

Stanford

LAWYER



Juries on trial

A dialogue

STANFORD LAW REVIEW



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- "50th Anniversary Remarks" Associate Justice Sandra Day O'Connor '52
"Gerrymanders: The Good, the Bad, and the Ugly" John Hart Ely
"Mandating Anonymity in Campaign Finance Contributions" Ian Ayres and Jeremy Bulow
"Cyberspace Privacy" Jerry Kang
"Judges as Advice Givers" Neal Katyal
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Cass Sunstein, and Richard Thaler
"Review of James Q. Wilson's *Moral Judgment:
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**Stanford
Law Review**



LEGISLATIVE FOREWORD

theContents

I S S U E 5 2 , S P R I N G 1 9 9 8

F E A T U R E S

16

Juries on Trial

A dialogue featuring the School's inaugural Judge John Crown Professor and a colleague fresh from the front:
Barbara Allen Babcock and George Fisher

20

Professors in Print

Three excerpts and a current bibliography.
Compiled by Erika Wayne

D E P A R T M E N T S

3

News Briefs

Celebrating a Nobel laureate, a Stanford victory for public service loan recipients, and more.

14

From the Dean

Why professors should write, as well as teach.

23

Classmates & Sidebars

The ever-popular class columns, with sidebars on:
the head of the Commodity Futures
Trading Commission . . . **31**
the DOJ's immigrant-labor expert . . . **43**
the DOE's assistant secretary for renewable energy . . . **45**
and five alumni who are "In Print."

32

Alumni Weekend 1997

57

In Memoriam

58

Law Gatherings

Inside Back Cover

Coming Events



C O V E R

Professors Barbara Allen Babcock
(a former defense attorney)
and George Fisher (a former prosecutor)
shed light on our oft-maligned jury system.
Photograph by Lori Eanes

Letters

Tax Reform

I enjoyed Professor Bankman's article relative to reformation of the current income tax law ["Tax Reform," *Stanford Lawyer*, Fall 1997]. I was also pleased to note that, while the sidebar referred primarily to a flat tax plan, it also made mention of a consumption tax.

It has long troubled me, however, that even when a consumption tax is mentioned by an economist or a politician, there is never expressed the fundamental reason why such a tax is the fairest kind of tax: that it taxes the use—and hence the inability of anyone else to use—the resources of the earth, which once belonged to no one, or to all mankind, or (arguably) to all creatures.

To me, it is difficult to understand how conservationists and environmentalists, sociologists and philosophers, or anyone concerned with what is happening to our planet and human life thereon, can fail to understand and appreciate the concept of returning to society via taxes some consideration for that which one draws from the primary asset of society, the world resources.

I have drafted a brief essay suggesting some thought that might open the mind to consider what reasoning society should use as its basis for taxation . . .

—Edgar C. Keller '49

① For a copy of the aforementioned essay, "A Polemic for Social Consciousness in Taxation," contact Mr. Keller at 323 West Court St., Suite 302, San Bernardino, CA 923401; telephone 909/889-2681; or fax 909/888-6077.

Magazine Reorientation

The new *Stanford Lawyer* is on the mark. I'm very impressed.

—Alan Pick '70

Thanks for the splendid magazine.

—Judith Tracy '91

Letters may be sent to the *Stanford Lawyer* Editor, Stanford Law School, Crown Quadrangle, 559 Nathan Abbott Way, Stanford, CA 94305-8610. Fax: 650/725-9786. E-mail: Law.Alum.Pubs@forsythe.stanford.edu

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news Briefs

S P R I N G 1 9 9 8

A quick update on your Law School, its impact, and ways you can enjoy its resources and activities.

Former professor wins Nobel Prize in economics

Myron Scholes helped develop method for valuing variable assets



Laureate with daughters

Though there's no Nobel Prize in law, the School recently had reason to celebrate news from Stockholm: Former professor Myron Scholes won the 1997 Nobel Memorial Prize in Economic Sciences. He shared the honor with Robert C. Merton of Harvard Business School.

Scholes joined the Stanford Law School faculty in 1983 in the first-ever joint appointment between the Law School and the Graduate School of Business.

An economist by training, he

taught finance to law students for five years before giving up his law school affiliation to become a research associate at the Hoover Institution.

Scholes is currently the GSB's Frank E. Buck Professor of Finance, Emeritus, and a principal and limited partner of Long-Term Capital Management, L.P., a firm he cofounded in 1994.

Scholes and Merton (along with the late Fischer Black) originally developed a method for valuing stock options and, it happened, a variety of other derivatives. The methodology has since proven useful in many contexts. "Corporate strategists use the theory to evaluate business decisions; bond analysts use it to value risky debt; regulators use it to value deposit insurance; wildcatters use it to value exploration leases," said *The Economist* magazine in 1991. It has even been employed to value the option to settle a lawsuit, and is used by the Internal Revenue Service and the courts to value option contracts. Indeed, notes *The Economist*, "the model can be used to examine any 'contract' whose worth depends on the uncertain future value of an 'asset.'"

① Stanford press release: <http://www-leland.stanford.edu/dept/news/release/971014scholes.html>

Public interest grads saved from tax ambush

Stanford initiative has national impact

If someone loans you money and later forgives the loan, do you have to pay income tax on the amount forgiven? Generally, yes.

But what if the loan is made by an educational or other nonprofit institution to encourage public service? And what if the recipient is an altruistic graduate who has served for years in a relatively low-paid public interest job?

Given the ambiguity of the tax code, no one—the Internal Revenue Service, the lending schools, or the recipients—could be sure.

The question is more than academic. Some of the initial recipients of Stanford Law School's pioneering Loan Repayment Assistance Program (LRAP—see box on page 5) have served long enough to have their loans forgiven by the School. Would they then be hit by huge tax bills? If so, Tom Waldo '87 (pictured on p. 4) and other public interest lawyers with LRAP loans might ultimately be forced to abandon the work they love—defeating the whole purpose of LRAP. This tax

Continued on page 4

threat has implications not only for Stanford and its alumni, but also for similar law and other graduate school programs throughout the nation.

Two attempts in previous years to pass legislation protecting LRAP-type loans from taxation had foundered. Undeterred, Stanford Law School initiated a third—and successful—effort. It turned out to be an interesting lesson in how Washington works.

Here are some excerpts from the diary maintained by Andrew Podolsky, the School's Manager of Administrative Programs and point person on the effort to ensure that public interest loan cancellations will not be subject to taxation.

9/18/96 Something has to be done—and soon—to protect our LRAP participants from whopping tax bills. But can we succeed where others failed? Les Ramirez, a JSD student who recently spent a year in Washington as a White House Fellow, has suggested we start with the administration. His phone calls produce a solid referral to the Treasury Department.

9/24/96 Got a go-ahead from Frank Brucato [Stanford Law School's Associate Dean for Administration] to call the Treasury's Senior Analyst for Tax Policy. She agrees to shepherd a solution through the bureaucracy.

10/22/96 Today Frank and I met with Larry Horton, the University's Director of Government & Community Relations. Larry believes it may be possible to get legislation making canceled LRAP loans nontaxable—but nothing in politics can be guaranteed. We will need the cooperation of both the administration and Congress.

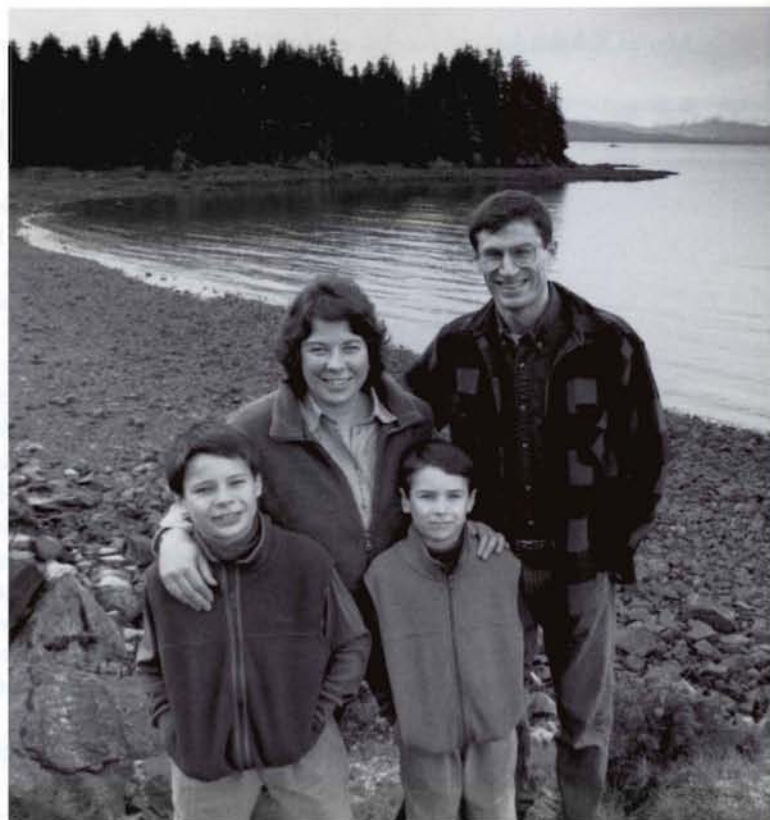
10/29/96 [Stanford President] Gerhard Casper approved putting the University's name—and resources—behind the Law School's proposal.

11/27/96 The day before Thanksgiving. A frenzy of phone calls from Washington started

at 3:45 p.m. We will meet with the Treasury Department's Assistant Secretary for Tax Policy, Donald Lubick, next week!

12/3/96 On a plane to Washington: Joe Bankman [Ralph M. Parsons Professor of Law & Business] has cut short a family ski trip to accompany Frank, Larry, and me. I hope it turns out to be worth it.

12/4/96 A very successful meeting. We spent almost an hour with Lubick and several of his staff. They will try to include our proposal in next year's federal budget. Having Joe and Larry there really helped.



LRAP participant Tom Waldo '87 is dedicated to reforming the timber program in Alaska's Tongass National Forest—a program that, he says, "not only ravages old growth habitat, but also costs taxpayers some \$30 million a year in subsidies." Once president of the Stanford Environmental Law Society, Tom is a staff attorney for the Earthjustice Legal Defense Fund (formerly titled Sierra Club Legal Defense Fund). He and his wife, Anitra Fagre Waldo '87, live modestly with their two children in Juneau. "A big tax bill would have wiped us out," says Tom.

2/6/97 Hurrah! The President referred to our idea in a press conference, and it got a sentence in the administration's proposed 1998 budget.

3/26/97 The Treasury Department released proposed legislative language to amend the Internal Revenue Code. Now we must find members of Congress to introduce the language formally.

4/24/97 Dale Tate of Stanford University's Government & Community Relations Department has sacrificed her vacation to contact Stanford's friends in Congress and to muster support from other schools with public interest loan programs.

6/12/97 Congressman Xavier Becerra, JD '84, serves on the House Ways & Means Committee. He recently introduced the proposed language, and today it passed in the House.

6/27/97 Sen. Chris Dodd introduced the proposal on the Senate floor late last night. It passed by a voice vote.

7/22/97 Yikes! Members of Congress are threatening to strip our proposal from the budget before sending the reconciled version to the President. The Treasury Department had included a provision unrelated to public interest loans, and the *Wall Street Journal* has run an op-ed opposing it.

7/28/97 Compromise achieved. The objectionable provision has been deleted, and the public interest loan language remains. Close call.

7/31/97 The 1998 federal budget, including the LRAP provision, has been approved by Congress and awaits the President's signature to become law.

8/5/97 In a nationally televised ceremony, President Clinton today signed the Taxpayer Relief Act of 1997 into law. We had a small celebration in Crocker Garden—I guess my diary ends here.

9/24/97 Oops. The Treasury Department called to say that a technical clarification is needed and will be going to Congress soon. Will this ever end?

12/20/97 We remain optimistic that the substance of the legislation shielding canceled LRAP loans from taxation will survive the legislative meat grinder. In the meantime, thanks are due to many individuals who worked together to ensure that a tax glitch would not undermine the purpose and success of public interest loan programs all over the country.

① Andrew Podolsky, Manager, Administrative Programs, 650/725-3275 or e-mail: andrewp@leland.stanford.edu

Public Service (LRAP) Loans

Stanford Law School is committed to providing its graduates with a choice of careers regardless of their financial resources. In 1985, the School acted to lower the barriers to public interest careers by establishing one of the nation's first Loan Repayment Assistance Programs (LRAP).

How it works. LRAP helps graduates in low-paying public interest positions repay their educational debt by awarding them new loans that may be partially or completely forgiven depending on the number of years of qualifying employment following Law School. A graduate may now earn complete forgiveness of his or her LRAP loans after five years of full-time public interest work.

Recipients. About 80 Stanford Law School graduates in public interest work are currently receiving help with their educational loans. Ten participants are expected to qualify for LRAP loan forgiveness in 1998.

Benefactors. Harle and the late Kenneth Montgomery, and Miles '52 and Nancy Rubin.

Financial need. The growing success of the program, measured by participation, has raised the cost to \$450,000 this year. Ultimately, the School's LRAP costs are expected to stabilize at between \$500,000 and \$550,000 annually. The permanence of this public interest loan program depends upon raising its endowment by \$10 million.

Today's law students generally labor under a burden of education debt almost unimaginable to graduates of a decade or more ago. (The average debt accrued by members of the Class of 1997 was \$65,513.) Contributions toward student aid of all kinds are both needed and welcome.

① For information on these and other giving opportunities, contact Catherine Nardone, Director of Development, 650/725-8115, or e-mail: rinnie.nardone@forsythe.stanford.edu

Listmakers discover many national leaders among current faculty

Mid-career and junior professors gain recognition

The faculty of Stanford Law School abounds in talent and leadership. The School knows it, and now the media seem to know it, too. The past year has produced the following citations:

Miguel A. Méndez is one of the "100 Most Influential Hispanics for 1997," according to *Hispanic Business* magazine (October 1997). Reportedly the only tenured Hispanic professor at the top three law schools, Méndez is an expert on criminal law and procedure and the School's Adelbert H. Sweet Professor of Law. He was recently honored by the California legislature (in a special resolution) upon his twentieth anniversary as a Stanford Law School professor, and by Public Advocates for twenty years of service as an Advocates board member and chair.



GOULD

William B. Gould IV has for the second year been listed by *Ebony* magazine (May 1997) among its "100+ Most Influential Black Americans and Organization Leaders."

The outspoken labor law expert was also the subject of the cover article in the September 1996 *California Lawyer*. Now on leave as Charles A. Beardsley Professor of Law, Gould has been chairman of the National Labor Relations Board since March 1994.



BREST

Paul Brest is one of the "100 most influential lawyers in America", selected by the *National Law Journal* for its annual Profiles in Power roster (April 28, 1997). Cited as both a constitutional law scholar and an innovative legal educator, Brest has been Richard E. Lang Professor of Law and Dean since 1987.

Joseph Grundfest is also a 1997 *National Law Journal* honoree, in his case for being a "leader in the corporate governance movement," advisor to the New York Stock Exchange and Federal Reserve System, and other roles. Grundfest and his associates on the Securities Class Action Clearinghouse website team received a *Computerworld* Smithsonian Award on June 9, 1997, for their innovative use of information technology.

Also the subject of a feature article in *AmLaw Tech* ("The Netty Professor," Spring 1997), Grundfest is Stanford's first W. A. Franke Professor of Law and Business.

Paul Goldstein was named to the "Century Club" of "100 people to watch as America prepares to go through the gate of the next millennium" (*Newsweek*, April 21, 1997). An authority on intellectual property, Goldstein is the School's Stella W. and Ira S. Lillick Professor of Law.

Ronald J. Gilson wrote one of the "best corporate and securities articles of 1996," according to *Corporate Practice Commentator* (vol. 39, no. 1, 1997). The article is "Corporate Governance and Economic Efficiency: When Do Institutions Matter?" 74 *Wash U LQ* 327. Gilson is the School's Charles J. Meyers Professor of Law and Business.

Michael Klausner, who joined the faculty in 1997 as a full professor, is coauthor (with Marcel Kahan) of another *Corporate Practice Commentator* top ten, "Path Dependence in Corporate Contracting: Increasing Returns, Herd Behavior and Cognitive Biases," 74 *Wash U LQ* 347.

Pamela Karlan, a voting rights champion who recently signed on as a full

professor, was among "The Public Sector 45" singled out by the *American Lawyer* (January/February 1997). Presently a member of the University of Virginia faculty, she plans to take up residence at Stanford for the opening of the 1998/99 school year.

Kathleen Sullivan is a "legal eagle" and one of the state's "most influential lawyers," according to *California Lawyer* (December 1996). Sullivan, a constitutional law expert of national renown, is the School's inaugural Stanley Morrison Professor of Law.



FORD

Richard Ford was featured among "25 youthful attorneys" who "will help usher California law into the 21st century" by *California Law Business* (October 21, 1996). Ford was also named in September 1997 to the San Francisco Housing Authority Commission. A 1994 recruit to the faculty, he was recently promoted to associate professor.

❶ For more on these and other professors, visit <http://www-leland.stanford.edu/group/law/>

Rhode book presents evidence on status of women

Professor Deborah Rhode has written a widely noted book described in the *Atlantic Monthly* as "an excellent guide to sexism in our time." Titled *Speaking of Sex: The Denial of Gender Inequality*, the book offers abundant evidence that women are still relatively disadvantaged in society. To wit:

result in conviction and incarceration is only 10 percent.

- Between a third and a half of all women are assaulted by a spouse or partner at some point in their lives.

- The U.S. has more than twice as many shelters for animals as for battered women.

- 20 percent of divorcing husbands use the threat of a child custody fight to get financial concessions.

- Men are over 15 times more likely to default on child support than on car payments.

- Child-care attendants earn less on average than parking-lot attendants.

And more. "A scrupulously researched, balanced, sobering and sober book," says the *New York Times*.

Deborah Rhode succeeded to the presidency of the American Association of Law Schools on January 1, 1998. At Stanford, she is Ernest W. McFarland Professor of Law and a former director of the Institute for Research on Women and Gender.

Rhode regularly discusses gender issues in her "Equal Rights" column in the *National Law Journal*.

① **Book:** Harvard University Press, 1997, \$29.95. Leading reviews: *New York Times*, Sept. 28, 1997; *Atlantic Monthly*, November 1997. Rhode bio: <http://www-leland.stanford.edu/group/law/faculty/rhode.htm>

- White males account for 95 percent of senior managers, 80 percent of the *Forbes* list of richest Americans, and 80 percent of congressional legislators.

- Employed women spend about twice as much time on family matters as employed men do, and women average 2 to 3 fewer hours of leisure per day.

- Elementary school girls receive smaller allowances but perform more chores than boys do.

- The likelihood that a formal rape complaint will

OPPORTUNITIES

The Road to Academia

Would you like to enter the teaching profession? Help is at hand.

To: Stanford Law School graduates with academic aspirations

From: Committee to Promote Stanford Alumni/ae in Law Teaching

What: A written guide, *How to Get a Job Teaching Law*, plus individual advice on the process of obtaining a teaching position.

Help may also take the form of role-playing for job interviews and coaching for job talks.

When: Contact the Committee by July 1998 to participate in this year's application process of the Association of American Law Schools (AALS).

AALS services: The Association collects applications for teaching positions each August for distribution to interested law schools. In early November, the AALS holds a national job fair where law schools interview candidates.

① **Stanford's Academic Affairs Coordinator:** 650/723-3960.

Association of American Law Schools: 202/296-8851; or 1201 Connecticut Ave., N.W., Suite 800, Washington, D.C. 20036-2065.

Lizzie Borden acquitted in dramatic Stanford retrial

Crowd of 2000 attends event honoring Crown family generosity

It was déjà vu all over again. Accused axe-murderer Lizzie Borden—despite considerable circumstantial evidence—was freed. The first time was June 20,

1893, in New Bedford, Massachusetts. This time it was September 16, 1997, in a dramatization at Stanford Law School.

The Stanford event, which attracted national attention, was occasioned by the latest in a number of remarkable donations by the Crown family of Chicago: the estab-

lishment of the Judge John Crown Professorship in Law (see page 19).

The late Judge Crown, a longtime Chicago jurist, was deeply interested in the law and teaching of trial procedure, especially as related to evidence. The Borden case—based on circumstantial evidence and resonant with contemporary parallels—proved an apt case study.

Here, in period costume, were the Stanford dramatis personae:



A rhyming defender

"Without an axe and bloody dress, Lizzie is no murderess."

Played by Barbara Allen Babcock, inaugural Judge John Crown Professor of Law

The zealous coroner

He decapitated the victims and brought a skull to court. *Played by Robert Weisberg '79, Edwin E. Huddleson, Jr. Professor of Law and Vice Provost of Stanford University*

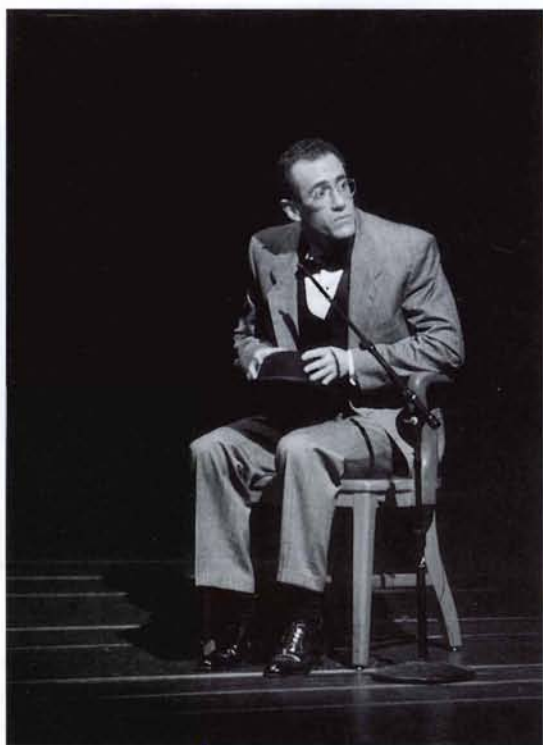




A no-nonsense prosecutor

Some of his best evidence had to be excluded.

Played by Charles J. Ogletree, Jr., AB '74, AM '75; Harvard Law School professor and member of the Stanford University Board of Trustees



The police detective

He may—or may not—have found the weapon.

Played by George Fisher, Associate Professor of Law



The accused

Appearances were against her, but she had many supporters.

Played by Julia Wilson ('98)

A notable bench

Their adherence to the rules of evidence was exemplary.

Played by Sandra Day O'Connor '52, Associate Justice of the U.S. Supreme Court, and William H. Rehnquist '52, Chief Justice of the United States





A jury of her peers

They entertained reasonable doubt. Played by Gerhard Casper, Professor of Law and President of Stanford University; Provost Condoleezza Rice; and an auditorium packed with students, faculty, and alums



Stanford spokesman

"Our axe was not involved in this unfortunate case."

President Casper



Curtain call

The cast included Cara Robertson '97 (second from left, as Lizzie's sister, Emma) and Professor Janet Cooper Alexander, AM '73 (far right, as the Borden's maid, Bridget Sullivan).



Narrator

She limned the historical and legal context. Played by Kathleen Sullivan, Stanley Morrison Professor of Law

① See page 11 for information on how to obtain a videotape of this and other events of interest.

Missed Lizzie? Enjoy serious TV?

Borden and other videotaped Stanford programs are available by mail

You can obtain a videotape of the Lizzie Borden event (pages 8–10) directly from Stanford Channel, the University's television station. The 90-minute dramatization, titled "Lizzie Borden on Trial," was broadcast in November 1997 in the station's *Stanford Presents* series.

Videos of discussion programs on law and policy featuring Stanford law professors are also available from Stanford Channel. Some recent programs of interest:

Foreign policy issues

Among the highlights of Alumni Weekend 1997 was the forum, "Changing Rivals, Changing Partners: Issues of International Diplomacy." Moderated by Professor Thomas Heller, the panel featured recent Secretary of State Warren Christopher '42, recent Defense Secretary (now Stanford professor) William Perry, former White House adviser (now Stanford provost) Condoleezza Rice, and Carnegie Corporation president emeritus David Hamburg. Heller is the Law School's associate dean for international programs, as well as Lewis Talbot and Nadine Hearn Shelton Professor of International Legal Studies. The 90-minute video of the forum, which debuted on *Stanford Presents* December 5, sheds light on such issues as post-Cold War diplomacy, and U.S. relations with an increasingly assertive China.

The Constitution today

Also a product of Alumni Weekend 1997, this program brings together four noted authors: Stanford president and law professor Gerhard Casper (*Separating Power*); history professor Jack Rakove (Pulitzer Prize-winning *Original Meaning*); the new Stanley Morrison Professor of Law, Kathleen Sullivan (coauthor, *New Federalist Papers*); and

UC-Berkeley political scientist Nelson Polsby (coauthor, *New Federalist Papers*). The video, "Does the Constitution Still Work? Perspectives on the Framers' Vision and American Politics Today," first aired November 21 on *Stanford Presents*.

American families

Professor Michael Wald participated in an Alumni Weekend 1997 panel titled "Ties That Bind: Redefining American Families." The interdisciplinary discussion also included two renowned emeriti: human biology professor Sanford Dornbusch and psychology professor Eleanor Maccoby. Wald, the Law School's Jackson Eli Reynolds Professor, recently served as deputy general counsel of the U.S. Department of Health and Human Services. Milton Chen of KQED moderated the November 14 *Stanford Presents* video.

Lessons from the O.J. trial

Can courtroom showmanship sway juries? Unfortunately, yes, says former prosecutor George Fisher. Using examples from the O.J. Simpson trial, the Stanford Law School associate professor discusses how clever trial work can trump reflective thinking. The hour-long show, "Trusting the American Jury," was broadcast in October 1997 as part of Stanford Channel's *Issues and Ideas* series.

Business and the environment

An expert panel sponsored by Stanford Law School looks at the role of business and the legal community in preventing and reversing environmental degradation in the U.S. and abroad. Barton H. (Buzz) Thompson, Jr., JD/MBA '76, Robert E. Paradise Professor of Natural Resources and Environmental Law, moderated the hour discussion. "Common Ground: Business and the Environment" aired in August 1997 on *Stanford Presents*.

Cyberspace law

Margaret Jane Radin, Wm. Benjamin Scott and Luna M. Scott Professor of Law, discusses the rapidly developing law of the Internet in a July 1997 interview. The half-hour show was part of Stanford Channel's *Interchange* series. Radin cofounded and codirects Stanford's Cyberspace Law Institute.

Genetic testing issues

The availability of tests for genetic susceptibility to disease raises a host of issues. A landmark conference focusing on breast cancer was convened in San Francisco on November 23, 1996, by the Stanford University Program in Genomics, Ethics and Society. Participants included SUPGES chair Henry (Hank) Greely of the Law School and Thomas Raffin of the Medical School, with other authorities from around the nation. A video record of the day-long confab was made by Stanford Channel and broadcast in six installments during April and November 1997. The series is titled *Genetic Testing and Breast Cancer: Moral, Legal and Social Issues*.

War crimes and justice

Justice Richard Goldstone, former chief prosecutor for the U.N. Criminal Tribunal for the former Yugoslavia, discusses his work on *Issues and Ideas*. The March 1997 show is titled "Assessing the Work of the U.N. War Crimes Tribunals." Justice Goldstone is teaching a short course on the subject as Herman Phleger Visiting Professor of Law during the Law School's 1998 January term. A seasoned South African jurist, he is currently a justice of that nation's Constitutional Court.

❶ For VHS tapes (at \$24.60 each) and viewing information, telephone 650/723-5100 or visit <http://tsc.stanford.edu/tsc/>

Onward and Upward

Donations are already making a difference

Midway through its five-year course, the Campaign for Stanford Law School has come far but still has a way to go. Some \$62 million in pledges and donations has been received, as the School continues to strive toward a goal of \$75 million or more.

Other developments:

- Two endowed chairs were established last spring: the Judge John Crown Professorship in Law and the W. A. Franke Professorship in Law and Business. Both are now held by renowned members of the permanent faculty, Barbara Allen Babcock and Joseph A. Grundfest '78, respectively.
- The long history of Crown family philanthropy to Stanford Law School was celebrated September 16 with a thought-provoking dramatization of the famous Lizzie Borden murder case. Chief Justice William A. Rehnquist '52 and Associate Justice Sandra Day O'Connor '52 appeared as judges in this widely attended event (more on pages 8–10).
- A \$1-million gift from philanthropist Joseph Gould funded the renovation of a nearby building now known as the Martin Daniel Gould Center for Conflict Resolution Programs (see page 13).
- Law Fund donations for fiscal year 1996/97 rose to \$2.75 million (compared to \$2.1 million the previous year). The participation rate also increased to a heartening 37 percent (from 34 percent in 1995/96). Huzzahs to Charles E. (Chuck) Koob '69, Law Fund chair these past three years.
- The leadership of the Law Fund remains strong, with Michael A. Kahn '73, of Folger Levin & Kahn LLP, accepting the baton from Koob on September 1, 1997.

📧 Campaign news: <http://www-leland.stanford.edu/group/law/campaign/>



1Ls Today

They're smart, diverse, and accomplished

The Class of 2000 combines academic achievement with personal histories that enlarge the law school experience for all. Some stats:

Total 1L students: **178**

Men: **107**

Women: **71**

Age range: **20–47**

Average age: **25**

Colleges represented: **77**

States: **34**

Foreign nations: **7**

Ethnic minority students: **53 (total)**

Chicanos: **17**

Asian Americans: **16**

African Americans: **12**

Native Americans: **6**

Puerto Ricans: **2**

LSAT median: **167**

GPA median: **3.79**

Advanced-degree holders: **55 (total)**

MA or MS: **41**

PhD: **14**

Rhodes, Fulbright, or Truman scholars: **11**

Former White House staffers: **2**

Republican legislators: **1**

Poets and physicists: **1 each**

Number requesting financial aid (loans and/or scholarships): **135**

Tuition scholarships awarded: **75**

Average scholarship award: **\$9,982**
(40 percent of full tuition, excluding room and board)

New Gould Center houses conflict resolution programs



PHOTOGRAPH BY LORI EAMES

Law students interested in alternative methods of dispute resolution can now learn in the conducive surroundings of the new Martin Daniel Gould Center for Conflict Resolution Programs. Less than one block from Crown Quad, the remodeled and renamed building offers more flexibility for clinical teaching and interactive work than the typical classroom set-up.

ADR teaching commonly involves role-playing, modeling, simulated negotiations and mediations, and small group break-outs. For example, in the seminar pictured above, two practicing attorneys demonstrated a moot labor negotiation, which was followed by a roundtable discussion.

The Gould Center brings under one roof not only the Law School's innovative Program in Dispute Resolution, but also the interdepartmental Stanford Center for Conflict Negotiation (SCCN)—making synergistic interaction between the two groups likely.

The new center was made possible by philanthropist Joseph B. Gould of Las Vegas as a permanent memorial to his late son.

Web resources II

The Law School's websites continue to grow. Here, for your reference, are some new pages and URLs. The School's core website, with links to all, remains

① <http://www-leland.stanford.edu/group/law/>
Bookmark it!

Alumni Weekend '97 photos

These photographs are the initial offerings at a new Law School site, currently under construction, which will offer an improved architecture and a variety of advanced features.

① <http://lawschool.stanford.edu/>

Pioneering women

Women's Legal History Biography Project—a growing archive that currently provides a bibliography on early women lawyers and several original biographical studies of such women by law students. Taken from a course, American Women's Legal History, taught by Judge John Crown Professor Barbara Babcock.

① <http://www-leland.stanford.edu/group/WLHP/>

Campaign newsletter

Articles from recent issues of the *Campaign Brief*, newly available on your desktop.

① <http://www-leland.stanford.edu/group/law/campbrief/Cover.html>

Library express

A streamlined URL for Stanford's Robert Crown Law Library website.

① <http://law-library.stanford.edu/>

Coming events

Stanford gatherings in your neighborhood and on campus. Don't be a stranger.

① <http://www-leland.stanford.edu/group/law/alumni/>



from the Dean

The School's faculty, as well as being committed teachers, constitute a community of scholars. Scholarly work advances knowledge and enriches teaching to the benefit of students and society.

by Paul Brest

Richard E. Lang Professor and Dean

LAW PROFESSORS were not always scholars. Even after legal education moved from the law office into the classroom, few law schools expected their faculty to engage in sustained scholarship.

Today, law professors are expected to produce scholarship of the same quality and quantity as their colleagues in the sciences and humanities. At Stanford all tenured appointments must be approved by a University Advisory Board, a group of seven highly respected (and highly critical) faculty drawn from various disciplines. The burden is on the School to prove—through written evaluations from experts in the field—that a candidate

for tenure is among the very top scholars in his or her field.

Of course, teaching matters as well—much more so in the Law School than in some other parts of the University, and much more at Stanford than at many law schools of comparable stature. We have declined to appoint good scholars with poor teaching records. And we rightly pride ourselves on having one of the finest teaching faculties in the country.

At the same time, the prestige of a law school depends almost entirely on its faculty's scholarly reputation. Look at the top ten or so law schools in national rankings and you will find those thought to have the best scholars. Thus, for applicants to whom prestige is a factor in deciding which law school

to attend, and for graduates who care about how others value their degrees, the faculty's scholarship plays a determinative role.

That is the reality of the situation. But is it right? My own answer is "yes."

A core mission of the American university is the faculty's advancement of knowledge through scholarship. (This is the main justification for the extraordinary institution of tenure—part of the system of academic freedom designed to permit faculty to explore controversial issues without the fear of retaliation.) In addition to contributions to legal theory, law schools have a particular responsibility to assist policymakers, the bar, and the bench.

Indeed, it is the obligation to produce

scholarship that justifies the relatively light teaching schedules of university professors compared, say, to elementary or secondary school teachers. What makes being a professor a full-time job rather than a sinecure is the tremendous amount of time that faculty spend in research and writing. The "Professors in Print" section of *Stanford Lawyer* and the honors regularly awarded for our faculty's scholarship provide evidence that this time is well spent.

Also, it is generally the most creative scholars who bring innovation of the best kind into the classroom. The professor who spends her hours outside the classroom wrestling with ideas is far more likely to challenge her students to do likewise than the professor who is mainly a consumer of other people's thinking. It is no coincidence that many of our most innovative courses—in subjects ranging from

business transactions to civil rights to high-tech law—are developed by faculty members doing cutting-edge scholarship in those areas.

As for the caveats, first there is the issue of clinical instruction. Stanford has had a tradition—beginning

this reality, some law schools have permanent clinical faculty. Others, including Stanford, have relied mainly on multi-year arrangements with lecturers, who are not permanent members of the University's professoriate. As with any institutional

students for law practice—and increasingly for business, public service, and law teaching as well. The School's appointment, promotion, and compensation policies take teaching very seriously. It is no accident that the faculty-

WHY SHOULD LAW PROFESSORS WRITE?

some years ago with faculty including Barbara Babcock, Paul Goldstein, Miguel Méndez, Bill Simon, Michael Wald, and myself, and continuing through George Fisher—of productive scholars doing some clinical teaching through simulation or the supervision of practice. But full-time clinical teaching is so labor intensive that it necessarily affects one's scholarly output. To address

arrangement, there is no one "right" structure for this, and we regularly reexamine and try to improve on the existing arrangements.

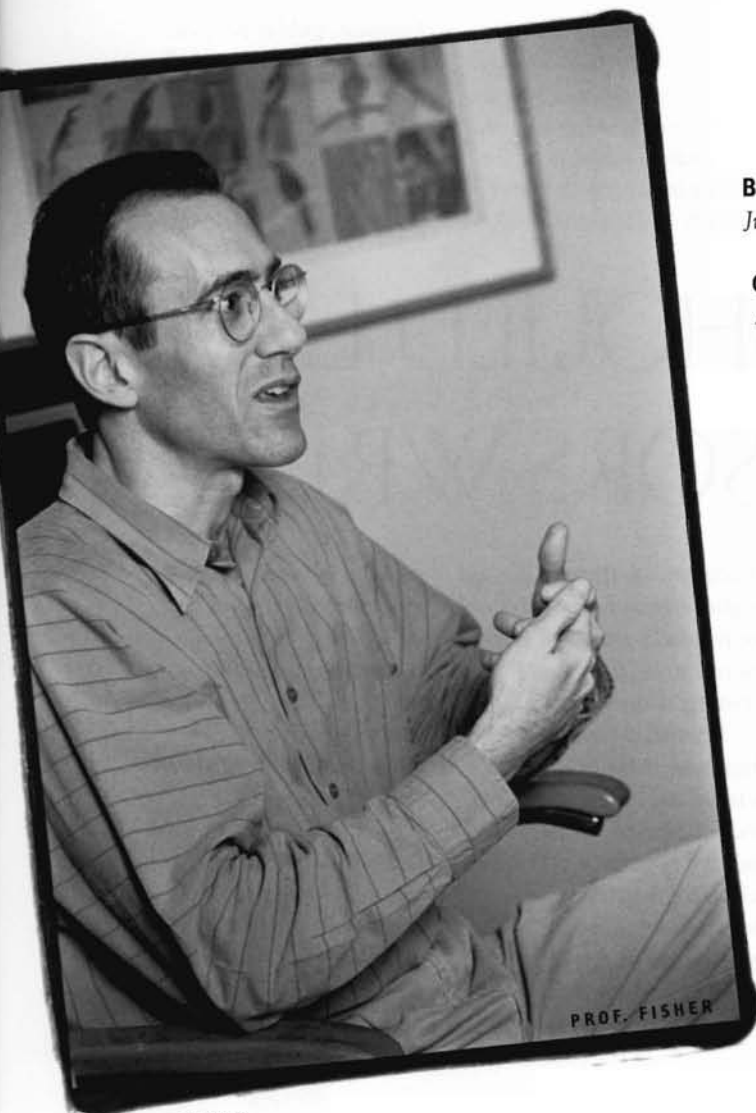
Second, whenever more than one criterion of merit is involved—here, teaching and scholarship—there are inevitable tradeoffs. While scholarly reputation may determine the institution's prestige, an essential part of Stanford Law School's mission is to prepare

wide average on student evaluations is better than 4 on a 5-point scale—no mean feat with a student body whose views and interests are as diverse and whose judgment is as critical as ours.

Dean Brest welcomes comments on the School and legal education in general. Please write the Dean or send e-mail to pbrest@stanford.edu

Two professors—a former prosecutor and a former defender—
discuss our oft-maligned jury system and how it might be reformed.

JURIES ON TRIAL



Barbara Allen Babcock

Judge John Crown Professor of Law

George Fisher

Associate Professor of Law

THE JURY IN CRIMINAL CASES has long been both revered and reviled. Lately, however, courtroom cameras and global communications have made the institution of the jury not only more visible, but also more controversial. Recent unpopular verdicts have provoked questions about the efficacy of the whole jury system and stirred calls for reform.

Stanford Lawyer asked two faculty members from different sides of the aisle to discuss the criminal jury system and offer their thoughts about reform. Barbara Babcock, former director of the Public Defender Service of the District of Columbia, provides a defense perspective. George Fisher, a former Massachusetts assistant district attorney, gives a prosecutor's view. Their discussion is moderated by **Richard C. Reuben**, a Stanford JSD candidate and associate director of the Stanford Center on Conflict and Negotiation.

Reuben: What makes the jury a special institution?

Babcock: The criminal jury represents the will of the community, and is a potential dispenser of mercy as well as justice. Defense lawyers see the jury as the only institution that stands between a defendant and the total loss of liberty—and thus we feel a powerful connection to those 12 people. We turn to them for our clients' salvation and for our own.

PHOTOGRAPHY BY LORI EANES

Fisher: I am a big supporter of the jury system, but I am not sure many prosecutors feel the same connection with juries that Barbara describes as a defense lawyer.

Prosecutors usually don't go forward unless we feel sure we have a guilty defendant and a case we should win. From our perspective, all the prosecution can get from a jury is a confirmation, or rejection, of what we know is right. The jury can seem like an obstacle to overcome.

On the other hand, the defense can get a gift from the jury in the form of an acquittal or a hung verdict.

Babcock: That's really interesting, because a defense lawyer has just the opposite feeling—that everyone in the courtroom is against you, especially if you're representing somebody who has been accused of something truly reprehensible. The judge is against you. The court reporter is against you. The bailiff is against you. It's just you and the jury as the only bulwark against the vastly greater resources of the state.

Fisher: This notion of a disparity of resources may be a fallacy. A typical prosecutor in a typical case does not have significant access to vast investigative resources.

Babcock: He has the whole police department!

Fisher: You know what happens when a prosecutor calls a cop and says, "Please fingerprint this piece of evidence"? You get, "We don't have time." Now, it's true that when you are working on the higher-level crimes, you actually might have an investigator dedicated to the case. But otherwise, having the great resources of the state often means your own car and a map.

Reuben: *If the jury is such a vital institution, why are we having difficulty getting people to serve?*

Babcock: In many places, and to many people, jury service has become more of an unreasonable burden than a duty and a privilege of citizenship.

I'm studying women's legal history and am reminded of how for years women fought as hard to be able to serve on juries as to vote, especially in the West. Jury service is a unique opportunity to participate in public life, but we need to figure out ways to make it a more edifying and interesting experience.

This will take money and commitment, but what needs to be done is not a great mystery. We know the things that work: Written questionnaires to speed up the process. Protections for juror privacy before and after the verdict. Pleasant places for jurors to be while serving. Reducing the number of peremptory challenges, so large numbers of people are not insulted by being subpoenaed to court and then rudely stricken from service. Increasing the rates of pay on a daily basis. And just generally, more civility and appreciation for the citizens who come to serve.

Reuben: *We seem to be seeing more examples of jury nullification, as in the failed assisted-suicide prosecutions of Dr. Jack Kervorkian in Michigan, and, arguably, the O.J. Simpson case. Is this a troubling development?*

Fisher: I don't think so. Nullification can be an important reflection of community values. The Kervorkian cases are a good example. The jury said, "Maybe he did it. And maybe the

prosecution is properly charging under the law as we have it. But we don't like the law, and we, as a jury, reject it."

It's not enough of an answer to say that it's the legislature's job—and not the jury's—to write the laws. The legislature usually doesn't look at laws up close, in their application to particular cases. That's a job we give the jury.

Babcock: I absolutely agree.

Reuben: *Can there, then, be such a thing as a wrong jury verdict?*

Fisher: Juries certainly can get the facts wrong. One of my colleagues, for example, prosecuted a serial rapist. There were several identifications of the defendant, but the jury still acquitted him. It apparently got stuck on the absence of any evidence about the rapist's fingerprints on one victim's raincoat.



PROF. BABCOCK

Of course, you generally don't get fingerprints from a raincoat, but a prosecutor constantly has to be on the alert for the one thing that a juror might seize on to acquit a defendant.

This is my paradigm of a wrong verdict: a decision to acquit based on non-evidence in the face of a lot of direct evidence of guilt.

Babcock: I have a slightly different take. A friend of mine was on a jury recently, and there was a juror whose insistence that the government had to have an eye-witness hung the jury. Another friend was on a jury with someone who refused to deliberate, and again hung the jury.

These kinds of outliers can lead to wrong verdicts, but that's what *voir dire* is for—to identify those unfit to serve.

Reuben: *Speaking of voir dire, there has been much debate about peremptory challenges in recent years. Do you see meaningful reforms in this area?*

Fisher: We may see some on a state-by-state basis. Most prosecutors would probably favor a limitation, or a least would be neutral, because prosecutors don't imagine they need to craft a jury. They just want someone they think will look at the evidence fairly and will have the moral strength to face another person and say, "You're guilty."

Babcock: Defense lawyers are generally against peremptory reform. I would not want to abolish the peremptory challenge altogether for the reasons I just suggested—the need to rid the jury of outliers, as well as to remove anyone the defendant hates or fears for some

irrational reason. After all, it is the defendant's jury.

But I think that reducing the number of peremptory challenges would be a welcome reform because it would also cut

back on the big business of jury selection. At its heart, this business is dedicated to the idea that the result will differ depending upon who is in the jury box—which I think goes against the democratic ideals of the jury. What we need to do is to get rid of this elaborate, expensive, and time-consuming jury selection process.

One way to do it is to expand the pool of potential jurors, and to find out more about their suitability for a particular case through questionnaires. Then they could be stricken at an administrative level rather than in the courtroom, where they may feel insulted or as though their time has been wasted.

Fisher: I agree that the number of peremptories should be reduced, but not that the jury is the defendant's jury. It's the court's jury—or really, the community's jury—sitting neutrally between both parties as an independent fact-finding body that represents the will of the community.

Babcock: But doesn't the fair cross-section requirement really reflect that it is the defendant's jury? It's a fair cross section of the *defendant's* community.

Fisher: It's also the government's community.

Babcock: But the government is much more widespread than the defendant—and remember, it is the defendant who stands to be severed from the community.

Reuben: *Would reducing the number of peremptories solve the problem of gamesmanship that the peremptory challenge issue in part represents?*

Fisher: I would favor eliminating lawyer-conducted *voir dire* altogether. I practiced in a state [Massachusetts] where it doesn't exist, and I don't see any advantage in letting lawyers quiz the jury that justifies the time.

If we're trying to reduce the amount of time spent on peremptories, then I am not sure that merely reducing the *number* of peremptories—without also limiting lawyer-conducted *voir dire*—will accomplish the goal. I am not convinced that it takes substantially less time to

exercise three peremptories than to exercise six if the lawyer is going to struggle hard with those three. I think the peremptory challenge process sometimes becomes an excuse for lawyers to put their theory before the jury at an improper time.

But assuming we have peremptories, I am not as concerned as Barbara about whether jurors feel insulted when they're dropped from a jury. That seems a lesser concern than all the other things we're worried about in the courtroom, such as getting a proper verdict.

Babcock: I don't know where I'd put peremptories on the spectrum, but I do think that's part of what makes jury service unappealing to people. They often walk away with the feeling that they have been struck on the basis of race or gender, which is so common. It's particularly aggravating when it happens in a courtroom, because a courtroom is supposed to be a place of justice. Everywhere we turn, on the streets, at work, etc., we run into prejudice and say "Well, this is life." But the courtroom—the hallowed halls of justice—is supposed to be different.

Reuben: *Are there any other reforms that are worth considering?*

Babcock: How about giving the opening statements before *voir dire*? Each side gives its opening statement to the entire pool so everyone can see what the government is seeking to prove, and what the defense will seek to prove. Some courts have tried this, and it seems like a great option for cutting down on *voir dire*.

Fisher: We would have to worry about how carefully people are listening when they have not yet been burdened with having to make a decision. More importantly, though, juries are supposed to be neutral at the time they're picked.



After I've given my opening statement, I hope they're leaning in my direction. I know that my statement is not evidence. But it is a summary, in some detail, of the evidence they will be hearing, and by the end of my statement, I would certainly like for them to have begun forming the opinion that I am right, and that the defendant should be convicted if they find the evidence is what I say it is.

Reuben: *As we turn the corner into the next millennium, what do you see as the biggest challenge, the biggest need, for the criminal justice system?*

Fisher: I think the biggest need for the criminal justice system is to persuade the public that the system is in fact effective against crime. The crime rate is falling, and I think once the public is confident that the system can work, most of the other pieces might fall into place. Maybe

then, people will be more willing to take part in juries.

Babcock: I see it just the other way. I think we need to divorce the question about crime rates from how the adjudication system is working. We need to concentrate on making the criminal justice system fair, not only in convicting the guilty but in doing it with respect for their rights—respect that can only come from realizing the enormity of the deprivations we heap on people convicted of crimes.

We've focused a lot here on problems with the jury, but I think most of the cases that make it that far are triable, reasonable cases that ought to go to the jury for one reason or the other. While some mistakes are made, as with any human institution, most of the time the jury gets it right.

The bigger problem, as I see it, is in the treatment and representation of people earlier in the process—undue

force and invasions of privacy in arrest and search, the essentially unregulated and unfair plea bargaining that is a feature of most systems, the draconian sentences, and the rampant ineffective assistance of counsel, most horribly in death penalty cases. This is where reform efforts really need to be concentrated—not so much on the jury, which continues to function admirably most of the time.

① See also Babcock: "A Unanimous Jury is Fundamental to Our Democracy," 20 *Harvard Journal of Law & Public Policy* 469 (Winter 1997).

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Crown Jewels

PHOTOGRAPHY BY MARCO ZECCHIN



The Sullivan/Fisher dialogue above illustrates the harmony of interests between the School and a family of donors who created an endowed professorship last spring in honor of one of their members, Judge John Crown, AB '51. Some 25 years ago, this same family—the Crowns of Chicago—played a key role in

building Crown Quadrangle and its intellectual core, Robert Crown Law Library.

Judge Crown knew before his death in March 1997 that the professorship was being established. A 22-year veteran of the Cook County Circuit Court, he affirmed his desire that the chair support teaching and scholarship on

the justice system, particularly in the areas of evidence, advocacy, and professional responsibility. He also was delighted at the prospect that Barbara Allen Babcock, a former assistant attorney general and the senior participant in this dialogue, would be the inaugural Judge John Crown Professor.

The Crown family's unparalleled generosity to Stanford Law School was celebrated September 16, 1997, with a public dramatization of the unforgettable Lizzie Borden case (see pages 8–10). Crown Professor Babcock portrayed the defense counsel and George Fisher the ranking police officer.

The Crown family—honored guests at that event—was photographed in Crown Library. They are (left to right): Jim Crown, JD '80; Bill Wallace; Elizabeth Crown; Bill, BS '85, MS '86, and Robin (Voss), MS '86, Crown; Renee and Lester Crown; Joanne Crown; Sara Starr; Janet Crown Peterson and Gunnar Peterson; Susan Crown; and Bill Kunkler. The portraits are of the late Judge John Crown and his brother, Robert Crown.

professors in Print

Civil liberties, class action suits, intellectual property, taxation, securities regulation . . .

A concise bibliography of faculty writings published
between June and December 1997.



Friedman



Rabin



Sullivan

Crime and punishment

"If history is worth anything, it is in part because it has the power to warn us which roads not to take again. There may be areas of human life in which people have profited from understanding history, but criminal justice is definitely not one of them. In this field, each generation seems to undo the last generation's reforms. Each generation resurrects old failures and trots them out as new.

"A previous generation hailed indeterminate sentencing as a great innovation that would help criminals on the road to rehabilitation. Our generation is sending this system to the dust heap. A previous generation buried the chain gang. Our generation is digging it up for new service."

—Lawrence M. Friedman and George Fisher
"Some Thoughts About Crime and Punishment"
(See Chapters)

Litigation awards

"For 40 years, the traditional method of compensating attorneys in personal injury litigation, the contingency fee, made tobacco cases a strikingly poor investment. Tobacco plaintiffs' lawyers invariably went home empty-handed, a consequence of an unbroken string of failed cases.

"Now, however, plaintiffs have succeeded in launching a wave of litigation that threatens the very foundations of the industry, and tobacco has agreed to a \$368.5-billion settlement. And the question arises whether the veritable army of personal injury lawyers involved in the recent deluge of private class action lawsuits and state health reimbursement claims should be allowed to reap perceived mega-awards without congressional constraint."

—Robert L. Rabin
"A Job for Arbitrators, Not Politicians—Tobacco: The Settlement Leaves the Question of What is Fair Compensation for the Attorneys" (See Newspaper Articles)

Con law partnership

"Few books change one's life, but this one did mine. I first studied constitutional law at Harvard Law School in a superb class taught by Laurence H. Tribe from the Ninth Edition of Gerald Gunther's casebook. Little did I imagine then that I would be fortunate enough to have a career practicing, teaching and writing about constitutional law, or to have each of these remarkable men as colleagues. Still less did I imagine that I would one day become coauthor of this casebook.

"Gerry's invitation to me to work with him was an extraordinary professional honor; collaborating with him on this edition has been an extraordinary professional pleasure. I am deeply grateful to him for both, and for the wise and architectonic sense of constitutional law he has given me, beginning long before we ever met."

—Kathleen M. Sullivan
"Introduction," Gerald Gunther and Kathleen M. Sullivan, *Constitutional Law*, 13th ed.
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❶ This bibliography was compiled by reference librarian Erika Wayne of the Robert Crown Law Library. Continuously updated, it is available online at <http://www-leland.stanford.edu/group/law/library/what/lawbib.htm>

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lawGatherings

Stanford Law School alumni and friends mingled with the next generation, talked with notable professors, and participated in planning future get-togethers.

PHOTOGRAPHY BY JOE PINEIRO



eastCoast

Aspiring Stanford Lawyers—incoming students, as well as current students in town as summer associates—met local alumni and friends of the School at receptions in several cities.

The New York City reception on July 31 was hosted by Robert Bodian '80 at Bodian & Eames's 38th floor offices. Guests included (left, l-r) Nicole and Sean (3L) O'Connor, Guadalupe Garcia (3L) and Takahiro Saito (3L). Additional New York Law Society events appear on the opposite page.

Washington, D.C. denizens conversed with faculty author Kathleen Sullivan (near right) September 3 at Arnold & Porter. The topic: "Political Money and Freedom of Speech." Sullivan, a con law expert, coauthored the landmark *New Federalist Papers*. Alum attendees (far right, l-r) included Naomi Mezey '95, Charlie Moore '95, and Carlton Osborne '95. See opposite page for news of more D.C. gatherings.



PHOTOGRAPHY BY DAVID HATHCOX



The Washington, D.C. reception for incoming students and summer associates was July 16 at Arnold & Porter. Edward Hayes '72 (*left*) and 1L Janelle Kellman (*below*) were snapped there, as were (*center left, l-r*) the director of the FTC Bureau of Competition, William Baer '75, and law society co-chair David Hayes '78.

Other D.C. summer events included a June 12 gathering of recent grads ('90 to '97) at the downtown Daily Grill, and a June 19 dinner for the classes of '86, '87, and '88 chez Marc Rotenberg '87 and co-hosted by Ivan Fong '87.



PHOTOGRAPHY BY DAVID HATHCOX



New York City grads heard Professor Deborah Rhode (*below left, at right*) on the topic of her book, *Speaking of Sex: The Denial of Gender Inequality* (see page 7). The October 29 luncheon was cosponsored by the Stanford Law Society of New York, the NOW Legal Defense and Education Fund, and Stanford's Institute for Research on Women and Gender.

In addition, the Stanford Law Society, chaired by Cheryl Krause '93 (*below*), sponsored a gathering of recent grads ('90-'97) at the Manhattan digs of Greg Kennedy '92. Stanford Manhattanites also meet frequently for informal happy hours.



PHOTOGRAPHY BY JOE PINEIRO





Silicon Valley alums held their reception for local incoming students and summer associates on July 16 at Wilson Sonsini Goodrich & Rosati in Palo Alto. Shown here are Robin Feldman '89 and Tony Anas-tasi '40 (above l-r), a quartet including Alan Austin '74 and 2L Amy Korytowski (above right), and 1L Nolan Highbaugh and Ira Ehrenpreis '95 (right). The Stanford Law Society of Silicon Valley, chaired by Feldman, sponsors a variety of events on and off campus.



PHOTOGRAPHY BY MARCO ZECCHIN



San Francisco incoming students and summer associates met their Stanford Law seniors on July 22 at Pillsbury Madison & Sutro. Karen James Jaenike '96 (above, left) helped organize the event, which featured remarks by Professor-alum Robert Weisberg '79 (right).



PHOTOGRAPHY BY MARCO ZECCHIN



Crown Quadrangle was the site of the now-annual reception during 1L Orientation introducing local alums to the new students. The 1997 edition on September 3 included remarks by Dean Brest (*left*) on the Law School as an extended community.



PHOTOGRAPHY BY MARCO ZECCHIN



PHOTOGRAPHY BY MARCO ZECCHIN

The 1997 American Bar Association meeting in San Francisco occasioned an August 5 Stanford breakfast at the Fairmont. NLRB chair and professor-on-leave William B. Gould IV (*above*), AALS incoming president and professor Deborah Rhode (*below, center*), and Manhattan attorney Marsha Simms '77 (*below, right*) were among the attendees.



PHOTOGRAPHY BY ROD SEARCEY



The community-building represented by incoming student/summer associate receptions and by the Orientation reception (*top of page*) continued into the fall with a series of intimate gatherings for local alums and 1Ls at the Dean's residence. In this November 13 photo, Dean Paul Brest (*above, center*) greets 1L Barbara Rhomberg (*left*) and Nancy Mahoney Cohen '75 (*right*).

The Seattle Law Society met at the Rainier Club on November 5 for dinner and a panel discussion on "The Business of Sports" organized by society co-chair Alex Alben '84 (*below, left*). Other principals (*right, l-r*) were Mariners president Chuck Armstrong '67, Law Society co-chair Jake Jacobson '77, and professor Robert Weisberg '79.

On June 6, Seattlites lunched with professor Mark Kelman, who shed light on "The New Law and Psychology Movement."

PHOTOGRAPH BY JONATHAN MARJOR



PHOTOGRAPH BY MARK FELLMAN



Westside Los Angeles grads (*above*) met November 20 at O'Melveny & Myers in Century City to help plan Stanford Law School alumni programs in the nation's largest city. A parallel meeting of Downtown alums took place earlier that same day (see page 63). Shauna Jackson '91 attended both and chaired the Westside confab.

The Stanford Los Angeles community offered its hospitality to incoming students and summer associates on July 10 at Gibson, Dunn & Crutcher. Shown (*below, l-r*) in a cross-generational conversation are 2L Rukaiyah Adams and Martin Perlberger '54.



PHOTOGRAPH BY MARK FELLMAN

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PHOTOGRAPH BY MARK FELLMAN

Grassroots planning: This congenial group of alums convened over lunch November 20 to discuss Los Angeles Law Society activities for the upcoming year. A complementary meeting was held for Westside alums that evening (see page 62). Similar Law Society Planning Committees have met in San Francisco, the Silicon Valley, and Washington, D.C. Planning meetings in other cities are also in the works. If you would like to join your local planning committee, contact your Law Society Chair (see listings) or the Alumni Programs office at 650/723-2730. E-mail: Law.Alumni.Relations@forsythe.stanford.edu

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comingEvents

Mark your calendar and watch the mail for details on these and other gatherings of interest to alumni and friends of Stanford Law School.

1998

- | | |
|--------------|--|
| February 12 | Silicon Valley Law Society
"Does Washington Understand Silicon Valley?"
<i>At Stanford</i> |
| March 7 | SPILF "Bid for Justice" Auction
Fundraiser sponsored by the Stanford Public Interest Law Foundation
<i>At Stanford</i> |
| March 10 | San Francisco Law Society
Brown-bag lunch with Prof. Michael Klausner
<i>San Francisco</i> |
| March 23-24 | Directors' College (see back cover)
<i>At Stanford</i> |
| April 4 | "Where Do We Go from Here: A Colloquium on Race in the 21st Century"
Keynote speaker: Cornel West, Harvard University. Closing address: Constance Rice, Western Region Counsel, NAACP Legal Defense and Educational Fund. Sponsored by the Stanford Black Law Students Association (BLSA) and Stanford Law School.
<i>At Stanford</i> |
| April 9 | Jackson H. Ralston Lecture
Warren Christopher '49
<i>At Stanford</i> |
| June 14 | Commencement
<i>At Stanford</i> |
| Summer | Receptions for Summer Associates and Incoming Students
<i>In Los Angeles, New York City, San Francisco, Silicon Valley, and Washington, D.C.</i> |
| October 8-11 | Alumni Weekend 1998
<i>At Stanford</i> |

① For information and reservations, contact the School's Alumni Office. Telephone: 650/723-2730.
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