

B O S T O N
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M A G A Z I N E

*Law School Plays Pivotal Role
in John Salvi Murder Trial*

*One Man's Selfless Battle
To Save the Indian Nation*

*You've Come a Long Way, Baby:
The Women of '67 Prove Their Mettle*

*Plus:
The Annual Giving Report,
a Father Malley Tribute, Alumni News*

On the Cover:

A campus mosaic: With this edition, the magazine breaks tradition with themed issues and brings you a variety of feature articles that involve the entire Law School community. The photographs on the cover are details of the people whose stories are told inside. Photos (except fourth from left) are by Dana Smith.



PUBLICATION NOTE

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Campus lectures, visitors, symposia

Compiled by Jennifer Scupi

IN brief

Making Civil Litigation Civil

The Committee on Civil Rules of the Judicial Conference of the United States held a symposium at the Law School in September. Discussion centered on possible changes in federal rules aimed at making the civil litigation process fairer and more efficient. Some of the nation's leading federal judges, trial lawyers and academicians attended. Professor **Daniel R. Coquillette** was the informal host of the symposium chaired by US Circuit Judge **Paul V. Niemeyer**, chairman of the Civil Rules Committee. Also active were US District Court Judge **David F. Levi**, chairman of the Discovery Subcommittee; **Richard Marcus**, distinguished professor of law at the University of California's Hastings College of Law; and University of Michigan Law Professor **Edward Cooper**. Other participants included federal judges Hon. **Edward Becker**, Hon. **Patrick Higgenbotham** and Hon. **Robert Keeton**;

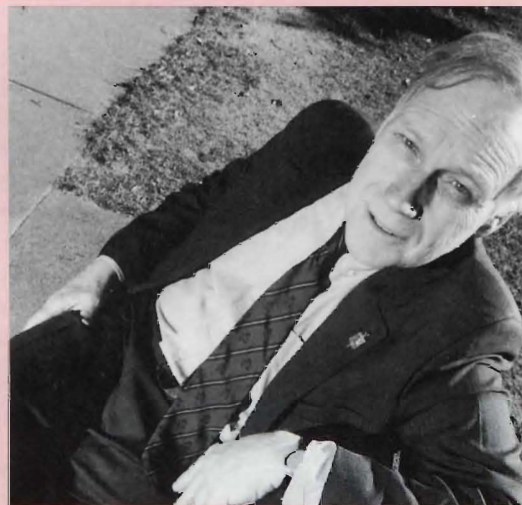
law professors **Arthur Miller** and **Geoffrey Hazard**; practicing attorneys **Harvey Kaplan** and **Robert Klein**; and senior members of the US Justice Department.

A Judaic Perspective

Noam J. Zohar, Ph.D., from the Department of Philosophy at Bar Ilan University, Israel, spoke at the Law School this fall. His presentation was entitled "Exceptions to the Suicide Prohibition — A Judaic Debate on Toleration and Assistance."

Author Talks Shop, Wins Raves

Lawrence Joseph gave a reading at the Newton Campus in September from his popular new book *Lawyerland*. A law professor at St. John's University and a published poet, Joseph researched the book by interviewing attorneys from all sectors of law and encouraging them to speak candidly about their work, their clients, other lawyers and the law itself. From these exchanges, he created eight composite characters whose stories comprise the volume. *Lawyerland* received rave reviews in *The New York Times* and many other publications.



William Pepper '79 continues to fight for the freedom of the ailing James Earl Ray, who seeks exoneration in the assassination of Martin Luther King Jr.

Ex-Ray Vision

William F. Pepper '79, on a visit to Main Campus in October to deliver the keynote address at an awards ceremony of the Martin Luther King Jr. Memorial Committee, said time is running out for James Earl Ray, the man convicted in King's death. Pepper has spent 20 years investigating the case against Ray and is convinced of his inno-

cence. Though Pepper succeeded in garnering a great deal of publicity earlier this year when members of King's family spoke out in defense of the ailing Ray, Pepper said the courts are not moving fast enough. "I'm proud but I'm frustrated at how long it's taking," Pepper said of the petition to free Ray. Pepper wrote about his investigation of the case in his 1995 book, *Orders to Kill*.



Author Lawrence Joseph's *Lawyerland*, a kind of attorneys' tell-all, has landed him on the lecture circuit and the best-seller lists.

Church v. State: No End to Debate

The American Jewish Committee and the Law School presented "A Symposium on Two Church-State Controversies: Prayer in Public Schools and Government Aid to Parochial Schools" in September. The keynote speakers were **Marshall Breger**, professor of law, Columbus School of Law, Catholic University; and **Robert F. Drinan, S.J.**, professor of law, Georgetown University Law Center. The respondents were **Martin Kaplan**, chair of the American Jewish Committee's Interreligious Affairs Committee; Law School Dean **Aviam Soifer**; and **Jeremy Paul**, visiting professor of law at the Law School. The moderator was **Michael Regunberg**, vice president for public affairs at Brandeis University.



Dean Aviam Soifer



Robert Drinan, S.J.



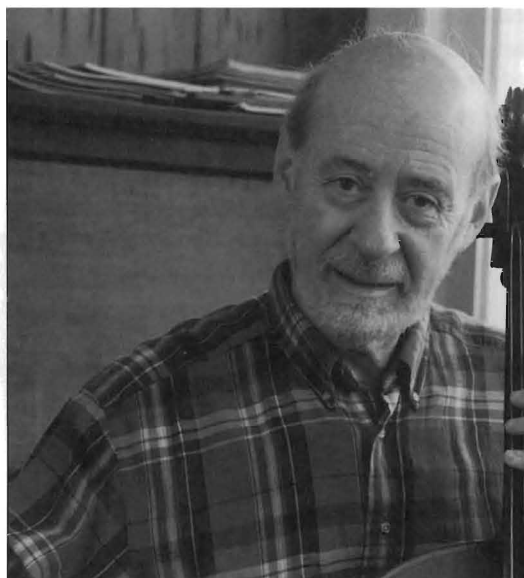
Marshall Breger of the Columbus School of Law

But Can He Sing?

Philip Anderson, president-elect of the American Bar Association, spoke on immigration law at the Law School in October. The title of his speech was "A Challenge to the Bar: Assuring Justice and Due Process to America's Newcomers." The talk was accompanied by a specially produced video with soundtrack by Bruce Springsteen and the Indigo Girls.



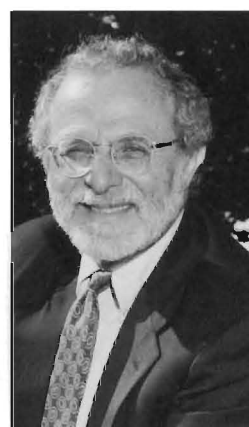
Immigration was the topic of ABA president-elect Philip Anderson's recent Law School address.



Professor Arthur L. Berney argued for campaign finance reform in a debate on the First Amendment.



Professor Scott T. FitzGibbon v. Professor Charles Baron



Speaking Freely

The Federalist Society hosted a debate in September between Professor **Lillian BeVier** of the University of Virginia Law School and Professor **Arthur L. Berney** of Boston College Law School. The topic was campaign finance reform and the First Amendment. BeVier argued that campaign finance restrictions violate the First Amendment guarantee of free speech. Berney asserted that properly crafted limitations on campaign contributions and some restrictions on expenditures do not violate the First Amendment.

Rites v. Rights

Professor **Scott T. FitzGibbon** debated Professor **Charles Baron** on physician-assisted suicide legislation, in October. ■

STEPPING UP

Recent hires and promotions

Linda Glennon's enthusiasm for her new job as Associate Director of Alumni Relations verges on the ecstatic. "I love it," she says. "I absolutely love it."

Dealing with alumni is nothing new for Glennon, who previously served as assistant to Dean Daniel R. Coquillette and, more recently, to Dean Aviam Soifer. "Working for the deans," she says, "I had a lot of contact with

alumni and the people who serve them. So this new job is sort of a natural extension of my old one."

Since August, when she moved into her new office in Barat House, Glennon has been working closely with the Alumni Council on the broadened national delegate program, and she has put a lot of effort into the planning and expansion of the annual reunions. In November, for example, reunion classes attended a roundtable faculty discussion and a picnic before spending the evening with their respective classmates, who gathered at different hotels and restau-



Enthusiasm and knowledge serve Linda Glennon well in her new alumni-relations post.



Father Frederick Enman '78 brings his compassionate smile to his role as student counselor and administrator.

rants throughout the Boston area. On Sunday morning, they returned to the campus for a Service of Remembrance before setting off for home.

"I think my favorite part of the job is getting to know the alumni on a one-to-one basis," she says. "I want everyone to know that my door is always open. I'm on the other end of the phone, ready to do whatever I can for our alumni. We're here for them."

Frederick M. Enman Jr., S.J., '78 is the new assistant to the dean for students, a half-time position previously held by **James B. Malley, S.J.** (see story page 8), who continues to teach Law, Values and Professional Identity. Enman, who was ordained to the priesthood in 1988, a year after he received a master's in philosophy at Boston College, has

taught at Loyola University Law School, Boston College Law School and Holy Cross. He is also executive director and a co-founder of Matthew 25, an ecumenical organization in Worcester, Massachusetts, dedicated to food- and housing-relief projects. In addition to his work with the dean for students and student organizations, Enman celebrates noon Mass for the Newton Campus.

"I am really delighted to be back at the Law School," says Enman.

"I had heard about the work Father Malley was doing and I'm looking forward to carrying on his work in student services."

Assistant Professor **Frank R. Herrmann, S.J., '77** was named Rector of the Jesuit Community at Boston College in July. Before joining the Law School

faculty in 1991, Herrmann spent more than 10 years as a criminal defense lawyer involved in both trial and appellate cases. He holds degrees from Fordham University, Woodstock College and Boston College. In addition to his new responsibilities as rector, he continues to teach Criminal Clinical Process.

John Nann is the new Educational Technology Specialist/Legal Reference Librarian. He comes from Brooklyn Law School, where he was computer services librarian, a position similar to one he held previously at Suffolk Law School, his alma mater. In addition to his reference work and teaching — he joins other reference staff as an instructor in Legal Reasoning, Research and Writing — Nann has special responsibility for assisting faculty in

moving technology into the classroom.

Speaking of the library, Sharon Hamby O'Connor has a new title: Associate Dean for Library and Computing Services, a name that more accurately reflects her "extraordinary contributions" to the Law School, says Dean Soifer. O'Connor is also an Associate Professor of Law.

In the Dean's Office, there are several new faces. Patricia Parlon has been hired as Administrative Coordinator to Dean Soifer. She brings to the job more than 15 years of experience as an executive legal secretary,

office manager and administrative assistant to the Criminal Bureau Chief in the office of the Massachusetts Attorney General. Kathleen Moran, a night-school history major at Boston College and a former legal secretary, is the new Administrative Assistant to the Dean for Students. Joan Manna has joined the Dean's Office as a Staff Assistant. She comes from Wellesley College, where she served most recently as administrative assistant to the dean.

Career Services welcomes two newcomers, Kim Gardner as recruitment coordinator and Kari Haaland as secretary. ■
— Anne Marie Donahue



Assistant law professor Frank Herrmann, S.J., '77 adds the title of rector to his list of Boston College accomplishments.

University Planning Council Decision Imminent

The Law School has put forth international law, public interest law and infrastructure as the areas for potential development under Boston College's \$260 million improvement initiative.

The University Academic Planning Council (UAPC), which is expected to announce its university-wide allocations shortly, will be

distributing the funds over the next five years. "It's a big moment in the life of our relatively small law school," says Dean Aviam Soifer.

The mission of the UAPC has been to identify ways to enhance the overall quality of the university. Its goal is to strengthen professional education, reaffirm the Jesuit and Catholic mission, increase research productivity, enlarge and support faculty and improve the quality of student life.

Guided by an implementation committee headed by Professor James R. Repetti, the Law School faculty is working out final details of the projects that are to be funded. A significant portion of the money, says Soifer, will be devoted to student financial aid and the hiring of new faculty. "Rather than just dividing the money up, or spending a little here and a little there, we're taking quite seriously the need for long-term planning," says Soifer. ■
— Anne Marie Donahue

Clerkships on the Rise

Judicial clerkships, considered to be prestigious career-building opportunities for graduates, were up 39 percent for the class of 1997, according to the Office of Career Services. Forty-three students took positions with federal and state courts, a jump from 31 in the previous class.

"What's impressive is not just the number, but also the breadth of the clerkships," says Dean Aviam Soifer. "They are not only at both the state and federal level in Massachusetts and New England, but also around the country in record num-

bers." Of the 43 nationwide clerkships, 20 were in federal courts, 23 in state courts.

The numbers were particularly impressive in the Massachusetts Supreme Judicial Court, where five out of 14 clerkships were given to Boston College Law School students.

Jean E. French, director of career services, says a clerkship is a credential that is highly valued in both the public and private sectors. "It is also a great mentoring situation and a way to see the judicial process first-hand in either trial or appellate courts," she says. "It's also a way to start developing good lawyering skills."

The growing number of clerkships is the result of the Law School's continuing effort to build the program, French says.

Assistant Professor Kent Greenfield has been chairman of the Judicial Clerkship Committee for three years, during which time clerkship resources have been expanded and faculty have become more involved in advising students on such posts. "We've been encouraging students to apply, and we help them negotiate the process," says Greenfield. "But the key to our success is that our students are terrific. Once judges see them and meet them, they hire them." ■

— Vicki Sanders

A Commitment to Public Service Pays Off

Because the average Boston College Law School student graduates with debt from law and undergraduate loans in excess of \$60,000, many students feel constrained to seek employment in high-paying corporate or law-firm positions. Graduates who might otherwise wish to work in public sector jobs may be dissuaded from doing so by the magnitude of



Committed to helping others, Mi-Rang Yoon '98 is using her tuition grant to train for a career in public service.

"The Champy signifies that the school is really committed to supporting people who want to go into public interest."

their debt. In response to this student-debt crisis, and to ease the impact on students choosing public-interest careers, the Law School has implemented a number of new funding mechanisms.

THE CHAMPY FELLOW

Serving others has long been a priority for Mi-Rang Yoon '98, who has journeyed as far afield as India and Haiti to aid those in need. Now, thanks to the generosity of Lois and James A. Champy '68, donors of an annual \$9,000 tuition grant, Yoon finds that

debt is less of an obstacle to a career in public interest law. "The Champy Fellowship really helps to reduce my debt load," she says. "The money is great, but that's just a part of it. The Champy also signifies that the school is really committed to supporting people who want to go into public interest."

Yoon, 28, made the decision to pursue law as she was nearing the end of a master's program at Harvard Divinity School, where she focused on Ethics and Christian History. After

working as a paralegal at the Harvard Immigration Clinic, she explains, "I realized that I wanted to do something practical and hands on." Her admiration for the Jesuits steered her toward Boston College. "I found myself attracted to Jesuit spirituality," says Yoon, who converted to Catholicism in 1995. "The belief that you can find God in all things really appeals to me. Within the Jesuit framework, there isn't a divide between the secular and the religious. It embraces the entire world."

Born in Korea and raised in Connecticut and Canada, Yoon has traveled to some of the world's darkest corners to help the unfortunate. After graduating from

Stanford University in 1991, for example, she spent six months in Calcutta as a volunteer with the late Mother Teresa's Missionaries of Charity, teaching English and caring for leprosy patients and orphaned infants. While at the Law School, she has spent her spring breaks and summers helping refugees and immigrants, first with the Haitian Catholic Center in Miami and then with the Refugee Immigration Ministry in Boston. A member of the Law School's Public Interest Law Foundation's Executive Committee, Yoon is also co-founder and coordinator of the school's Haiti Project, which sent 14 students and Professor Frank R. Herrmann, S.J., '77, there last spring.

THE PUBLIC INTEREST SCHOLARS

Three first-year students are receiving assistance from the Public Interest Scholarship Program, which provides awards equal to two-thirds the cost of tuition for those entering students intent on pursuing careers in public interest law. The scholarship is renewable for three years and reverts to a loan only if the recipients' career plans change.

"It's a big misconception that people my age only go into law to make money," says Kristen Varsames, who grew up on a farm in Vermont. "There are a lot of students who want to enter public service but can't because of their debts," she says. "And, after you've been in corporate law, it's hard to go back to public interest."

Varsames, who worked full-time as a legislative correspondent for Senator Jim Jeffords (R-Vermont) while also attending Georgetown's School of Foreign Service, is particularly interested in legislation, but she has not decided exactly what she wants to do after law school.

She is quite certain, however, that entering public interest law would not be a possibility if she had not received the scholarship. "It's a terrific honor, and I'm very grateful,"

she says. "At the Law School, the alumni, the faculty and the administration all seem determined to make public service a real option."

The other Public Interest Scholars for 1997-'98 are Gretchen Marie Hunt and Bryan McCowan.

THE HUMAN RIGHTS PROJECT STIPEND RECIPIENTS

With the help of stipends provided by the Owen M. Kupferschmid Holocaust and Human Rights Project (HHRP), three Law School students spent their summers working for causes dear to their hearts.

Elizabeth A. Broderick '98, who is also the student chair of HHRP, worked for Legal Aid of



The Campbell Fund allowed Lawrence Sheh '98 to get valuable hands-on experience in Middlesex County Superior Court.

Cambodia. Allesandra J. Hunt '98 devoted three months to UNICEF. And Kathleen Hamill, who is in her third year and working on a joint degree from the Law School and the Fletcher School of Law and Diplomacy, dedicated her summer to Human Rights Watch of Brazil.

THE CAMPBELL FELLOWS

The resources of the Campbell Fund, begun by Richard P. Campbell '74, made it possible for Lawrence Sheh '98 and Denise Castillo '99, both minority students, to spend the summer assisting Judge Raymond Brassard '71 in the Middlesex County Superior Court. As interns, Sheh and Castillo took on tasks similar to those assigned to clerks.

In addition to observing trials and motion hearings, the fellows did research and drafted opinions. "The experience was absolutely great, and it heightened my interest in litigation," says Castillo, who comes from Griffith, Indiana.

"Getting out there and observing lawyers practicing — it's different actually seeing a real proceeding," says Sheh. "I learned a lot." ■

— Anne Marie Donahue

Reaccreditation Nears Final Stage

In March, a team from the American Bar Association will be on campus to complete the final phase of the reaccreditation process, which all law schools undergo every seven years.

Dean Aviam Soifer welcomes the scrutiny. "It's always helpful to get outside views," he says. However, the most valuable part of the process, he stresses, is the self-study component. "We're using it as an opportunity to do much more than the minimum," says Soifer. "As a faculty, we are taking the self-study very seriously and looking at what we've accomplished since the last review. But, even more, we're looking at where we want to go."

According to Soifer, the timing of the reaccreditation process couldn't be better for the Law School, because of how it dovetails with the self-study and goal-setting required by Boston College's University Academic Planning Council (UAPC) initiative.

The UAPC is charged with disbursing \$260 million university-wide over the next five years. It is depending heavily on recommendations from faculty and staff as it makes final decisions about how the money will be allocated. "It's quite fortuitous," says Soifer, "that the reaccreditation and the UAPC processes overlap." ■

— Anne Marie Donahue

Calling All Letter Writers

Do you like what you read in this magazine? Do you take issue with a story? Do you have a recollection you want to share? Starting with the Spring 1998 issue, the *Boston College Law School Magazine* will publish your letters to the editor. So sharpen those pencils — and those wits — and give us a piece of your mind. Write to Letters to the Editor, Boston College Law School Magazine, 885 Centre Street, Newton, MA 02159-1163, or e-mail to sandervi@bc.edu. ■

Kristen Varsames says following her dream would not be possible without the aid of a Public Interest Scholarship.



DAVID OXTON

Recent Graduates Find Rewards in Helping the Needy

Four recent Law School graduates are putting their degrees to work as VISTA volunteers at Greater Boston Legal Services (GBLS), which provides noncriminal legal assistance for low-income residents of Boston, Cambridge and 31 other cities and towns.

According to Sarah Levy '97, who is working in the GBLS Welfare Unit, the

demand for free and low-cost legal services has been particularly acute since the middle of last year, when national welfare reform began to be implemented. Although the new regulations limit benefits to two years in any five-year period and require beneficiaries to work, the rules can be waived under certain circumstances. A woman who has experienced domestic violence and is living in a shelter, for example, can be exempted from the work requirement if employment might bring her into contact with her abuser.

In her new job, Levy focuses on outreach, community education and legal services for victims of domestic violence. "It's hard, and sad, and sometimes tough to take," says Levy. "But the learning curve is sharp, and I'm glad to have the chance to be of help."

Andrea Bopp Stark '97, is also helping abused women, but her emphasis is on undocumented immigrants who are applying for permanent resident status under the Violence Against Women Act. "It's very rewarding," says Stark, who has degrees in psychology and social work. "I'm doing exactly what I wanted to do."

Kathryn Gans Rothman '97, who also has a background in psychology, is working in the Health Unit, where she advises and represents clients who have lost or were denied Society Security benefits.

Jennifer Susanne Tschirch '97, who handles political-asylum cases, joined her classmates at GBLS in November. ■

—Anne Marie Donahue

The Future Is Now: A Profile in Numbers of the Class of 2000

Number of applicants:	4,089
Number of matriculants:	289
Women in entering class:	55%
Students of color:	22.5%
Colleges and universities represented:	131
Undergraduate majors represented:	40
Average age:	24
Age range:	21-48
Advanced degrees:	23 masters, 5 Ph.D.s
Median GPA:	3.5
Median LSAT:	161

Geographic distribution: 39 states, District of Columbia, Puerto Rico, England, Korea, Singapore

The schools that sent the greatest number of students to the Law School this year are: Boston College, Harvard, Cornell, Georgetown, Brandeis, Tufts, University of California at Berkeley, University of Massachusetts at Amherst, Yale.

IN PROFILE

Father Malley Is a Man of Many Missions

Corporate lawyer. Naval officer. Missionary. Professor. Jesuit priest. James B. Malley has answered many callings in his rich and adventurous life. But only with insistent prodding will he talk about any of his careers except his priestly one. While he can lay claim to LL.B./J.D., USNR, Esq. and Prof., S.J. is the only tag he is attached to. He wears it well.

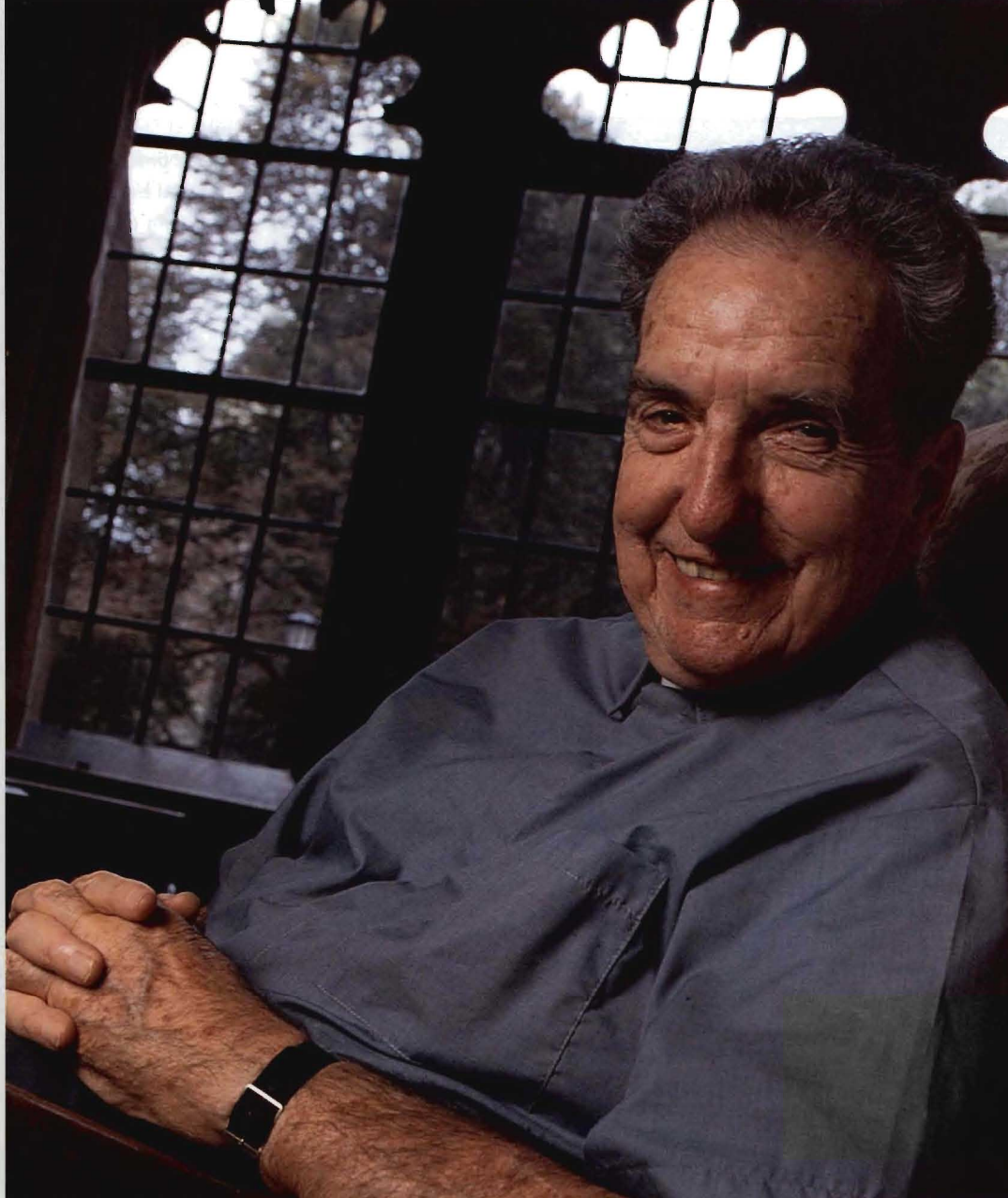
Sad to say, Malley has given up his position as general assistant to the dean of the Law School, a catch-all title for a job so elastic that it stretched to cover duties as diverse as long-term planner, ad hoc administrator and advisor to students of many faiths and backgrounds on matters academic, financial, ethical, emotional and spiritual. Asked to describe Malley's former job, Dean Aviam Soifer ducks the impossible question and describes the man instead. "Father Malley is extraordinary," he says. "Exuberant. Soulful. Invaluable in countless ways."

"He was always there for faculty, students and staff, in times of tragedy and celebration," Soifer says. "He's solid, and remarkably skilled at dealing with people. And he spots things no

one else sees. He was the first person, for example, to recognize the seriousness of the student debt crisis."

As Malley himself sees it, his job was a straightforward one. "I tried to be helpful in whatever situation came up," he says. "Every day when I'd walk across the driveway to work, I'd say, 'Lord, whatever comes up today, help me to be kindly and helpful.' It wasn't any more structured than that."

Malley learned adaptability early on. War interfered with his plans twice in less than 10 years. He was studying history at Dartmouth when Pearl Harbor was bombed, which spurred him to enlist in the Navy. He rose to command a ship in the Pacific. After the war, he entered law school. "Law seemed like a good way to make a living," he recalls, "and I had easy acceptance at Harvard. So I just went. I didn't give it nearly as much thought and reflection as I advise students to these days." After graduating in 1949, he practiced corporate law for only a year before the Korean War erupted and the Navy recalled him from the reserves to do intelligence work.



Though Father James Malley has left his administrative post at the Law School, he remains a joyful presence on campus.

By the time he got back to his lawyering, with a New Hampshire firm where he rose to partner, he was beginning to question whether law was his true vocation. "I found what I was looking for in law, but I needed something more from life," he says. "Basically, I wanted to devote my life to something that I felt was of supreme importance, and that turned out to be serving the Lord."

For Malley, the Society of Jesus was a natural choice. "I thought of the Jesuits first," he says, "because I used to know some of them when I was a kid. I lived just over in Waban, and I'd go bicycling around Chestnut Hill. They struck me as a very friendly bunch."

Malley entered the Society of Jesus in 1957 and was ordained seven years later, in 1964. As a freshly minted Jesuit, he

accepted a missionary assignment in the urban slums of São Salvador, in northeast Brazil. "I suppose if there was any really transforming experience in my life," he says, "it was my work down there. At the time, the Second Vatican Council was going on, and everything was changing. None of the answers we thought we had seemed to answer the questions that people were asking. I was glad to be part

of it, and I rejoiced at the changes, particularly the emphasis on social justice." He sums up the job he did there with characteristic economy. "From 1965 to 1971," he says, "I worked hard, and I served the poor people as well as I could. That's about it."

After two years of studies and spiritual formation, one of them in Mexico City, Malley settled into a seven-year job at Georgetown University Law Center, where he did counseling, teaching and administrative work. "Both at Georgetown and at Boston College, from 1981 my main ministry was one of listening to people," he says. "I found that people generally had their own answers, and if you listened and asked questions that might be helpful, they'd discover what their own answer was."

Dean Soifer surely echoes the sentiments of many in the Law School community when he says that Malley's counsel will be missed. Fortunately, Malley is still around, teaching the Law and Values seminar, doing pastoral work and pursuing his own

"I found what I was looking for in law, but I needed something more from life."

research on the English Reformation, a time in which the Church experienced changes that he finds similar to those of this century. So he will still be crossing that same driveway. And, chances are, he will keep on saying that same simple prayer. ■
— Anne Marie Donahue

SUE OWEN/USKY

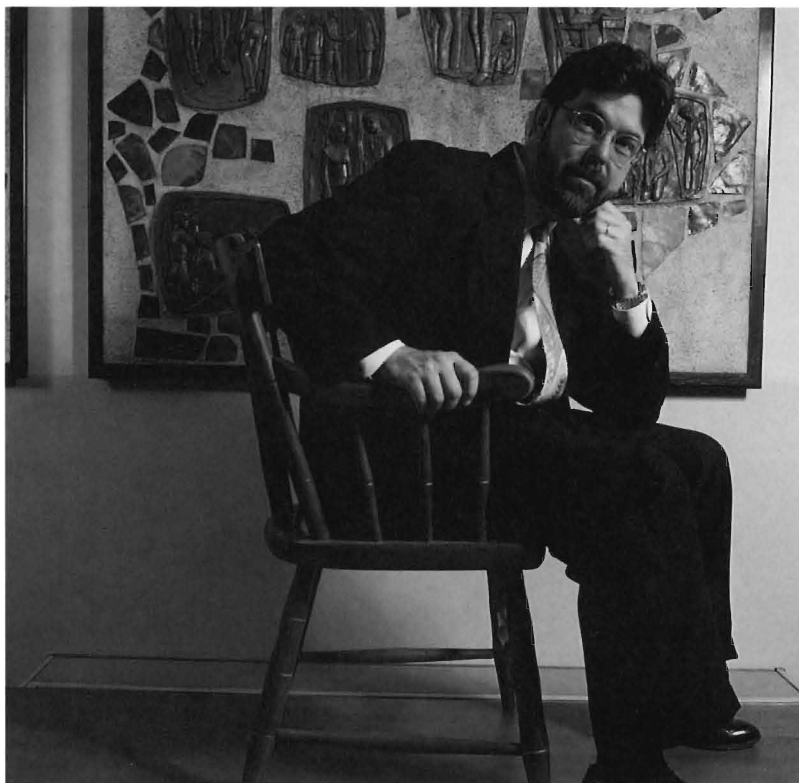
Recent Supreme Court Decision Bears on Church Art Controversy

By George P. Field '78

In the Spring 1997 issue of the *Boston College Law School Magazine*, an article called "The Pros of Pro Bono" discussed the problem of reconciling artistic expression with free exercise of religion, as presented in the Massachusetts case of my client, sculptor John C. Moakley.

Similar "free exercise" issues were involved when, on June 25, the United States Supreme Court decided *Boerne v. Flores*, invalidating the so-called Religious Freedom Restoration Act. The purpose of the act was the re-institution of broader protections for free exercise of religion under the First Amendment to the US Constitution, recognized since 1963 or earlier, but severely limited by Justice Antonin Scalia's opinion for the Court in *Employment Division v. Smith*.

As a result of the US Supreme Court's decision in *Boerne*, the Archbishop of San Antonio may not challenge, on federal "religious freedom" grounds, the City of Boerne's refusal to issue a build-



A recent US Supreme Court decision on religious freedom resonates for George Field '78, who fought a local case to save a sculpture from being destroyed by a church.

ing permit to enlarge a church partly located in an historic district.

Under *Smith*, and presumably now reinstated by *Boerne*, laws not directed at religion and neutral on their face are constitutionally valid, even if they adversely affect persons who are attempting to practice their religions. For this reason, the *Boerne* case had been called "the most important religious freedom case the Supreme Court has ever had to decide."

Since June, advocates of broader deference to religious exercise than required by the *Smith* standard are searching for a more receptive forum. In this connection, the *Boerne* deci-

sion opens the way for state courts to decide whether state constitutional protections for free exercise of religion are broader than federal protections. In Massachusetts, the Supreme Judicial Court has previously indicated that state free exercise protections are to be measured by the same sort of standard set forth in the federal statute now stricken in *Boerne*. The additional meaning of *Boerne* for Massachusetts lawyers, therefore, may be that state constitutional protections for free exercise of religion are more expansive than those under the First Amendment.

Past Massachusetts cases give little guidance, however, on the para-

hibited from destroying legally protected fine art installed by a prior owner on the church grounds. The artist, on appeal, argued that no burden on free exercise had been shown by the church, and that the Art Preservation Act expressly advances a competing "strong public policy" in preserving fine art and protecting artists' reputations.

Because the Supreme Judicial Court denied protections to the artist on other statute-specific grounds, the *Moakley*

The additional meaning of *Boerne* for Massachusetts lawyers may be that state constitutional protections for free exercise of religion are more expansive than those under the First Amendment.

meters of any such state constituted protections. As discussed in the magazine article, the scope and applicability of state free exercise protections were briefed and argued to the Massachusetts Supreme Judicial Court in our case, *Moakley v. Eastwick*. The trial court there had refused to enforce the state Art Preservation Act against a church, holding that the church's free exercise of religion would be infringed were it pro-

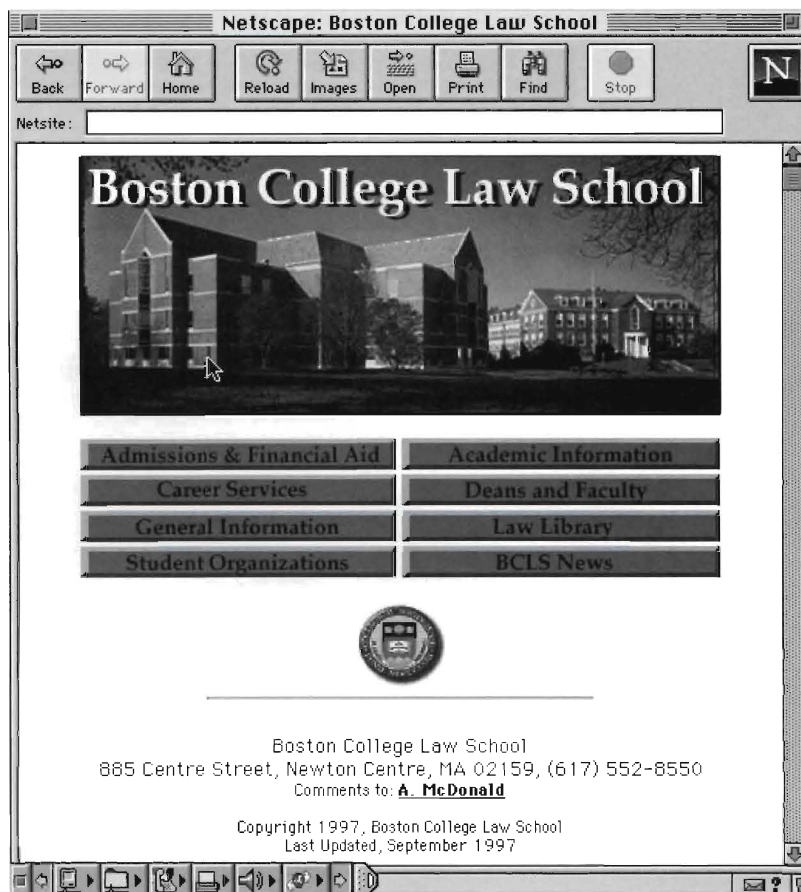
decision did not resolve the religious free exercise debate between church and preservation interests in that case.

When similar clashes between asserted burdens on religious exercise and the rights of others now arise in Massachusetts and other states, the scope of state protections for free exercise of religion will require greater definition, raising many of the issues faced in John Moakley's case. ■

DANA SMITH

A Site for Sore Eyes

The Law School Web site has a new face. The colorful, easy-to-navigate site includes the contents of *The Counselor*, the weekly bulletin of Law School news; course listings; and dean and faculty profiles. Guides to the law library, registrar and student organizations are also available. The Career Services locator provides, among other benefits, weekly job postings. Links throughout the site make finding the information you want simple and fun. Check it out at <http://www.bc.edu/lawschool>. ■



Payback Time? Loan-Repayment Plans Can Help

The Law School Financial Aid Office has several plans to assist recent graduates with the repayment of their educational loans. The information is contained in a Loan Profile and Repayment packet, available to anyone who received financial aid while attending the Law School.

The Standard Repayment Plan is the norm and is based on a common 10-year repayment structure. The Graduat-

ed Repayment Plan allows monthly payment to begin lower and increase over time. The Income Sensitive Repayment Plan allows monthly payment to be based on yearly income and loan amount. As income increases or decreases, so does the monthly payment. The Loan Repayment Assistance Plan provides up to \$3,000 per year to graduates who take low-paying public interest jobs. The funds assist them with their monthly loan payments. These latter two programs are extremely beneficial to those engaged in public service.

To help graduates decide which plan is best suited to their needs, the Financial Aid Office can provide forms for itemizing personal budgets (based on cost of living, annual salary and loan commitments) so as to compare the costs of a standard repayment schedule versus the alternatives. The forms are also useful for calculating the costs of consolidating Stafford Loans.

If you would like to review your loan repayment or consolidation options, please contact the Law School Financial Aid Office at (617) 552-4243. ■

It's a Miracle, in More Ways Than One

The Rev. Emmanuel Charles McCarthy '67 of Brockton, Massachusetts, has known for a decade that his daughter's recovery from an accidental Tylenol overdose was a miracle. Last May, the Vatican confirmed it and announced that Edith Stein, to whom McCarthy prayed, has been approved for sainthood.

A priest in the Greek Catholic Church, which allows clergy to marry, McCarthy first heard about Stein the year before the birth of his daughter, the 12th of his 13 children. When the child was born on the

anniversary of Stein's death in an Auschwitz gas chamber in 1942, McCarthy named the child Benedicta in honor of Stein, who had taken the name of Sister Teresia Benedicta of the Cross after converting from Judaism and becoming a Carmelite nun.

Ten years ago, at the age of two, Benedicta McCarthy swallowed a massive dose of Tylenol and fell into a coma, her liver and kidneys failing. McCarthy and his wife, Mary, asked more than 100 friends and relatives to pray to Stein, who had just been beatified. Within a few days, Benedicta recovered.

"There was no doubt in our minds that it was a miracle," says McCarthy. "It's a great gift and a blessing."

Dr. Ronald Kleinman, the physician who treated her at Massachusetts General Hospital, was astounded. "I'm willing to say that it was a miraculous result," he told the *Boston Globe* in May. After hearing his testimony last year in Rome, Vatican physicians came to the same conclusion, and Stein was credited with the miracle needed to qualify her for sainthood, which Pope John Paul II formally approved on May 22. The canonization ceremony will be October 11, 1998, making Stein a Roman Catholic saint. ■

— Anne Marie Donahue

TRAGEDY ON

*How one man's rampage
with a gun touched
the lives of four
Law School alumni*

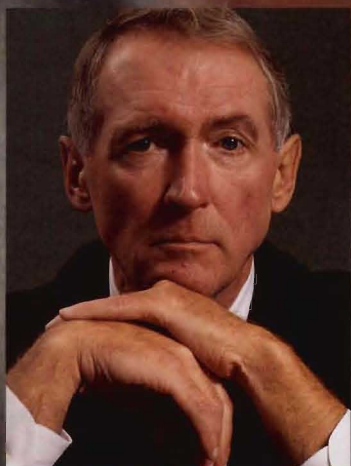
By Dan Kennedy

The victims of a brutal
attack by John Solvi (above)
at two women's health
clinics are mourned and
remembered as he stands
trial for first degree murder.



BEACON STREET

THERE HAS NEVER BEEN ANY DOUBT AS TO WHAT John C. Salvi III did, or the terror he inflicted in the course of doing it. At 10 a.m. on Friday, December 30, 1994, the 22-year-old apprentice hairdresser walked into the Planned Parenthood clinic on Beacon Street in Brookline, Massachusetts, and pulled a .22-caliber Sturm Ruger rifle out of his duffel bag. He murdered the receptionist, 25-year-old Shannon Lowney, as she held up her hands in a desperate attempt to protect herself. Then he shot and wounded two other people, fled and drove two miles along Beacon Street, stopping his car outside the Preterm Health Services clinic. Inside, he pumped 10 bullets into staff member Lee Ann Nichols, 38, screaming, "This is what you get. Pray the rosary." After wounding three more people, Salvi fled to Norfolk, Virginia, where he was arrested the next day for firing 23 shots at an abortion clinic in that city.



DANA SMITH



DANA SMITH

Cold, horrifying details. Behind those details rages a debate that persists to this day, a year after Salvi's life ended in his prison cell, apparently by his own hand, on November 29, 1996. The debate can be framed as two competing questions: Was Salvi a soldier in an increasingly militant fringe element of the anti-abortion-rights movement? Or was he a lost soul, suffering from mental illness, who should not have been held criminally responsible for his actions?

No definitive answer can be provided to such questions, dependent as they are on philosophy and the uncertainties of psychology. The best society can do is to put the matter to a jury — and in the matter of *Commonwealth v. Salvi*, the answer was that Salvi was sufficiently aware of the wrongfulness of his deeds that he should be imprisoned for the rest of his life.

But if the case against Salvi is closed, questions about his sanity persist.

It is an ironic coincidence that many of the people involved in the Salvi tragedy have strong ties to Boston College and to the Law School. Salvi's court-appointed public defender, J.W. Carney Jr., who made monumental efforts to persuade the jury that Salvi was insane, is a 1978 graduate of BC Law. Norfolk County First Assistant District Attorney John P. Kivlan, who led the prosecution, earned his degree from the Law School six years earlier. Massachusetts Superior Court Judge Barbara A. Dortch-Okara, who presided at Salvi's trial, is a graduate of the class of '74; she declined to discuss the legal issues involved in the case. Richard J. Seron, a security guard who was injured in an exchange of gunfire with Salvi in the Preterm clinic, finished his undergraduate work at the college in '71 and received his law degree three years later. To complete the Boston College connection, Shannon Lowney received her undergraduate degree in 1991, and the Reverend J. Donald Monan, then Boston College's president, now the university chancellor, presided over her memorial Mass.

In a further irony, both Jay Carney and John Kivlan lost in the end. Carney, of course, lost his bid to have his client found not guilty by reason of insanity. Kivlan

Prosecutor John Kivlan '72 (far left) and defense attorney J.W. Carney Jr. '78 (near left)

AP/WIDE WORLD PHOTOS

Was Salvi a soldier in an increasingly militant fringe element of the anti-abortion-rights movement? Or was he a lost soul, suffering from mental illness, who should not have been held criminally responsible for his actions?

lost because of a rarely used but long-standing quirk in the law: After Salvi's death, Judge Dortch-Okara threw out the guilty verdict, relying on a 25-year-old precedent set by the state's Supreme Judicial Court that a conviction cannot be considered final until appeals have been exhausted.

Thus the metaphysical truth that the Salvi case produced no winners became literally true.

THE QUESTION OF COMPETENCE

In March 1996, in the midst of John Salvi's six-week trial, the defense presented dramatic testimony: a videotape of an interview conducted with Salvi by Dr. Philip Resnick, a Cleveland psychiatrist. In the interview, Salvi outlined his belief that there was a worldwide conspiracy against the Catholic Church. At one point he told Resnick, "A credit card with a chip in it . . . will give the Masonic temple absolute power over the Catholic Church." Resnick, who had been retained by defense lawyers, concluded that Salvi was a paranoid schizophrenic who'd been exhibiting symptoms for 18 months before his homicidal outburst.

But strange as Salvi's beliefs may seem, they're not as far outside the mainstream as one might suppose. For instance, the Reverend Pat Robertson has been known to use his cable-television show, "The 700 Club," to inveigh against plans by financial corporations to replace cash with debit cards that would create a record of a user's purchases. Robertson denounces such cards as the "mark of the Beast" mentioned in the Book of Revelation and has formed an odd alliance with privacy advocates, many of whom object to the next-generation debit cards on purely secular grounds.

According to Northeastern University sociologist Jack Levin, a nationally recognized expert on multiple murderers, Salvi's embrace of bizarre-but-not-unheard-of ideas was enormously damaging to his defense, regardless of how insane he might have actually been. "When one person thinks that all Catholics are a target of a vast conspiracy, we call that insanity. But when thousands of people believe that, we call it ideology," Levin says.

The legal definition of insanity is very specific, and is clearly a matter for jurors, rather than medical experts, to decide. In Massachusetts, a defendant can be found not guilty by reason of insanity if he "lacked substantial capacity to appreciate the wrongfulness of his actions" and "could not conform his actions to the requirements of the law."

Jay Carney believes that definition accurately describes his client. "John Salvi was incompetent to stand trial," he says. "He never understood the essence of the legal proceeding against him. I probably met with him more than 30 times. Every conversation, from the first, in Virginia, to the last, after trial, was devoted to John's obsessed belief that there was a conspiracy against Catholics brought by the Freemasons, Mafia, Ku Klux Klan and British Petroleum. John's mental illness gave him the maturity level of a 13-year-old in terms of his interests and demeanor. During the trial he had no concept of what was going on around him."

Sitting at a table at the Red Herring, a small restaurant in Boston's Park Plaza building, where his law firm, Carney & Bassil, is located, Carney speaks in slow, thoughtful cadences. "Salvi was a vulnerable kid who was so out of touch with reality that it was difficult not to look upon him as one would a child — albeit

a child who had caused terrible hurt to so many blameless people, as does a child who, playing with matches, causes a fire that injures a dozen people," Carney says.

During the lengthy legal proceedings Carney — and Salvi — presented plenty of evidence that would suggest Salvi was insane. Within days of Salvi's arrest, Carney released a rambling, incoherent handwritten statement Salvi had composed in which he said that he wanted the death penalty if found guilty; that he intended to become a Catholic priest; that Virginia authorities had tampered with his food while he was in custody; and that he wanted Barbara Walters to interview him. But following an evaluation period at Bridgewater State Hospital, the state's psychologist, Dr. Joel Haycock, found that Salvi, though suffering from a personality disorder, was not legally insane — and that he was manipulative, intelligent and had managed to fool his own lawyers. Judge Dortch-Okara found Salvi competent to stand trial; Carney lost a bid to have Dortch-Okara removed from the case, arguing unsuccessfully that because her husband, Dr. Ebi Daniel Okara, was a colleague of Haycock's, her continued participation would create the appearance of impropriety.

During the trial, Salvi continued to call attention to his mental state, showing another handwritten manifesto to a *Boston Herald* photographer, angrily overturning a table when Dortch-Okara ordered him to cease such behavior, and emitting odd, disturbing noises from time to time. His father, John C. Salvi II, testified that his once-outgoing son had turned into a Bible-reading recluse who imagined that a "big black evil bird" had invaded the family home, and who had behaved in a bizarre, disturbing manner at a Christmas Eve Mass just days before the shooting. But Dortch-Okara refused Carney's request that his client be allowed to take the witness stand, which might have provided the most compelling evidence of Salvi's alleged illness.

On March 18, 1996, Salvi was found guilty of first-degree murder and was sentenced to two consecutive life terms with no chance of parole. "The jury came to the determination that on the day of the act, he was aware of the criminal responsibility," juror Albert Frey was quoted as

saying after the verdict.

Some legal experts thought Salvi's chances of winning a new trial were good, citing as possible errors Dortch-Okara's ruling that Salvi was competent to stand trial, and her refusal to let him testify. But the record shows that Dortch-Okara is a careful judge who is rarely overturned in the appellate courts. Carney declines to criticize her actions. And Kivlan sees the outcome of the Salvi trial as the straightforward application of common sense.

"Despite some of the more attention-getting tactics of Mr. Salvi, I think jurors were satisfied quite clearly that he appreciated the wrongfulness of what he did and could conform himself to the law," Kivlan says. As for Salvi's outbursts and weird beliefs, Kivlan says simply: "Many of the most heinous murders are committed by people who are different and odd. Most people do not commit murder."

For his part, Carney believes that jurors on both sides of the abortion debate had political motivations to bring in a guilty verdict, since pro-choice jurors wanted to send a message at a time when clinics around the country were being targeted and pro-life jurors wanted to make it clear that they didn't support violence.

REFORMING THE INSANITY DEFENSE

According to Boston College Law School professor Phyllis Goldfarb, the insanity defense is rooted in a basic principle of law: that guilt is directly related to culpability, and that a defendant cannot be held culpable if he's incapable of understanding that what he did is wrong. Goldfarb's colleague Sharon Beckman, an assistant professor at the Law School, says the idea is that a truly insane person can no more be found responsible than if he were "unconscious."

Regardless of the merits of the Salvi case, it is nearly impossible to persuade juries that a defendant should be found not guilty by reason of insanity. "It's rarely pleaded and it's rarely successful," says Law School professor John Flackett, whose former students include Carney. "I just think jurors are very suspicious of it," Flackett says, "even though Jay put on one hell of a case." Thus, over the past

Regardless of the merits of the John Salvi case, it is nearly impossible to persuade juries that a defendant should be found not guilty by reason of insanity.

several decades we have witnessed the convictions of such officially sane defendants as David Berkowitz, who killed on orders from a dog, and Jeffrey Dahmer, who ate his victims to feel close to them.

In fact, despite popular misconceptions that the insanity defense is regularly used to let criminals off the hook, it is barely a blip on the legal landscape. According to Henry Steadman's 1993 book, *Before and After Hinckley: Evaluating Insanity Defense Reform*, only about one percent of defendants use the insanity defense, and it is successful only about one-fourth of the time.

A further twist pertains to the title of Steadman's book, which refers to John Hinckley, who shot and wounded President Ronald Reagan and his press secretary, James Brady, in 1981. Hinckley was found not guilty by reason of insanity, and a number of states, though not Massachusetts, responded by restricting or even eliminating that defense. Yet if Hinckley had been found guilty, he would have been released from prison years ago. Instead, he remains in a maximum-security mental institution, with virtually no prospect of winning his freedom.

There isn't much that Jay Carney and John Kivlan agree on. Even before the Salvi case, it was widely known that the two dislike each other; the mutual antipathy was reportedly exacerbated by the trial. Carney declines to discuss their differences; Kivlan suggests those differences have been overblown.

Yet, surprisingly, both men agree on the need to reform the insanity defense, and they even agree on the rough parameters of how it should be done. Neither supports the concept of "guilty but insane," an approach taken by some states, because they point out that it violates the principle that a truly insane person should not be held morally responsi-

ble for his criminal conduct. Instead, they believe the public deserves to be assured that a person found not guilty by reason of insanity will be committed to a mental institution for a period commensurate to a prison sentence, with no chance of his being released after a few short years because a psychiatrist has pronounced him cured.

Kivlan cites as an example the case of a man who killed his family 15 years ago, and whose release the district attorney's office has to fight on an annual basis. "There needs to be some public assurance that people found not guilty by reason of insanity are kept in a secure facility for the rest of their lives," Kivlan says.

Carney, for his part, outlines a complex, detailed reform proposal that would link the length of a hospital stay to the equivalent length of a prison sentence if the defendant had been found guilty, with requirements for medication and treatment that, if violated, could result in a further loss of freedom. "This would reassure jurors that a person found insane would not simply be returned to the community with no strings attached," he says.

It's too late, of course, for any such reform to change anything for John Salvi, guilty in life, not guilty in death. Although victim Lee Ann Nichols's mother, Ruth Nichols, expressed outrage when the charges against Salvi were posthumously dropped, both Carney and Kivlan look at that final action philosophically. Indeed, it is almost fitting that such a divisive case should have ended so ambiguously. The ambiguity, after all, reflects the essence of the dilemma that was John Salvi. Yes, he did it. But was he guilty? ■

Dan Kennedy is a staff writer for the Boston Phoenix. His last article for the Law School magazine was on the pro bono work of George P. Field '78.

Who's Who in the John Salvi Case

J.W. Carney Jr. '78

New Bedford native J.W. Carney Jr. was a high school sophomore in Framingham, Massachusetts, when he read the book that would define his future: *Gideon's Trumpet*, by *New York Times* columnist Anthony Lewis.

The book, published in 1964, was about a prisoner named Clarence Earl Gideon, who, in a crayon-scrawled appeal to the United States Supreme Court, contended that he had been denied the chance to prove his innocence because he couldn't afford a lawyer. The Court ruled that every defendant is entitled to a lawyer, which revolutionized the criminal justice system.

"I read that and said, 'I want to be that lawyer,'" says Jay Carney. "It was a career that combined my idealism and empathy for the downtrodden with my concern about overreaching by the government."

Carney graduated from Holy Cross and earned his degree from Boston College Law School in 1978. He spent the first five years of his career as a public defender, "handling disorganized crime"; five years in the Middlesex County district attorney's office; and the last nine years as a lead partner in Carney & Bassil, a Boston firm specializing in criminal defense. He's a nationally recognized expert on the insanity defense, and during the Salvi trial debated its merits with then-Governor William Weld on network television.

Carney is a past president of the Boston College Law School Alumni Association. He and his wife, Joy Rosen, an assistant commissioner of the Massachusetts Department of Public Health, live in Newton and are the parents of two children.

John P. Kivlan '72

In 1985 John P. Kivlan benefited from a stroke of luck that would have sent many people rushing toward early retire-

It is an ironic coincidence that many of the people involved in the Salvi tragedy have strong ties to Boston College and to the Law School.

ment: He won \$2.7 million in the Massachusetts state lottery. Yet Kivlan says he did not even consider giving up his high-pressure, high-profile job as a prosecutor in the Norfolk County District Attorney's Office. "I never really gave any thought to leaving," he says. "I liked what I was doing."

Kivlan grew up in Brookline, Massachusetts, and served in the Marines and the Active Reserve from 1963 through 1968. He graduated from Boston College the following year and received his degree from the Law School in 1972. He began his career as an assistant district attorney in Middlesex County and moved over to Norfolk County in 1976 when the then-new DA, William Delahunt (now a congressman), pioneered the use of full-time lawyers. "I always wanted to be a career prosecutor," Kivlan explains. He was named first assistant district attorney, the chief prosecutor's position, in 1986, and has held special prosecutor's appointments for both the United States attorney and the state attorney general, investigating mortgage-lending fraud and organized crime.

Now a resident of Dover, Kivlan and his wife, Susan Kivlan, a social worker, are the parents of two children.

Hon. Barbara A. Dortch-Okara '74

Despite intense, worldwide media interest in the trial of John Salvi, it played itself out in a very different manner from that of O.J. Simpson. And that was no accident: Massachusetts Superior Court Judge Barbara A. Dortch-Okara is a very different jurist from Lance Ito, tolerating neither television cameras nor courtroom histrionics.

Let the record show that Dortch-Okara was nonetheless a controversial judge in the Salvi case. Defense attorney Jay Carney tried to have her removed,

arguing that she had a conflict of interest because her husband, Dr. Ebi Daniel Okara, worked at Bridgewater State College, where Salvi was evaluated. Yet even Carney praises Dortch-Okara's demeanor, saying that "she brought great dignity to the proceedings, rather than letting them devolve into a circus atmosphere."



Judge Barbara Dortch-Okara '74 ran a disciplined but controversial trial.

Also unlike Ito, Judge Dortch-Okara has no particular thirst for publicity. In fact, she canceled an in-person interview for this article, and in a brief telephone interview she declined to draw any lessons from the Salvi case as it pertains to the insanity defense. "If there's room for improvement, it needs to take place in the context of a number of cases in a studied way, and not just as a reaction to the high-profile cases," she says.

A native of Memphis, Tennessee, and a graduate of Brandeis University and Boston College Law School, she was named a judge by then-Governor Michael Dukakis in 1984, and elevated to her present position by Dukakis in 1989. She is the first African-American woman to be named to that position, and



Clinic guard Richard Seron '74 was wounded when he returned John Salvi's fire.

has also been mentioned as a candidate for the state's Supreme Judicial Court. Heavily involved in community and religious organizations, she lives with her husband in Milton. The couple has one son.

Richard J. Seron '74

By September 1994, women's-health clinics around the country had become a battle zone. There were two fatal shootings in Florida, with radical anti-abortion-rights activists vowing more. So Richard J. Seron, who went to work as a security guard at the Preterm Health Services clinic in Brookline that month, clearly knew what he was getting into.

Indeed, in the wake of the Salvi shootings he told reporters that he was "always mindful" of the possibility of violence, and that he had observed John Salvi mixing with other protesters for a month and a half before the attack.

Seron, a Quincy, Massachusetts, native and resident who holds degrees from Boston College and the Law School, was one of Salvi's victims but also one of the heroes of the day, suffering bullet wounds to his right bicep and left wrist when he returned Salvi's fire. Such coolness under pressure may have persuaded Salvi to flee, and thus saved lives.

Seron, who teaches people how to use handguns safely, could not be reached for comment. But in a 1995 interview with the *Boston Globe*, shortly after his discharge from Brigham and Women's Hospital, Seron recalled that Salvi "looked like the devil himself. He looked in a righteous rage. His eyebrows were arched, his brow wrinkled, his eyes glazed."

In a bizarre twist, it was revealed during Salvi's 1996 trial that he had written

two letters to Seron, asking him about his arm, urging him to write "our book" and signing off with, "10-4 big buddy."

Shannon E. Lowney, BC '91

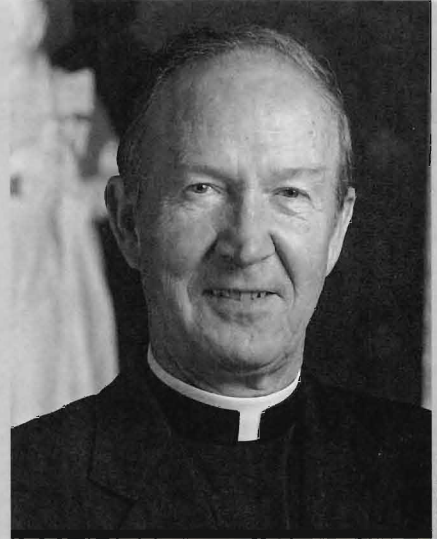
Turn to page 362 of the 1991 edition of *Sub Turri*, the Boston College yearbook, and you'll find a photo of Shannon Lowney, her hair carefully combed onto her left shoulder, looking somewhere beyond the camera. It's a poignant portrait of a young woman whose life was full of promise — until December 30, 1994, when that life was ended by John Salvi.

Lowney, who grew up in Fairfield, Connecticut, graduated from BC *magna cum laude* with a bachelor of arts degree in history, and was a classically trained French horn player and pianist. She once traveled to a poor village in Ecuador to do volunteer work, and she was said to have enjoyed debating politics with BC classmates who were more conservative than she.

"Her death only can be a message for all of us about the violence and the path of our world today," her older sister, Meghan, said at the time of the clinic shootings.

The Lowneys guard their privacy assiduously. Virginia Storrington, a documentary filmmaker from Toronto who produced (with her husband, John Zaritsky) a "Frontline" episode on the tragedy, is one of the few journalists who has gotten to know the family. Storrington calls the Lowneys "amazing people" who, though heartbroken, remain deeply committed to social justice.

Shannon Lowney, BC '91, a receptionist at Planned Parenthood, was the first victim in the 1994 shootout.



Father Donald Monan led a memorial Mass for Shannon Lowney despite threats from the right that it was "sacrilegious" to do so.

The Reverend J. Donald Monan, University Chancellor

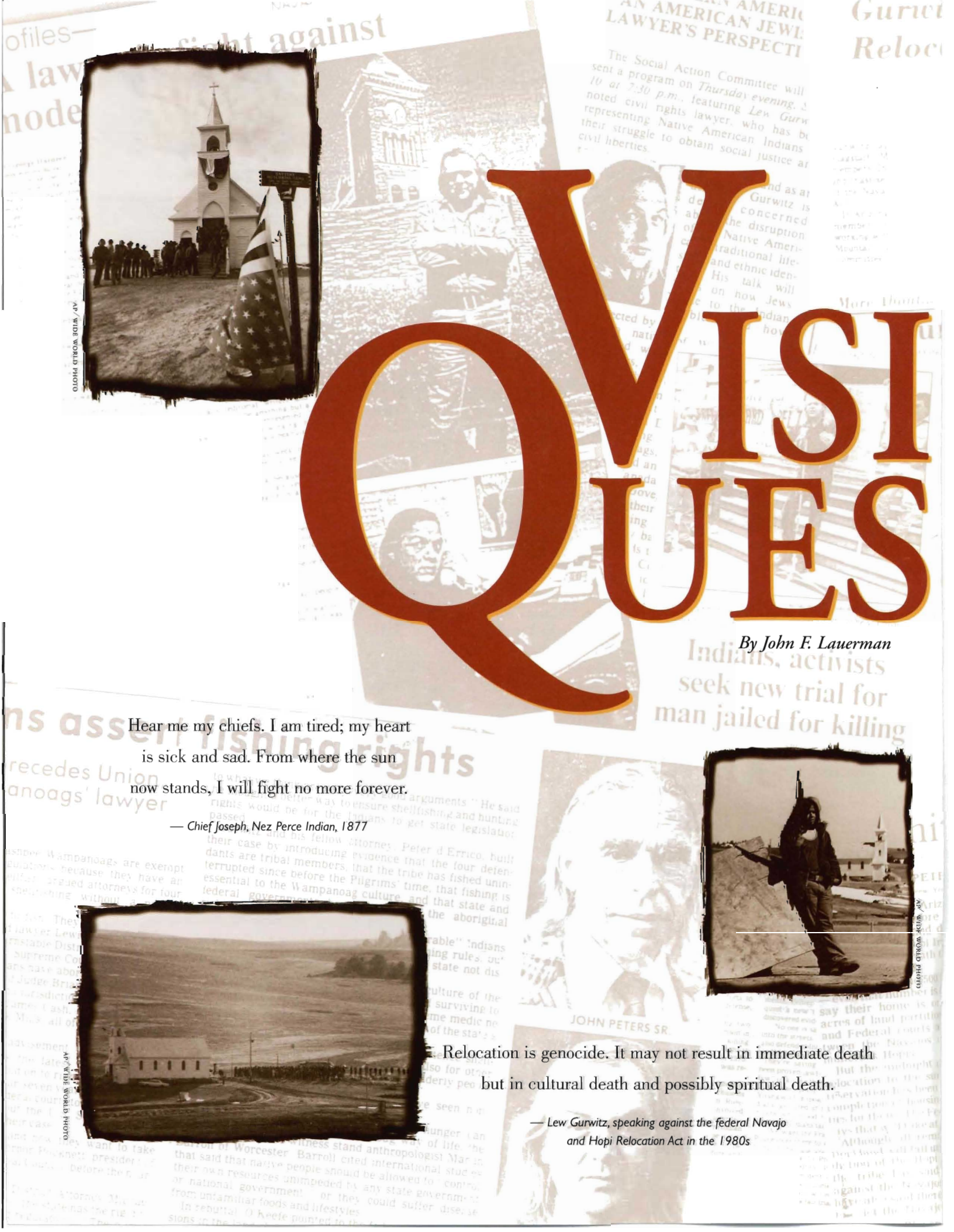
The Reverend J. Donald Monan and Operation Rescue may agree on the morality of abortion, but they part company on the matter of compassion. When Father Monan, then the president of Boston College, announced he would lead a memorial Mass for Shannon Lowney on January 23, 1995, he was denounced by Operation Rescue on the grounds that Lowney had helped women obtain abortions. He even received telephone threats calling the Mass "scandalous" and "sacrilegious."

The service went off as scheduled, with Father Monan leading more than 100 people in prayers and singing. Police were on hand to help out with protests, which never materialized. "We believe this is an entirely appropriate way to remember Shannon," Boston College spokesman Doug Whiting said at the time.

Father Monan retired as BC's president in 1996 and is now university chancellor. At deadline, he was traveling abroad and could not be reached for comment. But the Reverend Peter Conley, editor of *The Pilot*, the archdiocese newspaper, says Father Monan did precisely the right thing.

"It was the most appropriate thing a priest could or should do for someone who has died," says Father Conley. "We don't give people a litmus test for orthodoxy before we pray for them." He adds that those who criticized Father Monan have "too narrow an understanding of the dignity of human life." ■

— Dan Kennedy



AN AMERICAN JEWEL
LAWYER'S PERSPECTIVE

Gurwitz
Reloc

The Social Action Committee will
sent a program on Thursday evening, 5
10 at 7:30 p.m., featuring Lew Gurwitz
noted civil rights lawyer, who has be
representing Native American Indians
their struggle to obtain social justice at
civil liberties.

and as at
Gurwitz is
concerned
the disruption
of Native Ameri-
can traditional life-
style and ethnic iden-
tity. His talk will
on how Jews
to the Indian
how

More than...

QUESTIONS

By John F. Lauerman

Indians, activists
seek new trial for
man jailed for killing

Hear me my chiefs. I am tired; my heart
is sick and sad. From where the sun
now stands, I will fight no more forever.

— Chief Joseph, Nez Perce Indian, 1877

...arguments "He said
rights would be for the Indians to get state legislation
passed
their case by introducing evidence that the four defend-
ants are tribal members, that the tribe has fished unin-
terrupted since before the Pilgrims' time, that fishing is
essential to the Wampanoag culture, and that state and
federal governments have violated the aboriginal

JOHN PETERS SR.

Relocation is genocide. It may not result in immediate death
but in cultural death and possibly spiritual death.

— Lew Gurwitz, speaking against the federal Navajo
and Hopi Relocation Act in the 1980s

ns assert fishing rights
recedes Union
anoags' lawyer

Wampanoags are exempt
because they have an
agreed attorneys for four
years without a

to law. They
lawyer Lew
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Supreme Co
are have abo
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...they want to take
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AP/WIDE WORLD PHOTO

AP/WIDE WORLD PHOTO

12 Blasts
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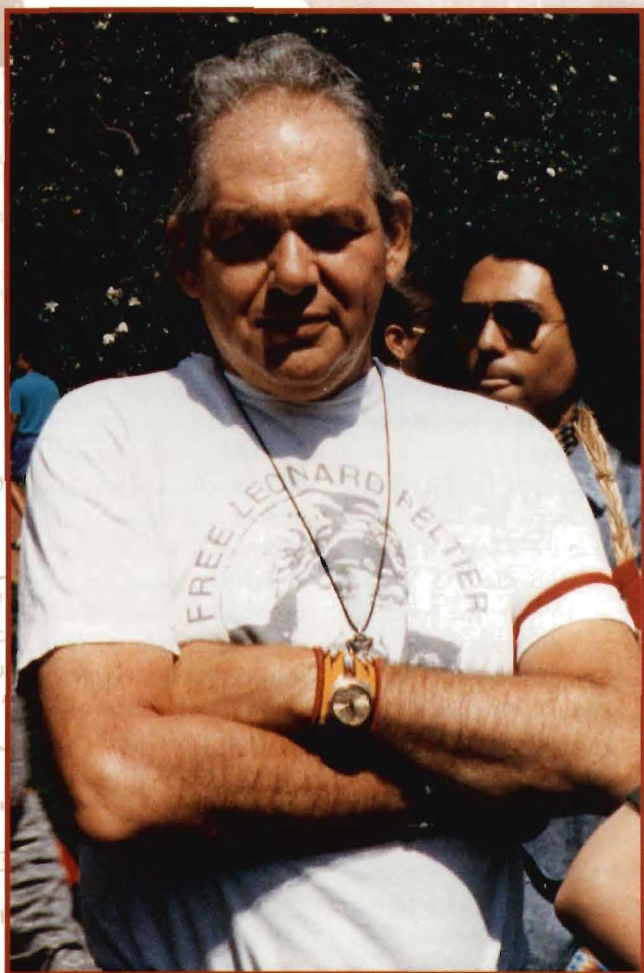
*For his selfless
fight to help
Native Americans,
Lew Gurwitz
became a legend in
his own time*

ON T

The Daily



AP/WIDE WORLD PHOTO



Lewis Gurwitz '71, looking himself like an Indian, is surrounded by pictures from the Wounded Knee uprising at the Pine Ridge Reservation in South Dakota, the event that launched him on a lifelong journey into the heartland of America.

HE WAS RAISED IN BOSTON, THE oldest of five Jewish boys living in an Irish Catholic-dominated section of public housing. He was built as big as a mountain: tall, long-boned and strong, and he looked like an American Indian. He criss-crossed the continent by car and spent most of his adult life living from hand to mouth, sleeping on the couches of the people he was trying to help. He made a tremendous difference in the battle of Native Americans to retain their rights and cultural integrity during the 1970s, '80s and '90s, so much so that his name preceded him on reservations all over America. His name was Lewis S. Gurwitz. Perhaps the most amazing thing about his legend is that it is true.

By the time of his death from a heart attack in 1994, Gurwitz '71 had become one of the nation's best known and most respected advocates for Native-American rights. His involvement began in 1973 with the famous Wounded Knee uprising on the Pine Ridge Reservation in South Dakota. ►

*"Lew saw the reports on television about
Wounded Knee and he said, 'I can't
believe this kind of thing is still going on.
I have to get out there.'"*

The moral conviction that took Gurwitz to Wounded Knee has its roots in a peripatetic, searching young adulthood that led from student life at the University of Massachusetts, Amherst, to military service from 1960 to '62, to marriage and fatherhood, to employment in his family's East Boston tobacco store. By the time Gurwitz entered Boston College Law School in 1968, he was 30 years old and had an emerging sense of mission.

Classmate Edward R. Leahy '71 found a close friend in Gurwitz and directly witnessed Gurwitz's development as an activist. Protests against the Vietnam War crested during their law school years, and both men were elected to the University Senate to discuss Boston College's course following student walk-outs in the wake of the Kent State shootings.

"Lew always knew his facts, he was a very smart lawyer, and he knew when to play the emotional card," says Leahy, who is currently a Distinguished Visitor from Practice teaching at the Law School. "I developed an extraordinary amount of respect for him."

Professor Arthur L. Berney recalls Gurwitz as a special student and a likeable person with whom he frequently talked about the anti-war effort. They participated in demonstrations together. "He left me with the impression that he listened to people and drew them into conversations," Berney recalls. "He wasn't one of those people who likes to stand on one side of a line screaming at people on the other side. He knew how to take a step between the two and say, 'Wait a minute, let's talk to one another.'"

Gurwitz may have gotten his first taste of how to prevail in tough situations while growing up in South Boston's Carmody Court projects, but it was the futil-

ity and the human toll of the Vietnam War that led to his commitment to fighting injustice, says his brother Bruce, the youngest of the five Gurwitz boys.

By the time Lew Gurwitz graduated, he had decided to fight for the underdog as a criminal defense attorney, and he set up practice in the Boston area with a friend. Among his other responsibilities, he soon was handling civil rights cases for anti-war demonstrators.

Gurwitz was settling into his legal career when, on the nightly news one evening in March 1973, there were reports from the Pine Ridge Reservation. Initial stories portrayed the Wounded Knee Indians as merely a few misguided protesters. Reporters, denied access to the occupation site, conveyed the government's spin on the situation, which later proved to be distorted: They reported that a dozen male Indians had robbed a store, stolen guns and, when they encountered resistance from law enforcement, had taken hostages.

When a few reporters finally hiked around the government blockade into the Indians' camp at the Wounded Knee church, a memorial to the 153 Sioux massacred there in 1890 by the Seventh Cavalry, they found a sincere, informed dissident group of Oglala Sioux incensed about conditions on the reservation.

Indian unemployment at the time was at 60 percent. Fewer than 1 out of 10 reservation homes had electricity, and 1 in 20 had running water. Infant mortality was four times the national average, and life expectancy was only 44.5 years, approximately equal to American life expectancy among whites at the turn of the century. Alcoholism was rampant among Indians living on and off the reservations.

The protesters' occupation was intended to call attention to an intolerable situation. The median annual family income was about \$1,500. Trading post prices exceeded the national average by 27 percent. Indians were ineligible to collect government subsidies for non-cultivated arable land, but whites who leased the land from them could collect the subsidies and make a profit.

"Lew saw the reports on television about Wounded Knee," says Bruce Gurwitz, "and he said, 'I can't believe this kind of thing is still going on. I have to get out there.'"

FINDING HIS CALLING

It was a life-changing decision. Gurwitz, who was divorced in the early '70s, dropped everything and drove to South Dakota, where he offered his legal services pro bono to the Wounded Knee Legal Defense/Offense Committee.

"If you were an Indian, you would have called it a vision quest," says his son, Adam W. Gurwitz '92, general counsel to the Cincinnati Stock Exchange in Chicago, Illinois. "For the next 20 years, it became the focus of all his energy and his work."

Gurwitz's involvement at Wounded Knee led him to another cause at the reservation: the fight to free Leonard Peltier. In 1975, FBI agents unexpectedly appeared at Pine Ridge to arrest an Indian, Jimmy Eagle, for the theft of some used cowboy boots. A gunfight broke out during which one Indian and two FBI agents died; Peltier was one of three Indians tried for the FBI agents' deaths. The other two Indians were acquitted, but in a separate trial Peltier was convicted and sentenced to two life terms.

Peltier's cause became a recurring theme for Gurwitz, who worked tirelessly — and fruitlessly — until his death for Peltier's release. Leahy, Gurwitz's law school friend who was by then practicing in Washington, D.C., recalls that he and Gurwitz would frequently talk about the case when Gurwitz made his intermittent trips to lobby and advocate on behalf of Peltier in Washington.

"He worked ceaselessly on that," Leahy recalls. "He used to talk to me about who would be sympathetic to the cause, who might be reached, which arguments might be persuasive. I used to

(continued on page 43)

Taking the Scholarly Route

Professor helps Indian cause by challenging and changing the laws

Not everyone interested in Native American legal issues follows a path of activism similar to that of Lewis S. Gurwitz '71. Professor Nell Jessup Newton of American University's Washington College of Law specializes in American-Indian law, but she tends to describe herself as a specialist in constitutional and property law.

"Indian law is all about how Europeans took all the Indians' property, constitutionally," she says. "In fact, Indian law grew up as a way to justify and deal with the bare fact that Europeans had taken everything against the Indians' consent."

For instance, in *Tee-Hit-Ton v. United States* (1955), the Supreme Court ruled that Indians in Alaska had no legal property rights to the land they had lived on for hundreds of years. According to the ruling, unless a deed had been received from the federal government, the Indians had no right to the land, nor any power to prevent building on it. The timing of such rulings, according to Newton, is often propitious for large corporate interests.

"The ruling basically assured that US companies would not have to pay for oil-drilling rights on tribal lands," Newton says. "At the time the wealth of Alaska was discovered, native people lived on all of it. We had purchased the right to govern Alaska from Russia, but said in the agreement that we would protect the rights of the native people, including their right to property. However, the Supreme Court allowed us to take those property rights from the Alaskan native

Professor Nell Newton transforms the Ivory Tower into a place for the discovery of practical legal solutions to Native Americans' problems.



people and not to pay the full amount for what the land was worth."

Part of what has allowed the abuse of American Indian rights is what is known as the "trust relationship," says Newton. When the US government took so much Indian land, it did so with the implicit understanding that the Indians were

They made us many promises, more than I can remember. But they never kept but one: they promised to take our land, and they took it.

— Chief Red Cloud

owed something for agreeing to move to reservations. The trust relationship implied that the US government would manage Indian resources to the best of its ability, for the benefit of Indians. Unfortunately, this relationship has often been abused, Newton says.

"For instance, the US government used to hold certain Indian funds in trusts but paid no interest on it," Newton says. "Loopholes in the trust relationship were used to force Indians to assimilate. Then the tribes went to court and said that the government was a trustee and had to live up to that relationship. In the 1970s, the courts responded and recognized the rights of Indians under the trust relationship. Now, Indians can demand that the government handle their resources responsibly, just like any private trust manager would be expected to do. But getting there has been a long, slow process."

Newton has built her career around understanding the ramifications of United States Title Code 25, the body of law that deals with the disposition of American Indians, their land and their treaty rights. Last spring, she came to Boston College Law School at the invitation of the faculty and Dean Aviam Soifer — who himself has written about American Indian law — to teach a seminar on the subject, as well as a large first-year course in constitutional law.

Newton became interested in Indian affairs as an anthropology undergraduate at the University of California, Berkeley. After law school, she found a summer job at California Indian Legal Services, where she worked on a number of issues, including the religious use of peyote.

She took to Indian law right away. "Indian people are pretty amazing; for 200 years they've been told that they have to assimilate, but they're not extinct. In fact, in many cases, they're flourishing,

although as a group they're still the poorest ethnic group in the country."

Newton has now been teaching and researching Indian law for 21 years. When she started, she recalls, there was only one case book on Indian law, and very few law schools offered courses on the subject. Today, there are two case books — Newton is co-author of one of them — and interest in Native American law has grown considerably. Few schools offer regular courses on the subject, but a growing number offer seminars.

Each summer, Newton gives legal and judicial training at the American Indian Law Center near Albuquerque, New Mexico. She says there is a flowering of activity in tribal courts, with more tribal judiciaries being formed to review more cases on reservations. She is currently studying the dynamics of law as it is administered by Indians themselves, and trying to see how it differs from or resembles American law.

"Often it doesn't differ at all from US law, or is very similar," she says, "just like various states' laws may differ slightly. I just finished reading 80 tribal court cases and in most of them you wouldn't have been able to tell whether it was a tribal case or a state case, because the laws are so similar." ■

— John F. Lauerman



DANA SMITH



DANA SMITH



DANA SMITH

'You Say You Want a

In ways
large and small,
the women of '67
are making history

By Vicki Sanders

THE YEAR WAS 1967. The war in Vietnam was escalating — by December, American forces there numbered nearly 500,000. Race riots swept the country; dozens died, hundreds were injured. Thurgood Marshall became the first African-American justice appointed to the United States Supreme Court, and Colorado Governor John Arthur signed the nation's first law legalizing abortion. The St. Louis Cardinals beat the Boston Red Sox 7-2 to win the World Series in the final game. The Beatles released *Sgt. Pepper's Lonely Heart's Club Band*, Elvis Presley married Priscilla Beaulieu and Dustin Hoffman became the nation's best-known *Graduate*.

Revolution?"

Far from the spotlight and without Hoffman's fanfare, a handful of women at Boston College Law School also became graduates. They stood on the threshold of one of the most socially tumultuous eras in modern American history, just a few years shy of a women's liberation movement that would rise like a tide in the 1970s, propelling younger women swiftly into new roles and positions of power.

The women of the Law School class of '67 were the transitional women, the ones who followed tradition by marrying young and starting families early, but who broke ranks with their mothers and grandmothers by knocking down gender barriers in the legal profession. Most of them did so not for political reasons but because they were intellectually driven.

In 30 short years, women like Hon. Suzanne Del Vecchio (near left) and classmates (far left, from top) Enid Starr, Hon. Paula Gold and Joyce Hampers have made enormous inroads into a profession dominated by men for centuries.

"Betty Friedan's *Feminine Mystique* had been published, but I didn't yet understand about women's liberation and that I owed something to this kind of movement," says L. Joyce Hampers, whose career as a tax attorney has taken her to the highest levels of state and federal government.

Hampers and her classmates were the early pioneers, but they did not see themselves that way. Most were too busy studying, having children or proving themselves in a profession reluctant to employ them to consider themselves as among the vanguard. "I don't think the women who came through school when I did realized how difficult it was, because we just did it. We were not concerned with why. When we wanted a job, we just went after it," says Hon. Suzanne V. Del Vecchio, who has been an associate justice of the Massachusetts Superior Court for 12 years.

"I really never thought of it as unusual to be a woman and to be a lawyer," says Hampers. "I realize looking back that it was, but it didn't enter into my thinking then. I didn't see myself as a pioneer."

In retrospect, the women marvel at how far they have come in 30 years and at how the choices they made in the ensuing decades have changed the professional world their daughters and sons are now entering. "I can see the difference between my daughter [Catherine

Lundregan Oatway '93] and myself," says Jane Tobin Lundregan, who, with her husband, William J. Lundregan '67, has practiced in Salem, Massachusetts, for about 15 years. "Back then it didn't seem that strange to take time off to have children. There weren't that many opportunities for women. It's very different today."

Class percentages alone tell just how different. In 1964, the year the students of '67 entered the Law School, women comprised 5 percent of the class; among those who will graduate in 2000, that number has leapt to 55 percent.

As statistically small as their group was, and as common a cause as the women of '67 shared, each had her private motivations, her particular sorrows and challenges. Taken together, their stories form a framework through which to view the complexities of a revolutionary time. Taken individually, they reveal subtleties of perseverance, humor and courage. Here are the stories of seven members of that 30th anniversary class.

ENID M. STARR: TRUMPING HARVARD

To look, even today, at Enid Starr's credentials for law school is to be impressed. In 1964, when she applied to Boston College, Boston University and Harvard University, she was 34 years old, had four children under the age of 10, bachelor's and master's degrees in English and business administration from Radcliffe College and six years of experience as the owner of a mail-order business and advertising agency.

Shocking as it seems now, Harvard Law School viewed Starr as an oddity. Their response was typical of the time and Starr accepted it with equanimity. "At my interview, they told me they were not interested in a woman who was married and had four kids, who they assumed would never practice. I could certainly understand their thinking that I wouldn't practice. I wasn't thrilled, but I wasn't outraged," she recalls.

By contrast, her encounter with Dean Robert F. Drinan, S.J., at Boston College Law School was enlightened. "After my unpleasant interview at Harvard, I asked him outright how he felt about women. He said he liked them a lot," Starr laughs. He as much as told her that if she took the LSATs, she was in. "I guess he just figured I was somewhat unusual. My grades were excellent, I had a good track record running a business. He felt I could do the work," she says.

Even for someone who would graduate in the top 10 percent of her class, law school proved to be Starr's toughest academic challenge since prep school and a difficult juggling act with a family. "I studied with my two youngest children on my lap most of the time," she says. "It was personally, physically very hard. I must have had an incredible amount of stamina and discipline," she says, qualities she attributes to having attended a demanding and unpleasant prep school. "I boarded there and hated it. It probably taught me some kind of discipline and mental fortitude. If I could survive that, I could survive anything."

She would soon be tested again, this time in the marketplace. Despite her academic standing upon graduation, Starr watched in frustration as lower-ranking male classmates got jobs easily. "I went five months without being able to find work," she recalls. "I wanted to be a litigator and

that made it harder. It was not one of the 'women' specialties. Women were supposed to do probate and estates."

Finally, an attorney friend, who referred all his litigation work to a small Boston firm, told the firm that if it did not hire Starr, he would take his business elsewhere. "So they hired me, begrudgingly," she says. "But once I was hired, everything was fine." So fine, in fact, that she has remained with Barron & Stadfeld for 30 years and is now a partner.

Starr's gender turned out to be an advantage in court. "Thirty years ago, men were uncomfortable arguing with a woman, and if I was as good as the guy, I had an advantage, and I used it when I could," says Starr. She was careful, however, not to exploit her gender or family life for special treatment in the workplace. "I worked the same as everybody else. No concessions were made for a woman with kids. It was never an issue because my philosophy has always been that a woman shouldn't expect special treatment, and I never did," she explains. "It never occurred to me to work fewer hours than the men did."

With the help in the early years of a live-in housekeeper, and later when the children were in private schools, Starr worked out routines that provided time for family and for the nights and weekends that her job often required. She and the children had "a little deal," for example, about when she would leave work to attend a school function. "If they had a speaking part, I'd go, but if they were just going to stand there and be a frog, I wouldn't," she says.

"It obviously didn't harm the kids," Starr adds. Her two sons are lawyers (Sherman Starr Jr. is from the Law School class of '81) and her two daughters are MBAs.

Though now a grandmother of 12, Starr remains as committed to her work as ever. "To this day, I enjoy the intellectual stimulation of work outside the home," she says.

HON. SUZANNE V. DEL VECCHIO:
A SENSE OF PURPOSE

Raised in Winthrop, Massachusetts, in a family with three brothers, Suzanne Del Vecchio was always treated

with equality in her home. After graduating from Wheaton College, she decided on law instead of graduate school in psychology. "It never dawned on me I couldn't do it," she says.

Del Vecchio's mother passed up an education at Radcliffe because they did not offer her a scholarship and the family's education funds had been spent on her brother. Instead, her mother went to Boston Teacher's College on a full scholarship. Though her husband had a successful food distributorship, she went to work teaching high school Spanish so that her children — Suzanne in particular — would not have to make a similar educational sacrifice. "My mother had stressed since I was little that, even if married, I never knew what might happen. It was never in my stars that I would not be educated and be able to make a living," says Del Vecchio.

She received nurturing of a different sort from Dean Drinan while at the Law School. "He was a great influence in my life. I was enthralled in his classes because he really made me understand that there's a purpose in all this, in going to law school. He made it clear that we have to give back. He taught the Socratic Method, and he led us down the path, let us make up our own minds. It was not about just being out there making money. He was really teaching a philosophy. He's a man with a lot of compassion and empathy. And he lived it all the time himself. He'd say, 'You're a lot of smart people. What are you going to do with this?'"

Del Vecchio took the lessons to heart. She met her husband, Cyrus Del Vecchio, while working on Christopher Lannella's mayoral campaign in 1967, and went to work for the Legal Aid Society and then as an assistant corporation counsel for the City of Boston, a post that kept her in court nearly every day for 10 years. In the late 1970s, she went into private practice with friend Beverly W. Boorstein, determined not to be pigeonholed. "There is a problem for women that exists to this day about getting clients," says Del Vecchio. "People think 'domestic relations.' But we kept those cases at about 50 percent and did real estate, estate planning and other things until I went on the bench in 1985."

The mid-1980s were an exciting time



Jane Lundregan made family a priority while staying active professionally on a part-time basis.

to be a female lawyer in Massachusetts. Governor Michael Dukakis, responding to a national outcry for more women in government and the courts, was making a concerted effort to recruit them to top posts. Del Vecchio was one of the beneficiaries of that effort.

A judge whom Del Vecchio knew through the Massachusetts Association of Women Lawyers suggested her name. Soon, Del Vecchio was raising her right hand and taking the oath of a Superior Court associate justice. She was sworn in on her 42nd birthday. "I'd been in court a lot and I'd seen what a big difference a judge can make, the dynamics, that it's a great place to be, and I wanted to be there," she says.

In her years on the bench, Del Vecchio has earned a reputation for being tough but fair-minded. She laughs with characteristic gusto at rehearing the now legendary quip that *60 Minutes* newscaster Harry Reasoner made several years ago. He was in town covering the drug-corruption case of a Brockton police chief. Del Vecchio presided and handed down a stiff sentence. Later, the reporter was overheard to say, "My god, I'd hate to appear before her for a parking ticket."

One of Del Vecchio's greatest thrills these days is seeing the sons — and particularly daughters — of her classmates and colleagues now arguing before her. "You should see the next generation," she says. "They're incredible." ►



Working at home kept Mercedes O'Connor close to her children during their formative years.

JANE TOBIN LUNDREGAN AND
MERCEDES O'CONNOR: CHOOSING FAMILY

If what women's liberation comes down to is the freedom to choose, then Jane Lundregan and Mercedes O'Connor, like all the women from the class of '67, are heroes in their own right.

Both women grew up in families that encouraged their women to achieve. Both also put family before career, at least as long as their own children were young.

"I was a woman of my time," says O'Connor. "I assumed I would marry and have a family and stay home and raise children."

Lundregan felt much the same way. "I wanted to have a family. I didn't want to leave the children home alone. I wouldn't have given that up for anything."

The women did part-time work close to home or in their homes for a number of years, Lundregan in Salem, Massachusetts, with her lawyer husband; O'Connor in Darien, Connecticut. Both now work full-time.

"I have no regrets. I've loved raising my children. I know it's a different world today, I might feel more forced to maximize my career," says O'Connor. "But my relationship with my kids happened because I was home."

In their own ways, Lundregan and O'Connor are also role models, women who embraced a more traditional way of life and in so doing kept the options open for the generation of women who are now facing the social backlash of high-potency careers: escalating divorce rates, stress-related health problems and child-care crises.

"Many women in my community," says O'Connor, "are pleased to see a woman doing something professional, raising a family and keeping a home and marriage together."

ROXANI M. GILLESPIE: A ROLE MODEL

The issue of gender was unavoidable for Roxani Gillespie, a native of Athens, Greece, who married an American and moved to Boston the year she enrolled in the Law School — she was pregnant throughout her first year and gave birth 10 days before final exams.

But it wasn't until she was living in California and moving up in the ranks of the insurance industry that she became aware of setting an example for the women to come. "Being a role model was very important and it continues to be," says Gillespie. When I was younger I found that terrifying. If I failed, there would be excuses not to hire other women."

Like many of her colleagues, she had difficulty finding work at first. "I got into the insurance field by accident," she says. "It was the only job I could get." The match was a good one, and Gillespie thrived.

By 1983, when California was looking for diversity, Gillespie was the highest ranking woman in insurance in the state. Governor George Deukmejian scooped her up and made her Chief Deputy Director of the Insurance Commission, promoting her three years later to Insurance Commissioner.

"It felt pretty odd because with power comes a lot of responsibility," Gillespie says. "By then I had stopped worrying about gender and I was just sort of doing what I was doing. It was a very powerful job and people are very careful."

Today, Gillespie is a partner in the San Francisco-based firm of Buchalter, Nemer, Fields & Younger.

L. JOYCE HAMPERS: UP FROM POVERTY

In Joyce Hampers's third year of law school, she went to hear a presentation by a recruiter from the Federal Bureau of Investigation. The large auditorium was full of students, all of them male. She arrived late and slid quietly



Roxani Gillespie shattered the glass ceiling in California when she became the state's insurance commissioner.

into a seat at the front, at which point the recruiter halted his address. "Young lady," he said, "may I ask what you're doing here? I can save you a lot of time. We don't hire female agents, but if you're interested in something clerical, there are some openings."

"If you don't mind," Hampers replied, "I think I'll stay for your presentation because I think that will be changing."

"Suit yourself," he said.

"I wonder now why that didn't rankle me," Hampers says. "There was no awareness that there was something wrong with [that attitude]; it wasn't a conscious feeling. When I said things will be changing, I meant because somehow I'll do something. I'm going to succeed. I'm going to do whatever I want to do."

Hampers, an only child whose working-class parents divorced when she was a toddler, grew up poor in Indiana and determined from an early age to free herself of the constraints of her blue-collar heritage.

"Being female and poor, I've been battling all my life. But being poor was bigger....Being a woman was just one more thing to battle. I didn't think of it in a sociological context....I never felt discriminated against as a woman, but I did socio-economically."

Hampers says all she thought about as a girl was getting an education. "It was the only ticket out as far as I could see. I was determined I was going to better myself. I worked all through high school and opened a savings account. My only hope was to get scholarships, so I took every test I could and entered every contest."

With the assistance of a supportive history teacher who helped her with the paperwork, and jobs that put her pretty, blonde looks to good use — at 16 she was the Vanna White of a weekly television talent show and later host of a Saturday morning children's program — Hampers was able to attend Indiana State University, and then Northwestern.

In Chicago, she worked 45 hours a week — 20 busing dishes, 15 typing and 10 modeling for art classes — to support herself and her studies in TV and radio broadcasting. When it got to be too much, she took a full-time personnel job at a management consulting company and transferred to night school.

Her work took her to Philadelphia, where she met her husband, Constantine, a doctor. When he accepted a residency in Boston, Hampers decided to apply to law school. She was still one year shy of a bachelor's degree. Boston College Law School welcomed her.

"My greatest fear was that I would be an outcast," she recalls. "I was 25. I thought I would be the oldest and the only one married." Instead, she met women like Starr, who was 10 years her senior, and Roxani M. Gillespie, who was already pregnant. In the end, Hampers had two children while in law school, giving birth to the second a few weeks after January exams in 1967.

Hampers discovered a talent for tax law, went on to Boston University's graduate tax program, joined the firm where she had worked during the summers, and eventually hung out her own shingle.

Then Governor Dukakis called. Almost before she knew what was happening, Hampers found herself accepting an appointment as associate tax commissioner for what is now known as the Massachusetts Department of Revenue. Disillusioned by the governor's apparent unwillingness to institute changes that he had promised, Hampers resigned in 1978, only to be wooed back as Tax Commissioner by his successor, Ed King. "I was very reluctant," says Hampers. "The way he got me was he said, 'Okay, if you're not up to the challenge...' and that really pressed my buttons."

After leaving that post shortly before Dukakis's return to office in 1983, Hampers ran for State Treasurer, losing the race but garnering 46 percent of the vote

and the attention of presidential candidate George Bush. She co-chaired his campaign in Massachusetts, and upon his election, went to Washington, D.C., as an assistant secretary in the Department of Commerce.

With characteristic enthusiasm for new things, Hampers decided to change careers when she returned to Boston. Having preached local entrepreneurship across the country as a commerce secretary, in 1994 she opened the Giuliano Day Spa on Newbury Street. In three years it has grown to 7,500 square feet and from 10 to 45 employees with new health, wellness and beauty technologies and services being added all the time.

Hampers says the business is one of the greatest challenges she has ever faced. And this time, with her eyes wide open to the fact that she may be in the lead of a health and wellness boom, she finally sees herself as a pioneer. "This whole field is on the rise. I think it's going to keep me excited for a long time," she says. "I have a feeling I'm on the frontier of something."

PAULA W. GOLD: NO REGRETS

Paula Gold was so busy trying cases for the Boston Legal Assistance Project (now Greater Boston Legal Services) and starting a family when she got out of law school that it never really occurred to her to worry about her gender.

"Instead of counting sheep, I counted the courts I'd been in and the cases I wanted to do," she says. "I lacked a lot of skill but I had a lot of zeal."

She argued a number of cases that changed the law. One of them was against a man who got an injunction to try to stop his wife from having an abortion. By then, Gold was working for the Massachusetts Law Reform Institute as a litigation consultant, and argued the case before the state Supreme Judicial Court. At one point in her argument, the chief judge asked, "Mrs. Gold, where would I be if my mother believed in abortion?"

Gold did not miss a beat. "I leaned over and said, 'Your Honor, I have two children.'"

Indeed, Gold had given birth to her first child 10 months after finishing law school. She was in court up until her

baby was born and was back on the job in three weeks. "It never occurred to me to do anything different," she says. "I wanted to show I was no different from the men. Besides, I hadn't been working that long, and when you're excited about a job you've been in for 10 months, you don't want to stay home."

If anything, she believes her gender was often an asset. "I was more noticed," she says, pointing to the fact that she was nominated for a judgeship when she was only five years out of law school. Gold did not get the job, but she says it launched her career. "There was a big brouhaha, articles in the paper. People who felt I'd made the right enemies invited me to serve on boards, give speeches," she says. The notoriety led to an invitation to serve as a Department of Public Utilities commissioner, then to head the consumer affairs protection division of the state Attorney General's office and finally to the cabinet post of Secretary of Consumer Affairs for Governor Dukakis.

After 15 years in government, Gold entered the private sector, eventually joining Plymouth Rock Assurance Corporation as vice president.

As many of her colleagues were learning, however, there were trade-offs. She had a housekeeper named Joan, who, for 20 years, looked after the children. "My son always wanted me when he was little," Gold remembers. "My daughter, at two-and-a-half, fell one day and ran to Joan. I thought, how come she doesn't run to me? And then I thought, if you want her to run to you, then you have to stay home. Some people don't want their kids to bond with someone else. But you can't be the 100 percent perfect mother if you do both."

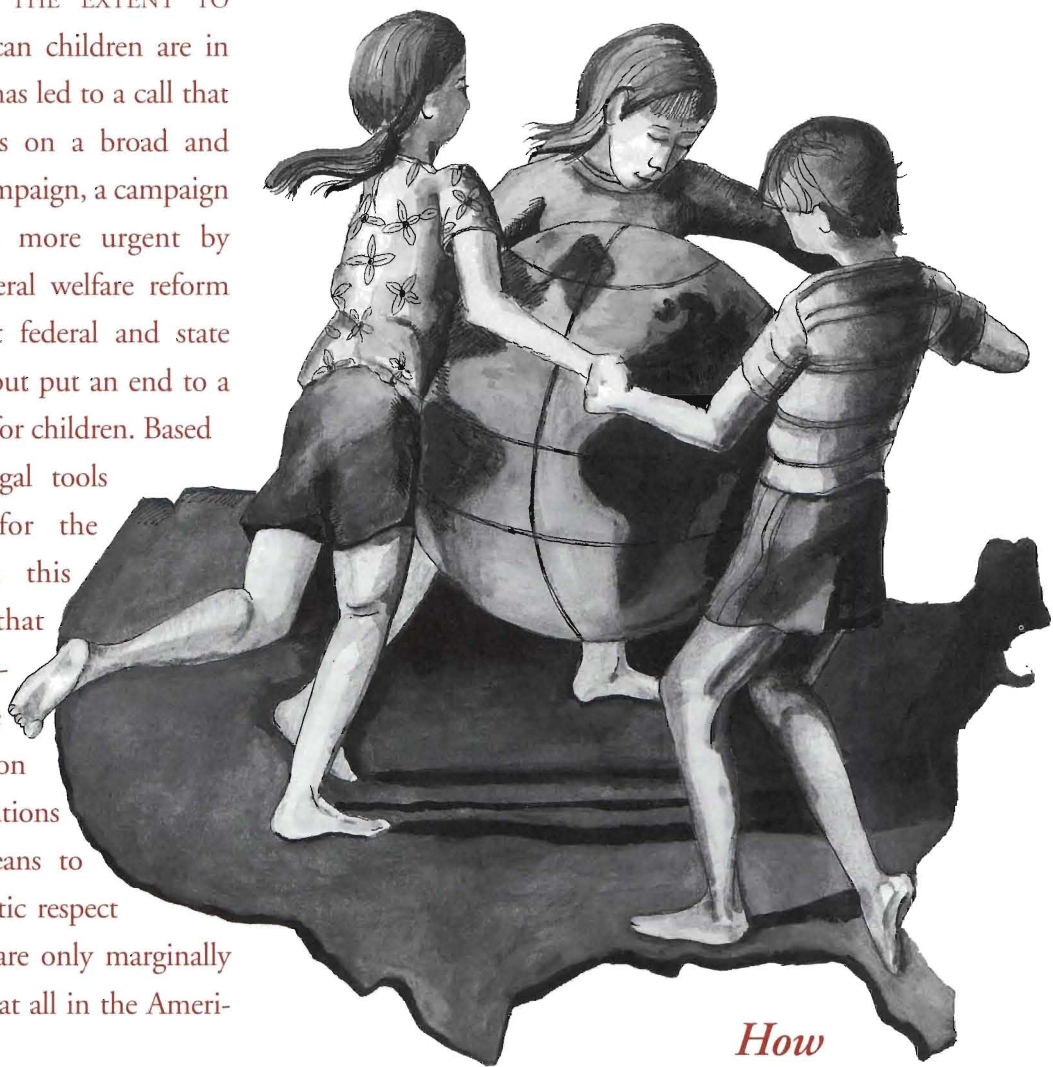
She has a close relationship with her children, who have grown up self-sufficient and well-adjusted. "I'm an optimistic person," she says. "I always see the glass as half full. Generally, I don't look back with regret." ■

Vicki Sanders is Editor in Chief of Boston College Law School Magazine and writes for numerous publications, including the Boston Globe Magazine and Boston Sidewalk. Eric C. Griffith '98 contributed to this story.

EVIDENCE OF THE EXTENT TO which American children are in deep trouble has led to a call that the legal profession focus on a broad and long-term ameliorative campaign, a campaign that has been rendered more urgent by passage of the 1996 federal welfare reform legislation and by recent federal and state proposals that would all but put an end to a separate system of justice for children. Based on the view that all legal tools should be mobilized for the protection of children, this article suggests ways that international law can contribute to the effort. More specifically, the focus is on using international institutions and procedures as a means to achieving effective domestic respect for children's rights that are only marginally protected or do not exist at all in the American legal system.

Children's rights are already recognized in American constitutional law. They can also be found as part of international law. These exist in the same two basic forms that characterize nearly all of international law, namely conventional law and customary law. The former is composed of treaties entered into by sovereign states that impose legal duties only on those states that become parties to the treaties, usually through a domestic process of ratification. A rule of customary law, on the other hand, is derived from a widespread practice of states and is legally binding on all states that have not objected to the rule during the period of its evolution.

Taking the enumeration in the *Restatement* (THIRD) of the Foreign Relations Law of the United States as a guide, it appears that customary law has not developed any rights specifically vested in children, although it does embrace several generally phrased rights that do include them.



*How
international laws
can help*

OUT OF THE SANDBOX

*protect American
children's rights*

By Sanford J. Fox

Illustration by Anne F. McDonald

The nature of the rights protected by international law spans a range from the very specific to the very general, from the familiar to the exotic. Among the more specific and familiar rights are those relating to children in trouble with the law. Conventional law clearly condemns, for example, the death penalty for any offender who was under the age of 18 at the time of his or her crime, prohibits subjecting children to ex post facto laws, forbids resort to "torture or to cruel, inhuman or degrading treatment or punishment" and requires that "[j]uvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status."

While application of such rights to any particular set of facts may be problematic, many of them have at least a prima facie substantive content derived from their close relationship to cognate and well-established domestic rights. Other conventional children's rights, on the other hand, have no such domestic predecessors, leaving their substantive content unanchored in national legal experience. Economic and social rights of children, such as the rights to health, food, education and an adequate standard of living, are particularly absent from domestic jurisprudence. The same can be said of the child's right to protection of his or her honor or the right to express maturely held views and to have these given appropriate weight. These latter rights are, by virtue of the dimness of their presence in American law, among the most valuable of those articulated in international law. The generality with which they are phrased is no fatal barrier to their evolution, for, as the Ninth Circuit has observed concerning similarly general terms in a UN Trusteeship Agreement, they are "no more general than such terms as 'due process of law,' 'seaworthiness,' 'equal protection of the law,' 'good faith,' or 'restraint of trade,' which courts interpret every day."

THE IMPACT IN DOMESTIC COURTS

In light of the broad panoply of international law rights, it is necessary to address the option of children's lawyers relying on this body of law in federal and state court litigation. The powerful potential for domestic enforcement of children's international law rights is highlighted by

International human rights law comes into being from the work of sovereign nations reaching treaty agreements among themselves, from the actual behavior of nations in the world community and virtually not at all from judicial or legislative bodies.

the exalted status accorded international treaties by the federal Constitution. The Supremacy Clause in Clause 2 of Article VI of the Constitution states:

all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding [emphasis added].

Since nearly all of the international human rights of children are to be found in treaties, the Supremacy Clause would appear to guarantee their respect and enforceability in domestic courts, even in the face of inconsistent state law. Although the subject of customary international law is not addressed in the Constitution, at the turn of this century the Supreme Court announced that customary law constitutes "part of our law, and must be ascertained and administered by the courts of justice of appropriate jurisdiction, as often as questions of right depending upon it are duly presented for their determination." This is taken as giving the Supremacy Clause the same power regarding customary law as it has with conventional law, although no case appears to have adopted such a rule.

Nonetheless, children's rights found in the human rights treaties face at least three major obstacles to their domestic enforcement, the Supremacy Clause notwithstanding. The first of these is that the US has been either unwilling to ratify some of the treaties, as is the case for example of the Children's Convention

and the International Covenant on Economic, Social and Cultural Rights, or it may be legally ineligible to ratify, as is the case with the regional European and African human rights conventions. But whatever the reason for nonratification of a treaty, international law generally holds that in the absence of ratification there is no duty to observe any of the treaty's requirements so that the rights defined in a treaty which the US has not ratified do not belong to children of this country. The international community, in the absence of US ratification, cannot by itself confer rights on American children. Both domestic and international protection of these rights are precluded. To the extent, however, that these unratified protections represent codifications of customary law that is binding on the US, the international community can resort to international implementation measures that do not depend on being a party to the unratified treaty.

In addition to the failure to ratify, there is a second impediment to domestic enforcement of children's internationally protected human rights. When the US has ratified a human rights treaty, it has usually been on condition that the treaty not furnish a rule of decision in any domestic litigation (i.e., that it not be self-executing so that its provisions cannot be invoked judicially and will have domestic legal impact only when and if the treaty has been implemented by domestic legislation). It would then be the legislation that furnishes the rights, not the treaty. The doctrine of the self-execution of treaties is, in effect, a means of nullifying the operation of the Supremacy Clause with regard to human

rights treaties. It is a doctrine, however, that is irrelevant in any proceeding brought before an international body since it has no effect on either the conventional or customary international law obligations of the US.

The third reason that may preclude domestic enforcement of even a self-executing treaty has to do with the device of "reservations." Upon ratifying a treaty, a country may declare that it chooses not to accept all of the duties imposed by the treaty. By entering a reservation to Article 6 of the Covenant on Civil and Political Rights, for example, the US has avoided assuming any duty in international law to outlaw the juvenile death penalty. The result is the same as the US having not ratified the reserved part of the treaty — both domestic *and* international protection from the death penalty are precluded.

Therefore, nonratification, the self-execution doctrine and resort to reservations and related devices all function to limit severely the ability of courts in the US to make effective use of the newly developed conventional international human rights of children.

If children in the US are to benefit from the development of children's rights by the international lawmaking process, there is little alternative but to turn to those protective mechanisms and procedures that international law itself provides.

ENFORCEMENT BY INTERNATIONAL BODIES

Development of the substantive international law of children's rights is a process significantly different from lawmaking on the domestic scene. In place of legislatures, courts and administrative agencies, international human rights law comes into being from the work of sovereign nations reaching treaty agreements among themselves, from the actual behavior of nations in the world community and virtually not at all from judicial or legislative bodies. It is not surprising, therefore, that both the means for inducing conformity to the substantive international norms as well as the role of lawyers in that system also differ significantly from domestic analogs.

Most closely related to the domestic litigation process are the international petition system's quasi-judicial or individual petition procedures. These are the

arrangements under which aggrieved individuals or groups, or sometimes even third parties with no direct stake in the conflict, are authorized to initiate an adversarial process against the government that may include a process akin to pleading and discovery, written and oral argument, site visits and the rendition of a judgment-like final decision.

At present there are two major systems of quasi-judicial accountability within regional intergovernmental organizations, namely the Council of Europe and the Organization of American States. Much of the impetus for the adoption of these systems came in response to the atrocities of the Second World War. Pursuant to these petition systems, persons in any of the countries that (1) are party to the European Convention and (2) have formally recognized the right of their citizens to utilize the petition procedure have the opportunity to complain to the European Commission on Human Rights in Strasbourg, France, that their government has violated their fundamental rights; while those in Western Hemisphere countries that are members of the Organization of American States (OAS) can similarly complain to the Inter-American Commission on Human Rights in Washington, D.C., that they have been denied rights protected by the American Declaration of the Rights and Duties of Man.

The American Declaration of the Rights and Duties of Man lists 28 separate human rights that OAS member states are called on to respect, including rights that are specifically designated for children, such as Article VII, which declares that "all children have the right to special protection, care and aid," and Article XII, guaranteeing "the right to receive, free, at least a primary education." The declaration also enumerates rights that are of general application that could be extremely valuable for children.

As it presently operates, the Inter-American Commission on Human Rights' flaws need to be addressed before it can significantly fulfill its promise. Nonetheless, an experienced litigator advises in favor of filing petitions with the Inter-American Commission on Human Rights and there may even be an ethical obligation on children's advocates at least to consider the possibility of seeking redress and relief for a client from abusive

government action or inaction by invoking the condemnation of the Inter-American Commission on Human Rights.

Children's advocates also have an important role outside the litigation process in correcting the Inter-American Commission on Human Rights' shortcomings. One useful reform agenda for this activity has been proposed by the Association of the Bar of the City of New York. Although some of the proposed reforms can be accomplished by the Inter-American Commission on Human Rights itself, such as a more disciplined adherence to its own procedural rules, key parts of the program can be brought about by the US, exerting its influence within the OAS on such issues as the selection of more qualified commissioners and staff and giving the Inter-American Commission on Human Rights more control over a larger budget and an expanded staff. Importantly, this influence can be brought to bear through presidential executive action and without the necessity of the congressional approval that would be required by such steps as a ratification of the American Convention accompanied by acceptance of the compulsory jurisdiction of the Inter-American Court of Human Rights or appropriating funds to pay the US's arrears to the OAS.

The cause of children's rights stands to benefit much from an organized pursuit of these litigation and activist roles. Bringing appropriate cases to the Inter-American Commission on Human Rights and engaging in follow-up activity to ensure implementation of successful decisions may bring immediate benefits to individual clients and long-term benefits in the form of an effective development of an inter-American jurisprudence of children's rights. Further long-term gains in the form of intra-regime reforms such as those proposed by the report from the Association of the Bar of the City of New York would be more likely if large numbers of children's lawyers with experience working in the present regime lend their voices to those demanding that the US government take the lead in having the OAS accept reform proposals. Demands for reform in the Inter-American human rights system gain significantly in credibility when they come from those who have experienced the frustrations of the present system.

Jurisdiction of the second set of international procedures for presenting children's rights claims is founded on the authority of the major human rights organizations of the United Nations, which exercise a supervisory role over the human rights performance of all nations. The primary actors in this function are the United Nations Commission on Human Rights (Commission) created by the Economic and Social Council [ECOSOC] in 1946 with an open-ended mandate in the human rights field, and the Sub-Commission on the Prevention of Discrimination and Protection of Minorities (Sub-Commission) which the Commission then created as a nominally subsidiary body to assist it in its functions, especially those having to do with the issues in its title. More than any of the other international mechanisms discussed in this article, the United Nations system represented by these two bodies is and has been in a state of episodic but dynamic transition, one that has created potentially powerful opportunities for advocates of children's rights.

The Commission operates under an ECOSOC resolution giving it jurisdiction to consider the "[q]uestion of the violation of human rights and fundamental freedom...*in all countries*" (emphasis added). Proponents of the expansion of the Commission's role in the mid-1960s expected their initiative to be confined to human rights violations of a racist nature in southern Africa and in colonial territories, but a conflict on the issue of scope of its authority was resolved by the General Assembly's request that it consider human rights violations "wherever they may occur."

The text of governing ECOSOC Resolution 1235 refers to a "consistent pattern of gross violations," thus opening the procedures to apply not only to racism but potentially to all claims concerning any serious and widespread violations. The nature of the procedures for the Commission's work set forth in ECOSOC Resolution 1235 has come to be unconstrained by any legal text and the working methods of both the Commission and the Sub-Commission have evolved in response to the nature of the problems that have had to be confronted.

In the context of such a broad substantive and procedural discretion, the importance of the political dimension to the Commission's work cannot be overlooked. The Commission is made up of government representatives whose positions on issues coming before the Commission, especially concerning the Commission's response to claims of human rights violations by particular governments, reflect domestic and international political policies at their capitals. Nonetheless, it would be a distortion to see the Commission and the Sub-Commission as only a UN stage on which political dramas are played out. Over recent decades they both have developed mechanisms and procedures for putting the public international spotlight on offending governments and their offenses. While no government cares to admit publicly that it is succumbing to international pressure, the salutary effects of



being singled out in this fashion are attested to by the intense efforts governments make to be elected to the Commission, to avoid being brought under the Commission's scrutiny and to prevent adoption by the Commission of a resolution critical of its human rights performance. Symbiotically, the international condemnations also become a tool for domestic political opposition.

The vulnerability of United Nations procedures to the forces of international politics renders it impossible to see them as offering a promise of frequent success in righting the wrongs against American children. But the infrequency of success needs to be balanced against the magnitude of success when it is achieved. The work of the Commission and the Sub-Commission can be powerful influences on the formulation and execution of government policies so that long- and short-term strategies to attract that attention need to be given serious consideration.

Other bodies to whom communications may be made concerning abuse of children's rights are the committees that review reports by the US of its compliance with particular treaties. At present, a significant number of human rights instruments require their states parties to submit reports to an international body concerning implementation of the human rights they have undertaken to respect. The US is a party to three of these, the Torture Convention, the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination.

Each state's report is considered by the monitoring committee according to rules set forth in the treaty and in the committee's own regulations. Often the committee's initial reading of the report leads it to request additional information from the reporting state. It is also likely to take account of information supplied to it by sources outside the government such as other UN bodies, nongovernmental organizations and even individuals.

Both the need and the opportunity to bring to the attention of the Committee abuses against children protected by the civil and political covenant appears to be clearly established. The array of children's rights involved include all of the treaty's generally applicable rights such as are contained in the Article 7 injunction that "...no one shall be subjected without his free consent to medical or scientific experimentation," and the Article 17 rule that "...[n]o one shall be subjected to arbitrary or unlawful interference with his privacy."

In response to the first report of the US, which it considered at its April 1995 meeting, the Human Rights Committee found the US failing to meet its treaty obligations on several grounds. It included among its "Principal subjects of concern" the matter of experimentation on children: "The Committee is concerned that, in some states, non-therapeutic research may be conducted on minors...on the basis of surrogate consent, in violation of the provisions in article 7 of the Covenant." The Committee was also critical of the US reservation concerning the juvenile death penalty and of the refusal by the US to change any of its law in order to comply with the treaty.

International law has developed a “no fly zone” over American children by providing a range of rights that the American government, in its legislative, executive and judicial branches, cannot legally invade. The legal profession needs to familiarize itself with the international institutions and procedures that constitute this legal protection since without the active involvement of lawyers the advantages accruing to American children from international law will remain marginal.

How best to exploit the opportunities presented by international law is the central challenge facing children’s lawyers. It has already been suggested that the possibility of litigating children’s rights claims before the Inter-American Commission on Human Rights needs to be included in the strategy. Additional courses of action are also available.

A process that has been called “indirect incorporation” suggests using the international norms to influence the meaning that courts adopt of statutes and constitutional provisions involved in children’s rights litigation. The advocate’s point here is that domestic courts should, whenever possible, interpret American law so as to be consistent with and not violative of international standards.

Favorable results may also be possible in cases where the protection needs to be sought in state or local law or practice by applying indirect pressure to produce a remedy. To appreciate this possibility, something needs to be said of the federalism aspects of children’s international rights.

The federal government is responsible for respecting these rights to the same extent that it is responsible for ensuring US compliance with other parts of international law. That under our federal system state and local law has the dominant share of providing for children’s rights does not alter the international obligation of the federal government. State law that fails to meet the requirements of international law that is binding on the US brings the country into violation of international law.

That is the point at which children’s lawyers need to apply the pressure. Depending on the nature of the violation involved, they can demand federal action in compliance with its international obligations

from the Department of Health and Human Services to remedy a state’s failure to provide protection from abuse, from the Department of Labor for a state’s failure to meet child labor standards or from the Department of Housing and Urban Development for a state’s failure to assure a minimum level of housing for children. Certainly, the State Department should be an addressee for all complaints since that department will be obliged to defend the US human rights’ record before the Human Rights Committee and it would undoubtedly be happier to inform the Committee of the action it has taken on behalf of individual children than to defend its neglect of the conditions in which American children live.

This approach to obtaining relief for a client (or class of clients) is also available for protection of children’s rights that are not included in a treaty the US has ratified. It should be recalled that the jurisdiction of the UN Human Rights Commission is not limited by the substantive law of human rights treaties, nor is the pressure it can apply limited to particular states. While the record of the Commission thus far has exhibited a gross neglect of human rights violations by the major powers and a similar posture in regard to the economic and social rights American children often lack, the jurisdiction to call the US to account for its treatment of children is clearly established and provides a firm basis for urging the federal government to “take appropriate measures” to bring state and local law into line with a wide variety of international protections. The federal obligation here stems exclusively from the international duties of federal states.

Unlike the situation with regard to the Human Rights Committee, which is composed of independent experts who can shape their inquiry into a state’s human rights practice without great regard to whose toes are being stepped on, the Human Rights Commission is a political body where pressure by the US and its allies may avoid embarrassing public disclosures of the treatment of American children. Whether the federal government would rely on this possibility as a reason for refusing to press for redress from state and local authorities cannot yet be determined. But that is no reason for children’s lawyers to neglect

seeking indirect federal relief for violation of children’s rights within the jurisdiction of the Commission.

Representation of individual children is not, moreover, the only course of action open to children’s lawyers. They can, for example, generate significant pressure by making available to international nongovernmental organizations (NGOs) their experience with American violations of children’s international rights so that the NGOs, who have the ear of both UN bodies and treaty-based monitoring committees, can use the information in shaping their agendas and inquiries. One limitation on this approach is that NGOs have traditionally focused exclusively on political and civil rights and largely ignored the internationally protected economic and social rights that are crucial to children. There are, however, some encouraging indications that this may be changing.

These approaches to using international law for children, as well as others devised by imaginative lawyers, need to be coordinated if they are to be effective. Here is a large role for law school clinics, state bar associations and other groups such as the National Association of Counsel for Children.

Professor Sanford J. Fox joined the Boston College Law School faculty in 1959. He received his A.B. from the University of Illinois, his LL.B. from Harvard University and an Honorary LL.D. from the University of Glasgow. He is chair of the Committee on the Rights of Children of the American Bar Association’s Section of Individual Rights and Responsibilities and is on the Board of Governors of the ABA Center on Children and the Law. He has written four books and published numerous articles on the subject of children and the law.



SUE OWEN/USKY

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FACULTY

news & notes

PROFESSOR CHARLES H. BARON

Recent Publications: "Pleading for Physician-Assisted Suicide in the Courts." *Western New England Law Review* 19 (1997): 371-403.

Presentations: Participated in a New Hampshire public forum on issues in the humanities on the subject of physician-assisted suicide, in September.

Other: Debated Professor Scott FitzGibbon on physician-assisted suicide legislation at the Law School, in October.

PROFESSOR ARTHUR L. BERNEY

Presentations: Presented a paper on human rights violations in connection with the international effort to control the illicit drug trade, at the conference and workshop, "Global Organized Crime and International Security: Balancing Societal Needs and Human Rights," at the Onati Institute for the Sociology of Law (IILS) in Spain, in June. The IILS is a foundation created by the Basque government under the auspices of the International Sociological Association.

Other: Debated campaign finance reform with Professor Lillian BeVier of the University of Virginia Law School before the Federalist Society at the Law School, in September.

ASSISTANT PROFESSOR MARY SARAH BILDER

Grants and Fellowships: Received a University Research Travel Grant for travel to London, in September, and studied the world of colonial attorneys (libraries, education friendships, etc.) and how they and their clients developed a system of rehearings and appeals; awarded a fellowship for the fall semester to continue research focused on colonial Rhode Island at the John Nicholas Brown Center for the Study of American Civilization at Brown University.

PROFESSOR ROBERT M. BLOOM

Recent Publications: Chapter author for "Suppression of Illegally Obtained Evidence: Pretext Searches." Chapter 83, 83-1 — 83-18, in *Criminal Defense Techniques*, edited by Robert M. Cipes, et al., New York: Matthew Bender, 1997.

PROFESSOR MARK S. BRODIN

Recent Publications: "The Demise of Circumstantial Proof in Employment Discrimination Litigation: *St. Mary's Honor Center v. Hicks*, Pretext, and the 'Personal-

ty' Excuse." *Berkeley Journal of Employment and Labor Law* 18 (1997): 183-239.

Work in Progress: The 1998 Supplement to the *Handbook of Massachusetts Evidence* (with Paul J. Liacos and Michael Avery), to appear in December. *Civil Procedure: Doctrine, Practice and Content* (with Stephen Subrin, Martha Minow, and Thom Main), to be published in 1999.

PROFESSOR GEORGE D. BROWN

Recent Publications: "Should Federalism Shield Corruption? — Mail Fraud, State Law and *Post-Lopez* Analysis." *Cornell Law Review* 82 (January 1997): 225-300.

ASSOCIATE DEAN FOR ADMINISTRATION MICHAEL CASSIDY

Appointments: Named editor in chief of *Massachusetts Law Review*.

ASSISTANT PROFESSOR LESLIE ESPINOZA

Recent Publications: "Legal Narratives, Therapeutic Narratives: The Invisibility and Omnipresence of Race and Gender." *Michigan Law Review* 95 (February 1997): 901-937.

PROFESSOR SCOTT T. FITZGIBBON

Work in Progress: "The Failure of the Freedom-Based and Utilitarian Justifications for Assisted Suicide," accepted for publication by the *American Journal of Jurisprudence*; "Fiduciary Relationships Are Not Contracts," accepted for publication by *Marquette Law Review*. "The Model Physician-Assisted Suicide Act and the Jurisprudence of Death" will be reprinted by *Issues in Law and Medicine*.

Other: Debated Professor Charles Baron on physician-assisted suicide and gave a talk on the topic at the Law School, in October.

PROFESSOR SANFORD J. FOX

Recent Publications: "Beyond the American Legal System for the Protection of Children's Rights." *Family Law Quarterly* 31 (Summer 1997): 237-267.

Presentations: Presented a paper on the history of the juvenile court at a meeting of the National Council of Juvenile and Family Court Judges in Reno, Nevada, in September.

Appointments: Reappointed to the chairmanship of the Committee on the Rights of Children of the American Bar Association's Section of Individual Rights and

Responsibilities. Named to the Board of Governors of the ABA Center on Children and the Law.

Other: Received an Honorary Doctor of Laws degree from the University of Glasgow, in June. Attended a meeting of the Advisory Committee on Children's Rights of Human Rights Watch in New York, in September. Met at Boston College Law School with Dr. Musa Dweik, deputy dean of the faculty of law of Al-Quds University in East Jerusalem, to discuss possible collaboration between the two schools in the field of human rights, in September. Attended a meeting of the United Nations Committee on the Rights of the Child in Geneva to discuss the Law School's program on assistance to disabled children, in October.

ASSISTANT PROFESSOR KENT GREENFIELD

Work in Progress: Co-authored, with John Nilsson, BCLS '97, "Gradgrind's Education: Using Dickens and Aristotle to Understand (and Replace?) the Business Judgement Rule," accepted for publication by *Brooklyn Law Review*. "The Unjustified Absence of Federal Fraud Protection in the Labor Market," forthcoming in *Yale Law Journal*.

Presentations: "The Unjustified Absence of Federal Fraud Protection in the Labor Market," to the labor law faculty of the University of Chile and members of the Chilean National Labor Board. Gave a lecture (in Spanish) about United States corporate law to LL.M. students at the University of Chile School of Law.

Other: Spent much of June 1997 in Santiago, Chile, to research Chilean law and investigate the possibility of establishing a relationship between the Law School and a Chilean law school. Met with administration and faculty of three law schools to discuss establishing faculty and student exchanges. Interviewed lawyers, business leaders and community activists to learn more about the role of corporations in Chilean society.

ASSOCIATE PROFESSOR DEAN M. HASHIMOTO

Presentations: Led a discussion group on the use of statistics and other empirical research in legal scholarship, with Associate Professor Alfred C. Yen, at the Conference of Asian Pacific American Law Faculty at CUNY Law School in New York, in October.

ASSOCIATE PROFESSOR RUTH-ARLENE W. HOWE

Recent Publications: "Transracial Adoption (TRA): Old Prejudices and Discrimination Float Under a New Halo." *Boston University Public Interest Law Journal* 6 (Winter 1997): 409-472.

Presentations: "New Legislative Developments in the US Pose Compliance Problems for 'Sending' States Under the Hague Convention on Intercountry Adoptions" at the 9th World Conference of the International Society of Family Law, and served as moderator for a session on transracial adoption in Durban, South Africa, in July.

Other: Attended Washington, D.C., meeting of the Study Group on Intercountry Adoption to advise the United States State Department's Office of Legal Advisor for Private International Law regarding United States ratification of the Hague Conference Convention on Intercountry Adoption, in April. Session panelist at the Massachusetts Open Door Society Chapter Annual Adoption Conference in Milford, Massachusetts, in May. Attended the Fourth African/African-American Summit in Harare, Zimbabwe, in July. Panelist at the combined Massachusetts Black Lawyers Association and Massachusetts Black Women Attorneys reception for African-American law students at the Boston Bar Association, in September.

ASSISTANT PROFESSOR DANIEL KANSTROOM

Presentations: "Immigration Consequences of Crime," Vermont Law School Continuing Legal Education, in April. "Judicial Review Under the New Immigration Laws," to United States District Court judges in Massachusetts, in Boston, in May. "Some Ways of Thinking About Immigration and Law," Smith College Graduate School of Social Work, Northampton, Massachusetts, in July. "Immigration Consequences of Criminal Convictions," a training program for new attorneys, Committee for Public Counsel Services (Public Defender), in Boston, in September.

PROFESSOR SANFORD N. KATZ

Recent Publications: "The Concept of the Family Court in America." *The Family Justice System: Past and Future Experiences and Prospects*, edited by Ludwig Salgo, 35-45.

Budapest, Collegium Budapest, Institute for Advanced Study, 1997.

Work in Progress: Began research and writing at All Souls College, Oxford, to be continued over the next three years for a forthcoming book on family law, to be published by Oxford University Press.

Presentations: Discussed the American response to the new Divorce Reform Act at the Socio-Legal Center Seminars on Family Law, at All Souls College, in February. "The Concept of the Family Law Court in America" at the Institute for Advanced Study, in Budapest, in May. "State Control Versus Personal Autonomy in Marriage," at the All Souls Visiting Fellows' Colloquium, in June. "Parental Rights and Social Responsibility in American Child Protection Law" at the 9th World Conference of the International Society of Family Law, Durban, South Africa, in July.

Appointments: Elected to the Executive Council of the International Society of Family Law, of which he is a former president.

Other: Participated in a conference at the Advanced Institute in Budapest to provide guidance to Hungary in its family law reform, in May; Visiting Fellow at All Souls College, a position to which he was elected in November 1996.

PROFESSOR THOMAS C. KOHLER

Recent Publications: Review of *Labour Law and Industrial Relations in Germany*, by Manfred Weiss. *Comparative Labor Law Journal* 18 (Spring 1997): 483-486.

Presentations: "The Problems of Solidarity" at the Fifth International Industrial Relations Association European Regional Congress, in Dublin, Ireland, in August.

Appointments: Named member of the New York-based Council on Families. Also named member of the International Advisory Committee, National College of Industrial Relations, Dublin, to advise the college on trends in employment relations.

Other: Received grant, with Professor Dr. Michael Kittner (Kassel) from the Hans-Böckler-Stiftung (Düsseldorf) for the project "Kündigungsschutzrecht: Vergleich Deutschland/USA" (law against unfair employment dismissals: comparison of German and American law). "The Waning Habits of the American Heart," interview by William Bole, *Our Sunday Visitor*

(August 31, 1997): 10-11. Participated in Boston College's 24th Annual Lonergan Workshop "Redeeming the Time: In Honor of Sebastian Moore, O.S.B.," in September, where he co-chaired, with Professor Bruce Anderson of the University of Leeds, the week-long session "Self-Appropriation and the Law." Interviewed on WDEO, Detroit, Michigan, on causes of the decline of families, unions and other mediating institutions, in September.

PROFESSOR CYNTHIA C. LICHTENSTEIN

Recent Publications: Remarks (as Chair) on "Money Across Borders." *American Society of International Law, Proceedings of the 90th Annual Meeting* (1996): 161-177.

Presentations: Delivered address at McGeorge School of Law as part of its Distinguished Speaker Series on "Dealing with Emerging Market Banking Crises: Is an International Banking Standard an Answer?," in October.

Other: Retained as member of the American Association of Arbitrators International Panel in the revision of the AAA list. Attended International Arbitration Day at the Association of the Bar of New York, in September. Attended a meeting of the International Monetary Law Committee of the International Law Association hosted by Spanish member, general counsel of the European Monetary Institute, in Madrid, in October.

ASSOCIATE PROFESSOR OF LEGAL REASONING, RESEARCH AND WRITING JEAN E. MCEWEN

Recent Publications: "DNA sampling and banking: practices and procedures in the United States." *In Human DNA: Law and Policy — International and Comparative Perspectives*, edited by B.M. Knoppers, 407-421. The Hague, Netherlands: Kluwer Law International, 1997.

PROFESSOR ZYGMUNT J.B. PLATER

Recent Publications: "HCP's and the Embattled Social Utilities of the Endangered Species Act." *Endangered Species UPDATE* 14: no. 7/8 (July/August 1997): 15-17.

Work in Progress: "On Not Forgetting the Canaries in the Coal Mine: The Embattled Social Utilities of the Endangered Species Act," forthcoming in *Environmental Law*, Fall 1997. Senior editor now preparing the

second edition of *Environmental Law and Policy: Nature, Law and Society* with Robert Abrams and William Goldfarb, one of two top-selling coursebooks on the subject in the United States.

Presentations: Delivered the keynote address at the National Wildlife Federation's First Annual Conference on Endangered Species Law, in Washington, D.C., framing the conflicts between public trust protections of wildlife and the market pressures of development, in May.

PROFESSOR JAMES R. REPETTI

Recent Publications: "Management Incentives, Needless Tax Complexity, and Capital Gains." *Tax Notes* 75 (1997): 981-991.

Presentations: Lectured on current issues in tax policy at Notre Dame Law School, in October.

Other: Attended the University of California at Berkeley Workshop on Public Economics and Tax Policy, a week-long invitational conference, in June.

ASSOCIATE PROFESSOR OF LEGAL REASONING, RESEARCH AND WRITING FRANCINE T. SHERMAN

Presentations: Led two workshops at the Juvenile Defender Leadership Summit in Chicago, sponsored by the American Bar Association, entitled "The Defender's Role in Addressing Gender Bias," in October.

Appointments: Named to the Advisory Council of the Children's Law Center of Massachusetts.

Other: Received funding from the Public Welfare Foundation for individual and policy advocacy for female juvenile offenders. Received funding from the Gardner Howland Shaw Foundation to continue work in the areas of juvenile justice dispositions and school-linked legal services.

ASSISTANT PROFESSOR PAMELA J. SMITH

Recent Publications: "Patent Law and Intellectual Property." *Careers and the Minority Lawyer* 2 (Fall 1997): 41-43.

PROFESSOR ROBERT H. SMITH

Presentations: Panelist for the "Inner Game of Meditation" at the Cambridge, Massachusetts, Dispute Settlement Center, in September.

DEAN AVIAM SOIFER

Presentations: Speaker and co-leader at a

Judicial Ethics and Jurisprudence discussion at the New England Appellate Judges' Conference in Portsmouth, New Hampshire; commentator at the Law School debate about voucher plans and the First Amendment, in September. In October, Dean Soifer led a discussion at the 1997 Annual Conference of the Justices of the Boston Municipal Court Department in Chatham, Massachusetts; chaired a session and served as commentator on "Dissenting Speech in the Early American Republic" at the Annual Meeting of the American Society for Legal History in Minneapolis, Minnesota; and addressed the Massachusetts Judges Conference General Meeting in Westborough, Massachusetts, on the topic of "Demons and the Attachment-Detachment Dilemma."

Work in Progress: "Born Classified, Born Free: An Essay in Memory of Henry Schwarzschild," will be published in a Symposium on the Pentagon Papers, forthcoming in the *Cardozo Law Review*.

ASSOCIATE PROFESSOR MARK SPIEGEL

Recent Publications: "The Case of Mrs. Jones Revisited: Paternalism and Autonomy in Lawyer-Client Counseling." *Brigham Young University Law Review* (1997): 307-338.

PROFESSOR CATHARINE P. WELLS

Recent Publications: "The Theory and Practice of Being Trina: A Remembrance of Trina Grillo." *Minnesota Law Review* 81 (June 1997): 1381-1390.

ASSOCIATE PROFESSOR ALFRED C. YEN

Work in Progress: "Copyright Opinions and Aesthetic Theory," forthcoming in *Southern California Law Review*.

Presentations: Moderated a panel and gave introductory remarks on affirmative action and Asian-Americans at Harvard University, in February. Talks on "Copyright Opinions and Aesthetic Theory" at the University of Pittsburgh Law School, in April, and at Santa Clara University Law School, in September. Led, with Associate Professor Dean M. Hashimoto, a discussion group on the use of statistics and other empirical research in legal scholarship at the Conference of Asian Pacific American Law Faculty at CUNY Law School in New York, in October.

Sanford Katz turns a scholarly eye on some of America's most troubled social institutions

All in the Family

Sanford N. Katz gives new meaning to the term "family man." In his 29 years as a professor at Boston College Law School, he has risen to the highest ranks of scholarship in the field of family law and has set a legislative and academic agenda that few others can match.

"My approach to family law is to bridge the gap between theory and practice," he says. He does this by harnessing his insights into culture, psychology, philosophy and history and bringing them to bear on legal inquiry.

Katz is fresh from a semester's sabbatical as a Visiting Fellow at All Souls College in Oxford, England, an institution so revered that the *New York Times* drooled over it as a place of "academic splendor" and "such rarefied scholarship that it has no students." He was one of two American law scholars invited in 1997, and he spent his time doing research for a book on American and English family law to be published in three years by Oxford University Press.

Katz's research is leading him deep into two of the most volatile family-related issues of the late twentieth century: adoption and marriage. One of his goals, he says, is to determine the origins of the power of

government to protect children so that he can develop a new model for adoption. Similarly, he is examining the tension that exists between personal autonomy and governmental regulation of family relationships.

"What is happening today is that we are questioning traditional institutions. The conventional definitions of marriage are being tested and are subject to scrutiny," he says.

The institution of adoption, which Katz claims is sometimes used for social experimentation, has also been undergoing revolutionary changes for the past several decades. Historical perspective, Katz says, is crucial in devising a future course of action.

Katz arrived at the Law School in 1968, recruited along with Hugh J. Ault and Mary Ann Glendon (who now teaches at Harvard) by then-Dean Robert F. Drinan, S.J. Those were heady years for the school. Father Drinan was determined that the Law School's reputation for scholarship equal its national standing as a great teaching institution.

"He warned us about avoiding passing fads and steered us in the direction of scholarship that would find universal acceptance," Katz says. "We heeded his advice and have become internationally known in our fields. I credit Father Drinan for giving me a great opportunity."

Though Katz's studies have taken him well beyond the conventional boundaries of family law, he is the product of a conventional New England upbringing. Like his mother, he was born in Holyoke, Massachusetts. He received a history degree with honors from Boston University and a law degree at the University of Chicago, where he was heavily influenced by Karl Llewellyn and Max Rheinstein and where he also met his wife,



Sanford Katz (right) with his wife, Joan, and poet Seamus Heaney during a ceremony at All Souls College in Oxford, England.

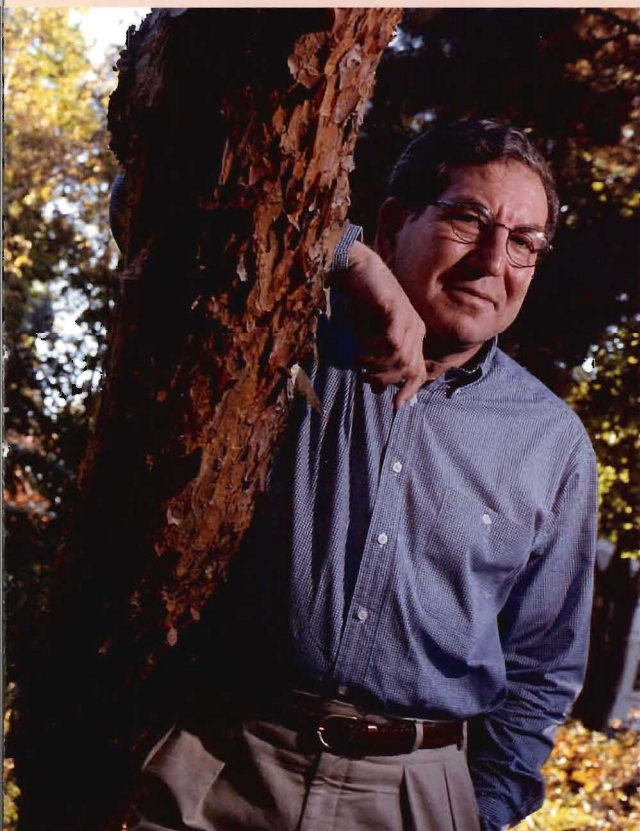
Joan, a psychiatric social worker. Later, as a Public Health Fellow at Yale Law School and at the Hampstead Child Therapy Clinic in London, he broadened his psychological perspective by studying with Dr. Anna Freud.

Katz came to Boston College after teaching stints in Washington, D.C., Florida and Michigan. He followed Father Drinan as editor in chief of *Family Law Quarterly* and later as chair of the Family Law Section of the American Bar Association. Katz was also president of the International Society of Family Law and has twice served as chief drafter of family law legislation for the United States Department of Health, Education and Welfare. He has published 13 books, the most recent of which is the 1994 *Cases and Material on Family Law: Legal Concepts and Changing Human Relationships*, which he co-authored.

Books are much on Katz's mind even during his off hours. He relaxes with non-fiction, especially biographies and memoirs. The two that currently occupy him are *An American Anthem* by James Carroll, and *A Path from Rome* by Anthony Kenny. He is also the proud father of two sons, Andrew, a national sports writer, and Daniel, an appellate attorney who is also a professional actor.

"Sanford Katz is well-known around the world for his pioneering scholarship," says Dean Aviam Soifer. "He is also a crucial member of our community as a colleague and teacher. Boston College Law School certainly feels his unique style, and we look forward to even more major accomplishments by him for many years to come." ■

—Vicki Sanders



Philosophy, psychology and culture all play a part in Sanford Katz's scholarly exploration of family law, both here and abroad.

SOE OVERSTERN

VISITING FACULTY

REGINALD ALLEYNE

Biography: A professor of law emeritus at UCLA, Reginald Alleyne has been teaching since 1969 in the areas of labor and employment law and civil procedure. He received his J.D. from Howard University, where he was editor in chief of *Law Journal*, and his LL.M. from Columbia University. Professor Alleyne is a native of Boston and a graduate of Tufts University. Two years of sea duty as a naval officer preceded law school. Before beginning his academic career, he was a law clerk to the Hon. Henry W. Edgerton of the United States Court of Appeals for the District of Columbia Circuit and a trial attorney for the National Labor Relations Board. Alleyne is teaching Civil Procedure this fall and will teach Employment Law in the spring.

WILLIAM H. LYONS

Biography: A professor at the University of Nebraska College of Law, William H. Lyons teaches tax, trusts and estates, secured transactions and business planning. He graduated from Boston College Law School in 1973 and was a practicing attorney before joining the University of Nebraska faculty in 1981. He was also professor-in-residence at the Internal Revenue Service from 1987-1988. He has been a consultant to the governor of Nebraska on state property issues since 1989 and has been a member of the Great Plains Tax Institute since 1982. In August, he completed a two-year term as chair of the Individual Investments and Workouts Committee of the American Bar Association Tax Section. He recently revised the chapter on financially troubled partnerships for the *Colliers Bankruptcy Treatise* tax volume. In October, he presented a faculty colloquium at the Law School on substance, form and anti-abuse rules in taxation, and spoke at a meeting of the Law School's New York Alumni Chapter on changes in the 1997 tax legislation. Lyons is teaching Taxation I and Tax Policy this semester and will teach Corporate Taxation and Advanced Individual Income Tax in the spring.

JEREMY R. PAUL

Biography: Jeremy Paul is a professor at the University of Connecticut Law

School where he teaches administrative law, constitutional law, jurisprudence and property. He graduated from Harvard Law School in 1981, and was clerk to the Hon. Irving R. Kaufman in New York from 1982 to 1983. He was an assistant and associate professor at the University of Miami Law School from 1983 until he joined the faculty of the University of Connecticut in 1989. Paul was the professor-in-residence at the United States Department of Justice, Appellate Staff, Civil Division. He recently published, with Michael Fischl, "Survival Skills: Test-Taking Tips." It can be found on the world wide web at <<http://lawschool.lexis.com/content/Survival/SurvivalMain.asp?Content=Survival/TestTaking/index&Sidebar=Survival/TestTaking/Sidebar>>. Paul is teaching Administrative Law this semester, and will teach Contemporary Legal Theory in the spring semester and Property next year.

NEW ADJUNCT FACULTY

DANIEL BORRILLO

Biography: Daniel Borrillo is a native Argentine of Italian descent with a Ph.D. from Strasbourg University in France. He practiced law in Buenos Aires for two years and is a professor of Private Law at Paris University and an expert at the European Council. He has written three books on the relationship between scientific development and the law and has published articles in specialized reviews. He spent two years researching for the Scientific Spanish Council in Madrid, and is currently researching juridical implications of sexual orientation. Borrillo is teaching Introduction to the French Legal System this semester.

DEVAL PATRICK

Biography: Deval Patrick is a partner at Day Berry & Howard and recently completed three years as Assistant Attorney General of the United States in charge of the Civil Rights Division. Previously, he was director of the NAACP Legal Defense Fund National Board and was a member of its Executive Committee. Professor Patrick is a *cum laude* graduate of Harvard College and Harvard Law School where

he was president of the Legal Aid Bureau. He clerked for the Hon. Stephen Reinhardt of the United States Court of Appeals for the Ninth Circuit. Patrick is teaching Current Issues in Civil Rights this semester.

ROBERT TREVISANI

Biography: A partner with the law firm of Gadsby & Hannah LLP (Boston and Washington, D.C.), Robert Trevisani specializes in corporate, tax, securities and international law. Before joining Gadsby & Hannah, he was special trial counsel with the Office of the General Counsel of the Treasury Department in New York City. He has been an active member of the International Bar Association (IBA) in London where he served as chairman (1994-1996) of the Section on General Practice. Trevisani has participated on other committees of the IBA as well. He has taught courses in taxation and international business transactions at Boston University School of Law. He will teach Transitional Mergers in the spring.

RICHARD WILEY

Biography: Richard Wiley is presently of counsel to the Boston law firm of Hill & Barlow. He has practiced in the fields of corporate, business, financing, intellectual property and international business law, with emphasis on emerging companies and venture capital financing. He is a senior officer and director of a wide variety of publicly and privately held financial, business and non-profit institutions, including BankBoston where he was an Executive Vice President and a director of both of the bank's venture capital corporations. Wiley is adjunct lecturer in the Department of Government and Legal Studies at Bowdoin College where he teaches a seminar on National Security Law and Policy. He has previously taught Public International Law and Organization, Law of International Trade and Investment and Government Regulation of Business (Antitrust) Law at Boston University School of Law. Wiley is the author of *Cases and Materials on Law of International Trade and Investment* and numerous law review articles on tax, antitrust, international business and finance, laws of war, government ethics and bankruptcy matters. He teaches Emerging Enterprises in the spring. ■

ALUMNI

news & notes

Let's Get Personal

Starting with our next issue, the magazine will gladly publish alumni news and photos pertaining to life outside of work. Tell us about your weddings, anniversaries, children, classmate get-togethers — in other words, all the things that *really* count. Write the magazine at 885 Centre Street, Newton MA 02159-1163 or send e-mail to sandervi@bc.edu

1940s

JOHN J. GRAHAM '46 received an honorary Doctor of Humane Letters degree from the American College of Greece in recognition of his service to law, the public interest and international education.

1950s

HON. JAMES A. REDDEN '54 was honored at the dedication of the newly renovated Federal Court House in Medford, Oregon. The building, constructed in 1915, was renamed "The James A. Redden Court House" pursuant to federal legislation. Judge Redden had a law office in Medford prior to his appointment to the federal bench in 1980.

1960s

EDGAR J. BELLEFONTAINE '61 has been named one of the most influential lawyers in Massachusetts over the past 25 years by *Massachusetts Lawyers Weekly*. He has been librarian of the Social Law Library in Boston since 1961. He is also Director of the Supreme Judicial Court Historical Society and has served in appointed positions for the American Association of Law Libraries and in other library and bar associations.

HON. WILLIAM M. BULGER '61 received an honorary Doctor of Humane Letters degree from Trinity College in Hartford, Connecticut. He is president of the University of Massachusetts and served as president of the Massachusetts Senate for 17 years.



ROBERT J. ROBERTORY '61 retired as deputy chief judge of the United States Department of Transportation Board of Contract Appeals. He will be conducting

seminars on alternative dispute resolution (ADR) for George Washington University Law School and will serve as arbitrator, mediator and mini-trial neutral in ADR proceedings.

ANTHONY A. MCMANUS '63 has been re-elected to a third term as treasurer of the New Hampshire Bar Foundation and has completed a second term as chair of the New Hampshire Bar Association Committee on Gender Equality. His law firm is in Dover, New Hampshire.

ROBERT W. RITCHIE '65 joined the office of the Massachusetts Attorney General as assistant attorney general and municipal law coordinator. Since 1980, he has been a partner in the Amherst, Massachusetts, office of Ritchie, Seewald, Collins and Jankowski, P.C., and has served as Amherst town counsel since 1982. He will work in the Western Massachusetts Division in Springfield.

STEPHEN B. GOLDBERG '67 was awarded the Brookline, Massachusetts, Rotary Club 1997 Public Service Award for his years of service to the town. He is a former three-term selectman, and is now the host of the cable television show *Brookline Review* and the anchor of *Election Watch*.

JOHN R. MCFEELEY '68 has been named vice president and chief counsel of MONY Capital Management in New York City. He will remain chief counsel in the bond investment area and assume responsibility for MONY law division's corporate area.

DANA H. GAEBE '69 received the 1997 Dorothy Lohmann Community Service Award from the Rhode Island Bar Association. He was nominated by the Narragansett Council of the Boy Scouts of America in Providence. This award honors attorneys who contribute time and skills to charitable organizations. He is a partner in the Providence law firm of Gaebe & Kezirian.

1970s

Leo V. Boyle '71 has been elected treasurer of the Association of Trial Lawyers of America. He is a partner in the law firm of Meehan, Boyle & Cohen, P.C., in Boston and serves on the Board of Governors of the Massachusetts Academy of Trial Lawyers. He is also a fellow of the Roscoe Pound Foundation and is on the American Law Institute's Relations and Study Committee.



John J. Gillies Jr. '71 has joined the law firm of Dechert Price & Rhoads as partner. Specializing in real estate finance, he will work in the firm's Hartford, Connecticut, and New York City offices. He is a former board member, managing partner and chair of Hebb & Gitlin, a Hartford law firm.

Richard D. Glovsky '72 received the Honorable David A. Rose Civil Rights Award from the New England Region of the Anti-Defamation League. He is a founding member of the Boston law firm, Glovsky, Tarlow & Milberg.

Kenneth I. Kolpan '72 recently spoke at the legal seminar of the Second World Congress on Brain Injury, in Seville, Spain. He is an assistant professor at Tufts University School of Medicine and co-chair of the Trial Lawyers Conference of the National Brain Injury Association.

Richard M. Gelb '73 was a contributing author to the *Massachusetts Superior Civil Practice Manual*, which was recently published by Massachusetts Continuing Legal Education, Inc. His law firm, Gelb & Gelb LLP is in Boston.

Hon. Elaine M. Moriarty '73 has been appointed first justice of the Suffolk Probate and Family Court. She had been

an associate justice at the court since her appointment to the bench by Governor Michael S. Dukakis in 1989. Prior to her appointment, she was a partner at the Boston law firm of Burns & Levinson LLP. She is a member of the Governor's Advisory Commission on Father Absence and Family Support.

Richard M. Whiting '73 has been appointed chairman of the Banking Law Committee of the Federal Bar Association, as well as chairman of the Financial Institutions Committee of the Washington, D.C., Bar. He has also been elected vice chancellor of the Exchequer Club and is general counsel to The Bankers Roundtable, Washington, D.C., and adjunct professor at Georgetown University Law Center.

Alan D. Mandl '74 has joined the law firm of Ottenberg, Dunkless, Mandl & Mandl in Boston where he represents clients in telecommunications and energy matters. He was formerly a partner at Rubin and Rudman LLP in the regulatory law group and taught Legal Research and Writing at Boston College Law School.

Regina Snow Mandl '74 has joined the law firm of Ottenberg, Dunkless, Mandl & Mandl in Boston. She will represent clients in the areas of family law, and in probate matters, and estate planning and administration. Previously, she was a partner at Mofenson and Nicoletti. She is a member of the family law and probate sections of the Massachusetts Bar Association and the Boston Estate Planning Council.

William T. Baldwin '75 was named one of the country's 250 "Best Financial Advisers" by *Worth* magazine. He is president of Tax and Financial Advisors in Lexington, Massachusetts.

Clifford Orent '75 has announced that Terrapin Technologies, Inc., in south San Francisco, California, of which he is

chairman and chief executive officer, has entered into an agreement with Taiho Pharmaceutical Company, Ltd. of Tokyo, Japan, to further the development of TER286, an anticancer agent discovered and patented by Terrapin.

Jerold L. Zaro '76 has been reappointed commissioner of the New Jersey Highway Authority by Governor Christine Todd Whitman. He is president and managing partner of Ansell Zaro Grimm & Aaron in Ocean, New Jersey.

Mary K. Ryan '77 was elected president of the Boston Bar Association. She is a partner in both the environmental and litigation departments at the Boston law firm of Nutter, McClennen & Fish LLP. She currently serves on the Massachusetts Supreme Judicial Court Pro Bono Committee on Legal Services.



David W. Bianchi '79 has been sworn in as chairman of the Trial Lawyers Section of the Florida Bar. He is a civil trial lawyer in Miami with Stewart Tilghman Fox & Bianchi, P.A., and primarily represents plaintiffs in negligence, malpractice and product liability cases.

James J. Cleary '79 has been named general counsel of Southern Natural Gas Company in Birmingham, Alabama. He will also continue as vice president of the natural gas pipeline company.



Steven H. Schaffer '79 has been elected president-elect of the Massachusetts Academy of Trial Attorneys. Since 1985 he has had his own practice in Boston focusing on product liability, professional malpractice and general tort litigation for plaintiffs.

1980s

THOMAS A. BARNICO '80 published the article "Brandeis, Choate, and the Boston & Maine Merger Battle" in *Massachusetts Legal History — A Journal of the Supreme Judicial Court Historical Society*. He continues to supervise students in the Law School's Attorney General program, which he has done for nine of the program's 23 years.

JONNY J. FRANK '80 has joined the New York City office of Price Waterhouse LLP as national partner-in-charge of the firm's Investigative Services Group. He is also an adjunct professor at Brooklyn Law School and Fordham University Law School, teaching courses in complex criminal investigation and international criminal law.

JOHN A. TARANTINO '81 was elected president of the Rhode Island Bar Association. He is a member of the Providence law firm of Adler Pollock & Sheehan Inc., focusing on litigation, and he serves as chairperson of the firm's executive committee. He is a fellow of the Rhode Island Bar Foundation and a member of the board of directors of the Federal Hill House Association and the New England Bar Association.

HON. SALLY F. PADDEN '82 has been appointed to a five-year term as the first justice of the Essex Division of the Juvenile Court Department in Massachusetts. Judge Padden has been an associate justice of the Essex County Division of the Juvenile Court since her appointment to the bench by Governor William F. Weld in 1995. Prior to her judicial appointment, she served as an assistant district attorney in Essex County.

JOSEPH G. WALSH '83 has been elected president of the Greater Danbury (Connecticut) Bar Association. He is a partner with the Fairfield County law firm of Cohen & Wolf, P.C.

JAMES DALTON '85 has been appointed vice president and general counsel of Tektronix, Inc. in Wilsonville, Oregon. Previously, he served as director of corporate development and vice president of Tektronix Development Company. He is also a member of the board of directors of RadiSys Corporation and a trustee of the Tektronix Foundation.

TIMOTHY CLARK '86 was named general counsel of Colonial Gas Company in Lowell, Massachusetts. Prior to joining Colonial in 1991, he was an associate at Hutchins & Wheeler (now Hutchins, Wheeler & Dittmar) in Boston.

SCOTT FIFER '87 has been retained to write a script for a Columbia Pictures movie. He has also sold a feature script to Lifetime Television. He was a writer for the 1997 Primetime Emmy Awards.

KEVIN M. MEUSE '87 has been named a partner at the law firm of Warner & Stackpole LLP in Boston, concentrating on trusts and estates law.

THEODORE NACCARELLA '87 has become an associate at the law firm of Synnestvedt & Lechner in Philadelphia, Pennsylvania. He specializes in electrical, electro-mechanical and computer science patent solicitation and in intellectual property litigation. He was formerly a partner at Wolf, Greenfield & Sacks, P.C., in Boston and of counsel at Limbach & Limbach LLP in San Francisco.

RITA A. SHEFFEY '87 has been named counsel on the litigation-antitrust and alternative dispute resolution team for the Atlanta, Georgia, office of Hunton & Williams. Her practice will focus on environmental litigation. She also directs Hunton & Williams' Southside Legal Center, part of the firm's community service outreach. She is the treasurer and a member of the board of directors of the Atlanta Volunteer Lawyers



Foundation and an advisory committee member for the Atlanta Legal Aid Society.

MARIE P. ST. FLEUR '87 was elected president of the Massachusetts Black Lawyers Association. She is chief of the unemployment fraud division of the Office of the Attorney General in Massachusetts.

CARLOS J. DEUPI '88 is of counsel to the law firm of Akerman, Senterfitt & Eidson, P.A., in Miami, Florida. He practices in the areas of corporate law, mergers and acquisitions, and international transactions. Previously he was with the law firms of Wilkes, Artis, Hendrick & Lane in Washington, D.C., and Kelley Drye & Warren in New York City and Los Angeles, California.



MARGARET R. MAHONEY '88 was named partner in the Phoenix, Arizona, office of Brian Cave LLP and is a member of the commercial litigation client service group. Her practice focuses on general business and commercial matters in federal and state court.

JOSEPH F. RIGA '89 has joined the Philadelphia, Pennsylvania, law firm of Hangley Aronchick Segal & Pudlin in the bankruptcy and reorganization group. He received an LL.M. with a concentration in commercial law from New York University School of Law in May. He is an adjunct member of the Pennsylvania Bar Association's Fraudulent Conveyance Task Force and a member of the Eastern District of Pennsylvania Bankruptcy Conference.

1990s

JOHN D. CHRISTMAS '90 is now deputy city solicitor for Philadelphia, Pennsylvania. He was previously assistant city solicitor.

JULIE A. HARDY '90 has become an associate of the law firm of Roche, Carens & DeGiacomo, P.C., in Boston.

STEPHANIE A. JIRARD '90 has joined the criminal division of the United States Attorney's office in Boston. She was formerly with the civil division of the United States Justice Department in Washington, D.C.

STACI J. PRATT '91 has joined the Kansas City, Missouri, office of Shook, Hardy & Bacon LLP as of counsel. Previously, she was policy director for the Texas Institute for Applied Environmental Research with Tarlton State University/Texas A&M. She earned an LL.M. in international environmental law in 1993 from King's College, University of London.



ALLISON S. CARTWRIGHT '92 and **TONOMEY A. COLEMAN '92** announced the formation of Cartwright & Coleman, a Boston law firm specializing in civil litigation, criminal defense, real estate and probate law.

JOHN N. AFFUSO '93 joined the Real Estate Management and Sales Division of the City of Boston's Public Facilities Department. He served as Mayor Thomas M. Menino's liaison to the Gay and Lesbian Community and has been elected to the Board of Directors of the National Lesbian and Gay Law Association and the Massachusetts Lesbian and Gay Bar Association.

ELIZABETH A. STUNDTNER '93 joined the law firm of Saperston & Day, P.C., in Rochester, New York, as an associate attorney in the litigation department.

ALLISON S. ZALES '93 joined the health law department of the Philadelphia, Pennsylvania, office of Saul, Ewing, Remick & Saul.

STEPHEN ZAMANSKY '94 has become an associate in the Hartford, Connecticut, office of Day, Berry & Howard, practicing in the business law department. He previously was with Sullivan & Cromwell in New York City.

LAURA K. HOLT '96 joined Hinckley, Allen & Snyder's litigation practice group in the Boston office, concentrating in construction litigation. Prior to joining the firm, she was adjunct counsel to the Massachusetts Port Authority.



KERRY E. MCCORMACK '96 has joined the Boston law firm of Warner & Stackpole LLP as an associate in the litigation department. She will focus on corporate litigation, products liability and environmental defense.

STEWART S. RICHMOND JR. '96 passed the New Hampshire bar exam and is practicing in the litigation department of the Manchester, New Hampshire, law firm of McLane, Graf, Raulerson & Middleton, P.A.

JAMES YUNHAO WU '96 is an associate in the labor, employment and OSHA practice of McDermott, Will & Emery. He will practice in the Chicago, Illinois, office of the firm in the area of labor and employment law.

Changing Colors

Chairman of the Massachusetts Commission Against Discrimination (MCAD) since January, 46-year-old Charles E. Walker Jr. '78 says his aim is to eliminate his own job by eradicating bias.

What turned you in this direction, professionally?

My father was a Tuskegee Airman in the all-black Air Force. We always had a conscientious awareness of the impact of segregation and how ludicrous it is. An all-black Air Force — it was stupid, a joke, to me. He retired from the Air Force as a colonel. I had an afro in high school — back when I had hair — and I had to get it cut to attend the ceremony, but the sacrifice was worth it. He was the first black Air Force base commander in California. They had jets flying overhead, a big military band, all these troops saluting Dad.

I suspect many people don't know what constitutes illegal bias.

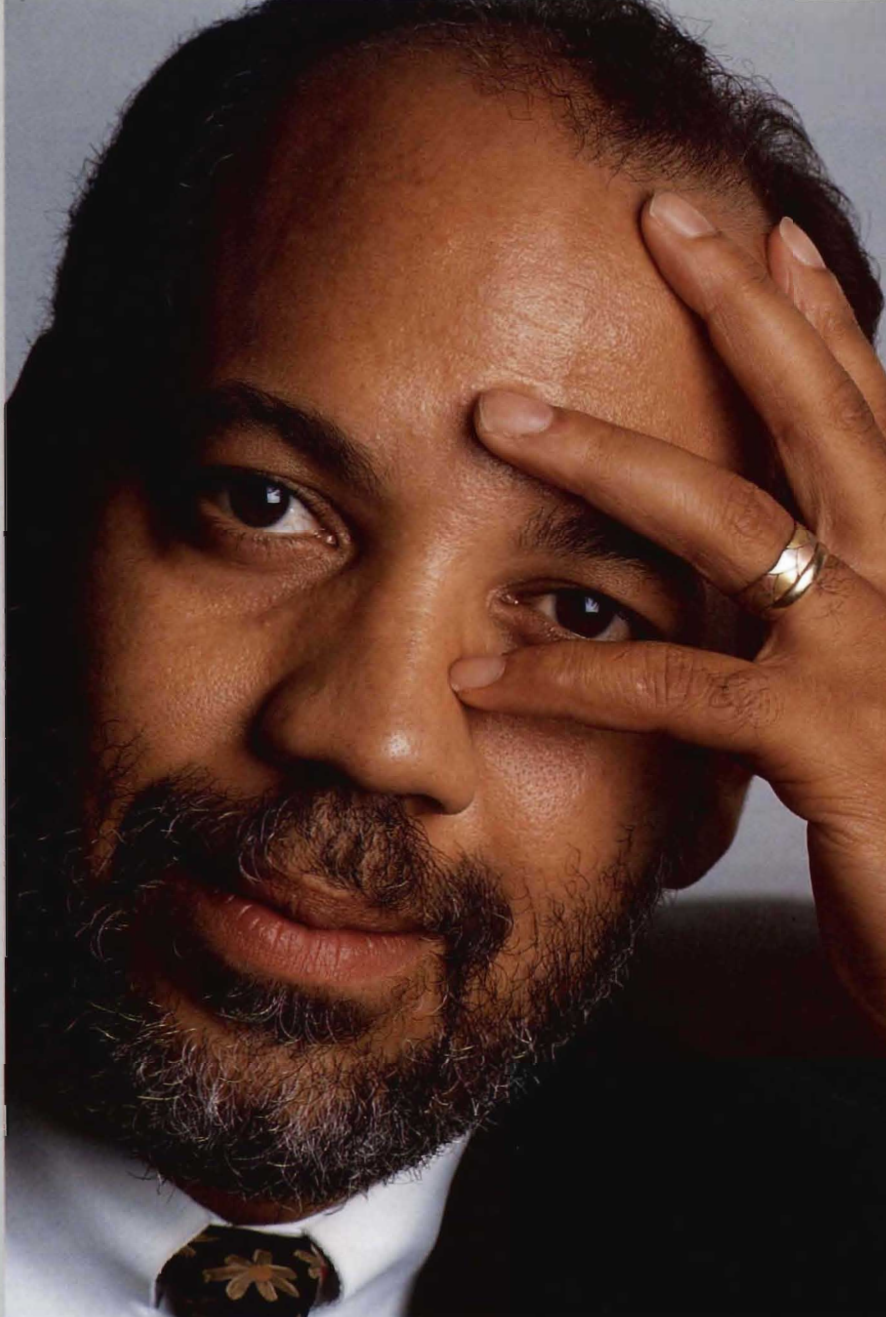
There are people that sit on their rights and don't complain when they should. Some don't want to complain because, let's face it, it's hard to take on your employer. I can think of times I was subjected to something that could have been a cause of action filed with the MCAD if I was in Massachusetts at the time — and not taking it on, because, what the hell, I'll move on.

Give me an example.

I used to pick lemons in California. I was the only black; there were a lot of Hispanic migrant workers. The supervisor did not like blacks. I picked my quota. I was 18. He never called me anything, but I was told he said, "I just don't want any niggers working for me," and he fired me one day. My personality is that I would take it on the chin. I get offended, but not to the extent that I want to have someone else handle it for me. Why bring that attention to myself?

In Memoriam

HON. HENRY M. LEEN '32	HERBERT W. ARNOLD '49	JAMES M. OATES '55
JAMES M. LANGAN '34	THEOPHILE J. BERNHARDT '49	HARLAN J. CHOATE '56
MELVIN E. DOLAN '37	JOSEPH D. ACCARDI '50	EARL F. GAGE '58
EDWARD M. JOYCE '37	JAMES F. FLYNN '50	JAMES F. WALDRON '58
SAMUEL G. SHAW '39	ROBERT F. MCNEIL '51	JOHN A. LAHIVE '59
ANTHONY P. LOMBARDI '41	THOMAS M. LEAHY '52	EDWARD P. RYAN '60
CORNELIUS J. SULLIVAN '45	FRANCIS T. O'MALLEY '54	JOSEPH P. DUNN '61
JAMES M. GRAHAM '47	EDWARD J. REGAN '54	DENISE M. O'BRIEN '78



Charles E. Walker Jr. takes leadership role against discrimination.

Well, should people subjected to harassment act like you?

Absolutely not. It's a pride thing with me, but I think you can also be proud, bringing these types of complaints. Your dignity, when it's soiled, has to be redressed. You can't redress it on your own. That's why you have a 51-year-old agency with a tremendous legacy of dealing with these claims on a daily basis. [The MCAD received 5,100 complaints last year. Sexual harassment complaints are the most common, followed by disability bias and race discrimination.] Generally, I've been very fortunate in my work experience, and, even as a black person walking down the street, not having been physically accosted.

Does being light-skinned have something to do with it?

It's true, but those ambiguities create problems. My wife and I laugh about the time when I was at Park Street Station during the height of the Iranian hostage crisis, and I was wearing a Greek fisherman's cap and peacoat. I got it, man: People were cussing at me, yelling across the tracks, saying all these epithets and telling me to go back to Iran.

Parts of Boston have been inhospitable to people of color. Is this changing?

There are certain areas that you just don't go into, purely because of race. Do I think there has been a change for the good?

Absolutely. When I got here in '75 to go to law school, you could cut the atmosphere with a knife, it was so charged, just walking up Commonwealth Avenue. But now I can walk there comfortably and not feel that hostility. The whole dynamic and the demographics have changed. I feel optimistic.

Is being immersed in people's anger and hurt depressing?

I used to call the MCAD the house of pain, because that's all you do: come in here and just see people's pain. That helped inspire me to light up the halls and put Martin Luther King's pictures around, and pictures of his marches: There was pain out there, and he was doing something about it. But it does get depressing.

The MCAD punishes violators, but does it do anything to change basic attitudes?

My decisions are not limited to monetary damages — I'm now putting in preventative measures, with a monitoring component. This involves training managers and workers and requiring companies to report to the MCAD on a regular basis to prevent discrimination from happening again. I'm also looking at the concept of truth commissions — in which people are granted amnesty for wrongs if they openly confess them to the victims — as models of a way to achieve true reconciliation.

Can affirmative action survive the assault on it?

I hope so. It's a remedy for discrimination, not the panacea. It's not right to attack a remedy; we need to attack the problem that created this remedy. I want this to be known: I'm a direct beneficiary of affirmative action. Even though I had great grades and an okay law-board score, it took someone to recognize that they needed more blacks in Boston College Law School to snap me up.

Is it true you were once a stand-up comedian?

I did some stand-up comedy in California before I went to law school. I was not funny. That will kill a comedy career. ■

— Interview by John Koch reprinted courtesy of The Boston Globe

Alumni Council Strives for Greater Involvement Nationwide

Alumni Council President Ann Pauly '85, following up on an earlier initiative, continued to emphasize the importance of a national focus during the annual Alumni Council and National Delegates meeting held at the Law School in September.

Among the goals for the coming year, she said, were encouraging chapter representatives to become more involved in council activities and strengthening committees countrywide. Members discussed the possibility of including presentations by alumni and faculty members at Alumni Council meetings. Future meetings will see increased use of teleconferencing and perhaps video conferencing, and



Professor Robert Bloom '71 confers with Eleanor Dahar '87 and Mary Connolly '70 during the Alumni Council reception.

some council meetings may be held in other cities in an effort to promote alumni participation in active discussions about programming. ■



Reaching across the decades, alumnae Jill Pechacek '93 (left) and Mary Costello '79 work on ways to bring the graduate community closer.



Alumni Council member Margaret Travers '69 and Donald Holland '44, an honorary life member, share ideas at the group's gathering this fall.

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Calling All Writers

Have you written articles and/or books? The Law School Office of Alumni Relations and Development has formed a new library for publications by alumnae and alumni. We would love to have copies of your work. Send to Deborah Blackmore Abrams, Director of Institutional Advancement, Boston College Law School, 885 Centre Street, Newton, MA 02159-2179. ■

Plan-Ahead Reunion Alert

Reunions will be held in October 1998 for the Law School classes of 1948, 1953, 1958, 1963, 1968, 1973, 1978, 1983, 1988 and 1993. Watch for details or call Terri J. Arnell, Director of Special Events, at 617-552-8666. See you there.

give him advice all the time, particularly with regard to how to get things done in Washington. But I have to say that he was already pretty adroit with that kind of thing. He would go anywhere to talk to anybody whom he thought might be able to help Leonard Peltier."

As Gurwitz's sincerity and commitment became known to Native Americans, they began to seek his help on a variety of issues. He worked to retain the rights of about 400 Navajo families to 900,000 acres of land in Big Mountain, Arizona. He helped retain Wampanoag shellfishing rights in Massachusetts. He contributed to a successful effort by the Nez Perce Indians to retain fishing rights in Idaho. In time, there were few states in which Gurwitz's impact on behalf of the Indians' struggle had not been felt.

"There was this rumor that this attorney would represent Indian organizations," recalls Tom Maulson, a Lac du Flambeau Indian, who traced the rumor to Gurwitz's phone number in Boston, where Gurwitz always maintained his headquarters. Within three days of Maulson's call for help, Gurwitz was on his doorstep.

It was the late 1980s and the Lac du Flambeau in Wisconsin were under pressure to sign over their rights to spearfishing, rice harvesting and other traditional subsistence activities they had engaged in for as long as anyone knew. Also at stake were mining rights on thousands of acres in Northern Wisconsin. The leadership of the Lac du Flambeau Indians, one of five Chippewa tribes in the area, had been all but persuaded to sell the tribal rights for \$50 million.

Maulson was part of a dissenting minority who felt the traditional way of life was more important than a government check. He called on Gurwitz for help. One of Gurwitz's first efforts was to enlist the American Civil Liberties Union. He also found local lawyers to help, among them Walter F. Kelly '68, a Boston native who had moved to Wisconsin to start a practice in labor and employment law. Kelly heard Gurwitz speak at a conference about the Lac du Flambeau case, and he was hooked.

But it was a dangerous time to get involved. People in the rights battle were getting hurt.

The legacy lives on in the Lewis S. Gurwitz Award, which honors graduating Law School students who show "selfless commitment to the defense of those who lack the resources to defend themselves."

"There were white supremacist groups who were trying to interfere with the exercise of spearfishing rights," says Kelly. "They would throw rocks, shoot at people, beat people up, tip over boats and try to grab fish from people when they were coming from the lake. We started a successful effort to enjoin their violent activities."

During a nighttime spearfishing trip with the Lac du Flambeau Indians, Kelly and Gurwitz were passengers in a boat that was fired upon from a passing speedboat. The spearfishing, Kelly explains, is done on lakes in wooded areas and in spots fairly close to shore because that is where the spawning fish can be found. The routine makes fisherman easy targets. "Someone comes along in a power boat and starts shooting. You know, after the sound of the gunshot, you can hear the bullets whistle by. How do you react? I was scared and mad as hell," he recalls.

Despite terrorist tactics and the financial pressure on the Lac du Flambeau Indians, Gurwitz was successful in helping to persuade tribe members to vote against signing away their treaty rights. The victory resonated with Indians nationwide.

"He encouraged all the tribes across the country to keep on fighting for their treaty rights," says Maulson. "I guess that I can only say that he was one of the champions of people of need, and he's missed by our organization."

In 1992, Gurwitz became involved with Lubicon Cree Indians who had been living as hunter-gatherers in Northern Alberta until oil was discovered on their land in the late 1980s. When the Canadian government began handing out oil leases in the region, Gurwitz was summoned to protect the Indians' rights. He worked on the case until August 28, 1994, when, while dancing at a celebra-

tion in Alberta marking the end of a conference dedicated to furthering the Lubicon Cree Indians' cause, he died of a heart attack.

Lew Gurwitz's work has not ceased with his death. Bruce Gurwitz, who frequently traveled and worked with his brother, has tried to carry on the legacy through the Council for Native American Solidarity, a group he and Lew founded in Boston to help coordinate the efforts of Indian activists and advocates. That legacy also lives on in the Lewis S. Gurwitz Award, established in 1995 by classmate Ed Leahy, which honors graduating Law School students who show "selfless commitment to the defense of those who lack the resources to defend themselves." The most recent award went to Robert Kim '97.

"He was very convincing but he was not aggressive," says Adam Gurwitz of his father. "He was self-assured and persuasive because he believed in what he was doing. At heart, I think he was a fighter, a champion and someone who enjoyed defending the weaker, hopeless side."

Once upon a time, of course, Native Americans held sway over the land in North America. Chief Joseph, the leader of the Nez Perce in the late 1800s, saw his territory dwindle from most of Idaho and eastern Washington to a few small reservations. Bullied, betrayed and stripped of his dignity, Chief Joseph said toward the end of his life that he would "fight no more forever." A century later, a dogged, determined New England lawyer took up that fight. He gave new hope where he could. ■

John F. Lauerma is a freelance writer living in Brookline, Massachusetts. His last article for the Law School magazine was on entertainment law.

ANNUAL

giving report

Boston College Law School Giving Report 1996-1997

From June 1, 1996, through May 31, 1997, alumni and friends demonstrated their support for the faculty, students and programs of Boston College Law School by contributing \$1,391,542 in gifts and pledges.

Unrestricted funds donated in fiscal year 1997 totaled \$636,719 with an additional \$754,823 supporting capital needs such as buildings, endowment and scholarships. Alumni and friends continued to support the \$5 million Library Campaign — Phase I of the rebuilding of the entire Law School campus. As of June 1, more than half of the goal had been raised, with continued funding remaining a high priority for the coming year.

We would like to extend our appreciation to all of the alumnae and alumni who notified the Law School that they have included us in their estate provisions. To date, more than 40 individuals have made us aware that they would like to provide support to our faculty and students in this manner.

The Dean's Council

The Dean's Council recognizes the generosity of the many alumni and friends of Boston College Law School who make annual leadership commitments.

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The Founders Club of the Dean's Council recognizes annual gifts of \$5,000 or more.

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In the following pages we list, and gratefully acknowledge, those who have helped the Law School to achieve a level of funding that represents the second-best year of record. We extend special appreciation to the Leadership Gifts, Special Gifts and Library Committee members. Without their dedication and commitment of time, this success would not have been attained.

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Gerald B. Gallagher
Patricia K. Hagedorn
Hon. Thomas P. Kennedy
Kenneth R. Nickerson
George M. O'Connor
Nelson G. Ross
Herbert J. Schneider
Hon. Miriam Mattinen
Shearing
Jerome H. Somers
Joseph H. Spain
Robert T. Tobin
James E. Tracy

1965

Constance Jane Betley
Edward M. Bloom
Alan A. Butchman
Rae B. Condon
Joseph L. Deambrose
W. Joseph Engler Jr.
Paul R. Lawless
Nicholas J. Lisi
Robert E. McGinness
Paul J. McNamara
Robert J. Muldoon Jr.
Stuart L. Potter
Samuel E. Shaw
Norman P. Soloway
Thomas H. Trimarco
Fletcher R. Vredenburgh
Edward W. Waystack III

1966

Anthony F. Abatiell
Robert F. Arena
John R. Bagileo
Paul F. Beatty
Michael D. Brockelman
Crystal C. Campbell
Mark L. Cohen
James J. Dean
Robert J. Desiderio
Brian J. Farrell
Paul W. Finnegan

William A. Garrigle
Hugo A. Hilgendorff
Richard A. Howard
Roger A. Jackson
John W. Kaufmann
George B. Leahey
Thomas L. Leen
Thomas M. Marquet
Lawrence A. Maxham
John K. McGuirk
Donald W. Northrup
Edward F. Piazza
M. Frederick Pritzker
Dennis J. Roberts
Wilson D. Rogers Jr.
C. Charles Smith

1967

Charles A. Abdella
Leland J. Adams Jr.
Stephen P. Beale
Kevin B. Callanan
Carl J. Cangelosi
Peter S. Casey
Hon. David M. Cohen
Anthony J. Demarco
Ralph J. DeStefano
Edward D. Feldstein
Hon. Paula W. Gold
Alan S. Goldberg
Joseph M. Hall
Lawrence A. Katz
Daniel H. Kelleher
James H. Klein
Alan L. LeBovidge
Frederick S. Lenz Jr.
Edward A. Lenz
Robert E. McCarthy
William A. McCormack
David A. Mills
Michael E. Mone
Mercedes Smith O'Connor
Louis Pashman
John E. Peltonen
Gerald F. Petruccelli
Arnold R. Rosenfeld
Michael H. Rudy
Daniel C. Sacco
Enid M. Starr
William P. Statsky
Richard D. Zaiger
Robert Zimmermann

1968

Dean C. Brunel
John M. Callahan Jr.
David H. Chaifetz

James A. Champy
John P. Connor Jr.
Hon. John A. Dooley
Harold C. Dulong
Michael J. Eschelbacher
Ruth W. Flaherty
Jason Y. Gans
Gerald L. Goodstein
Cornelius J. Guiney
Dennis L. Hallisey
E. J. Holland Jr.
John J. Joyce Jr.
Joel E. Kachinsky
Joseph M. Kehoe
Joseph M. Korff
Hon. Elizabeth O. LaStaiti
Paul R. Maher
James J. Marcellino
James F. Martin
John R. McFeely
James F. McAleer
Charles K. Mone
Peter J. Morrisette
Michael E. Povich
Grier H. Raggio Jr.
John J. Reid
William A. Ryan Jr.
Jon D. Schneider
Lt. Col. John R.
Shaughnessy Jr.
Robert L. Shea
Jeffrey P. Somers
Samuel B. Spencer
Joseph F. Sullivan
Peter W. Thoms
Joseph J. Triarsi
A. Theodore Welburn
David M. Winer

1969

Richard A. Aborn
Roger C. Adams
Thomas V. Bennett
William H. Bluth
Colonel Michael J. Brawley
Edward S. Brewer Jr.
Thomas H. Brown
William J. Caso
James P. Connolly
Paul K. Connolly Jr.
Hon. Thomas E. Connolly
Robert V. Costello
Michael R. Deland
James O. Druker
Hon. Peter C. Edison
John J. Egan
Laurence A. Faيمان

Paul C. Fournier
Dana H. Gaebe
Jude T. Gartland
David A. Gilbert
Robert J. Glennon Jr.
John E. Glovsky
Robert V. Greco
Robert B. Greenberg
John R. Hicinbotham
Edward F. Hoard
Stephen L. Johnson
Hon. Benjamin Jones
Thomas L. Kennedy
Alan M. Lestz
Leo B. Lind Jr.
Edward J. Lubitz
Alan G. Macdonald
J. Christopher McGuirk
Peter J. Monte
Thomas R. Murtagh
Raymond A. Noble
Thomas R. O'Neil
William J. O'Neil
R. Joseph Parker
David A. Philbin
Brian J. Quinn
Kenneth J. Russell
Lawrence W. Schonbrun
Thomas J. Sexton
Richard M. Shaw
M. James Shumaker
Jeffrey M. Siger
Mitchell J. Sikora Jr.
Margaret S. Travers
Peter J. Tyrrell
Michael C. Veysey
Ruby Roy Wharton
James P. Whitters
John V. Woodard
Richard R. Zaragoza

1970

William T. Clabault
Robert S. Cohen
Marc A. Comras
Michael J. Dale
Stephen R. Delinsky
William M. Dorsch
Christopher E. Doyle
Claire Fallon
Peter W. Fink
John F. Finnerty Jr.
Eugene P. Flynn
Charles B. Gibbons
Paul M. Kane
Hon. Peter J. Kilmartin
Gary P. Lilienthal

Timothy J. Mattimore
Andrew J. McElaney Jr.
David S. Mercer
Steven J. Mopsick
Richard T. Moses
Joseph E. O'Leary
Edward M. Padden
Alan K. Posner
Arthur W. Price
Gary B. Richardson
Norman C. Sabbey
Richard J. Schulman
Paul R. Sidel
Kurt M. Swenson
Hon. Mark W. Vaughn
Neal S. Weinstock

1971

John H. Appleton
Barbara Beckerlegge
Bernard R. Beckerlegge
Robert M. Bloom
Leo V. Boyle
Hon. Raymond J. Brassard
Hon. James J. Brown
Allan R. Campbell
Edwin R. Chyten
Ellen R. Delany
David A. Donohue
Richard T. Egan
Seth H. Emmer
Robert D. Epstein
Kathleen G. Fallon
Walter J. Fisher
Charles F. Foster
John J. Gillies
Barry A. Guryan
Roger E. Hughes Jr.
John M. Hurley Jr.
William H. Ise
John B. Johnson
Raymond J. Kelly
David L. Kent
Clayton B. Kimball
Frederick P. Leaf
Edward R. Leahy
William M. Leonard
Aaron A. Lipsky
Thomas F. Maffei
Daniel J. Morrissey
Robert A. O'Neil
W. James O'Neill
Jon S. Oxman
John B. Pound
Robert C. Prensner
Howard A. Reynolds
Raymond M. Ripple

Susan J. Sandler
 Peter G. Scantalides
 William T. Sherry Jr.
 Hon. John M. Solovan II
 Judith Soltz
 Mark Stone
 Maurice H. Sullivan
 Joseph R. Tafelski
 John S. White
 Marcia McCabe Wilbur
 Jeffrey M. Winnick
 Carl E. Worboys
 Judith Koch Wyman

1972

Terrence J. Ahearn
 Henry L. Barr
 William G. Berkson
 Raymond G. Bolton
 Samuel J. Bonafede
 Peter H. Bronstein
 Daniel E. Callahan
 Paul K. Cascio
 Bruce Chasan
 Richard A. Cohen
 Robert L. Dambrov
 Glenn E. Dawson
 Robert K. Decelles
 William F. Demarest
 Frank K. Duffy
 Vicki W. Dunaway
 William L. Eaton
 Douglass N. Ellis Jr.
 R. Robert Gaumont Jr.
 Edward A. Gottlieb
 Michael S. Greco
 William J. Groff
 Nancy King
 Joseph M. Kozak
 Stephen Kunken
 Dennis J. Lacroix
 Ronald LeGrand
 Sheila M. McEntee
 James T. McKinlay III
 Carol Williams Melaugh
 William D. Metzger
 Evvajean Malter Mintz
 Roland E. Morneau Jr.
 Nicholas P. Moros
 Elaine Rose Mountleigh
 Daniel J. O'Connell III
 Cameron Read
 Daniel H. Ruderman
 Earlon L. Seeley Jr.
 James W. Segel
 Carol K. Silberstein
 Alfred L. Singer

Lawrence O. Spaulding
 James C. Sturdevant
 Jeremiah P. Sullivan
 Sidney St. F. Thaxter
 William W. Thomas
 Hon. Bonnie G. Wittner
 Florence A. Wood
 Peter Zacchilli

1973

Anne Adler
 Alan J. Axelrod
 Ivar R. Azeris
 Dennis S. Baluch
 Donald L. Becker
 Lee M. Berger
 Michael R. Berlowitz
 Hon. Argeo Paul Cellucci
 Bruce H. Cohen
 Walter A. Costello Jr.
 Hugh W. Cuthbertson
 Patrick J. Daly
 Frederick J. DeAngelis
 Edith N. Dinneen
 James C. Donnelly
 Sandra S. Elligers
 Edward J. Feinstein
 Robert D. Fleischner
 Richard M. Gelb
 John W. Giorgio
 Chester S. Goldberg
 Joseph P. Gordon Jr.
 Paul M. Gordon
 Donald A. Graham
 Stewart F. Grossman
 Henry R. Hopper
 Andrew R. Kosloff
 David E. Krischer
 Philip S. Levoff
 William H. Lyons
 Melvin W. Marcus
 John K. Markey
 Paul F. McDonough Jr.
 Alexander M. McNeil
 William J. McNulty Jr.
 Lawrence A. Mendelson
 Michael B. Meyer
 Dennis M. Meyers
 James M. Micali
 Anita C. Miller
 Ann Fox Miller
 Hon. Elaine M. Moriarty
 Samuel Mostkoff
 John B. Murphy
 George C. Myers Jr.
 Richard A. Oliver
 Steven L. Paul

Brian D. Priestler
 John F. Recke
 Joseph J. Recupero
 Peter T. Robertson
 Hon. Barbara J. Rouse
 Alan I. Saltman
 Jeffrey M. Schlossberg
 Lawrence R. Sidman
 Thomas J. Sullivan
 Roy E. Thompson Jr.
 Neal C. Tully
 Joseph P. J. Vrabell
 Leland B. Ware
 Stanley L. Weinberg
 Steven Weisman

1974

Stephen H. Ahern
 Stephen D. Amoroso Jr.
 Albert A. Barbieri
 Gary H. Barnes
 Harvey N. Bernstein
 Jay D. Blitzman
 John F. Boc
 William J. Branca
 Mark B. Brenner
 John F. Bronzo
 Richard P. Campbell
 Raymond W. Chandler
 Arnold E. Cohen
 James D. Coleman
 Peter N. Conathan
 Lynda Murphy Connolly
 Loring A. Cook
 Robert M. Cox Jr.
 J. Elizabeth Cremens
 Karen Dean-Smith
 Hon. Barbara A. Dortch-Okara
 Diane Durgin
 Ann L. Ekstrum
 Lona L. Feldman
 Richard C. Flanigan
 Hon. Daniel A. Ford
 Paul A. Francis
 Lawrence K. Glick
 Richard S. Goldstein
 Alfonzo Greenidge
 Patricia C. Gunn
 Kenneth L. Halajian
 Charles Hansen
 Ruth-Arlene W. Howe
 Michael B. Isaacs
 Alan J. Kaplan
 Hon. Diane M. Kottmyer
 James F. Langley
 J. David Leslie

Richard J. Lettieri
 Steven I. Levin
 David A. Lourie
 Lawrence H. Mandell
 Alan D. Mandl
 Regina Snow Mandl
 Martin J. Mc Mahon Jr.
 Philip T. McLaughlin
 Kevin J. Moynihan
 Douglas M. Myers
 Hon. Susan Ness
 Lora C. Pepi
 Joseph J. Pruell
 Barbara Schlaff
 Paul B. Smyth
 Larry S. Solomon
 Hon. Jeremy A. Stahlin
 Arthur O. Stern
 Christopher J. Sterritt
 Raymond W. Taylor
 Hon. Brendan J. Vanston
 Leonard S. Volin
 Louis C. Zicht

1975

Berndt W. Anderson
 Katherine L. Babson
 Kevin B. Belford
 Howard W. Burns
 Hon. Elizabeth Butler
 Paul F. Callan
 Daniel C. Crane
 Joseph J. Czajkowski
 Elizabeth A. Deakin
 Robert F. Dore
 Howard L. Drescher
 Leon P. Drysdale
 Thomas J. Flaherty
 Hon. Maurice R. Flynn
 Kevin P. Glasheen
 Bruce A. Haverberg
 Ruth S. Hochberger
 Hon. Ellen S. Huvelle
 Robert P. Joy
 Anne Maxwell Livingston
 Joseph C. Maher Jr.
 Pamela Basamania Marsh
 Larry J. McElwain
 James R. McGuirk
 John McHale Jr.
 Thomas F. McQuoid
 Mark A. Merson
 John T. Montgomery
 Daniel F. Murphy
 Philip E. Murray Jr.
 Marshall F. Newman
 David M. O'Connor

Clifford Orent
 C. Stephen Parker Jr.
 Kathleen King Parker
 George E. Pember
 Marcia Allara Peraza
 Jean S. Perwin
 Kenneth S. Prince
 Helen S. Rakove
 William B. Roberts
 Stephen R. Rubenstein
 James L. Rudolph
 James B. Sheils
 Donna M. Sherry
 Barbara J. Stedman
 William S. Stowe
 David S. Strauss
 Barry A. Sturtz
 Robert E. Sullivan
 Thomas R. Ventre
 Jeffrey M. White
 Carolann Kamens Wiznia

1976

Robert Angel
 Lucy West Behymer
 Mark N. Berman
 Hon. Patricia E. Bernstein
 Aundrie L. Botts
 Ellen P. Brewin
 Roger J. Brunelle
 Hon. Marie T. Buckley
 Laurie Burt
 Thomas P. Colantuono
 Hon. Thomas A. Connors
 Frederick J. Coolbroth
 Kathy Bourne Cowley
 John S. Donahue
 Jack A. Donenfeld
 Tucker C. Drummond
 Philip M. Dunn
 Daniel Engelstein
 Lester D. Ezrati
 Edward Gross
 Robert B. Hoffman
 George G. Jones
 Beth A. Kaswan
 Carol Kirchick
 William D. Kirchick
 James J. Klopper
 Roberta Kuriloff
 Barry Larman
 Katherine J. Litman
 Deborah M. Lodge
 Robert P. Lombardi
 T. Mary McDonald
 Laurie A. McKeown
 Judith Mizner

Denise C. Moore
 Paul D. Moore
 Gilbert J. Nadeau Jr.
 Robert W. Nolting
 Alice C. Oliff
 Joseph D. Pizzurro
 Deborah A. Posin
 Sander Rikleen
 Janet Roberts
 Douglas R. Ross
 Edward Rubinstein
 Steven T. Russell
 Hon. Marianne D. Short
 Gordon Smith
 Susan R. Sneider
 Barbara B. Stein
 Mark Stoler
 Jeffrey B. Storer
 David A. Strumwasser
 Patrick A. Tanigawa
 Willie C. Thompson Jr.
 Dolph J. Vanderpol
 Mark D. Wincek
 Jerold Lorin Zaro
 Eliot Zuckerman
 Peter F. Zupcowska

1977

Douglas B. Adler
 Peter A. Allen
 Pamela J. Anderson
 Ronald A. Ball
 Esther R. Barnhart
 Andrew N. Bernstein
 Janice M. Bertozzi
 Joseph A. Brear Jr.
 Joseph M. Centorino
 Donald Chou
 Stuart A. Cole
 John A. Coletti
 Robert L. Collings
 Russell F. Conn
 Kevin P. Crane
 Evan Crosby
 Thomas P. Crotty
 John A. Detore
 John R. Devereaux
 Carl F. Dierker
 Thomas J. Douglas Jr.
 Elizabeth M. Fahey
 Richard A. Feinstein
 Joel H. Fishman
 Edward L. Fitzmaurice Jr.
 Richard H. Friedman
 Mark S. Furman
 Joan A. M. Gearin
 Lise J. Gescheidt

Charles E. Gilbert III
 Gareth E. Glaser
 William W. Graham
 Thomas L. Guidi
 R. Christian Haufler Jr.
 David A. Horan
 James F. Kavanaugh Jr.
 Mark C. Kelly
 Dennis J. Krumholz
 Dennis R. La Fiura
 James F. Lafargue
 Dennis A. Lalli
 Alexandra Leake
 Thomas E. Lynch III
 Vincent P. Maraventano
 Gary M. Markoff
 Peggy Y. Massey
 Claire L. McGuire
 Rhona L. Merkur
 Carmen Messano
 Stephen D. Moore
 Kathleen M. O'Day
 George A. Perry
 Lee V. Potter
 Michael J. Puzo
 Rachel Rivlin
 S. Jane Rose
 Gary A. Rosenberg
 Paula E. Rosin
 Norma J. Rosner
 Andrew M. Rossoff
 Mary K. Ryan
 Jeffrey S. Sabin
 Kitt Sawitsky
 Susan St. Thomas
 Michael L. Tichnor
 Robert B. Tolins
 David J. Tracy
 Carl Valvo
 Lawrence M. Vogel
 Ronald E. Weiss
 Glenn M. Wong

1978

Robert J. Baum
 Jill Nexon Berman
 Angela M. Bohmann
 Benjamin Jay Brettler
 J. W. Carney Jr.
 Diane M. Cecero
 Carol Ruffee Cohen
 John D. Delahanty
 Kevin Cutler Devine
 Anthony Michael Devito III
 Barbara Ann Fay
 Peter Gerard Flynn
 Steven Alan Gabovitch

Michael Alan Hacker
 Rosalie Anne Hailey
 Pamela Smith Hansen
 Mary Gillilan Harreld
 Mark Andrew Helman
 Valerie Jane Hoffman
 Mary Jo Hollender
 Patrick Thomas Jones
 Linda Susan Katz
 Cameron F. Kerry
 Anne King
 Richard Thomas Lai
 Sheila Connors LeDuc
 David Curtis Lucal
 Harry Leo Manion III
 William John Midon
 Thomas H. Murphy Jr.
 Robert Tirrell Naumes
 Richard Daniel Packenham
 Richard Wright Paul
 Joaquin German Perez
 Alan Philibosian
 Richard Elliott Powers
 Gary Stewart Rattet
 David John Rice
 Thomas M. Saunders
 Scott Jay Tucker
 Patricia McGowan Vinci
 Charles Edward Walker
 Joyce A. Wheeler
 Harry Yee
 James J. Yukevich

1979

Mark E. Aalyson
 Jean H. Bachovchin
 Elizabeth Jensen Bailey
 Thomas J. Beamish
 Jeffrey I. Bleiweis
 William J. Brown
 Charles M. Cohen
 Kathleen Colleary
 Marguerite A. Conan
 Mary F. Costello
 Mary Carmen Cuevas
 Thomas F. Dailey
 Susan Giroux Dee
 Judith G. Dein
 David D. Dowd
 Martin E. Doyle
 Mark R. Draymore
 James H. Duzak
 Richard T. Foote
 Carolyn Jean Fuchs
 Kathleen V. Gunning
 Thomas Henry Hannigan Jr.
 Michael L. Henry

John M. Horn
David F. Kane
Gina B. Kennedy
Mark Langstein
Ralph T. Lepore
Andrew M. Levenson
Matthew L. McGrath III
David D. Merrill
Lt. Col. Thomas D. Miller,
U.S.M.C.
Timothy Pryor Mulhern
John Robert O'Brien
Stephen P. O'Rourke
Jo Ellen Ojeda
Michael E. Pfau
Michael A. Pignatelli
John C. Possi
Barbara D. Ranagan
Thomas P. Ricciardelli
Lauren Stiller Rikleen
Deanne Silk Rosenberg
Lloyd C. Rosenberg
Howard S. Rosenblum
James B. Ross
Bernadette Brown Sabra
Cynthia L. Shupe
Christine J. Smith
David B. Stromberg
Elaine Gail Suchman
Fred D. Weinstein
Lynn G. Weissberg
Ann H. Williams
Judy Willis
Benjamin S. Wolf
Patricia Zincke

1980

Mark J. Albano
Robert J. Ambrogio
Paul J. Barbadoro
Thomas A. Barnico
Arthur A. Chaykin
John L. Collins
Foster Jay Cooperstein
Louise R. Corman
Edward F. Donnelly Jr.
Laurence J. Donoghue
Neil S. Ende
Jack H. Fainberg
Lawrence E. Fleder
Jane Climenko Gottschalk
Thomas M. Grady
Carol A. Gross
Joseph L. Hern
Joseph M. Hinchey
Ann-Ellen Marcus Hornidge
Cecil J. Hunt II

Susan L. Kantrowitz
Marjorie Katz
Ann Kendall
Ronald A. LeGrand
James H. Lerner
Gary E. Leroy
John K. Lucey
Janet H. Magenheim
Carol A. Marine
James E. McDermott Jr.
Richard G. McLaughry
Robert C. Mendelson
Robert M. Mendillo
Andrew A. Merrill
John N. Montalbano
Gary B. O'Connor
F. Thomas O'Halloran Jr.
John S. Reidy
James R. Repetti
William J. Riley
Michael B. Roitman
Nathaniel M. Rosenblatt
William A. Rota
Mary M. Rudser
Louise Sawyer
Jane Serene Raskin
Michael J. Shea
Francine T. Sherman
Winthrop A. Short Jr.
John A. Sirico
Naira B. Soifer
Dana J. St. James
Alan R. Stone
Steven A. Wilcox
Nancy R. Wilsker
Dion C. Wilson

1981

Christopher B. Andrews
Nelson G. Apjohn
Karen Bernstein Baron
Stephen F. Bisbee
Peter R. Brown
Constance A. Browne
Janet E. Butler
Ralph J. Cafarelli
John M. Carroll
Robert C. Chamberlain
John O. Chang
John Gilmore Childers
Lawrence J. Cohen
Richard G. Convicer
Donald D. Cooper
John O. Cunningham
Aruneshwar Das
Peter A. DelVecchio
Mary K. Denevi

David Taylor Donnelly
John D. Donovan
Mark W. Dost
Clover M. Drinkwater
Thomas Joseph Driscoll
David W. Ellis
Sally J. Feldman
Martin R. Fisch
John G. Gatti
Donald S. Gershman
Richard J. Gianino
Deborah J. Goddard
Craig N. Goodrich
Charles J. Greaves
Bernard W. Greene
William F. Grieco
Dale R. Harger
George B. Henderson II
T. Mark Herlihy
Jorge L. Hernandez-Torano
Michael R. Hetherman
Edward T. Hinchey
Linda J. Hoard
Daniel C. Hoefle
Ronna D. Howard
John G. Igoe
Richard I. Kaner
Ruth L. Kaplan
Christopher P. Kauders
Gary E. Kilpatrick
Jane C. Krochmalny
Andrea S. Levinson
Sarah Salter Levy
James Michael Liston
Francis Matthew Lynch
Thomas J. Lynch
Steven G. Madison
Joseph A. Martignetti
James P. Maxwell
J. Bruce McGuirk
Sara Johnson Meyers
Kevin R. Moshier
Barry J. Palmer
Ann L. Palmieri
Mark C. Perlberg
Thomas A. Potter
Harriet T. Reynolds
Thomas M. Rickart
Richard D. Rochford
Catherine F. Shortsleeve
Ingrid E. Slezak
Adelbert L. Spitzer III
C. Scott Stevenson
Barbara D. Sullivan
John A. Tarantino
Anne B. Terhune
Claire-Frances Umanzio

Eric H. Weisblatt
Christopher Weld Jr.
Diane Young-Spitzer
Leonard F. Zandrow Jr.

1982

Jonathan M. Albano
Vincent Charles Baird
Ellen Bayer
Tammy Brynie
Susan L. Carity
Jeffrey A. Clopeck
Thomas Paul Dale
Richard C. Devor Jr.
Ronnie Lisa DiLuna
Mark Timothy Dinkel
Jonathan Winchester Fitch
Camille Kamee Fong
Barbara B. Foster
Ann Danseyar Gelfon
Edward A. Giedgowd
Stephen J. Gill
Deborah Ellen Godwin
Steven Howard Goldberg
Robert Loring Goodale
Daniel Robert Gordon
Kevin Thomas Grady
Patrick Lawrence Grady
Andrew Clark Griesinger
John Michael Hession
Duane Osamu Kamei
Jeffrey Hugh Karlin
Susan Lee Kostin
James Michael Langan
Cindy A. Laquidara
Michael W. Lyons
Loretta Leone McCabe
E. Melvin Nash
Jill Gwen Okun
Steven Howard Peck
Lisa Gail Polan
Carol Frances Relihan
Richard Joseph Riley
Marjory D. Robertson
Martin John Rooney
David Philip Rosenblatt
Mary Beth Cortez Sax
Joshua Albert Secunda
Barbara M. Senecal
Julia Shaw
Charles P. Shimer
Peter J. Silberstein
William E. Simon Jr.
Marko M. G. Slusarczuk
Peter Gilman Smick
Neila J. Straub
Edward Louis Toro

Andrea S. Umlas
John Pierce Volk

1983

William R. Baldiga
Ellen Gershon Banov
Gary M. Barrett
Linda D. Bentley
Arthur Bernard
Mark S. Bourbeau
Rita R. Brackeen
Patricia Byrd
Ronaldo G. Cheek
Alan C. Chen
Kim L. Chisholm
E. Michael Collins
Michael F. Coyne
Karen G. Del Ponte
Warren M. S. Ernst
David J. Feldman
Daniel E. Fleming Jr.
Major Steven K. Forjohn
Bobby B. Gillenwater
Barry E. Gold
Deborah Beth Goldberg
Kevin Hern
Randall G. Hesser
Michael J. Jones
Leslie Emi Kobayashi
Max H. Kumin
Lawrence R. Lichtenstein
Celeste V. Lopes
Kathleen McGuire
Janice L. Moore
Robert J. Moore
Denise T. Nagata
Albert Andrew Notini
Mark V. Nuccio
Mark C. P. O'Connor
Donald J. O'Neil
Valerie I. Perkins
Mitchell P. Portnoy
Jon S. Rand
Joseph L. Riccardi
David A. Rozenson
Frank J. San Martin
Beatriz M. Schinness
Mark D. Seltzer
Margaret E. Sheehan
Leslie A. Shimer
Kurt F. Somerville
Celia E. Strickler
James A. Sweeney
Steven E. Thomas
William C. Turney
Douglas G. Verge
Kenju Watanabe

Jennifer C. Wilcox
Jody Williams
Daniel B. Winslow
Eric G. Woodbury

1984

Angela T. Anastas
Gail L. Anderson
John J. Aromando
Karen Kapel Astrachan
Joel E. Benard-Cutler
Benjamin Berry
Stephen W. Brice
Catherine K. Byrne
Richard L. Carr Jr.
Michael W. Clancy
Margaret L. Costa
Susan L. S. Ernst
Michael K. Fee
Mark D. Fernald
Katherine A. Field
David M. Fitzgerald
Carole Cattaneo Gori
Pamela L. Hamilton
Hon. Leslie E. Harris
Stephen J. Hines
Ellen Joy Kapinos
Mary E. Kelleher
Brian J. Knez
Charla Bizios Labbe
James F. LaFrance
William M. Ledoux
Karen Shaffer Levy
Sheila S. Lewinger
Patrick M. McNamara
Jonathan Lawrence Moll
Mary Jean Moltenbrey
Charlotte S. Murphy
Betts Howes Murray
Linda E. Neary
Barbara A. O'Donnell
Barbara Zicht Richmond
Carolyn M. Ryan
Paula M. Sarro
David Schoen
Gayle A. Smalley
Kim L. Stephens
Sheila M. Tierney
Anne Van Graafeiland
Helen C. Velie
Barbara Von Euler
Tamara S. Wolfson
Victoria P. Wood
Thomas A. Zaccaro

1985

Alicia Alvarez

Albert T. Anastasio
Nancy A. Armstrong
Christopher A. Bandazian
Nancy M. Becker
Steven N. Berk
Julie Johnstone Bernard
Kathleen Smith Boe
Paul E. Bouton
Laurel E. Bretta
Stephen A. Caldara
Barbara A. Cardone
Curtis B. Ching
Theaoseus T. Clayton Jr.
Kimberly M. Collins
Michael J. Colucci
John Phillips Connelly
Josephine Ragland Darden
Melissa M. Der
Arthur S. Donovan
Polly R. Dowton
Honore J. Fallon
Scott A. Faust
David Fleshler
Paulette A. Furness
Ronald T. Gerwatowski
Carolyn D. Greenwood
Joseph M. Hamilton
Robert D. Hoffman
Nina V. Huber
Maria Hickey Jacobson
Steven M. Judelson
Norman A. Kutcher
William P. Lee
Joseph F. Leighton Jr.
Elizabeth J. Lentini
Anne Cushing Magner
Walter L. Maroney Jr.
Hon. Susan Maze-Rothstein
James G. McGiffin Jr.
Lisa M. McGrath
David A. McKay
David T. Miele
Tracy A. Miner
Randolph T. Moore
Carol G. Mullin
A. Maureen Murphy
Paul Fritz Neil
Herbert G. Ogden Jr.
Margaret J. Palladino
Jennifer Parks
Ann F. Pauly
Karen A. Pelczarski
Faye B. Rachlin
Jeremy Ritzenberg
Teresita D. Rodriguez
Judith Duker Rosenberg
Ettore A. Santucci

Lloyd Elliot Selbst
Anne Tucker Shulman
Maryellen P. Sowyrda
Jeffrey D. Spitzer Resnick
Sherri B. Stepakoff
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The Whys and Wherefores of Planned Giving

An expert has the answers that all donors need to know

QA

Michael J. Puzo '77 is a partner in the Boston law firm of Hemenway & Barnes. He specializes in sophisticated estate and trust planning and charitable giving matters. He also serves as special legal counsel to Boston College, advising on development issues, and he is a Fellow of the American College of Trust and Estate Counsel. He teaches and writes widely on probate, trust and estate planning issues.

Q: What impact has the Taxpayer Relief Act of 1997 had on charitable giving?

A: The new law is perhaps more notable for what it did not do than for what it did do. It did not eliminate the federal estate or gift tax or even reduce it much. Although the exemption levels are being increased, we're still faced with estate and gift tax rates of 37 percent to 55 percent. Therefore, for people who are charitably inclined, reducing or even eliminating estate or gift taxes by making charitable gifts remains an extremely attractive alternative to paying high death taxes.

The new law also strengthened some of the provisions that encourage charitable giving by ensuring that charities receive a substantial portion of the value of any property put into a charitable remainder trust.

Q: Why would someone want to participate in a charitable giving plan? What role do capital gains play in this?

A: People give to charities because they want to do good. That charitable intent can be furthered by the tax advantages of giving. For example, if you make a charitable gift of stock that would have generated a long-term capital gain had it been sold, you will get a charitable deduction for the full fair-market value of the property given and not see its value reduced by the payment of capital gains taxes. This happy outcome is not only good for the donor and for the charity, it is also proof of the support built into the law for charitable giving.

Q: When is the best time to set up a trust?

A: Generally, charitable trusts are better set up sooner rather than later. Even if a donor cannot part with capital until death, a pre-arranged charitable giving plan can be advantageous in offsetting high estate-tax rates.

Q: Why are planned gifts so important to colleges and universities?

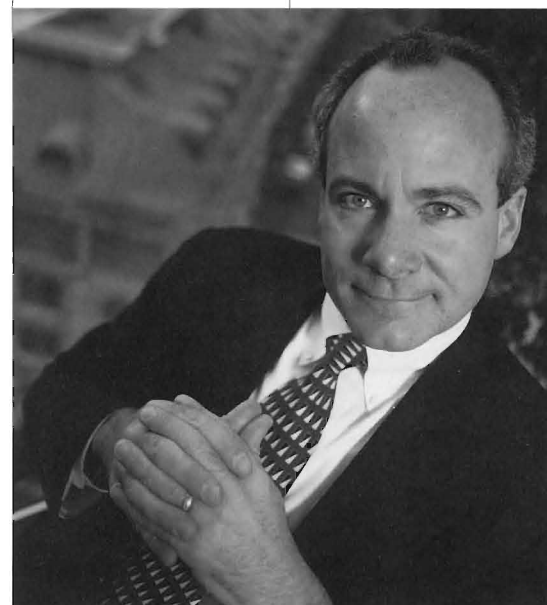
A: Because institutions have substantial capital needs, and the donor who wants to help an institution meet those needs ought to consider planned giving, particularly in the form of bequests and gifts in trust. Regardless of whether such gifts are made during one's lifetime or are deferred, the essential point is that they be planned. The planning process allows both the donor's wishes and the needs of the institution to be met.

Q: What are life-income arrangements and how appealing are they to donors?

A: In a life-income arrangement, the donor reserves the income on

the gifted property, often for the duration of his life or that of his spouse, with the remainder interest ultimately passing to charity. Such arrangements appeal to a variety of donors. Often, a donor has a highly appreciated, low-basis holding of stock that is an ideal gift candidate for a charitable remainder trust, pooled income fund or charitable gift annuity. Because many donors feel they cannot afford to give up an income-producing asset currently, life-income arrangements often give such people the best of both worlds.

For information about giving to Boston College Law School, please contact Deborah Blackmore Abrams, Director of Institutional Advancement, at (617) 552-2229.



Ask the expert: Michael Puzo explains how donors and the Law School both reap benefits from well-thought-out giving strategies.

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