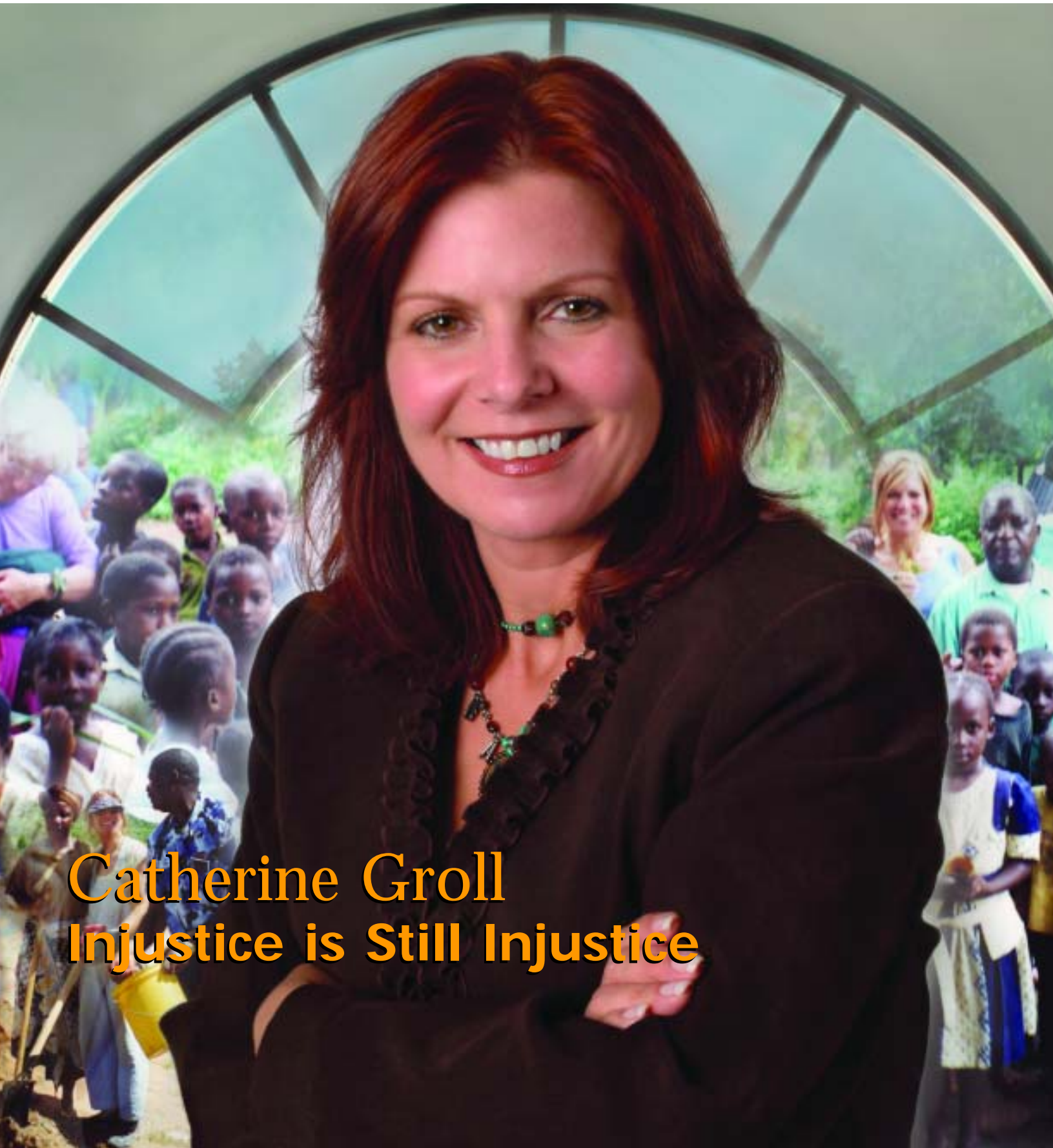


TRINITY TERM 2004 VOLUME XXVI NUMBER 2

BENCHMARK

THE THOMAS M. COOLEY LAW SCHOOL MAGAZINE



Catherine Groll
Injustice is Still Injustice

BENCHMARK

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The *Benchmark* is seeking submissions and story ideas from graduates. We are looking for stories on a variety of subjects including, but not limited to, graduate achievements, international law, cultural diversity, legal information helpful to practitioners, unique law practices, advice to prospective law students, and special events. If you would like to author an article, reprint an article you have authored for another publication, or share a story idea, please write, call, or e-mail:

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Letter from Cooley



The more things change, the more they remain the same. Plus ça change, plus c'est la même chose — Alphonse Karr. At Cooley, that adage is clearly the case. In the midst of change at Cooley, we have retained our basic educational concepts.

We are now the largest accredited law school, but we retain the strong personal relationship among professors, staff, and students, as reflected by the high student evaluations and much-increased retention of our students.

We now have 90 faculty members, but eight of the first 10 original full-time faculty members are still on the faculty.

We now have weekend classes and elective course concentrations, but the basic required course curriculum is substantially the same as it was 30 years ago.

We have several high-tech courtrooms, technology in the classrooms, a wireless environment in the Brennan Law Library, the Cooley Center, and our Grand Rapids and Rochester libraries, an embryonic distance education program, and a dynamic, interactive Web site, but our basic educational method is still the interchange between professor and student.

We have three campuses, joint degree programs, master of laws programs, foreign study, and far reaching externship programs, but our essence is still the 90-credit Cooley program of year around legal education.

We believe that selective admissions practices should not deny capable individuals who desire to become lawyers the opportunity to try. We have improved the profile of the incoming classes, but maintained our basic philosophy that access and opportunity for law study is better than exclusivity and elitist admissions practices.

We have a Strategic Plan complete with a mission statement, vision statements, and strategic initiatives, but our fundamental operating principle continues to be to provide practical legal education to those whose dream is to become a lawyer.

We have embraced change but retained our values. We are proud of that, and also of our over 10,000 graduates who earned their education and are now practicing across the nation and in dozens of countries around the world.

And one more thing has stayed the same despite all the growth and improvement at Cooley—we remain at odds with the American Bar Association Accrediting Committee. Even after 30 years at Cooley, I cannot explain it. However, I can provide you with some sense of the depth of the ABA's opposition by asking you to go to our Web site at www.cooley.edu and read the series of articles about our early years that are now being written by our Founder, Tom Brennan. I believe that after reading them, you will understand that our current lawsuit with the ABA is an example of that adage—the more things change, the more they remain the same.

You can look for the alumni database password on the inside front cover page of *Benchmark*. The username is always **alumni**.

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THOMAS M. COOLEY LAW SCHOOL Trinity Term 2004

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Catherine Groll

Injustice is still injustice, no matter how big the perpetrator — negligence should not hide behind the cloak of governmental immunity or military doctrines. As a youngster, Catherine Groll (Montgomery Class, 1992) had an argument for everything and had spent an entire summer reading every single Perry Mason book in her local library.

At age 12, after her father died of undiagnosed colon cancer, she tried to sue the U.S. government for medical malpractice. Despite the implausibility of that venture and the various laws against it, it's surprising, once one gets to know Catherine Groll a little bit, that she didn't just win anyhow.

With a zest for life, a passion for humanity, and a commitment to justice, Groll is a dynamo. She knows how to get what she needs and usually does so — in short order. A practiced litigator, she relishes the courtroom battle. Ironically, her negotiation skills are such that most of her cases settle.

Groll is a litigator with Sinas, Dramis, Brake, Boughton & McIntyre, P.C., in Lansing, Mich.,

where she focuses primarily on motor vehicle negligence, no-fault insurance litigation, and premises liability cases. She is on top of her professional game and it shows.

It wasn't always so. She was thwarted as a pre-teen when she tried to sue the U.S. government over the death of her father. Because her father was active duty military personnel at the time he was misdiagnosed with diverticulitis, Groll and her family were barred by the Feres Doctrine from seeking accountability from the government for a military doctor's medical mistake. Groll vowed that someday she would right that wrong, and so the seed for her eventual legal career took root.

As a teenager, she dropped out of the 10th grade in Alamogordo, New Mexico, and went to work in a Mexican jumping bean factory. When that didn't work out, she hitchhiked to her grandmother's in New Jersey, where she stayed for a couple of months. Groll returned to the west, and worked a number of odd jobs — including selling magazine subscriptions door-to-door in California — before returning to New Mexico at 17 — and earning her G.E.D. She then went to work as a paralegal advocating for poor Hispanics and immigrants from Mexico.

She tried college for a year, dropping out to go sing with a rock and roll band. After two years on the road, Groll met a man and married. He dubbed her "Fleebbers," short for famous attorney F. Lee Bailey, because she liked to argue, and encouraged her to go back to college and then law school. They've since divorced, although they remain friends, and the course of her new life was begun.

But where to start? Cooley sent Groll some brochures after she took the LSAT, and she was hooked. Groll had always chosen a non-traditional path, which was an enormous part of Cooley's appeal.

With a zest for life, a passion for humanity, and a commitment to justice, Groll is a dynamo.

"Suddenly I had an amazing opportunity to combine my life experience with an innovative and flexible approach to the law," she recalled. "Cooley didn't care if I'd jumped off the ship a couple times, or that I took the long way home. Almost everything good in my life now can be traced back to the day I heard about Cooley Law School."


Groll loved law school and thrived in it. She made the Cooley Law Review and served as an assistant editor. In her second semester, Groll would make a choice that would affect the rest of her law school tenure. She accepted a clerkship for a local law firm, and by the beginning of her second year of school was offered a full-time job there after graduation.

It was great, she recalled. For the rest of her law school career, instead of having to divide her attention between school and job hunting, Groll could focus completely on her studies. After three years of practice, Groll had an offer to join Sinas Dramis, a firm well known for its expertise in automobile negligence and no-fault insurance law, and she has practiced there since 1995.

Several memories stand out from her law school career. Professor John Scott was a personal favorite and the late Professor Gerald Boston was very influential in helping her navigate the early breast implant litigation cases. In addition, an opportunity to meet Jack Kevorkian was a highlight, particularly after Kevorkian, whom she interviewed for the *Law Review*, sent her a letter stating, "You're going to make an exceptional lawyer someday."

He was right. Groll's quick mind, knowledge of the law, and empathy for others combine to give visitors to her casually appointed office the comfortable feeling that here is someone who cares and can take charge.

While Groll graciously acknowledges Kevorkian's compliment, she is quick to insist that she is not unique in her skills. "George Sinas is absolutely brilliant and a visionary



in auto no-fault. The lawyers I work with are the cream of the crop," she said of her firm.

It was the Sinas firm which last year resurrected a long-dormant People's Law School, a multi-week introduction to law for non-lawyers. Catherine, given charge of the program, took it on with her usual enthusiasm. She immediately turned to Cooley to recruit the law school's help, and an alliance was born. The Michigan Trial Lawyers Association (MTLA) is also a key partner in the venture.

Groll said they expected about 60 people to start the classes. Instead, the responses kept pouring in until they reached 230 persons and the classes had to be moved to the auditorium.

"We had no idea how hungry people were for practical legal knowledge," Groll said.

The eight-week program was a phenomenal success and before it was over, 150 people asked to pre-register for the next offering. One woman, in her 70s and a veteran of six People's Law School programs, was given a special recognition at the end of the 2003 series.

Groll, not surprisingly, was recently appointed by MTLA to chair the People's Law School committee for the entire state, and was given charge of the 2004 People's Law School at Cooley. The program runs for eight weeks at Cooley and began Sept. 23 (see sidebar). Groll said they paid close attention to the surveys and added two new classes, one in identity theft and another in juvenile law, including neglect and adoption.

It's a consuming project, she said, but a worthwhile one.

"Our mission is to demystify the law. People think there isn't anything they can do. Our goal is to provide access to jus-

tice," she explained. "We do tell them that a little bit of knowledge can't substitute for the legal advice of a good attorney, but this helps them know what kinds of questions to ask."

"It's obvious the program is filling a need," she said. "When we're getting numbers like that, it's telling you something."

Even when it comes to vacation choices, Groll prefers the road less traveled. When not surrounded by stacks of legal documents, Groll is as likely as not to have her passport in hand on the way to the airport. She has participated in two "global builds" through Habitat for Humanity-International, one in Tanzania and another in Nepal. On these "vacations," she worked together with other volunteers to build homes for the poorest of the poor in Third World countries.

Why does she do it? When many with free time are headed for the nearest pool with a novel in hand, what makes Groll once more conquer her fear of flying and head off into the unknown? Quite simply, it is her driving need to help others, manifesting itself in yet another arena. At home, in Lansing, Mich., she fights for the underdog in court and for the improvement of the legal profession in projects like People's Law School, or as the American Trial Lawyer Association Ambassador to Cooley, where she mentors and works directly with Cooley students. Internationally, she wants people to experience that first-home euphoria that she will never forget.

"After I graduated from Cooley, and I had an opportunity as a woman on my own to purchase my own home — I wanted other people to feel that, to have a safe space."

As much as she and others are helping, Groll still feels she's getting much more out of the bargain. "I get way

People's Law School

Sponsored by the Sinas, Dramis, Brake, Boughton & McIntyre law firm, Cooley Law School, and the Michigan Trial Lawyers Association, the People's Law School Program is designed to outline a variety of areas in the law that affect every day life.

The program, moderated again in 2004 by attorney Catherine Groll (Montgomery Class, 1992) takes a look at the court system, health care law, Medicare, Medicaid, Social Security, wills, trusts and estates; auto no-fault, juvenile law, including adoptions, truancy, emancipation, and neglect, criminal law, asset protection, identity theft, divorce, and family law.

The program began Sept. 23 and runs through Nov. 11. Persons interested in the 2005 lecture series can get their name on a mailing list by contacting Groll at the Sinas Dramis firm in Lansing at (517) 394-7500.

Cooley Law School at Sinas Dramis.

Timothy J. Donovan

Mr. Donovan received his bachelor's degree from Michigan State University and his law degree *cum laude* from Cooley Law School. He has lectured and participated in numerous educational programs sponsored by the Institute for Continuing Legal Education and Michigan Trial Lawyers Association (MTLA) regarding personal injury law. Since 1985, Mr. Donovan has provided substantial assistance to his partner, George T. Sinas, in the writing and editing of the *No-Fault Red Book*. In 2004, he won the Respected Advocate Award.

Catherine Groll

Ms. Groll received her bachelor's degree with honors from New Mexico State University, and her law degree from Cooley Law School, where she was an assistant editor of the *Cooley Law Review*. She is an Adjunct Professor at Cooley Law School, where she teaches Medicine, Forensic Science, and the Law. Ms. Groll has published several articles dealing with litigation practices and has spoken at several seminars regarding no-fault insurance litigation. Her practice primarily focuses on motor vehicle negligence, no-fault insurance litigation, and premises liability cases.

Bernard F. Finn

Mr. Finn received his bachelor's degree from Wayne State University and his law degree from Cooley Law School. He has been recognized in the 2001-2002 and the 2003-2004 editions of *The Best Lawyers in America*, in the field of domestic relations law. Mr. Finn has been a trial and appellate lead counsel in hundreds of cases in the state and federal courts. He has published several articles on a wide range of legal issues. His practice includes domestic relations law, criminal defense, and general litigation.

L. Page Graves

Mr. Graves received his bachelor's degree from Western Michigan University and his law degree *cum laude* from Cooley Law School. Mr. Graves has published several articles and lectured at seminars regarding subjects and issues dealing with personal injury litigation. Mr. Graves is also an adjunct professor at Thomas M. Cooley Law School, where he teaches the Michigan Automobile No-Fault Insurance course.

more from them than they do from me," she stated. "I get a chance to see the world, and live right in the villages with the people we serve, learning about their culture, and the daily reality of their lives."

Groll will get another chance to see the world, although this time it won't be on a global build. Instead, she and Cooley Professor Nancy Wonch are headed to Machu Picchu in November on an archeological tour. Ever organized, Groll already knows how warm it will be in Machu Picchu in November — 83 degrees — and will have spent four to six months preceding the trip arranging her schedule so she can get away for the 10 days. As she does in work, Groll seeks every opportunity to live "outside the box" and credits Cooley and Judge Brennan's vision of a non-traditional law school as the catalyst for her life adventures.



From left: Timothy Donovan, Catherine Groll, Bernard F. Finn, L. Page Graves

Mike Pelot

While most folks were comfortably settled around the hearth with family and friends during the December 2003 holiday season, Major Mike Pelot (Martin Class, 1988) could only dream of “Chestnuts Roasting on an Open Fire.”

True, he was overlooking the Caribbean Sea, experiencing balmy breezes and temperatures in the 80s, but it was no vacation for this former president of the Cooley Alumni Association.

Instead, Pelot — called to active duty in the Michigan National Guard — was midway through a one-year assignment to Guantanamo Bay on the southeast coast of Cuba. ‘Home’ was a seven-mile-square military base, and Pelot admits that, for him and for members of his unit, Christmas and New Year’s were the toughest times in the long separation from their families.

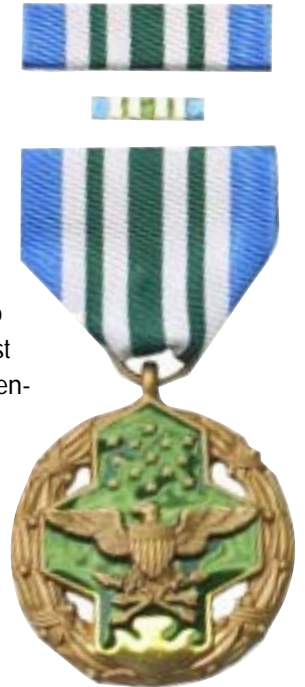
But they also took heart from the fact that, once the holidays were over, they were “halfway home” in their service.

So how did a guy accustomed to the 8-5 office life as an attorney for the Michigan Department of Civil Rights end up over 1,700 miles from home?

It all started when, as a Cooley student, Pelot met with a U.S. Army JAG (Judge Advocate General) recruiter and was accepted into the U.S. Army Reserve.

While holding down a day job as a court officer with the 54-A District Court in Lansing, Pelot also served his country as an Army Reserve JAG officer with the 300th Military Police Command in Inkster, Mich. One weekend each month and for two weeks in the summer, Pelot reported for duty at the enemy prisoner of war unit, undergoing training in dealing with war prisoners.

While he was in the 300th, Pelot met Colonel Mike McDaniel, now head of homeland security for Michigan. McDaniel invited Pelot to transfer into the Michigan National Guard; Pelot agreed, joining the National Guard as a staff military lawyer.





Pelot served with the 177th Military Police Brigade in Taylor, Mich. Time there involved warfighter exercises at Ft. Lewis in Washington covering terrorist captures and detainee issues, survival training, and field exercises. In January 2002 and 2003, Pelot and members of his brigade were sent to Japan to conduct joint exercises with the Japanese Special Defense Force.

It was an amazing cultural experience. It was a busy two weeks, however, with exercises focused on prisoner of war and other issues that could arise in the event of a threat to Japan. The Guard's annual trek to Japan rotates among five different stations, including Sapporo, Hokkaido, and Sendai.

In 2002, Pelot and his brigade began hearing rumblings that they might be deployed to Cuba.

"9/11 had happened and they were talking about MPs being needed," Pelot recalled. "In January 2002, Guantanamo opened Camp X-Ray. We were told we were on the radar screen for Cuba."



Originally Pelot's unit was to replace a unit being rotated out of Cuba. Instead, Pelot's old unit, the 300th went in. Then it was the 177th's turn to relieve the troops in the 300th, and Pelot's unit was brought in for a 365-day deployment.

Before they left the U.S., the 177th spent a week training in Camp Grayling in northern Michigan, and 32 days at Ft. Dix, N.J., for more training, weapons work, six-days-a-week physical training, 5:30 a.m. wake-up calls, and the dreaded "ruck" marches (marches with big packs on their backs).

Pelot and members of his brigade were sent to Japan to conduct joint exercises with the Japanese Special Defense Force.

On a weekend off from Ft. Dix, Pelot said he headed for New York City and the former site of the World Trade Center.

Viewing the site of the 2001 terrorist attack resonated with Pelot. "It brought home what the mission was about," he said.

Finally it was time, and the 177th headed for Cuba.

Pelot would soon find himself very busy. He was assigned to work on a joint task force on the Naval base, which housed about 600 detainees. Pelot said a primary mission of the task force was to gather intelligence from enemy combatants taken off the Afghanistan battlefield.

He served as the legal assistance attorney for the troops at the base, working essentially as a general practice lawyer with five other attorneys. His area of responsibility included the 3,000 troops in Guantanamo and the myriad of legal problems from service-related issues to problems back home.

He also served as an adviser to the command.

After about two months on the base, Pelot was given the lead role on a project to create a plan for the Joint Task Force to follow when the military commissions began. The commissions are the method used by the military to determine the guilt or innocence of the enemy combatants.

In January 2004, the military sent Pelot to Jacksonville, Fla., to tax school. When he returned to Guantanamo, Pelot set up a tax center, brought in a volunteer staff of accountants and tax assistants, and did over 300 returns for military personnel. Pelot himself was assigned to do the tax returns for Major General Miller – no pressure



Continued on next page

there, Pelot smiled.

He also served as the liaison to the International Committee of the Red Cross, which would come in to interview detainees.

The long hours were a good thing. Not only did the busy schedule keep Pelot and company from dwelling on home, it gave them something to do.

'Heading into town' for a night out wasn't going to happen. Guantanamo is surrounded by a wire fence – with the Cuban military firmly stationed on the other side of it. The Guardsmen weren't going anywhere.

At least not on land. Those with an interest were able to hit the water – the base wraps around Guantanamo Bay – and Pelot said they were able to get some serious scuba diving in on their limited free time.

"There are some beautiful coral reefs there," Pelot reported, "unspoiled by tourism."

The Jacksonville tax school wasn't the only time Pelot was able to get "off the rock," as they called leaving Cuba. He broke his leave time up into different sections, connecting with his family in Puerto Rico and Hawaii.

Pelot and his company were at Guantanamo when the Abu Ghraib prisoner abuse scandal broke out in Iraq. News of the scandal quickly had military personnel everywhere checking their own facilities for problems, and Guantanamo was no different. Pelot stated he never saw any abuse at their facility.

They weren't unaffected by the scandal, however. The investigations launched in the wake of Abu Ghraib, dramatically increased their workload via research, compilations of statistics, and reports.

Some of the biggest surprises of deployment for Pelot was the active duty lifestyle. The continual training and planning that defines the life of active duty personnel was notable, as was their off-duty time. While they obviously weren't off the base living with their family, neither were Pelot and company in barracks. Instead, Pelot and two other men lived in a small ranch house two miles from his



office at Camp America. When he worked on the commissions project, Pelot reported to a different office, this one in the military headquarters building.

As difficult as it was to be separated from his family, Pelot said, Guantanamo was about the best assignment he could have had. It was hot, but they had air conditioning, and it was – relatively speaking – somewhat safe. "It's not like it was Iraq where we would have had bullets flying overhead," he noted.

Pelot returned home on Memorial Day 2004 to a rousing welcome complete with parade and speeches. Some three months after his return, Pelot's enduring memories were of the people he worked with, the reality of the 600 detainees, the often gritty side of active duty life, and the respect for military families coping with a difficult situation.

"My family sacrificed a lot without complaint," he said. "That allowed me to serve."

And serving in the Michigan National Guard is something that Pelot plans to continue despite the unsettled nature of the world. An officer such as Pelot has an indefinite commission, and most choose to continue for a standard 20 years.

Does that mean Pelot will be deployed again? No one knows. On the one hand, Pelot and company just returned from lengthy service; on the other hand, Pelot said, "as a reality, trained military police brigades are in high demand."

For now, however, Pelot is quickly settling back into his stateside roles — as an attorney with the Michigan Department of Civil Rights, and as a husband and father. Pelot and his wife, Rita, have a son, Clayton, 9, and pictures adorn his Lansing office. Pelot has pride in his job, which he called a "very worthy mission," and is transparently proud of his family.

Pelot's country, in turn, is proud of him. For his service at Guantanamo, Pelot was awarded the Joint Commendation Medal, the Global War on Terrorism Medal, the Joint Meritorious Unit Award (for the 177th), and the National Defense Medal.

Pelot returned home on Memorial Day 2004 to a rousing welcome complete with parade and speeches.



The Russells

In the forefront of social change

Paulette Granberry Russell and Ronald E. Russell are in the forefront of social change. They have the same mission in their professional lives — leading groups and individuals into the 21st century through diplomacy and the law — but they pursue their objectives in very different venues.

Paulette Granberry Russell (Hooker Class, 1993) and Ronald Russell (Pratt Class, 1988) have much in common. They're both Cooley graduates, have been a couple since they met in 1989 and married after Granberry Russell passed the bar; are parents to a son, 9, and daughter, 7, and have found their professional calling through the law.

But that's where the similarities end. The career paths followed by the couple, while both involve helping others, are quite different.

Ron Russell is an expert in energy law and is an international consultant in the field. He recently returned from service in Prishtina, Kosovo, a United Nations protectorate within Serbia/Montenegro. Russell was hired for the mission by the Pierce Atwood law firm of Portland, Maine. He was part of a USAID team tasked with doing a pre-feasibility study of the business factors and the regulatory environment and legal issues related to the development of a new large-scale coal-fired power plant in Kosovo.

The question: Is the area conducive for investment? If not, what would be the concerns of an investor looking for energy generation opportunities in the country?

The country's issues are problematic, Russell soon found as he looked into the country's regulatory and legal schemes. Kosovo is motivated by the need to generate economic activity to address its 65 percent unemployment rate and other social and ethnic issues. More importantly though, is the need

for the status of the country to be defined. Is it a province of Serbia? Or is it an independent state? The cloud over government places a cloud over investment.

The U.S. Department of State's USAID assistance program broadens U.S. goals of stability, democracy, and economic prosperity.

Since the collapse of the former Soviet Union, the United States has assisted several newly independent states of the

former Soviet Union in becoming market-oriented, democratically governed states. Although both Kosovo and Moldova are small compared to other former Soviet republics, Moldova is important to U.S. interests for its potential as a model for its neighbors.

Russell said Moldova is highly motivated to switch to a "market-based" economy because it, as does Kosovo, wants to join the European Union (EU), but habits and practices die hard. Moldova has a number of internal conflicts that also impede a switch.

Even Moldova's geography plays a role in its challenges, Russell learned. On the left bank of the Dnistr River, which runs down the eastern side of the country, is the president, parliament, and industrialized Moldovans. On the other is the secessionist Trans-Dnistr Republic, a breakaway community run by Russian immigrants from the 1940s. Moldova's economy has crept along as fighting has subsided, but there is no formal resolution to the conflict in sight and Western investment, which is desperately needed, is nearly nonexistent.

Moldova is important to U.S. interests for its potential as a model for its neighbors.

Russell's role in Moldova included everything from diplomatic efforts, to teaching them about market economics, studying Moldova's law on energy, and advising on recommended changes in energy policy.

Russell was in Moldova for 10 months as the Chief of Party, resident energy and legal development adviser to the National Agency for Energy Regulation.

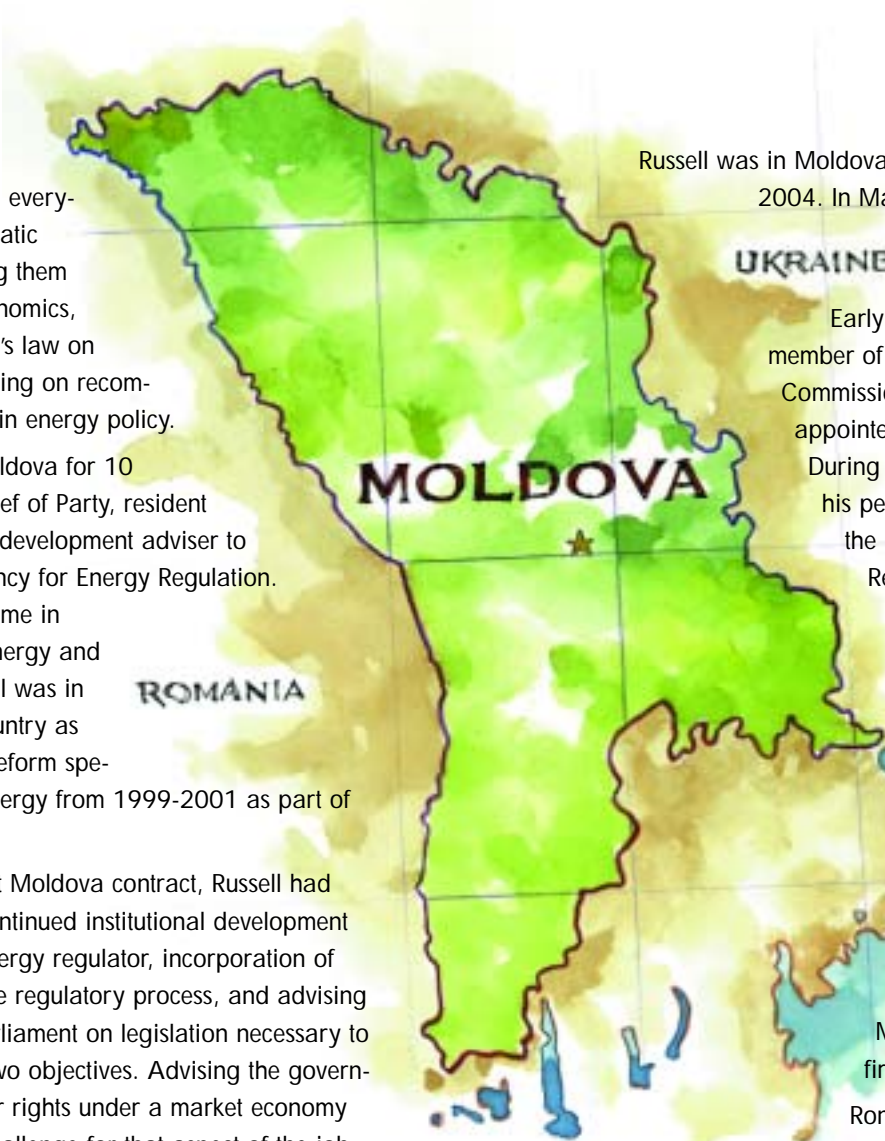
It wasn't his first time in Moldova as an energy and law expert. Russell was in and out of the country as a power market reform specialist for CMS Energy from 1999-2001 as part of a team of seven.

In the more recent Moldova contract, Russell had three charges: Continued institutional development of the national energy regulator, incorporation of consumers into the regulatory process, and advising the Moldovan parliament on legislation necessary to support the first two objectives. Advising the government on consumer rights under a market economy wasn't the only challenge for that aspect of the job. Russell said that consumers themselves also had to be educated on both their rights — to be included — and their responsibilities — to pay for a service that historically under socialism, had been free.

After 10 months, the U.S. government terminated the project, stating, Russell recalled, that Moldova "was making decisions contrary to the sustainability of a market economy."

It was time to leave, particularly after Russell received a thinly veiled suggestion to "redirect his efforts" elsewhere. "It was unnerving," he reported, even though he was doing more teaching and education, rather than political work.

Despite the obviously unfinished business, Russell said the country is still better off today than when they arrived. In the early days, the power would often go out in the middle of the day and the system could not sustain reliable power on a regular basis. Today the power is able to stay on 24/7, however, Russell has heard reports that the rift in Moldova has worsened since the team left, and the Trans-Dnistor side of the river had cut off power generated from the country's largest generating plant. "The tail is wagging the dog," he said somberly.



Russell was in Moldova from June 2003 to March 2004. In May and June of 2004, he was overseas again, this time in Kosovo.

Early in his career, Russell served as a member of the Michigan Public Service Commission, a full-time gubernatorial appointed position, from 1988-1995.

During that time, he was recognized by his peers across the country through the National Association of Regulatory Utility Commissioners and selected as Chairman of the Association's Electricity Committee and President of the Great Lakes Regional Association of Regulatory Commissioners.

It's a position that would be familiar to the namesake of Russell's law school — Justice Thomas M. Cooley, who was the country's first regulator in 1899.

Ron and Paulette are partners in the Law Offices of Russell & Russell, P.C.

Ron also owns Russell Energy Services

Company, through which he does his energy education, energy customer aggregation, and energy management and efficiency work, and is reviewing possible upcoming missions.

"I like working with the foreign governments, learning the culture, and meeting the people," he said. "However, it is most fascinating to be on the ground floor of energy policy and project development."

Getting in on the ground floor of new opportunities also appeals to Paulette Granberry Russell. After nearly 18 years as a labor relations specialist with the state of Michigan, she made the choice to accept a position in upper administration at Michigan State University.

Granberry Russell is the Senior Adviser to the President for Diversity, and the Director of the Office for Affirmative Action, Compliance and Monitoring at Michigan State University.

Early in his career, Russell served as a member of the Michigan Public Service Commission.

Granberry Russell's mission has been to position her office more as a partner and resource to the campus community than simply a compliance and regulatory body tasked with making sure the university toes the line on affirmative action and other diversity issues.

"I act as a liaison to the larger community on issues of affirmative action, diversity, and multiculturalism," she said, representing MSU in local, state, and national settings.

She also serves as a liaison to faculty, staff, and student groups, and as the president's adviser on diversity issues affecting the university.

"As a senior adviser, there's an expectation that I know the organization, understand federal and state employment and civil rights law, and familiar with the literature on diversity and multiculturalism in higher education. I must also maintain good relations with both on- and off-campus constituencies, and use my knowledge of the MSU community and relationships to support an inclusive campus."

The work is varied and there is no typical day, but just one peek into Granberry Russell's day shows that her work is as diverse as the clientele that she and her office serves. On just one day in a recent week, Granberry Russell started the morning with a meeting that covered recruiting and retaining African-American faculty. Her next meeting was with a political leadership advisory committee and then a workshop with graduate assistants covering sexual harassment issues. She then met with a department chairperson on faculty issues, and that evening attended a campus welcoming reception for persons with disabilities.

The day is not unusual as Granberry Russell juggles the compliance end of the job with the broader diversity concerns and active outreach in the recruitment and retention of a diverse workforce and student body.

Granberry Russell said the office and its staff work with university departments to improve diversity in a couple of different ways. In addition to monitoring hiring activities, responding to discrimination complaints, and answering questions from departments on how to increase diversity among faculty



and staff, Granberry Russell and her office provide support, education, and resources to the community as well.

Just this past August, a four-day workshop on infusing diversity into the curriculum was co-sponsored by her office and piloted for faculty. It proved to be successful and the plan is to sponsor another workshop next summer. In addition to the diversity-in-curriculum workshop, last year the office held the first ever "best

practices in diversity at MSU" conference which showcased campus diversity initiatives and brought over 300 attendees up to date on successful diversity and multicultural strategies and programs that have been adopted by MSU.

"To be successful at creating an inclusive campus, it's more than just telling units where to post an ad or how to identify potential candidates, and responding to discrimination complaints," Granberry Russell said. "My goal is to eliminate all the arguments as to why you can't have increased diversity and collaborate with university partners on effective strategies to advance diversity."

Granberry Russell's office worked with other campus offices and helped create opportunities for dialogue and learning in the wake of the Sept. 11 terrorist attack. The university partnered with spiritual leaders for a memorial on campus that filled the Great Hall of the Wharton Center. "It was one of those moments that transform a community," Granberry Russell said, taking pride that her office played a supportive role in maintaining a sense of calm during turmoil.

Granberry Russell's legal training has been an important element. "With regard to issues of discrimination, it's knowing how to identify issues, being aware of legal trends, and assessing risks that has proven to be extremely beneficial doing this work. Being informed on the law allows me to leverage change. If you know what you're looking for, you know how to guide units," she said.

As different as their career paths are, Paulette and Ron find much common ground, in the law, in helping others, and in their young family. As busy as they are, they are committed to family during their free time. Finding balance isn't always easy, but managing it all is getting easier.

Cooley

5k Race

FOR EDUCATION

nets over \$7,000 for schools

Over \$7,000 was given in summer 2004 to Lansing, Michigan area educational institutions courtesy of the fifth annual Cooley 5K Race for Education.

The June 4 race, which is part of the Playmaker Series, each year attracts hundreds of walkers and runners to Lansing for a scenic race through the downtown area and along Lansing's Riverwalk. Each registered participant designates an area educational institution to receive a share of the race proceeds in the event that his or her name is drawn.

This year, some 419 entrants along with their families and friends enjoyed sunshine and mild temperatures for an ideal race. The evening also featured music by the Uptown Band, face painting, and other family events.

Winners in the drawing were Gateway Elementary in St. Johns, which, as the Cooley winner, gets \$1,000 because entrant Tara Stedny, of St. Johns, was present for the drawing.

Stedny, who is a support staff member for the emotionally impaired at Gateway, was delighted to win, as were her fellow participants, Lisa Marier, a counselor at the school, and DJ Logan, a kindergarten teacher at Gateway.

"They're so excited," Stedny said. "Our secretary noticed the flyer."

Added Logan, "On a whim, we said 'let's try this.'" She added that they figured that, even if they didn't win anything, they'd at least have a nice walk.

The women were joined by Stedny's husband, Mike, and their children, Alana and Katie; Nancy Trevino and her daughter, Hannah; Bev Wilkinson and her sons, Daniel and Jacob.

The money will go toward the school's Eagle Village fall camp experience, an annual outing for which the funding was cut last year. Each fall, the fifth graders from Gateway head up to Eagle Village for a few days for a life skills experience focusing on cooperation, caring, community, commitment, and challenge.

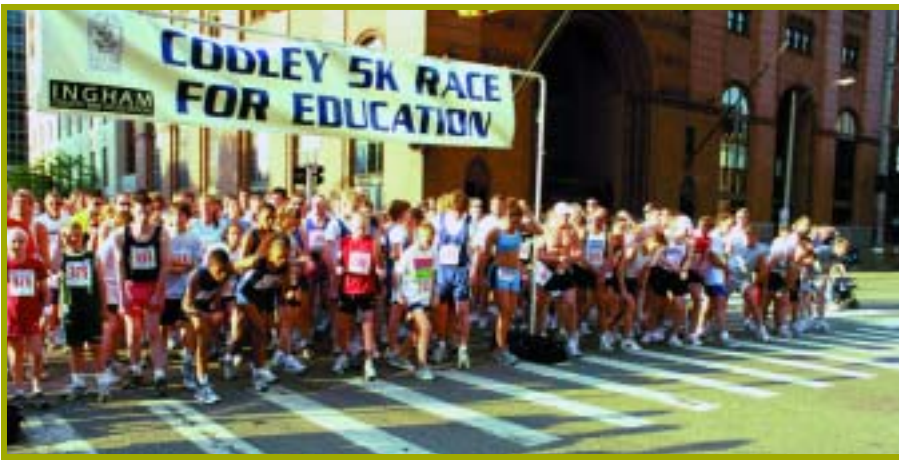
The Cooley award is a donation by the law school. The rest of the awards were drawn from the proceeds of the race.

The 50 percent winner was Glencairn Elementary in East Lansing, Mich., nominated by Bruce Heeder, also of East Lansing.

Heeder knew of the award, but was stunned to learn the amount. Thinking he'd won the Cooley award, since he wasn't present for the ceremony, Heeder figured he'd won \$500 for his school. Instead, he learned that, as the 50 percent winner, his school was actually going to get a check for \$3,152.52.

"Whoa!" he responded. "Awesome! When another runner called me to tell me I was a winner, I said 'You're kidding. I never win anything like this!' "

This is the first time Heeder has run the Cooley race, although he's participated in other Playmaker Series races. Heeder and



his wife will have two students at Glencairn next year, a fifth grader and a sixth grader.

He said he will not attach any strings to the award as to how the money is spent.

The 25 percent winner was Lansing Catholic Central, nominated by Laurie Kendal of Plymouth, Mich. The school will receive a check for \$1,576.28.

Tom Maloney, principal of Lansing Catholic Central was happy to get the news.

"We are so grateful," he said, "and we plan to put it to good use. We will most likely use it for tuition assistance to make a Catholic education more affordable and accessible, or for teacher development, which is always in need of funds."

The 10 percent winners were St. Therese Elementary in Lansing, nominated by Therese Gropp of Terre Haute, Ind.; and Eaton Rapids School District, nominated by Diane Brandt, of Eaton Rapids.

Gropp was familiar with the name of St. Therese Elementary from her visits to the Lansing area on weekends. Gropp often helps her daughter, who is a student at Cooley, make the drive from Terre Haute.

St. Therese, located on the far north side of Lansing, near DeWitt, has 130 students in grades K-8.

Incoming Eaton Rapids Superintendent Bill DeFrance was

delighted with the news that his school district would be receiving a check for \$630.50.

"Very cool!" he noted. "I'm really excited about this." New to the school district, he was interested in speaking with Brandt, who nominated them, to see if she has any special programs to which she'd like the money applied. If it's open, he said, Eaton Rapids has an education foundation into which the money could be placed. "This is fun!"

Eaton Rapids won again at the 5 percent level. This time, it was Eaton Rapids High School, which was nominated by Pete Treleven. The school will get a check for \$315.25.

In the five years that Cooley has held the race, over \$30,000 has been given to area educational institutions.

The June 4 race also featured a run around the Capitol Building, in which about 100 children participated, and a sidewalk dash on the east side of the building. All kids in both the race and the dash received medals and gift bags for participating.

For the 5K race itself, the Overall Male Winner was Scott Norman, of East Lansing, with a time of 15:39 and the Overall Male Masters Winner was Eric Stuber with a time of 15:59. The Overall Female Winner was Anna Vanderstelt, of Charlotte, Mich., with a time of 18:49, and the Overall Female Masters Winner was Janice Spodarek, of Okemos, Mich., with a time of 19:51. Winners each received a Romantic Adventure package from the Radisson Hotel.

The June 4 race also featured a run around the Capitol Building, in which about 100 children participated



2004
Eighty-two golfers played in the 2004 Alumni Memorial Scholarship Golf Outing on Saturday, July 10. This was the fifth outing held at Wheatfield Valley Golf Course, near Williamston, Michigan. The annual gathering raises funds for the scholarship granted to a current Thomas Cooley student each Hilary Term.

Alumni Memorial

GOLF OUTING

News



The Alumni Memorial Scholarship is awarded based upon financial need, academic achievement, extracurricular activities and other considerations. This year \$8,956 will be added to the scholarship fund. The generosity of the golfers and hole sponsors is greatly appreciated by the Alumni Association and Cooley's students.

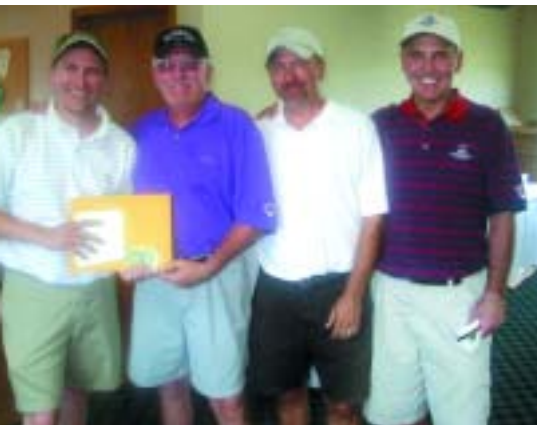
The golfers enjoyed a partly cloudy day with seasonal temperatures. Additional play was necessary to break a tie between the first two teams. The winning foursome was comprised of Mike O'Malley, (J. Wilson Class, 2001), Bill Bailey, Larry Kish (Marston Class, 1978), and Gene O' Malley. Thomas A. Halm (Carr Class, 1984), Bill Derengoski (Goodwin Class, 1982), David E. Prine (Sherwood Class, 1986), and Charles Justian (Chandler Class, 1983) came in second. Stephan Holland (Jay Class, 2000), Melissa Redmond (Jay Class,

2000), Marc Slocum, and Matt Slocum were the third place finishers.

The team with the lowest score in which all four golfers were Thomas Cooley alums consisted of Larry Nolan (Cooley Class, 1976), Gary Tyler (Cooley Class, 1976), Barry DeVine (Cooley Class, 1976), and Tom Brennan Jr. (Marston Class, 1978). The group with the highest score was Rebecca Walsh (Lawrence Class, 1991), Celia Eaton, Arnold Eaton, and Leonard Eaton.

The team with the highest number of cumulative years since Thomas Cooley graduation was Haywood Julian (Christiancy Class, 1977), Ingrid Brey (Graves Class, 1977), Bill Long (Christiancy Class, 1977), and Jane Wilensky (Wiest Class, 1979).

In the category of individual awards, Tom Brennan Jr. sank the longest putt. Marc Slocum's shot made him the person who was closest to the pin. Erick Ames made the man's longest drive on the fairway and





Diane Bernick (Kelly Class, 1978) had the woman's longest drive. Unfortunately, no one won the hole-in-one contest prize, a 2005 Cadillac CTS, although Gary Apps (McGrath Class 1992) came the closest.

This year's outing also determined the winners of the fifth annual Cooley Cup. This is a traveling trophy that recognizes the team with the lowest score that has at least three members from the same law firm or legal employment association (such as a prosecuting attorney's office.) In 2000, Robin Omer (Ransom Class, 1978), Diane Bernick (Kelly Class, 1978), Dustin Foster (Fellows Class, 1997) and Dennis Bernick won the first Cooley Cup for the firm of Bernick, Omer & Radner, P.C. In 2001, the Hubbard Fox law firm won the prize, thanks to the golfing skills of Jim Mauro (Champlin Class, 1987), Johanna Carey (Kuhn Class, 1995), Brian Surgener (McGrath Class, 1992) and John Caudell.

The cup returned to the firm of Bernick, Omer & Radner in 2002, where it stayed in 2003. It came as no surprise to golfers that the 2004 winner is Bernick, Omer, Radner & Ouellette, due to the prowess of Scott Mertens (Rutledge Class, 2000), Diane L. Bernick (Kelly Class, 1978), Robin Omer (Ransom Class, 1978), and Dustin Foster (Fellows Class, 1997).

Beyond celebrating the athletic abilities of the golfers, the contributions of hole sponsors and other donors to the event must be recognized.

The hole sponsors for the 2004 Alumni Memorial Golf Outing were the Alumni Executive Committee (Virginia P. Allen, M. Carol Bambery, Larry Betz, Diane Britt, Julie Clement, Jeff Haarer, Henry Legere, Jr., Diane Smith, Marie Templo, and Charles R. Toy); AFLAC/Pat Fuller; Virginia P. Allen; Amway Grand Plaza Hotel; AXA Advisors, LLC/Bill Burke; Bambery Law Office/M. Carol Bambery; Bernick, Omer, Radner & Ouellette, P.C.; Capitol Cadillac; Mike Carr/Lee Wayne Corp.; Rush Clement; Cooley Law School; Cooley Law School Associate Deans Charles Mickens, Helen Mickens, Ann Miller and Paul Zelenski; Cooley Law School Associate Dean for Development Jim Robb; Cooley Law School Bookstore; Cooley Law School Director of Alumni Relations Darryl Parsell; Cooley Law School faculty members Terry Cavanaugh, Mike Cox, Mary D'Isa, Judy Frank, Joe Kimble, Dan McNeal, Kathy Swedlow, Joan Vestrand, and Ann Wing; Cooley Law School-Grand Rapids/Associate Dean Lynn Branham; Cooley Law School/Grand Rapids Law Library/Aletha Honsowitz; Cooley Law School LL.M. Program/Associate Dean Bill Weiner; Cooley Law School-Rochester/Associate Dean John Nussbaumer; Cooley Law School Practice, Advocacy and Litigation Skills Dept./Prof Marj Russell; Cooley Law School President and Dean Don LeDuc; Cooley Law School Student Bar Association; Cooley Law School Staff members Tony Alvarado, Marylynn Bain, Cherie Beck, Terry Carella, Margie Doyle,

Audra Foster, Stephanie Gregg, Deb Hirsch, C. J. Kruska, Pat Martin, Kathy Neros, Amy Swope, Laurie Taylor, and Sherida Wysocki; The Daily Bagel; Detroit Tigers; Farhat & Story, P.C./Charles R. Toy; Greater Lansing Symphony Orchestra; Grewal and Associates/Mick Grewal; GW Company/Phyllis Groenewoud; Jackson National Life Insurance; Jeff Jablonski and Brenda Popplewell; Kleinbrook Financial Inc./Chip Kleinbrook; Kositchek's; Lansing Sanitary Supply; Henry Legere, Jr.; Loomis Ewert et al/Kevin Roragen; Myers Nelson, et al /Kim Shierk; Neiman Marcus/Bruce Smith; Plante & Moran/Forrest Lewis; Sutton Advisors LLP/Jerry Sutton; James Vlastic; Westlaw; Wheatfield Valley Golf Course; Committee to Re-Elect Judge William C. Whitbeck; and White, Schneider, Young & Chiodini, P.C./Jeff Donahue.

In addition to the hole sponsors, the following individuals and firms gave contributions of goods and services which made the outing a success; First National Bank of Michigan, Clara's Lansing Station Restaurant, and the Lansing Lugnuts.

Following the completion of 18 holes of golf, the participants gathered at the Wheatfield Valley clubhouse for a steak lunch and the awards ceremony. Cooley Law School's Alumni Association thanks all of the golfers and donors who made the event so successful and invites everyone to attend the 2005 Alumni Memorial Scholarship Golf Outing. Next year's outing is again scheduled to be held at the Wheatfield Valley Golf Course on Saturday, July 16, so please save the date on your calendar.

Please help increase the number of scholarships granted next year. There are few need-based scholarships available at Cooley, and our Alumni Memorial Scholarship is the most important one. To build the fund, play golf at the 2005 outing, sponsor a hole, or make a direct contribution to the Alumni Memorial Scholarship Fund. Contact Alumni Relations Director Darryl Parsell at (800) 243-ALUM, in Lansing call 371-5140, extension 2038, or e-mail parsell@cooley.edu for more information. He will return a donation receipt for tax purposes to you along with the appreciation of the Alumni Association.

One of the Thomas M. Cooley Law School's largest commitments to local schools is the Lansing Teen Court Program. Juvenile offender cases involving youths ages 11-16 are screened by the Ingham County Prosecutor's office and referred to the Lansing Teen Court.



Juries composed of teenagers who have attended orientation and training sessions hear the respondents' cases. Actual local judges or Cooley Law School professors serve as judges in the proceedings. The jury of teenage peers deliberates and determines the respondent's disposition. Trained Cooley students, often from the Cooley Volunteer Corps, serve as respondent and victim advocates, teen court hearing observers, and as jury monitors during jury deliberations.

about the law and work to instill critical thinking, decision making, communication, and conflict management skills.

Cooley Law School provides Lansing Teen Court an office suite which contains two offices, a conference room, a waiting room, and office furniture. Cooley classroom space is used for the weekly Street Law Workshops. Cooley's state-of-the-art courtroom facilities are used for the Teen Court hearings.

Lansing Teen Court and the Street Law Workshops are year-round programs. Some 484 teenagers have been referred to the Lansing Teen Court by the county prosecutor's office. Nearly 300 respondents agreed to voluntarily participate and have their cases heard and decided by a jury of their teenage peers.

Lansing Teen Court is seen as a success by local courts, the pros-



Lansing Teen Court administrators get the Cooley students involved early as observers and jury monitors as a way to work the law students toward becoming volunteer respondent advocates who guide respondents and their families through the disposition process.

Cooley students teach and participate in the Street Law Workshop sessions held weekly in one of the law school classrooms. These sessions are required as part of Teen Court respondents' dispositions. Groups of 12 to 18 respondents attend the interactive two-hour workshops. The larger group is broken into smaller groups. Trained law students teach basic knowledge

ecutor's office, the schools, victims, respondents and their families, and the Cooley Law School community. Lansing Teen Court thrives in mid-Michigan through the commitment of Cooley Law School, the Lansing School District, funding agencies like the United Way, and the volunteerism of Cooley Law School students, faculty, and staff.

The Teen Court and Street Law Workshops are not the only programs where Cooley students are combining learning and service.

The jury of teenage peers deliberates and determines the respondent's disposition.

Mediation Training

In September 2003, Cooley Law School students who had previously received training in mediation underwent additional training in facilitative mediation and began a program designed to mentor Lansing H.O.P.E. Scholar students in conflict management in Lansing's four middle schools. H.O.P.E. Scholars are "at risk" students chosen for special programs and given a promise to receive two years of free college education at Lansing Community College if they graduate from high school.

Cooley had 11 students who completed the weekend-long training which concluded with a field trip for the middle school students. Cooley students distinguished themselves by exhibiting patience, perseverance, and creativity with middle school students who are considered at risk and seen as not particularly good candidates for socially acceptable conflict resolution.

Cooley students really connected with the H.O.P.E. Scholars. The mediation program began with a one-year grant. Other sources of funding are now being sought. The local Boys and Girls Club has expressed interest in being part of the program.

For law students interested in public service, but unsure where to start, Cooley has crafted the perfect answer.

The Cooley Volunteer Corps (CVC)

The Cooley Law School Career Services Office administers the Cooley Volunteer Corps (CVC). This is a program that matches organizations with Cooley students who seek substantive volunteer experience. It is designed to foster law student community service and encourage future lawyers to incorporate public service work into their careers. As mentioned, the Lansing Teen Court is the grateful recipient of many Cooley Law School student volunteers who gain courtroom experience, learn restorative justice principles, and develop personally as community volunteers.

Cooley For Kids

Each year Cooley Law School's Student Bar Association, Alumni Association, faculty, and staff raise and donate several thousand dollars to send 500 area school children to a professional baseball game. Summer school teachers have reported that the incentive of knowing they will get to attend the game with a free lunch at the end of the summer school session keeps some young children motivated to complete their summer school programs. In 2004, Cooley for Kids drew participants from the Lansing Parks and Recreation summer camp program. Many of the children involved in Cooley

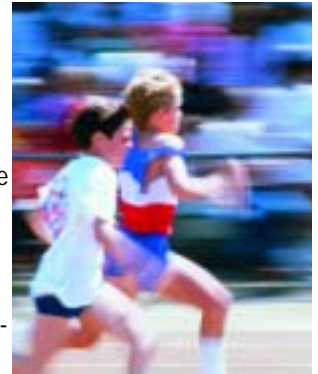


or Kids come from homes where an outing to a professional baseball game is beyond the means of the family.

Each year, Cooley gives area residents an opportunity to raise funds for the local educational institution of their choice.

Cooley 5K Race For Education

Each year Cooley Law School organizes and sponsors a 5K Race to benefit local schools and educational programs. In addition to the 5K race and walk, children's activities, including a dash around the state capitol building, are eagerly anticipated in the community. Donations, sponsorships, and volunteer efforts of Cooley students, faculty, staff, alumni, and friends make the race possible. Race registrants can designate a school or educational program they would like to receive funds should the registrants' names be drawn at the conclusion of the race festivities. Over \$30,000 has been given to area schools in five years.



Other Cooley Volunteerism

Individual faculty and staff members coach school basketball, soccer, and baseball teams.

Both faculty and staff speak regularly about careers in the law at school career days.

Academic and administrative departments of the law school participate in the Lansing City Schools' "Job Shadowing Day." Groups of six to eight children spend a day in offices, become involved with the regular workday of the institution's offices like processing financial aid and producing a brochure or video.

The Financial Aid Director particularly likes to talk with middle school children about the importance of higher education to meet personal job endeavors, the importance of studying hard in school, and saving/budgeting your money.

Cooley's Financial Aid Department also administers the America Reads program at Cooley. Cooley places work study students as reading tutors for elementary school children. This tutoring is done at no cost to the elementary school. Cooley has received positive feedback on how Cooley students are able to help these children.

Cooley faculty and staff serve as volunteers on numerous community boards and give hours to numerous associations that assist the underprivileged in the Lansing area. One example is Cooley's Auxiliary Services Director who serves on the board of the Child and Family Services organization, is a member of the board of the Foster Parent Review Board of Michigan, and has been a member of the Professionalism Committee for a local public school district.

Law Review



Who Should Take the Keys Away from Grandpa?

By: Patricia Martin

There is an issue concerning how to stop aging and impaired drivers from being on the road. There are an increasing number of older drivers on the road and, on average, older drivers are driving more miles than they ever have before. Older drivers are also averaging more fatal accidents than they ever had before. This can be related to the deterioration of the skills necessary to operate a vehicle due to age-related medical and biological conditions. One way to help prevent these impaired drivers from causing accidents is to impose liability on a third party. A more practical way to achieve this goal is for the government to set standards to be met and to offer incentives to the third party.

Traditionally, the courts would require there to be a special relationship for a third party to be held liable. In *Wells v. Hickman*, the Indiana Court of Appeals held that a parent has a duty to control their child when they become aware of their child's tendencies and their behavior is reasonably foreseeable. When dealing with adult children, the Restatement of Torts states that the familial relationship does not create the duty, it is the assumption and control of the one who is known to be dangerous. The courts have been reluctant to hold a child liable for assuming the care of their parents or grandparents. In *Megeff v. Doland*, the California Court of Appeals required that certain factors must be required when deciding to hold a third party, who voluntarily assumes the care of a family member, liable for the actions of that family member. Determining whether the action was foreseeable must be considered along with the economic ramifications of holding the family liable.

For reasons of public policy, the common law rules for establishing a special relationship to impose liability would contradict the goal of having family members looking after their aging relatives. In order to coincide with public policy, a family member can voluntarily choose to care for another. They will then file a notification with the state, which will then require all healthcare professionals to report any information, regarding a driver's declining functional ability, to the family member. The legislature will need to step in to protect a family member who chooses to become involved. If the family member cooperates with the physician's notification, they can be given immunity from liability from any acts resulting from the diminished functional capacity cited in the documentation.

Krinock Lecture Series: The *Brown v. Board of Education* Decision

Speech by Professor Dr. Robert Green;
Michigan State University

Prior to 1954, the laws of segregation prevailed in the United States and racial segregation in public schools was the norm across America. Although all the schools in a given district were supposed to be equal, most African American schools were far inferior to their white counterparts. Following the Supreme Court's decision regarding the *Plessy v. Ferguson* case in 1896, many African Americans, including Charles Houston and Thurgood Marshall, decided to push to dismantle the legal basis for racial segregation in schools and other public facilities. One of the most significant cases regarding segregation was the case of *Brown v. Board of Education*.

In *Brown*, an African American student named Linda Brown had to walk one mile to get to her elementary school, even though a white elementary school was only seven blocks away. Linda's father, Oliver Brown, tried to enroll her in the white elementary school, but the principal of the school denied enrollment. The NAACP, suing on behalf of Mr. Brown and others similarly situated, challenged the constitutionality of segregation in public schools and argued that segregation was not equal and it violated the equal protection clause of the 14th Amendment. In 1954, the U.S. Supreme Court ruled unanimously to outlaw racial segregation in the nation's public school system. The Court stated that in the field of public education the doctrine of 'separate but equal' has no place and held that the separate educational facilities for children in public school are inherently unequal, thus unconstitutional.

It is doubtful if the Supreme Court has ever in all its history made a decision of greater social and ideological significance than this one. Although the Court's decision did not abolish segregation in other public areas, such as restaurants and restrooms, the *Brown* decision did initiate educational and social reform throughout the United States and was a catalyst in launching the modern civil rights movement. However, bringing about change in the years since the *Brown* decision continues to be difficult.



Sitting, from left: Jennifer R. Martin, C. Jill Goodell, Virginia Zigras, Nadine Huggins, Kimberly Angelini. **Standing, from left:** Pat Martin, Nicholas Johnson, Paul Bugenhagen Jr., Michael L. Oakes, Jeffrey D. Pinter, Troy D. Clarke, Valissa Bunting, Ian Guy, Chad T. Corrigan, Richard Sexton, Corrie Schmidt.



Sitting, from left: Nathan Williams, Angela Kimber, Jason Henry, Scott Basel, Kasio Kembo Mida Jr. **Standing, from left:** Kristine Dax, Bonnie Taylor, Dawn C. Beachnau (Law Review Secretary), Janelle Benjamin, Laurie Schmidt.



First row, from left: Nena Meath, Shannen Muir, Julie Kretzschmer, LeDeanna D. Keyes, Trisha M. Verder, Sima Patel. **Second row, from left:** Charles Jones, Jeffery Sprys, E. Martin Enriquez, Gary Huggins, Anne M. Hier, Robert Bellenir, Orin Paliwoda

Remarks of Judge Gerald E. Rosen at the Thomas M. Cooley Law School Distinguished Brief Award Banquet

How should our judiciary deal with cases involving terrorism post 9/11? Specifically, how should courts confront terrorism in a way that will preserve our most fundamental values and civil liberties, but at the same time allow the executive and legislative branches to effectively safeguard our lives?

According to the Hon. Judge Gerald E. Rosen, who presided over the nation's first post-9/11 terrorism trial, these issues are more important now than ever because our nation's commitment towards judicial independence is being drastically challenged.

Speaking of judicial independence, Judge Rosen stated that the judiciary must be ever mindful that cases involving terrorism are still cases in which constitutional rights and procedural safeguards apply. Furthermore, judges must remain ever imperative gatekeepers of justice and not get caught up in the public fervor surrounding terrorism. The key is to give the executive and legislative branches some freedom, but not at the expense of giving up our core civil liberties. Judge Rosen put it best by stating, "The war on terrorism is not a justification for rubber-stamping the actions of the executive and legislative branches, nor is it an invitation to turn a blind eye to our basic civil liberties."

Tyranny of the Minority: The Unconstitutional Filibuster and the Superimposed Supermajority on the Advice and Consent Clause of the Constitution.

By Martin Eduardo Enriquez

The constitutional mandate is clear: The U.S. Senate is to advise the President and consent to executive nominations to the federal judiciary. However, the clarity of that mandate has been muddied by that long-flexed procedural muscle unique to the Senate, the filibuster. What was arguably introduced as a procedural tool to ensure that the Senate remains the great deliberative body within American government has evolved into a dangerous, oppressive weapon of party politics, which unconstitutionally impedes majoritarian democracy.

Recently, the Senate has begun using a two-tracked system designed to mitigate the device's effect, which allows the Senate to resolve uncontested matters early while letting the factions continue the filibuster later in the day. However, this system, coupled with the filibuster's ever-increasing use to block judicial nominations, has made the filibuster an even more powerful delay device. Now, rather than simply permitting a minority faction to forestall voting on Senate business, minority groups can, and have, permanently blocked the confirmation of presidential nominations to the judiciary. Such empowerment manifestly violates the clear and limited mandate for the Senate to advise and consent; thus, the present use of the filibuster violates our American constitution.

Law Review

Binding Arbitration as a Political Tool to Remove the Agricultural Labor Exemption in the NLRA

By John Mead

This Article suggests that binding arbitration will be the answer to eliminating the excess of illegal Mexican immigrants that come into the United States each year to seek out work as farm laborers. Illegal immigrants who come into the United States place a burden on every American citizen, because they are stripping the American workforce of job opportunities. Illegal immigration poses a larger problem for the economy of states which border Mexico; they are faced with increased costs of education and welfare, not to mention the rise in crime. Farmers are encouraging this cycle by eagerly seeking out the labor of illegal immigrants because they are plentiful, the process and paperwork is informal, and they come at a cheap price. Farmers can get around paying farm laborers minimum wage, because they are exempt from the National Labor Relations Act of 1932 (NLRA). While most laborers are afforded the right to bargain for wages, benefits, and working conditions, the farmer's exemption is a result of their struggle during the Great Depression and they do not have these luxuries.

There have been attempts on the part of the United States government and individual states to combat the exception, but farmers have strong political opposition in our country. Farmers are opposed to the collective bargaining, because they fear that unions and the possibility of strikes will put their crops in jeopardy. Farmers cannot afford to have a shortage of labor due to the uniqueness of the product; during harvest crops will perish if they are not attended to.

The Article discusses several strategies (including the Immigration Reform and Control Act), which have tried, unsuccessfully, to alleviate the problem of illegal farm laborers, which outlines their pitfalls. The proposal is the use of binding arbitration that would eliminate the farmer exception under the NLRA, while at the same time prohibit the use of strikes and make them unnecessary and illegal. This compromise between the government and farmers would benefit all of those involved. Farm laborers will have the opportunity to negotiate for wages and benefits, and at the same time farmers will have the security of knowing that they will have a steady supply of laborers during their harvest.

The Article further explains the role that unions will play. Unions, rather than the farmers, will be responsible for monitoring the legal status of farm laborers and ensure that they meet the qualifications set forth under the NLRA. At the same time, farmers would be discouraged from entering into collective bargaining with undocumented farm laborers, because they would be held strictly liable.

Mock Trial



MOCK TRIAL BOARD **Sitting:** Elizabeth Clarke, Mia Porter, Jennifer Marshall, Alicia Hall, Olga Lopez, and Synda Sangmor; **Standing:** Erica Zimny, Chris Jacobson, Marcie McWayne, Ryan Friebele, Jacquelyn Alexander and Christine Louie



MOCK TRIAL EXECUTIVE BOARD **Sitting:** Jessica Frazier, Tasha James, RuShondra Jones, Kristin Heyse, and Dorothy Tran **Standing:** Mackline Bastien, Jonathan Beato, Kevin Peterson, Nick Dybas, and Lorna Maloney. **Not Pictured:** Alicia Martin, Tiffany McEvans, Cindi Milia, Jennifer Smith, and Faculty Adviser Peggy Rostorfer

Moot Court



Sitting, from left: Janelle Benjamin, Kieste Mayfield, Rinzer Williams III (Vice Chair), LeDeanna D. Keyes (Chair), Stephen Knights Jr. (Interim Chair), Sarina Fifer (Secretary), Alicia Hall. **Standing, from left:** Douglas Meeks, Virginia Zigras, Nicholas Johnson, Ryan Friebele, Chris Turner, Jennifer Smith, John Menezes, Erin Novak, Melissa Krauskopf, Jessica Frazier, Thomas Reimel, Heather Welch, Garvin G. Ambrose, Annemarie Case

Law Journal



The Thomas M. Cooley Journal of Practical and Clinical Law

The *Thomas M. Cooley Journal of Practical and Clinical Law* invites you to submit articles to the *Journal* for publication. As a Cooley graduate, you are aware of how important it is to have practical legal education and experience. After all, you are the product of Cooley's objective, which is to provide students with the requisite knowledge, skills, and ethics to have a successful legal career, and to be a valuable member of society.

The *Journal* is an extension of Cooley's mission to promote practical, legal education. Our mission is to publish intellectual articles that teach and strengthen practical lawyering skills. The *Journal* seeks articles and essays from practitioners and students in all legal practice areas. We regularly publish articles, comments, casenotes and selections from symposia, conferences, and forums.

There are many benefits of submitting your article to the *Journal*. Practicing attorneys and students throughout the nation might well read and apply what they learn from your article. It could be a highlight of legal discussions in the constantly evolving field of law.

The *Journal* offers a simple editorial process for article publication. Once your paper is received, pre-empted, and accepted, the publication process begins. We work with our team of editors to do source checks on all citations in the paper. Our team also thoroughly checks for grammatical errors. Once your paper goes through the initial editing process, you will receive a copy of our corrections. The paper is then edited again according to your suggestions from your review. After we incorporate the new changes, the paper goes through a final thorough edit by our senior editors. If requested, you may review your paper after our final edit. The paper is then forwarded to our publishers who give us one final opportunity to review the paper before the publication is printed. Our publication process is a team effort. It is an opportunity to learn and grow as writers in our profession. *Journal* does what it takes to produce quality publications for its readers. If you are interested in submitting an article for publication, please contact the *Thomas M. Cooley Law Journal* office at (517) 371-5140, ext. 4504. We can also be contacted via e-mail at lawjournal@cooley.edu. We look forward to hearing from you soon!

Sincerely,
The Board of Editors



First Row, sitting: Prof. Terrence Cavanaugh (faculty adviser), Syntoria Spencer (Co-Senior Communication & Circulation Editor), Keysha Harris (Senior Articles Editor), Janecki Nance (Co-Senior Communication & Circulation Editor), and John Frame II (Editor-in-Chief) **Second Row, standing:** James Edokpolo (Special Liaison), Stephen Knights Jr. (Senior Research Editor), Brendon Basiga (Research Editor), Teneeka Cusack (Senior Marketing Editor), Alithyni Rucker (Business Editor) **Not Pictured:** is Toni Young, (Managing Editor).



Sitting: Tara Charles, Andrea Campbell, Jessica Frazier, Jennifer Slatten, Gaudys Sanclemente, Thea Davis, and Samanda Rene' **Standing:** Alfreda Newton, Michael Braem, Okichukwu Oji, Jennifer Smith, Robert Robinson, Darren Southard, and Garvin Ambrose **Members not pictured:** Abiola Babalola, Thomas Gibbons, Roshanda Heath, Alicia Martin, J. Clay McKisson, Ian Morton, Christy Oakes, Melissa Platte, and Laurie Thake

Graduation

HIGHLIGHTS



Roger A. Needham Class

Members of the Roger A. Needham Class received their *juris doctor* degrees on May 22, 2004. The Hon. Jeffrey L. Martlew, 29th Judicial Circuit Court Judge, was the commencement speaker. Richard J. Reister gave the valedictory address.

Mark Gordon Sands graduated *summa cum laude*, earning the James E. Burns Memorial Award, and Willette Joyce Northup, *cum laude*, won the President's Achievement Award.

Summa status is awarded to the graduate with the highest cumulative grade point average in the class. The President's Achievement Award is given to the graduate who has the biggest percentage academic increase between incoming freshman index and graduating GPA.

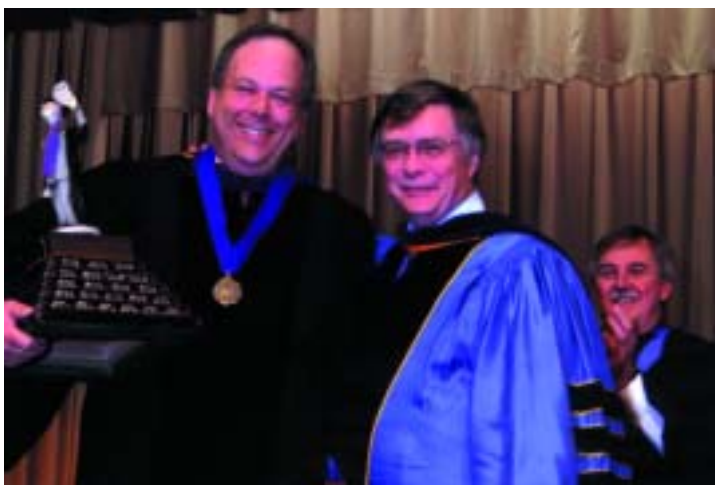
Professors Terry Cavanaugh and Philip Prygoski shared the Stanley E. Beattie Teaching Award, an honor voted on each term by the graduating class.



Mark Sands (far left), *summa cum laude*, graduated tops in his class. Richard Reister was chosen by his classmates to deliver the valedictory address.



The Hon. Jeffrey L. Martlew (Campbell Class, 1976) delivered the commencement address.



Professors Terry Cavanaugh (left) and Phil Prygoski shared the Beattie Award for Excellence in Teaching, an award voted on by the graduating class.



Willette Northup (left) winner of the President's Achievement Award accepts congratulations from Cooley President Don LeDuc.

Graduates

Needham Class, May 22, 2004

Rhonda Lynette Allen
Azi Amirteymoori
Robin Deborah Aronson
Dorothy M. Atwell, *MAGNA CUM LAUDE*
David Malcolm Aukerman
Cynthia Balcom
Patrick Aaron Beatty, *CUM LAUDE*
Claudia Pilar Benavente
Steven Douglas Benson
Shital Bhakta
Sabita Bickhram
Rose Marcella Billeci
Dara Beth Biltekoff
Pamela K. Blevins-Behjatnia
Jennifer Ann Bork
Scott Allen Bradtmiller
Nathaniel E. Brand III
Michael E. Brandt
Jennifer Lynn Brant, *CUM LAUDE*
Fanta Kai Brooks
Tiffany Nadjel Brown
Heather Sigrid Gray Bruce,
MAGNA CUM LAUDE
Tessie René Buchner
Johanna Jean Campbell, *CUM LAUDE*
Ryan John Cantlin
Amy Elizabeth Church, *CUM LAUDE*
Jason Michael Cieslik, *CUM LAUDE*
Dana LeeAnn Cilla, *MAGNA CUM
LAUDE; DISTINGUISHED
STUDENT AWARD*
Kristen Marie Clark
Tisha La'Toya Connelly
Jodi Denise Copenhaver
Patti Lynn Crawford, *CUM LAUDE*
Stephen Crawford
William J. Crock
Sarah Ruth Croghan
Jerome Leon Davis
Stacye La Shawn Davis
Steven Duane Day
Gloria Dikwa-Nkrumah
William Christopher Dixon
Erika Lyn Domarew, *CUM LAUDE*
Benjamin Paul Drayton
Geoffrey Dunn
James Matthew Duquet, *MAGNA CUM
LAUDE*
Ekugbere Ejoh
Kelley M. Enderley
Lesla Michele Endress
Kevin Douglas Ewald
Gerard Edward Faber Jr., *CUM LAUDE*
Kimberly Ann Fink, *CUM LAUDE*
Nicole M. Fox
Michelle Christina Francis
Kevin David Gailfoil

Nicole Michelle Galloway
Joseph Edward Galvin,
MAGNA CUM LAUDE
Adriana Garcia, *CUM LAUDE*
Heather Joy Rider Green
George M. Griffith Jr.
Christina Marie Grossi,
MAGNA CUM LAUDE
Lorena Novar Gutierrez
Kostas Hagikiriakos
Dominic Nathan Hamden, *CUM LAUDE*
Cassandra Denise Harmon, *LEADERSHIP
ACHIEVEMENT AWARD*
Philip Joseph Harper, *CUM LAUDE*
John T. Harrison, *CUM LAUDE*
Andrew John Hazley Jr.
Tonia Lynn Hernandez
James Ray Hoffman
Nancy Ann Hornacek
Melissa Michelle Hornyak,
MAGNA CUM LAUDE
Dario Demetrius Ianni
Raed Nasir Jabr
Sara Jazayeri
Benjamin Samuel Johnson
Debbie Lorraine Jones, *LEADERSHIP
ACHIEVEMENT AWARD*
Elias G. "Louie" Kafantaris
Jay Cameron Kakaty
Wendy A. Kazel
Raymond Keane
Aaron Joseph Kenyon,
MAGNA CUM LAUDE
Mohammed Javad Khan
Elissa Foster Knecht
Lauren April Kohrumel
Kiyoshi Kozu
Judy Lynn Kruger
Daniel Bradley Lambert, *CUM LAUDE*
Brian J. Lancial
Lisa G. Lanxton
Eric Allen Laue
Sandra Prieto Legarreta
Wez Ligon, *CUM LAUDE*
Thomas Chris Linas
Sean William Logsdon, *CUM LAUDE*
Michelle Lowrie-Alsbach
Jennifer Lynne MacDougall
Steven D. Mann, *CUM LAUDE*
Connie Lynn Marean, *CUM LAUDE*
Orlando L. Martinez
Marc Everette May, *CUM LAUDE*
Martin A. McCloskey
Joel Mendoza
Sommer Don Meza
Abraham Michelson
Gregory Jon Mick

Frances Almira Davis Mitchell
Aaron Michael Morrissey
Teresa Joan Mulford
Justin Raul Murray
Hilary Iris Nat
Justin Durwood Nelson
Willette Joyce Northup, *CUM LAUDE;
PRESIDENT'S ACHIEVEMENT
AWARD*
Eloisa Ontiveros, *CUM LAUDE*
Tammy L. Ortman, *CUM LAUDE*
Deborah K. Palmer, *CUM LAUDE*
Landon Elliott Pelkola
Danielle Perez, *MAGNA CUM LAUDE*
Sonia Elizabeth Pineda
Renée Loren Plummer
Richard Joseph Reinhardt II
Richard James Reister, *CUM LAUDE*
Heidi Darlyne Rettinghouse, *LEADER-
SHIP ACHIEVEMENT AWARD*
Nicholas A. Reyna
Marionette D. Richardson
Anthony Martin Rose,
MAGNA CUM LAUDE
Mark Gordon Sands,
SUMMA CUM LAUDE
Ullice Sauls III
Paul William Scally
Patrice E. Sessa
Walter Roderick Seymour
Ross Teele Smith
Michael Speciale
Adam J. Speier
Angela Maria Speziale
Richard Scott Springer
Monica Michelle Stephens
Kevin Jay Stoops, *MAGNA CUM LAUDE*
Wendy Jane Strouse
Jolyda Otylie Swaim, *CUM LAUDE*
Jill Marie Swiontek, *CUM LAUDE*
Olivia Rose Taiarol
Lisa Renee Taylor
Samuel Ray Terry
William Terwort
Kwame D. Thomas
Nedra A.S. Thompson
Ava Touloupakis
Michael Robert Vaccaro
Paul Martin Vargas, *CUM LAUDE*
Thelma Faith Viajar
Asia Vue
Joel Andrew Walker
Wesley Aaron Warren
Mogeeb Weiss
Donna E. Weston
Briar Lee Wilcox
Maurice Dean Williams
Yusuf Sharif Wilson
Clay Lee Woods, *CUM LAUDE*
Roscoe A. Woods, *CUM LAUDE*
Joseph Anthony Worthington Jr
Joseph T. Yaksich, *CUM LAUDE*
Obie Brian Yordy
Jody Young-Woodbury, *CUM LAUDE*
Norka Maria Zagazeta, *CUM LAUDE*
Diana Doreen Zugaj

D.S.A.

Distinguished Student Award.

Alumni Association President Charles Toy Grants The Distinguished Student Award for the Swift Class.

The faculty, staff, and student body of the Thomas M. Cooley Law School gathered in the auditorium on Friday, July 9 for the Honors Convocation of Trinity Term 2004. Alumni Association President Charles Toy of the 1981 Kavanagh Class was on hand to grant the Distinguished Student Award to two members of the graduating Theodore W. Swift Class.

The eight students nominated for the Distinguished Student Award furnished a variety of information, including résumés and letters of reference that were reviewed by the Executive Committee. Nominees were also personally interviewed as part of the selection process. Members of each graduating class are evaluated on the criteria of character, academic accomplishment, leadership, and extracurricular activities in the decision to grant the Distinguished Student Award.

Kristin M. Heyse will sit for the February 2005 Michigan Bar Examination. Her primary areas of interest are legal research and writing and torts. Ms. Heyse will take her first professional position at the Pre-Hearing Division of the Michigan Court of Appeals following graduation. Eventually, she aspires to become a professor at Cooley.

Caryl D. Williams will take the February 2005 Bar Examination in either Michigan or New York, unless she decides to seek an LL.M. degree. She is most interested in practicing entertainment law. Ms. Williams is hoping to be employed at her externship site, BMG Entertainment in New York City. She wants to make her career in the representation of recording artists.

The Alumni Association is proud and pleased to give recognition to these outstanding members of the Swift Class and extends its best wishes for their continuing success.



Honored — Alumni Association President Charles Toy (left), Distinguished Student Award winners Kristin M. Heyse and Caryl D. Williams, and Alumni Relations Director Darryl Parsell.

Cooley's Toronto Summer Program Hosts Fifth Canadian Krinock Lecture

Cooley Law School hosted a Krinock lecture and reception at the University Club in Toronto. The event was held on June 11 and was hosted by James Morton, Cooley Law School's Toronto program co-director. The lecture was delivered by Professor Neil Gold, the provost and vice-president, academic, of the University of Windsor. He is a member of the law faculty, and has served as dean. A reception for the 30 guests followed the presentation.

Professors from Cooley and their guests included Prof. William Weiner, Prof. Keith Hey and his wife, Sharon Rushcamp; and Prof. John Scott, and his wife, Donna

Scott. Toronto adjunct faculty were represented by Justice Todd Archibald, Mary Ross Hendriks, James Flagal, and Laura Nemchin. Past adjuncts Paul Paton and Ian Lebane were there as well.

Students from Cooley in attendance were Imelda Antonio, Rick Bickhram, Sam Biers, Sandy Calixte, Douglas Chan, Nigel Daniels, Fabiola Duverger, Rejeanne Eyre, Maria Frantom, Michael Gallero, John Goodin, Shereika Grant, Peter Loritz, Rashed Rahman, and Kelli Wilson. On June 12, members of the group continued to socialize at the Toronto Blue Jays/Arizona Diamondbacks baseball game.

Faculty Briefs



Brendan T. Beery, Assistant Professor
Published, an article, "Some Particularly Useless Words," in the *Michigan Bar Journal*.

Published, an article, "It is what it is," in the *Michigan Bar Journal*.

Published, an Op. Ed. piece in the *Lansing State Journal*, "Marriage Fear Lacks Basis in Law."

Published, an Op. Ed. piece, in the *Peoria Journal Star*, "Aristotle Would Cringe at How Foreign Policy is Made."



Ronald Bretz, Professor
Spoke, at the Michigan Judges Association conference on Mackinac Island on Aug. 16, 2004. He summarized the Michigan Supreme Court criminal law decisions for the last 12 months.

Patrick Corbett, Associate Professor
Spoke, on "State of Computer Crime in Michigan," at the Association of Trial Lawyers of America, Cooley Law School Chapter, Lansing, Mich., on Feb. 27, 2004.



Attended, "Cybercrime and Digital Law Enforcement Conference," Information Society Project, Yale Law School, New Haven, Conn., March 26-28, 2004.

Spoke, on "State CyberCrime Laws," Information Systems Forensics Association, Washtenaw Community College, Ann Arbor, Mich., March 31, 2004.

Spoke, on "State Computer Crime Laws," for the Prosecuting Attorneys Association of Michigan, Victim Rights Unit, Variety Store Training, Thompsonville, Mich., May 5-6, 2004.

Spoke, on "Identity Theft," for the Prosecuting Attorneys Association of Michigan, Prosecutor Staff Development Conference, Frankenmuth, Mich., May 27, 2004

Spoke, on "State Cyber Crime Laws," for the U.S. Secret Service, Michigan Electronic Crimes Task Force & Infragard Training Day, Detroit, Mich., June 25, 2004.

Spoke, on "Identity Theft," for the Ogemaw County Prosecutor's Office, West Branch, Mich., and Rose City, Mich., on July 22, 2004.



Elliot B. Glicksman, Professor
Spoke, before the Nevada Bar Association on Oct. 8, 2004, in Las Vegas.

The topics included the Hearsay rule, scientific evidence, and impeachment methods. He has spoken before this group on other occasions.



Lisa Halushka, Associate Professor
Spoke, on "Handling the Child Welfare Case — Applying Law to Practice," at a full-day training session sponsored by the State Court Administrative Office and the Governor's Task

Force on Children's Justice, June 18 and Aug. 13, 2004, both at Oakland County Circuit Court.



Peter Jason, Professor
Published, in the February/April 2004 edition of *The Dispute Resolution Journal*, a book review of *Commercial Arbitration, Third Edition*, by Thomas H. Oehmke, published by West Group.



Mara Kent, Assistant Professor
Attended, the Sesquicentennial Conference on *Hadley v. Baxendale*, in Gloucester, England, in June 2004.

Delivered, a paper, The Anglo-American Common-Law History of Non-Economic Damages in Breach of Contract Actions, at the Sesquicentennial Conference on *Hadley v. Baxendale* in Gloucester, England, in June 2004.

Appointed, Contributing Editor of the *AALS Contracts Newsletter* by the AALS Contracts Section Chair, Frank Snyder.



Joseph Kimble, Professor
Spoke, on "Avoiding Ambiguity" at the annual meeting of the American Bar Association. He was part of a panel on "How Lawyers Should Write," at a session cosponsored by the Section

of Business Law and Scribes.

Spoke, at the biennial conference of the Legal Writing Institute, as part of a panel on "Getting Published."

Spoke, on live grading at a conference of the Great Lakes Legal-Writing Consortium.

Completely redrafted, the Constitution and bylaws of Scribes — The American Society of Writers on Legal Subjects. The new Constitution and bylaws were approved at Scribes' annual meeting.

Acknowledged, on the masthead page of the eighth edition of *Black's Law Dictionary*. Professor Kimble served on the Board of Academic Contributors.

Don LeDuc, President and Dean,

Published, a book, Michigan Administrative Law, 2004 Supplement, by West Group.

Spoke, on a panel discussion, regarding Legal Education in a Period of Dynamic Transition, for the Southeast Association of Law Schools, in Charleston, S.C.



Nelson Miller, Associate Professor

Accepted, for publication, the article "Conceptual and Historical Errors in Tort Law," by the ABA's *Tort & Insurance Practice Law Journal*, Fall 2004.

Accepted, for publication, the article "An Ancient Law

of Care," by the *Whittier Law Review*.



Chris A. Shafer, Professor

Attended, the AALS Workshop on Racial Justice and the AALS Conference on Environmental Law in a Global Context, June 13-18, 2004, in Portland, Oregon.



Otto Stockmeyer, Emeritus Professor

Published, a book review of *A Matter of Right: A History of the Michigan Court of Appeals*, in the Spring/Summer 2004 issue of *The Mentor*, published by the State Bar of Michigan's Senior Lawyers Section.

Published, an Op-Ed column, "Newspapers Should Identify Appellate Judges, Says Professor," in the Aug. 8, 2004, edition of the *East Lansing Towne Courier*.

Honored, as a founder of The Fellows of the Michigan State Bar Foundation, at the State Bar of Michigan's Annual Meeting Keynote Luncheon Sept. 30, 2004. Prof. Stockmeyer was president of the Bar Foundation when The Fellows organization was created 20 years ago to recognize professional distinction and generate resources. In the intervening years, Fellows members have contributed over \$1 million for law-related public service programs.



Amy Timmer, Associate Dean of Students and Professionalism

Attended, the ABA Expo, Aug. 4-8, in Atlanta, Ga.

Spoke, on Teaching Professionalism in Law School, Aug. 7, 2004, at the ABA Expo in Atlanta, Ga.

Appointed, by the Attorney Discipline Board, as a panel member for the Ingham County Hearing Panel on attorney discipline cases.



Gerald Tschura, Associate Professor

Attended, the International Trademark Association (INTA) Annual Meeting, in Atlanta, Ga., May 2-4, 2004.

Attended, the 30th Annual Intellectual Property Law Summer Institute, on Mackinac Island, Mich., July 22-24, 2004.

Spoke, on "Intellectual Property Holding Companies, Risks and Rewards," at the International Trademark Association Annual Meeting, May 2004 Atlanta, Ga.



William Wagner, Associate Professor and Director - Center for Ethics and Responsibility

Presented, a seminar, Codes of Conduct, Virtue and the Ethical Practice of Public Interest Constitutional Law, at the Alliance Defense Fund's National Litigation Academy, July 8, 2004, in Yucatan, Mexico.

Compiled, an Ethics & Anti-Corruption Manual for judges and prosecutors, published by USAID as part of an international rule of law program in the Middle East, Aug. 20, 2004.

Edited, Vol. 40 of the *Liberian Law Reports*, the official reporter for Liberian Supreme Court Opinions.

Sponsored, at the Cooley Law School, the trial advocacy portion of the Student Statesmanship Institute's summer civic education program for high school students. Over 150 students and parents attended the trials held in Cooley's new courtroom.



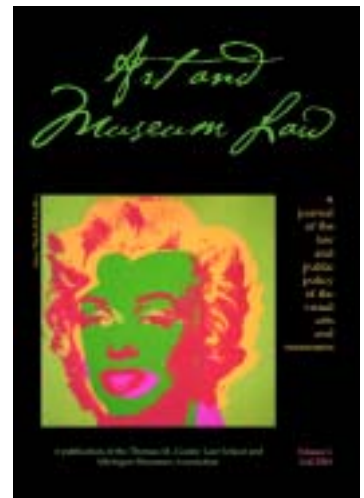
William Weiner, Professor and Associate Dean

Visited, with Cooley students attending foreign study programs in Cambridge (operated by Mississippi) and Oxford (programs run by Oklahoma and Florida State).

Wrote, a book review of Joseph L. Sax's *Playing Darts with a Rembrandt*, for publication in Cooley's new *Art Law Journal*.

A New Publication at the Thomas M. Cooley Law School

The Thomas M. Cooley Law School is joining with the Michigan Museums Association to produce a legal journal dedicated to legal issues related to museums and the visual arts, including public policy, collections management, copyright, and more. *The Journal of Art and Museum Law and Public Policy* will be one of the few legal journals in the world which is



dedicated to the museums and the arts and is a joint effort between a law school and a major arts and museum organization.

The Michigan Museums Association is an organization of over 400 members including the Detroit Institute of the Arts, the Cranbrook Art Museum, many of the lighthouses in Michigan, and numerous local historical organizations. Teresa Goforth, executive director of the Michigan Museums Association said, "We in the arts and museum world are enthusiastically joining with a major law school to explore and discuss the legal and public policy questions of the arts and museums."

The Journal of Art and Museum Law and Public Policy will use a format that differs from the more traditional law reviews. Articles will be shorter, averaging eight to 10 pages, in order to encourage legal practitioners and arts and museum professionals to read the articles and, on occasion, to write for the *Journal*. There will be fewer footnotes. Footnotes will be used to provide the reader with an opportunity to do more reading on the subject. The *Journal* will also have color reproductions of many of the works of art mentioned in the *Journal*.

The first issue of the new journal is now going to the publishers. The cover will have a color reproduction of Andy Warhol's "Marilyn." Sarah Conley, prominent Los Angeles art lawyer, has written an article on the authentication of works of art including the current controversy about the Warhol authentication committee.

Cooley Professor Kathleen Butler has written an article about artists' pseudonyms and the law. John Stephen Proffitt III, a New England lawyer and auctioneer, has written an article on the law of auctions and Professor Charles Palmer has written an article on one of the well-known art law trials, *Whistler v. Ruskin*. Professor William Weiner has written a book review of Professor Joseph Sax' seminal book, *Throwing Darts at Rembrandt*.

The Journal of Art and Museum Law and Public Policy will be published twice a year. Most of the articles for the second issue have been received. Subscriptions, \$27/year, are available by sending in the tear off postcard in the back.

Letter from the Alumni Association President



Addressing Inevitable Change

By: Charles R. Toy, President
Thomas M. Cooley Law School Alumni Association

Sir Francis Bacon (1561-1626), Lord Chancellor of England, wrote: "He that will not apply new remedies must expect new evils; for time is the greatest innovator; and if time . . . alter[s] things to the worse, and wisdom and counsel shall not alter them to the better, what shall be the end?"

Thomas M. Cooley Law School is no exception. Time has been a great innovator in the study of law and for the law school. Cooley, since its inception, has seen dramatic growth in facilities, faculty, staff, students, graduates, program offerings, use of technology, and Web-based communication and research.

So too, the Cooley Law School Alumni Association, with "wisdom and counsel," must change to keep up with the innovations at the law school, with its graduates, and with the way law is practiced. The Alumni Association was created in the early years of the law school's history when there was a relatively small number of Alumni who generally lived near Lansing. Now Cooley Law School has graduates in all states, as well as in many territories and foreign countries. There have been 87 graduating classes.

The original bylaws of the Alumni Association were set up for the election, before graduation, of two class representatives from each class. The terms of office for each class representative were not limited in duration. Although class representatives had the best of intentions when they were elected, moves, professional life, personal relationships, service commitments, and other transitions can sometimes make participation in the Alumni Association very difficult. In the meantime, many alumni who are eager to serve the Alumni Association are excluded. This is exactly opposite the intended purpose of the Alumni Association.

"What shall be the end?" Over the past year, the executive committee of the Alumni Association has undertaken a comprehensive strategic planning process. The results of this process are proposed new bylaws for the Alumni Association.

In the proposed bylaws, all graduates and honorary degree recipients of the law school are eligible for regular membership in the Alumni Association. Each eligible member will pay annual dues in order to commence or maintain membership in the Association. Management of the Association will be by a board of directors. Board members will be elected by submission of a slate of nominees to a majority vote of the membership of the Association in attendance at an annual meeting. The work of the Alumni Association will be through standing operating committees. These

operating committees are Special Events; Student Recruitment; Fundraising; Membership and Outreach; Student Service; Constituent Alumni Club Oversight, and Past Presidents Committee. The executive committee of the Alumni Association will be comprised of the four elected officers, president, vice-president, secretary, and treasurer, and the chairpersons of the standing operating committees. The state, regional, and local alumni clubs will not be affected.

Under the proposed bylaws, the new board of directors will be a manageable size to meet regularly and effectively, and will focus on delegation of duties to operating committees to assure that the time and efforts of each participant are effectively utilized. The new bylaws are more responsive to changes that can be expected in the lives and interests of Alumni. More Alumni will be involved in the Association through the work of standing committees. The dues requirement is the most controversial item in the revised bylaws, but a small annual financial commitment will indicate those Alumni who share a continuing sense of connection and support for the law school. Additionally, Alumni of the law school recognize that limited school funds should go to support present students.

The proposed bylaws will be presented, discussed, and voted upon at the Oct. 23, 2004, annual meeting of the board of governors. If you have any questions or concerns, please contact Darryl J. Parsell by telephone at (517) 371-5140 ext. 2003, or by e-mail at parsell@cooley.edu, or contact me, Charles R. Toy, by telephone at (517) 351-3700 or by e-mail at crtoy@farhatandstory.com.

Lastly, I invite your support of the law school and the Alumni Association. Ways for you to become involved are listed in the "Letter from the Alumni Association President" in the two most recent volumes of *Benchmark*. These are available for review at www.cooley.edu/publications/benchmark.

Let me suggest an easy and painless way to support alumni programs. Respond to the MBNA enrollment letter for the Cooley VISA card. The rates and benefits are the same as you would receive from any other group card, and the Alumni Association receives a royalty payment for each account card opened or renewed, as well as for purchases charged. In the past, royalty checks have been used to support the Distinguished Alumni Award, Distinguished Student Award, Alumni Scholarship Fund, Cooley for Kids Program, and other programs that directly benefit Cooley Alumni and present students.

Have a blessed holiday season, and remember to order your holiday wreaths from the Alumni Association.

alumni**news**

Admission Ceremony for February 2004 Michigan Bar Examinees Hosted by Cooley in its New Courtroom

Successful examinees of the February 2004 Michigan Bar Examination were admitted as new attorneys at a standing-room only ceremony held on May 17 in the new fifth floor courtroom in the Cooley Center. Faculty, family, and friends were able to share the moment when these candidates became members of the State Bar of Michigan. Participants socialized at a reception held by the school following the ceremony.



The swearing-in program was provided with the assistance of the Ingham County Clerk's Office and the Ingham County Bar Association. Cooley's President and Dean Don LeDuc welcomed the admittees and their guests on behalf of the school. Larry Nolan (Cooley Class, 1976), president of the Ingham County Bar Association and a member of the Cooley Board of Directors, was responsible for the convening of the court while the Hon. Laura L. Baird (Wiest Class, 1979), judge of the 30th Judicial Circuit Court, granted the motions to admit the new attorneys.

Many of the admittees and sponsors were graduates of Cooley Law School. Twenty new attorneys entered the legal profession at the ceremony, with 17 of them being Cooley alumni. The Cooley graduates in the group were Michelle Brya (Toy Class, 2003), sponsored by Larry Brya (Cooley Class, 1976); Novia Butler (Cross Class, 2004), sponsored by Holly Glazier (Adams Class, 1997); Amy Ignash (Cross Class, 2004), sponsored by Michael Woodworth and Andria Ditschman; Andrew M. Jason (Otis Smith Class, 2003), sponsored by Cooley Professor Peter D. Jason; Viola King (Toy Class, 2003), sponsored by Katherine A. Fox; Kevin Nichols (Cross Class, 2004), sponsored by Holly Glazier (Adams Class, 1997); Julie

Williams (Otis Smith Class, 2003), sponsored by Michael E. Williams; (Blair Jr. Class, 2001); Christian D. Arndt (Cross Class, 2004); Craig Gerard (Cross Class 2004); Stephanie Harig (Cross Class 2004); Terry J. Johnson (Blair Jr. Class, 2001); Michael Kitson (Toy Class, 2003); Dwight Kuhn (Toy Class, 2003); Smruti Parikh (Toy Class, 2003); Donald Pelland (Cross Class, 2004); Diane Davis-Waller (Cross Class, 2004); and Herbert Zimmerman (Otis Smith Class, 2003).

It was a great honor for the faculty and staff of Cooley Law School to share this joyous event with these new attorneys and their guests. Our congratulations and best wishes go to them!

Cooley Law School and the Southeast Michigan Alumni Association Host June Alumni Reception and Student Mixer at Oakland University

Cooley Law School and the Southeast Michigan Alumni Association hosted an Alumni Reception and Student Mixer at Oakland University's Oakland Center on June 4. Thirty one alumni from Southeastern Michigan and current students attending Cooley classes at OU joined SE Michigan Alumni Association Vice President Michelle Esperance (Weadock Class, 1999), Associate Deans Jim Robb and John Nussbaumer, and Alumni Relations Director Darryl Parsell (Wiest Class, 1979) at the event in Rochester.

The Cooley contingent included Professors Mark Cooney (Montgomery Class, 1992), Lisa Halushka, Daniel W. Matthews, Lauren Rousseau, Stuart Lazar, Joan Vestrand, Library Head of Public Services at OU Helen Levenson, Librarian Jie Li, Director of the Tax LL.M. Program Gina Torielli, and ARC Coordinator Brian Woodworth (Weadock Class, 1999).

In addition to Vice President Esperance, the alumni guests included Brian Casterline (J. Wilson Class, 2001), Venita Conway (O. Smith Class, 2003), Paul Gugel (Chandler Class, 1983), Sheldon Kay (Christiency Class, 1977), Viola King (Toy Class, 2003), Charles Kleinbrook (Grant Class, 1987), and Michael Maher (Toy Class, 2003).

Many of the admittees and sponsors were graduates of Cooley Law School.

alumni**news**

Cooley Law School's Law Library Opens to Both Cooley Students and the Community

Thomas M. Cooley Law School President and Dean Don LeDuc and officials from Cooley Law School's Grand Rapids location held a ribbon-cutting ceremony June 23, 2004, to celebrate the official opening of Cooley's downtown Grand Rapids public law library, located at 111 Commerce Street in the Cherry Street Landing district.

Cooley's Grand Rapids-based students, Grand Rapids Mayor George Heartwell, Rockford Companies CEO John Wheeler, city officials, community leaders, Cherry Street Landing neighbors, and members of the community were on hand to celebrate and commend Cooley for bringing a law library to Grand Rapids and opening it to the public.

"We are extremely pleased to be able to offer the Grand Rapids community its first law school," said LeDuc. "Cooley is very committed to the city of Grand Rapids and to the people of Grand Rapids. The library will serve as a valuable resource not only for our students, but for anyone wishing to further their legal education or expertise."

Following the ribbon-cutting ceremony, guests toured the 22,000-square-foot law library that spans the lower level and first floor of the renovated space and the newly constructed addition. The library offices are located on the second floor of the building, and a classroom, located on the first floor of the library, is currently being used to hold classes. The library contains more than 17,000 law books, two computer labs, study rooms, seating for 204 people, and legal materials available in print, electronic, and microform. Cooley students also have access to Westlaw and Lexis/Nexis, two large legal databases, as well as other electronic databases. The library is open to both Cooley students and those interested in doing legal research.

"The library will be a wonderful addition to our community and a place where people of all ages can gather and broaden their individual understanding of the law," said Heartwell. "I believe that no issue is more important to our community than education. Cooley's law library represents a commitment by Cooley and its partners in this endeavor to work toward a common goal of educational excellence for our entire community."



In fall 2004, Cooley began offering a variety of programs at its Grand Rapids law library that serve to educate and inform the public on a variety of legal issues. Cooley was also recently selected by the University of Michigan to host an exhibition, titled "A Case for Diversity: The Affirmative Action Debate at the University of Michigan," which will be held at Cooley's law library from Oct. 2-27. Cooley is one of six venues in the state selected to host the exhibition.

Construction on Cooley's Grand Rapids location began in September 2003 and will be completed in four phases. The construction project includes a renovation of one building and an addition, which together will total approximately 100,000 square feet. June's ribbon-cutting ceremony marked the completion of the first phase of the construction project. While construction is under way, Cooley students will continue to take classes on the fourth floor of WMU's Graduate Center downtown as well as in Cooley's law library.

Rockford Construction crews are already well under way on the second phase of the project, which includes the renovation and construction of offices for the dean and faculty members, classrooms, and an Academic Resource Center. The offices and resource center were completed in July and three, 30-seat classrooms will be completed this fall.

Phases three and four, which are slated to be completed in May 2006, include the construction of offices and classrooms on floors four and five. Cooley will open its five-story facility by the fall of 2006.

alumni**news**

Cooley Law School and the Georgia Alumni Association Host August Alumni Reception in Atlanta

Cooley Law School and the Georgia Alumni Association hosted an alumni reception in Atlanta on Aug. 5. Forty guests, including alumni from Georgia, Florida, Indiana, Michigan, and North Carolina attended the event. They were greeted by Georgia Alumni Association President Vaughn Fisher (Steere Class, 1995), Georgia Alumni Vice President Karen Fultz (McDonald Class, 1998) and Alumni Relations Director Darryl Parsell (Wiest Class, 1979) at the Sheraton Atlanta Hotel in downtown Atlanta.

The Cooley contingent was led by President and Dean Don LeDuc, and included Associate Dean/Grand Rapids, Lynn Branham, Director of Communications Terry Carella, Professor Joe Kimble, Associate Dean of Community Relations Helen Mickens (Bushnell Class, 1980), Associate Dean Innovation & Technology Charles Mickens, Coordinator of Clinical Programs Alecia Noteboom (Swainson Class, 2003), Associate Dean of the Oakland University Campus John Nussbaumer, Associate Dean for Development Jim Robb, Associate Dean of the Library & Instructional Support Duane Strojny, Distinguished Visiting Jurist Richard Suhrheinrich, Associate Dean of Students & Professionalism Amy Timmer (Pratt Class, 1988), Professor Joan Vestrand, and Associate Dean of Enrollment & Student Services Paul Zelenski. They were in the city to attend the annual meeting of the American Bar Association, in addition to joining alumni at the reception.

In addition to President Fisher and Vice President Fultz, the alumni guests included Lesley Abbott (Smith Class, 2003), Philip Botwinik (Williams Class, 1994), John Gatto (Lawrence Class, 1991), Bill Hogan (Steere Class, 1995), Lenny Krick (Johnson Class, 2002), Ray Lail (Ostrander Class, 1994), Anthony Lawrence (Flannigan Class, 1999), Matthew Schuurman (Stone Class, 1996), Michelle Smith (Cushing Class, 2000), Janet Allison Sossomon (Adams Class, 1997), Deborah Spitale (Voelker Class, 1997), Brian Uhelski (Chase Class, 2002), Katrina Wilson (Swainson Class, 2003), and Nikki Wright (Smith Class, 2003).

Everyone had a great time renewing old friendships and making new ones. All alumni interested in joining the Georgia Alumni Association are encouraged to contact Darryl Parsell at parselld@cooley.edu.

The Cooley contingent was led by President and Dean Don LeDuc

class**notes**

1976 Campbell Class

Dosson, The Hon. Douglas C., Roscommon County (Michigan) Probate Judge, had an article, "Can an Incapacitated Individual Sign a Valid Mortgage?" published in the April issue of the *Michigan Probate and Estate Planning Journal*. Phone: (989) 275-5221.

Jordan, Stephen H., of Pennsylvania, has been admitted to the American Arbitration Association Roster of Neutrals as a Commercial (Employment) panelist. He will arbitrate on labor and employment issues. He is a shareholder in the firm of Rothman Gordon P.C., where he's practiced law since 1976.

1977 Graves Class

Grumbine, David L., of Benton Harbor, Mich., was elected chairman of the Product Liability Advisory Council. Phone: (269) 923-5186; E-mail: david_l_grumbine@whirlpool.com.

1979 Butzel Class

Moore, James L. "Jamie," spoke as a senior contributing fellow for the National Network of Estate Planning Attorneys on the topic of "The Era of Wealth Reception Planning." Phone: (800) 785-1563.

Wiest Class

Gottlieb, Siri, of Ann Arbor, Mich., has expanded her psychotherapy practice to include divorce mediation, custody evaluations, and parenting facilitation. Phone: (734) 662-5850; E-mail: siri@umich.edu.

Clark Class

Betz, Larry, an at-large member of the Cooley Alumni Association Executive Committee, has co-authored with Donna Budnick (Bacon Class, 1990), an article, "Labor and Employment Law and American Indian Tribes," in the July 2004 issue of the *Michigan Bar Journal*.

1981 Long Class

Brown, José, of Flint, Mich., completed the Paris Marathon, held on April 4, 2004, in four hours, 0 minutes and 8 seconds.

1983 Chandler Class

McQuillan, Kevin, was ranked 101st by *Forbes* magazine as a top venture capitalist for 2003. Phone: (650) 325-7400; E-mail: kevin@focusventures.com.

The *Benchmark* encourages all graduates to contribute information to the Class Notes. Please include graduating class name and year when submitting your information. We encourage information about your law practice and other accomplishments in the legal profession. The *Benchmark* has a policy of not printing bar passage information.

1984 McAlvay Class

Thom, Kevin, an Assistant Attorney General for the state of Michigan, was promoted to the rank of major in the U.S. Army National Guard on July 10, 2003, and served one year of active duty in the Global War on Terror. Phone: (517) 335-5509.

1986 Mundy Class

George, Edmond M., has been appointed a faculty member of the 9th Annual Bankruptcy Institute. George is a partner at Obermayer, a full service regional law firm headquartered in Philadelphia with offices in Harrisburg and Pittsburgh, Penn., Cherry Hill and Vineland, N.J., and Wilmington, Del. He co-presented a course, "Raising and Defending Preference Actions," on Aug. 17 at the Continuing Legal Education Conference Center in Philadelphia. George has extensive experience with all types of commercial litigation, including the financial and tax aspects of business reorganizations and the representation of debtors, trustees, secured lenders and committees in Pennsylvania, New Jersey and Delaware bankruptcy proceedings. George has litigated various matters before regulatory bodies, and in state and federal courts in Pennsylvania, New Jersey, Delaware and Washington, D.C. He has successfully reorganized companies owing in excess of \$100 million in liabilities.



Miles Class

Carolan, James A., of Flint, Mich., taught the "Advanced Trust Issues" section of the PCS Trust School IV in Chicago, Ill., on June 24, 2004, for BankOne Private Client Services. Phone: (810) 238-3763; E-mail: james_a_carolan@bankone.com.

Frawley, Laura, of Harrisville, Mich., released a CD of Christian music. She is in private practice in Harrisville.

Sherwood Class

Hillegonds, Paul C., has been elected to the board of trustees of The Kresge Foundation. Hillegonds is president of Detroit Renaissance, a non-profit organization that works with businesses and corporations to facilitate the physical and economic revitalization of Detroit. Prior to joining Detroit Renaissance, Mr. Hillegonds was an elected member of the Michigan House of

Representatives (88th District) from 1979 to 1996. Over a period of 10 years, he served as Republican Minority Leader, Co-Speaker, and Speaker of the House.

O'Connor, Michael J., founder of Michael J. O'Connor & Associates, a law firm with 15 offices throughout Pennsylvania, was named a "Pennsylvania Super Lawyer" in the field of workers' compensation law by *Philadelphia Magazine* in its June 2004 issue. O'Connor is the only attorney from Schuylkill and Northumberland counties to be named a Super Lawyer. He has over 18 years experience in litigating workers' compensation cases, representing workers. Phone: (570) 874-3300.

1988 Green Class

Ford, Charles E., a member of the Abood Law Firm in East Lansing, Mich., since 2003, has been certified to represent prospective and current players of the National Basketball Association. He has a master's degree in labor and industrial relations, specializing in negotiations.

Scott, Keldon K., of Mallory, Cunningham, Lapka & Scott, P.C., has co-authored the chapter "Child Support" for the sixth edition of *Michigan Family Law* published by the Institute of Continuing Legal Education. He concentrates his practice in the areas of domestic relations, personal injury, and civil litigation.

1989 Johnson Class

Fekkes, Stephanie S., was appointed by Michigan Gov. Jennifer Granholm as Probate/Family Court Judge for Barry County, Mich. She was sworn in on March 26, 2004.

1990 Bacon Class

Budnick, Donna, has co-authored with Larry Betz (Clark Class, 1979), an article, "Labor and Employment Law and American Indian Tribes," in the July 2004 issue of the *Michigan Bar Journal*.

1991 Turner Class

Cohn, Mary Saur, opened her own practice at 3655 Alpine NW, Comstock Park, Mich., 49321. She specializes in bankruptcy and creditors' rights. Phone: (616) 647-9028; E-mail: marysaurcohn@earthlink.net.

1992 Durand Class

Raymond, Herbert B., has formed a partnership with Jeffrey Raymond (Toy Class, 2003) known as Raymond & Raymond. The primary area of practice is personal bankruptcy. Before forming the partnership, Herbert Raymond was a sole practitioner in the area of bankruptcy. Phone: (973) 675-5622; E-mail: bankruptcy@optonline.net.

1993 Hooker Class

Jennerich, Bob, announces that the firm of McCarthy and Jennerich has opened a satellite office at 20 Nassau St., Suite 233, Princeton, N.J. 07544. The main office is still located in Rutherford, N.J., concentrating in community association law. Phone: (201) 939-7595; E-mail: rwj@mccarthyandjennerich.com.

Lazar, Beth Moskowitz, and her husband, Scott Lazar, announce the birth of their daughter, Jordyn Ellie Lazar, born on Nov. 7, 2003, in Miami, Fla. Phone: (305) 371-7800; E-mail: bethm1428@aol.com.

Moore Class

Chernich, Scott A., a shareholder in the Michigan law firm of Foster, Swift, Collins & Smith, P.C., has been appointed a Chapter 7 Panel Trustee for the United States Bankruptcy Court. He is assigned to cases in the Kalamazoo area. His practice is focused in the areas of bankruptcy, creditors' rights, banking and business workouts, and commercial and general litigation. Chernich is also an adjunct professor at Cooley, teaching Bankruptcy and Business Reorganization.

1994 Ostrander Class

Dvorak, Angie, has been named the full-time president of the University of Southern Mississippi University's research foundation. Formerly she served as USM's vice president of research and economic development.

Williams Class

Hotchkiss, Robert, J., accepted a position with the Livingston County Friend of the Court as an attorney referee. Phone: (517) 540-7735; E-mail: lawmanbob@msn.com.

1995 Kuhn Class

Berryman, Kurt, has rejoined Governmental Consultant Services, Inc., as a lobbyist, following an 18-month stint as Chief of Staff for Michigan Congressman Thaddeus McCotter. Berryman is noted for his expertise in tax policy, health care, insurance and the environment.

1996 Moody Class

Tripp, Amy, partnered with East Lansing, Mich., attorney Douglas Chalgian to form Chalgian and Tripp Law Offices, P.L.L.C. She practices primarily in the area of elder law.

Black Class

Dougherty, Christopher, married Jennifer Pendergraft on May 29, 2004, in Juneau, Alaska. He is an attorney for CG/Maritime Transportation Security Act for the ports of Alaska.

Garcia, Catherine, and her husband, Garcia, Buddy, of McAllen Texas, announce the birth of their third child, Matthew Stiles, born on Sept. 10, 2003.

1997 Voelker Class

Accuardi, F. Anthony Antone, was married to Rosa Young on Feb. 12, 2004. He opened an international law firm called the Interlawgroup focusing on international tax and asset protection strategies, offshore corporate formation and contracts. He teaches business law and offshore practice in Belize's first MBA program at Galen University. Phone: (011) 501-608-8709; e-mail: info@interlawgroup.com

Fellows Class

Lukic, Elaine, won a not guilty verdict on all counts in a jury trial in a highly publicized securities fraud case in Colorado Springs, Colo. Phone: (970) 453-4788; E-mail: elainelukic@aol.com.

Schenk, Joseph, was promoted from assistant public defender in Martinsville, Va., to head public defender in Danville, Va., in December 2003.

1998 Sharpe Class

Gilbreath, Rob, joined the law firm of Foster, Zack & Lowe, P.C., with offices in Okemos and Howell, Mich. His practice focuses on estate planning, and trust and estate administration.

McEntee, Gary T., joined the law office of Scott Marshall Neuman, P.C., in Okemos, Mich., as an associate attorney. Neuman (Durand Class, 1992) is also a graduate of Cooley. Phone: (517) 349-2700; E-mail: unilawyer@aol.com.

1999 Flannigan Class

Scott, Robert G. (Bobby), and his wife announce the birth of their daughter, Sophia Fallon Scott, born on Aug. 26, 2003, in Winston-Salem, N.C. Phone: (336) 993-5000.

Zueck, Eric J., has accepted an associate position as a litigation attorney with the firm of Harry M. Williams & Associates, in Peoria, Ill. The firm serves clients in over 20 counties throughout central Illinois and areas of practice include personal injury, workers' compensation, estate planning, wills, and general litigation. Phone: (309) 676-7633; E-mail: ezueck@legalbeat.com

Weadock Class

Carr, Michael, was elected on May 4, 2004, to a three-year term on the Board of Library Trustees in Bellingham, Mass.

2000 Rutledge Class

Stern, Bradley S., President of the Wisconsin Alumni Association, has been hired as the new Assistant County Attorney for Washington County, Wis. Phone: (262) 335-4780.

2002 Johnson Class

Catipay, James Anthony, joined the law firm of Miller Shea, P.C., as the Managing Attorney of the firm's offices located in Midland, Bay City, and Saginaw. The firm also has offices in Rochester and Southfield, Mich. James' practice focuses on all phases of tax planning strategies for businesses and individuals. Formerly he was an assistant general counsel for the Wysong Corp., in Midland, Mich. He earned his LL.M., in taxation from the Boston University School of Law.

Paterson Class

Kregelka, Garry J., has joined the East Lansing, Mich., law firm of Bodwin & Fuzak, P.C., as an associate focusing in the areas of litigation, probate, and personal injury. He formerly practiced in labor law and civil rights in Bloomfield Hills, Mich. He is a former member of the Michigan State Police.

2003 Swainson Class

Klein, Suzanne, has joined the law firm of Howard & Howard in its Kalamazoo office. She concentrates her practice in commercial and employee benefit plan litigation, and estate and business planning. She formerly worked for Pfizer as project manager in Regulatory and Site Compliance in Manufacturing, and also in Global Research and Development.

Mead, John, earned his LL.M. degree in agricultural law from the University of Arkansas in May 2004. He also had an article accepted for publication by the *Cooley Law Review*, "Binding Arbitration as a Political Tool to Remove the Agricultural Labor Exemption in the National Labor Relations Act."



Otis Smith Class

Cruff, Colleen E., was named an associate attorney in the litigation department of Postestivo & Associates, P.C. Formerly she served as an intern at the U.S. Court of Appeals, Sixth Circuit.

Davis, Mark, was elected president and chief executive officer of Howard & Howard by the firm's shareholders. He concentrates his practice in real estate, business transactions, and securities regulations.

Etheridge, Henry Derrick, earned his LL.M. in criminal law from the University of Buffalo Law School.

Miller-Brown, Harriet, has taken a position as the 911 state administrator. She works under the auspices of the Michigan State Police, working with county 911 systems, wireless communication companies, and the legislature. Formerly she served as director of central dispatch services for Allegan County in Michigan.

Hall, Sgt. (L) Terrance A., was called to active duty on Dec 1, 2003, as a member of C Battery 1-119 Field Artillery. He underwent one month of training at Ft Dix, N.J. to train as a Military Police, Corrections Officer. He arrived in GTMO, Cuba on Jan. 7, 2004, to conduct operations in support of Operation Enduring Freedom for up to 365 days, depending on the needs of the Army.

Toy Class

Kitson, Michael J., has joined the law firm of Foster, Zack & Lowe, with offices in Okemos and Livingston County, Mich. He was the assistant editor of the *Thomas M. Cooley Law Review* and was the recipient of the Eugene Krasicky Award for the most outstanding contribution to the Law Review. Michael focuses his practice in the areas of business, corporate, and taxation.

Ryso, Deborah, has accepted a position as an associate attorney at Rizzo & Associates in Traverse City, Mich. She specializes in Medicaid planning, estate planning, and probate. Phone: (231) 933-5207; E-mail: drysso@rizzolawonline.com.

2004 Cross Class

Amos, Marc D., joined the Cleveland, Ohio-based law firm of Sutter, O'Connell, Mannion & Farchione as an associate. He focuses on professional and products liability. Marc formerly worked as a law clerk and summer associate for Plunkett & Cooney.

Alumni work with SBA to Help Lansing Area Kids.

Cooley's Student Bar Association, the faculty and staff, and the Alumni Association joined forces to make a success of the fourth annual Cooley for Kids Day. This program provides for a day at Lansing's Oldsmobile Park, the home of the Class A Lansing Lugnuts of the 14-team Midwest League. Six hundred kids attended, coming from the Lansing Parks and Recreation Department program to enjoy a day of professional baseball, including food, drinks and souvenirs. The Cooley Alumni Association has been a long-time supporter of this program and in 2001 donated \$600, \$900 in 2002, and \$1,538 in 2003 to help cover the expenses for hundreds of children.

In 2004, the SBA returned to ask for help from the Alumni Association. At the Executive Committee's June meeting, the vote was unanimous to increase the amount of support for the event, making it possible for 180 kids to enjoy a day in the sunshine, courtesy of the association's donation of \$1,845. Cooley faculty and staff added \$3,021, and the SBA donated \$1,569, adding up to the best response ever to the Cooley for Kids appeal.

This year's Cooley for Kids day was held on July 21 and a great time was had by all. SBA President Ralph Wilson threw the first pitch and another Cooley student, LeShea Dove, sang the National Anthem. The Cooley delegation was headed by President and Dean Don LeDuc, and included Deputy Admissions Director Tony Alvarado, Human Resources Director Tim Tuohy, student organizer Jessica Gonzalez, and Communications Office Director Terry Carella.

The Alumni Association was represented by Alumni President Charles R. Toy (Kavanagh Class, 1981) and Past President Virginia P. Allen (Wing Class, 1982). Thanks go to the Cooley alumni, faculty, staff, students, and friends who bought holiday wreaths from the Alumni Association. Since all of the funds raised by the Alumni Memorial Scholarship Golf Outing are earmarked for the Scholarship Fund, the source of money for many other worthy causes, including Cooley for Kids Day, is the holiday wreath sale. The association appreciates your support and hopes you will help out again this fall when the holiday wreaths go on sale.



Don't forget your wreath!

The 2004 edition of the Alumni Association Holiday Wreath Program is getting underway.

It is that time of year to begin thinking of the holidays. Thanks to all of those who participated in last year's Holiday Wreath Program and helped to make it a great success. In addition to the pleasure of giving or receiving the wreath itself, you can take pride in your support of alumni programs.

The wreaths are individually boxed and priced at \$33.00 which includes tax, handling, shipping directly to the recipient, and a contribution to Cooley Law School Alumni programs. The beautiful 22-inch wreaths are made of freshly gathered fragrant balsam boughs from the Straits of Mackinac region of northern Michigan, and are decorated with natural pine cones and a big velvet bow.

As you know, a Cooley Holiday Wreath is a wonderful gift for friends and family across the country. It is the perfect way to say "Happy Holidays" to loved ones or "thank you" to your valued clients. There are tax benefits, too. The profits from the Wreath Program go to support alumni programs, such as the Distinguished Service Award, the Alumni Memorial Scholarships, and state alumni associations, to name a few.

If you have questions, comments, or orders, please contact the Alumni Relations office at 1-800-243-ALUM (2586) or in the Lansing area at (517) 371-5140, ext. 2038. Print out an order form now at www.cooley.edu/wreath_2004.htm.

