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SCHOOL OF LAW

University of Maine

1993 Moot Court Board: Banner Year Victories in Two National Competitions and the Trilaterals

"They brought together ability, hard work and seriousness of purpose." Those were Professor David Cluchey's words about the 1993 Moot Court Board at the Moot Court Banquet on April 15.

The record: New England Regional Champions in the National Moot Court Competition. Best Oralist. National quarter finalists in the same competition. Winner of the Trilateral Competition with Dalhousie and New Brunswick. National First Place Winners of the Marshall Wythe Constitutional Law Competition. Best Oralist.

Why this remarkable record? John Bisson, Co-Chair of the 1993 Board, said that he and his Marshall Wythe partner, Ivy Frignoca, found that they were better prepared to think on their feet than many of their opponents, and he said good writing had been a factor in the team's victories.

But those factors are not new to the 1993 Board. Some factors were, explained Bisson and Co-Chair Elaine Michaud. The 1993 Board organized new practice systems which they believe made a difference. "First, we got great help from alumni," they said. Bisson and Frignoca, for example, had three past Marshall Wythe competitors describe details about the competition and then offer critiques.

Other teams got the same kind of advice from past participants.

The teams also got help from people with particular expertise in the area they were arguing. Alumni and non-alumni attorneys from the U.S. Attorney's Office, for example, critiqued Bisson and Frignoca and Michaud and David Casavant, who dealt with a sentencing guidelines issue in the Nationals. Faculty also critiqued the presentations.

Everyone agreed that the institution of a new "Practice Program" a year ago was a great benefit. After the

1993 Board was selected, members re-wrote their briefs and went over them with a faculty member. They also re-argued their cases before alumni judges, receiving new comments.

Casavant said he is leery of attributing this year's success to any unusual talents or commitment of the 1993 Board. "I truly believe that the victories of this year could be repeated. Winning at Moot Court takes hard work, practice, a sense for the issue... and a great deal of luck." ■



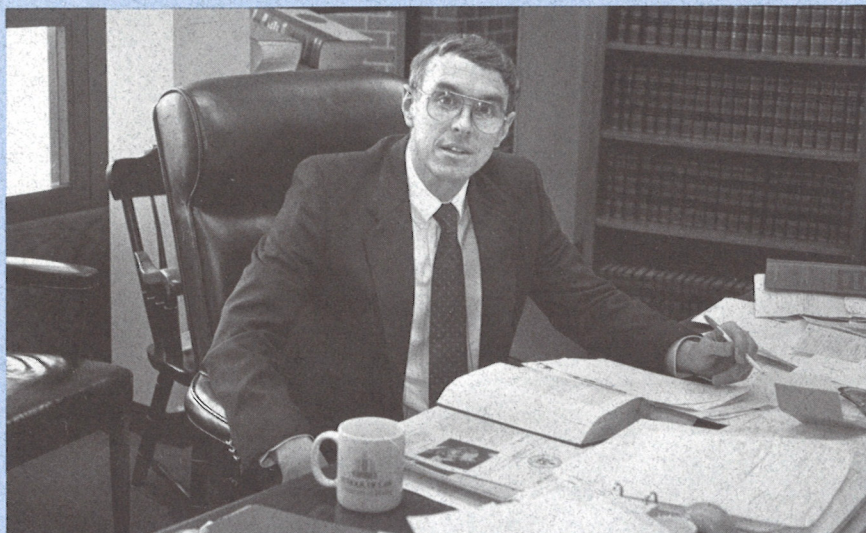
1993 Moot Court Board: Paul Tardif, Sean Carnathan, David Casavant, Lisa Butler, Vicki Mathews, Shaun Lister, Chris Burke, back row; Co-Chairs, Elaine Michaud, John Bisson; and Ivy Frignoca, front row

Alumni Quarterly

Number 48

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Portland, Maine



Dean Donald N. Zillman

Dean's Column

May is a time of joy in the Dean's life. We pause to recognize the accomplishments of our graduating class—and this year they were many. 1Ls and 2Ls depart to summer jobs and fellowships. The faculty catches its breath. The marvelous tulip beds across from the School come into full bloom.

One of the tougher parts of May is hearing directly or indirectly from applicants for the Fall class who have not been able to secure admission. I have talked to concerned parties about several of those cases. I have also responded to a variety of calls about one controversial admissions decision. To the extent allowed by the educational privacy laws, I have tried to respond to all questions. Since I know some of you are asked for advice about the admissions process by friends, acquaintances, and family members, I wanted to provide some answers to the most asked admissions questions.

1. *How are Admissions decisions made?* Each year a three member Faculty Committee, whose membership changes yearly, reviews all files. This year there were 950 applicants. We will offer admission to about 240 to get an entering class of about 90. The primary factors deciding admission are undergraduate gradepoint average, strength of academic program (both college and course of studies), relevant recommendations,

score on the Law School Admissions Test, and relevant career experience.

Neither the Dean nor the full faculty have veto power over individual candidates. Nor do I or the Faculty have any "wildcards" that can admit the candidate who has been turned down by the Committee.

The one role that I and other administrators in the University System play is to review appeals from denied applicants. Here, however, the standards for review are very limited. I have the power to return a file to the Committee for reconsideration if I find that their decision was "clearly erroneous." I and others also serve as a reviewing body for factually supported claims of discrimination based on race, religion, sex, or other impermissible grounds. In three years, I have yet to find a Committee denial that I think was erroneous.

2. *What factors make the difference in close cases?* In practice, the hard work of the Committee comes in sorting out the close cases. Some students' academic numbers make them clear candidates for admission absent unusual factors. Other students' low numbers most probably preclude their admission despite positive factors in their record. Those several hundred or more applicants who remain are students who present an academic record that indicates they can succeed in Law School. Why does one get admitted, another denied, and a third placed on the waiting list?

My work on two Admissions Committees before coming to Maine and my conversations with our Committees suggest many factors come into play. First, all academic averages are not alike. In addition to obvious differences in undergraduate colleges and universities, the Committee will look closely at the academic program pursued. The student who flits through a succession of introductory courses in pursuit of either academic ease or a straight A average, likely serves herself less well than the student who commits to a program of hard, analytical work.

Second, life experience counts as it supplements a strong academic record. Our average entering age is 28 and it is not unusual to admit students in their 40s or 50s. We have found that a mix of veterans of the work force and students fresh from college provides an exciting student body.

Third, presentation of the application counts. A professionally prepared résumé won't overcome a weak academic record. But in close cases, the applicant who presents a well reasoned application scores with the Committee. Does the applicant make a strong case why he wants to attend Maine? Does the applicant offer academic and other references who testify to her capability for hard analytical work? Does the applicant suggest why her prior work experiences are relevant to both success in Law School and in the use of the Law Degree?

3. *What role can alums play in the Admissions process?* Most importantly, you are our best recruiters. As you identify young (or not so young) men and women with law school potential, let us know about them. Encourage them to visit classes and talk with Assistant Dean Barbara Gauditz who knows more about admissions than anyone here. Give them your candid advice about the rigors of law school and the different careers they can pursue with a law degree. If they decide to apply to Maine, ask if you can serve as a reference for them in those cases when you have had the chance to observe at first hand their intellectual skills. Together we can continue to build one of the strengths of our School—its student body. ■

Reception Honors Scholarship Donors and Recipients

The Third Annual Scholarship Reception was held on March 12 in the Berman Lounge, giving students an opportunity to thank in person those responsible for their scholarships and giving donors a chance to meet those benefitting from the scholarships.

Hon. Caroline Glassman talked about the scholarship which honors Harry P. Glassman. Alumni Association President David J. Corson '69 spoke about the importance the Association places on scholarships. Lise Wagner, an Alumni Scholarship recipient, spoke on behalf of the student recipients.

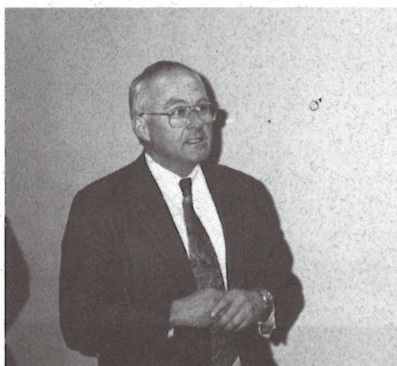
The scholarship program becomes more important to the strength of the School each year. During the 1992-93 academic year, 42 scholarships totaling \$41,000 were awarded to students, through the Alumni Association, endowed scholarships, student organizations, bar associations, professional organizations and annual gifts from individuals. ■



Hon. Caroline Glassman describes Glassman ties to the Law School and the history of the Justice Harry Glassman Scholarship.



Marjorie Baird with the Kenneth and Marjorie Baird Scholarship recipients, Pam Spaccorotella '93 and Wendy Spargo '94.



David J. Corson '69, Alumni Association President, tells students about the importance the Alumni Association places on student scholarships.



Sumner, Rosalynne '86 and Andrew '80 Bernstein with Israel Bernstein Scholarship recipient, Deirdre Smith '94.



Lise Wagner '93 talks about her commitment to the public sector and how helpful scholarship assistance has been.



Peter '89 and Betsy Wiley with Wiley Family Scholarship recipient, Dan Wood '94.



Horace Horton and John Upton, Treasurer and President of the Cumberland County Bar Association with Mary Sauer '94, recipient of the Cumberland County Bar Association Scholarship.

Faculty News

Professor **David Cluchey's** 1993 Supplement to *Maine Criminal Practice* was published by Butterworth's in April. On April 24, Professor Cluchey presented his paper, "GATT, NAFTA and the Trade in Energy," to a group associated with the International Bar Association in Leiden, Holland. He wrote the paper with Professor Ernest Smith of the University of Texas Law School. Professor Cluchey and Dean Zillman will edit an issue of the *Journal of Natural Resources and Energy Law* devoted to the papers presented at the Leiden Conference. He also recently reviewed the Law on Investment Activities of the Kazakh Republic for the ABA's Central and Eastern European Law Initiative.

Professor **Michael Lang** and Professor **Colleen Khoury's** second Supplement to their treatise *Federal Tax Elections* was published in February. Professor Lang has co-authored with Isa Lang, his wife, the 1988-1992 Cumulation to the *Index to Federal Tax Articles* and the Winter 1993 Supplement to the Index. He was a panelist for the Section of Taxation Standards of Tax Practice Committee Program, "Government Lawyers and State Ethics Rules," at the Section of Taxation's spring meeting in Washington on May 7.

Professor **Alison Rieser** and Marine Law Institute staff, Barbara Vestal and Beverly Bayley-Smith, conducted a workshop on methodologies for assessing cumulative environmental impacts on coastal resources on May 6-7 at the University of Rhode Island in Narragansett. Professor Rieser attended the 1993 Institute for Natural Resources Law

Teachers at Lewis & Clark Law School, Portland, Oregon on May 14-16, and presented her maritime boundary negotiation simulation at a workshop on teaching methods. She is at work this summer on the second edition of the casebook *Coastal and Ocean Law*, co-authored with Professors Joseph Kalo, Richard Hildreth, and Donna Christie.

Professor **L. Kinvin Wroth** wrote an essay, "The Maine Connection: Massachusetts Justice Downeast, 1620-1820," published in Russell K. Osgood, ed., *The History of Law in Massachusetts: The Supreme Judicial Court, 1692-1992*, Boston, 1992. The essay is an expanded version of a paper presented at a colloquium held in Boston, October 26-27, 1990, to celebrate the 300th anniversary of the founding of the Massachusetts Supreme Judicial Court. Professor Wroth's review of the book, *Essays in the History of Canadian Law, Volume III, Nova Scotia*, was published in *The American Review of Canadian Studies*, vol. 22, no. 4, Winter 1992. He also co-authored a comment with Hugh Calkins, Esq., "Good News and Bad News: A Three-Year Progress Report on Implementation of the Legal Needs Study," published in the *Maine Bar Journal*, May 1993. Professor Wroth appeared before the Judiciary Committee of the Maine Legislature on February 25, 1993, to discuss state appropriations for legal services for the poor, and on March 10 and May 12 and 17, to discuss legislation to implement the recommendations of the Report of the Commission to Study the Future of Maine's Courts. He made presentations concerning the proposed new Vermont Code of Judicial Conduct before the justices and

judges of the Vermont Supreme, Superior, and District Courts at Burlington on March 12, and before the Vermont Probate and Assistant judges at Montpelier on April 29. Professor Wroth organized and was on the faculty at the Maine State Bar Association's Continuing Legal Education program, "Conflicts of Interest: Understanding the New Maine Rules," in Augusta on June 4. He drafted the new Maine Code of Judicial Conduct and extensive Advisory Committee's Notes. The Code, based on the American Bar Association's Model Code of 1990, was promulgated by the Maine Supreme Judicial Court on May 21, effective September 1, 1993.

Professor **Melvyn Zarr** is a reporter to a committee, chaired by Federal District Judge Brock Hornby, which is preparing pattern criminal jury instructions for the first circuit.

Dean **Donald Zillman** moderated the Law Day Celebration panel discussion, "Ethics and Economics: The Impact of the Bottom Line," on April 30 in Portland. The event was sponsored by the Maine Council of Churches and the Maine State Bar Association. On April 24 he presented a paper on GATT and the National Security Exemption to the International Bar Association Academic Advising Group in Leiden. Dean Zillman has completed revision of *Constitutional Law for the Citizen Soldier* for McGraw-Hill. He, Professor David Gregory, and Mr. Jack Simmons have completed *Maine Tort Law* for Butterworths Publishers. Publication is expected in December, 1993. ■

Rogoff Lectures at Université du Maine

Université du Maine Faculty of Law and Economics in Le Mans, France was home to Professor Martin Rogoff for the month of March. Invited to teach the international law course for three weeks, Rogoff lectured in French on the use of force by the United Nations, the use of force by states, and United States foreign relations law.

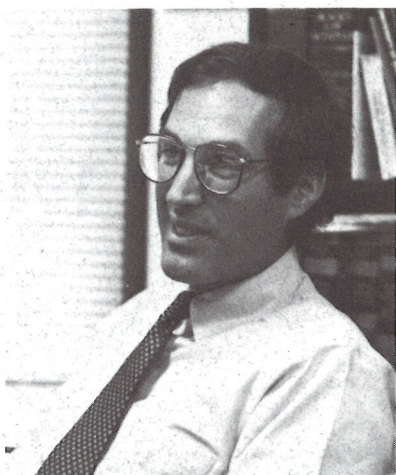
The French approach to teaching law is very different, Rogoff said. "While I enjoyed the experience greatly," he said, "I was very much a

lecturer. I would have preferred more discussion, but the atmosphere there is much more formal. The Professor is a more remote figure." The French do not use the case method for teaching law, he said; they use a more structured, theoretical approach. The third week's lectures were most interesting, he said, as the topic inspired more conversation. The introduction to that week's lectures follows this article.

In addition to lecturing at the Université, Rogoff watched a criminal proceeding at the Court of Cassation

in Paris, France's Supreme Court. "There are actually three supreme courts in France," Rogoff explained. "The Court of Cassation is supreme on criminal and civil issues. The Council of State hears cases involving the government and the Constitutional Council decides on the constitutionality of laws."

He also visited ordinary criminal proceedings and spent time with the President of the Bar Association in Le Mans, learning more about the practice of law in France. French law, based on civil law as opposed to the common law basis of Anglo-



Professor Martin A. Rogoff

American law, "is highly codified, principally legislatively made," Rogoff explained, "quite different from our system. There is no case precedent doctrine."

Rogoff has had a longstanding interest in France. During the past few years, he has increased his fluency and visited France often. Last semester he met with a group of French-speaking students at the Law School to discuss legal developments in France and the European Community. He will be teaching a new course next year in European Community Law.

The University of Maine System has likewise had a longstanding relationship with the Université du Maine. Rogoff sees an opportunity to expand that relationship through faculty and student exchanges. He is particularly interested in creating a one-week student/faculty exchange visit each year, one year here, the next there.

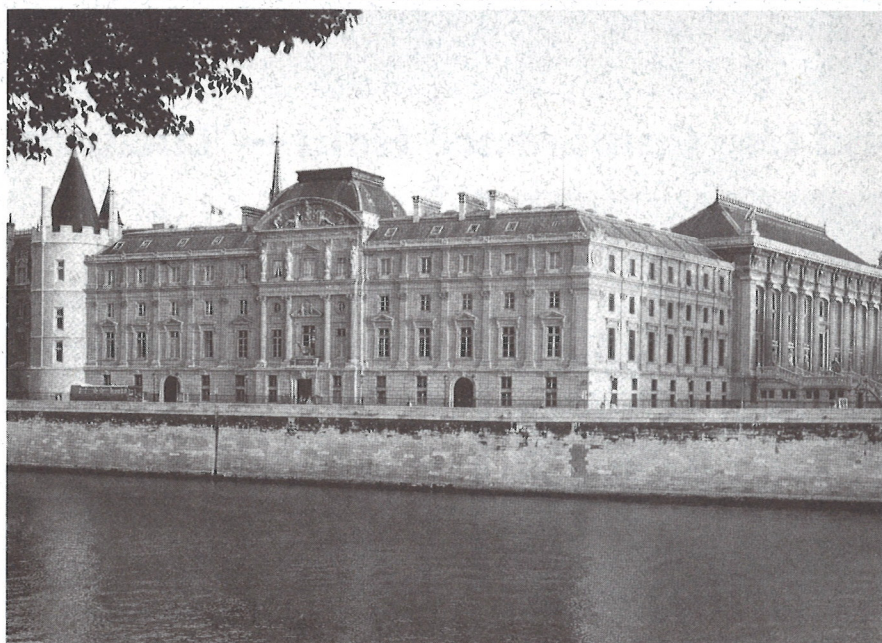
"An annual exchange visit would give our students the chance to learn about and appreciate a continental European system that is quite different from ours but like that in many parts of the world, including Quebec and Louisiana. It would help promote an understanding of international trade and European Community law which are daily becoming more important to all of us," he commented, "while exposing students to a culture that is an important part of Maine's heritage." ■

Le droit des affaires étrangères aux Etats-Unis

[The following passage is an excerpt from the introduction to Professor Rogoff's three lectures on the foreign affairs law of the United States, delivered at the Université du Maine, Le Mans, France, during the week of March 21, 1993. In the portion of his remarks which is reproduced below, Professor Rogoff explains why the foreign affairs law of the United States should interest French law students, gives examples of the sorts of legal problems encountered in the area, and provides an overview of his lectures.]

Bonjour Mesdames; bonjour Messieurs. Cette semaine je vais vous parler du droit des affaires étrangères aux Etats-Unis. On peut définir le droit des affaires étrangères comme le corps de droit interne qui a une importance dans les relations étrangères. Pendant cette heure, je vais me concentrer sur la structure juridique de la conduite des affaires étrangères aux Etats-Unis et sur les relations entre le droit international et le droit interne américain. Il s'agit ici surtout du droit constitutionnel, parce que c'est la Constitution qui délimite les décisions gouvernementales sur le plan international, et c'est aussi la Constitution qui détermine le statut du droit international dans le droit interne.

Il va sans dire que ce sujet a beaucoup d'importance aux Etats-Unis. Mais je crois que vous le trouverez très intéressant aussi. D'abord, pour vraiment comprendre la politique intérieure des Etats-Unis en ce qui concerne les affaires étrangères, il faut comprendre le cadre juridique dans lequel elle se produit. C'est le droit des affaires étrangères qui fournit ce cadre juridique et qui fournit aussi les termes du discours qui s'emploient dans tous débats sur les initiatives internationales dans le gouvernement aussi bien que dans la nation. En second lieu, en ce qui concerne un état qui a des relations diplomatiques et politiques avec les Etats-Unis, comme la France, il faut comprendre le droit américain des affaires étrangères afin de savoir comment traiter ou négocier avec les Etats-Unis. Quelles parties du gouvernement américain doivent donc être participant dans quelque décision, comme par exemple la conclusion d'un traité ou l'élimination d'un obstacle au commerce extérieur? Quels moyens juridiques sont alors ouverts au gouvernement américain afin de réaliser un but particulier? Troisièmement, l'étude du droit des affaires étrangères aux Etats-Unis est pour vous un exercice en droit comparé ce qui vous permettra de
(continued on next page)



Court of Cassation

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mieux comprendre et d'apprécier le droit des affaires étrangères français. Enfin, une raison importante pour que vous vous intéressiez au droit des affaires étrangères américain, est que les Etats-Unis sont un état fédéral. De nombreux problèmes du droit américains dans le contexte des affaires étrangères se produisent à cause de cette structure fédérale. La France fait partie de la communauté européenne qui peut être décrite comme un état fédéral au stade embryonnaire. L'expérience américaine pourrait donc faire présage aux problèmes juridiques de la communauté européenne ainsi qu'à ceux des états membres sur le plan des affaires étrangères et l'expérience américaine pourra vous suggérer des solutions à ces problèmes.

La conduite des affaires étrangères aux Etats-Unis, comme celle de presque tous les états, se situe principalement dans le secteur exécutif du gouvernement central, mais la Constitution est dans ce domaine extrêmement imprécise dans sa définition des pouvoirs exécutifs. Aussi la Constitution donne-t-elle au Congrès des pouvoirs importants au niveau des affaires étrangères. Pour compliquer la situation, il faut considérer aussi les actions des gouvernements des cinquante états qui peuvent avoir des ramifications sur le plan international. (Il faut comprendre que la structure gouvernementale des Etats-Unis ne soit pas comme celle de la France: aux Etats-Unis, les gouvernements subsidiaires possèdent

de vrais pouvoirs de prendre les décisions importantes.) Et, bien sûr, toutes les actions gouvernementales, y comprises celles sur le plan international, doivent être en conformité avec les dispositions de fond de la Constitution, comme les limitations sur les pouvoirs des gouvernements fédéraux et étatiques de la Déclaration des droits et d'autres clauses de la Constitution.

Au cours de l'histoire américaine, surtout dans son passé récent, il y a eu bien des disputes sérieuses entre le président, le Congrès, et même parfois des états et des individus concernant la conduite des affaires étrangères. Souvent, les cours se voient engagés dans la résolution de ces conflits. Au fond, ces conflits institutionnels sont des conflits politiques. Cependant, ils se déroulent d'habitude sur le plan juridique et sont disputés en termes juridiques.

Je voudrais vous donner quelques exemples du genre de problèmes dont il s'agit. Certainement les européens se souviennent de la faillite de la ratification du traité de Versailles par les Etats-Unis après la Première guerre mondiale malgré le rôle important dans les négociations joué par le président Wilson au Congrès de Versailles. Le Sénat américain, qui selon la Constitution doit y donner son approbation, a voté contre le traité. Considérons aussi les interventions militaires des Etats-Unis pendant les trente dernières années: surtout au Viet-Nam pendant les années soixantes, et plus récemment, au Nicaragua et en Irak. Dans tous

ces cas des conflits sérieux se sont produits entre le président et le Congrès. Ces conflits ont eu des influences importantes sur la politique poursuivie par les gouvernements américains successifs.

Pendant la première heure je commencerai par vous décrire les principes constitutionnels d'importance qui s'appliquent à la conduite des affaires étrangères. Aussi faut-il considérer l'histoire de la croissance énorme du pouvoir exécutif depuis la ratification de la Constitution en 1788 jusqu'à nos jours, qui a engendré des problèmes tout à fait nouveaux et non prévus par les dispositions de la Constitution. Ensuite je discuterai la façon dans laquelle la Cour suprême a appliqué les principes constitutionnels pertinents dans quelques cas classiques. Pendant les heures suivantes je parlerai de quelques domaines particuliers qui sont spécialement intéressants et importants, comme le pouvoir d'entrer dans des accords internationaux, le pouvoir de déclarer la guerre et de la faire, le pouvoir de régler le commerce international, et les problèmes créés par la structure fédérale sur le plan des affaires étrangères. Puis, je décrirai le rôle des cours de justice pour faire respecter la structure constitutionnelle et résoudre les conflits institutionnels. Enfin, je finirai par expliquer les relations entre le droit international et le droit interne: la fameuse querelle entre le monisme et le dualisme. ■

Land Use Conference Held — "Lucas and Its Emanations"



**Mary Duncan Shahid, Esq.,
speaker at The Law of "Takings"
Conference, March 12-13**

On March 12-13, 1993, the Law School held a conference on "takings" issues, that examined the Supreme Court's recent *Lucas* decision as well as important Maine cases on this issue. A series of panel discussions focused on the meaning and ramifications of *Lucas*, what it portends for Maine property owners and regulators, and where we seem to be headed in the area of "police power" controls.

The conference was organized by Professor Orlando Delogu. Professors Zillman, Gregory, and Rieser and leading Maine national practitioners in the area of law participated. Pro-

fessor James Huffman, Lewis & Clark School of Law, Dean Judith Wegner, University of North Carolina, and Mary Shahid, Esq., South Carolina Coastal Council (the defendants in *Lucas*) were among the visitors.

All of the attendees were provided with an extensive set of materials including many of the leading "takings" cases from both the Law Court and the U.S. Supreme Court, commentaries, law review extracts, notes, collateral case references, etc. Bound, surplus copies of these materials can be obtained at cost, \$25.00 per set, by writing Professor Delogu. ■

Public Interest Law Fellowships

Eleven first and second year law students were awarded summer public interest fellowships by the student organization, Maine Association for Public Interest Law (MAPIL). MAPIL raises funds for the fellowships through an annual student, faculty and staff pledge drive and an annual auction. Additional funds are donated to the Public Interest Fellowships through the Annual Fund. The fellowships allow students to work as legal interns during the summer for private non-profit organizations and governmental agencies.

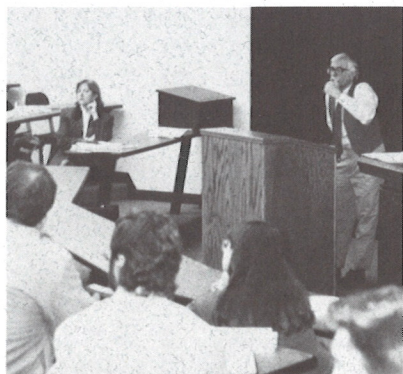
The selection committee awarded a total of \$21,500 in Public Interest Summer Fellowships to the following students: Louise Berlin '95, Family Crisis Center, Portland; Aria Eee '94, Passamoquoddy tribe, Pleasant Point, Maine; Rick Foss '94, Whitman-Walker Clinic, Washington, D.C.; Ted Foss '95, Texas Civil Rights Project, Austin, Texas; John Gale '95, Maine Audubon Society, Falmouth; Lea-Anne Jameson '95, Pine Tree Legal Assistance, Inc., Portland; Nicholas Kaldro '95, Legal Services for the Elderly, Portland; Alexander Leddy '95, Maine Attorney General's Office, Augusta and Maine Pretrial Services, Portland; Bill Norbert '95, Maine Attorney General's Office, Augusta; Barry Putterman '94, Family Law Project, Portland and Department of Environmental Protection, Augusta; and Jerry Reid '94, Maine Attorney General's Office, Augusta. ■



John Bisson and Elaine Michaud, both '93, review highlights of the year at Moot Court dinner, April 15, 1993.



Michael Spargo '94 and Pam Smith '94, new Moot Court Board Co-Chairs



Professor Orlando Delogu, coordinator of the Law of "Takings" Conference, March 12-13, speaks to participants.



Hon. Daniel Wathen '65 speaks at Law Review Banquet, April 8, 1993.



Larissa Shumway '94, new Editor-in-Chief, The Maine Law Review

May 15: Graduation for 80 in Class of 1993

"We graduate today the finest class in the history of the Law School," said Dean Zillman, in his comments to the class of 1993 at Commencement. He confessed that he had used this line before, but the performance of the Class of 1993 forced him to use it again. "This is a class that has become more than the sum of its excellent individual parts," he said.

He cited the work of the Law Review and Territorial Sea Journal, the "remarkable record of the Moot Court and Trial Advocacy teams," the public service commitments, and the working through difficult issues in a spirit of shared concern. "You have maintained a civility of dialogue that we need badly to reintroduce to the legal community," he said.

David Flanagan brought greetings from the Board of Trustees. "It is always a pleasure to represent the Board of Trustees at Law School Commencement," he said, and a particular pleasure this year because the Class of 1993 has already achieved so much. "Outstanding programs like the Law School will not only survive these troubled times but prevail and prosper in the future," he said.

University of Southern Maine President Richard Pattenauode congratulated the Class for their accomplishments, "with great expectations about what you will accomplish."

William Schneider delivered the Student Address and Hon. Caroline Glassman delivered the Commencement Address. Dean Zillman presented the Distinguished Alumnus Award to David B. Hawkes '69. Associated Dean Colleen Khoury, Assistant Dean Barbara Gauditz, Alumni Association President David Corson '69 and Student Bar Association President Kenneth Fredette '94 presented awards. Professor Kinvin Wroth presented the graduates; Dean Zillman and Registrar Frances Tucker presented the diplomas.

Commencement was held at Portland City Hall. A reception at One City Center followed. ■



William Schneider

William Schneider: Make Goals of ADA a Reality

The Americans with Disabilities Act is a crucial piece of civil rights legislation, said William Schneider, elected by classmates as student commencement speaker. "On July 26, 1990, five years to the day after I was injured in an automobile accident, in which I received a spinal cord injury that left me unable to walk," he said, the bill was signed into law.

The ADA, he said, assures that people with disabilities have the chance to "enjoy some fundamental parts of everyday life without facing unnecessary barriers."

"My main message is that everyone here has a role in the eventual success of the ADA," said Schneider. Everyone can notice barriers; everyone can reward barrier-free companies with their business. And lawyers must set the highest example of accessibility and compliance, he said.

"We must advise our clients on the spirit as well as the letter of the ADA, and encourage private resolution of accessibility problems," said Schneider. "When that is not successful, however, we must take up the cases of people who have been physically barred from opportunities to enjoy employment and access to public services and places of public accommodation. Only if every one of us contributes to this effort will the lofty goals of the Americans with Disabilities Act eventually be realized." ■

Awards

Faculty Scholastic Achievement Award, for highest academic average: **Amy Tchao**

Cumberland Bar Association Award, for greatest contribution to the development of the school through scholarship, work in the *Maine Law Review*, and other student activities: **Elizabeth Wallace**

Law Alumni Association Award, to an outstanding class member: **Donald Kreis**

Faculty Significant Achievement Awards, for academic performance and overall contribution: **John Bisson, Sean Carnathan, Paul Pietropaoli, James Stolley**

Gignoux Award for Appellate Advocacy, for excellence in advocacy skills: **Ivy Frignoca, Elaine Michaud**

Faculty Award for Trial Advocacy, for outstanding performance in Trial Advocacy: **William Schneider**

West Scholastic Achievement Awards, in Evidence: **Sean Carnathan**; Business Law: **John Anderson**; Family Law: **Lise Wagner**; Commercial Law: **Paul Hoffman**

Independent Writing Project Award, for best Independent Writing Project: **Valerie du Laney**

BNA Student Award, for sustained academic improvement: **Blaine Riggle**

Maine State Bar Association Pro Bono Student Award, for law-related services to the community, without compensation: **David Casavant**

Student Bar Association Award, for distinguished service to the student body: **James Stolley** ■

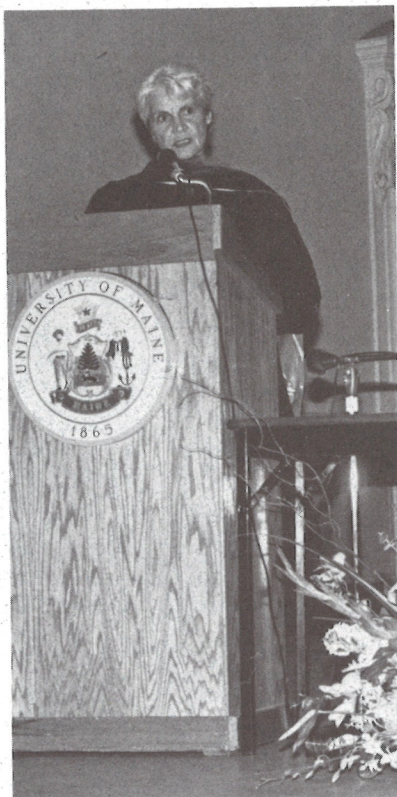
Hon. Caroline Glassman: Money Does Not Make Life Rich

Perhaps you have heard the very old adage, "Rich or poor, it is nice to have money." It really is not an oxymoron but a succinctly stated recognition that the presence of money does not make one rich, nor does its absence make one poor, but that money is only a pleasant adjunct to an otherwise rich or poor life.

It also serves as a useful point of reference in my address today about the growing concern of a number of lawyers, judges and scholars that the practice of law can no longer be deemed a time-honored profession for it has become a business driven by the desire to acquire money. One lawyer characterized it as the passing of the golden age of law as a profession.

This concern gains some reinforcement by the perception of the practice of law as reflected in the news media, in statements made by non-lawyers, and even in the enactment of certain legislation, not only at the state level but at the national level. The alleged avarice of lawyers has at various times been identified by one or all of those groups as the major cause for the rising cost of health care, the premiums for automobile insurance, both legal and medical malpractice insurance, and for that of workers' compensation insurance.

It has also been identified as the primary reason why a large segment of our society cannot afford any legal services and for the flooding of our judicial system with needless pre- and post-trial motions and frivolous complaints. Is there enough real basis for



Hon. Caroline Glassman

this concern and apparent public perception about the practice of law to merit the consideration of all of you who have chosen law as the arena in which to work? I think so.

It has been said that, "There is nothing so habit forming as money." Perhaps there is a real risk that what heretofore has been an acceptable habit of lawyers and in fact, all of society, is becoming dangerously close to a destructive addiction.

Those who have delved into the situation more closely than I seem to have agreed that there is an identifiable symptomatology present in the conduct of a lawyer suffering from money addiction. I will relate a few of these symptoms on which there seems to be an accord:

1) the lawyer who fails to recognize that rules and ethics are not identical and that compliance with rules does not necessarily equate with ethical compliance;

2) the lawyer whose practice is conducted on the belief that "Giving no quarter and asking for none" is an essential prerequisite to the best representation of a client, obviating

any consideration of the extension of common courtesies;

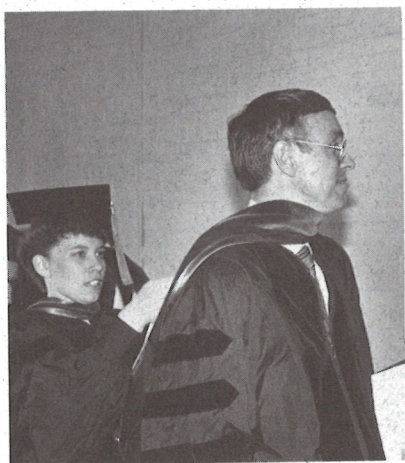
3) the lawyer who firmly believes that the filing of an adversarial motion replaces all other forms of communication with any other lawyer representing the opposition;

4) the lawyer who just can't say no to any person willing to pay the hourly rate regardless of the merits of the case, the lack of the lawyer's expertise in that particular area, or of the time restrictions as to the number of cases one lawyer or one law office can adequately process; or

5) the lawyer who adopts the rationale that the end justifies any means of achievement.

I am confident that none of you will ever suffer from any of these symptoms—that your goal throughout your legal career will not be just to acquire money but rather will be to accumulate the riches of life, knowing that riches are acquired by giving and by being a decent, caring and happy person who always listens to and follows the dictates of that inner voice each of us has that distinguishes ethics from rules. And I am confident that you realize that if one lives a life that accumulates riches then inevitably that nice adjunct to a rich life—money—will surely also be present.

Because today is, coincidentally, the 12th anniversary of the death of Harry Paul Glassman, who, as some of you may know, was for several years a professor at the University of Maine School of Law, I share with you Harry's comments about the priorities of law and about graduates of this law school. Harry always said that in the practice of law no amount of diligence could make up for a spark of genius. He also always said that he had no concern about the success of the graduates of the University of Maine Law School because they had been taught that the practice of law required hard work and great diligence and all had that spark of genius. ■



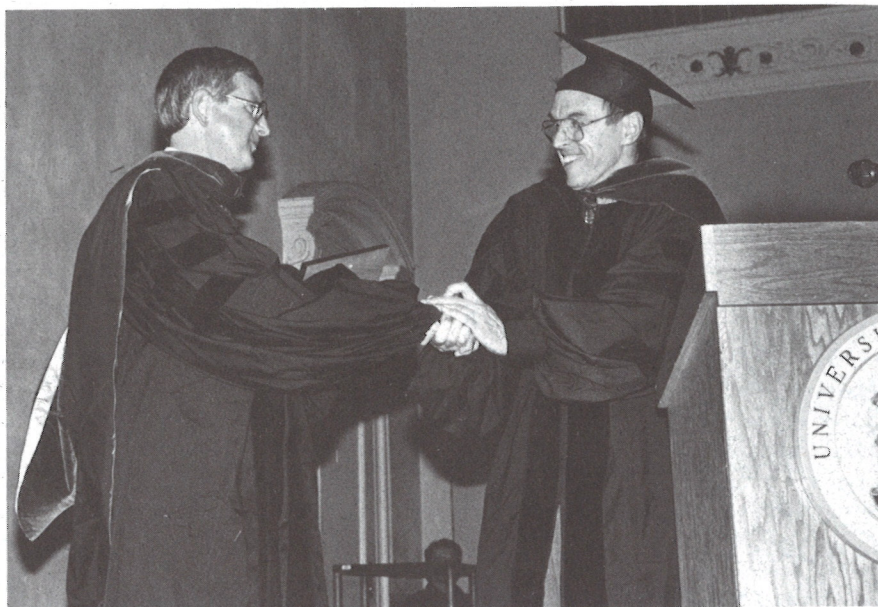
Liz Beard assists the Dean.

Hawkes Receives Distinguished Alumnus Award

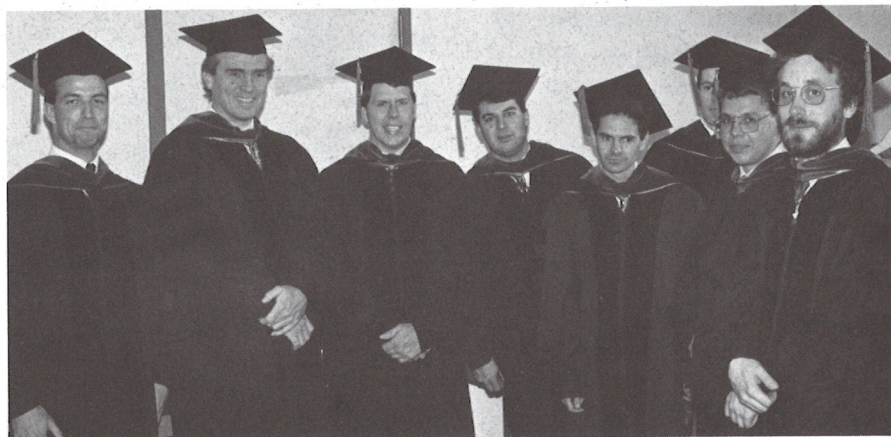
David B. Hawkes '69, Senior Attorney at KPMG Peat Marwick, was presented with the Distinguished Alumnus Award. Cited for his achievement in his profession, commitment to public service in the community, and continuing interest in the Law School, Hawkes graduated from both the University of Southern Maine and the Law School. Following graduation, he earned his LL.M. in tax from Boston University. He was the youngest person ever to be made a partner at KPMG Peat Marwick.

The contributions Hawkes has made to the community are many as are the services he has provided to the Law School. He has served on the Alumni Board, has chaired the Annual Fund, has been President of the Board, and was the alumni representative on the most recent dean search committee.

This year was the second in which the distinguished alumnus award was given; last year it was presented to Hon. Daniel E. Wathen '65. ■



David Hawkes '69 receiving the Distinguished Alumnus Award from Dean Zillman.



Lining up: Steve Lariviere, Jeff Newcombe, David Brenningmeyer, Dan D'Auteuil, Robert Burgess, Glenn Powell, Arne Oja and Matthew Dyer



Alumni Association President David J. Corson '69 congratulates Donald Kreis, recipient of Law Alumni Association Award.



Lining up: Walt McKee, Dave Pierson, Christine Vito, Liz Wallace, John Bisson



Tony Anaman

Honor Graduates

Summa Cum Laude

John Anderson
David Brenningmeyer
Sean Carnathan
Paul Pietropaoli
Amy Tchao

Magna Cum Laude

Paul Hoffman
Donald Kreis
Edward Newcombe
Pamela Spaccarotella
Elizabeth Wallace

Cum Laude

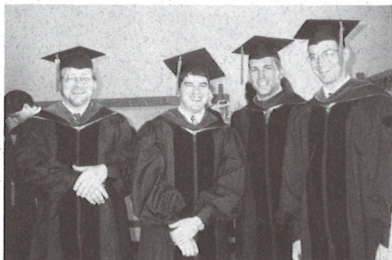
John Bisson
Michele Dorsey Brooks
Robert Burgess
Michelle Bushey
Lisa Butler
J. Gary Carpenter
Hugh Connor
Daniel D'Auteuil
Lori Desjardins
Valerie du Laney
Angus Ferguson
Ivy Frignoca
George Guzzi
Michael Hodgins
David Pierson
D. Blaine Riggle
William Schneider
James Stolley
Christine Vito
Joseph Welsh
James Whittemore
Jean Wulff ■



Summa Cum Laude: Amy Tchao, Dave Brenningmeyer, Paul Pietropaoli, John Anderson, Sean Carnathan



Vicki Mathews with parents



Angus Ferguson, Paul Pietropaoli, Paul Tardif, Shaun Lister



Liz Wallace and fiancé



Jim Boffetti with parents



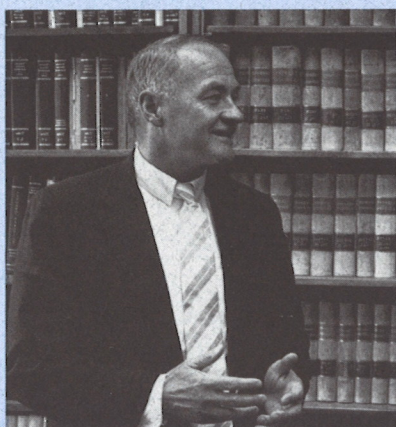
Anne Underwood with family



Celebrating with spouses, family and friends: Sharon Phelan, Bill Schneider, Todd Fahey, Hilary Rapkin, Jean Wulff, Jeff Newcombe, Lori Desjardins, Pam Spaccarotella . . .



Jamie Whittemore, Lise Wagner, Sean Carnathan, Judy Plano, Amy Tchao, Jim Stolley, Jonathan Doolittle, David Casavant.



David J. Corson '69

President's Column

Best class ever? One of my not so onerous duties as Alumni Association President is to represent the Association at Commencement in presenting the Alumni Association Award. On a super Saturday afternoon, I sat with faculty, students, and speakers, and heard Dean Zillman remark that the Class of 1993 is the best class ever graduated from the Law School. An overused accolade, the Dean wondered aloud. I thought about the graduates around me and wondered if perhaps, it is the best class ever.

The Moot Court Team's victories are astounding. Winning in two national competitions when our teams were up against teams from much larger schools and many schools with large budgets supporting their teams. More students from this class selected by Maine's Supreme Judicial Court to clerk during the coming year than ever before. A Federal clerkship. And three Superior Court clerkships. Five people graduating *summa cum laude*, another record.

As I watched individual class members receive awards, I remembered meeting a number of them at the Scholarship Reception in March, where I again represented the Association. Liz Wallace, recipient of the Cumberland County Bar Association Award, was an Alumni Association Scholarship recipient. As were Blaine Riggle, who received the Bureau of National Affairs Award and Lise Wagner, who received the award for academic performance in family law. Lise had spoken movingly at the Scholarship Reception about what her scholarship meant to her. Ivy Frignoca, Vermont Alumni Association Scholarship recipient, received the Gignoux Award for Appellate Advocacy.

I listened to Bill Schneider, elected by his peers as student speaker, talk about the importance of the Americans with Disabilities Act. Having run into Bill in court—he works in the Cumberland County District Attorney's Office—I knew he is already an extremely capable attorney. It was no surprise to me that he received the Trial Advocacy Award.

It gave me a lot of pleasure to make the Alumni Association Award to Donald Kreis. This award is given to an outstanding member of the class. Kreis, a magna cum laude graduate, has been involved in school activities during his entire three years at the Law School. Most recently, he organized two panels that examined the tensions between the press and those in the legal profession; the discussions were taped. Some of you may have seen them on Channel 51 or on Portland Community Cable.

Participating in the ceremonies made me appreciate more fully the relationship between alumni and students. I saw the tangible impact of our fundraising on students. I watched them praised for their achievements and literally saw them joining us as alumni, committed to continue achieving and contributing. ■

Alumni Honored by Maine Bar Foundation

Ten alumni were recently elected as Fellows of the Maine Bar Foundation. Fellows are selected for their dedication to integrity, high personal and professional ethical standards and outstanding contributions to the legal profession and the public good. Invitations to membership are extended to a small percentage of the Professional Bar each year.

Those elected include: Hon. Daniel E. Wathen '65; Hon. Susan W. Calkins '70; Hon. Rae Ann French '72; Hon. Peter J. Goranites '73; Hon. Ronald D. Russell '72; Judith W. Andrucki '79; Eugene C. Coughlin, III '70; Wayne R. Crandall '68; Rendle A. Jones '67; and Philip K. Jordan '72. ■



John Hobson '83 and Colleen Tucker '84 in forefront. John Walker '71, Bob Walker '69, David Farrar '86, David Corson '69 and Rick Shinay '80 listen as Dean Zillman and Joan Amerling thank them for their work in making the 1992 Annual Fund a success.



David J. Corson '69, Alumni Association President and Chair of the 1992 Annual Fund, thanks class agents and Phonathon workers for helping the 1992 Annual Fund reach its goal in a tough year for fundraising. The lunch to thank Fund workers was held at the Portland Country Club on March 10.

Alumni News

'65 Hon. Daniel E. Wathen authored a comment, "What I did Last Summer," which was published in the May '93 *Maine Bar Journal*.

'70 Hon. Susan W. Calkins is the author of, "Traffic Infractions: A New Procedure," which was published in the March '93 *Maine Bar Journal*.

'72 Peter J. DeTroy, III was on the faculty of the Maine State Bar Association's Continuing Legal Education program, "Surviving Big Cases: Managing Complex Civil Litigation," on May 21 in Portland. Ralph J. Gillis is a partner with the new firm of Gillis & Angley, Hingham, Massachusetts. Hon. Ronald D. Russell was on the panel, "Essential District Court Practice Skills," at the MSBA's CLE program on May 7 in Bangor.

'73 Peter S. Mills, III was recently elected to the American College of Trial Lawyers. Membership is limited to fewer than one percent of those attorneys admitted to practice in each state or Canadian province who have demonstrated special competence in the trial of cases and resolution of disputes. Gregory H. Smith has been named Senate Legal Counsel for the state of New Hampshire. He continues his practice with the McLane, Graf, Raulerson & Middleton law firm where he is chairman of the Administrative Law Department and manager of the firm's Concord branch.

'74 Paul W. Chaiken is a newly elected Board member of the Maine Bar Foundation. Hon. Dana A. Cleaves was on the faculty of the Maine State Bar Association's Continuing Legal Education program, "Parenting Alternatives," held on April 30 in Portland. Peter C. Fessenden was moderator of the MSBA's CLE program, "The Pro Bono Lawyer: Home Mortgage Foreclosure, Consumer Credit, and Consumer Bankruptcy," on April 8 in Portland. Caroline V. Rider was promoted to Associate Professor of Management Studies (Law & Management) at Marist College, Poughkeepsie, New York, where she teaches Business Law, Business & Society, International Trade Management, and graduate courses in the MBA and MPA programs. She remains a partner in the firm of Weiner & Rider along with her husband Paul Weiner and is the mother of two boys, ages 15 and 10. In January, 1993, she

was re-elected chairperson of the New York State Bar Association International Law and Practice Section Committee on International Sales and Related Transactions.

'75 J. Scott Davis was on the faculty of the Maine State Bar Association's Continuing Legal Education program, "Conflicts of Interest: The New Maine Rules," held on June 4 in Augusta. Bryan M. Dench was on the faculty of the MSBA's CLE program, "A Primer on Employment Termination," on May 14 in Augusta.

'76 Alfred C. Frawley, III was Co-Chairperson and faculty member of the Maine State Bar Association's Continuing Legal Education program, "Intellectual Property Litigation," held on April 16 in Portland. Robert E. Mongue has relocated his law offices to Building 3, Unit 21, Post Road Center, 62 Portland Road, Kennebunk.

'77 Hon. Roland Beaudoin authored an article, "Toward a More Positive and Prospective Approach to Determining the Best Interests of Children," published in the March '93 *Maine Bar Journal*. Rebecca H. Farnum is a new member of the Maine Bar Foundation's Executive Committee. John H. Montgomery was on the faculty of the Maine State Bar Association's Continuing Legal Education program, "Surviving Big Cases: Managing Complex Civil Litigation," on May 21 in Portland. Louise K. Thomas was on the faculty of the MSBA's CLE program, "Conflicts of Interest: The New Maine Rules," held on June 4 in Augusta.

'78 Eileen M.L. Epstein, formerly with Jensen, Baird, Gardner & Henry in Portland, has become a member of the firm of McCandless & Hunt, Portland. Elliott L. Epstein authored an article, "The Enforceability of Extra-Statutory and Repudiated Divorce Settlement Agreements," published in the May '93 *Maine Bar Journal*. Mark G. Lavoie was Co-Chair of the Maine State Bar Association's Continuing Legal Education program, "AIDS and the Law," on June 17 in Augusta. Jonathan W. Reitman was on the faculty at the MSBA's CLE program, "Parenting Alternatives," held on April 30 in Portland. Paula N. Singer is on the board of editors of the Guidebook to Massachusetts for Foreign Businesses sponsored by the Massachusetts Bar Association, Boston Bar Association and International Boston. Her most recent

engagements were "International Tax Aspects of Exporting," at Governor Weld's Partners for Trade program on January 25; "Tax Treaty Benefits for Foreign Students and Scholars" and "U.S. Taxation of Foreign Students and Scholars," at the New England Regional Meeting of NAFSA on January 29; and "Doing Business in England, A Personal Tax Perspective," for the International Breakfast Series at the Ritz Carlton, Boston, on March 3. F. Mark Terison was on the Steering Committee for the Law Day Celebration forum, "Ethics and Economics: The Impact of the Bottom Line," held on April 30 in Portland. The event was sponsored by the Maine Council of Churches and the Maine State Bar Association.

'79 Judith W. Andrucki spoke on "Surrogate Parenting" at the Maine State Bar Association's Continuing Legal Education program, "Parenting Alternatives," held on April 30 in Portland. She was the honored guest on March 31 at a reception sponsored by the Women's Law Association at the University of Maine School of Law. Elizabeth R. Butler has become a member of the firm, Pierce, Atwood, Scribner, Allen, Smith & Lancaster, Portland. Wayne R. Douglas was Co-Chairperson and faculty member at the MSBA's CLE program, "Intellectual Property Litigation," held on April 16 in Portland. George C. Schelling was recognized for his distinguished service at the annual meeting of the Maine Bar Foundation held on January 21 in Bangor. Schelling served six years as Director of the Foundation.

'80 Janis Cohen is a newly elected Board member of the Maine Bar Foundation. Beth Dobson was on the faculty of the Maine State Bar Association's Continuing Legal Education program, "AIDS and the Law," held on April 16 in Augusta. Mary Gay Kennedy was on the faculty of the MSBA's CLE program, "Parenting Alternatives," held on April 30 in Portland. William M. Lund was confirmed on February 1993 for a second term as Superintendent of Consumer Credit Protection for the State of Maine. Peggy L. McGehee was on the Steering Committee for the Law Day Celebration forum, "Ethics and Economics: The Impact of the Bottom Line," held on April 30 in Portland. She has recently been elected to the Board of the Maine Bar Foundation. Peter Priest and his wife Nancy announce the birth of their second child, Sarah Fiona, on February 9, 1993.

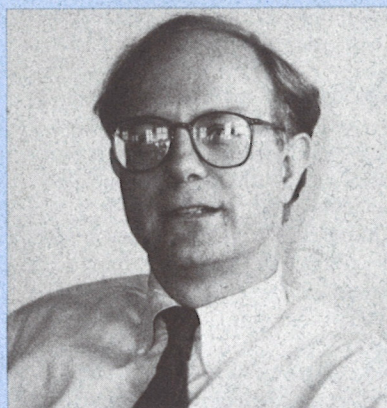
McCloskey Named U.S. Attorney

Jay P. McCloskey '78, an assistant U.S. Attorney for the past 13 years, was named the new U.S. Attorney for Maine by Senator George Mitchell. His appointment was made pending the approval of President Clinton and the U.S. Senate; a Senate vote is expected in late summer or fall.

In making the appointment, Mitchell said "Jay has the knowledge, temperament and ability" for the job. McCloskey was chosen from twenty applicants who were interviewed by a 12-person panel appointed by Mitchell.

A Bangor native, McCloskey has long been interested in public service. In 1970, at age 21, he was elected to the Maine House of Representatives. In 1974, he served as press secretary for Mitchell's unsuccessful gubernatorial campaign. During law school, he did staff work for the Legislature's reapportionment committee. After law school, he worked as a legislative assistant for Senator William Hathaway in Washington, D.C.

After Senator Hathaway was defeated, McCloskey headed back to a small firm practice in Bangor, although he seriously considered joining Dupont's legal staff. Approached at the end of 1979 once again by Dupont, he sought advice from Mit-



Jay P. McCloskey '78

chell, who was then U.S. Attorney. Mitchell's advice was to come to work as an assistant U.S. attorney instead. McCloskey accepted and has been there since then, working in the Bangor office.

Initially McCloskey did mostly civil work. That shifted when he began to handle large-scale drug smuggling cases in the 1980's. In 1990, he became the supervisor of the Bangor office.

One of his most memorable cases, he said, was the prosecution of the Zion Coptic Church, which claimed smoking marijuana was part of their religion; "members of the Church smoked marijuana on the courthouse steps," he said. Another case he said

he will always remember was the prosecution of Michael Tindall, a large-scale drug smuggler and Vietnam War hero who claimed post-Vietnam stress syndrome as a defense. Although he won a conviction, McCloskey asked for just a two year prison sentence because, he said, he believed Tindall's emotional problems were legitimate.

McCloskey said that he expects Attorney General Janet Reno will bring a different focus to the Justice Department. U.S. Attorneys also make their own determinations about what deserves attention in their districts. "I will do that," McCloskey said. "I am now reviewing prosecution policies in a variety of areas."

"I would like there to be a strong focus on white collar crimes and increased attention in the area of civil prosecution," he said. "Money owed the government will be collected. For example, more attention will be paid to compliance with environmental laws and overbilling of government agencies." McCloskey will oversee a budget of \$2.2 million. Right now, he said, the \$2.2 million spent is more than offset by the \$4 million the U.S. Attorney's office collects. He would like to see that \$4 million figure grow even larger. ■

'81 **Gayle D. Wright** received a distinguished service award for her dedication to the Finance, Awards, and Executive committees at the annual meeting of the Maine Bar Foundation, January 21 in Augusta. **James D. Poliquin** was on the faculty of the Maine State Bar Association's Continuing Legal Education program, "Intellectual Property Litigation," held on April 21 in Portland.

'82 **Robert Cohen** has joined SULZERmedica USA, Inc., Angleton, Texas, the medical device portion of Switzerland's Sulzer Corporation, as Vice President of Business Development. **Starr Powell** runs a cattle ranch in Wellston, Oklahoma. He also has become a "quasi-entomologist" and raises exotic animals, reptiles and tropical fish as well.

'83 **Paul R. Bowles**, formerly with Paul, Frank & Collins, formed a law

firm, Bowles & Steckel, 61 Elm, Street, Montpelier, Vermont, in January 1993. **Daniel R. Warren** is the author of, "DNA Fingerprint Typing and Testing in Civil and Criminal Litigation: Celebrated Technology Runs Into Problems and Sends Lawyers Scrambling to Medical School," published in the 1992 edition of the *Maine Bar Journal* and recently selected for inclusion in the "Westlaw Journals and Law Review Databases Clearinghouse." An article that he wrote about constitutional issues surrounding insurance company lawyers contacting physicians for injured workers will soon be published in the *Colorado Litigation Journal*, a publication of the Colorado Trial Lawyers Association. The article was originally published in the *Maine Bar Journal*.

'84 **P. Andrew Hamilton** was on the faculty of the Maine State Bar Association's Continuing Legal Education program, "Practice and Procedure

Before the DEP," held on April 1 in Augusta. **Jay H. Otis**, formerly an associate with Cohen & Cohen, Bangor, has opened his own law firm, Law Offices of Jay H. Otis, Bangor. **Colleen P. Tucker**, formerly with Seaborn Associates, is now working for Recoll Management Corporation, Fleet Plaza, Portland. **Ed Daggett** and Steve Parker '88 announce that they have relocated their law firm, Daggett and Parker, to 148 Middle Street, Portland.

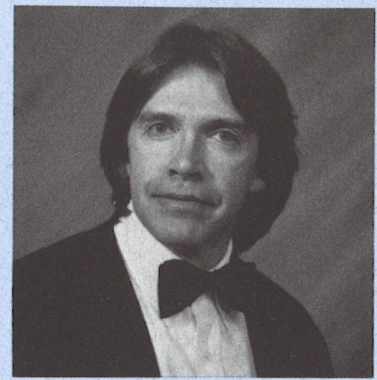
'85 **Kenneth P. Altshuler** was program chairperson and faculty member at the Maine State Bar Association's Continuing Legal Education program, "Parenting Alternatives," held on April 30 in Portland. **Jeri E. Brown** sends greetings from Colorado where she has become Assistant Vice-President of Governmental Affairs at Guaranty National Insurance Company. She was married on March 26, 1993. **Thomas F. Patch** has been named to the Board

of Editors of *Massachusetts Lawyers Weekly* for the 1993-94 term. The 28-member board, a cross-section of Massachusetts attorneys, is responsible for writing the editorials published in the weekly legal publication. He is in private practice in Plymouth, Massachusetts, where he lives with his wife and son.

'86 Brooke E. Barnes was on the faculty at the Maine State Bar Association's Continuing Legal Education program, "Practice and Procedure Before the DEP," held on April 1 in Augusta. **Jennifer S. Begel** and **Laurence H. Leavitt** have become partners at Friedman & Babcock in Portland. **Harry B. Center II** has become a member of the firm, Smith & Elliott with offices in Saco, Kennebunk and Portland. **Lloyd N. Martin** has been appointed to a three-year term as an associate member of the Auburn Planning Board. **Martin Schindler** spoke on "The Blended Family" at the MSBA's CLE program, "Parenting Alternatives," held on April 30 in Portland. **Deanna L. Staples** was on the faculty of the MSBA's CLE program, "AIDS and the Law," held on June 17 in Augusta. **June Zellers** has become a shareholder and director of Skelton, Taintor & Abbott in Auburn, Maine. She was a panelist at the MSBA's CLE program, "The Pro Bono Lawyer: Home Mortgage Foreclosure, Consumer Credit, and Consumer Bankruptcy," held on April 8 in Portland.

'88 Cynthia C. Arn has become a partner in the firm of Anthony, Howison, Landis & Arn in Portland. **Jens-Peter W. Bergen** has been made a member of the firm of Hodson & Associates, now named Hodsdon & Bergen, in Kennebunk, Maine. **Margaret R. Brann** and husband Peter announce the birth of David Harrison and Michelle Robin on February 5, 1993. **Paula House McFaul**, formerly with Amerling & Burns, has established her own firm, Paula House McFaul Law Office, 75 Pearl Street, Portland. **Steve Parker** and **Ed Daggett '84** announce that they have relocated their law firm, Daggett and Parker, to 148 Middle Street, Portland.

'89 David P. Crocker, formerly associated with Drummond, Woodsum, Plimpton & MacMahon, Portland, has opened his own office for the practice of debtor-creditor, commercial and small business law at 75 Pearl Street, Portland. **Gretchen L. Jones** was a panelist at the Maine State Bar Association's Continuing Legal Education program, "The Pro Bono Lawyer: Home Mortgage Foreclosure, Consumer Credit, and Consumer Bankruptcy," on April 8 in Portland.



Arthur R. Dingley '79

Dingley, J.D., D.O., Graduates First in Class

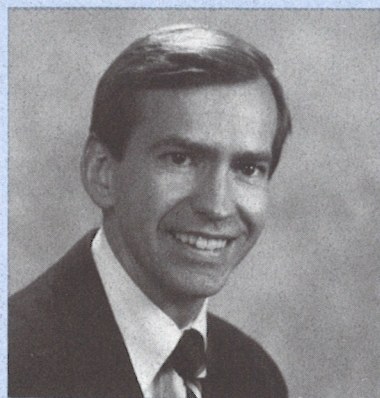
On June 5, at Commencement Ceremonies held at Portland City Hall, Arthur Dingley '79, was awarded the degree of Doctor of Osteopathic Medicine from the University of New England College of Osteopathic Medicine. He graduated first in his class and received both the Psi Sigma Alpha Award and the Upjohn Meritorious Scholarship Award.

Dingley will take his post-graduate training in Internal Medicine at Bowman Gray School of Medicine, Wake Forest University/North Carolina Baptist Hospitals in Winston-Salem, North Carolina. ■

Terison Selected for Justice Department Position

Mark Terison '78, Assistant U.S. Attorney and Assistant Attorney General in Maine, has been selected for a one-year appointment as Senior Attorney in the Legal Counsel's Office of the Executive Office of U.S. Attorneys in Washington, D.C. The appointment began on May 1; Terison's wife and children will join him as soon as the school year ends.

In this position, he will be dealing with all 94 judicial districts in the country and territories, providing legal advice and litigation support as well as advice about questions of ethics.



F. Mark Terison '78

He will also work with the Assistant Attorneys General of the United States in both the criminal and civil divisions.

"I was attracted to the job because I will be dealing with substantive issues," Terison said. The Executive Office was established in the 1950's,

he said, to assist U.S. Attorneys with their day-to-day functions. The idea behind this special appointment is to bring to Washington someone with practical experience in the field at the trial and appellate level.

Terison has been an Assistant U.S. Attorney for 13 years; since 1989 he has been an appellate specialist. In January 1989 he was appointed concurrently an Assistant Attorney General to handle matters arising from the Presidential summer compound at Kennebunkport in state or federal court. Prior to joining the Justice Department, Terison was an Assistant District Attorney in Androscoggin County. "It's an exciting opportunity for me to get a perspective on the Justice Department which I wouldn't otherwise have," he commented. ■

'90 Brenda M. Buchanan was on the faculty of the Maine State Bar Association's Continuing Legal Education program, "AIDS and the Law," on June 17 in Augusta. Kelly A. McMoran has opened her own law office in Lewiston, focusing on criminal defense, with some child custody and divorce work.

'91 David Wakefield Bate has joined the firm of Preti, Flaherty, Beliveau & Pachios as an associate in the Augusta office. Dan Driscoll and his wife Susan announce that they have a new son, Joseph Martin Driscoll, born on May 11, 1993, weighing 6 lbs. 3oz. James M. O'Neil has joined the Corporate Trust Department of Fleet Bank of Maine.

'92 Yiping Yang has received an offer from *UCLA Pacific Basin Law Journal* to publish her thesis, "Some Features of the New Copyright Law of the People's Republic of China." The paper won first prize in the 1992 Nathan Burkan Memorial Competition. Yiping is currently working toward her LL.M. degree at the University of California at Berkeley. ■

Alumni Honored for Public Service

Many alumni were honored for their public service commitment at the Maine Bar Foundation's Law Day Celebration, held at the Blaine House in Augusta on May 3, 1993. Governor John R. McKernan, Jr. '74 welcomed everyone. Presenting the Pro Bono Publico Awards was Chief Justice Daniel E. Wathen '65. Vendean V. Vafiades '85, Senator Gerard P. Conley, Jr. '79 and Wathen gave a press conference focusing on the need for more legal services to the poor.

Alumni recognized for the most



Faculty Argument was heard by Hon. Gene Carter, Hon. Caroline Glassman and Hon. Margaret Kravchuk '76.



Professors Judy Potter and Michael Mullane shake hands after the Faculty Argument held on March 26.

referrals by the Volunteer Lawyers Project (VLP) by county were James P. Dunleavy '68, Aroostook County; Mary M.L.H. Flint '80, Franklin County; Joel F. Bowie '72, Lincoln County; Richard Edwards '72, Piscataquis County; Kenneth A. Lexier '91, Somerset County; William L. Dawson, Jr. '89, Waldo County; David J. Fletcher '71 and Dennis L. Mahar '86, Washington County; and Russell J. Goldsmith '90 and Michael J. O'Toole '85, York County.

Accepting the Pro Bono Publico Award for most cases referred by the VLP during one shift as Lawyer of the Day was Francis M. Jackson '77 and for most cases accepted by a solo practitioner, Murrough H. O'Brien '75.

The Thomas P. Downing Jr., Award went to Helen M. Bailey '76, Maine Advocacy Services and Leo J. Delicata '75, Legal Services for the Elderly, Inc.

Special recognition for accepting six or more VLP cases or donating 100 or more pro bono hours went to Cynthia C. Arn '88, James P. Dunleavy '68, Wayne R. Foote '86, Caroline J. Gardiner '89, N. Paul Gauvreau '75, Russell J. Goldsmith '90, Alan F. Harding '78, Francis M. Jackson '77, Justin W. Leary '87, Kenneth A. Lexier '91, John C. McCurry '84, Thomas Nicholson '90, Murrough H. O'Brien '75, Bernard G. O'Mara '73, Michael J. O'Toole '85, Michael R. Poulin '82 and Dale F. Thistle '91. ■

Alumni Activities

Beginning with the January 28 New Hampshire Alumni Dinner, Don Zillman, Alumni Association President David Corson '69, and Alumni Relations Director Joan Amerling, gathered with alumni in various locations.

On April 6, alumni gathered for lunch at the Senator in Augusta. On April 13, Bangor area alumni met for dinner at the Pilot's Grill. Zillman and Corson met with Washington, D.C. alumni for a Reception on Capitol Hill on May 10; Majority Leader George J. Mitchell dropped by to speak with the group. Dean Zillman attended the Androscoggin County Bar Association June 16 meeting and met with alumni at the Reception preceding dinner. ■



Attorney General Mike Carpenter '83 with Hon. Thomas Delahanty '70 at Augusta lunch held on April 6



David Corson '69, Alumni Association President, chats with George Eaton '84, Board member, at Bangor area dinner.



Hon Dan Wathen '65 talks with his clerks, Marsha Metcalf and Tom Bradley, both '92, at the Augusta lunch.



Christine Valar and Andy MacLean, both '91, get caught up at Augusta lunch.



Craig Nelson '69, Rob Burgess '79, Martha Freeman '80 and Dean Donald Zillman



Dean Zillman talks with Dean Beaupain '76 and Bob Briggs '73 at Bangor area dinner, April 13.



Hon. Margaret Kravchuk '76, Paul Chaiken '74 and David Chase '88 at the Bangor area dinner, April 13, 1993



Wakine Tanous '55 and Joe Baldacci '91 chat at Bangor area dinner.

Donald L. Garbrecht Library Association

The Donald L. Garbrecht Library Association, in its tenth year, now has over 600 members representing individuals, firms, corporations and the courts. We would like to thank these members for their continuing support of the Law Library.

INDIVIDUAL MEMBERS

James B. Bartlett
Shawn K. Bell
Christine Bertsch
Peter B. Bickerman
Susan Bidwell
Russell B. Boisvert
Allison M. Carrier
John L. Carver
Chris A. Caseiro
Robert Checkoway
Mary Lou Ciolfi
Kevin T. Cole
Cece Colpitts
Eric Cote
Robert J. Crawford
Robert N. Cyr
Edward David
Dana C. Devoe
John Paul Erler
Lisa Ernst
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