritating about lawyers is an opportunity too tempting to miss!"

Munger paid tribute to the many lawyers that are persons of "exceptional judgment, honor, practicality, and decency." "However," he said, "we all know others where high IQ points do not correlate at all well with judgment and honor."

He cited as an example a brilliant former Harvard classmate, now a senior partner in a large New York firm, who regards litigation as "a socially approved outlet for aggression and uses the process to hurt the opposition as much as possible."

Another problem Munger mentioned related to the observation by George Bernard Shaw that every profession is a conspiracy against the laity-which Munger feels is only partly true of law, but true nonetheless. "It's always irritating to bestow trust and pay money to somebody who, even to a degree, is operating in a conspiracy against you," he said. This can happen, he pointed out, when the career incentives for a young associate in a firm are different from the incentives of the clients whose cases are being handled.

Munger's final complaint was "paying lawyers to learn the elementary aspects of your business or of business in general." The essential doctrines taught at Harvard and Stanford business schools could, he believes, be readily incorporated into the three-year law curriculum without resort to JD/MBA degrees.

He also emphasized the importance of teaching negotiation approaches, saying that "I'd make it a required course if I were running the school."

Munger recognized, however, that the characteristics he criticized in lawyers cannot be blamed on the law schools, which are, he said, "in a way a more honorable culture than either the law firms or the business firms."

Ultimately, he said, the most effective way to improve the judgment and honor of members of the legal profession is simply to admit more people with those attributes to law school. Identifying such individuals through the admissions process is a challenge, he admits, but his view is that "it could be done."

Richard E. Guggenhime

Mr. Guggenhime observed many "common threads" in the remarks of his copanelists, as well as in published statements by Harvard President Bok and Dean Ely, with whom he is largely in agreement.

"I certainly despair over the practice of law in an adversarial, gamesmanship atmosphere," he said. "The tone of the legal profession today is markedly more aggressive than it was thirty years ago."

He noted an increased emphasis on "the bottom line." Today, he pointed out, fees in big-city law firms are based not on service but on time. "The result is that it deprives the lawyers in such firms of opportunities to be of service to their community."

Guggenhime expressed doubt whether senior partners in the firm where he is now of counsel could have the opportunity he enjoyed in 1964-67 of serving as president of the Stanford University Board of Trustees, a task which, he said, took "at least half my time."

He congratulated the Law School on its new program of extending loans to students interested in exploring public service and government work opportunities for a summer [see pp. 53-55].

"One of the hardest things to teach a young lawyer is judgment," he continued. Experience can be important, but so also is "a willingness to accept the right time to make a deal, to accept something less than a 100 percent victory.

"Maybe you can teach your people," he said, "that good agreements are ones that your client can live with and the other fellow can live with."

Guggenhime ended with two words of pungent advice to those engaged in gamesmanship and adversarial tactics—"Cool it!"



Lucinda Lee '71 and Jerry Robinson '60



Nicholas Counter '66



Justice Rehnquist (right) at the Board of Visitors banquet May 6. Mrs. Rehnquist is joined at the near table by Dean Ely and Chairman Les Duryea.

The panel presentations stimulated many comments from members of the Board of Visitors concerning the role that both law schools and law firms do or should play in shaping young lawyers.

"It is important," said Les Duryea in a thoughful summary of the session, "for us to get the students thinking about solutions rather than the creating of problems."

Board of Visitors

THE CONSTITUTION, RACE, AND THE SCHOOLS: CON LAW FACULTY AGREE TO DISAGREE

he School's constitutional law faculty was featured during the Board of Visitors meeting in a panel chaired by Dean Ely. He and four colleagues-Professors Paul Brest, William Cohen, Thomas Grey, and Gerald Gunther-discussed the case of Johnson v. Chicago Board of Education, 604 F.2d 504 (C.A. 7, 1979), involving a plan whereby the school board, reacting to a study of historical patterns of "white flight," decreed that once the non-white student percentage at a given high school exceeded 60 percent, a lottery would be held, and the non-white students thus selected would be bussed to white or integrated high schools on the North Side. The Seventh Circuit upheld the plan.

Obviously the case is an excruciatingly difficult one, in that it involved distinguishing among people on the basis of their race, and in fact-albeit in an apparent attempt to serve the ultimate cause of racial integration - excluding students from certain schools because they are members of racial minorities. The panel agreed that the case was a mind- and heart-twister, and that the Seventh Circuit's opinion, by adopting the apparent attitude that it did not present difficult constitutional issues, hardly did justice to its complexity.

At that point the panel's agreement broke down, however, and indeed—given the various asymmetrical combinations of rationale and result presented by the five panelists—many in the audience began to feel that they were listening to the verbal equivalent of a game of "cat's"

cradle."

Dean Ely

Dean Ely led off, and after sketching the facts and outlining the relevant legal tests, suggested that although he found the situation difficult and fraught with danger, he would be inclined—at least without further knowledge of the Chicago scene—to

uphold the plan.

The reason courts have historically treated as "suspect" under the Fourteenth Amendment laws that discriminate on the basis of race, he suggested, is that they have rightly presumed, unless the surrounding circumstances provided a rebuttal, that such laws were motivated by racial prejudice. The boilerplate legal requirements of a "compelling state interest" and a "close fit" between the compelling interest and the racial classification involved, he suggested, are best understood thus, as means of checking the bona fides of government claims that there exists a benign explanation for the racial classification in issue. (The assignment of black undercover police officers to duty in Harlem was one example cited.)

He suggested that this sort of rebuttal seemed available in Johnson, and that although an explicitly racial line was used, the overall purpose seems rather clearly to have been to promote racial integration by avoiding the sort of "white flight" that experience had shown was likely to ensue when the 60 percent "tipping point" had been reached. To construe the Fourteenth Amendment as barring such a law, he argued-thus almost certainly ensuring that the schools in question would soon end up 100 percent racially segregated – would be to lose the constitutional

forest in the trees.

Professor Brest

Professor Brest began by addressing the reasons for the "suspect classification" test. He agreed with Dean Elv that the test responds to the suspicion that racial classifications are motivated by prejudice, but thought that it is also designed to protect blacks against the harm, insult, or stigma of being branded inferior to whites or not fit to associate with them. He thought that the school board's policy in Johnson implicated both of these concerns: the policy was as consistent with the motivation to protect white children from attending school with "too many" blacks as it was with the professed benign motive, and members of the black community might well perceive it as a racial slur.

In any event, to meet the demanding standards of the suspect classification test, the school board must demonstrate that there were no alternative approaches to desegregating the schools that did not require using racial quotas, and this it had not done.









Professor Cohen

Professor Cohen began by admitting that he had "borrowed" most of his basic ideas about constitutional law. From Dean Leon Green's writings on tort law, he had borrowed the idea that no abstract rule of law means anything except as it is administered in the process of adjudication; from Judge Hans Linde he had borrowed the idea that a constitution must be interpreted as a practical charter of government, to give meaningful direction to legislatures and executive officials. As a result, he favored "bright-line" solutions to constitutional problems, if feasible.

He also "borrowed" his analysis of the problem before the panelborrowing Dean Ely's approach and Professor Brest's conclusion. Dean Ely's answer made sense when benign race-conscious policies did not work to the disadvantage of minority individuals. Political restraints are not reliable, however, when minorities are required to pay the costs of a benign policy. The problem with the school board's pursuit of integration in this case was that non-whites were chosen to pay the costs.

Professor Cohen concluded that, no matter how "benign" the policy pursued, racial line-drawing should never ("well, almost never") be permitted if minority individuals were harmed.



Ely and Brest (tob). Grey, Cohen and Gunther

Professor Grey

Professor Grev said that race discrimination law oscillates between an objective or formal approach, which aspires to treat all race-conscious laws and policies alike, and a more subjective but substantive approach, which looks behind the form of a law or policy to try and see whether or not it is actually racist. He inclines toward the substantive end of the spectrum in his own approach, while recognizing that it creates more tough judgment callsas in this case.

On the one hand, this plan discriminates against blacks, in part because of white racial prejudice. Black students are bussed to distant high schools in white areas, while white students are not bussed to distant high schools in black areas, though both kinds of bussing would equally further the policy of maintaining racial balance. Racial prejudice joins with other factors to make two-way bussing unacceptable to whites, who can block it politically. and if it were imposed could defeat its purpose by leaving the Chicago school system.

On the other hand, we obviously rank white parents' free choice to move to the suburbs or to put their children in private school over public school integration in our implicit constitutional value scheme. This presently entrenched priority makes it the lesser of the evils-the "least racist alternative"-to permit the one-way bussing, if the factual premises behind the plan stand up to independent judicial scrutiny. An official decision favoring some integration over none should not be found to violate equal protection.

Professor Gunther

In concluding the panelists' statements, Professor Gunther illustrated the permutations and combinations of positions possible among a diverse group of constitutional scholars, by asserting that he disagreed with the premises of Dean

Elv but joined his result.

Contrary to Dean Ely, he insisted on strict scrutiny of all racial classifications, even "benign" ones. But he thought the Board plan should withstand even strict scrutiny. He argued that the "compelling state interest" branch of the strict scrutiny test was probably met here: integration had become such a central value in our law since Brown v. Board of Education that a school board's effort to achieve it should be respected, even where it apparently acted to counter de facto rather than de jure school segregation.

The more difficult issue was the second branch of the strict scrutiny standard: were the Board's means necessary to achieve its integration objectives? He agreed we should be especially skeptical when the means fall harshly on the minority race, as here; and he was troubled by the fact that the Board had apparently relied mainly on "impressions" about the percentage of blacks that would constitute the tipping point and cause white flight, resegregating the school system. But studies in other cases had demonstrated that the tipping point problem was a real one.

He concluded that the Board had apparently addressed a genuine obstacle to integration in good faith, and that its effort should be upheld, even under his strict scrutiny approach.

Board of Visitors

LAW AND BUSINESS PROGRAM

Kenneth E. Scott Ralph M. Parsons Professor of Law and Business

Ronald J. Gilson Professor of Law

Professor Gilson, after an introduction by Professor Scott (who spoke again later in the program), reported that the Business and Law Program had progressed even more quickly than expected. "We've really accomplished an extraordinary amount of the agenda that I've described in past presentations to the Board of Visitors," he said—"not only quickly, but also well and broadly."

The plan has been, he explained, to establish a comprehensive sequence beginning in the first year and continuing with increasing sophistication through the second semester of the third year. The advanced work was conceived as taking two directions: (1) a heavy planning orientation, with applications to both small and large business; and (2) a theoretical orientation, including research, both for its own sake and for its value in illuminating the planning effort.

A substantial portion of this agenda is now in place for the coming (1983/84) school year—in addition to which a new and relevant subject area, which Professor Gilson had not previously described to the Visitors, has also been developed. This, he said, involves innovative curriculum efforts by Professor Robert Mnookin in the estate and family planning area.

Professor Gilson then described each development in more detail.

A new first-year course, called Economics for Lawyers/Finance Theory, is designed to provide the kind of finance background upon which to build a business program. Law schools, he noted, have traditionally regarded the first-year curriculum as sacrosanct, so the early introduction of this new subject matter—which relates to some of the needs Charlie Munger mentioned earlier in the day—is of interest.

Equally significant, Professor Gilson noted, is the fact that the course will be taught by Myron Scholes, one of the nation's preeminent financial economists.

The advanced work for third-year students is also coming along, Professor Gilson continued. His own course on corporate acquisitions—which he views as simply a planning course for large corporations—is working well. In fact, the materials used for the course—linking the legal and financial economics aspects of corporate acquisitions—will be published by Foundation Press, and the course is already being taught at two other schools.

The second element of the plan for the advanced curriculum—theoretical research—began in 1981/82 when Professor Scholes, then a visiting professor at the Business School, joined with our Professor Scott to teach a course in securities law research. This course (to be described in Professor Scott's presentation) is, Professor Gilson said, "a very exciting enterprise and well worth your attention in coming years."

Professor Gilson then described the new area of individual and family financial planning which developed recently as a result of work by Professor Mnookin.

Professor Mnookin has put together two courses. The first is a basic family and estate planning course, in which life-cycle planning is seen as an integrated process involving choices among a variety of options only one of which is traditional testamentary disposition. Five problem sets are assigned during the semester, and students do two substantial planning memoranda in lieu of a final examination.

Next year, Gilson continued, Mnookin will be doing an advanced seminar on family financial planning, which will require students to become familiar with the use of computers in modeling and analyzing planning alternatives.

Professor Gilson also called attention to another interest of Professor Mnookin's, which has broad application not only to business law. but also to the general questions of philosophy and attitude raised in the earlier session on successful lawyering - namely alternative methods of dispute settlement. "When we talk about poor judgment," Gilson observed, "we often mean over-use of adversarial approaches." Negotiation and mediation are stressed in a course for second- and third-year students developed by Professor Mnookin and Bea Moulton, a lecturer at the School.

Gilson concluded with the observation that there is probably no other law school that has gotten as far as Stanford in curriculum development and innovation, of which the Business and Law Program is an excellent example.

Professor Scott then described the project—a research seminar based on changes in securities prices—that he and Professor Scholes introduced in the 1981/82 school year.

The seminar, he says, involves students in empirical research using theories concerning various factors that may affect the prices of individual stocks. The data under study is of unusual quality, Professor Scott noted, having been gathered by Professor Scholes and his predecessors at the Center for Research in Security Prices, at the University of Chicago. These data include day-to-

day stock market returns for both the New York and American exchanges from the present back as far as 1926.

A computer program has been developed for differentiating between general ups and downs in the market and changes specific to a given stock (a technique called "cumulative abnormal return analysis"), Professor Scott explained. "The component of return on a stock that is abnormal or unexpected," he said, "can be used as a measure of the impact of certain events on the company and on its stockholders."

These research techniques are being employed at the Law School by students not necessarily strong in mathematics or computer skills, to test theories as to the impact of tender offers, mergers, acquisitions,

and other events.

One student last year "broke new ground," Professor Scott reported, by looking at the aftermath of initial tender offers that failed. A dramatic difference was found between the stock returns of firms that received a second bid (up a cumulative 50 percent) vs. the value for firms not bid for again (a gradual return to price levels before the first bid). The student's findings were subsequently confirmed by a larger study elsewhere.

Research like this will, Scott predicted, provide "an experiential base that will become increasingly important to people in the practice of law, including those who are litigators or involved in the legislative process.

"It's an interesting process to engage in at the student level," he said in closing, "and I think it is beneficial for students to be aware of this kind of research and how it is accomplished."



Professor Scott, Charles Munger, and Judge William Norris

Board of Visitors

SUMMARY AND ADVISORY SESSION



G. Williams Rutherford '50 and Alan Rosenberg, AB '49

r. Duryea, speaking as chair of the Board of Visitors, expressed the members' appreciation and enjoyment of the proceedings and interactions that had taken place throughout the meeting.

Dean Ely then commented on some concerns raised in conversations with various members.

Admissions decisions, he explained, "are not made by computer—they're made on a very personal basis." The folders of each applicant are reviewed carefully, and we consider not only LSAT scores and grade-point averages, but also written recommendations and information on past academic work experiences, interests and activities, and other relevant characteristics. "We're a small law school," Dean Ely

noted, "and we're able to make the decisions more carefully."

The Dean also acknowledged the very strong message, expressed many times throughout the meeting, that law schools should "give more attention to alternative methods of dispute settlement—methods other than litigation."

The course by Professor Mnookin and Ms. Moulton mentioned earlier in the program speaks directly to that concern, the Dean observed. Aptly titled Alternative Methods of Dispute Settlement, it examines negotiation, mediation, arbitration,

negotiation, mediation, arbitration, and adjudication, with readings from economics, social psychology, decision theory, and legal theory.

The Lawyering Process course for first-year students, Dean Ely con-

tinued, is also "centrally designed to socialize students to the idea that many or most legal disputes can, and probably should, be settled by talking about them and negotiating rather than actually taking them to court."

As these examples indicate, Dean Ely said, the School is well aware of the need for education in alternative methods of dispute settlement, but he agreed with the Visitors that further progress in that direction would be eminently desirable—not only for the School but also for the profession as a whole.

Dean Ely then asked for questions and comments from the members of the Board of Visitors.

One member mentioned that students in the small lunch group in which she participated had expressed the feeling that perhaps the School "doesn't make it easy enough to get into public interest law."

Dean Ely responded that the School is, in fact, doing a great deal to ensure that students are informed of their many career options, as detailed in his memo to students issued January 25 [see pp. 53-55], and in meetings sponsored by the Placement Office and by the faculty. This effort will continue, he said, but ultimately, the choice is and must be the responsibility of the students themselves.

The possibility of starting a pooled, revolving student-aid loan fund was suggested by another member of the Board. Deans Diaz and McBride responded that they would pursue the idea, to see whether it was administratively practicable.

In closing, Dean Ely thanked Board Chair Les Duryea for his fine service during the 1982/83 term and particularly for his initiative in organizing the stimulating panel on Successful Lawyering −a "unique contribution" to this year's Board of Visitors meeting agenda. ■

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School NEVS

New Faculty: Gordon, Borgersen, and Campbell

The Stanford Law faculty was enriched this fall by the addition of three new faculty members — a legal historian, a former law firm partner, and a former high government official.

Robert Watson Gordon

Professor Gordon was invited to join the faculty after a year as a visiting professor. An expert in legal history, Gordon was previously a member (since 1977) of the University of Wisconsin law faculty.

He earned both his AB ('67) and JD ('71) degrees at Harvard, where he served (in 1968) as assistant to the director of the Institute of Politics at the John F. Kennedy School of Government.



Gordon

Between college and law school Gordon was a reporter for the Louisville, Kentucky Courier-Journal and for Newsweek magazine.

After graduation from law school he worked for a year in the office of the Massachusetts attorney general, then joining (in 1972) the faculty of the State University of New York at Buffalo.

His many writings include a book in progress on "the contribution of leading American academic and practicing lawyers between 1870 and 1910 to the construction of modern ideas of the rule of law."

Gordon's teaching subjects at Stanford are History of American Law, Business Associations, and Administrative Law.

Gordon is a director of the American Society for Legal History and a trustee of the Law and Society Association (for which he chairs the Committee on the James Willard Hurst Prize).

He is also a member of the Selden Society (for the history of English law) and of the Conference for Critical Legal Studies.

Gordon is in addition a consultant for the National Endowment for the Humanities, the American Judicature Society, and the Federal Trade Commission.

Ellen Borgersen

Associate Professor Borgersen comes to Stanford from the San Francisco firm of Morrison & Foerster, where she concentrated on commercial litigation.

A graduate of Antioch College (BA '72), she earned her law degree at the University of

(continued)



Schmidt (left) with Dean Ely

Helmut Schmidt Meets with Students

Helmut Schmidt, former chancellor of West Germany, visited the School in April for an informal talk with students.

An overflow crowd listened attentively as the European statesman explained the strong desire of his country for detente and arms control.

At the same time, he endorsed the presence in Europe of conventional forces, saying that "Russia should never doubt American resolve to defend its allies."

Schmidt generally refrained from criticizing current U.S. policies. But in answer to a question about San Salvador, he observed that "there's much too much talk in the U.S. about Central America," which, he pointed out, is a small area far from our borders. We would be better advised, he said, to focus on helping our large neighbor, Mexico, to "stabilize its economic and social conditions."

Schmidt, who was in the Bay Area on a private visit, appeared at the Law School at the invitation of David Lempert, president of the student-run Stanford Law Forum.

Other guests of the Forum last year were former CIA director Stansfield Turner and a parade of presidential hopefuls from the past and present. The politicians — Eugene McCarthy, Pete McCloskey, Harold Stassen, Ed Clark, Gary Hart, and Morris Udall — along with several political scientists, were part of a Forum series designed, according to Lempert, "to present differing views on the directions America should be taking in the 1980s and to comment on the issues and intrigues which will surround the 1984 presidential contest."

School NEWS

New Faculty (cont.)

Michigan Law School (JD '76), graduating magna cum laude, with election to the Order of the Coif.

While at Michigan, she earned awards in the subjects of contracts, civil procedure, and trusts and estates, as well as being associate editor and project editor of the law review.



Borgersen

Borgersen served as clerk to Justice Stewart of the Supreme Court in 1977/78, after a year with Judge Frank M. Coffin of the U.S. Court of Appeals (1st Circuit).

She joined Morrison & Foerster in 1978, becoming a partner in 1982.

Borgersen is a member of both the California and Washington, D.C., bars.

She is teaching Civil Procedure, in addition to courses in the business law area.

Thomas J. Campbell
Associate Professor
Campbell was previously
director of the Federal
Trade Commission's
Bureau of Competition,
in Washington, D.C.

Broadly educated, he holds degrees in both law (JD '76, Harvard) and economics (BA and MA '73, and PhD '80, University of Chicago).

As a Chicago undergraduate, Campbell was elected president of the student government and a member of Phi Beta Kappa. He had completed his course work for his doctorate when awarded his B.A. and was the youngest student ever to pass the Ph.D. core examination in economics at Chicago.



Campbell

Two Nobel Prize economists — Milton Friedman (his faculty advisor) and George Stigler (dissertation committee member) — participated in Campbell's Chicago studies.

At Harvard, he was an editor of the law review, graduating magna cum laude.

Campbell clerked for Judge George E. Mac-Kinnon of the U.S. Court of Appeals (D.C. Circuit) and for Justice White of the U.S. Supreme Court (in 1977/78).

From 1978 to 1980 he was in private practice with Winston & Strawn of Chicago, where he specialized in antitrust, employment, and general litigation.

Campbell then became a 1980/81 White House Fellow, in the Office of the Chief of Staff at the White House.

In 1981, he was appointed executive assistant to Edward Schmults, deputy attorney general of the United States, and, in October of that year, to the FTC post.

Professor Campbell is teaching Stanford courses in Economics and Finance Theory, Business Associations, International Law, and Economics for Lawyers.

Scott and Brest Named to Endowed Chairs

Professors Kenneth E. Scott and Paul Brest have been appointed to endowed chairs at the Law School.

Scott, an expert in corporate and securities law and banking regulation, is first holder of the Ralph M. Parsons Professorship in Law and Business. The chair is named in memory of the late Mr. Parsons, founder of the worldwide engineering and construction firm that bears his name.

Funding has been provided by the Ralph M. Parsons Foundation of Los Angeles following a challenge grant from the William Randolph Hearst Foundation of San Fran-

cisco and New York City.

Brest, who is a constitutional law scholar as well as an innovative teacher, has become second holder of the Kenneth and Harle Montgomery Professorship in Clinical Legal Education.

The Montgomery chair was established in 1980 by Mr. and Mrs. Kenneth



Scott

Montgomery of Northbrook, Illinois. Its first holder, Professor Anthony Amsterdam, left Stanford in 1981.

Kenneth E. Scott
Scott, the new Parsons
Professor of Law and
Business, is a 1956
graduate of the School
and past article editor
of the Stanford Law Re-

VIEW

He previously earned an AB in economics from William and Mary College, where he was class valedictorian and a member of Phi Beta Kappa. He then attended Princeton as a Woodrow Wilson Fellow, receiving his MA in 1953.

Following law school,

Scott spent six years in private practice, specializing in corporate and securities law and international financing, with the firms of Sullivan & Cromwell, in New York, and Musick, Peeler & Garrett, in Los Angeles.

Scott is a member of the bars of New York, Washington, D.C., and California.

In 1961, he was given major regulatory authority over the California savings and loan industry, as chief deputy savings and loan commissioner and head of the Los Angeles office of the state S&L agency.

He then served, from 1963 to 1968, as general counsel of the Federal Home Loan Bank of San Francisco. And in 1968 he joined the Stanford

faculty.

Scott is author of articles on administrative law, banking regulation, corporation law, securities regulation, and civil procedure, and coauthor of Retail Banking in the Electronic Age: The Law and Economics of Electronic Funds Transfer (1977) and of Economics of Corporation Law and Securities Regulation (1980).

(An article based on a recent speech by Professor Scott, "Thrift Institutions in a Changing World," is published elsewhere in this issue.)

Scott's courses at Stanford are Business Associations, Financial Institutions, and Securities Regulation.



Brest

Paul Brest

Professor Brest, the new appointee to the Montgomery chair in clinical legal education, played a leading role in developing the experimental Curriculum B. This program laid the groundwork for a number of significant innovations in the School's first-year curriculum beginning with the class entering this fall.

The new Lawyering Process course — which Brest pioneered with Associate Professor Charles C. Marson and Assistant Professor William Simon — is taught through simulated clinical exercises and work in small groups, as well as through classroom instruction. Brest and Simon have also worked together in integrating academic study with clinical teaching involving real-life clients.

Constitutional law issues are the focus of his scholarly work, and he is coauthor of a creative casebook in the field, *Processes of Constitutional Decision-*

Making (2d ed, 1982). This book focuses on the process by which any decision maker — legislator, administrator, or judge — goes about determining what the Constitution permits or requires. Questions of institutional authority and procedure are also explored in depth.

Brest earned his BA at Swarthmore College in 1962, and then attended Harvard, where he earned his law degree magna cum laude and was Supreme Court and developments note editor for the law review.

From 1966 to 1968
Brest was an attorney
with the NAACP Legal
Defense and Educational
Fund in Jackson, Mississippi.

He then served at the Supreme Court as law clerk for Justice John M. Harlan, after which he came to Stanford.

He was elected in 1982 to membership in the American Academy of Arts and Sciences.

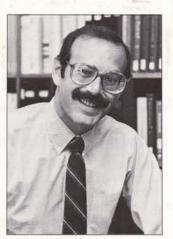
In April of this year, Professor Brest presented Northwestern University Law School's Julius Rosenthal Foundation Lecture Series. His three lectures were titled "Constitutional Discourse: Participation in the Making and Interpretation of Constitutions."

Professor Brest's wife, Iris, is an attorney with Stanford's Office of the University Counsel.

Gilson Promoted to Professor

Business law scholar Ronald J. Gilson, a member of the faculty since 1979, was granted tenure this spring by the Stanford University Board of Trustees.

Professor Gilson's chief research interest is business law and planning, with particular emphasis, he says, "on bringing the insights of economic and finance theory to bear on the problems of structuring transactions and organizations that make up a large part of a business lawyer's practice."



Gilson

Gilson has written extensively about constraints on managerial behavior in tender offers and corporate take-over battles. His most recent publication, written with Yale Professor Reinier Kraakman, is "The Mechanisms of Market Efficiency," which appears as Working Paper No. 11 in the Stanford Law and Economics Program series.

(continued)

School

GILSON (cont.)

Gilson is currently preparing a book concerning the law and financial economics of corporate acquisitions, for Foundation Press.

A native of Chicago, Gilson attended Washington University (AB '68) and Yale Law School ('71), where he served as note and comment editor of the Yale Law Journal. He then clerked for Chief Judge David L. Bazelon of the U.S. Court of Appeals (D.C. Circuit).

Previous to joining the Stanford faculty in 1979, he was a partner in the San Francisco firm of Steinhart, Goldberg, Feigenbaum & Lader.

Professor Gilson regularly teaches courses in Business Planning, Corporations, and Corporate Acquisitions.

Rehnquist Presides Over Moot Court Competition





Carney and Landsverk (left) v. Weinberg and Matteson (right)

Supreme Court Justice William H. Rehnquist, a 1952 graduate of the School, presided over the final round of the 31st annual Marion Rice Kirkwood Moot Court Competition, on May 6.

He was joined on the bench by Judge Arthur L. Alarcon of the U.S. Court of Appeals for the Ninth Circuit, and by Judge Zita L. Weinshienk of the U.S. District Court of Colorado.

The arguments of the two teams were "excellent," Rehnquist said, and "well above the median of what we regularly hear in the [U.S. Supreme] Court."

This year's Kirkwood

problem involved the federal Immigration and Naturalization Service's practice of "sweeping" factories in search of illegal aliens, an issue the Supreme Court recently decided to consider. Rehnquist said that the case developed by the Stanford Moot Court Board "combined a significant constitutional issue which has mainstream implications in constitutional law. together with the complex question of class certification.

The students were often interrupted with pointed questions from the jurists. "I think everybody was nervous," said competitor Howard N. Weinberg, "but it was less threatening than we anticipated." Weinberg, a second-year student, received the Walter J. Cummings Award as

Alums Join Trot to Zotts

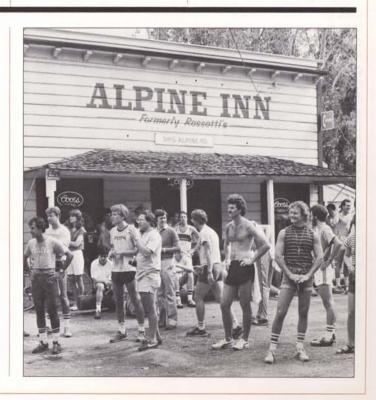
More than 160 students and alumni/ae from the Law and Business schools ran a 5.7-mile course from Crothers Hall up to "Zotts" (now the Alpine Inn) in the Tenth Annual Turkey Trot to Zotts, held April 15.

Trot Master David Buechler ('83), who set the record for the race in 1981 with a 30:03 time, summoned the runners to their marks, after Dan Reicher ('83) played "Call to the Races," (the traditional opening to the Kentucky Derby) on the saxophone.

The first law student to cross the finish line was Tom Waldo ('85), who placed third, clocking 32:02. Kat Taylor ('85) was the first woman, with a record 36:20 time.

The event originated in 1974, when Patrick Seaver (JD/MBA '77) got a group of students together to run as a lark. "It was in the pre-jogging days," he recalls. "The emphasis was clearly on the party at Zotts. The first Trot to Zotts really was a trot. Five ran and nineteen walked." While the event has become more athletic, its loyal founder returns every year.

Still unchanged is the celebration at Zott's which, according to another former trot master (Peter Stern, '81), was "just as enthusiastic as ever."



best oral advocate. He and teammate Duncan L. Matteson also won the Kirkwood Award as best team.

The opposing team of Eva Marie Carney and Lisa L. Landsverk received a Cummings Award for best brief. Carney, who graduated in June, is now clerking with Judge Robert Staniforth of the California Court of Appeals, Fourth District (San Diego). Landsverk, another June graduate, is a new associate with Piper & Marbury, in Washington, D.C.

The 1982/83 Moot
Court Board was headed
by Michael J. Gennaco
of the Class of 1983.
Gennaco is now clerking
for Judge Thomas Tang
of the U.S. Court of
Appeals, Ninth District.

Steyer '83 Wins University Teaching Award

"I love teaching. I might not become a professor, but I'll always teach," says 1983 graduate Jim Steyer, who received the University's highest teaching recognition, the Walter Gores Award (teaching assistant category) at Commencement exercises on June 12

While at the Law School, Steyer was a teaching assistant almost every semester in the Political Science Department, where he had received his undergraduate degree. He particularly remembers working with former presidential candidate John Anderson and Law Professor Lawrence Friedman. Steyer also designed

and taught for three years a SWOPSI course examining men's roles.

Last May, Steyer received a Dean's Service Award for his work on the Rape Education Project — another form of teaching, he feels. Steyer was commended for his "unique impact, energy, organization and educational contributions to the campus and the community."

He is also a founder of the East Palo Alto Community Law Project. "One way to see the Project," says Steyer, "is as a forum for teaching. Students help educate clients about their rights in the process of solving their legal problems. At the same time faculty train the students in clinical procedures."

Steyer is now clerking for Justice Allen Broussard of the California



Steyer

State Supreme Court, as well as serving on the board of directors of the Community Law Project.

Merryman Honored by French Savants

Professor John Henry Merryman has been awarded a *Docteur (honoris causa)* degree by the University of Aix-Marseilles, in France. The doctoral stole — red and yellow satin with ermine trim — was bestowed by University President Louis Favoreu on December 5, in a colorful ceremony at the Aix-en-Provence campus.

"The award," Merryman said on his return, "was based on my work in comparative law and in law and the visual arts (in which there is a

special interest at Aix). as well as the happy chance that President Favoreu, an eminent legal scholar, greatly admires Stanford and wants to establish firm relations between our two universities." Merryman is the first American legal scholar to receive an honorary doctorate at Aix-en-Provence, now part of Aix-Marseilles. whose faculty of law is one of the oldest and most respected in France.

Professor Rene David, the unofficial doyen of comparative lawyers throughout the world, participated in the ceremony. Now an emeritus professor of the University of Paris, he delivered the address presenting Merryman to the assembled dignitaries. "That made it perfect," Merryman says, "like being presented for an honorary degree in economics by Ken Arrow."

Merryman has also been honored by the Italian government, which in 1970 made him a "Cavaliere Ufficiale" of its Order of Merit.

A member of the Stanford law faculty since 1952, Merryman holds the endowed Nelson Bowman Sweitzer and Marie B. Sweitzer Professorship. His many publications include *The Civil Law Tradition* (1969), *Law, Ethics and the Visual Arts* (with Albert Elsen, 1979), and



Merryman Law in Radically Different Cultures (with John Barton, James Lowell Gibbs, Jr., and Victor Li, 1983).

School NEWS

Babcock Awarded an Honorary LL.D. by San Diego

Professor Barbara Babcock received a Doctor of Laws (honoris causa) degree from the University of San Diego on May 22.

The degree was conferred by USD President Arthur E. Hughes during the university's law school commencement ceremonies, where Babcock was the featured speaker.



Babcock

She was praised, in the citation, as a "brilliant scholar, accomplished lawyer, dedicated public servant, role model for women, and major contributor to our collective national sense of justice and equal opportunity."

The previous month, on April 5, Babcock presented an endowed annual lecture at the Cleveland-Marshall College for Law.

In her lecture, she

addressed the difficult question, "How can you defend someone who is quilty?"

"I tried," she later explained, "to bring together my experience as a public defender with the opportunity I've had in four years of teaching criminal procedure to reflect on this issue

"I'm as interested in working out the answers for myself as for my listeners," she added. The text of her lecture will be published in the Cleveland-Marshall law review.

Babcock joined the Stanford Law faculty in 1972, after nine years as a defense attorney in Washington, D.C., first with Edward Bennett Williams, and then with the Legal Aid Agency of the District (subsequently renamed the Public Defender Service), which she directed from 1968 to 1972.

In 1977 she returned to Washington, where she served for two years with the U.S. Justice Department as assistant attorney general, in charge of the civil division.

Professor Babcock teaches introductory and advanced courses in criminal law, as well as the first-year Civil Procedure course. She was awarded the John Bingham Hurlbut Award for Excellence in Teaching by the graduating Class of 1981.

Reagan Names McBride to Crime Commission

Associate Dean Thomas F. McBride has been tapped by President Reagan to serve on the new Commission on Organized Crime.

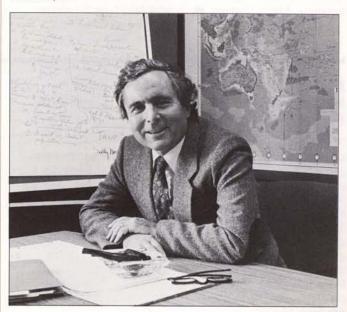
The executive order establishing the commission was signed by the President July 28 in a Rose Garden ceremony attended by McBride and other members of the 20-member group.

The purpose of the commission, Reagan said, is to "break apart and cripple the organized syndicates that for too long have been tolerated in America."

Judge Irving R. Kaufman of the U.S. Court of Appeals (2d Circuit) will head the group, which will hold public hearings across the country and submit a report on March 1, 1986.

"We've been given a broad mandate by the President," Judge Kaufman said, "and we intend to exercise it."

Commission members include former Supreme Court Justice Potter Stewart and the Chairmen of both the Senate and House judiciary committees — Senator Strom Thurmond and Representative Peter Rodino, Jr.



McBride

McBride, who came to the School last October as Associate Dean for Administration, had previously held a variety of oversight positions with the federal government, most recently as Inspector General of the Department of Labor.

(An article by McBride on computer use in detecting fraud and waste appeared in the previous *Stanford Lawyer* issue.)

Student Exposure to Career 'Alternatives' — Dean Ely's Memo

Dean Ely discussed issues concerning career choices in the following memorandum to Stanford Law students, distributed on January 25. The memo refuted suggestions by some students that the School channels them into corporate law, and described continuing and new resources available to those wishing to explore career alternatives. At the same time, the Dean challenged the assumption that a career in corporate law necessarily precludes public service activities. Because of the considerable interest in these issues expressed by graduates and friends of the School, the editor reprints the Dean's memo in full below.

The world of our profession is large. Its practitioners and its roles are remarkably diverse, as are the rewards it offers—not simply in financial terms but also in excitement, intellectual fascination, and the satisfaction that can flow from public service or the helping of others. A number of you have suggested to me, however, that the School is doing too little to ac-

quaint its students with this range of rewards, that instead our curriculum and financial aid policies are geared so as to channel you all into large corporate

law firms.

To be honest, I think there is a good deal of rationalization involved in these charges, that the widespread choice of corporate law practice on the part of our students is simply reflective of a combination of interest in the sort of problems that one encounters in such a practice, and concern for financial security for oneself and one's family which is particularly understandable in these uncertain economic times. I don't think rationalization is all that is involved, however, and it is because I do not that I am taking the modest steps outlined in this memorandum.

The administration of this School has no desire to steer Stanford students in any particular career direction, and in particular no desire to steer them away from practice in large corporate law firms. Such practices can offer a high excitement that may be unavailable elsewhere, and, like every other form of legal endeavor, a corporate practice can provide an attorney with opportunities to help make the

world a more habitable place for us all. (Like every other kind of legal job, it can be performed either morally or immorally, depending on who is performing it.) Nor need a career in a corporate law firm entail an entirely uniform practice: Our profession is filled with examples of men and women whose basically large firm practices have involved significant activity, intermittent or continuing, devoted quite explicitly to serving the profession and the public.

What we seek, instead, is increased exposure for our students, or rather increased opportunities for exposure, to various lawyers' activities occurring outside the standard large corporate practice. Some few of you, thus exposed, may end up deciding that a "different" sort of career is what you wish at least initially to pursue. A greater number will probably use the breadth of experience thus gained to enrich

and enliven what will nonetheless remain primarily a large firm practice. Beyond that, exposure to something of the range of lives and activities our profession offers will simply make you a better educated law student and lawyer, providing you with tools to enrich our various discussions here at the School and the contributions you will be able to make later in life as

able to make later in life as a practitioner, of whatever kind, and as a citizenlawyer concerned (in the voting booth or elsewhere) with the enlightened formulation of public policy.

1. One thing I and other members of the administration have done so far is to meet with students to discuss this subject. Many of you have expressed surprise at the number of students who came to these meetings. What we said there may have been of some help, but more important, I think, was the symbolism, the fact that students contemplating careers other than entirely in large corporate law firms, or at least wishing the School provided more exposure to such "alternatives," actually saw (a) the Dean of the School indicating that their aspirations and curiosities were not in his opinion evidence of mental illness, and, perhaps more importantly (b) a room full of fellow students who seemed to be entertaining the same "deviant" curiosities that they were. I am told that those meetings may in some small way have helped set the student body talking, talking in particular in a way that recognizes that unlike most people on this earth, you really do have many choices about how you will spend the rest of your lives.

(continued)





CAREER 'ALTERNATIVES' (cont.)

that is what they should become.

2. A suggestion made at those meetings was that the *faculty* somehow idealizes for the students the life of the large-firm corporate lawyer. If you think about it you will soon recognize that that claim is at least exaggerated, given that those of us on the faculty obviously have chosen a different life. Well, then, students sometimes continue, the faculty is insufficiently open about its own moral values, and by its silence implicitly endorses the common corporate law career path as the only one worth considering.

Actually, most of us *do* think it's a path worth considering, given that most graduates of Stanford and other law schools follow it and most, though not all, report satisfaction with their choice. But the *only* one worth thinking about? Certainly we don't think that, and I suspect that what must be happening is that as teachers we are very skittish about even suggesting how we think you should spend your lives. We are not spiritual advisers or preachers, and I certainly have no inclination to suggest to the faculty that

It is the case, however, that in addition to the academic life which we now share, a large number of the members of our faculty and staff have both past professional and present advisory affiliations with various sorts of government agencies and other "public interest"-type organizations. (Some also have backgrounds in business law, of course; many have the sort of "mixed" background that often gets overlooked in discussions like this but may in fact be the most satisfying of all.) I think you will find us happy to discuss our experiences — not all of which have been unequivocably favorable (or we wouldn't be here) — should you come to us with questions. To this end, I am attaching to this memorandum a list prepared and distributed by our Placement Office last month, entitled "Stanford Law School Faculty/Staff Public Interest/Public Service Background." [Interested readers may obtain a copy of this list from the Placement Office, (415) 497-3925.] Again, no one is trying to steer you anywhere, but do be aware that there are resources here to help acquaint you with the range of alternatives.

3. Students sometimes assert that during their first term courses, the discussions are conducted and the hypothetical cases are set so as to assume a corporate law firm environment. As I think about subjects taught in the first term, I have some trouble imagining how this can be so. In any event, I am by this memorandum requesting the Curriculum Committee to consider working into the first week of the first term — the Introduction to Law and Legal Institutions program — instruction on the wide range of careers and activities that are open to those with legal training. Again, we are not trying to steer anybody, but rather to be neutral, in this case to ac-

quaint our students at the outset with the fact that indeed there is legal life beyond the corporate law firm, and that life in such firms can itself be crafted so as to incorporate a rich and satisfying mix.

Finally, and perhaps most tangibly, I am instituting - out of the Richard E. Lang Dean's Discretionary Account and with the earmarked assistance of other interested donors — a three-year experimental loan program, whereby up to ten students per summer working in law-related jobs for government agencies or tax-exempt non-profit organizations will be able to borrow up to \$3500 (\$2000 for summer living expenses and \$1500 to satisfy the student's expected contribution to school year expenses from summer earnings). Interest will be at 9 percent, which we anticipate will be near the market interest rate when the money is lent. It will begin accruing immediately, but the first payment will not be due until six months after graduation. For the first two years after graduation, only interest will be due. In the third, fourth, and fifth years after graduation, the borrowers shall pay one-third of the outstanding principal as well as accrued interest. (It should be clear that we are not hereby providing a financial incentive for summer employment in a non-large-firm setting. One whose principal considerations regarding summer employment are financial would be quite ill-advised to take advantage of this program. The point instead is to help remove an existing disincentive, growing out of the need to put oneself through school, to students' using one of their two summers as a way of gaining exposure to some 'alternative" form of law practice.)

Obviously such a loan will have the effect of placing the student involved, perhaps already significantly in debt, into further debt. That is why serious repayment obligations are not incurred until three years after graduation, at which point most graduates will be quite gainfully employed. To remove the possible disincentive to the post-graduate acceptance of low-paying, "alternative" employment which the program might, paradoxically, create, we have incorporated the provision that the principal payments shall be forgiven if, at the time any principal payment is due — that is, in the third, fourth, or fifth year after graduation — the student is earning less than \$27,500 (as adjusted for changes in the consumer price index). To be eligible for loan forgiveness, the former student must be working full time in a law-related job. (Again, the financial inducements here are plainly too small to draw anyone into "alternative" work because of the money. That is not our intention. Instead, by this forgiveness provision we have tried to remove the possibility that the student, by borrowing money in order to sample something different during one of his or her summers, will have created an additional financial disincentive to

further pursuit of such "alternative" work.)

Class of 1983 Receives Diplomas and Honors

Diplomas were presented to 158 members of the Class of 1983 in an awards ceremony held June 12 in Kresge Auditorium.

John Hart Ely, dean of the Law School, welcomed the School's 90th graduating class and over 650 of their relatives and friends.

Class President
Stéphane Atencio presented the 1983 John
Bingham Hurlbut award
for excellence in teaching to Professor Paul
Goldstein (see interview
on next page).

Many members of the graduating class were

recognized for outstanding achievements during their three years at the Law School.

Bernard A. Burk was named the Nathan Abbott Scholar, for the highest cumulative grade-point average in the class. The Urban A. Sontheimer prize for second highest average went to Michael J. Klarman.

Sixteen members of the class were elected to the Order of the Coif: Bernard A. Burk, David L. Furth, Samuel M. Hurwitz, William G. Roche, Michael J. Klarman, Kirk M. Veis, Cynthia McGaw Moore, Mark B. Seidenfeld, Dana L. Gross, David J. Shaffer, Vincent M. Waldman, John D. Guinasso, Robert B. Hawk, John S. Gordon,



Dan Gunther '83 with Katherine Rose '07

Thomas M. Hagler, and Robert A. Olson.

The Frank Baker Belcher award for the best academic work in evidence was won by David I. Schiller.

Margaret A. Niles received the Carl Mason Franklin Prize for the outstanding paper in international law.

Eva Marie Carney and Michael J. Gennaco received the 1983 Faerie Mallory Engle Prize, awarded to the finalists of the School's Client Counseling Competition.

The 1983 Olaus and Adolph Murie award for the most thoughtful written work in environmental law went to Palma J. Strand. The 1982 award had also been won by a member of the class, J. Christopher Grace.

Stanford Law Review awards went to Sharon L. Reich for outstanding editorial contributions, Margaret A. Niles for best student note, and

Cynthia M. Moore for outstanding service to the *Review*.

The R. Hunter Summers Trial Practice
Award, given by officers of Serjeants at Law for student performances in trials conducted during the year, went to Robert M. Bohl, Joseph E. Bringman, John S. Gordon, James A. Henderson, Samuel M. Hurwitz, Dennis P. McLaughlin and Gail MacQuesten.

The Nathan Burkan Memorial Competition prize, law school division, was awarded to Henry V. Barry for the best paper on copyright

A string quartet played while graduates and their families celebrated at a reception held in Crocker Garden following the ceremony.

[Readers may enjoy the photographs of the festivities featured in the Annual Report section of this issue. — Ed.]

CAREER 'ALTERNATIVES' (cont.)

I am appointing as a Committee to administer the loan program Deans McBride and Smith, second-year students Sharon Gwatkin and Michael Zigler, with Professor Mnookin as chair. The last three persons named were instrumental in designing the loan program, as was second-year student Catherine Pagano, who has escaped Committee duties by taking an Externship this spring. Further details on the program are available from members of the Committee.

During the summer of 1983, eleven students took advantage of the new loan program to obtain experience in public service and/or government settings: Tracey Altman (1st year student), office of the District Attorney, New York County; Xavier Becerra (2d) and Steven Goldfarb (1st), Mexican American Legal Defense and Educational Fund, San Francisco; Patricia Chang (1st), Office of the Public Defender, San Francisco; Doron Goldman (1st), District Attorney, Manhattan; Kirby Heller (1st) and Sara Lipscomb (2d), Public Advocates, Inc., San Francisco; Ellen Kessler (1st), Department of the Attorney General, Boston; Laura Loeb (2d), Alaska Legal Services Corporation; Carole Cooke (1st), U.S. Department of Justice, Sacramento; and Sandy Ortiz (2d), National Center for Immigrants' Rights, Los Angeles.

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School NEWS

Hurlbut Winner Talks About **Teaching**

Professor Paul Goldstein, the first two-time winner of the John Bingham Hurlbut Award for Excellence in Teaching, described his classroom approach in a recent interview.

"My aim in preparing a class," he explained, "is to identify the one or two central, most problematic issues in the area being covered and then to devise a series of questions for pursuing these issues.

"Although I don't use the classic case method technique," he continued, "questions do play a very large part in

my classes.

"I like to begin by exploring the rule embodied in a case or statute and then engage the students in an appraisal of the rule's desirability as measured by theory, by consistency with doctrine, and by the rule's implications, if any, for the ways in which firms and individuals structure their behavior.

"I call on students," he added, "rather than rely exclusively on volunteers. I find that it's a useful technique for keeping the entire class involved and for giving me a sense of each student's strengths.'

Goldstein is an expert in real property and intellectual property law. His third casebook in these areas will be published in the spring.

Has his teaching style

changed over the years? "The emphasis has shifted," he replied. "I have in the past few years been focusing more on the real-world effects of legal rules on the discrepancies be-



Goldstein

tween legal rules and how people actually behave.

This emphasis stems in part from Goldstein's experience in law practice during two semester leaves of absence, most recently at Morrison & Foerster in San Francisco.

He is also frequently retained as a consultant on copyright and related intellectual property matters. (An article by Goldstein on the right of publicity appeared in the previous issue of Stanford Lawyer.)

Goldstein and his wife. Jan Thompson (an art historian on the University of Santa Clara faculty), have a 9-month-old daughter.

New Alumni/ae **Directory Is Planned**

Preparations are now under way for publication of a new directory of all Stanford Law graduates and other former students of the School.

The directory will provide, in a single volume, an alphabetical listing of names and addresses. along with listings by class year and by geographic location.

The previous Stanford Law alumni/ae directory, which appeared in 1973, is now ten years old. The new edition, scheduled for 1984, will include all classes through 1983.

Brief questionnaires to confirm and update in-



formation will be in the mail to each alumnus/a soon, along with a form for ordering the volume at a special prepublication rate.

Questions about the project, which is planned on a break-even basis. can be answered by Elizabeth Lucchesi. Director of Alumni/ae Relations, at (415) 497-2730.

Law Review Names 1983/84 Staff

Students serving on the staff of the 1983/84-Law Review mustered last spring for a group photo. Pictured are: (back row, left to right) Tony Richardson, Geoff Berman, Mike Zigler, Bob Lewis, Bob Woll, and Charles Van Cott; (middle row) Harsha Murthy, Chris Painter, Glenn Lazar, and Paul Cassell (President); and (front row) Dave Evans, Palma Strand, and Marilyn Drees. Not shown are Michael Powlen, John Faulkner, and Mike Walch.



Students Create Musical Spoof

Second-year students presented a hilarious spoof April 24 on imagined differences between students assigned to the Curriculum B (alternative) vs. those in the Curriculum A (traditional) first-year programs.

"Granola" and "Chester," played by Sharon Gwatkin and Eric Fingerhut, were the star-crossed lovers in West Coast Story — an irreverent take-off on the 1957 Broadway hit by Stephen Sondheim and Leonard Bernstein (who in turn owed much to Shakespeare).

The student version, subtitled as "A True Drama of Stanford Law School," climaxed with a no-verbal-holds-barred moot court competition (in lieu of a rumble) between the two factions.

Bill Skrzyniarz headed the team of seven writer/ lyricists responsible for such memorable lines (sung to the "Jet Song") as:

When you're an A, you are proud that it shows, You got three hours sleep, but your highlighter glows.

When you're an A, you're an A to the max. You're in three study groups; you can't wait to take tax...

Marcela Davison-Aviles directed the play, with Greg Karasik as producer.

The cast of 26 included several faculty members, namely Deborah Rhode (as herself), Jack ("Doc") Friedenthal, John ("Officer") Kaplan, Nancy ("Psychokiller") Millich, and Associate Dean Tom ("Judge") McBride.



Members of the company after a special performance May 6 for the Board of Visitors: (front row, left to right) Marcela Davison-Aviles, Shelley Wall, Janice Weiner, all '84; (middle) Kat Taylor, '85; (back) Sharon Gwatkin, Eric Fingerhut, and Bill Skrzyniarz, also '84.



Ethics Discussed by Van de Kamp and Faculty Panel

California Attorney General John Van de Kamp (a 1959 Stanford Law graduate) joined a School panel May 2 for a discussion of "Professional Ethics and the Criminal Justice System."

The panel, which was organized by Deborah Rhode, associate professor of law, also included Dean Ely and Professor Barbara Babcock.

Rhodé selected a hypothetical rape case in which the defendant appears to be, if not guilty, at least an inventive spinner of alibis. The case raised ethical questions for both the defense lawyer and the prosecuting attorney.

Public discussion of such issues is important, Van de Kamp said, observing that "the criminal justice system, as we know it, is an adversary process, not a search for truth....Indeed, it is a very complicated kind of chess game, and very hard for the public to understand."

An article based on the panel will soon appear in The Stanford Magazine.

P.S.

Margaret Niles ('83) and fellow members of the American debate team that toured Russia last year (*Stanford Lawyer*, Winter 1982/83, p. 27) have been debriefed by none other than Secretary of State George Schultz.

The meeting, which took place April 6 in Washington, D.C., was requested by Shultz after a report on the team's trip appeared on public

television.

"Meeting with the Secretary was an honor for us," Niles says, "but more important, it was an indication of the level of his concern about US-Soviet relations."

Niles, who won the School's 1983 Irving Hellman, Jr., Special Award (for the outstanding student note published in the Stanford Law Review), is now clerking for Judge Eugene A. Wright of the U.S. Court of Appeals, 9th Circuit, in Seattle.

Fall 1983 Stanford Lawyer

School NEWS

Grads Scatter to Cities All Over the Nation

Stanford law students graduating this year headed for jobs and clerkships throughout the United States.

The majority — 56 percent of those reporting — left California, for positions in the East (22 percent), Southwest (13 percent), and Far West (13 percent excluding California). Another 2 percent are in foreign countries.

California, however, still claims a very large minority of 44 percent.

"Our students tend to choose major metropolitan centers," observed Gloria Pyszka, director of placement. "I wish I could say that more are moving to mid-sized communities, because that would please some



alumni from those areas who want to hire. But the big cities still offer the widest choice of life styles for young professionals."

Starting salaries for the Class of 1983 are expected to equal or exceed that of last year's graduates, which ranged from \$22,000 to \$46,000, reflecting rapid growth in the past few years. "New York City will probably hit \$50,000 this year. Pyszka notes, "but many employers across the nation are talking about holding the line or moving up cautiously. We'll see.

The number of new and recent graduates selected for judicial clerkships reached 33 this year, including 29 with federal, 3 with state, and 1 with local courts. Two 1982 graduates — Anna Durand and Glen Nager (see "Class"

Notes" section) — will be clerking for Supreme Court justices.

The initial job choice for approximately 85 percent of recent graduates (counting judicial clerks who then sign up with law firms) continues to be the private practice of law. Ten percent choose alternatives ranging from public sector/public interest positions to corporations, while 5 percent choose non-law options.

The School's Placement Office, which Pyszka has directed since 1977, is recognized as one of the most effective in the country.

Harold G. King '28 Honored in Cowell Foundation Gift

Harold G. King (AB '27, JD '28) has been doubly honored in the naming of the School's moot court room and of a new financial aid fund, established through a gift from the S. H. Cowell Foundation.

The dedication of the new Harold G. King Moot Court Room, held June 15, was attended by eight members of the King family, including Harold and his wife, Frederica (pictured), Cowell Foundation President Max Thelen, Jr., Law School Dean John Ely, and several other Foundation and University officers.

The gift, Dean Ely said, "will assist us in our attempt to ensure that financial need will not place Stanford beyond the reach of an otherwise qualified student. We are very grateful."

King, who lives in Kentfield, California, is a former vice-president of the Foundation. Now retired, he was for 33 years with Wells Fargo Bank, where he became vice-president and senior trust officer.



Mr. and Mrs. King

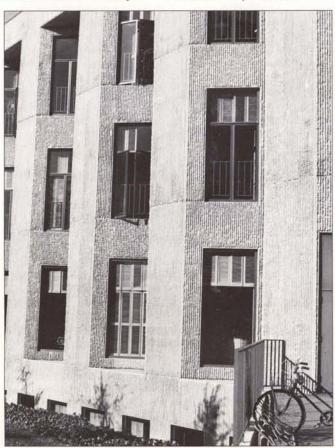
Faculty Notes

Professor John H. Barton. Sweitzer Professor John Henry Merryman, Anthropology Professor James Lowell Gibbs, Jr., and former Consulting Professor Victor Hao Li (now president of the East-West Center in Honolulu) are surprised and delighted that their new casebook, Law in Radically Different Cultures, is being used in China. The book developed out of their pioneering Law School course of the same name

Professor Mario Cappelletti journeyed to Bogotà in April to deliver keynote lectures for three sessions of an international conference of lawyers, judges, and law professors. While there. he was named an honorary professor of the Universidad Externado de Colombia. Cappelletti is currently based in Florence, Italy, where he is serving as professor of law at the European University Institute.

Professor William Cohen helped plan and lead a workshop on teaching constitutional law sponsored by the Association of American Law Schools. The event, which was attended by nearly 100 con law teachers, took place June 20-22 in Los Angeles. Three of the fourteen speakers were from Stanford. Dean John Ely and Professor Cohen were speakers on a panel, moderated by Cohen, which dealt with course coverage of individual rights and liberties. And **Paul Brest**, the new Kenneth and Harle Montgomery Professor of Clinical Legal Education, participated in a panel discussion of "history,

speaker at the Shasta County Cattlemen's Association annual meeting. This invitation resulted from Ellickson's fieldwork last summer on dispute resolution among neighbors in the rural county. Ellickson and fellow professor



process, and other nondoctrinal alternatives." Professor Cohen also moderated a panel on whether the concept of equality under the Equal Protection Clause had any intrinsic content.

Professor Robert Ellickson traveled to the Odd Fellows Hall in Millville, California, on January 8, to serve as featured Thomas Grey (see below) participated in a panel discussion, February 18, on "Current Issues in Property Theory," held in Los Angeles by the Southern California Law Review.

Mark A. Franklin, Frederick I. Richman Professor of Law, was one of four organizers of a week-long AALS con-

ference on the Teaching of Torts, which took place June 6-10 in Boston. He also participated as a panel member and/or chair in sessions on what the content of the basic Torts course should be, and on advanced offerings in the field.

Lawrence Friedman. Marion Rice Kirkwood Professor of Law, gave a talk on "The State of American Legal History" at the annual meeting last December of the American Historical Association, in Washington, DC. He also spoke, in February, at a conference on Southern Legal History, in Gulf Park, Mississippi, And later that month, he delivered the Donahue Lecture at Suffolk University School of Law, in Boston, on the subject of the changing American legal culture.

Professor William B. Gould is cochairman of the California state bar's Ad Hoc Legislative Committee on the "Termination at Will" Doctrine. The Committee, which was recently established by the bar's Labor and Employment Section, will, in Gould's words. "write a report on the question of what legislation, if any, should be enacted in California to deal with so-called wrongful dismissals."

Professor **Thomas Grey** is one of six Stanford faculty members (and the first lawyer) to be awarded a fellowship by

FACULTY NOTES (cont.) the Stanford Humanities Center. He will spend 1983/84 at the Center exploring the role of narrative in case law. Last October, Grey presented the Mellon Lecture at the University of Pittsburgh Law School; an expanded version, entitled "Langdell's Orthodoxy," will appear soon in the Pittsburgh Law Review.

Professor Grey recently served (as an outside member) on the Anthropology Department committee that recommended expulsion of China-researcher Steven Mosher. "Regrettably — because some evidence might endanger innocent parties — our report could not be published," he notes, "nor could the grounds for expulsion be revealed."

Gerald Gunther, William Nelson Cromwell Professor of Law, has prepared an extensive discussion paper for the 1983 Chief Justice Earl Warren Conference of the Roscoe Pound American Trial Lawyers Foundation. The annual Conference, held this year in Charlottesville, Virginia, is attended by an invited group of participants from the bench, bar, academia, government, and the media. Gunther's paper, "Congressional Power to Curtail Federal Court Jurisdiction: An Opinionated Guide to the Ongoing Debate," will be published (together with the discussion by Conference participants) by the Foundation.

Professor Gunther was recently honored in the dedication of the 1982 edition of the Supreme Court Review. The inscription read: "To Gerald Gunther — For whom the Constitution is a guide and not a tool."

Professor J. Myron Jacobstein participated in a panel on law libraries for the Dean's Workshop at the American Bar Association meeting in February. That same month, he journeyed to Costa Rica to attend a seminar on human rights research, sponsored by the Inter-American Institute on Human Rights.

John Kaplan, Jackson Eli Reynolds Professor of Law, was an honored guest on two campuses this winter: University of Illinois, Champaign-Urbana, where he gave the Baum Lecture (on "Capital Punishment"); and Florida State University, Tallahassee, for the Mason Ladd Lecture. Both universities plan to publish the lectures in their respective law reviews.

A book by Kaplan, The Hardest Drug — Heroin and Public Policy, has just been published by the University of Chicago Press. (An article drawn from the book begins on P. 4.)

A. Mitchell Polinsky, professor of law and associate professor of economics, has been appointed to the steering committee of the new Center for Economic Policy Research (CEPR) at Stanford. In December, his article "Pigovian Taxation with Administrative Costs" (coauthored with Professor Steven Shavell of Harvard Law School) was published in the *Journal of Public Economics*.

Polinsky participated in two interesting events this spring: a colloquium in New Orleans, "Damages in Contract Law," sponsored by the Law and Economics Center of Emory University; and a CEPR workshop, "Incentives in Markets and Organizations," held at Stanford.

Professor Robert Rabin saw the second edition of his book Perspectives on Tort Law (Little, Brown & Co.) published in February. He is now writing a new book, on the historical development of the federal regulatory system. Rabin served as a panelist in January for a roundtable on torts, sponsored by the American Association of Law Schools. And in February, he presented a paper — "Legitimacy, Discretion, and the Concept of Rights" at a Yale conference on the legacy of the New Deal. The paper will appear soon in the Yale Law Journal.

Professor **Deborah Rhode** is now a fellow of the Yale Corporation, the governing body of Yale University. She was elected by alumni/ae to the seat previously held by Bayless Manning (former dean of Stanford Law School). Rhode will

be the first member of the Corporation to have been a female undergraduate at Yale.

Professor Michael S. Wald has been appointed to the Juvenile Justice Commission of Santa Clara County. An authority on family and juvenile law, Wald has helped draft legislation dealing with child abuse and neglect. The Commission is a citizen body, mandated by statute, which monitors the performance of County agencies dealing with juveniles, reviews budgets, and provides advice and counsel to County authorities. In addition, Professor Wald has been elected to the board of the National Committee for the Prevention of Child Abuse, and of the National Juvenile Law Center. This past year, as a Guggenheim Fellow, he has been working on a book on child abuse and neglect.

THRIFT INSTITUTIONS

continued

Conclusion

This survey of the new financial services environment and some of its legal ramifications has been both broad and general, as befits an attempt to get a sense of the decade ahead. I have no great confidence in some of the specific conclusions that have been drawn, but I believe that the forces and questions examined are ones that need to be kept in mind.

In principle, all of the legal problems that have been referred to can be dealt with by appropriate changes in the statutes or regulations. That is not to say that all of those changes will in fact be made, or in a timely fashion, because there are opposing interest groups, and the political system has considerable inertia. But legal problems are not necessarily intractable, and in fact the law of financial regulation has been changing at a fairly rapid pace in the past decade.

The economic and technological forces we have been discussing, on the other hand, cannot be abolished by an act of Congress, though there are those who try. In the end, such forces must be adapted to, in one way or another. While the basic functions of financial intermediation will continue to be performed, nothing guarantees the survival of a particular type of financial intermediary. The public does not much care about "level playing fields" or the label of the institution providing financial services; it cares much more about the cost, quality, and convenience of the services.

I am sure there are more responses to the problems I have been discussing than the ones I have identified; our financial system is remarkably adaptable and inventive. But I am also sure that survival in the

new environment requires addressing those problems and devising a plan to cope with them that is tailored to the circumstances of a given institution. I hope that the law will not make that more difficult than it need be, but my advice is: Don't bank on it. ■

This article-slightly revised from a paper presented by Professor Scott at a conference on December 9, 1982-is printed with the permission of Federal Home Loan Bank of San Francisco, sponsor of the conference. The original paper appears in Proceedings of the Eighth Annual Conference: Strategic Planning for Economic and Technological Change in the Financial Services Industry, published this spring by Federal Home Loan Bank of San Francisco. Scott discussed the background and early implications of the 1980 banking deregulation act in a previous Stanford Lawyer article (Fall/Winter 1981).

Professor Scott was recently named to the new Ralph M. Parsons Professorship in Law and Business (see article in School News section).

HEROIN continued

of the heroin he receives from the maintenance system even while remaining addicted.

Law Enforcement and Illegal Sales

Unfortunately, we cannot rely on the threat of detection to prevent the addict from selling some of his heroin supply. Though the clinic can use urine tests to monitor whether he uses methadone or street heroin cut with various substances, it cannot determine whether he has used all the heroin that has been prescribed for him. As a result, urinalysis would be a deterrent only to the addict's selling all of his supply. And urinalysis is not foolproof, even for this purpose.

Nor could the police do much. The addicts in heroin maintenance would be far too numerous to watch; they would be legally in possession of their heroin; and could easily make their sales in private.

In fact, heroin trafficking through diversion from a prescription maintenance system would be much more difficult for the police to contain than is our present illegal heroin distribution system. Often law enforcement is best able to disrupt heroin distribution by intervening at the higher end of the chain. This is quite difficult, but if the police do manage to seize a large shipment of heroin, put a large ring out of business, or disrupt cultivation in a foreign country, there may be a sizable-if temporary-contraction in the heroin supply.

By contrast, where the addict sells the heroin prescribed for him, the maintenance system itself takes the place of the illegal manufacturer, importer, large-scale wholesaler, and small-scale wholesaler. The huge number of extremely short supply chains—each consisting of an addict in maintenance and his customers—would make the illegal market virtually invulnerable to law enforcement.

The prescription heroin maintenance system may create a wholly new and very large class of regular sellers who will make heroin more accessible as well as cheaper. Even among the relatively noncriminal English addicts, one study showed that 11 percent regularly sold part of their heroin supply. In the United States, one would expect the figure to be far higher.

We must be concerned with the purchasers, as well as the sellers, of prescribed heroin. Many of the customers for illegally sold heroin would be nonaddicts. This is the case today and there is no reason to think

it will be less so if we adopt a heroin maintenance system. Indeed, there are reasons to think that more nonaddicts will be able to purchase heroin under a prescription mainte-

nance system.

One reason would be the greater social integration of the new class of sellers. Freeing addicts from the need to pursue their own heroin requirements makes it easier for them to integrate themselves into more areas of our society. Indeed, that is one of the purposes of heroin maintenance. The problem is that so many addicts have become more adept at illegal than legal methods of earning income. The likely prospect is that many of them would supplement their incomes by selling some of their prescribed heroin to their new, nonusing associates.

The effect of a prescription system, then, would be to expose a much larger segment of the population to access to heroin. It would not only lower the financial cost of the drug to large numbers of people, it would greatly lower the nonfinancial costs as well-the difficulty, inconvenience, and danger of obtaining heroin.

Enrollment of Nonaddicts

Nonaddicts might even be able to obtain heroin through the prescription system directly rather than indirectly from those addicts in maintenance. It has been alleged that the almost automatic provision of welfare payments to those enrolled in certain methadone programs has acted as a significant inducement to nonaddicted heroin users, and even some nonusers, to pass themselves off as addicts and enter maintenance.

Similarly, the opportunity to profit from the sale of prescribed heroin can act as an incentive to both addicts and nonaddicts to enter the maintenance system. The income from heroin sales would presumably be considerably greater than that from welfare payments today, and would provide a more exciting and, in some circles, a more respectable way of earning a living.

Unfortunately this income would be gained at considerable social cost. It would increase the number of heroin sellers, increase the costs of the maintenance system by adding extra clients, and be a far more explosive issue politically than welfare is today.

It is true that if a heroin maintenance program were run with considerable care, it could avoid taking most nonaddicts onto its rolls. This is not, however, so easy as might appear.

Although we tend to use the term "addiction" as if it were a precise, either/or condition, the fact is that it is a very imprecise term. Often the question of addiction will turn out to be one of degree-and even then dependent upon the expectations of the user.

Admittedly, injection of an opiate antagonist will throw into withdrawal someone with a relatively low degree of physical dependence, while it will not affect a mere user. There are disadvantages in this somewhat drastic screening method, however. First of all it is likely to make signing up for the maintenance program considerably less attractive to those who are addicted. More important, it requires a considerable degree of care and skill to administer - characteristics which may not always be in great supply if heroin maintenance proliferates.

Worse yet, our experience with methadone programs gives us reason to expect that patients and staff will sometimes collude. Prospective patients counterfeit addiction for various reasons. The staff members ignore the safeguards meant to bar nonaddicts, both because the support for such clinics is based on a per patient payment and because they are sympathetic with the reasons the nonaddict wants to join. This, as we

will see, has been a problem with maintenance systems using methadone, a much less troublesome and less attractive drug than heroin. We would have to expect that considerably more would go wrong with any system making use of heroin itself.

Costs of a Prescription System

A prescription heroin maintenance system would entail significant administrative costs. First of all, on purely therapeutic grounds, it would entail expenses for monitoring and prescribing for the addicts.

In addition, we would need to establish careful controls to prevent the wholesale embezzlement of heroin. We would have to invest a considerable amount in auditing the practices of clinics to prevent prescription fraud and other corruption-though, of course, our efforts could never be completely successful. Similarly, the pharmacies that filled the prescriptions would have to be protected from robbery as well as embezzlement.

Finally, the social cost of a prescription maintenance system includes not only the resources expended on it and the increases in addiction it might bring, but also the results of the inevitable police efforts to stem the tide of diversion. The greater these efforts, the more the overall system takes on the disadvantages of our present heroin prohibition, in the consumption of law enforcement resources, fostering of police corruption, and violations of civil liberties.

On-the-Premises System

The intractable problem of diversion from a prescription maintenance system forces one to examine more carefully the other major type of heroin maintenance: the on-thepremises system. Here, diversion would be minimized by not allowing

the addict to possess heroin, except inside a secure clinic. If the addict were required to shoot his heroin on the premises, relatively little supervision would be needed to prevent the massive diversion entailed in a

prescription system.

The on-the-premises system, however, raises other difficulties, most of which stem from the brute pharmacological fact that heroin is a shortacting drug. Since its effects last for only about four to six hours, the addict in maintenance would be forced to appear for his shot three or four times a day. The interruptions required by such a schedule would make a normal working life difficult, if not impossible, and the inconvenience of so many trips to the clinic might well make this kind of heroin maintenance no more attractive to most addicts than are their present alternatives: abstinence, methadone maintenance, or continuing life on the street.

Obviously, to make an on-thepremises heroin maintenance system work, we would have to lower the addict's traveling time considerably. We would need far more clinics to dispense heroin than presently dispense methadone. There are several serious costs in doing this, however.

The Problem of Diversion

Not only would the clinics, the central heroin warehouses, and the vehicles delivering the drug from one place to another all be targets for robbery and theft, but the greater the number of clinics, the greater the security problems of preventing diversion by employees corrupted by the profits to be made in selling heroin. Although diversion by addicts of their allotments could be made very difficult by an on-thepremises system, the same cannot be said concerning the employees of the system.

Sale of heroin legitimately coming into police possession has been a nagging problem of heroin enforcement; dealers arrested for selling heroin have been given back the drug supply seized from them and permitted to continue their business – with policemen as senior partners. And we know even of cases where confiscated heroin has found its way from guarded police property rooms onto the street.

There is certainly no reason to think that the profits of heroin dealing would prove less tempting to those working for the maintenance system; and the problems of designing a security system would be far greater. The police, at least, are not expected to distribute heroin at all. Once one allows distribution on any scale, diversion becomes much easier. It becomes possible to keep nonexistent addicts on the rolls. diverting their allotment of heroin to the illegal market, or to shortweigh the dosage addicts receive and sell the difference. And, of course, "unexplained" inventory shrinkages can result from simple, crude theft.

It is no doubt possible to design methods of combating each of these problems. The difficulty is that as the number of clinics goes up, so do-more than proportionally-the costs of supervision, the likelihood of corruption somewhere in the system, and the difficulty of simply keeping track of both heroin and

addicts.

Attractiveness to Addicts

An on-the-premises system would be much less attractive to the addict than a prescription system. He would have to contend with all the inconvenience of traveling and waiting around for the inevitable bureaucratic procedures within the clinic. He could not shoot up in his home surroundings or, presumably, with his friends, and it is hard to believe that the institutional setting of a heroin maintenance clinic would be a pleasant, attractive place for him. Finally, the time and energy that treatment in such a clinic requires would prevent the addict from enjoying many of the exciting satisfactions of his former life style.

It is likely, therefore, that a substantial percentage of addicts would not sign up for this kind of heroin maintenance. To the extent that the price of heroin remained high, but more addicts remained on the street, the situation would resemble our present heroin prohibition. The fact that some addicts would be attracted into the system might lower some of the social costs they impose upon us - but only at the price of adding other costs.

Location of the Clinics

Any sizable increase in the number of maintenance clinics would not only be more expensive financially; it would cause major political problems. The location of methadone clinics has caused considerable opposition from the surrounding neighborhoods, and heroin clinics would be likely to generate much stronger resentment. The amount of traffic per addict generated by a heroin clinic would be much greater because of the larger number of visits necessary, and the short time between injections would tend to induce those addicts who had nothing else to do to congregate in the area, either nodding from their last shot or waiting around for the next.

This would raise community objections on a host of grounds; many would protest on the ground that the congregation of addicts near the clinic might become a magnet to the youth of the area or the focus for a local drug culture. In addition, if past experience is any guide, the areas where the addicts gathered would soon become prolific sources of both petty crime and unsightly litter.

Moreover, the small area served by each heroin clinic would make it impossible to locate all outside of the residential areas. Many would have to be located within the ghetto rather

than on its edges, thus increasing the political opposition to the clinics and exacerbating their abrasions of the surrounding community.

These are not merely public relations difficulties. The opposition of the clinics' neighbors would most likely be based on a genuine lowering of the quality of their lives—and one which would be differentially imposed on those least able to afford it.

The Problem of the Automobile

As if this were not enough, we must consider the problem of the automobile. Although, in the most crowded inner cities, it is likely that most addicts do not drive cars, there are many, perhaps a majority in places such as California, who do.

The difficulty here is that many addicts on heroin are not in good enough condition to drive safely. Heroin, in this respect, is quite unlike methadone, where the longer-acting nature of the drug and the fact that it is taken orally make its onset far more gentle.

Even those addicts who are taking stable doses of heroin will not be in good enough condition to drive just after their injection, and should they be delayed in traffic on the way to the clinic, the beginnings of withdrawal may make them a danger then. Entirely apart from any legal liability the clinic may incur, there is the moral problem of creating a risk to those on the streets, and this danger will be most concentrated nearest the clinic.

The more one thinks about this problem, the more intractable it becomes. We might be able to make an on-the-premises system work only by providing convenient transportation for addicts and by locating large numbers of clinics throughout our areas of heroin addiction. The costs of this kind of service, however, may simply price the whole program out of the market.

Financial Cost of the On-the-Premises System

Indeed, the financial cost of the program would probably raise the most serious obstacle to an on-thepremises heroin maintenance system. For a host of reasons, including the fact that it must be staffed day and night, an on-the-premises heroin maintenance system is considerably more expensive than a prescription heroin scheme or one using methadone. It is likely that an on-thepremises heroin maintenance system would cost some \$15,000 per addict per year.

Arguably this expenditure would still be worthwhile, since the yearly social cost imposed by many addicts under heroin prohibition is well above \$15,000. The wisdom of such expenditures is by no means clear, however, for several reasons. Those addicts who would stay in this kind of treatment would probably tend to be the less criminal and more stable addicts, who impose less than \$15,000 a year costs upon us. And some of the criminalistic addicts who did enter the maintenance program would continue their former life style with its attendant depredations upon society, while absorbing the cost of maintenance as well.

In addition, the \$15,000 figure does not include the indirect costs of the on-the-premises system. It does not include the social cost of the inevitable diversion from the system, the political and symbolic costs of locating the clinics, and the welfare costs caused simply by the fact that for many, attending an onthe-premises system would be so time-consuming that it prevented gainful employment. Finally, any kind of heroin maintenance system, regardless of whether a prescription or an on-the-premises system, involves certain inherent costs which must be considered along with those already mentioned.

The Costs of Any Heroin **Maintenance System**

Among the costs of all maintenance schemes, we must consider the political disadvantages of any government-controlled system which distributes addictive drugs. We have already heard charges that methadone maintenance is a type of genocide and an effort to manipulate large numbers of minority group members through government tranquilization. Even if one rejects these charges as extreme and unbalanced, there is legitimate cause for concern. Anyone interested in limiting governmental power over the individual should worry about programs that would keep sizable numbers of citizens dependent upon the goodwill of officialdom to avoid being deprived of their supply of an addicting drug.

The Addict's Health

The fact that the very nature of heroin maintenance involves giving heroin to addicts raises another issue. In the long term, heroin use, especially through intravenous injection, is not good for the addict's health. British addicts, when they were receiving legal heroin, had a death rate even higher than that of American street addicts. So long as they continue intravenous administration, addicts will risk collapsed veins, hepatitis, and a whole series of physical ailments. Moreover, even though heroin seems relatively nontoxic, at least as compared to alcohol, we do not yet know the longterm physical effects of heroin addiction, even on a stabilized dosage and apart from the method of administration.

The physical effects of heroin are by no means the only health problem. It is likely that many of those maintained on heroin will not be able to stabilize their doses, despite the efforts of the maintenance clinics. As

a result, many addicts may be left alternating between a heroin deficit and a heroin euphoria as their tolerance outstrips and then falls behind the amount of the drug they receive—perhaps supplemented by street heroin.

The duty of physicians to help their patients does not fit in well with a system of heroin maintenance that is designed in great part to keep addicts from imposing costs upon the rest of us. At the very least, the tension between the physician's ideal of helping his patient, his role as policeman, and the desires of the addict for more heroin will result in serious staffing and administrative problems in any heroin maintenance program run under our medical model.

Enrolling Nonaddicts

In any kind of heroin maintenance system, discriminating between true addicts and non-addicted users would be difficult. The tendency would be to enroll non-addicts on the assumption (not true) that every heroin user will become addicted.

Why would non-addicts seek to join a heroin maintenance system? Some may prefer even an inconvenient on-the-premises system to their present lives. Some may simply become addicted, knowing that they will then be candidates for maintenance. Others may be able to talk their way into the maintenance program while not yet addicted—though of course addiction will soon follow, at least in an on-the-premises program.

We know that membership in a methadone program has been considered by welfare authorities in some areas as tantamount to an inability to work. It is likely that heroin maintenance will also attract seekers of welfare payments. Indeed, the combined lure of heroin and welfare payments may be that much greater.

Moreover, addicts maintained on heroin may in fact be less able to engage in productive work than those maintained on methadone, and, if they have to come to an onthe-premises system three times a day, this may be true, independent of any direct drug effect.

Prolonging Addiction

Another cost of any heroin maintenance system is its effect on alternative methods of grappling with the heroin problem. If the life of the junkie were the only alternative to maintenance on legal, cheap and pure heroin, we could probably agree that those on heroin maintenance would be better off. The choice, however, in many cases, will be between heroin maintenance and no addiction at all.

We know that many addicts give up addiction after relatively short periods and before they have built up too great a habit. Usually they do this because they fear the disastrous consequences of continued addiction, because of the problem of locating and affording a supply, and because the heroin scene is too much of a "hassle" for them.

Moreover, even among long-term addicts, perhaps a majority "mature out" and give up addiction after the age of about thirty-five. If heroin maintenance is attractive and easy enough to attract addicts into the treatment, it is quite likely to attract them to stay.

This problem is not nearly so simple as might appear. Discontinuing maintenance, say to addicts over forty, would be fought by clinic staffs on medical and humanitarian grounds. And a policy of gradually making it more inconvenient or otherwise discouraging older patients would be even harder to implement. Even if we did terminate maintenance for addicts of a given age-or at the physician's discretion-the chances are that at least some of those terminated would become street addicts again. Indeed, the percentage who returned to street addiction might be higher than we think. We do not know how much of the burnout phenomenon is caused by age and how much by the overall toll of many years as a street addict. If the latter, the long-term maintenance patient might have energy left for several years of street addiction.

Effect on Other Types of Maintenance

The likely attractiveness of heroin maintenance for addicts will have another effect; it will undermine any other kind of maintenance we might use. As we will see, despite the problems inherent in methadone maintenance, large numbers of addicts have adjusted to that drug and seem to be leading productive, noncriminal lives, at a cost per addict considerably less than that of an on-the-premises system and without producing the massive diversion a heroin prescription system would entail.

Although, as a therapeutic matter, they are better off on methadone, it seems quite clear that most addicts would prefer to be maintained on heroin instead. The institution of heroin maintenance, whatever good it would do for those who have refused our present treatments, would be very likely to lure away from methadone even those who could, in fact, adjust to that more convenient and therapeutic drug.

It is likely that any clinic offering a choice between methadone and heroin maintenance would find its methadone rolls undersubscribed. Nor could it insist, as a condition of receiving heroin, that addicts try methadone first. The preliminary period on methadone before switching to heroin might so lessen the attractiveness of the entire program that it would lose much of its appeal to many street addicts. And unless the heroin maintenance scheme were extremely inconvenient, the addict would have a considerable in-

centive to fail during the trial period on methadone so that he could thereafter receive heroin.

Cultural Controls

Most discussions of heroin maintenance focus on the short-term effects of freeing heroin addicts from the demands of an illegal habit. Rarely do we see any discussion of the longterm effects of heroin maintenance on the social control of heroin use. Yet this is a worrisome problem. The present cultural constraints against heroin addiction, and even against any use of the drug, are probably a major factor in keeping down the present number of addicts.

The mere fact of large-scale legal supply of the drug by the government and by the medical profession might broadcast the message that heroin is not that bad. This might lessen the social disapproval of heroin, which acts as a barrier to many who might otherwise try the drug. In addition, the fact that an addict could be maintained on the very drug that has caused his problem might make addiction itself less threatening. This might weaken the fear of addiction, which not only prevents many from initially trying the drug but also acts to impel many occasional users to control their intake.

The final problem with heroin maintenance is in fact a broader difficulty which besets any maintenance system or indeed any attempted cure of heroin addicts. Our experience with methadone maintenance has taught us that though stabilization on an opiate is probably a necessary condition of an addict's social productivity and personal well-being, it is by no means a sufficient condition. By the time they enter maintenance, addicts typically are unable to cope with anger, frustration, or anxiety without turning to one drug or another to ease those feelings. Often both their friends and their values are deeply rooted in the addict culture. It is likely that they suffer from a woeful lack of job skills, and in many cases they seem unable to delay their gratification long enough to gain any reward less immediate

than their drug use.

If our major goals in maintaining addicts on heroin are the reduction of their criminality and their restoration to productive life, we should be aware that not all of their criminality may be due to their addiction and that most have never led what we would call productive lives. The addicts' many problems apart from their drug use are not, of course, automatically solved by maintenance. Though maintenance may permit their amelioration, the existence of these additional problems, which must also be solved before the full benefit of maintenance can be realized, may reduce our enthusiasm for any kind of maintenance system, and especially for the most expensive and difficult variety-heroin maintenance.

Conclusion

Heroin maintenance is, in many ways, like euthanasia. It is perhaps a good idea if all the details can be worked out. Unfortunately in both cases, it turns out that there are sticky problems that simply do not yield to the kind of line drawing which a legal-and social-system such as ours must do.

Does this mean that there is nothing we can do about our heroin problems? The answer, it is hoped, is no. There may be no panacea, but some things can be done, particularly in our policies towards users who are not otherwise involved in criminal activities.

Although the cumulative effect of this and many other small improvements may eventually lower greatly the cost of heroin in our society, it looks very much as if no dramatic change will rescue us from the problem. Admittedly, the drug area is full of surprises. (Who would have predicted seven years ago that cocaine would bring more money into the illegal market than heroin?) The important thing is to do the best we can. After all, if the heroin problem were an easy one, we probably would have solved it by now.

This article is drawn from Professor Kaplan's latest book, The Hardest Drug: Heroin and Public Policy (University of Chicago, 1983). The extensive references of the original are herein omitted to save space.



Professor Kaplan is a leading expert in the field of drug control and author of the book Marijuana: The New Prohibition (1970). He earned both his undergraduate and law degrees at Harvard (LLB '54), where he was a member of the law review. He then clerked for U.S. Supreme Court Justice Tom Clark, followed by study at the University of Vienna in criminology. In 1957 he was a special attorney for the U.S. Department of Justice, and from 1958 to 1961 he served as assistant U.S. attorney in the Northern District of California. A member of the Stanford Law faculty since 1965, he holds the Jackson Eli Reynolds Professorship. His principal Law School courses are Criminal Law, Evidence. and Criminal Procedure.

PRISON LABOR continued

working Californians on the outside? There are, I believe, at least two—flood control work and prison construction—that the legislature should now move forward on. Both kinds of work, while highly beneficial to the state's citizenry, would be prohibitively costly without prison labor. Restrictions on a third kind of work—manufacture of products for governmental agencies—should also be eased.

Some observors have cautioned that an expansion of prison labor programs could eventually lead to a Soviet-style Gulag system of labor camps. This is a legitimate concern, and it must be admitted that prison labor does entail some element of coercion. The difference, however, is that the Soviet system of prisoner exploitation is carried on in secrecy by a regime possessing unbridled administrative discretion. American prisons, by contrast, are subjected to heavy and regular doses of outside scrutiny from the press, the legislature, relatives of inmates, and academics. Moreover, our prison operations are governed by detailed written rules emanating from all three branches of government, with appeal rights built into each step of the incarceration process.

But to those who feel that work programs are detrimental to the prisoners or detract from the rehabilitative process, I can only ask that they consider the alternative. Idleness on a scale encompassed in the current California prison system presents a frightening spectre. An idle institution is much more difficult to manage and secure than a productive one. The attitude and environment of both staff and inmate depends upon the amount and nature of productive work being done. The alternative to work is a "lock down" of more and more inmates in 40-square-foot cells for twenty or more hours a day-inmates who have nothing but time on their hands.

The eminent penologist, Max Grunhut, said, "Throughout history, the rise and fall of prison systems coincided with the changing conditions of prison work." California's prison system has been declining in quality for two decades, and the rate of decline escalates with each passing year. Threatened by an expanding inmate population and a shrinking purse, our prison system is being challenged as never before.

In order to meet that challenge, we must change the character of California corrections by making productive labor the object, and not merely the adjunct, of incarceration. To do otherwise is to accept the continuing decline and escalating cost of a prison system of which no one can be proud. ■

Professor Sher, a member of the Stanford Law faculty since 1957, is now seving his second term in the California State Assembly, where he chairs the Committee on Criminal Law and Public Safety.

Credits:

Photography: cover, John Sheretz; p. 2, Jane Reed; 10, Bank of America; 12, Sears; 19, University of Hawaii; 28-46, John Sheretz; 47 (Schmidt), Artie Streiber, Stanford Daily; 47-9 (faculty photos), Stanford News and Publications; 50 (moot court), John Sheretz; 50 (Zotts) and 51 (Stever), Michele Fover; 51 (Merryman), Henry Ely-Aix: 52 (both), 53, and 56 (both), Stanford News and Publications: 55 and 57. John Sheretz; 58, Instructional Media, Stanford; 59, Stanford Law School; 69, Stanford University Archives; and 90 (Chicago), Kee Chang.

Drawings: pp. 4-8, Barbara Mendelsohn; 22-27, Steve Rouett; 57, Honore Daumier, "Scene from a Moliere Play," Glasgow Museum and Art Gallery; and 86 (map), Nancy Singer.

NOTES

1912-25

Hon. David Lee Rosenau, Jr. Court House Athens, AL 35611

Old Stanford Law grads never die-they simply fade away!

Such apparently has been happening to the various class correspondents from 1912 to 1925. Also 1927 is without a correspondent. Therefore I have taken on the job of correspondent for all those classes. (The class of 1926 is well-manned by my old friend, **Leon David** ('26), who as custodian and manager of the old Stanford Union was my "landlord" while I was one of his "tenants." I enjoy Leon's news almost as much as his classmates do, for many of those he writes about were my good friends also.)

To return to the subject, I hope that this letter will awaken and rekindle interest among those who were on the "Farm" in its best (?) days, while I was there. Just mail me your news, marriages, divorces, arrests, and anything else that you feel might interest your classmates, at the address above. (Note that the zip code is 35611.)

And NOW for the news from you:

Moe M. Fogel (Pre-Legal '12)—507 Palisades Avenue, Santa Monica, CA 90803—retired in 1981 from Fogel, McInerny, Dealy & McCall, so he spent many years helping others to solve their God-given and self-inflicted troubles.

Matthew Simpson ('23)—3515 East Ocean Blvd., #9, Long Beach, CA 90803—has retired but is neither down nor out, and is having much enjoyable travel. He is an officer of two corporations that he had represented before his retirement, so apparently they like his ability and his company and don't want him to get too far away.

C. Victor Smith ('23) – 2045 Pine Knoll Drive, #6, Walnut Creek, CA 94595 – is still in active practice but states that he is planning retirement. Don't give up the ship, Victor! Keep on practicing – retirement might make you get old.

Bertrand A. Bley ("25)—220 Montgomery Street, #300, San Francisco, CA 94104—(we generally knew him as "Bert") is still in active practice, doing the usual professional work full time and hopes to continue. He states that he has had no recent honors, except from his

family. This does not mean a "Lord and Master" husband, I suppose, but a respected and loving sire. He has traveled a fair amount, mostly on freighters.

John Edwin Carr ('25)-3939 Virginia Road, #314, Long Beach, CA 90807 - writes that after graduation with a law degree he never practiced, but engaged in foreign trade in Latin America and in international banking. Later he was with Buffum's Store in Long Beach for 25 years, leaving in 1959 to become director of employment and director of finance under Pat Brown. He retired in 1962 and is now 84 years of age. He has been active in Long Beach local civic affairs, and he and his wife have done much traveling in the USA, Alaska, Hawaii, and Mexico. In 1975 he went to Spain and Switzerland as a business consultant.

Harley C. Hubbard (Prelegal '25)-8513 Owlwood Lane, Cincinnati, OH 45243- is retired after spending his entire career in the insurance and agency business. We don't doubt that even his short stint at Stanford Law School made him a better insurance man. He recently traveled the USA and Mexico by auto and hopes to celebrate his eightieth birthday in June. Save us one of the candles and a piece of the cake, Harley.

[The following news was sent by Judge Leon David (26), correspondent laureate of the Half Century Club.—ED.]

The Honorable Joseph W. Vickers (12), retired from the Los Angeles Superior Court some eighteen years ago, was regarded as one of the most able and distinguished jurists ever to have graced that Bench. Not only that, for a generation and more he was Mr. Stanford among the lawyers of Southern California, and was actively concerned with Law School alumni in matters concerning the role and development of the School. He was no less enthusiastic in the activities of the alumni chapter of Phi Alpha Delta, and as an avid golfer, kept fit for his rigorous court calendar and his Stanfordconnected activities.

In a recent conversation, he still manifested vigor and alertness, regretting that a hip operation two years ago ended his golf. "But I go to the club and play gin rummy, and have the chance to see old friends go by."

Early in his career Judge Vickers was executive secretary to Governor Friend Richardson. After some years on the Los Angeles Superior Court, he returned to private practice, only to be appointed again to the Court, serving over twenty years. Never seeking any preferment for himself, he and the late Frank Belcher ('14) were among the lawyers whose opinions were sought by various governors concerning qualifications of those considered for judicial appointment.

1926

Hon. Leon Thomas David P.O. Box 656 Danville, CA 94526

Fellow lawyers and judges carried on the tides of time into the Half Century Club have a reasonable interest in reading these columns, simply to keep track of their surviving fellows. For others, news of class members relegated after fifty years to retirements, trips, ills of the flesh or escape from them, children, grandchildren and great-grandchildren, must have little charm. With the expanding population of Stanford alumni, there are fewer and fewer who have had professional contacts with members of our Survivors' Club. Would it not be more to the point to review some of the achievements of Stanford lawyers of fifty years or more? Remember, all met the Great Depression head on, and survived.

That brings us to consider members of the prestigious law firm, known now as Lillick, McHose & Charles; and for this writing, particularly John C. McHose (AB '24, JD '27), currently Los Angeles counsel to this firm, which has offices in Los Angeles, San Francisco, San Diego, and Washington, D.C. In Stanford memories, he has always been known as "Nip" McHose, even though as captain and star of the Stanford basketball teams of the 'twenties, he showed he was no lightweight in anything he did.

Nip, always a team player, decries personal publicity, but the curtain is rent somewhat by *Who's Who in America* and by some Quad articles (which I probably wrote). The Quad discloses that "the critics shook their heads and said he would never make a varsity team because of lack of weight. "Nip" showed up these critics by not only making the varsity five but in being one of the starts on the squad. He was uncanny on being able to find the basket from all angles."

Nip was a four-star letter man, and charter member of the Stanford Athletic Hall of Fame; member of Quadrangle Club, Skull and Snakes, Phi Delta Theta, Phi Delta Phi, and Hammer and Coffin; and class president and class manager, Nip's interest in Stanford has carried on. He served on the Athletic Board, was president of the Alumni Association in 1955-56 and received the Distinguished Achievement Award from the Athletic Board in 1982.

In the legal field McHose has been president of the Maritime Law Association of the United States, a titular member of the International Maritime Committee, a member of the House of Delegates of the American Bar Association, chairman of the Trial Lawyers Section of the Los Angeles County Bar Association, fellow in the American College of Trial Lawyers, and president of the Los Angeles Chancery Club.

In addition, McHose has held chairmanships and directorships with numerous organizations, including Los Angeles Shipbuilding & Drydock Corporation, Republic Petroleum Corporation, War Shipping Administration, Coca Cola Bottling Companies in San Jose and Pittsburgh, the Los Angeles Chamber of Commerce, World Trade Week, and the Marine Exchange.

McHose has also been interested in Japan and has been an officer, presently counselor, of the Japan America Society of Southern California. The Lillick firm represents a number of Japanese business concerns, banks, and underwriters.

Though he retired as partner in 1973, he still works every day and represents the firm in contacts with a number of organizations and clients. While the firm now emphasizes litigation, banking, business, and entertainment law, it also continues to handle admiralty matters in which the late founding partner Ira S. Lillick ('97) specialized.

Lillick was a distinguished trial lawyer of San Francisco, a trustee of Stanford, and greatly interested in the Law School. Long ago he and Mrs. Lillick each established an annual \$500 scholarship, the best afforded for many a year. He left a substantial bequest to Stanford used in part for the Ira S. Lillick Classroom, Room 280 of the new law building.

In association and then later in partnerships, the firm has had two or more generations of Stanford lawyers. One of

Memories of a Hasher

By Hon. Leon David '26



Stanford Union in the mid-1920s.

here must have been some shades of Blackstone prowling around the main dining room of the Stanford Union (now called the Old Union) from 1924 to 1926. Among the hashers of that period were five future judges: Leonard Avilla (AB '25, JD '27), judge of the Superior Court of Santa Clara County, William L. Bradshaw (AB '24, JD '27) and Norman F. Main (JD '24), both judges of the Superior Court of Kern County, and Anthony Brazil (AB '23. JD '26) judge of the Superior Court of Monterey County. All are since deceased but fondly remembered by their fellow hasher. I, too, later traded the hasher's white coat for judicial robes as judge of the Superior Court of Los Angeles County. Since retirement I served over three years on assignment to the Courts of Appeal in San Francisco, Sacramento, and Fresno.

Then there was Clarence J. "Red" Tauzer (AB '22, JD '23), the representative of the Red Star Laundry who became a leader in the Santa Rosa bar; and Philip Grey Smith (AB '23, JD '24), active in Phi Alpha Delta, and for many years a well-known and respected practitioner in Los Angeles.

And who was the hasher in those impoverished times who discovered an item on the Union menu, "Eggs Vienna, 25 cents"? This item consisted of two eggs poached in cream, with two strips of crisp bacon, served in a bowl, cream and all, with toast. So seldom called for, it apparently was overlooked in Ma Handy's periodic revision of the price structure. But said hasher could not make two meals a day upon eggs vienna without ultimately attracting attention to its popularity, especially when other hungry souls found out about it.

All this was, of course, after the demise of Tagawa's Inn, once the site where the Cubberly Education Building stands today. There, rice, tea, and other oriental cookery lightened the burdens of the low-budget student. Remember?

the first was Chalmers Graham (JD '23) until his death a leader of the San Francisco Bar. Each of the later partners with McHose deserves extended notice: Allan E. Charles (AB '25, JD '27), Gilbert C. Wheat (AB '25, JD '27), James D. Adams (AB '15, JD '20),

Richard Kelly (JD '22), Reid Briggs (AB '32), and Gus Mack (JD '28); while still others have not yet reached the Half Century mark, and some of those named have passed on.

McHose, justifiably proud of the careers of his associates after they left

NOTES

the firm advises, that "Donn Tatum (AB '34) has just retired after being president and chairman of Walt Disney Productions. Tom Killifer (AB '38), became president of the World Bank, later treasurer of Chrysler Corporation, and now is president of U.S. Trust and Guaranty Corporation."

Allan Charles, busy with the San Francisco office for many years, was news editor of the *Daily Palo Alto*, and awarded the Aupperle medal as the most valuable member of the track and field squad at Stanford. His hard work and persistence was an inspiration to the entire squad. So in the law, and in community service in San Francisco, where he served as director of BART and a member of the Civil Service and Welfare Commission. His wife Caroline, now deceased, was a Stanford trustee for many years.

But that's a Half Century Club story for another time. Adios.

[For reminiscences of Correspondent David's days as a hasher at the Stanford Union, see box.—ED.]

1927

Hon. David Lee Rosenau, Jr. Court House Athens, AL 35611

Cutler W. (Hal) Halverson-415 North 3rd Street, P.O. Box 526, Yakima, WA 98907-writes that he is still in active practice except for the fact that he spends two months a year traveling and playing golf. Good old Hal! He was of a different class, but we ate together on many occasions, and I knew him well.

1928

A. Hale Dinsmoor 3501 Sausalito Drive Corona del Mar, CA 92625

The Stanford Law School Class of 1928 is about to celebrate its fifty-fifth anniversary. It has been about three years since I reported to you about the activities of its members. So, here is a recent report.

Since our fiftieth reunion in 1978 several classmates have been called to

the "Celestial Courtroom" and others have developed health problems. Others have finally retired.

I regret to state that Eric C. Pepys passed away on March 15, 1983, after a short illness. He is survived by his wife, Mary, five children and nine grand-children. Two of his children are attorneys. Son Mark graduated from Boalt Hall and practices in Los Angeles, specializing in litigation. Daughter Mary Noel graduated from Hastings Law School and works for the U.S. State Department with the "Multinational Force and Observers." This group oversees the withdrawal of the Israelis from the Sinai.

Douglas (Doug) L. King died suddenly on April 13, 1983 with a massive heart attack. He is survived by his wife, Mary, his daughter, Jeanne King Caldwell, and four grandchildren.

Webster F. Street, now retired and living in Carmel, reports through his wife that he is no longer able to read or write. He does a bit of gardening, enjoys music, watches TV, and takes short walks.

George F. Wasson has had to give up his law office in Beverly Hills because of Alzheimer's disease. He is participating in July in a research project for the testing of a drug which may be helpful. George has two daughters and eight grandchildren, which are a comfort to him and his wife.

Now for the classmates who are still hale and hearty:

Leighton Bledsoe, about whom we last reported in 1980, now spends most his time caring for his wife, who is confined to a wheelchair as the result of many illnesses. However, he is acting as administrator of an estate and is arbitrator in an arbitration case assigned to him. His son, Dr. Turner Bledsoe, a Stanford graduate, is now medical director of Group Health Cooperative of Puget Sound, headquartered in Seattle. Turner has two daughters now attending Stanford and a third who seems headed there also. Leighton's daughter, Peggy, is married to a botany professor at the University of British Columbia in Vancouver, B.C. None of her three daughters appears headed for Stanford.

Ronald Button still divides his time between Beverly Hills and his home in Thunderbird Country Club near Palm Springs. Most of his legal work is in connection with his own activities. He is still developing Rancho Mirage, but has had to give up his two favorite activities, golf and polo, because of a "hip" problem.

Kenneth M. Johnson has continued his hobby of California legal history. His most recent work is a short biography of Stephen Mallory White, published by Dawson's Book Shop of Los Angeles. He received an award of appreciation from the California State Bar for his work on its committee on legal history. He also has been doing some traveling.

William R. Ouderkirk, the "senior" member of our class, will celebrate his 90th birthday on June 29th of this year. He still plays golf(!), and does a bit of gardening, reading and TV watching. He has eight greatgrandchildren. Can anyone in our class beat that?

I think that I have not previously reported on Charles C. Stratton, who was present for dinner at our fiftieth reunion. Chuck retired in 1973 from the Los Angeles Superior Court, after serving twelve years. He immediately accepted an assignment by the chief justice and continued to serve until 1977. Since then he has served as an arbitrator, being one of a panel of five retired judges from the Long Beach district. Five years ago he was playing lots of golf, but had to give it up because of his "legs." Chuck has a son and two daughters. His older daughter, Mary Joan, graduated from Stanford, has two master's degrees, and this month will receive her J.D. degree-but not from Stanford.

Stanley A. Weigel, our class "Bill Tilden," reports that he is still playing tennis. After exactly twenty years of service as an active United States district judge, he took senior status on October 9, 1982. As a senior judge, there has been very little diminution of his workload, mostly by choice. Taking senior status enabled him to accept intercircuit assignments.

In April of this year he sat in Chicago with the Circuit Court of Appeals for the Seventh Circuit. In May he planned doing a similar stint on the Circuit Court for the District of Columbia. In addition, he carries a workload of about one-third of that of the active judges in his own U.S. District Court in San Francisco.

As to his personal statistics—he has two daughters, one married to a San Francisco lawyer and the other to a Boston cardiologist. Also four grandchildren. He has saved some time for travel-France and Italy in 1982, and hopefully the United Kingdom in 1983.

Carl W. Anderson lives in Hillsborough, California. He retired over ten years ago and is doing a lot of traveling. In June 1983, the Andersons went on a four-week trip to China.

Frederick I. Richman has closed his law office in Laguna Beach and retired to Leisure World in Laguna Hills nearby. He has a secretary who helps him with his personal affairs, but has given up law practice. He made a good recovery from his knee operations of a few years ago and has traveled extensively. He returned in January from a trip to Africa, Asia and Europe. He is now studying Chinese and hopes to go to China in 1984.

Leon B. Brown is a member of the firm of Beaudry & Brown, in Los Angeles. Open heart surgery in 1979 has required that he live a rather sedentary life. However, he still goes to his office three days each week. Leon refers most his work to his son, Laurence, who is a member of his firm. Laurence and his wife, Nancy, both attended Stanford Law School. Laurence is a specialist in estate planning, probate and taxation. His wife, Nancy, is now a Municipal Court judge in Los Angeles.

Harold G. (Hal) King retired from Wells Fargo Bank on April 1, 1970, but continued to represent the Bank as a trustee of the S. H. Cowell Foundation until April 1, 1980. Since then he has enjoyed good health and recently returned from spending a month on a beach in Hawaii. We have just learned that the S. H. Cowell Foundation recently established the Harold G. King Financial Aid Fund at the Law School with a \$250,000 grant. In recognition of this gift the Law School Moot Court Room has been named "The Harold G. King Moot Court Room." [See School News section. - ED.]

Chester E. (Chet) Ross is still practicing law in Hollister, California, where he has been a sole practitioner since 1934. His practice for many years was a general practice taking civil and criminal cases, divorce cases, probate cases, and quite a bit of tax work. Chet has now limited his practice to estate planning, drawing wills and probating estates. He has traveled extensively since 1976, visiting the Hawaiian Islands, Europe, Mexico, the Baltic, Greece and the Mediterranean, and Alaska. His main

activity, however, is golf, which he plays Wednesday and Friday afternoons, and on Saturdays, Sundays and holidays. Not bad for an 80-year-old!

Charles Leo Rachford, who became a banker instead of practicing law, still lives in Big Canyon, Newport Beach, CA. He is in good health; still does volunteer community work and enjoys bridge, the theatre, fishing, and retirement life in general.

George W. Tackabury has specialized in trial work after leaving law school, mostly in defense work, representing insurance companies. He is still actively practicing and is affiliated with the firm of Burke, Williams & Sorensen in Los Angeles. He states that his only hobby is work and claims that he works six days a week (I don't believe it, either). George has two daughters, one of whom graduated from Stanford Medical School with honors, married another doctor, and is now on the staff of the University of California at Santa Cruz. His other daughter lives in San Francisco, and his son is with the Wang Corporation in Boston.

After more than 54 years' association with the firm of Hahn & Hahn in Pasadena, your class correspondent, Hale Dinsmoor, has decided to retire, at the end of April. I have also closed the part-time office that I had with my son in Costa Mesa. I am still doing a little income tax work from my home and have a few probate matters to close. These, with a little golf and some travel, will keep me as busy as I want to be. Future trips include two weeks in Hawaii in August, with our two children and four grandchildren, to celebrate our fiftieth wedding anniversary. We also are planning a four-week trip to South Africa in September.

1929

Suren M. Saroyan
Cartwright, Sucherman, Slobodin
& Fowler, Inc.
160 Sansome Street, Suite 900
San Francisco, CA 94104

1930

Please send your news to: Class Notes Editor Stanford Lawyer Crown Quad 13 Stanford Law School Stanford, CA 94305

1931

Hon. Ben. C. Duniway U.S. Court of Appeals Ninth Judicial Circuit Seventh & Mission Streets San Francisco, CA 94101

1932

J. Robert Arkush 3550 Wilshire Blvd., Suite 1418 Los Angeles, CA 90010

1933

George E. Bodle 344 S. Rossmore Avenue Los Angeles, CA 90020

1934

Richard E. Ryan 24085 Summerhill Los Altos, CA 94022

The Fiftieth Reunion of our Class of '34 will probably be held at the end of the second week in October 1984, according to Elizabeth Lucchesi, the Law School's director of alumni relations, who is already extending invitations to Professors Lowell Turrentine and John Hurlbut to attend as special guests.

Please put this date on your calendar and plan to be there! In the meantime, if you send me any suggestions you might have, I'll get them to the right place.

Was sorry to hear, somewhat late, of the June 1982 death of **Frank P. Adams**, who practiced in San Francisco

Class NOTES

and had been prominent in a number of high-level political campaigns.

Lately **Jean Blum** has been spending less time in his Acapulco "vacation" abode and more at his Los Gatos residence. Jean is devoting much of his interests to his duties as chairman of the Long Range Planning Committee of the Board of Trustees of his pet philanthropy, the Los Gatos Community Hospital. He was one of the founding directors and for many years served as counsel for the hospital.

Had a recent phone conversation with Wally (The Honorable Walter E.) Craig of Phoenix. Still active as a judge of the U.S. District Court, Wally is continuing to enjoy judicial assignments in a number of distant areas. He had just finished five weeks handling the civil docket in Knoxville, Tennessee; recently sat in Reno in connection with a number of interesting Indian claims in the Pyramid Lake area; and is still "working" on the Indian fishing cases in Oregon and Washington.

This spring the Student Bar Association of Pepperdine University Law School, Los Angeles, sponsored a huge retirement dinner at Bellaire Country Club for our Professor Wadieh S. Shibley as he finished a long career on the law school faculty at Pepperdine. Although now in an emeritus status, Wadieh considers himself only semiretired and expects to continue teaching on a limited basis.

Unfortunately Wadieh had to undergo heart surgery at St. Vincent's Hospital, Los Angeles, shortly after his retirement, but at last report was well on the road to recovery.

Recently your correspondent (**Dick Ryan**, of course) attended a large luncheon at which a group of the more venerable alumni of Long Beach Polytechnic High School paid tribute to their contemporaries of the bench and bar. Our classmates attending including Wadieh and his brother **George E.**

Shibley, who is in private practice in Long Beach with his two sons.

One of the special guests was The Honorable Charles C. (Chuck) Stratton ('28) recently retired from the superior bench, Los Angeles County. Others with Stanford background included Walter J. Desmond, Jr. ('33), who has a busy probate practice in Long Beach; Lynn O. Hossom ('30), retired General Counsel of Hancock Oil Company; Col. John W.

Doran, AUS (Ret.), who spent a year at the Law School about 1932; and William V. Artman, a former Stanford undergraduate who, like his late brother, Corwin, was a stalwart on the Stanford Varsity during the time of Pop Warner and Tiny Thornhill. Bill was counsel for the Veterans Administration in the Los Angeles area for many years.

With his finesse and expertise in fund raising, developed during his long career as secretary to the university, **Dave Jacobson** has, since his retirement been serving from time to time as a consultant for other schools and colleges in connection with their money-raising campaigns. He has a very interesting international project in hand now as a consultant for the Gregorian University of Rome, Italy, administered by the Jesuit Order.

The Jacobsons have enjoyed a considerable amount of travel since Dave's retirement. Their latest was a cruise through the inland waterway from Savannah, Georgia, to Baltimore.

1935

Stanley J. Madden Pillsbury, Madison & Sutro P.O. Box 7880 San Francisco, CA 94120

1936

Mary R. Mulcahy 1150 Swanston Drive Sacramento, CA 95818

1937

John Bennett King 550 Hamilton Avenue Palo Alto, CA 94301

Nick Alaga writes: "I'm still alive."
Alger Fast and his wife plan to spend five weeks in Italy this summer, during which time they will attend a two-week seminar at the Florence campus.

Dick Hungate spends winter months at Leisure World in Laguna Hills and summer months on Priest Lake in Idaho. He enjoys tennis, golf, skiing, sailing, and wind-surfing. He also plays the violin.

Ed Martindale is the owner of a food distributorship in Portland.

Tom Moroney spends considerable time going to weddings and funerals. Recently he arbitrated several cases for the San Mateo County Superior Court. He enjoys visiting with his eight children and twenty-seven grandchildren.

Bill Reppy is a retired justice of the California District Court of Appeals, but he continues to handle arbitrations and references. He and his wife live in Montecito. This summer they will go with Stanford to Italy and the Adriatic.

Harlow Rothert is still actively practicing law in San Francisco with the firm of Hancock, Rothert & Bunshoft. For recreation he plays golf and gardens.

George Swarth is now comfortably established in retirement in Palo Alto. Among other hobbies, George translates French poetry into English.

1938

Burton J. Goldstein Goldstein, Barceloux & Goldstein 650 California Street San Francisco, CA 94108

We look forward to seeing all members of the Class of 1938 at our Forty-fifth Class Reunion, during the Alumni/ae Weekend, October 7th and 8th. **Aylett B. Cotton** is Reunion Chairman.

1939

Robert N. Blewett Blewett, Garretson & Hachman Eden Park Building 141 E. Acacia Street Stockton, CA 96202

I am pleased to report that **Judge Jim Toothaker** is making good progress in recovering from his stroke of last fall. His main complaint is not being able to join his buddies on the golf course as yet.

Judge Bill Woodward, who retired several years ago, is busy with community service endeavors.

Our illustrious graduate, Sam Thurman, together with your scribe, attended the American Law Institute luncheon for life members at its annual meeting in Washington, D.C. last May.

Ed Butterworth, our lawyer turned businessman, president of Fedco, reports that his company did well in 1982. Ed and his lovely wife, Shirley, are leaving shortly for a trip to China, Hong Kong and Taiwan.

1940

R.L. McNitt, Jr. Rose Hills Memorial Park 3900 S. Workman Mill Road Whittier, CA 90601

1941

Elster S. Haile 230 California Street Palo Alto, CA 94306

1942

Robert B. Curtiss 728 Club House Drive Aptos, CA 95003

1943

Ward W. Waddell, Jr. 495 San Fernando San Diego, CA 92106

1944

Gloria M. Beutler General Counsel Napa Valley Unified School District 2425 Jefferson Street Napa, CA 94558

1945

Avis Winton Walton 397 Fletcher Drive Atherton, CA 94025

1946

Please send your news to: Class Notes Editor Stanford Lawyer Crown Quad 13 Stanford Law School Stanford, CA 94305

1947

Robert C. Elkus Robert C. Elkus, Inc. 555 California Street, Suite 2460 San Francisco, CA 94104

1948

Hon. Kenneth M. Eymann Sonoma County Superior Court 2555 Mendocino Avenue Santa Rosa, CA 95401

1949

Benjamin H. Parkinson Ackerman, Johnston, Campbell & Parkinson 2400 Russ Building San Francisco, CA 94104

Bob Pendergrass and Charlie Cole win this issue's award for "Out of the Country Get-Togethers," Southern Hemisphere category. Before a visit to Australia and New Zealand, Bob had written ahead to Charlie in Sydney, suggesting that they get together for lunch. As Bob put it, Charlie and Margaret were so hospitable that he ended up spending quite a bit of time with them. They drove Bob around, took him to the clubrooms of the American Society, and entertained him at dinner.

Bob picked up more information about modest Charlie than I have been able to ferret out in years of Charlie's visits to San Francisco. Charlie was the founder of the American Society some years ago, and was its long-time president. Margaret is now manager of the Society. Charlie retired not long ago as managing director of Stauffer Chemicals in Australia, but in six months, he got so bored that he has now joined a firm of patent attorneys in Sydney. Charlie and Margaret live in a large strata-flat (condominium to you) at Darling Point, which juts out over Sydney Harbor. Bob says he will never forget sitting in the Coles' living room and watching twilight and darkness come over the harbor. Not only is Charlie Junior a rock star, but his group was number 20 on U.S. charts and has both a gold and platinum record. Bob says that when he returned to Marin, he picked up some reflected glory by dropping the name of the group-the Moving Pictures-to some young types. But why does Charlie continue to work? He has achieved the American dream: a rock star son to take care of him.

Had a Christmastime lunch at the North Beach Restaurant with Art Toupin, Phil Ehrlich, Bob Foley, Judge Winslow Christian, Jerry Downs, Fred Mielke, Barney Favaro and Kim Allison. Much praise of Foley and Barney for making it to San Francisco in a driving rainstorm. (Later in the season, we got so used to the rain that we forgot there was any other kind of weather.) Art Toupin, vice chairman of Bank of America, had just been named to another top post: board chairman of BankAmerica Trust Co. of New York.

The next May, Judge Christian announced his retirement from the State Court of Appeal for the First Appellate District. Winslow decided to return to private practice after seventeen years on the Court. Couldn't reach Winslow to find out whether he plans to practice in San Francisco or Alpine County. When Winslow graduated from law school, he started practice in Alpine County, where as I recall there were 900 residents and only one other lawyer. He was quickly elected district attorney and before long was the judge. Governor Pat Brown then persuaded Winslow to leave and become a member of his cabinet. Tune in next issue to find out where Winslow is going to practice, and much, much more.

Now this.

Ammilae GATHERINGS

Last spring Dean Ely traveled East, where he was a featured guest at several Law School events.

The Chicago Law Society, headed by Carol Peterson, held a reception in the Dean's honor on March 10.

New York graduates had an opportunity to meet the Dean March 14 at a reception, organized by Kendyl Monroe, at the Time Life Building.

And on March 16 the Dean greeted alumni/ae at a **Boston Law Society** meeting organized by Henry Wheeler.

Professor and Law Librarian J. Myron Jacobstein was welcomed by **Texas alumni/ae** at a reception held in Houston on June 27.

Many summer events were planned by law societies throughout the country to bring graduates, students, and entering students together. The Washington State Law Society held a picnic July 8, hosted by George and Colleen Willoughby. The Washington, DC, Law Society sponsored a reception at the offices of Hogan & Hartson, on July 18, organized by David Hayes. And the New York Law Society held a cocktail party July 20 at Proskauer Rose Goetz & Mendelsohn, hosted by Alan Rosenberg.

See the back cover for an early schedule of coming events. You will be receiving information on these and other activities during the next few months.



Chicago alumni/ae en masse.



Dean Ely and Talbot Shelton, in New York.



Former Professor Dale Collinson (left) with Kendyl Monroe and Dean Ely, at New York reception



Washington Law Society President Jackie Brown (front center) and picnic host George Willoughby (third row, plaid shirt) with Seattlearea alumnilae

STANFORD LAW SOCIETIES

Arizona

Graeme E. Hancock ('80)
Fennemore, Craig, von Ammon & Powers
1600 First Interstate Bank
100 West Washington Street
Phoeniz, AZ 95003
(602) 257-8700

Chicago

Carol M. Petersen ('66) Schuyler, Roche & Zwirner 3100 Prudential Plaza Chicago, IL 60601 (312) 565-2400

East Bay

William R. Pedder ('67) 1361 Park Street Suite 214 Alameda, CA 94501 (415) 521-4575

Mid-Peninsula

Marilyn D. Taketa ('69) Finch, Sauers, Player & Bell 755 Page Mill Road Building A/180 Palo Alto, CA 94304 (415) 856-7900

Victor H. Beauzay ('51) Beauzay, Hammar, Ezgar, Bledsoe & Rucka 300 West Hedding Street San Jose, CA 95110 (408) 298-4606

New York

Cynthia Lewis Beck ('80) Simpson, Thacher & Bartlett One Battery Park Plaza New York, NY 10004 (212) 908-3445 Ronald N. Beck ('80) HBO, Inc. 1271 Avenue of the Americas New York, NY 10020 (212) 484-1102

Oregon

Leonard A. Girard ('67) Stoel, Rives, Boley, Fraser & Wyse 900 S.W. Fifth Avenue Portland, OR 97204 (503) 224-3380

Philadelphia

Charles R. Bruton ('71) Schnader, Harrison, Segal & Lewis 1719 Packard Building Philadelphia, PA 19102 (215) 988-2000

Bruce A. Rosenfield ('76) Schnader, Harrison, Segal & Lewis 1719 Packard Building Philadelphia, PA 19102 (215) 988-2000

San Diego

Theodore W. Graham ('63) Luce, Forward, Hamilton & Scripps Bank of California Plaza 110 West A Street Suite 1700 San Diego, CA 92101 (619) 236-1414

San Francisco

Lucinda Lee ('71) Flynn & Steinberg 220 Jackson Street San Francisco, CA 94111 (415) 434-4774

R. Frederick Caspersen ('71) Farella, Braun & Martell 235 Montgomery Street Suite 3100 San Francisco, CA 94104 (415) 981-3722

Southern California

Stephen F. Harbison ('68) Argue, Freston, Pearson, Harbison & Myers Tenth Floor 626 Wilshire Blvd. Los Angeles, CA 90017 (213) 628-1291

Alan B. Pick ('71) Gansinger & Pick 619 South Olive Suite 303 Los Angeles, CA 90014 (213) 680-4240

Washington

Jackie R. Brown ('75)
Office of the Prosecuting Attorney
King County Courthouse
516 Third Avenue
Seattle, WA 98104
(206) 583-2200

Washington, D.C.

Cornelius J. Golden, Jr. ('73) Foreman & Dyess 1920 N Street, N.W. Washington, D.C. 20036 (202) 785-9200

Stanford Women Lawyers

Christine Curtis ('71)
Department of Industrial Relations
525 Golden Gate Avenue
Room 614
San Francisco, CA 94102
(415) 557-2746

Patricia Cutler ('71) P.O. Box 603 San Francisco, CA 94102 (415) 557-3651



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Stanford Law School
Stanford, CA 94305

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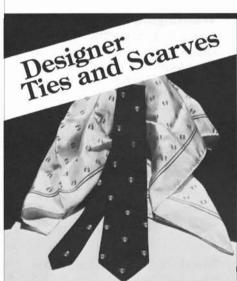
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\$25 each, postpaid. (California residents add \$1.63 sales tax.)

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\$22 each, postpaid. (California residents add \$1.43 sales tax.)

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October 11

Washington, DC Law

Society. Reception with Dean Ely.

2

Board of Visitors Annual

Meeting, at Stanford.

October 26

Washington Law Society,

in Seattle. Dinner with Dean Ely.

May 4

May 3-4

Marion Rice Kirkwood Moot Court Competition,

at Kresge Auditorium,

Stanford Law School, Stanford.

October 28

April 27

Oregon Law Society,

in Portland. Reception with Dean Ely.

Law Alumni/ae Reception,

in New York City. Featured guests: Dean Ely and Professor Barbara Babcock. (Held in conjunction with Stanford Alumni Association conference.) For information, call Elizabeth Lucchesi, Director of Alumni/ae Relations

(415) 497-2730.

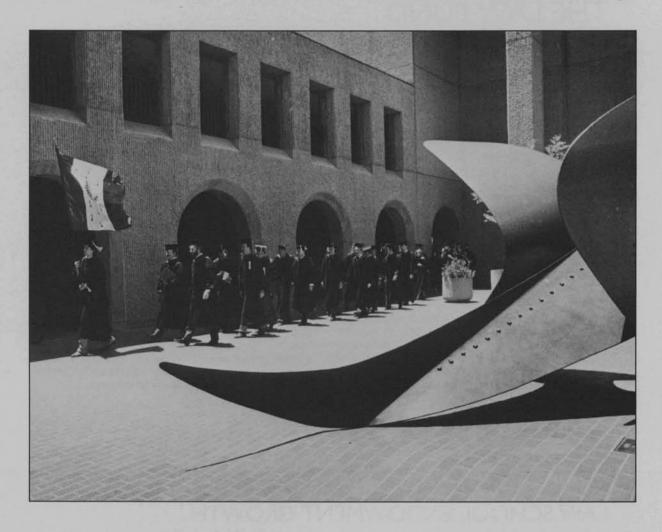
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ANNUAL REPORT OF GIVING



STANFORD LAW FUND 1982

COMPARATIVE CONTRIBUTIONS TO THE LAW FUND

		1981	19	982-A*	19	982-B*
ALUMNI/AE FACULTY, FORMER	1,370	\$594,892	1,482	\$616,946	1,481	\$513,946
FACULTY & STAFF	31	12,315	35	11,988	35	11,988
PARENTS	20	10,060	15	24,150	15	24,150
FRIENDS	87	130,523	87	101,768	84	58,896
LAW FIRMS CORPORATIONS &	21	25,052	19	23,060	18	13,060
FOUNDATIONS	63	80,242	86	151,414	81	111,914
STUDENTS		207	_	16		16
Less duplicate credits	1,592	\$853,291 2,150	1,724	\$929,342 2,100	1,714	\$733,970 2,100
- U.S THE I I	1,585	\$851,141	1,715	\$927,242	1,705	\$731,870

^{*}The year 1982 marked a transition from one set of criteria for counting Law Fund gifts to another. Two columns of figures are given, to reflect comparisons between the old criterion (1982-A) and the new one (1982-B), which will be used in the future. The main feature of the change is that nonrecurring, major gifts, which had been in-

cluded in the past but which the School could expect to receive only once, will no longer be counted in the annual fund results. (The old system complicated goal-setting, and made the "success" of our volunteers' efforts dependent on factors beyond their ability to influence.)

Total Unrestricted Gifts for 1982

\$510,454

LAW SCHOOL ENDOWMENT GROWTH

Balance 8/31/81 \$23,917,000 Growth \$1,174,394

Balance 8/31/82 \$25,091,394 This report gratefully acknowledges the generosity of the many alumni/ae and friends whose gifts to the 1982 Law Fund have provided vital support for the day-to-day operations of Stanford Law School.

The Law Fund operates on a calendar year basis. This report lists gifts postmarked through December 31, 1982. Gifts with 1983 postmarks have been gratefully received and will be acknowledged in the 1983 Report.



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Leonard A. Goldman '56 Inner Quad National Chairman

George E. Stephens, Jr. '62 Quad National Chairman

Jay A. Canel '55 Law Parents Committee National Chairman

Charles Stearns '33 Deferred Giving National Chairman

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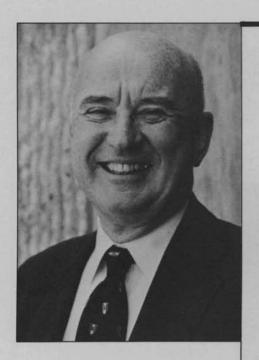
Victoria Sainz Diaz '75 Assistant Dean (415) 497-3018

Kate H. Godfrey, A.B. '73 Director, Law Fund (415) 497-9504

Phyllis M. Munro Administrative Assistant to the Law Fund and Annual Report Coordinator (415) 497-4463

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A MESSAGE FROM THE LAW FUND PRESIDENT

On December 31, 1981, John O'Connor finished two successful terms as President of the Law Fund. We are grateful for his significant contribution to the growth of the Law Fund during his Presidency, but succeeding a veteran fund raiser like John was no easy task. I am happy to report, though, that 1982 marked another year of growth for the Law Fund, a remarkable achievement in light of the unfavorable economic climate in 1982. It is therefore particularly gratifying that, despite the uncertain economy, the Law School's alumni/ae and friends demonstrated to the new Dean their continued strong support of the School.

Donors and volunteers are listed herein, but I want to add my deepest thanks to each and every donor and to each and every Law Fund volunteer. Over 200 alumni/ae served their alma mater as Law Fund volunteers in 1982, and I want to personally thank each one of them for their

capable and dedicated efforts.

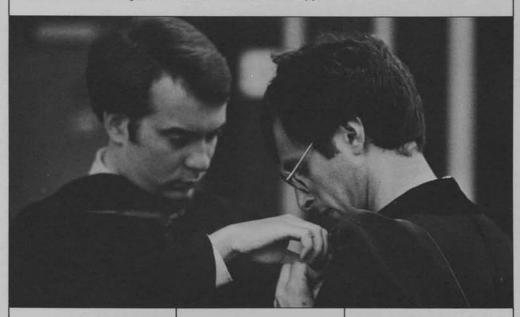
I hope you enjoy the Commencement 1983 photos within this report. As you think back to your own graduation, I hope you will reflect on the School's impact on your own life and career since then. And as you read through the accompanying issue of the *Stanford Lawyer* and reflect upon the many accomplishments of faculty, students, and your fellow alumni/ae, remember that your gifts helped make Stanford Law School's achievements possible. It is my great hope that all of you who are donors will continue to give and that the rest of you will join us in helping Stanford Law School build further upon the success it is enjoying today.

Myrl R. Scott '55 President, 1982 Stanford Law Fund

Mysl K. x

LAW FUND VOLUNTEERS

The individuals listed below volunteered a precious commodity—time—to the School during the 1982 Law Fund annual appeal.



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Leonard A. Goldman '56 Inner Quad National Chairman

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East Bay Justin M. Roach, Jr. '55

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Los Angeles John W. Armagost '56 New York Kendyl K. Monroe '60

Orange County Charles G. Armstrong '67

Oregon Douglas G. Houser '60

Peninsula John R. Griffiths '60

San Diego-Imperial Theodore W. Graham '63

San Francisco-Marin Charles A. Legge '54

Seattle George V. Willoughby, Jr. '58

Utah Leonard J. Lewis '50

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AREA VICE-CHAIRMEN

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East Bay, San FranciscoMarin, San Mateo County,
Santa Clara County North,
Santa Clara County South

J. Nicholas Counter III '60 Long Beach, Los Angeles I, Los Angeles II, Los Angeles III, Los Angeles IV, Orange County, San Diego-Imperial

George V. Willoughby, Jr. '58 Arizona, Colorado, Washington State, Oregon

James S. Campbell '57 Douglas B. Jensen '67 Fresno, Hawaii, Nevada, Sacramento

Donald W. Morrison '50 District of Columbia, Midwest, New York

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Arizona John V. Berry '81

Colorado Lynn W. Lehman '68

District of Columbia Scott W. Bowen '72, Co-chairman William F. Kroener III '71, Co-chairman

East Bay Michael S. Ostrach '76

Fresno James H. Flanagan, Jr. '61

Hawaii David L. Irons '64



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Los Angeles III Robert S. Amador '79

Los Angeles IV
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Chairman
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Gary A. York '68

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Nevada Richard W. Harris '75

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San Diego-Imperial Robert Caplan '60

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John D. Jorgenson '50
Michael D. McCracken '71
Robert A. Prior '49

Santa Clara County North Gordon K. Davidson '74

Santa Clara County South John F. Hopkins '57

Washington State W. Michael Hafferty '74

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1932 John Paul Jennings

1933 Laurence M. Weinberg 1934 Albert L. Denney 1936 D. Ray Owen, Jr. 1938 Benjamin D. Dreyfus 1939 A. L. Burford, Jr. 1940 Jesse Feldman 1945 Francisco A. Guido 1946 David K. Robinson 1947 Gerson F. Goldsmith 1948 James D. Harris 1951 Douglas B. Hughmanick 1952 Arthur J. Lempert 1954 Paul W. Swinford 1955 Newman R. Porter 1956 William J. Codiga 1957 William E. Murane Douglas C. White 1958 Thomas R. Mitchell 1959 Lloyd S. Kurtz, Jr. 1960 Robert E. Hurley 1961 Anthony J. Trepel 1962 Kerry C. Smith 1963 Karl H. Bertelsen 1964 C. Stephen Heard, Jr. 1965 LeRoy J. Neider 1966 William A. Dorland 1967 David C. Loring 1968 Donald E. Phillipson 1969 Jay S. Berlinsky 1970 Gilbert C. Berkelev 1971 Lucinda Lee 1972 W. James Ware 1973 Edward A. Firestone 1975 Thomas C. Kildebeck 1976 John J. Sabl 1977 Lage E. Andersen 1978 Gregory B. Payne 1979 Ronald M. Roth 1980 Russell C. Hansen 1981 Kathleen B. Shaw

INNER QUAD PROGRAM

The members of the Inner Quad are alumni/ae and friends who give \$1,000 or more annually to Stanford Law School. The Law Fund Council designates as Benjamin Harrison Fellows those individuals who contribute \$2,500 or more, and as Nathan Abbott Fellows those individuals who contribute \$1,000 to \$2,499.



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 Mr. and Mrs. Edgar M. Buttner S. C. Chillingworth '51 Hon. John J. Crown, A.B. '51 Mark L. Dees '58 John Freidenrich '63 Frank W. Fuller, Jr. '24 James M. Galbraith '67 Paul M. Ginsburg '68 Bruce L. Gitelson '64 Victor Goehring '54

- Jerome L. Goldberg '57 Kenton C. Granger '62 Colleen Gershon Haas '71 Richard G. Hahn '49 David B. Heyler, Jr. '51 Victor B. Levit '53 Louis Lieber, Jr., A.B. '31 S. K. Linden '35
- Mr. and Mrs. Charles I. Lobel ('83)
- John B. Mitchell, A.B. '52
- Thomas R. Mitchell '59
 Harle Garth Montgomery, Aff. '38
 Kenneth F. Montgomery
 James T. Morton '48

Robert E. Paradise '29

Karl S. Price '50
G. Williams Rutherford '50
Bruce Sattler '69
Myrl R. Scott '55
Talbot Shelton, A.B. '37
Charles D. Silverberg '55
Mrs. Samuel Morton Smith
Charles Stearns '33
David J. Stone '48
Walter L. Weisman '59
Mrs. Henry Wheeler, Jr. ('50)
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- Robert I. Beaver '71
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- Richard A. Bridges '53
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 Christopher D. Burdick '68
 Robert Caplan '60
 Richard Carver '57
 Ann Harrison Casto '71
 Don M. Casto III '69
 Hon. Richard H. Chambers '32
 Mr. and Mrs. Pon Chang ('85)
- () Indicates son's or daughter's class year.
- · New Inner Quad fellow

Warren Christopher '49 Everett B. Clary '49

- William B. Collister '51
 Aylett B. Cotton '38
 J. Nicholas Counter III '66
 James F. Crafts, Jr. '53
 Donald W. Crocker '58
- James S. Crown '80
- James E. Culhane '66
 Vincent Cullinan '36
 Richard D. DeLuce '55
 Charles C. Dietrich '52
 George R. Doty '52
 Hon. Murray Draper '30
 Hon Ben. C. Duniway '31
 Howard N. Ellman '59
 Dean John Hart Ely
 Northcutt Ely '26
 Robert F. Erburu
- Dr. Marjorie W. Evans '72
- Robin D. Faisant '58
 Frank E. Farella '54
 G. Edward Fitzgerald '53
 Charles K. Fletcher, A.B. '24
- Terence M. Flynn '52 Mr. and Mrs. Robert J. Foley '49

Del Fuller, Jr. '58 James C. Gaither '64 Gregory M. Gallo Penny Howe Gallo Leonard A. Goldman '56

- . John R. Griffiths '60
- Hon. Cynthia Holcomb Hall '54

 Mrs. Faith F. Halley ('68)

 Artemus W. Ham, Jr.,

 Aff. '44

 James W. Hamilton '59
- James W. Hamilton '59 John Paul Hanna '59 Lee A. Hansen '53
- Stephen F. Harbison '68
- Robert P. Hastings
 John L. Hauer '48
 Thomas E. Haven '48
 George M. Henzie '49
 James O. Hewitt '58
 Carla A. Hills, A.B. '55
 Roderick M. Hills '55
 John F. Hopkins '57
 Albert J. Horn '51
 Ellis J. Horvitz '51
 Philip J. Hudner '55
- Douglas B. Hughmanick '51
 J. Sterling Hutcheson '49
 James R. Hutter '50
 Phillip D. Irwin '57
 Darrell R. Johnson '69
 Russell L. Johnson '58
 Prof. John Kaplan

Edmund H. Kerr '51 Robert L. King '60 Rex W. Kramer '31 Herbert Kraus '55 William F. Kroener III '71 Prof. Richard B. Kuhns '67 Lucinda Lee '71 Charles A. Legge '54 John P. Levin '73

Laurence M. Linneman '29
Walter P. Lukens '55
Kenneth B. MacKenzie '72
Mrs. Clarisse H. Main, A.B.
'22
Richard K. Mallery '63
Assoc. Dean J. Keith Mann
Lloyd W. Mason '51
Darrell P. McCrory '49

John R. McDonough Lester S. McElwain '34 James H. McGee '70 Joseph T. Melczer, Jr. '37 Prof. John Henry Merryman Charles J. Meyers

Frederick W. Mielke, Jr. '49
 Kendyl K. Monroe '60

 Peter Morrison '53
 Charles T. Munger
 Nancy Barry Munger, A.B. '45

Jerome C. Muys '57 • Stephen C. Neal '73

Allen L. Neelley, A.B. '58
Robert M. Newell '46
Elizabeth Markham
Nicholson '71
Philip T. Nicholson '69
John J. O'Connor III '53
Hon. Sandra Day O'Connor

• Richard S. Odom '69
D. Ray Owen, Jr. '36
Austin H. Peck, Jr. '38
Alvin H. Pelavin '51
Elaine T. Pelavin
James H. Perkins '53
Colin M. Peters '47
Donald V. Petroni '58
Donald E. Phillipson '68
Charles R. Purnell '49
Carter Quinby '51
Paul A. Randour '60
Thomas J. Reilly '68

Norman B. Richards '51 Justin M. Roach, Jr. '55

- Paul K. Robertson '61
- John M. Rolls, Jr. '62
 Ronald S. Rosen '57
 David L. Sandborg '60
 Prof. Gordon K. Scott
 Kandis Vengris Scott '66
 George A. Sears '52
 Hugh Shearer III '51
 Lawrence J. Sheehan '59
 Barton C. Sheela, Jr. '50
 Marshall L. Small '51
 Kerry C. Smith '62
 Richard B. Snell '54
 Christina A. Snyder '72
- Richard E. Sobelle '60 Keith L. Stahle '37
- William C. Stein '31 Glen E. Stephens '52
- Ronald L. Styn '65
 Irving Sulmeyer '51
 Louise A. Sunderland '73
 Ronnie L. Svaty '67
 Paul W. Swinford '54
 Frank D. Tatum '50
 Waller Taylor II '50
 Robert H. Thede '51
 Warren R. Thoits '48
 Clyde E. Tritt '49
 Hon. Richard E. Tuttle '49
 Harlan K. Veal '50
 Louis R. Vincenti '30
- Vincent M. Von Der Ahe '71 Hon. Nancy B. Watson, A.B.

Hon. Stanley A. Weigel '28 Henry Wheeler '50 Andrew M. White '73 Douglas C. White '57 George H. Whitney '39 Charles R. Wichman '52 Gary D. Wilson '68 Bernard M. Wolfe '62 Beverly G. Wolfe Hon. Donald R. Wright, A.B.

Edwin M. Zimmerman Karl ZoBell '58

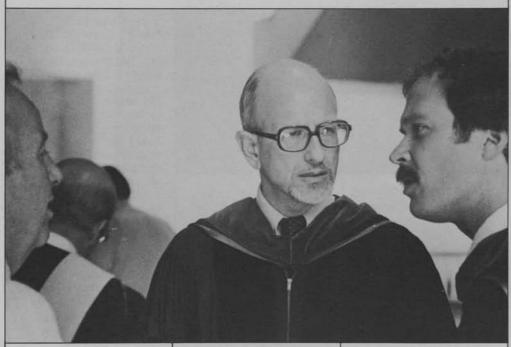
- Indicates son's or daughter's class year.
- New Inner Quad fellow

LARGEST NUMBERS OF INNER QUAD MEMBERS

Class	No. Members		
1951	14		
1949	12		
1953	10		
1955	9		
1950	8		
1958	8		
1952	7		
1957	7		
1971	7		
1954	6		
1967	6		
1969	6		

THE QUAD PROGRAM

The members of the Quad are alumni/ae and friends who give from \$100 to \$999 annually to Stanford Law School. The Law Fund Council designates as George E. Crothers Fellows those individuals who contribute from \$500 to \$999; as Marion Rice Kirkwood Fellows those individuals who contribute from \$250 to \$499; and as Law Quad Fellows those individuals who contribute from \$100 to \$249.



GEORGE E. CROTHERS FELLOWS

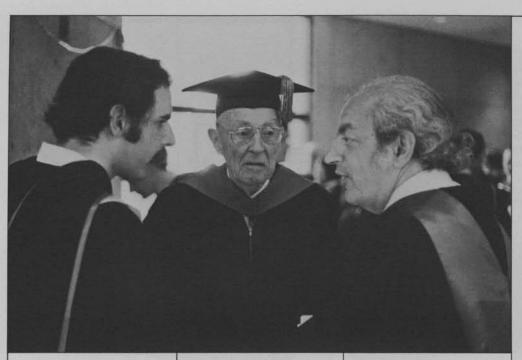
Chester R. Andrews '29 Richard D. Andrews '56 Lawrence A. Aufmuth '69 Philip H. Bagley '37 Peter D. Baird '66 Sara Twaddle Baird '67 Thomas B. Barnard '56 John W. Bartman '67 Douglas H. Barton '68 Carlos T. Bea '58

Everett H. Berberian '49 Lazare F. Bernhard '32 Susan W. Bird '74 Stephen M. Blitz '66 Roy C. Bonebrake '32 Brian G. Booth '62 Brooksley E. Born '64 Larry C. Boyd '77 Lawrence Bradley, Jr. '50 Daniel L. Brenner '76 Monte Bricker '63 Albert L. Burford, Jr. '39 Merlin W. Call '53 James S. Campbell '64 Jared G. Carter '62 R. Frederick Caspersen '71

Nicholas B. Clinch '55 William J. Codiga '56 Hon. John L. Cole '50 Peggy Stern Cole '49 Sterling D. Colton '53 Michael A. Cornelius '67 Ellen Barrie Coronswet '75 John M. Cranston '32 Theodore J. Cranston '64 James S. Crown '80 David L. Davies '27 Wayne A. Davies Mrs. Jerome F. Donovan, A.B. '28 Benjamin B. Dreyfus '38 Michael A. Duncheon '75

Philip S. Ehrlich, Jr. '49 Dennis B. Farrar '62 John B. Fenner '51 Bernard M. Filler '62 David L. Fletcher '58 James F. Fotenos '70 Merrill R. Francis '59 W. A. Franke '61 George E. Frasier '68 Floyd A. Fredrickson '51 Malcolm H. Furbush '49 David A. Gantz '67 Robert Garcia '78 Louise Hammer Ginsburg Allan S. Glikbarg '54 Laurence K. Gould, Jr. '71 Cameron R. Graham '68 Robert N. Grant '72 Jonathan H. Greenfield '71 Mr. and Mrs. T. Gregory ('59) Douglas C. Gregg '33 Prof. Gerald Gunther Hon. Pauline Davis Hanson '46 Stephen F. Harbison '68 Don T. Hibner, Jr. '62 Carolee G. Houser '68 Edwin E. Huddleson, Jr., A.B. Harold J. Hunter, Jr. '60 John B. Hurlbut, Jr. '64 David L. Irons '64 Oscar F. Irwin '54 Randolph Jacobs '38 Willard S. Johnston, A.B. '31 Kenneth I. Jones '49 Bernard C. Kearns '55 Robert A. Keller III '58 Prof. William T. Keogh '52 Thomas C. Kildebeck '75 Edmund T. King II '59 Helga Leukert Kirst '71 Roger W. Kirst '70 Paul E. Kreutz '67 Everett S. Layman, Jr. '53 F. Jack Liebau '63 David G. Luther '76 Michael T. Lyon '67 Richard N. Mackay '49

() Indicates son's or daughter's class year.



Frank L. Mallory '47 Richard C. Mallory '69 Roderick P. Martinelli '52 Patrick H. McGaraghan, A.B. '66 Robert A. McNeil '48 Michael D. Miller '75 Peter P. Miller '68 Walter G. Miller, A.B. '23 Bruce T. Mitchell '51 Marta Morando R. Bruce Mosbacher '79 Gustave A. Mueller '30 James C. Muir, Jr. '65 Kay Virginia Narver '77 Laurel A. Nichols '72 Martin P. O'Connell '70 Richard S. Odom '69 J. Dan Olincy '53 Luther K. Orton '72 Richard F. Outcault, Jr. '50 Daryl H. Pearson '49 Anthony R. Pierno '59 Newman R. Porter '55 Keith A. Pursel '58 Charles W. Rees, Jr. '59 William F. Rinehart '56 Arthur C. Rinsky Jerry H. Robinson '60

Alan S. Rosenberg, A.B. '49 Jerald E. Rosenblum '60 Stanford K. Rubin '61 T. Newton Russell '43 Robert T. Russell Hon. Pamela A. Rymer '64 Richard D. Sanders '48 Suren M. Saroyan '29 Diane W. Savage Roy J. Schmidt '66 Sally A. Schreiber '76 Laura Stern Seaver '75 Patrick T. Seaver '76 R. Carlton Seaver '75 F. DeArmond Sharp '63 Marsha E. Simms '77 Fern Meyerson Smith '75 Garrett K. Smith '73 James C. Soper '53 Charles B. Stark, Jr. '65 George E. Stephens '62 Archie M. Stevenson '29 Louise A. Sunderland '73 Keith E. Taylor '54 Gerald S. Thede '52 J. Richard Thesing '66 Archie C. Thomas, Jr. '71 Geoffrey L. Thomas, Jr. '70 Robert R. Thompson '49

Roger A. Vree '69 James M. Wadsworth '64 Mr. and Mrs.

Harry L. Wallace ('78)
Harry F. Wartnick '72
Keene Watkins '34
Alan Wayte '60
Richard D. Wells '60
Peter A. Whitman '68
George V. Willoughby, Jr. '58

MARION RICE KIRKWOOD FELLOWS

Philip W. Aaron '59 Richard C. Abbott '70 Robert M. Adams, Jr. '40 Lionel M. Allan '68 Russell G. Allen '71 Robert F. Ames '60 Mark G. Ancel '50 David H. Anderson '73 George A. Andrews, Jr. '49 Charles G. Armstrong '67 George E. Baglin '36 Carlos T. Bea '58 Robert L. Beardslee, Jr. '29 Stephen M. Blitz '66 James M. Bonino '73 Scott W. Bowen '72 John F. Bradley '57 F. M. Brosio, Jr. '57 Laurence R. Brown '57 John E. Bryson, A.B. '65 Michael L. Burack '70 Carl P. Burke '50 Thomas R. Burke '67 James T. Caleshu '65 Jay A. Canel '55 Merrill L. Carlsmith '30 James L. Carpenter, Jr. '78 Mrs. Rosemary R. Carroll Robert S. Cathcart '34 Allan E. Charles '27 Mr. and Mrs.

Thomas C. Clarke ('75) Nicholas B. Clinch '55 Nancy Mahoney Cohen '75 Prof. William Cohen Deborah Willard Coogan '71 Mr. and Mrs.

George W. Coombe, Jr. Hal L. Coskey '54 Michael S. Courtnage '70 Patrick R. Cowlishaw '76 James G. Craig, Aff. '18 Hon. Walter E. Craig '34 John M. Cranston '32 Roy E. Crawford III '63 Roland C. Davis '36 William C. Deans '60 Philip A. DiMaria '38 Brian T. Dolan '65 Stanley A. Doten '64 Barbara G. Dray '72 Robert C. Elkus '47 Andrew L. Faber '74 Jesse Feldman '40 Alfred G. Ferris '63 Richard A. Fink '71 Edward A. Firestone '73 Philip L. Fisher '67 Raymond C. Fisher '66 Robert F. Fisher '61 James A. Flanagan '24 George F. Flewelling '53 Chandler Flickinger '57 Prof. Marc A. Franklin Kent F. Frates, A.B. '60 Paul L. Freese '57

Morton L. W. Friedman '56 Robert T. Fries '72 James M. Gansinger '70 Hugh C. Gardner III '71 Michael C. Gessford '66 David A. Gill '61 Jerome L. Goldberg '57 Cornelius J. Golden, Jr. '73 Gerson F. Goldsmith '47 Hon, Richard S. Goldsmith '36 Prof. Paul Goldstein Isaac Goodman '57 Joseph H. Gordon, Jr. '64 Norman H. Gottlieb '50 Robert R. Granucci '57 Ronald M. Greenberg '64 Allen B. Gresham '56 Alvin D. Gress '70 Lin H. Griffith '52 Stephen L. Griffith '77 Kaatri Boies Grigg '71 Edwin V. Grundstrom '56 Annie M. Gutierrez '71 Harry L. Haehl '36 Benjamin W. Hahn II '79 John J. Hannegan '48 Dale E. Hanst '60 Glenn S. Hara '71 Thomas C. Harden '63 Scott L. Harrington '51 Daryl R. Hawkins '60 C. Stephen Heard, Jr. '64 Rex A. Heeseman '67 J. Victor Herd Pauline Hoffman Herd, A.B. '26 Mortimer H. Herzstein '50 Donald G. Hinkle '62 Raymond B. Holbrook '31 Nancy E. Howard '77 Hon. Proctor R. Hug, Jr. '58 Peter J. Hughes '53 Douglas B. Hughmanick John M. Huntington '58 Thomas C. Ingledue '61 James B. Irsfeld, Jr., A.B. Bonnie Gelb Jackson '81

Prof. Thomas Jackson

Daniel C. Jacobson '77 John P. Jennings '32 Robert M. Johnson '73 William P. Johnson '67 Dr. Joseph M. Jones '58 John D. Jorgenson '50 Charles J. Judson '69 Hon. M. Peter Katsufrakis '58 Allen M. Katz '72 Donald E. Kelley, Jr. '73 Steven C. Kenninger '77 Monroe W. Kirkman '52 Andrew B. Kjos '59 Lloyd S. Kurtz, Jr. '59 Hon. William J. Lasarow '50 R. P. Lavenant, Jr. '49 Edward S. Lebowitz '65 Catherine Lockridge Lee '53 R. Allan Leedy, Jr. '67 David K. Lelewer '66 Arthur J. Lempert '52 Edward M. Leonard '71 Charles F. Lettow '68 Marilyn Epstein Levine '75 Norman H. Levine '74 S. Rex Lewis '49 Hon. John A. Loomis '38 David C. Loring '67 Edgar A. Luce, Jr. '48 Leonard B. Mackey, Jr. '75 Stanley J. Madden '35 Charles F. Mansfield '68 Gerald D. Marcus, A.B. '38 Gerald Z. Marer '63 John S. Mason, Jr. '68 Robert T. Mautz '64 Assoc. Dean Thomas F. McBride Harry R. McPike '63 Patrick J. McGaraghan, A.B. '66 George E. McGill '59 Peter P. Miller '68 Robert J. Miller '60 Roy D. Miller '54

Wayne K. Minami '67

Patrick H. Mitchell '69

William R. Mitchell '47



Charles E. Montgomery '51 Michael M. Moore '67 Hon. Patrick J. Morris '62 Charles L. Mullen '53 LeRoy J. Neider '65 William A. Neumann '68 Luis Nogales '69 George H. Norton '57 Dr. and Mrs. Richard B. Oglesby Jay I. Olnek '55 Hon. Lester E. Olson '53 Mai. Gen. Harold E. Parker '51 William R. Ouderkirk '28 Harry D. Palmer '67 B. H. Parkinson, Jr. '49 D. Monte Pascoe '60 Robert E. Patterson '72 Jack Paul '52 William R. Pedder '67 Louis S. Penfield '36 Paul F. Perret '75 Alan B. Pick '70 Robert A. Prior '49 Ralph C. Raddue, Aff. '38 Richard E. Rader '63 Edward S. Renwick '58 Lynn S. Richards '29 Robert R. Rickett '67 Peter H. Rodgers '72 Charles L. Rogers '57 Michael Roster '70

Barbara Dovle Roupe '76 Edwin M. Rosendahl '49 Miles L. Rubin '52 John F. Runner '48 John J. Sabl '76 Darrell L. Sackl '73 Michael S. Sands '62 Hon. Albert F. Scheidecker '30 Carl R. Schenker, Jr. '74 Richard B. Schreiber '68 Irwin H. Schwartz '71 A. Timothy Scott '77 Ernest Y. Sevier '56 Marvin S. Siegel '61 John E. Sloan '60 Meredith K. Smith, A.B. '30 Richard E. Sobelle '60 Hon. Gus J. Solomon '29 Daniel R. Spangler '68 Andrew M. Spears '39 John K. Stewart '64 Hon, Frederick E. Stone '33 George S. Swarth '37 Marshall H. Tanick '71 Frederick G. Tellam '54 Mrs. Joann Thompson Mrs. Veronica S. Tincher, B.S. '52 Lawrence H. Title '70

() Indicates son's or daughter's class year.

Ronald G. Trayner '67 Anthony J. Trepel '61 Paul C. Valentine '61 George L. Vargas '34 Dennis H. Vaughn '57 Robert R. Vayssie '56 James F. Vernon '75 Donald B. Webster '49 John D. Webster '49 Hugh N. Wells III '61 John F. Wells '52 Robert D. Wenzel '59 Christopher A. Westover Rand N. White '76 Richard C. White '62 Mrs. Barry Whitehead, A.B. '35 David B. Whitehead '71 Hon, Miriam E. Wolff '39 Robert R. Wulff '54 Dr. Robert J. Wyatt, A.B. '65 Kirt F. Zeigler '63 Harvey L. Ziff '67

LAW QUAD **FELLOWS**

Richard C. Abbott '70

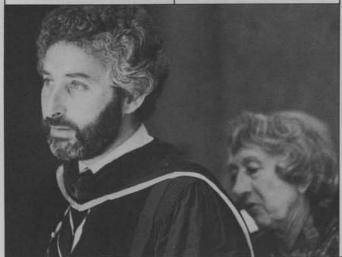
Edgar D. Ackerman '69 Terrance M. Adlhock '72 John W. Alden '59 Gerald B. Ames '61 Mr. and Mrs. James B. Ames Richard C. Amick '52 Steven G. Amundson '76 Anthony J. Anastasi '40 Lage E. Andersen '77 Allan C. Anderson '67 Edward V. Anderson '78 James E. Anderson, Jr. '72 Laurel E. Anderson '16 Percy L. Angelo '70 Simon D. Anixter '31 Robert M. Arhelger '68 Brewster L. Arms '51 Michael E. Arthur '77 James R. Atwood '69 Alan K. Austin '74 Luther J. Avery '53 Prof. Barbara A. Babcock Hon. Joseph G. Babich, Aff. '51 William J. Baer '75 Dean A. Bailey '52 James R. Baird, Jr. '53 Prof. Douglas G. Baird '79 D. Cameron Baker, Jr., A.B. '58 Merlin W. Baker '49 Sheldon S. Baker '61 Robert D. Bartels '69 Joseph W. Bartlett II '60 John R. Baumann '71

Daniel R. Bedford '70 Elmer F. Bennett '41 James H. Bennett '62 Gilbert C. Berkeley, Jr. '70 Jay S. Berlinsky '69 Eric C. Berson '75 Karl H. Bertelsen '63 Thomas E. Bertelsen, Jr. '65 Stuart I. Berton '64 Gloria Midgely Beutler '44 Bruce A. Bevan, Jr. '52 Peter D. Bewley '71 James T. Bialson '68 Philip Biddison, A.B. '25 Mark W. Blackman '77 Robert N. Blewett '39 Leroy Bobbitt '69 George E. Bodle '33 Lola J. Bohn '75 James B. Bolen, Jr. '52 Norman I. Book '64 Russell L. Boraas, Jr. '69 John P. Borgwardt '54 William S. Boyd, Jr. '41 William S. Boyd, '71 Peter C. Bradford '60 David S. Bradshaw '69 Hon. Edward L. Brady '48 Coleman Bresee '67 Rudi M. Brewster '60 Bonnie S. Brier '76 Laurence K. Brown '57 Marion L. Brown '67 Stephen D. Brown '39 Beverly Rutman Budin '69 Ingall W. Bull, Jr. '50 John W. Buoymaster '77 Joseph W. Burdett '65 Charles W. Burkett '39 Lewis H. Butler '51 Edward L. Butterworth '39 Donald L. Buxton '69 Lawrence Calof '69 George B. Campbell '41 Scott I. Canel '80 Fred Caploe '59 Bertram W. Carp '68 James L. Carpenter, Jr. '78 Daniel A. Carrell '68 Bruce D. Carter '68 Richard Carver '57 Timothy R. Casgar '67

Geoffrey C. Beaumont '65

Thomas B. Catron III '50 Jack G. Charney '71 Martin J. Cerullo '81 J. Anthony Chavez '81 Samuel D. Cheris '71 Ozro W. Childs IV '69 Donald S. Chisum '68 Melva D. Christian '77 Hon. Frank Church '50 W. Edward Chynoweth '63 David A. Clarke '75 Sterling S. Clayton '53 Robert C. Clifford '51 Edwin R. Cline '64 Robert P. Cochran '74 Saul Cohen '53 Lawrence M. Cohn '66 Edmond M. Connor '75 Joseph E. Cook '52 Hon, Lyle E. Cook '32 Quentin L. Cook '66 Ransom S. Cook '59 Michael S. Courtnage '70 Kenneth G. Coveney '72 Patrick R. Cowlishaw '76 Francis R. Crable '36 Mary B. Cranston '75 Thomas A. Craven '66 Fred V. Cummings '52 James R. Cunha '49 Lloyd N. Cutler '77 Michael E. Cutler '81 Raymond J. Daba '40 James T. Danaher III '58 Alden E. Danner '65 Howard M. Daschbach '50 Hon. Leon T. David '26 Michael D. David '47 Sherrod S. Davis '51 Daryl C. Dawson '62 Gary T. Day '72 James J. DeLong '71 George V. Denny III '58 Dixon Q. Dern '53 George I. Devor, A.B. '22 Asst. Dean Victoria S. Diaz '75 A. Hale Dinsmoor '28 Stephen D. Docter '59 Janine M. Dolezel '71 Hon Victor E. Donatelli '53

† Deceased



John G. Abbott '69 Hon. Seymour J. Abrahams R. Winfield Achor '48 Gary G. Bayer '67

Harry C. Donkers '61
Joseph K. Donohue '74
William A. Dorland '66
Steven L. Dorsey '73
Richard D. Dreyfus '63
John H. Dudley, Jr. '66
Leslie N. Duryea II '50
Mark R. Dushman '73
Gregory C. Dyer '71
Jonathan C. Eaton, Jr. '52
Jerome E. Eggers '72
Hon. Norbert Ehrenfreund '59
Ralph Ehrenpreis '67
Theodore J. Elias '30
Prof. Robert E. Ellickson

Prof. Robert E. Ellickson J. Randolph Elliott '51 Robert W. Elliott '49 David Elson '70 John P. Emert '67 Robert A. Emmett III '68 James C. Engdahl '43 William G. Eustice '48 Howard D. Fabrick '62 James C. Falconer '70 Terrance L. Farina '63 Donald A. Farmer, Jr. '69 Douglas P. Ferguson '63 Ricardo B. Ferrari '68 Frederick S. Fields '64 Nathan C. Finch '34 Jack D. Fine '56 John E. Finney '68 Michael R. Flicker '65 Thomas J. Foley '51 Douglas E. Forrest '76 Ted R. Frame '52 Richard A. Frank '37 Prof. Carl M. Franklin, A.M.

Maxwell M. Freeman '60 Alan E. Friedman '70 Arthur J. Fritz, Jr. '65 Harold H. Fulkerson '40 Philip G. Fullerton '56 James M. Gansinger '70 David A. Gantz '67 Walter W. Garnsey, Jr. '70 Don J. Gelber '63 John L. Genung '70 William W. Gilbert '45 Joseph A. Giordano '56 Leonard A. Girard '67 Raymond Glickman '65 William W. Glenny '48 David A. Goldfarb '67 Dennis B. Goldstein '70 Richard E. Good '52 Jimmy K. Goodman '71 Brenton F. Goodrich '67 Hon. Charles Gordon '57 Joseph H. Gordon, A.B. '31 James K. Gorham '78 Theodore W. Graham '63 Brooke Grant '60 Gary W. Grant '69 Burl L. Green '48 Prof. Thomas C. Grev Hon, Thomas P. Griesa '58 Kenneth G. Griffin '64 John R. Griffiths '60 Keith C. Groen '67 George Grossman '66 Victoria M. Gruver '81 Richard E. Gutting, A.B. '37 ('68)Robert M. Haddock '71 W. Michael Hafferty '74 Arnold B. Haims '59 H. Robert Hall '64 Paul M. Hamerly '48 John J. Hamlyn, Jr. '61

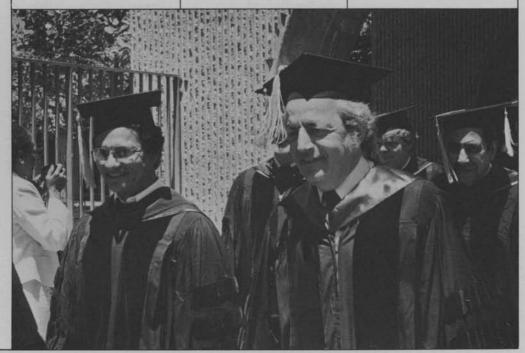
Gordon F. Hampton '35

Deborah Koss Handel '73 Bruce G. Hanson '65 Michael J. Harbers '69 Harlan F. Harmsen '56 Richard K. Harray '67 John H. Harriman '49 Harvey E. Harrison '77 Albert M. Hart '47 John R. Hassen '65 Thomas E. Haven '48 William B. Hawfield, Jr. '72 Thomas H. Hawley '69 Clifford B. Hendler '78 Nancy Howell Hendry '75 Albert T. Henley '41 Arthur A. Henzell '53 Victor H. Hexter II '52 Helaine Wachs Heydemann David B. Heyler, Jr. '51 William A. Hillhouse II '64 William Hillyer '41 Rena Ellis Hines '59 Mrs. Frederick E. Hines, A.B. '29, A.M. '30 William H. Hippee, Jr. '72 Joseph W. Hodges, Jr. '49 Morgan D. Hodgson '73

Graeme E. Hancock '80

James L. Hand '81

Philip W. Hoffman '71 Robert B. Hoffman '70 William P. Hoffman, Jr. '69 Michael G. Holmes '60 Zachary I. Horowitz '78 W. Conrad Hoskins '64 Lynn O. Hossom '30 Douglas G. Houser '60 Tom K. Houston '72 L. Francis Huck '72 Michael H. Hudnall '68 LeRoy L. Hunt '27 Hon. Harry L. Hupp '55 Robert E. Hurley '60 Laurence J. Hutt '75 Walter H. Ikeda '68 William P. Irwin '53 Jonathan D. Iten '81 Donald A. Jackson '62 David S. Jacobson '34 Michael R. Jacobson '80 Oliver M. Jamison '41 Clayton R. Janssen, Jr. '51 Donald B. Jarvis '52 Martin J. Jarvis '47 Douglas B. Jensen '67 Calvin H. Johnson '71 Craig W. Johnson '74 Oliver T. Johnson, Jr. '71 Robert K. Johnson '64



Walter A. Johnson, A.B. '29 Hon, Wilbur R. Johnson '54 Robert P. Johnston '73 Charles F. Jonas '39 Robert L. Jones '78 Robert M. Jones '40 Donald W. Jordan '32 Sam Joseph '30 Prof. Craig Joyce '75 Arnold L. Kahn '33 Alan S. Kamin '66 Kenneth M. Kaplan '72 J. Kenneth Kaseberg '30 Joseph W. Kegler '49 William B. Keleher '58 Edgar C. Keller '49 Elwood S. Kendrick John W. Kennedy, Jr. '63 Edmund H. Kerr '51 Charles W. Key '59 Sandford B. King-Smith '66 Roger M. Kirkpatrick '67 Jay S. Kittle '66 Joel N. Klevens '69 Henry J. Klinker '68 William F. Knapp '26 Franklin L. Knox. Jr. '32 Hans H. Koehl '59 Bart Koeppen '62 Hon. Thomas Kongsgaard '49

Lorrain Streblow Kongsgaard '47 James D. Kowal '59 Leslie M. Kratter '72 John A. Kussmaul '67 Seymour G. Laff ('77) William T. Lake '68 Louise A. LaMothe '71 Edward D. Landels '24 Christine M. Langenfeld '80 Ross L. Laybourn '74 Richard B. Leavitt '60 Avleen Ito Lee '81 Marjorie Mize LeGaye '45 Lynn W. Lehmann '68 Richard Y. LeMaster '63 Richard S. Levenberg '62 Alan M. Levenstein '68 Sanford V. Levinson '73 Thomas W. Levitt '77 Robert J. Lewis '53 Donald J. Licker '55

Maxine H. Linde '67 James P. Lindsay '63 James E. Linneman '59 Andrew L. Lipps '74 Samuel M. Livermore '78 James D. Loebl '52 Ben H. Logan III '76 John E. Loomis '49 Mr. and Mrs.

Michael J. Lotito Hon. Mack P. Lovett '55 Henry W. Low '36 Remington M. Low '39 Lloyd W. Lowrey, Jr. '71 Ronald S. Luedemann '64 Hon. Stephen W. Luelf '67 George H. N. Luhrs, Jr. '20 David A. Lush '49 William Lyons '34 Janet Gertmenian

MacFarlane '63 John D. MacFarlane '62 William P. MacGregor '70 Julius Mackson '23 Stanley J. Madden '35 Gasper J. Magarian '25 Ellen Maldonado '78 James R. Malott, Jr. '41 Kenneth R. Malovos '33 Richard D. Maltzman '59 Bayless Manning, H'71 J. Markham Marshall '66 Elton F. Martin '50 Tally P. Mastrangelo '52 James R. Maurer '53 James R. Mazzoni, Jr. '56 John B. McCobb, Jr. '66 Allan H. McCurdy '34 Hon. F. Douglas McDaniel '48

Douglas B. McDonald '47
John R. McDonough
Steve A. McKeon '71
Thomas W. McKinsey '50
Duncan A. McLeod, Jr. '48
George M. McLeod '46
John A. Meschke '61
Joan Heimbigner Meyer '71
Myrl A. Meyer '53
Ronald K. Meyer '76
Charles J. Miller, Jr. '52
Fred B. Miller '65
James M. Mitchell '55

Lincoln A. Mitchell '62 Prof. Robert H. Mnookin Beverly Ottem Mohr '46 James R. Moore '56 Albert J. Moorman Marvin D. Morgenstein '55 Richard L. Morningstar '70 Peter C. Morris '51 Donald W. Morrison '50 Paul W. Mouser '48 Mary Reclief Mulcahy '36 David M. Munro '66 Hon. Paul I. Myers R. Chandler Myers '58 Hon. David N. Naugle '69 Ralph C. Navarro '74 Richard H. Nichols '63 Donald E. Nicol '66 Douglas B. Noble '67 Alan S. Nopar '79 Hon, William A. Norris '54 James E. O'Brien Thomas J. O'Keefe '61 George E. Olmstead '66 Robert E. Ordal '73 Peter R. Osinoff '76 Michael S. Ostrach '76 Hon. Claude M. Owens '40 Fredericka Paff '69 Charles H. Page '58 Russell R. Palmer, Jr. '64 Victor H. Palmieri '54 Carolyn Carter Paris '78 Jonathan S. Paris '78 William B. Patrick '65 Richard A. Paul '73 Harvey D. Pease '35 Hon. Robert F. Peckham '45 Stuart T. Peeler '53 Ralph B. Perry III '63 Howard M. Peters, Ph.D. '67 Carol M. Petersen '66 C. Francis Petit, A.B. '31 Alan S. Pfeffer '80 George R. Pfeiffer '49 Louis L. Phelps '36 Prof. Sidney I. Picker, Jr. '59 Charles D. Porter '55 Charles F. Preuss '69 Hobert Price, Jr. '55 Ted W. Prim '72 Marc A. Primack '77 James A. Quinby '21

Richard N. Rapoport '58 William K. Rasmussen '48 Eugene B. Rauen '55 Stephan M. Ray '79 Charles W. Rees, Jr. '59 Francesca Gardner Reese '65 John R. Reese '65 William J. Renton '67 Edward S. Renwick '58 Prof. Deborah Rhode Dean Sorenson Rhodes '57 Richard W. Rhodes '52 Hon. Philip H. Richards '21 Hon. Frank K. Richardson George B. Richardson '72 Pamela Miller Ridley '79 Robert H. Rinn '27 John S. Riper '80 Emmet L. Rittenhouse '35 Hon. James F. Roach '48 James C. Roberton '69 Garv R. Roberts '75 † Weymouth M. Roberts '18 Earl M. Robins '33 David K. Robinson '46 James H. Robinson '49 Daniel B. Rosenbaum '68 Edward A. Rosenberg '48 Bruce A. Rosenfield '76

Douglas M. Ragen '67

Merrill S. Randol '73

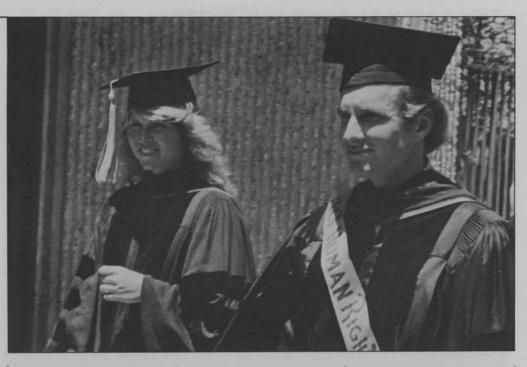
Gordon A. Rosenmeier '32 Michael R. Rosiello '76 Chester E. Ross '28 Andrew E. Rubin '74 Stephen S. Rudd '70 Edmund P. Russo '50 Jack Ryersen '50 Paul L. Saffo III '80 Charles P. Sainsbury '68 John M. Salmanowitz '78 Stephen L. Samuels '77 Hon. Robert P. Schifferman

Elizabeth Spilman Rosenfield

† Deceased

() Indicates son's or daughter's class year.

Elizabeth MacMillan Schmidt '78 Ernest W. Schmidt '52 Gregory M. Schmidt '76 Dr. George F. Schnack, A.B. '39 Arthur P. Schneider, Jr. '73 Glen W. Schofield '69 William A. Schulte '71 Christopher T. Seaver '78 James V. Selna '70 Leon E. Seltzer '74 J. Jay Shapiro '53 J. Peter Shapiro '74 Walter T. Shatford II '47 Thomas R. Shearer, Jr. '61 George E. Shibley '34 Thomas L. Shillinglaw '71 Randal B. Short '70 John D. Shyer '81 Arnold I. Siegel '70 Charles D. Siegel '75 William E. Siegert '51 Mrs. Renee B. Simon, M.S. '49 J. Calvin Simpson '52 Jean Morris Simpson '50 Robert P. Simpson '49 John B. Sines, A.B. '69 Elmer J. Sjostrom '42 Stephen H. Slabach '61 Nancy E. Smith '73 Philip G. Smith '24 Phillip K. Smith, Jr. '70 Hon. Joseph T. Sneed James H. Snell '27 William N. Snell '40 James L. Sobieski '60 John G. Sobieski '30 John R. Sorbo '49 Jerry G. South '58 Prof. and Mrs. Carl B. Spaeth Jay M. Spears '76 Kristi Cotton Spence '81 Robert L. Spence, B.S. '63 Victoria Sperry '78 Blakeney Stafford '67 Richard J. Stall, Jr. '66 Harry R. Stang '62 Ann M. Stanton '75 Richard C. Stanton '51 William W. Stark, Jr. '66



Richard R. St. Johns '54 Hon. Charles C. Stratton '28 Kim Street '72 Peter H. Strong '75 Thomas E. Stuen '74 Hon. John A. H. Sturgeon, A.B. '20 Stephen H. Suffin '56 Stephen G. Sussman '69 Thomas R. Suttner '34 Reuel R. Sutton '33 Prof. Peter N. Swan '61 John B. Swarbrick '80 John J. Sweeney '71 Charles L. Swezev '48 Katsuhiko Takaike '80 Prof. Anthony D. Tarlock '65 Russell E. Teasdale '58 Leonard M. Telleen '72 Joseph E. Terraciano '71 Douglas G. Thompson, Jr. Eckhart A. Thompson '38 Timothy Tomlinson '76 David B. Toy '60 Mrs. Carol C. Treanor, A.B. '62 James F. Tune '74

Robert H. Stephens '62 Robert C. Stetson '58 Robert M. Stern '69 Robert J. Tyler '62 Col. Julius C. Ullerich, Jr. '54 Stephen L. Urbanczyk '74 Virgil V. Vale, Jr. '48 Eric W. Valentine '61 Paul C. Valentine '61 Paul B. Van Buren '64 John K. Van de Kamp '59 David M. Van Hoesen '58 Peter Van Petten '80 Gyte VanZyl '55 Arthur E. Varden, Jr. '60 S. Garv Varga Marc B. Victor '75 Hon. Betty Morrison Vitousek '48 Roy A. Vitousek, Jr. '48 Adam von Dioszeghy '70 Charles E. Ward '46 Susan Stoll Ware '72 W. James Ware '72 Michiro Watanabe '38 George B. Weiksner Jr. '70 Sandra Smiley Weiksner '69 Laurence M. Weinberg '33

Richard P. Weldon '53 Mary Beth West '72 W. Richard West, Jr. '71 J. Patrick Whaley '59 Malcolm E. Wheeler '69 Eben Whittlesev '40 Robert E. Wickersham '42 Philip H. Wile '57 Herbert F. Wilkinson '70 Emerson C. Willey '30 Stephen A. Williams '78 Thomas K. Williams '73 Prof. Howard R. Williams Kathryn L. Wilson '72 A. Emory Wishon III '80 Kenneth E. Witt '79 Gerald G. Wolfson '51 Hon. Delbert E. Wong '48 William G. Woods, M.A. '63 David L. Worrell '70 Andrew W. Wright '71 Kenneth B. Wright '60 Richard J. Wylie '58 Jeffery L. Yablon '73 Archer W. Zamloch, Jr. '40 Ralph A. Zarefsky '76 Harvey L. Ziff '67

Harward A. Stearns '56

DONORS TO THE LAW FUND



CLASS OF 1916

† Laurel E. Anderson

CLASS OF 1917

† Irwin E. Farrar

CLASS OF 1918

James G. Craig † Weymouth M. Roberts

CLASS OF 1920

Hon. Edward Henderson George H. N. Luhrs, Jr.

CLASS OF 1921

James A. Quinby Hon, Philip H. Richards

CLASS OF 1922

George I. Devor

CLASS OF 1923

Julius Mackson Hon, Homer W. Patterson

CLASS OF 1924

James A. Flanagan

 Frank W. Fuller, Jr. Edward D. Landels Elizabeth Spilman Rosenfield Philip G. Smith

CLASS OF 1925

Christine Murdoch Goble Gasper H. Magarian

CLASS OF 1926

Hon, Leon T. David

 Northcutt Ely William F. Knapp

CLASS OF 1927

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Leighton M. Bledsoe Gregory H. Davis A. Hale Dinsmoor Harold G. King William R. Ouderkirk Chester E. Ross Hon. Charles C. Stratton

Hon. Stanley A. Weigel

CLASS OF 1929

Chester R. Andrews Robert L. Beardslee, Jr. John A. Leiter Hon, Rhoda V, Lewis

- Lawrence M. Linneman
- Robert E. Paradise Lynn S. Richards Suren M. Saroyan Hon. Gus J. Solomon Archie M. Stevenson

CLASS OF 1930

Merrill L. Carlsmith Wallace D. Cathcart

- Hon, Murray Draper Theodore J. Elias Lynn O. Hosson Sam Joseph J. Kenneth Kaseberg Gustave A, Mueller Hon, Albert Scheidecker John G, Sobieski
- Louis R. Vincenti Drummond Wilde Emerson C. Willey

CLASS OF 1931

Simon D. Anixter

- Hon. Ben. C. Duniway Raymond B. Holbrook
- Rex W. Kramer
 Frank C. Lerrigo
- William C. Stein Theodore M. Swett

CLASS OF 1932

Lazare F. Bernhard Roy C. Bonebrake

 Hon. Richard H. Chambers John M. Cranston John P. Jennings Donald W. Jordan Franklin L. Knox, Jr. John B. Lauritzen John F. O'Donnell A. Gordon Rosenmeier

CLASS OF 1933

George E. Bodle Walter J. Desmond, Jr. Hon. Victor E. Donatelli Hon. Charles M. Fox, Jr. Douglas C. Gregg Marvin Handler Arnold L. Kahn Kenneth R. Malovos Earl M. Robins

- Charles Stearns
 Edgar B. Stewart
 Hon. Frederick E. Stone
 Reuel R. Sutton
 Laurence M. Weinberg
- † Deceased
- Inner Quad member

CLASS OF 1934

Robert S. Cathcart Hon. Walter E. Craig Albert L. Denney Nathan C. Finch W. Donald Fletcher Edwin L. Gerhart David S. Jacobson H. Donald Kistler William Lyons Allan H. McCurdy

 Lester S. McElwain Bertram McLees, Jr. George E. Shibley Wadieh S. Shibley Thomas R. Suttner George L. Vargas Keene Watkins

CLASS OF 1935

Edgar A. Boyles, Jr.

S. K. Linden
Stanley J. Madden
Harvey D. Pease
Emmet L. Rittenhouse

CLASS OF 1936

George E. Baglin Francis R. Crable

- Vincent Cullinan
 Roland C. Davis
 John F. Downey
 Hon. Richard S. Goldsmith
 Harry L. Haehl
 Henry W. Low
 Mary Reclief Mulcahy
- D. Ray Owen, Jr. Louis S. Penfield Louis L. Phelps Adele Langston Rogers Hon. Bruce R. Thompson

CLASS OF 1937

Philip H. Bagley Richard A. Frank

- Joseph T. Melczer, Jr. William H. Peterson
- Keith L. Stahle George S. Swarth

CLASS OF 1938

· Avlett B. Cotton

Philip A. DiMaria Richard J. Dolwig Benjamin B. Dreyfus Randolph Jacobs Boris H. Lakusta Hon. John A. Loomis

Austin H. Peck, Jr.
 Ralph C. Raddue
 Hon. Frank K. Richardson
 Eckhart A. Thompson
 Michiro Watanabe

CLASS OF 1939

Robert N. Blewett Philip J. Brady Stephen D. Brown Albert L. Burford, Jr. Charles W. Burkett Edward L. Butterworth Leonard D. James Charles F. Jonas Remington M. Low Andrew M. Spears Ray T. Sullivan, Jr. Hon. James C. Toothaker

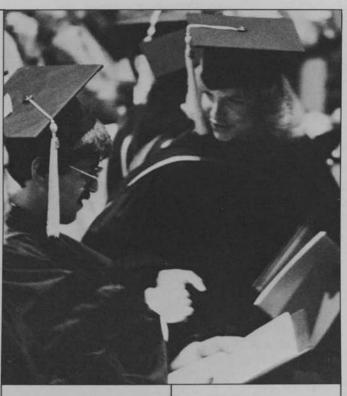
 George H. Whitney Adrian L. Wilbur, Jr. Hon. Miriam E. Wolff

CLASS OF 1940

Robert M. Adams, Jr.
Anthony J. Anastasi
Raymond J. Daba
Jesse Feldman
Hon. Charles S. Franich
Harold H. Fulkerson
Robert M. Jones
Hon. Claude M. Owens
William N. Snell
Norman A. Stoner
Harrison M. Walker
Eben Whittlesey
Earle R. Williams
Archer W. Zamloch, Jr.

CLASS OF 1941

Elmer F. Bennett William S. Boyd, Jr. George B. Campbell Albert T. Henley William Hillyer Charles F. Hutchins, Jr. Oliver M. Jamison



James R. Malott, Jr. Herbert D. Newell

CLASS OF 1942

John W. Broad
 Robert B. Curtiss
 Elmer J. Sjostrom
 Robert E. Wickersham

CLASS OF 1943

James C. Engdahl T. Newton Russell

CLASS OF 1944

Gloria Midgely Beutler
• Artemus W. Ham, Jr.

CLASS OF 1945

William W. Gllbert Francis A. Guido Marjorie Mize LeGaye Hon. Robert F. Peckham

CLASS OF 1946

Hon. Pauline Davis Hanson

George M. McLeod Beverly Ottem Mohr

 Robert M. Newell David K. Robinson Charles E. Ward

CLASS OF 1947

- James J. Baker
 Hon. William Biddick, Jr.
 Michael D. David
 Robert C. Elkus
 Gerson F. Goldsmith
 Albert M. Hart
 Martin J. Jarvis
 Lorraine Streblow
 Kongsgaard
 Frank L. Mallory
 Douglas B. McDonald
 William R. Mitchell
- Colin M. Peters
 Walter T. Shatford II
 Robert W. Sinai
 John P. Wilson
 Hon. Joseph G. Wilson
- · Inner Quad member

CLASS OF 1948

R. Winfield Achor
Hon. Edward L. Brady
Hon. Dorothy Myers Carson
Hon. William M. Dale, Jr.
William G. Eustice
Rolla L. Garretson, Jr.
William W. Glenny
Burl L. Green
Paul M. Hamerly
John J. Hannegan

- John L. Hauer
 Thomas E. Haven
- Edgar A. Luce, Jr. Duncan A. McLeod, Jr. Robert A. McNeil
- James T. Morton
 Paul W. Mouser
 Philip J. O'Donnell
 Col. H. M. Peyton
 Louise C. Powell
 William K. Rasmussen
 Hon. James F. Roach
 Edward A. Rosenberg
 John F. Runner
 Ward B. Saunders, Jr.
 Jeanne Smith Stewart
- David J. Stone Charles L. Swezey
- Warren R. Thoits
 Virgil V. Vale, Jr.
 Hon. Betty Morrison
 Vitousek
 Roy A. Vitousek, Jr.
 Ray H. Whitaker, Jr.
 Hon. Delbert E. Wong

CLASS OF 1949

- Martin Anderson George A. Andrews, Jr. Merlin W. Baker Everett H. Berberian
- Warren Christopher
- Everett B. Clary Peggy Stern Cole James R. Cunha Philip S. Ehrlich, Jr. Robert W. Elliott
- Robert J. Foley Malcolm H. Furbush
- Richard G. Hahn Frank L. Hannig

- John H. Harriman
- George M. Henzie Joseph W. Hodges, Jr.
- J. Sterling Hutcheson Kenneth I. Jones, Jr. Joseph W. Kegler Edgar C. Keller Hon. Thomas Kongsgaard R. P. Lavenant, Jr. S. Rex Lewis John E. Loomis David A. Lush Richard N. Mackay Francis J. Mackey
- Darrell P. McCrory
- Frederick W. Mielke, Jr. Theodore M. Norton B. H. Parkinson, Jr. Roland M. Paulson Daryl H. Pearson Robert W. Pendergrass George R. Pfeiffer Robert A. Prior
- Charles R. Purnell James H. Robinson Robert P. Simpson John R. Sorbo Robert R. Thompson
- Clyde E. Tritt
- Hon, Richard E. Tuttle Donald B. Webster John D. Webster Charles C. Woodard, Jr.

CLASS OF 1950

Mark G. Ancel Lawrence Bradley, Jr. Ingall W. Bull, Jr. Carl P. Burke Thomas B. Catron III Frank Church Hon. John L. Cole Howard M. Daschbach Leslie N. Duryea II Ledger D. Free Francis J. Gavin, Jr. Norman H. Gottlieb Mortimer H. Herzstein

 James R. Hutter John D. Jorgenson Beatrice Gliksberg Kushner William J. Lasarow Elton F. Martin Thomas W. McKinsey Donald W. Morrison Richard F. Outcault, Jr.

- Karl S. Price
 Phyllis Sutherland Proppe
 Edmund P. Russo
- G. Williams Rutherford Jack Ryersen Hon, Harmon G. Scoville
- Barton C. Sheela, Jr. Jean Morris Simpson
- Frank D. Tatum, Jr.
- Waller Taylor II
- Harlan K. Veal
- · Henry Wheeler

CLASS OF 1951

Howard P. Allen Brewster L. Arms Hon. Joseph G. Babich Ezekiel Booth, Jr. Lewis H. Butler

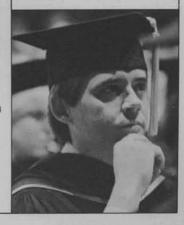
- S. C. Chillingworth Robert C. Clifford
- William B. Collister Sherrod S. Davis J. Randolph Elliott John B. Fenner Thomas J. Foley Floyd A. Fredrickson Scott L. Harrington
- . David B. Heyler, Jr.
- · Albert J. Horn
- Ellis J. Horvitz
- Douglas B. Hughmanick Clayton R. Janssen, Jr.
- Edmund H. Kerr William Leiter
- Lloyd W. Mason Dennis McCarthy Bruce T. Mitchell Charles E. Montgomery Peter C. Morris Maj. Gen. Harold E. Parker
- · Alvin H. Pelavin
- Carter Quinby
- Norman B. Richards
 Richard D. Sanders
 Hon. Robert P. Schifferman
- Hugh Shearer III
 William E. Siegert
- Marshall L. Small Richard C. Stanton

- Irving Sulmeyer
- Robert H. Thede Robert O. Wilhelm Gerald G. Wolfson

CLASS OF 1952

Richard C. Amick Dean A. Bailey Bruce A. Bevan, Jr. James B. Bolen, Jr.

- Anthony P. Brown
- Philip E. Brown Joseph E. Cook Fred V. Cummings
- Charles C. Dietrich
- · George R. Doty Jonathan C. Eaton, Jr. Terence M. Flynn Ted R. Frame Richard E. Good Lin H. Griffith Louis A. Harris Victor H. Hexter II Hon. W. R. Hollingsworth, Jr. Donald B. Jarvis William P. Keats William T. Keogh Monroe W. Kirkman Beatrice Challiss Laws Arthur J. Lempert James D. Loebl R. P. Martinelli Tally P. Mastrangelo Bruce G. McGregor Charles J. Miller, Jr.
- Hon. Sandra Day O'Connor Rose Oliver Jack Paul
- Inner Quad member



Hon. Richard W. Rhodes Miles L. Rubin Ernest W. Schmidt

- Glen E. Stephens Gerald S. Thede John F. Wells Robert D. Wenzel
- · Charles R. Wichman

CLASS OF 1953

Luther J. Avery James R. Baird, Jr. Richard M. Blois

- Jerome I. Braun Richard W. Bridges Merlin W. Call Sterling S. Clayton Saul Cohen Sterling D. Colton
- James F. Crafts, Jr. Dixon Q. Dern
- G. Edward Fitzgerald George F. Flewelling
- Lee A. Hansen
 Arthur A. Henzell
 Peter J. Hughes
 William P. Irwin
 Everett S. Layman, Jr.
 Catherine Lockridge Lee
- Victor B. Levit Robert J. Lewis James R. Maurer Myri A. Meyer John D. Miller
- Peter Morrison Charles S. Mullen
- John J. O'Connor III
 J. Dan Olincy
 Hon. Lester E. Olson
 Stuart T. Peeler
- James H. Perkins

 Jay Shapiro
 James C. Soper
 Richard P. Weldon
 Audrey Shroyer Woodward

CLASS OF 1954

 Stephen Barnett John P. Borgwardt William H. Cook, Jr.

- Hal L. Coskey
- Frank E. Farella
 Allan S. Glikbarg
- · Victor Goehring
- Hon. Cynthia Holcomb Hall Oscar F. Irwin Hon. Wilbur R. Johnson
- Charles A. Legge
 Roy D. Miller
 Hon. William A. Norris
 Stanley R. Norton
 Chalmers W. Smith
- Richard B. Snell Richard R. St. Johns
- Paul W. Swinford Keith E. Taylor Frederick G. Tellam Col. J. C. Ullerich, Jr. Robert R. Wulff

CLASS OF 1955

Jay A. Canel Nicholas B. Clinch

- Richard D. DeLuce David Freeman
- Del Fuller, Jr.
- Roderick M. Hills
- Philip J. Hudner Hon. Harry L. Hupp Willis W. Jourdan, Jr. Bernard C. Kearns
- Herbert Kraus
 Donald J. Licker
 Hon. Mack P. Lovett
- Walter P. Lukens James M. Mitchell Marvin D. Morgenstein Arnold Oinonen Jay I. Olnek Charles D. Porter Newman R. Porter Hobert Price, Jr. Eugene B. Rauen
- Justin M. Roach, Jr. Donald Rosenberg
- Myrl R. Scott
- Charles D. Silverberg Gyte VanZyl Robert I. Worth

CLASS OF 1956

Hon. Seymour J. Abrahams

· William H. Allen



Richard D. Andrews

- John W. Armagost
- John F. Banker
 B. Thomas Barnard
 Wayne A. Brooks
 William J. Codiga
 Jack D. Fine
 Marshall L. Foreman, Jr.
 Morton L. W. Friedman
 Philip C. Fullerton
 Joseph A. Giordano
- Leonard A. Goldman
 Allen B. Gresham
 Edwin V. Grundstrom
 Harlan F. Harmsen
 Charles E. Luckhardt, Jr.
 James R. Mazzoni, Jr.
 James R. Moore
 William F. Rinehart
 Ernest Y. Sevier
 Harward A. Stearns
 Stephen H. Suffin
 Robert R. Vayssie

CLASS OF 1957

Robert A. Anthony John F. Bradley F. M. Brosio, Jr. Laurence K. Brown

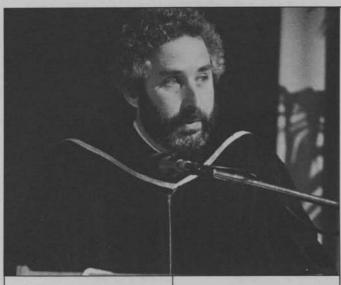
- Richard Carver Hon. William H. Ellis Chandler Flickinger Paul L. Freese
- Jerome L. Goldberg Isaac Goodman Hon. Charles Gordon Robert R. Granucci

- · John F. Hopkins
- Philip D. Irwin
- Jerome C. Muys
 George H. Norton
 James R. Renfroe
 Dean Sorenson Rhodes
 Charles L. Rogers
- Ronald S. Rosen
 Dennis H. Vaughn
 Hon. Philip M. Saeta
- Douglas C. White Philip H. Wile

CLASS OF 1958

Carlos T. Bea Hon, Iryne Codon Black

- Guy Blase
 Hon. Walter P. Capaccioli
 George M. Carr
- Donald W. Crocker James T. Danaher III
- Mark L. Dees
 George V. Denny III
- Robin D. Faisant
 David L. Fletcher
 Roth A. Gatewood
 Hon. Thomas P. Griesa
- James O. Hewitt Hon. Proctor R. Hug, Jr. John M. Huntington
- Russell L. Johnson
 Dr. Joseph M. Jones
 Hon, M. Peter Katsufrakis
 William B. Keleher
 Robert A. Keller III
- Inner Quad member



- Thomas R. Mitchell R. Chandler Myers
- Donald V. Petroni
 Keith A. Pursel
 Brooks G. Ragen
 Richard N. Rapoport
 Edward S. Renwick
 Jerry G. South
 Robert C. Stetson
 Russell E. Teasdale
 David M. Van Hoesen
 George V. Willoughby, Jr.
 Richard J. Wylie
 Karl ZoBell

CLASS OF 1959

Philip W. Aaron John W. Alden Stephen A. Bauman

- James W. Boyle Fred Caploe Ransom S. Cook Stephen D. Docter Norbert Ehrenfreund
- Howard N. Ellman Merrill R. Francis Arnold B. Haims
- · James W. Hamilton
- John Paul Hanna Rena Ellis Hines
 E. Paul Homrighausen Michael G. Kadens
 Charles W. Key
 Edmund T. King II

Andrew B. Kjos Hans H. Koehl James D. Kowal Russel I. Kully Lloyd S. Kurtz, Jr. James E. Linneman Richard D. Maltzman George E. McGill Prof. Sidney I. Picker, Jr. Anthony R. Pierno Charles W. Rees, Jr.

- Lawrence J. Sheehan John K. Van de Kamp Robert J. Wager
- Walter L. Weisman Robert D. Wenzel J. Patrick Whaley

CLASS OF 1960

Robert F. Ames
Joseph W. Bartlett II
Peter C. Bradford
Rudi M. Brewster
Robert Caplan
David C. Carr
Clinton K. L. Ching
Neale E. Creamer
William C. Deans
Maxwell H. Freeman
Brooke Grant
John R. Griffiths
Dale E. Hanst
Daryl R. Hawkins
Michael G. Holmes

Douglas G. Houser Harold J. Hunter, Jr. Robert E. Hurley

- Robert L. King Paul B. Kuhl Richard B. Leavitt Robert J. Miller
- Kendyl K. Monroe
 D. Monte Pascoe
- Paul A. Randour Jerry H. Robinson Jerald E. Rosenblum
- David L. Sandborg Joel H. Sharp John E. Sloan
- Richard E. Sobelle James L. Sobieski David B. Toy Arthur E. Varden, Jr. Alan Wayte Richard D. Wells Kenneth B. Wright

CLASS OF 1961

Gerald B. Ames Sheldon S. Baker John B. Clark Harry C. Donkers David H. Eaton Robert F. Fisher Albert Francke III W. A. Franke David A. Gill Edward G. Green Chauncey G. Griswold John J. Hamlyn, Jr. Thomas C. Ingledue Stephen L. Kanne Charles F. Lipman Nancy Curtis Lofts Donald W. Malouf John A. Meschke Thomas J. O'Keefe

Thomas J. O'Keefe
Paul K. Robertson
Stanford K. Rubin
Hon. Winifred Johnson
Sharp
Thomas R. Shearer, Jr.
Marvin S. Siegel
Stephen H. Slabach
Stanley H. Solomon
David B. Strain
Prof. Peter N. Swan

Anthony J. Trepel Paul C. Valentine Roderick E. Walston H. Neal Wells III Philip C. Wilcox, Jr.

CLASS OF 1962

Hon. Daniel B. Bartlett James H. Bennett Brian G. Booth Jared G. Carter Daryl C. Dawson Scott F. Dool Howard D. Fabrick Dennis B. Farrar Bernard M. Filler

- Kenton C. Granger Don T. Hibner, Jr. Donald G. Hinkle Donald A. Jackson Bart Koeppen Richard S. Levenberg John D. MacFarlane Lincoln A. Mitchell Hon. Patrick J. Morris
- John M. Rolls, Jr. Michael S. Sands
- Kerry C. Smith
 Harry R. Stang
 George E. Stephens, Jr.
 Robert H. Stephens
 John A. Sturgeon
 Robert J. Tyler
 Richard C. White
- Bernard M. Wolfe Richard C. Wydick

CLASS OF 1963

Karl H. Bertelsen
Paul G. Bower
Monte Bricker
W. Edward Chynoweth
Roy E. Crawford III
Richard D. Dreyfus
Hon. Mark L. Eaton
Terrance L. Farina
Douglas P. Ferguson
Alfred G. Ferris

- John Freidenrich Don J. Gelber Theodore W. Graham
- Inner Quad member

Thomas C, Harden Francis S. M. Hodsoll John W. Kennedy, Jr. Carl D. Lawson Richard Y. LeMaster F. Jack Liebau James P. Lindsay Janet Gertmenian MacFarlane

 Richard K. Mallery Gerald Z. Marer Harry R. McPike Marvin L. Mizis Richard H. Nicholls Ralph B. Perry III Richard E. Rader F. DeArmond Sharp Kirt F. Zeigler

CLASS OF 1964

Stuart I. Berton Norman I. Book Brooksley E. Born James S. Campbell Edwin R. Cline Theodore J. Cranston Stanley A. Doten Hon. Philip Fahringer Frederick S. Fields Charles R. Fowler

- James C. Gaither Hon. Ronald M. George
- Bruce L. Gitelson Joseph H. Gordon, Jr. Ronald M. Greenberg Kenneth G. Griffin H. Robert Hall C. Stephen Heard, Jr. William A. Hillhouse II W. Conrad Hoskins John B. Hurlbut, Jr. David L. Irons Robert K. Johnson Maynard J. Klein Ronald S. Leudemann Robert T. Mautz Russell R. Palmer, Jr. Morton Rible Wilfrid F. Roberge, Jr. Hon. Pamela A. Rymer John K. Stewart Paul B. Van Buren James M. Wadsworth

CLASS OF 1965

Richard F. Barry Geoffrey C. Beaumont Thomas E. Bertelsen Joseph W. Burdett James T. Caleshu Alden F. Danner Brian T. Dolan John S. Eckels Michael R. Flicker Arthur J. Fritz, Jr. Raymond Glickman Bruce G. Hanson John R. Hassen Edward S. Lebowitz Fred B. Miller James E. Mitchell Seth D. Montgomery James C. Muir, Jr. Robert A. Nebrig, Jr. LeRoy J. Neider William B. Patrick Francesca Gardner Reese John R. Reese Osborne M. Reynolds, Jr. Charles B. Stark, Jr.

Ronald L. Styn
 Anthony D. Tarlock

CLASS OF 1966

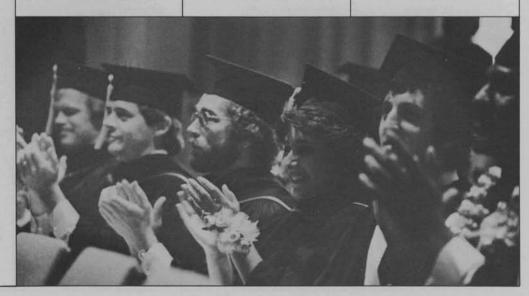
Peter D. Baird Stephen M. Blitz Theodore Clattenburg, Jr. Lawrence M. Cohn Quentin L. Cook

- J. Nicholas Counter III Thomas A. Craven
- · James E. Culhane Robert R. Davis, Jr. William A. Dorland John H. Dudley, Jr. Roger B. Dworkin Robert S. Epstein Raymond C. Fisher Michael C. Gessford Jens A. Hansen Norman E. Hill Alan S. Kamin Sandford B. King-Smith Jav S. Kittle David K. Lelewer J. Markham Marshall John B. McCobb, Jr. David M. Munro Donald E. Nicol George E. Olmstead Carol M. Petersen Roy J. Schmidt Robert S. Schneider
- Kandis Vengris Scott Wylie R. Sheldon Richard J. Stall, Jr. William W. Stark, Jr. Brett C. Stearns J. Richard Thesing Kenneth D. Walters

CLASS OF 1967

Allan C. Anderson Lisa Anderson

- Charles G. Armstrong Gene L. Armstrong
- William H. Armstrong Sara Twaddle Baird David H. Barber John W. Bartman Gary G. Bayer
- John W. Brahm Coleman Bresee Charlotte Brown Marion L. Brown Thomas R. Burke
- William M. Burke Neil Carrey Timothy R. Casgar Michael A. Cornelius Ralph Ehrenpreis John P. Emert Philip L. Fisher
- James M. Galbraith David A. Gantz Leonard A. Girard Michael E. Gold David A. Goldfarb Brenton F. Goodrich Keith C. Groen Andrew B. Gustafson Richard K. Harray Rex A. Heeseman Joseph H. Huber Douglas B. Jensen William P. Johnson Roger M. Kirkpatrick
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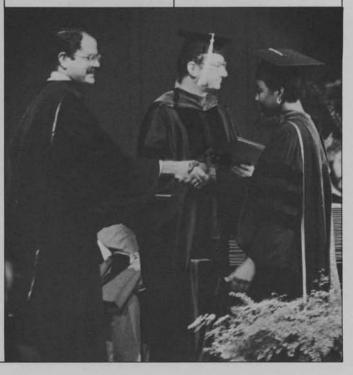
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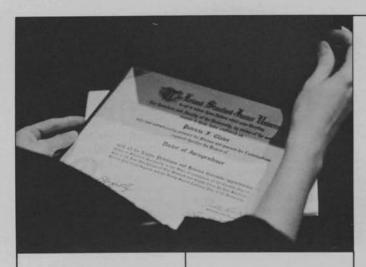
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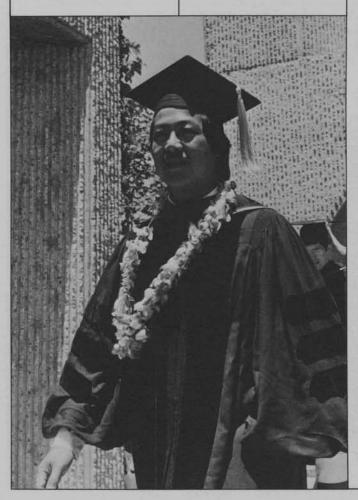
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HIGHEST LEVELS OF PARTICIPATION

Class	Participation	Chairperson
1973	54%	Edward A. Firestone
1951	46	Douglas B. Hughmanick
1967	43	David C. Loring
1955	41	Newman R. Porter
1952	40	Arthur J. Lempert
1960	39	Robert E. Hurley
1969	39	Jay S. Berlinsky
1956	38	William J. Codiga
1970	36	Gilbert C. Berkeley, Jr.
1961	35	Anthony J. Trepel

LARGEST TOTAL CONTRIBUTIONS

Class	Amount	Chairperson		
1951	\$33,693	Douglas B. Hughmanick		
1967	31,914	David C. Loring		
1959	25,312	Lloyd S. Kurtz, Jr.		
1955	23,063	Newman R. Porter		
1958	21,611	Thomas R. Mitchell		
1971	16.301	Lucinda Lee		
1948	15,584	James D. Harris		
1962	15,379	Kerry C. Smith		
1969	15,015	Jay S. Berlinsky		
1968	14,480	Donald E. Phillipson		

COMPARATIVE CONTRIBUTIONS BY CLASS

	1981			1982		
Class	Donors	Total	Participation	Donors	Total	Participation
1916	1	\$ 100	25%	1	\$ 100	33%
1917	2 2	1,065	100	1	40	100
1918	2	300	100	2	425	100
1920	1	100	11	2 2	250	22
1921	4	235	57	2	200	66
1922	2	875	40	1	100	20
1923	3	735	33	2	250	33
1924	6	16,946	50	2 6 2 2 7	7,313	50
1925	1	80	15	2	115	28
1926	4	1,537	27	2	200	16
1927	8 7	1,643	40	7	1,333	39
1928	7	3,481	35	8 9	2,815	32
1929	10	7,275	38	9	6,560	41
1930	14	4,172	54	11	3,713	44
1931	10	4,230	37	7	3,445	29
1932	14	3,876	42	9	2,825	27
1933	12	5,175	38	14	6,475	45
1934	15	4,760	43	17	3,435	57
1935	6	3,350	32	5	3,350	28
1936	8	6,281	27	14	5,485	50
1937	8	8,442	44	6	3,120	33
1938	10	4,650	38	14	5,500	56
1939	15	3,965	45	13	3,260	41
1940	7	1,975	21	15	1,825	48
1941	9	1,175	36	8	875	32
1942	3	2,250	16	4	1,575	21
1943	2	600	17	2	600	20
1944	2	1,100	67	1	1,000	33
1945	3 2 2 2 3	325	33	4	400	57
1946	6	1,500	40	6	2,300	43
1947	16	5,303	35	17	5,063	38
1948	37	42,475	33	32	15,584	30
1949	52	24,193	38	52	31,350	38

LARGEST NUMBERS OF CONTRIBUTORS

Class	Contributors	Chairperson
1973	84	Edward A. Firestone
1967	60	David C. Loring
1969	54	Jay S. Berlinsky
1971	53	Lucinda Lee
1970	49	Gilbert C. Berkeley, Jr.
1972	49	W. James Ware
1951	46	Douglas B. Hughmanick
1968	45	Donald E. Phillipson
1952	40	Arthur J. Lempert
1976	39	John J. Sabl

LARGEST AVERAGE GIFT AMOUNT

	The second secon				
Class	Amount	Chairperson			
1955	\$824	Newman R. Porter			
1951	732	Douglas B. Hughmanick			
1959	666	Lloyd S. Kurtz, Jr.			
1958	655	Thomas R. Mitchell			
1954	570	Paul W. Swinford			
1967	532	David C. Loring			
1962	496	Kerry C. Smith			
1948	487	James D. Harris			
1957	450	Douglas C. White/ William E. Murane			
1963	419	Karl H. Bertelsen			

COMPARATIVE CONTRIBUTIONS (Continued)

		1981			1982		
Class	Donors	Total	Participation	Donors	Total	Participation	
1950	31	27,279	25	33	13,800	29	
1951	44	32,036	41	46	33,693	46	
1952	38	12,197	38	40	12,991	40	
1953	34	15,560	39	37	18,788	44	
1954	24	17,000	29	22	12,536	28	
1955	28	17,362	41	28	23,063	41	
1956	22	10,210	29	28	11,272	38	
1957	27	11,213	32	29	13,063	34	
1958	28	10,820	26	33	21,611	31	
1959	32	26,533	28	38	25,312	34	
1960	35	14,056	36	37	12,859	39	
1961	27	4,030	29	32	5,920	35	
1962	27	12,520	25	31	15,379	29	
1963	29	10,206	29	28	11,720	30	
1964	32	45,033	26	30	10,180	25	
1965	30	5,545	27	25	4,941	24	
1966	34	8,515	24	34	8,444	24	
1967	54	14,899	37	60	31,914	43	
1968	48	14,881	33	45	14,480	32	
1969	38	8,135	27	54	15,015	39	
1970	42	8,300	34	49	9,020	36	
1971	57	22,647	32	53	16,301	31	
1972	44	7,878	27	49	10,160	31	
1973	69	10,035	44	84	12,405	54	
1974	30	3,172	20	30	3,235	21	
1975	46	6,068	28	35	5,805	22	
1976	31	2,910	21	39	4,795	26	
1977	25	12,711	17	29	4,487	21	
1978	20	1,340	12	29	3,145	18	
1979	22	1,535	13	22	2,045	14	
1980	21	1,072	12	29	3,185	17	
1981	1	25		28	1,500	17	
TOTALS	1370	\$594,892	29.2%	1481	\$513,946	31.2%	

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REUNION GIVING

While class reunions provide the opportunity to celebrate the past and present, the reunion giving programs enable alumni/ae to commemorate feelings for Stanford Law School and to demonstrate pride in its accomplishments. Current students enjoy the Forty-Niner Room, the student lounge built with the proceeds from the twenty-fifth reunion effort of the Class of 1949. Many students have received scholarship or loan aid provided by the reunion efforts of a number of classes. Other classes have established book funds or supported the Law School in other ways. The generosity of these and other reunion classes has enabled the Law School to give its students the best legal education possible. The School gratefully acknowledges the efforts of the 1982 reunion classes.

Reunion	Class	Gifts
50th	1932	\$ 2,825
45th	1937	3,120
40th	1942	1,575
35th	1947	5,063
30th	1952	12,991
25th	1957	13,063
20th	1962	15,379
15th	1967	31,914
10th	1972	10,160
5th	1977	4,487
Total		\$100,577



MATCHING GIFTS

Matching gift programs have been instituted by numerous businesses and corporations and are an integral part of corporate philanthropy to higher education. Law firms, too, are increasingly establishing gift funds to be used to match contributions. Most of these plans are designed to encourage the support of legal education by attorneys.

In an era in which the private sector is increasingly looked to for support of education, the Law School gratefully acknowledges those corporations, businesses, foundations and law firms which made gifts to the 1982 Law Fund through matching gift programs.

In a few instances, an individual's gift was received in 1982 but the matching gift was not received until 1983. In such cases, the individual's gift is acknowledged in this report and the organization contributing the matching portion will be acknowledged in the 1983 report. Both gifts are deeply appreciated.

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