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ABOUT TRANSCRIPT

Transcript is published twice annually by the University of Missouri School of Law. Its main purposes are to inform alumni and friends about activities and events at the School of Law and to publish news about alumni. In this way, Transcript seeks to provide a link between the school and its alumni. Opinions expressed and positions advocated herein are those of the authors and do not represent the policies of the school. All rights to reproduction of any material printed in Transcript are reserved for the magazine. Permission for the adaptation of the content for any other publication must be granted in writing by the editor.

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An Alternative Route to Teaching

Capt. Kenneth L. Jamison was deployed with the United States Marine Corps during Operation Enduring Freedom to Marine Corps Air Station Yuma and Marine Corps Air Station Miramar. This first-year student is the president of the Missouri Veterans Law Society and will participate in the law school’s new Veterans Clinic in the spring of 2015.
I am honored to be close to finishing my second year as dean of the University of Missouri School of Law. It has been an exciting, exhilarating and challenging time, particularly given the decline in law school applications nationally and in the state. I have traveled extensively, both within the state of Missouri and to 14 other states to meet with alumni and friends of the law school. My long-term goal for the law school is for it to attain consistent standing among the first tier of American law schools.

My original plan for this column was to discuss the future of the law school, but I hope it will be helpful for our alumni and friends to know more about the state of the law school at the present time first. There is a great deal of good news to share with you.

New Faculty
The heart of a law school is its faculty, and we have an incredibly talented group of professors at all levels. Our four most recent faculty hires have decades of experience, with a combined 86 years in law practice:

- Carol Newman practiced with a large firm in Atlanta for 22 years before joining us to teach in the transactional law area, teaching courses such as Deal Skills;
- Chuck Henson practiced in Colorado and Missouri for 20 years before joining us to teach trial practice and litigation courses;
- Angela Drake practiced in Missouri for 27 years before joining us as director of our new Veterans Clinic;
- Erika Lietzan, who will join us this fall, is a partner in a large law firm in Washington, D.C., and has practiced for more than 17 years in the areas of intellectual property and food and drug law.

Curricular and Program Innovation
We continue to make changes to curricular and co-curricular programs to reflect the needs of the profession. These include new concentrations in criminal law and tax law; a summer in St. Louis program, beginning summer 2014; a new Veterans Clinic, which was underway in January; a proposed Start-up Enterprise & Intellectual Property Clinic; and a proposed Center for Intellectual Property & Innovation.

Improvements to Hulston Hall
We also continue to make building enhancements to suit the changing technological needs of the students. We have made upgrades over the last two years, including renovation of many of our classrooms and the addition of desktop electrical outlets, responding proactively to American Bar Association concerns regarding Hulston Hall’s lack of classroom electrical plugs.

Employment and Bar Passage
Our performance on student placement and bar passage continues to be outstanding, despite the headwinds in the national economy. Please see law.missouri.edu to get the details on our employment and bar pass rates.

Enrollment & Selectivity
Over the last four years, my predecessor, Larry Dessem, and I made a conscious decision to reduce class sizes. Our enrollment target has been lowered from 150 (three years ago) to 120 (last year). These reductions have been designed to maintain our student credentials, and our efforts have thus far been successful, as we have had very modest changes in our entering class LSAT and GPA scores.
Skills Training

Somewhat uniquely among law schools, we have been very lucky to hire individuals who, in addition to being excellent legal scholars, have had substantial practice experience, particularly in trial work. For example, before joining the faculty in 2005, Prof. Frank Bowman, who is a nationally-known sentencing law scholar, had more than 15 years of litigation experience as a district attorney in Colorado and later on with the U.S. Department of Justice. Multiple other members of our faculty did extensive trial work before joining the School of Law.

In a regular academic year, we offer four to five sections of Pretrial Litigation, enrolling between 80 and 100 students; three sections of Trial Practice, enrolling about 70 students; and one section of Advanced Trial Practice, enrolling about 14 students. In addition to our trial skills courses, we have three clinics in which students engage in trial and appellate work at various levels: the Criminal Prosecution Clinic, the Family Violence Clinic and the Veterans Clinic. The clinics enroll about 50 students per year. Thus, while we cannot say that every graduate of the law school has taken a trial skills course, I think we can say with substantial certainty that every student who wants to take trial skills courses can do so, and that a good number of them can take several courses in which those skills are taught.

One of the Trial Practice sections is taught during the winter break. The winter section of Trial Practice, which was the creation of late Associate Dean Jim Devine, is an intensive, hands-on experience supervised by Prof. Chuck Henson, but taught by practitioners from all over the state. Several schools have actually copied that model, and now you can see it in other schools across the country.

These trial practice courses are in turn supported by a variety of other courses focusing on skills such as client interviewing, law practice management, and legal research and writing, among others.

Finally, we have a very active, student-led advocacy program – the Board of Advocates.

To sum up, I could write an entire column on other aspects of our program, such as our offerings in the business and transactional law areas, or our new focus on intellectual property and innovation. The key take-away, however, is that the state of the law school is strong, and it is getting stronger, as reflected in our recent move upward in the U.S. News ranking. In my next column, I will share my thoughts on the future trends in legal education and on how our law school might respond.

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FACULTY NOTES

Douglas E. Abrams has published four articles, which appeared in the American Journal of Legal History, the Juvenile and Family Court Journal, the Missouri Law Review and the Virginia Journal of Social Policy & the Law. He and his co-authors have also submitted the manuscript for the fifth edition of their casebook, Children and the Law: Doctrine, Policy and Practice (West Academic Publishing).

The St. Louis Post-Dispatch published Abrams’ op-ed article presenting the “Top 5 Youth Sports Stories” of 2013, which concerned the support that youth athletes with disabilities receive from other players. His latest columns in Precedent, The Missouri Bar’s quarterly magazine, concern practical applications of British novelist George Orwell’s classic 1946 essay on clear writing.

Abrams was named to the advisory board of the MU Children’s Hospital. He was interviewed for a ten-minute public service announcement produced by The Missouri Bar to support the Missouri Non-Partisan Court Plan.

Abrams spoke at an interdisciplinary sports concussions symposium conducted by the Institute of Sports Law and Ethics at Santa Clara University. He also delivered the keynote address about legal scholarship at the annual meeting of the Central States Law Schools Association, held at the University of Arkansas Law School in Fayetteville.

Abrams continues to write weekly and monthly columns on two prominent national sports blogs. His recent columns include “An Open Letter to Boys About Sexual Abuse,” a discussion of practical and legal consequences that was prompted by national media attention that focused on allegations of sexual assault by Maryville, Mo., teens. He has also done radio and television interviews about youth sports concussions and Title IX gender equity.
An Alternative Route to Teaching

Newman has enjoyed teaching since the beginning. After practicing law for more than two decades, she is combining her teaching and practice experience.

by 1L Desiree Shay

Teaching has always been in Prof. Carol D. Newman’s plans, but she also wanted to be a lawyer. Now she has combined both careers into one.

Growing up in Lexington, Va., with parents who were teachers, she planned to become a college professor and then to attend law school before becoming a college administrator. She thought that being an attorney would help in being a college administrator, and her question was not whether, but when, she would attend law school.

As part of this overall plan, Newman first attended graduate school to pursue a PhD in musicology. As she worked on her doctoral dissertation regarding early 17th Century European keyboard music, Newman taught as an undergraduate music history professor and held an internship in academic administration.

During this internship, she worked with some lawyers. “I was impressed with how they asked questions, listened to the answers, understood the issues being discussed and then advocated effectively on how to handle the issues,” she says. “At that point, I was sure that I wanted to attend law school shortly after I completed my PhD.” She notes that her law school applications described her goal of becoming a college administrator. However, things rarely go as planned.

While working as a summer associate during law school, Newman made the decision to practice business law. “I observed the closing of a friendly commercial transaction, and I liked it. I decided that I wanted to practice for at least a few years before returning to higher education,” Newman says. Before she realized it, her few years of practice had turned into a career spanning more than two decades.

Primarily working in general corporate and business law, Newman especially enjoyed working with clients in mergers and acquisitions. In addition, as a partner at Powell Goldstein LLP in Atlanta, Newman continued to enjoy teaching – she chaired the corporate training committee and later became the
“The one-on-one time with Prof. Newman allowed me to ask the right questions and get steered in the right direction.”

firm’s director of corporate/transactional training. In these positions, Newman helped develop curricula for training junior associates, including preparing simulation exercises based on typical experiences in corporate practice.

The work that Newman was doing in the legal world would eventually come full circle when she returned to the academic world. In 2008 Newman had an opportunity to co-develop and teach an experiential course, Deal Skills, at Emory University School of Law in Atlanta. She continued to teach this course as an adjunct faculty member until 2011 when she became the full time director of Emory Law’s transactional program, which includes a transactional law certificate program. In 2009 Newman also began to work with faculty at Washington and Lee University School of Law in Virginia in a two-week transactional immersion program, and she has taught in that program since then. In 2013 Newman joined the University of Missouri School of Law.

“I really enjoyed every aspect of the interview here – the faculty, the students, the collegial and collaborative energy on campus, and Columbia – and I was excited about the opportunity to continue to teach experiential and doctrinal courses, as well as to engage in scholarship,” Newman says.

She currently teaches first-year Contracts and two experiential courses – Contract Drafting and Deal Skills, both upper-level transactional courses. These experiential courses combine doctrinal foundations with simulated practice experiences where students are assigned projects that are typical of work that they might encounter as new associates in transactional practice.

In the Deal Skills course, some of the materials are adapted from those that Newman used in training corporate associates. The Contract Drafting course gives students experience in focusing on the business and legal issues in a contract. In class, students learn drafting and contract concepts and work together in negotiating and drafting contracts. Often Newman poses as the client and is available to students for any clarification of facts or consulting for drafting the contract. Because each assignment builds on previous assignments, students are able to focus more on the concepts taught and revise drafts as their knowledge and experience grows. “This redrafting allowed me to fully incorporate concepts and become familiar with the actual drafting process,” explains 3L Jennifer M. Winebright.

Watching her students develop their knowledge, skills and confidence in their abilities, and sharing their excitement over their accomplishments, is what Newman enjoys most about being in the classroom. Students appreciate how approachable Newman is in and out of class. “The one-on-one time with Prof. Newman allowed me to ask the right questions and get steered in the right direction,” Winebright says. She explains that Newman’s practical experience in drafting and negotiating contracts helps students understand different situations from a unique perspective. She also says that Newman devotes a great amount of time to her students to ensure that each continues to learn and develop the skills that are needed in the practice of drafting contracts.

Newman is currently researching issues of ethics and professionalism in the areas of contracts and business law. One of her areas of scholarship focuses on circumstances in which a transactional lawyer might have a duty to disclose the potential unenforceability of a contract clause.

In September, at the Central States Legal Writing Conference, she presented “Sending the Email Memo to a Practicing Attorney.” Her presentation described her pilot project, which provided each of her 1Ls the opportunity to email a short memo to a law school alumnus who then responded with a critique of the student’s work.

This year Daily initiated the Mizzou Law Writing Center, a one-on-one tutoring service available to any Mizzou law student who wants to become a better writer. Daily is a lead editor and editorial board member of Legal Communication and Rhetoric: J ALWD, and she serves on the Missouri Supreme Court Civic Education Subcommittee on the evaluation and use of educational materials.


Myers served on a panel for law school deans, “Managing the Transformation of Legal Education: Lessons from Other Disciplines – A Roundtable Discussion,” at the Association of American Law Schools annual meeting.

He also served as co-chair of the planning committee for The Missouri Bar Annual Meeting in September, with Walter H. Bley Jr., ‘80.
Creating
What do a self-proclaimed Army brat, military veterans and Mizzou Law students have in common? Thanks to the determination and hard work of students, faculty, staff and alumni, Mizzou Law now has a Veterans Clinic to help veterans and their families collect benefits. While the clinic is now up and running, the process to make the clinic a reality took a lot of hard work, intense outreach efforts and even an “alignment of the stars.”

Identifying a Leader
Prof. Angela Drake prides herself on being an Army brat and a product of the G.I. Bill. She thinks fondly of the time her father, Major Joe W. Green, allowed her to become a duly qualified “Junior Jumper” at the paratrooper jump tower at Fort Benning just before his final tour in Vietnam.

Drake’s father, a career Army officer, was killed in action in Vietnam on April 1, 1970. Inspired by her real life G.I. Joe, Drake went on to devote her career as a trooper in the legal profession. After more than 25 years of practice, Drake brings extensive experience in civil litigation to the law school. She practiced in Springfield, Mo., and Kansas City, Mo, and worked on a variety of legal matters, from insurance defense to complex class actions.

Recently, she took on another challenge: serving as the supervising attorney for the School of Law’s newly-opened Veterans Clinic. Under her leadership, the clinic will help many veterans and their families navigate the complex veterans benefits appeal process, while providing students with a great experiential learning opportunity during their time in law school.

Laying the Groundwork
The School of Law prides itself on providing its students an excellent education, employment opportunities and legal clinics, with a particular focus on practical experience before entering the legal profession. As the fall semester wound to a close, another point of pride emerged – the spring 2014 semester marked the inaugural semester for its new Veterans Clinic.

When third-year law students Scott Apking and Larry Lambert entered the doors of Hulston Hall in the fall of 2011, they had more on their minds than just excelling in law school. Apking served in active duty for three years at Fort Leonard Wood in Missouri before enrolling in law school. Lambert served as a Navy corpsman for five years and in the National Honor Guard for a year.

As veterans of the U.S. military, Apking and Lambert recognized that veterans law was a rising issue in the legal community and that involvement with this particular area of practice could create a positive experience in a student’s legal career. As a result, they wanted to create a project to benefit other veterans in the community. They decided to begin a student organization called the Missouri Law Veterans
“I really want them to know what it’s like to have a real client – what it’s like to advocate for someone, making sure you understand the client’s situation.”

— Prof. Angela Drake

Society (MLVS), hoping that the group would serve as a landing pad for both student veterans and non-veterans. The support from the community was overwhelming.

Apking and Lambert approached Assistant Dean Bob Bailey, ’79, to be the group’s sponsor. As the only veteran on the faculty, Bailey says the memory and the profound impact of his own service, as well as his knowledge of veterans’ lives after re-entering society, was of great importance in his decision to be the organization’s original sponsor.

Since its establishment, MLVS has provided its members with numerous networking and professional outreach opportunities, but Apking and Lambert wanted to do more for the community and began looking for service components for its members. Important to this endeavor was the fact that MLVS members also had the opportunity to participate in the National Veterans Law Moot Court Competition (NVLMCC) held in Washington, D.C. It was this competition that inspired Apking and Lambert to seek the creation of a clinic focusing on veterans affairs at Mizzou.

At the competition, schools from around the country compete in the hopes of making it to the finals, which are held before the U.S Court of Appeals for Veterans Claims. Through this competition opportunity and creation of MLVS, Apking and Lambert witnessed valuable practical experience gained by working with veterans to help them solve their problems. As a result, Apking and Lambert began laying the groundwork for the Veterans Clinic by finding advisors, sponsors, donors and other attorneys to support not only MLVS, but also the creation of a clinic.

Meanwhile, during the School of Law’s dean search process, candidate Gary Myers made the suggestion that the law school establish a clinic focused on veterans. If selected, Myers said he would implement the clinic as part of his plan for expanding skills training and public service opportunities at the law school. Myers learned about the successful creation of such a clinic at Chapman University from his friend Danny Bogart, an associate dean there.

In 2012, after Myers was hired as dean, Apking and Lambert returned to Mizzou Law after participating in the NVLMCC. Upon their return, they approached the dean about creating a veterans clinic at the School of Law. Realizing their goals aligned, they hit the ground running and began to form plans for the implementation of the clinic.

They invited James D. Ridgway, a professor at George Washington School of Law and former president of the U.S. Court of Appeals for Veterans Claims Bar Association, to be the first speaker for MLVS. It was during Ridgway’s visit that the pieces came together, with a discussion of how the law school could start a clinic to both serve the needs of the nation’s veterans and provide practical training for law students.

After this visit, preparations for the clinic took off. The first major concern was alleviated after the Hulston Family Foundation generously provided the initial funding. As a self-proclaimed Army brat, attorney Angela Drake volunteered to be the supervising attorney for the clinic, overseeing the students as they work with their clients. Drake joined the law school in the fall of 2013 to set up the clinic, while also teaching Insurance Law, Pretrial Litigation and Trial Practice. The clinic began accepting students in the spring 2014 semester.

By participating in the clinic, student advocates have the opportunity to represent actual veteran clients and their family members. Some of the cases come from the Veterans Consortium Pro Bono Program, headquartered in Washington, D.C. Created in 1992, the consortium both provides assistance to veterans and their family members in appeals at the U.S. Court of Appeals for Veterans Claims level and prepares volunteer attorneys to become
advocates in the area of veterans law. In order to accept a case, every volunteer attorney must attend a veterans law class. Each case accepted by the consortium and given to the volunteer attorneys is accompanied by extensive analysis from veterans law specialists. Other cases come from local referrals, including from students at the law school.

Creating Advocates

The advent of the Veterans Clinic and the availability of real case files creates the opportunity for serious skills training for Mizzou Law students. The clinic complements the law school’s other clinical programs that focus on criminal prosecution, family violence, mediation and wrongful convictions — in addition to practicums in landlord/tenant law and the legislature. Student advocates chosen to work in the Veterans Clinic gain exceptional experience in administrative law, personal injury and civil litigation, and appellate practice.

While Drake oversees all documents submitted to the court, she lets the students take the reins to get as much practical experience as they can.

“I really want them to know what it’s like to have a real client — what it’s like to advocate for someone, making sure you understand the client’s situation,” she says. “I want to get the students real, hands-on experience.” She also wants the students to feel free to make judgment calls without the fear of making the wrong call. “I will catch them if they’re going in the wrong direction,” she explains, “but this is a great chance to practice with a safety net underneath.”

Bailey is also optimistic about the inaugural semester for the Veterans Clinic. “We’ve done the heavy lifting,” he says. “Prof. Drake has been trained, cases are coming in from the consortium and students are readily signing up for the clinic. We have the students, faculty and the caseload.”

Because the American Bar Association limits the number of students to eight per instructor in the clinical setting, Drake interviews interested students before they are placed in the clinic. The students working with Drake to kick off the clinic are 3Ls Scott Apking, Christopher Dunn, Ellen Ferger, Kristen Sanocki, Emily Fiore and Liz Judy, and 2L Elisha Gilmore. These student advocates come from different backgrounds, with a mixture of veterans and non-veterans. However, they all have at least one thing in common: the desire to give back to those who have served or their families, which in turn will teach them important practical skills to be future attorneys.

Third-year student Ellen Ferger does not personally have a military background, but she does have a strong interest in the Judge Advocate General Corps. She also has a best friend who is an explosive ordnance disposal technician in the military — and this was one of her motivations for seeking a position in the clinic. “I am so proud of her service,” she explains. “She is strong, courageous and intelligent, and I can’t wait to see her back in the United States.”

Ferger plans to use her law degree to pursue a career in federal law enforcement, as a prosecutor or litigator. She is confident the Veterans Clinic will help her develop a better understanding of the veterans law system and strengthen her appellate advocacy skills in legal research and writing as she helps veterans who have served our country.

The idea of the Veterans Clinic attracted Ferger because she saw an area where she could have a positive impact on the community. She had the utmost enthusiasm for the Veterans Clinic as it hit the ground running. “I think we will be working hard towards creating an infrastructure and creating efficiencies — drafting forms we will use, interview protocols, etc.,” she says. “The goal this year will likely be focused on making the Veterans Clinic sustainable for students in the future.”

Creating Awareness

Second-year law student Shawn Lee, a veteran who plans to participate in the clinic this fall, is optimistic about the change the Veterans Clinic will bring to the law school. While he says the school is completely supportive of its veterans, he says that many people do not understand the issues veterans face or know how to help.

“Half of any battle is knowing, and due to the fact that an all-volunteer force has fought these wars, the average person is completely in the dark as to many issues surrounding them,” Lee explains.

He is confident that the student advocates involved with the clinic will receive excellent experience contacting government offices and officials, applying for medical records and seeing themselves the process of getting a disability claim acknowledged. He believes the clinic will teach students how to navigate a bureaucracy and learn what fighting an uphill battle means. “The clinic is going to raise awareness and I believe it will create some strong advocates for veterans down the road who are going to make some big changes as young leaders,” Lee says.

In January, the Veterans Clinic hosted Command Sergeant Major Christopher K. Greca of the U.S. Army Forces Command, who spoke on service and character development. When asked about a piece of advice he had for the student advocates who will work in the Veterans Clinic, he gave a surprising answer. He said he would first want to tell the students thank you, in recognition of the work they will do with the clinic. Greca said that clinics and nonprofit organizations like the Veterans Clinic are important because they make veterans understand they aren’t forgotten and they show that people actually care.

As a member of the military, Greca also spoke about the most important creation an organization like the Veterans Clinic needs to make: awareness. As an outlet for help for soldiers and veterans, he hopes that the Veterans Clinic will help create awareness among civilians, revolving around one of the most common problems he has observed veterans and their families face: the transition back into civilian society. While the military has made significant strides in preparing its soldiers to re-enter civilian society, Greca said, “Civilians need to recognize that these
Our student advocates are not looking for handouts. Instead, they are looking for opportunities.” Further, he said that creating this kind of awareness will also allow others to recognize that the civilian society needs to put the type of leadership instilled within these soldiers and veterans back into the communities.

Greca also had ideas about how the clinic’s student advocates could best help their veteran clients. First, by simply opening the clinic he believes the students and the school have made an impact. He said the clinic’s opening is a clear message to veterans that the school and its student advocates have an appreciation and concern for the struggles they face. Further, he addressed the effect of the smaller size of the clinic on the impact it could make in the community. “It’s not the size of the office that matters, but what comes out of that office,” he explained.

Putting It All Together

Myers is confident that the Veterans Clinic has added an important dimension to the school’s existing clinical programs and practicums. “The clinic will not help veterans get a mortgage or get out of bankruptcy, or address modifications for child support,” Drake explains. “The clinic will be narrow in its focus, but good at what it does.”

In its first semester, the clinic’s students have tackled cases involving a Vietnam-era veteran with Agent Orange exposure, a veteran who sustained life-changing injuries in Afghanistan, an out-of-state veteran with recurrent medical issues and two military sexual trauma cases. The students have even had the opportunity to work on an international case involving the widow and son of a Philippian soldier who served in World War II. The clinic is advocating for the family to obtain a one-time payment authorized by Congress to these soldiers from the Filipino Veterans Equity Compensation Fund. In order to secure this reparations type payment, the students will make important equal protection arguments.

When asked what she hoped the clinic would simulate, Drake says, “The way we are envisioning it, it will be a small law firm. We will meet once a week and have that substantive lecture time and also meet advocacy objectives to the process of advocating for veterans law claims.

This experience is extremely important to student advocates like 3L Chris Dunn, who is one of the inaugural student advocates in the clinic. Dunn was drawn to the Veterans Clinic for a variety of reasons. He is a veteran himself, having served in the Gulf War, and comes from a military background. “A lot of people get hung up on the money. We are all trained with specialized skills and knowledge, but when you can use those skills to help someone who has helped our nation, that’s a pretty cool thing.”

— Prof. Angela Drake

advocates and veteran clients. By providing flow charts and creating a filing system, Dunn hopes to help explain the complex process and keep everyone informed of when and how veterans law rules and regulations change.

Dunn plans to give the Veterans Clinic his full attention and hopes his efforts will help a veteran obtain benefits he or she is entitled to receive. “I’m not walking into it with a lot of preconceptions, except that I know I’m surrounded by great people,” he says. “Prof. Drake brings a lot passion and good leadership.”

Dunn is impressed with the student advocates who are not veterans. “Not all the students involved this semester are veterans, but they are interested in the law and that’s great,” he notes. “My heart’s kind of warmed that you have people interested in helping out here. I just know that there’s so much out there to do and it keeps you humble. I’m one of the lucky guys and actually came out for the better. It gave me better direction. Put things in perspective.”

To Dunn, participation in the clinic is more than just something to put on his resume. “This is important because it allows us to learn how to better
communicate with clients, keep them informed and to ensure we aren’t taking them some place they don’t want to go,” he says.

Faculty, staff and students currently involved in the clinic already have high expectations for it.

“The Veterans Clinic is a tremendous opportunity for Mizzou Law students to be engaged in a practice of law under the supervision of Prof. Drake that will give them excellent legal experience,” Bailey says. He notes that the Veterans Clinic will also provide our veteran clients or their family members with a resource to pursue and hopefully prevail in their benefit appeals.

However, veterans law is an extremely specialized area. As a result, many new lawyers do not venture out into the practice of law with the intention of practicing solely in the veterans law arena. Instead, many lawyers enjoy the opportunity to take on veterans law cases as pro bono work.

Apking is an example of a future attorney with that plan. He does not plan to practice veterans law as his primary legal field, but he does plan on making veterans law cases the focus of his pro bono work. Apking is currently in the reserves as a staff sergeant, while also preparing to enter the legal profession as an attorney at Greensfelder in St. Louis. However, before he ventures out as a full-time, practicing attorney, Apking will be working in the clinic this semester and helping Drake as her research assistant.

Apking’s hope for the Veterans Clinic is that the student advocates gain exceptional civil legal experiences from their participation. “I hope the clinic opens students’ eyes to show them this is something they can do either as a practice or on the side,” he says.

The Future

As those working in the clinic fall into a routine, they also look forward to the future of the Veterans Clinic.

Students like Ellen Ferger are hopeful about the future of the clinic. In five years, Ferger hopes that the clinic will continue to serve veterans referred by the consortium as well as locally.

As dean, Myers is looking for ways to continue the support for the clinic, by increasing its current size, caseload capacity, visibility and impact in the community. He also wants the clinic to offer expanded programs and events, as well as find a more permanent clinic meeting space.

Drake has a vision for the future of both Mizzou Law and the Veterans Clinic. To collaborate with local organizations, she hopes to see the law school form an alliance with both University of Missouri Health Care and the university’s Sinclair School of Nursing to better serve veterans. Her rationale behind this endeavor is that in many veterans law cases there will be a form of personal injury at issue. In a case regarding disability benefits, the students will have to establish the causation element – or in other words, “Does this injury arise from an incident in the veteran’s service?” As a result, obtaining medical records will likely be crucial for the success of their case.

Further, Drake hopes that those students involved in the clinic walk away with an even greater appreciation for the work, the people and the area of law in the clinic. “You’re doing good for someone,” she says. “A lot of people get hung up on the money. We are all trained with specialized skills and knowledge, but when you can use those skills to help someone who has helped our nation, that’s a pretty cool thing.”
Physician Participation in Executions, the Morality of Capital Punishment, and the Practical Implications of Their Relationship

41 Journal of Law, Medicine & Ethics 333 (2013)

Over the past several years, the most widely-publicized issue in capital litigation has been death row inmates’ challenges to lethal injection protocols. With respect to the three-drug protocol used in the majority of capital jurisdictions, their concern is that the second and third drugs—the paralytic and heartbeat-ceasing agents—will cause torturous pain and suffering if the first, anesthetic drug is ineffectively delivered. Inmates have argued that the participation of highly-trained medical professionals is constitutionally required to minimize the risk of unnecessary suffering.

This litigation, in conjunction with evidence that some executed inmates suffered torturous pain, has reinvigorated the ethical debate about physician participation in executions. For many years, commentators supported the ethical participation in executions. For example, Robert Truog and Troyen Brennan identify their goal as “develop[ing] arguments against participation by physicians that are independent of arguments about the morality of capital punishment itself.” Writing more recently, David Waisel argues in favor of physician participation but follows his opponents and other commentators in tabling the morality of capital punishment.

This considerable literature implausibly divorces the ethics of physician participation from the moral status of the death penalty. Any ethical position on physician involvement requires some judgment about the moral status of capital punishment. The moral status of the death penalty is not necessarily dispositive of the morality of physician involvement. Rather, capital punishment’s moral status is one important factor that must be considered within a complex analysis of the ethics of physician participation. To establish that claim, I examine anti- and pro-participation arguments to show that each one either is unpersuasive without discussion of the death penalty’s moral status or implicitly assumes a view on the social worth of the death penalty.

Recognizing and appreciating the relationship between the morality of capital punishment and the physician issue is practically important for multiple reasons. First, lawmakers considering the issue of physician involvement should understand the relevance of their opinion about capital punishment. As I argue, the case against physician participation is weak if justice requires the law to authorize capital punishment. Second, the analysis provided herein can shed light on ethical issues surrounding physician participation in other controversial non-clinical care activities. Physician involvement in forensic psychiatry, military medicine, and medical research is controversial because health professionals generally aim to preserve and restore the health of individuals. The Hippocratic ethic famously enjoins physicians to “do no harm.” But forensic psychiatrists may testify that an individual should be detained for the good of others, even when such confinement harms that individual. A medical researcher can expose a patient to risk of harm for the good of others. Military doctors may have helped design interrogation procedures employed in both Guantanamo and Iraq. Does it violate medical ethics for physicians to use their special skills to harm individuals to achieve a societal goal? Is it ethically permissible for physicians to harm individuals for societal interests within some institutional practices but not others? Too many ethical assessments assume that an appeal to Hippocratic ethics or generally accepted bioethical principles is sufficient. An adequate analysis of physician participation in a non-clinical-care activity is necessarily much more complex than commonly acknowledged and cannot be divorced from the moral status of that practice.

Let us begin with arguments against physician participation. The core of medical professional ethics requires physicians to provide competent medical service while exhibiting compassion and respect for human life and dignity. The World Medical Association claims that physician participation violates these core obligations. Peter Clark agrees, adding that physician involvement “violates the principle of respect for persons by denying individuals,
who at this stage are the most vulnerable, of their basic dignity and respect.76

But the practical requirements of compassion and respect for persons, human life, and dignity are not so clear in this context for physicians. A physician may reasonably claim that her participation is motivated precisely by her respect for the inmate as a person and his dignity. Carlo Musso, a physician who opposes capital punishment yet has participated in executions, reasonably claims that refusal to participate represents an abandonment of a dying patient.7 The inmate’s vulnerability requires, not prohibits, a physician to ensure a painless death.

Nevertheless, opponents of physician involvement are not persuaded that a physician’s admirable motivation justifies involvement. In their view, motivation is irrelevant because the outcome of the procedure—death—is contrary to the inmate’s interests. Carlo Musso, a physician who opposes capital punishment yet has participated in executions, reasonably claims that refusal to participate represents an abandonment of a dying patient. The inmate’s vulnerability requires, not prohibits, a physician to ensure a painless death.

However, causing death, by itself, cannot be determinative. Withdrawing life-sustaining treatment causes death yet, depending on the circumstances, can be ethically permissible. In opposition, the AMA Council attempts to ethically distinguish the death penalty context from withdrawal of life support in two ways. First, it claims that a dying patient may voluntarily choose to die by requesting treatment withdrawal, but the inmate does not choose death. Second, when a patient requests treatment withdrawal, the primary cause of death is an underlying disease; with the death penalty, the administered injection causes death.

The AMA’s first response is unpersuasive. Its premise is that a dying patient may voluntarily choose to cease treatment though a condemned inmate does not choose execution. That is true, but the analogy is inapposite. The dying patient has not chosen her disease but chooses to ask her physician to withhold treatment. The condemned inmate has not chosen execution but could choose to ask a physician to monitor his consciousness. In the inmate scenario, the sentence is given, a background condition to her choice; in the patient scenario, the disease is a given, a background condition to his possible choice.

The AMA’s second response—asserting that a disease is the primary cause of the patient’s death whereas lethal injection is the primary cause of the inmate’s death—should fail to persuade. The notion of a primary or direct cause cannot do the moral work the AMA intends for it. The notion of a primary cause rings of the tort and criminal law notion of a proximate or legal cause. The idea is that some cause, among the infinite set of but-for causes of an event, should have some special significance for assigning responsibility. But, like the identification of a proximate cause in law, the designation of one but-for cause as “primary” is dependent on a moral or policy judgment. Imagine two patients with the same disease, receiving life-sustaining interventions. One patient requests her physician to cease treatment and, after proper deliberation and procedures, the physician grants her request. The second patient wants treatment, but a malicious physician removes her life-sustaining intervention without consent. In both cases the underlying disease and the physician’s act of ceasing treatment were but-for causes of death. Which cause was “primary” in each scenario? If one is tempted to say that the disease was the primary cause of death in the first scenario, one should be tempted to reach the same conclusion in the second, assuming one refrains from appealing to a moral assessment of the physicians’ respective actions. On what basis could we identify the disease as the primary cause of death in the first scenario but the physician’s act in the second? The basis would be our judgment that the physician in the second scenario violated her obligations to the patient.

The “primary cause” analysis is informed by our views regarding the physician’s ethical duties. Let us return to the execution context and stipulate that a physician’s participation would qualify as a but-for cause of death. Now ask whether the primary cause of death was the inmate’s sentence (along with the intent of state actors to carry it out), the lethal injection or the involvement of a physician whose intention is to minimize the risk of pain? Any answer to that question is necessarily colored by an opinion about the physician’s obligations. To say that the physician’s involvement in the lethal injection is the primary cause of death is to already assume a moral view about the physician’s obligations. As such, the “primary cause” notion cannot do any moral work in establishing the physician’s moral obligation to refrain from participation.

Edmund Pellegrino argues that the essence of medicine speaks against physician participation. He famously argues that medicine’s essence is defined by the good at which it aims, which, on his account, is healing. According to Pellegrino, whether the goals for which we use medicine “are morally good or bad … depends upon whether they fulfill the ends for which medicine exists and which define it qua medicine.”77 When the “ends, purposes, and goals” of a proposed use of medical knowledge conflict, they “can only be resolved by reference to a primary defining good, which takes priority over other goods.”78 Thus, Pellegrino argues that even if (a) a physician and inmate have had an ongoing relationship, (b) the inmate requests that the physician administer the lethal injection, and (c) the inmate would view the doctor’s participation as beneficent, the physician would have a duty to refuse because “the act of killing controverts the healing purposes of medicine.”

The problem with Pellegrino’s argument is that reducing the risk of suffering is also an uncontroversial goal of medicine. Anesthesia does not heal a broken bone; it reduces the risk of suffering while the orthopedist sets it. If it is fair to describe the prison physician’s conduct as fulfilling one end of medicine (reducing the risk of suffering) and conflicting with another end (healing), reflection on the essence of medicine will not reveal whether participation is ethical.

Pellegrino and other opponents of physician participation also object on the ground that the lethal injection is performed for the state’s interests, not the individual’s. Truog and Brennan find physician participation “outside the medical sphere” and offensive to medicine’s sense of community because it “prostitut[es] medical knowledge and skills to serve the purposes of the state and its criminal justice system.”79 The question, then, is why may not a physician use her skills to advance a state or societal interest?

Observe that even in clinical care settings, societal interests provide physicians...
with reasons to limit their pursuit of patient best interests. A physician must consider the growing societal danger posed by antibiotic-resistant bacteria in formulating her policy for antibiotic prescriptions. A psychiatrist may have a moral and legal duty to sacrifice a patient’s confidentiality and chances for psychiatric improvement in order to protect an identifiable third party. Doctors and other medical professionals also have legal duties to report child or elder abuse even if knowledge of that abuse was obtained through interaction with a non-victim patient and disclosure contravenes the patient’s interests.

One might object that these examples involve physician policies aimed at improving or maintaining health – not the health of each individual patient, but the health of some members of society. However, health is not the only legitimate consideration for physician decisions. We accept many non-health-related reasons as legitimate limits on a physician’s duty of patient loyalty. Consider physicians’ reason not to prescribe extravagantly expensive therapies accompanied by expected benefit. This reason exists even though it is not solely about health. Cost is important regardless of whether savings are used to advance health.

A second objection might maintain that the examples involving antibiotics and duty to report abuse only justify limits on a physician’s pursuit of a patient’s best interests; they do not justify use of medical skills for societal purposes. This objection either ignores that physicians have other practical identities besides “physician” or insists that their identity as physician must always trump their other practical identities. Physicians are also spouses, parents, friends, community members and citizens. Each role entails its own obligations and responsibilities. A physician’s practical identities as caretaker-of-patient and citizen can produce conflict. Other professionals have no choice but to grapple with moral conflict among their professional, familial and citizen identities. We should be suspicious of a claim that spares physicians this inevitable aspect of moral life by insisting that their identity as caretaker-of-patient always trumps their other identities.

Now stipulate for argument’s sake that the death penalty is morally justified because it effectively deters homicides more effectively than other means. If a physician has the social obligation to report an infectious disease to preserve public health even though the report provides no direct benefit to the relevant patient, then participation in a lethal injection protocol could be less ethically problematic: the physician would be serving the public good (according to our stipulation) by lending physicians’ cultural authority to the procedure, and bestowing at least some benefit on the condemned inmate (reducing the risk of suffering). Of course, some argue against physician participation in executions precisely because physician presence makes it easier for the public to accept the death penalty as legitimate. However, lending legitimacy to the practice is ethically problematic only if the practice is morally questionable.

Proponents of physician participation argue that a core ethical consideration – respect for the condemned prisoner – justifies physician involvement. For example, Kenneth Baum states that “as long as state ordered executions persist, physicians’ primary ethical obligation is to make them as painless and humane as possible for the condemned.”11 Though this pro-participation argument is strong, we have seen that the public good should also have purchase on the scope of physician obligations. Proponents of physician participation must consider societal reasons for doctors not to participate, and such deliberation requires consideration of capital punishment’s moral status. If the death penalty is immoral, then willing participation in an execution represents complicity in an immoral act and, as such, would be prima facie wrongful. When an agent chooses to assist another’s wrongful act, she voluntarily identifies herself with the wrongdoer’s actions, at least to some degree. Even if one’s motivation for assisting is beneficent, she cannot escape the social fact that intentional assistance in wrongdoing expresses some identification with the wrongful act. If the death penalty is unjust (or worse), then participating doctors will be complicit in unjust (or worse) actions, which means, at the least, they commit a very serious prima facie wrong. Moreover, if the death penalty is gravely unjust and perhaps evil, and if physician involvement only slightly reduces the risk of suffering, then physicians’ primary obligation is most likely outweighed by their obligations to humanity to take a stand against injustice and avoid complicity.

Following Robert Veatch, one might argue that the moral status of physician participation in a non-clinical-care activity, such as a lethal injection, is determined completely by the moral status of the practice itself.12 If the death penalty is morally permissible, then so is physician participation; if it is not, then physicians must avoid involvement.

Veatch’s view has a certain virtue. Imagine a physician who insists that justice requires the state to have the death penalty, but also believes that physicians’ professional integrity prohibits their participation in executions. On this view, because someone has to be executioner, someone else may kill, but participation would be morally beneath a doctor. One might accuse this physician of having a “holier than thou” elitist attitude about her profession. Veatch’s position stays clear of any such objection. Physicians are not on some higher moral plane than everyone else. If the death penalty is justified, no one’s hands are too pristine to be executioner.

This appealing feature of Veatch’s account, though, should not persuade if strong reasons that do not entail moral elitist counsel against participation. Orin Guidry, as president of the American Society of Anesthesiologists, argued that such reasons exist. Urging members to “steer clear” of executions, Guidry’s concern was public trust in anesthesia and anesthesiologists:

The more the execution looks like an anesthetic, the less comfortable patients are likely to be with anesthesia. Surgery is already a frightening time and one in which patients need to trust their anesthesiologist. The last thing patients need is to equate the [operating room] with a death chamber, to equate anesthetic drugs with death drugs, or to have in their subconscious the specter of the anesthesiologist as an executioner.13

Guidry’s argument does not entail moral elitism. It does not suggest that anesthesiologists are “too good” to get their hands dirty. Rather, it claims that anesthesiologist participation would have bad societal consequences that would not result from the participation of others.

Guidry’s argument may rest on a dubious empirical assumption that physician participation actually causes public distrust in anesthesiologists or anesthesia. Nonetheless, Veatch’s view is unpersuasive even if Guidry’s arguments do not provide a counterexample. Stipulate that capital punishment or other non-clinical-care
practice in which physicians participate is immoral. Even if that practice is immoral, physician participation could be morally acceptable. Consider a society in which a woman’s, but not a man’s, virginity is a prerequisite to marriage. A woman, who plans to marry but whose hymen has been ruptured, asks her gynecologist for hymen reconstruction surgery. Let us reasonably assume that the requested procedure would contribute to a practice which is immoral because it discriminates against women. As such, “professionals who participate in the procedure would be complicit” in perpetuating wrongful discrimination and thereby would commit a prima facie wrong. But now assume the woman will suffer very serious consequences without the surgery. In some cultures, failing the virginity requirement could result in “women’s expulsion from their families and communities, terminated betrothal, divorce, personal violence, and at its most extreme, so-called ‘honor killing,’ usually by close family members.”17 If a patient faces a possible honor killing, the ethics of the gynecologist’s decision to grant or refuse the requested procedure is not determined by the moral status of the practice within which the request was made. Any complicity in contributing to a discriminatory practice is justified by the need to protect the patient’s life. Likewise, even if the practice of capital punishment is immoral, anesthesiologists may have compelling reasons to participate to reduce the inmate’s risk of suffering excruciating pain.

Should legislators require or ban participation by a physician or other medical health professional on its jurisdiction’s execution team? A separate legal question is whether state medical boards should ever discipline doctors for participation. However, as Ty Alper demonstrates, it is unlikely that any state medical board in a capital jurisdiction has legal authority to discipline a physician for participation.18 In addition, even if a medical board had that authority, it should not discipline physicians for participating to reduce an inmate’s risk of suffering, given the complexity of the ethical question and the reasonableness of concluding that it is morally permissible to participate with that motivation. Thus, the practical question is whether legislatures should direct their respective departments of corrections to include or ban physicians or other medical professionals from execution teams.

The foregoing arguments strongly support the proposition that legislators who favor the death penalty should require participation of physicians or other highly trained medical professionals. Assuming, as they believe, that the death penalty is morally justified and socially valuable, then the case against physician participation is very weak. First, if the death penalty truly does advance justice, then it is good if physicians lend their cultural authority to the practice and ease citizens’ consciences about the execution procedure. Second, it is reasonable to conclude that the respect owed to the condemned inmate permits a physician to try to reduce the risk of suffering. Third, the arguments previously examined against physician participation – based on an alleged morality internal to medicine, on being a primary cause of death and on the non-medical status of lethal injection – are unpersuasive.

In addition, pro-death penalty legislators need not be moved by a concern for the public’s trust in anesthesiologists. Of course, any legislator should want to protect the physician–patient relationship and avoid causing undue anxiety for surgery patients. However, these concerns do not support a ban on physician participation. Ironically, the position of the American Medical Association and other professional organizations actually solidifies the case in support of physician participation because it alleviates these concerns. When news outlets publicize the participation of a physician in an execution, they also publicize the fact that medical organizations oppose such participation. The professional codes of ethics allow the public to view physicians who participate as rare outliers who reject their profession’s norms. Thus, the codes of ethics guard against any erosion of public trust in anesthesiologists and other physicians that otherwise might be caused by physician participation.

For anti-death-penalty lawmakers in capital jurisdictions, the practical implications are less clear and more complex. Assuming that the death penalty is immoral and anesthesiologists could reduce the risk of suffering, a satisfactory ethical analysis nonetheless would be complex and depend on many related details. For example, the degree to which the death penalty is unjustified – whether the moral status of capital punishment is a close case (it is morally impermissible but barely so) or whether it represents an absolutely evil and barbaric practice – would matter. The degree of the death penalty’s wrongfulness would then have to be balanced against the degree to which an anesthesiologist’s involvement reduces the inmate’s risk of torture. If the death penalty is barbaric and physicians only slightly reduce the risk of unnecessary suffering, then the case for banning physician participation is very strong: in those circumstances, we should not want physicians lending their cultural authority to the death penalty and easing the public’s conscience about executions. On the other hand, if the death penalty is unjustified but barely so, and if physician involvement significantly reduces the risk to each inmate, then the case for physician involvement is stronger. On those stipulated facts, the decision for the anti-death penalty legislator is more difficult and sensitive to the details. No algorithm reveals the right answer.

Endnotes

6 Peter A. Clark, Physician Participation in Executions: Care Giver or Executioner? 34 JOURNAL of Law, Medicine & Ethics 95, 99 (2006).
9 Id.
10 Truog & Brennan, supra note 3.
13 Guidry, supra note 2.
15 Id.
16 Ty Alper, The Role of State Medical Boards in Regulating Physician Participation in Executions, 95 J. Med. Licensure & Discipline 16 (2009).

Transcript Spring 2014
Patents now pervade the American business culture and marketplace. The number of issued patents continues to increase, as does the intensity of enforcement. Most new products and services are covered by one or more patents – only some of which are owned by the manufacturer or service provider.

Patents have the potential of serving as tools for business transactions – a legal mechanism for capturing and transferring the value of innovation while allowing the resulting information to be spread widely. However, patent enforcement through litigation is incredibly expensive and time consuming. Litigation regularly exceeds $10 million in contested cases and lasts for years.

The 2013 Journal of Dispute Resolution Symposium explored alternative mechanisms for resolving patent disputes and for proactively transforming would-be disputes into cooperative business arrangements. At the same time, patents may be different from other private-law concerns. The power of patents to block access to new ideas creates a strong public interest in results that encourage innovation without unjustly limiting access to those innovations.

More than 100 intellectual property practitioners from around the United States attended the symposium, which was sponsored by the Center for the Study of Dispute Resolution and the Journal of Dispute Resolution.

Videos of the day-long event may be viewed at law.missouri.edu/csdr/symposium/2013/videos.
Mizzou Law Student Organizations Experience Success in the Courtroom and on the Stage

Board of Advocates

The 2013–2014 competition cycle was met with great success for School of Law advocacy teams. For the third year in a row, the Mizzou Law Arbitration Team placed in the top four or better in the nation at the American Bar Association (ABA) National Arbitration Competition.

The Arbitration Team previously won the 2013 ABA Regional Competition in Omaha, a title that the team has held for the past three years. The members of the Arbitration Team are 3L Elizabeth Hatting, 2L Nate Dunville, 2L Nicholas Jain, 1L Kayla Meine and 1L Mary Beth Griffin.

The Mizzou Law Mediation Team also took fourth place at the 2014 ABA Mediation Regional Competition in Chicago. Team members were 2L Andrew Crane and 2L J.R. Montgomery.

The Board of Advocates achieved unprecedented success with mock trial. The Mizzou Law Texas Young Lawyers Association (TYLA) Mock Trial Team was a semi-finalist at the 2014 National Trial Competition in Columbia. The TYLA team prepared for a case involving wrongful death at a construction site. Team members were 1L Ben Marble and 3L Clinton Turley.

The Mizzou Law Labor and Employment Mock Trial Team was a semi-finalist at the 2013 ABA Labor and Employment Mock Trial Competition in Chicago. Team members were: 2L Contessa Brundridge, 2L Antonio Stanfield, 3L Clinton Turley and 3L Nick Zotos.

Finally, the Mizzou Law Thurgood Marshall Mock Trial Team, for the second year in a row, took third place at the regional competition and qualified for nationals. The team will prepare a criminal case for the national competition in Milwaukee later this year. The Thurgood Marshall Mock Trial Team members are 3L Melesa Johnson, 3L Brittany Chapman, 3L Arsenio Mims, 2L Jafon Fears and 2L Alesha Williams.

Mizzou Law BOA would like to thank coaches Prof. Chuck Henson and Prof. Andrew Blackwell, *12, for their time, in addition to the many faculty members who assisted or supported the teams.

Mizzou Law Arbitration Team members studied property law issues related to the sale of a building that had been used to manufacture methamphetamine. After winning the regional competition, the arbitration team went on to place fourth at the ABA’s national competition in Chicago.

left to right: 2L Nicholas Jain, 1L Kayla Meine, 3L Elizabeth Hatting, 2L Nate Dunville and 1L Mary Beth Griffin

FACULTY NOTES

John Lande was named a fellow of Educating Tomorrow’s Lawyers, a project of the Institute for the Advancement of the American Legal System at the University of Denver, which posted an online portfolio of materials from his innovative negotiation course.


Lande chaired the Planned Early Dispute Resolution Task Force of the American Bar Association Section of Dispute Resolution, which released a user guide that he co-wrote and that was co-sponsored by the American Arbitration Association, International Institute for Conflict Prevention and Resolution’s and the Judicial Arbitration and Mediation Service.

He gave numerous presentations including in Israel, at the law schools in Haifa and Zefat, and at the Association of American Law Schools Section on Alternative Dispute Resolution’s Works-in-Progress Conference, The Missouri Bar Association Annual Meeting and the Missouri Attorney General’s Office Annual Conference.

S. David Mitchell taught a street law course at Frederick Douglass High School in Columbia covering a variety of legal topics and several landmark U.S. Supreme Court cases.

Mitchell gave a presentation to the Mathematics in Life Sciences Freshman Interest Group at Mizzou on some of the prior campus incidents involving the intersection of race and the law such as the “Cotton Ball” incident and the defacing of dorms with a racial epithet.
Federalist Society

The University of Missouri’s chapter of the Federalist Society built on momentum from previous years and has experienced its most fruitful year to date. With membership up to 52, Mizzou FedSoc has been nominated for a Feddie Award for membership growth, to be presented at the National Student Symposium, for the second straight year.

Starting with its annual welcome back barbeque at Prof. Thom Lambert’s house, Mizzou FedSoc has been committed to furthering the debate on a number of hot button issues facing society today. Highlights from the past year include a Constitution Day debate between Prof. Ben Trachtenberg and Prof. John McGinnis from Northwestern, Prof. Joe Haslag and Theodore Malloch’s talk on business ethics, and the group’s annual 1L Job Search Panel, where elder FedSoc members imparted their wisdom on the current state of the job market and gave important tips on networking and summer employment.

With continued support of the national organization, faculty advisors and alumni, the Mizzou chapter of the Federalist Society plans to continue to host events for the entire law school.

Historical and Theatrical Trial Society

On Oct. 24, 2013, the School of Law’s Historical and Theatrical Trial Society (HATTS) staged the mock trial of William Quantrill at the Missouri Theatre in downtown Columbia.

The mock trial focused on the 1863 raid of Lawrence, Kan., by Quantrill and his Confederate raiders, who burned down the town. Set 150 years later, HATTS placed Quantrill on trial for the killings of those who died the morning of the attack. The question before the court was whether the Lawrence raid was a legitimate act of war or whether it was a massacre deemed to be a war crime.

Each year, students and faculty at the School of Law put on the HATTS trial, auditioning for the characters involved with the crime and the lawyers who will try the cases. The organization selects a historical event that was never actually put on trial during its time, but signifies a potential cause of action. After selecting the event, the organization’s members research the event facts and stage a mock trial in accordance with modern day law. One law student and one experienced attorney comprise the prosecution and defense teams.

U.S. Magistrate Judge Matt J. Whitworth of the U.S. District Court for the Western District of Missouri served as the Quantrill trial’s judge, while Prof. Frank O. Bowman III and 3L Arsenio Mims represented the United States, and Assistant Federal Public Defender Troy Stabenow and 2L James Montgomery represented Quantrill. The trial was directed by 2L Jillian Dent.
Avenues of Support

We are frequently asked about the options we have available for giving to the School of Law. Of course, the worthwhile funds and substantive needs you may help are too numerous to mention. The following are funds we think have the broadest appeal.

Law School Fund For Excellence

The distributions we can make from most of the funds at the School of Law are restricted for a specific purpose. They provide most of the scholarships and faculty support for the school, and we are very grateful to have them. However, sometimes the school has a priority that isn’t covered by the established endowments. Therefore, we have established a new fund called the Law School Fund for Excellence. This fund allows the law school to address priorities and needs not otherwise supported by existing funds. Maybe we need extra funds to retain one of our outstanding faculty members who receives a lucrative offer from another school. Maybe we need more scholarship money to compete for highly-credentialed applicants. Or maybe we need new computers for the Law Library. By giving to the Law School Fund for Excellence, you let the law school address its top priorities and greatest needs.

Tate Hall Scholarship

Those of you who began law school prior to 1988 remember the law school being synonymous with Tate Hall. Maybe you remember Prof. Pitman writing on the chalkboard behind him while facing the students. Or maybe you were surprised to see wasps enter Prof. Esbeck’s Civil Procedure class (and more surprised when they didn’t seem to realize they were up that day). Those were the days! Tate Hall was remodeled and repurposed for use by the English Department in 2011. During the construction, we obtained several bricks that were torn out and used these as mementoes for those who made gifts to a new scholarship fund established to honor the long-time home of the law school. Because of the generosity of many of you, the Tate Hall Scholarship was endowed and is providing assistance to worthy law students each year. If you make a contribution of at least $250, plus $15 for shipping, we are still offering Tate Hall bricks as premiums while the supply lasts.

Law School Foundation Diversity Scholarship

One of the law school’s top priorities is to continue to recruit a diverse student body. To that end, we have established scholarships funded and named for individual alumni that give priority to applicants who increase the diversity of the law school’s entering class. Recently an alumnus offered to endow a diversity scholarship that would not be named for an individual with hopes that it would draw gifts from anyone who has an interest in supporting diversity at the School of Law. Hence, the Law School Foundation Diversity Scholarship was created to serve that role.

If you would like to make a contribution to support one of the above funds, or for any other purpose, please let us know!

Columns Society Recognizes Annual Support

This year marks the 175th anniversary of the founding of the University of Missouri. More than ever, critical annual support is needed to ensure the continued success of MU.

The Columns Society was launched in the fall of 2013 to recognize donors who make it a priority to support the university each year. Alumni and friends who make gifts of $2,500 or more annually are recognized through membership in the Columns Society. Young alumni (age 35 and under), faculty and staff qualify with gifts of $1,500 or more. Giving totals are counted based on the fiscal year, which ends June 30 of each year.

Your gifts to the School of Law – as well as the support you may provide to other areas of campus – count toward Columns Society membership. You can make a single gift or several gifts throughout the year.

“Columns Society members set an example and inspire others to make a difference for MU,” says Mark Langworthy, senior director of development in the School of Law. “The annual support provided by our alumni and friends allows us to do more every year.”

Members of the Columns Society will be invited to exciting events, including the inaugural Columns Society Gala on Sept. 19. Members also receive a decal, lapel pin and information on the university.

By giving back to MU each year, Columns Society members honor the university’s past, present and future. For more information on the Columns Society, contact Traci Fleenor in the School of Law Office of Advancement at 573-882-4657 or online at giving.missouri.edu/columns-society.

Make a gift online... No need to use a stamp and an envelope!

donatetomu.missouri.edu
A Lens of Learning

The law school’s Office of Admissions travels all across the country and reaches out to prospective students around the world, ready to fill each incoming class with qualified and enthusiastic individuals who can bring unique perspectives to Hulston Hall.

Because a diversity of backgrounds creates a better educational experience, the admissions team seeks students with a variety of racial and ethnic backgrounds, geographic areas, undergraduate institutions, academic focuses, ages and more.

The 2013 Incoming Class represents...

- **9 Permanent States of Residency**
  Top states: Missouri and Illinois... then, in a tie, Arkansas, Florida, Kansas and Michigan.

- **29 Missouri Counties**
  Top counties: Boone, St. Louis and Greene

- **41 Undergraduate Institutions**
  Top schools: Mizzou and Truman State University

- **39 Undergraduate Majors**
  Political science is tops for this class, but majors include chemistry, hotel and restaurant management, anthropology, construction engineering and marketing.

Each student’s personal story helps create a lens for learning, and the School of Law strives to create an environment enhanced by the opportunity to peek through different lenses. Take a minute to meet three members of our incoming class. And as always, let the admissions staff know if you know a student to whom they can reach out.

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1L Student Profile: Joseph P. Krispin

**Hometown:** St. Louis

**Undergraduate Degrees:** BA in Communication and BS in Justice Systems, Truman State University

- **Why did you choose Mizzou Law?**
  Mizzou Law is close to home, competitively affordable and has a strong reputation nationally.

- **What is your favorite thing about law school so far?**
  The professors are better than I could have imagined. They are very knowledgeable and are extremely effective at teaching.

- **If you were recruiting a student to come to law school, what would you tell him about Mizzou?**
  The professors are excellent and the student body is very cooperative and friendly.

- **Who do you look up to most and why?**
  My dad (Paul T. Krispin Jr., ’85). He’s a good lawyer, but more importantly, a great father and a great man.

- **What do you do to cope with the stress of law school?**
  Exercise. I go to the rec center almost every day and play sports as often as possible.

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1L Student Profile: Ashley K. Zellmer

**Hometown:** Anchorage, Alaska

**Undergraduate Degree:** BBA in Finance, Investment and Banking, University of Wisconsin

- **What prompted your interest in law school?**
  While working as a manager at the Anchorage Marriott, there was an incident with a guest and his laptop computer. He claimed the housekeeper had broken the computer while cleaning the room and I had to do the investigation, interview the housekeepers and talk with the guest. I was constantly asking the general manager what was going on with the case. He refused to settle and it was later taken to litigation. I was so intrigued with law that I ended up quitting my job at the Marriott and worked as a legal assistant at a small office to determine if law school was the right choice.

- **If you were recruiting a student to come to law school, what would you tell them about Mizzou?**
  Mizzou Law is great because we have all of the benefits of a large school and campus, but the law school is a smaller community. The students and faculty are there to help you and want you to succeed. I have never had a better group of cheerleaders! I get bombarded with e-mails from faculty and other students when I do well, which is something really unique about Mizzou Law.
If you could change one thing about law school, what would it be?
I wish that we had midterm exams instead of having one final exam. It would allow students to get a feel for the types of questions the professor asks and prevents students from waiting until the end of the semester to outline and prepare for exams.

What is your favorite spot in Columbia?
My favorite spot outside would be on the Katy Trail. I love running and biking and it is a great place to clear my head. If I am going for some great food and a beer, my favorite place would be Flat Branch! I love their green chile beer and all the locals who hang out there.

What are your plans for the summer?
I was selected to clerk for Judge Norton (Glenn A. Norton, ’85) this summer at the Missouri Court of Appeals for the Eastern District through the Crahan Fellowship. It is such an honor to be chosen and I am really looking forward to working with Judge Norton and Linda Legg.

What is your favorite thing about law school so far?
The Mizzou Law community is the essential reason I am enjoying my law school experience. The faculty and staff are not only scholarly, but are personable as well. They are always there to support and assist the students. I can honestly say they are one of my biggest advocates.

If you were recruiting a student to come to law school, what would you tell them about Mizzou?
I would tell a prospective Mizzou Law student that there is a piece of happiness here for every kind of person. For those who want to study and still have a life outside of Hulston, Mizzou offers and hosts a plethora of activities to keep you current on your social life. For those who just wish to focus on law school, the school provides many “sanctuaries” in the library to narrow that focus. The school provides a great balance for the law student’s life without making them feel guilty about choosing one or the other.

What are your plans for the summer?
During the summer of 2014 I will be working for Emerson Electric’s in-house counsel in St. Louis. Also, because of a professor’s referral, I will be interning with a federal district judge.

Who do you look up to most and why?
I look up to my brother. Through all the obstacles in his life he still chooses to push forward. Every time I run into a bump in the road, I think to myself “What would my brother do?”

If you had a free weekend to do whatever you wanted, what would you do?
If I had a free weekend to not be concerned with law school, I would put my brain on autopilot and take a vacation to some place sunny.

1L Student Profile:
Brittney J. Herron
Hometown: St. Louis
Undergraduate Degree: BA in Business Administration, Lindenwood University

FACULTY NOTES

Carl N. Conklin was appointed to the Faculty Advisory Committee for the University of Missouri Department of Political Science’s new minor in American Constitutional Democracy. She joined faculty from the MU departments of political science, history and economics.

Conklin presented her work on the historical meaning of the “pursuit of happiness” at the Washington University School of Law’s Regional Junior Faculty Workshop. She was one of eight junior faculty members chosen to present at the workshop.

Larry Dessem spoke on two programs at the annual meeting of the Southeastern Association of Law Schools. He moderated and spoke on a program on multi-choice examinations and spoke on another program concerning law school deans.

In October he and several other faculty members spoke at a program of the Boone County Bar Association on “1L Black Letter Law.”

More recently, Dessem chaired the 2014 nominating committee of the Association of American Law Schools (AALS). He presented the committee’s nominations for president-elect and members of the executive committee to the AALS House of Representatives at the AALS annual meeting. During the meeting, he spoke on a panel on law school transfer students and their impact on offices of admissions and student services.

With Prof. Gregory Stein of the University of Tennessee College of Law, Dessem co-wrote an article that appears in the Hastings Law Journal’s online publication, Voir Dire: “The True Value of a Law Degree, or Why Did Thurgood Marshall Go to Law School?” In the article, Dessem and Stein discuss the many non-economic benefits of a law degree and suggest that prospective law students consider these benefits in deciding whether to apply to law school.
Exploring the Profession

by Kate Busch, ’07, director of career development

A major task for law students and career development staff is developing relationships with firms and other employers across the state. With a majority of Missouri’s 114 counties boasting less than 50,000 people, we have an interesting challenge: How do we create strong relationships and expose students to a wide range of employers in a geographically diverse state?

Among other efforts, Career Development recently developed a site visit program, “Exploring the Profession.” We organize a series of visits to areas where we have student interest throughout the year and with each trip, we typically visit three or more legal employers. The employers have included small law firms, government and public interest agencies, courts and other businesses.

Our goal is to take at least one trip each year to St. Louis and Kansas City, but we also focus on the smaller legal communities from which we have strong student representation. As it turns out, we have had the strongest student response with trips to the mid-sized communities. For example, we have taken a group of ten students to Springfield, Mo., each semester for the past three semesters. In addition, our recent trip to St. Charles, Mo., filled up within two hours of posting the opportunity.

In Springfield, students were able to attend the Springfield Metropolitan Bar Association (SMBA) luncheon and visit Lowther Johnson and Baird, Lightner, Millsap and Harpool. At the October 16th SMBA luncheon, students heard Missouri Attorney General Christopher A. Koster, ’91, discuss the 50th anniversary of Gideon v. Wainwright. At the firms, students learned and discussed the business of a law firm, gathered advice from newer attorneys about entering the Springfield legal community and, of course, learned how to become competitive for summer and permanent positions. C. Ronald Baird, ’74; Alexander W. Davis, ’12; Katherine O’Dell; Michael L. Miller, ’04; and Matthew Growcock were all very helpful and welcoming to our students at their law firms.

In our criminal-focused St. Charles trip, we visited with Timothy A. Lohmar, ’99, St. Charles County Prosecuting Attorney, and with criminal defense attorneys at Dalton, Chassaniol & Bellon, and Niedner, Bodeux, Carmichael, Huff, Lenox, Pashos and Simpson. Dennis Chassaniol, James Carmichael and Scott E. Simpson, ’07, were quite gracious in discussing the life and business of criminal defense. Among other topics, students were able to ask about ethical issues, operation of the law firms and how to begin a career in criminal defense.

“...This experience was invaluable,” 2L Mary Ibrahim says. “It was particularly helpful being guided by a former prosecutor because it helped guide which questions to ask. I learned from each and every place we visited, even if I was not initially interested in some of the practice areas of the firm...”

Exploring the Profession is gaining popularity at the School of Law because it allows students to make strong connections with employers and leverage these to obtain summer and full-time positions – particularly with employers who are often overlooked through on-campus interviewing and other traditional recruiting programs. Finally, we continue to learn more about what employers look for in interns and full-time attorneys, and how to help our students succeed in obtaining employment.

Pro Bono at Mizzou Law

by Linda Lorenz, director of public service/public interest

The School of Law established a formal Pro Bono Program in the fall of 2013 to provide students with opportunities to gain practical lawyering experience while serving persons of limited means, as well as to cultivate a sense of professionalism and social responsibility. Although the Pro Bono Program is voluntary, students are strongly encouraged to engage in a variety of volunteer activities throughout the year and have the opportunity to earn a certificate of recognition in honor of their contributions.

The new Pro Bono Program was kicked off on Sept. 30 by Paul C. Wilson, ’92, judge on the Supreme Court of Missouri. Numerous programs and opportunities for pro bono work followed in October, which is National Pro Bono Month. Ketrina Bakewell, ’83, pro bono coordinator and partner at Bryan Cave in St. Louis, along with her counterpart from Bryan Cave’s Kansas City office, Christopher Javillonar, talked with students about pro bono work at their firm. Amy J. Lorenz-Moser, ’00, partner with Armstrong Teasdale in St. Louis and appointee to the American Bar Association’s Standing Committee on Pro Bono and Public Service, presented a program about her work with women convicted of killing their abusers – work that began when she was a student in the law school’s Family Violence Clinic.

Inspired by these programs, Lambda Legal Society, the Women’s Law Association, the Tax Law Society, the Equal Justice Law Association and others promoted various projects and pro bono trips. Lambda Legal Society was most ambitious, and planned a trip to New
Joshua L. Holmes, ‘07, co-president of Lambda Legal, contacted student Crystal L. Settlemoir, with AIDSLaw of Louisiana. Third-Orleans over winter break to work with AIDSLaw of Louisiana. Third-year student Crystal L. Settlemoir, co-president of Lambda Legal, contacted Joshua L. Holmes, ‘07, a staff attorney with AIDSLaw, who made a trip to campus to talk about the importance of providing specialized legal services to those individuals with HIV/AIDS. AIDSLaw of Louisiana is a non-profit that formed in 1989 to provide free legal services to low-income persons affected by HIV/AIDS. AIDSLaw is the only agency in Louisiana dedicated to improving the quality of life and access to health care, affecting more than 10,000 residents in the New Orleans/Baton Rouge area.

Five students from Lambda Legal drove to New Orleans during winter break to spend a week volunteering at AIDSLaw. “There is definitely an HIV/AIDS crisis in the Gulf states and much more work needs to be done in the areas of prevention, outreach and policy work,” says 3L Salama M. Gallimore. “It was great to be a part of an organization that does so much to protect the rights of those living with HIV/AIDS.”

First-year law student Connor G. Curran appreciated the opportunity to use his legal research skills and learn more about healthcare regulations. “I personally researched and recommended potential state and federal causes of action that a client could pursue in reaction to the client’s healthcare provider violating HIPPA rules by divulging the client’s HIV status to her family members and other members in the community, without the client’s consent,” he explains.

Pro bono trips like this allow students to gain practical lawyering skills while witnessing the need for such services. “I really benefited from my time at AIDSLaw Center in New Orleans,” Gallimore says. “I had the opportunity to help clients obtain and maintain health, housing and mental health services.”

Clinic Collaborates with Legal Services

The School of Law’s Family Violence Clinic has entered into a collaboration with Mid Missouri Legal Services. Legal Services’ staff attorney, J. Danielle McAfee, ‘10, now supervises clinic students in civil protective orders.

Clinic Handles Appeal in Adoption Case

The Family Violence Clinic prosecuted an appeal in In Re DeBrodie 400 SW 3d 881 (Mo. App. W.D. 2013). The Cole County Circuit Court appointed Prof. Mary Beck as pro bono guardian ad litem for an adult mentally disabled man whose former foster parents petitioned to adopt him.

Clinic students Michelle R. Koehly, ‘12; Anthony J. Cross, ‘13; and Paige Oster, ‘12, investigated the case, drafted the initial guardian ad litem report and appeared in court. The trial court denied the adoption and the foster parents appealed.

Sarah C. Ayres, ‘13, and 3L Alyssa Brownlee, with help from 3L Kevin Luebbering and 3L Diamond M. Scott, researched and drafted the appellate brief filed on behalf of the adoptee. Ayres was introduced to the appellate court at argument. The court reversed and remanded the case construing the statute as urged by the petitioners and the guardian ad litem.

Upon remand, 3L Lesley A. Hall and 3L Janette D. Dansby reinvestigated the case and testified at rehearing, advocating for adoption. The trial court again denied the adoption. The petitioners are again appealing and the clinic students will again write the necessary appellate briefs.

Students Secure Contested Civil Protective Order Hearings

Two clinic students, 3L Joanna L. Byrne and 3L Marcy F. Greenwade, secured contested civil protective order hearings for an abuse victim in two counties where her abuser and his mother had filed lawsuits. Third-year students Lesley A. Hall and Janette D. Dansby fought off the joinder of a paternity action to a civil protective order. The clinic is seeing the manipulative filing of civil protective orders against abuse victims and the use of paternity actions to deflect the allegations of abuse in properly-filed civil protective orders.

Clemency Petition Filed with Missouri Governor


With her husband, Isa was convicted of murdering their teenage daughter. A bigamist whose other wife lived in the Middle East, her husband testified as to Isa’s innocence in the murder. He was subsequently charged with terrorism but died before the trial in which his co-conspirators were convicted. The clemency petition is pending.

Student Publishes Paper in Law Review

CSDR Symposium Focuses on Judging


The symposium features the Hon. Duane Benton of the United States Court of Appeals for the Eighth Circuit as keynote speaker, as well as the Hon. Jeremy Fogel, director of the Federal Judicial Center and district judge of the United States District Court for the Northern District of California, and the Hon. Mary L. Rhodes Russell, ’83, chief justice of the Supreme Court of Missouri, as panelists.

Other speakers include Prof. Robert G. Bone of the University of Texas at Austin, Prof. T. Brettel Dawson of the National Judicial Institute in Canada, Prof. Kathleen E. Mahoney of the University of Calgary, Prof. Chad M. Oldfather of Marquette University Law School and Prof. Martin H. Redish of Northwestern University School of Law.

LLM in Dispute Resolution

Now in its 15th year, the LLM in Dispute Resolution Program again includes a diverse group from the United States, China, Nigeria, Russia, South Korea, South Africa and Spain. The program blends theoretical analysis, practitioner skills and systems design work in the dispute resolution field.

Trainings Offered for Lawyers and Judges

In January, the center’s Associate Director Jim Levin and LLM Director Paul Ladehoff conducted a three-day civil mediation training for Missouri lawyers and judges.

On June 10–13, a four-day domestic relations mediation training will offer a foundation in conflict, negotiation and mediation theory, as well as matters pertaining to domestic relations. For details, see law.missouri.edu/cle/upcoming-cle-programs

Recognised Course Provider Status Renewed

The School of Law has renewed its status as a Recognised Course Provider for the Chartered Institute of Arbitrators (CIArb). Students enrolled in a CIArb-approved course at the University of Missouri receive an exemption from certain courses on CIArb’s educational pathway. In the past, students in Lawyering, International Commercial Arbitration, Arbitration and Labor Arbitration have been eligible for CIArb exemptions. The School of Law is currently the only law school in the United States to offer CIArb-approved courses during the regular academic year.
Law Library Launches Scholarship Repository

In August, the Law Library launched a new “scholarship repository” on the law school website. The repository makes the scholarly writings of the school – including published faculty work and the full archives of the Missouri Law Review and its precursor, the Missouri Law Bulletin Series, and the Journal of Dispute Resolution – freely available online. There are currently 4,464 items in the repository and since its launch, articles and papers from the repository have been downloaded 167,315 times.

Growth of the repository is planned for the future. Along with continuing to add current issues of the journals and faculty scholarship, the Law Library plans to add the Journal of Environmental and Sustainability Law (formerly known as the Missouri Environmental Law and Policy Review), which is a joint publication of the School of Law and The Missouri Bar.

Access to the Scholarship Repository can be found at scholarship.law.missouri.edu.

Library Staff Notes

Cynthia Bassett, Electronic Services Librarian, was elected as the vice president/president-elect for the Mid-America Association of Law Libraries (MAALL). MAALL, a regional association of the American Association of Law Libraries, is made up of nine states in the Midwest and has more than 250 members. As vice president, Bassett is responsible for the educational programming for the 2014 MAALL Annual Meeting to be held in Chicago in October.

Melissa Fayad, Library Information Specialist, celebrated her 25th anniversary at MU in March.

Fayed joined the staff of the Law Library on a snow-covered day in 1989. She currently is a library information specialist in the Law Library’s Collection Management Department, where she is responsible for the ordering, processing and payment of all law library materials; supervision of student assistants; and oversight of stack maintenance.

Fayed and her husband, Saiid, have three sons, the youngest of whom will be a freshman at the Missouri University of Science and Technology next year. She has an interest in genealogy, local historical events – she participates in the Mexico, Mo., “Walk Through Time” event each year – and she is a collector of dolls, autographed books and vintage clothing.

Save the Date!

Law Alumni Golf Tournament

August 18, 2014

Columbia Country Club

11 am Registration, Lunch and Range Opens

1 pm Shotgun Start

Hosted by Shawn T. Briner, ’98; Andrea E. Benna, ’07; Tyson H. Ketchum, ’00; Anthony C. Martin, ’99; Claire E. McClintic, ’09; and David A. Townsend, ’00.

For more information, please contact Traci Fleenor in the School of Law Office of Advancement at 573-882-4657 or fleenort@missouri.edu.
FACULTY NOTES

Carl H. Esbeck published “Religion During the American Revolution and the Early Republic,” in Law and Religion (Ashgate Publishing, U.K.). The article documents many little known features, such as the patriots’ antipathy toward the Roman Catholic establishment in Quebec, as well as a symbiosis within the new nation of individual liberty, social leveling and an emerging democratized Protestantism. He also published “Can Government Actively Favor a Religious Practice?” in SCOTUSBlog on Sept. 23, 2013, just as the U.S. Supreme Court heard argument in a case involving legislative prayer.

Esbeck worked on the Employment Non-Discrimination Act (ENDA), which passed the U.S. Senate and is pending in the House. ENDA would extend employment nondiscrimination protection on the bases of sexual orientation and gender identity. Esbeck worked with religious organizations that sought to strengthen its religious protections. They succeeded in getting amendments in the Senate broadly exempting religious organizations and securing a non-retaliation clause for those organizations availing themselves of the exemption.

Esbeck co-wrote a brief amici in the U.S. Supreme Court on behalf of closely-held family businesses who seek exemption from a part of the Affordable Care Act (ACA) on the basis of religious conscience. The ACA can proceed with its broad purposes, including the aims of improving reproductive health and gender equality. But the brief argues that what the First Amendment and civil rights laws call for is that the government achieves these laudable goals by permitting religious employers to provide health care plans that do not make them complicit, as their faith views it, in abortifacient drugs destroying the life of the unborn.

SPRING NEWS

Law Staff Recognized for Excellence

Patty H. Epps Award

Cheryl R. Poelling is the recipient of the 2013 Patty H. Epps Award, which is presented to a non-exempt staff member who honors the memory of Patty H. Epps with exceptional public service, cheerfulness, indomitable spirit and dedication to the School of Law. Faculty and staff vote by private ballot each year and the award recipient is kept secret until the official announcement.

Poelling joined the School of Law in 1993 in the Administrative Office (Room 203) and says she loves her job because every day is different. “I am blessed to work with and for amazing staff and faculty,” she says. “My administrative assistant responsibilities include clerical support for faculty, coordination of exams, teaching evaluations, equipment maintenance and lots of student interaction, a favorite part of my job.”

When she’s away from the law school, she and her husband, Richard, enjoy spending time with their five grandchildren, and she enjoys quilting.

JoAnn Humphreys Law Library Employee Performance Award

Emanuel O. “Manny” Nolasco is the recipient of the 2013 JoAnn Humphreys Law Library Employee Performance Award, which is presented to a staff member of the library who honors the memory of JoAnn Humphreys. The awardee is determined based on outstanding contributions to the law school community that enhance the quality of law school life and purpose through support of its core teaching, research and service activities. Nominations are submitted by faculty and staff and the awardee is selected by the Law Library management team. The award is kept secret until the official announcement.

Nolasco joined the School of Law in June 2011, providing technical support to members of the Hulston Hall community and to visitors in the building. He provides classroom tutorials to students preparing their laptops for exams and plays an integral role with the coordination and development of new instructional technology.

In his free time, Nolasco serves as a DJ at local clubs and as a convention reporter/journalist for a non-profit organization. He enjoys ending his day walking his four-year-old Beagle, Bella.
Freshman Enrollment Up, Total Enrollment Down

There were 85 beginning students in the School of Law in September. This is the largest number of entering students in any semester since the years immediately following World War II when the returning veterans brought about greatly increased enrollments.

However, the total enrollment in the Law School decreased from 215 in the Fall of 1960, to 207 in the Fall of 1961. This decrease was due to a large 1961 graduating class, and to a smaller entering enrollment in September and February of the 1960-61 school year.

During the past few years there has been only a gradual increase in the enrollment of the nation’s law schools. Frequently legal educators comment that emphasis on the sciences and increased financial aid to students in the sciences has resulted in a decrease in the proportion of able students who choose law as a profession. The American Bar Association currently has a special committee studying this problem.

Law Day 1961

Over 700 persons attended Law Day 1961 on April 29. There was special interest in this law day because the new wing on Tate Hall was dedicated. The dedicatory speech was made by Senator Symington. Governor John M. Dalton, class of 1923, presented the building to James Finch, class of 1932, Chairman of the Board of Curators. The weather was fair and the noon picnic luncheon was held on the lawn of the University Library across from Tate Hall.

One of the highlights of the law day was the 25th anniversary meeting of the class of 1936. This class added almost $2,000 to the James Parks Memorial Fund, and an annual scholarship will be awarded by the Foundation from the fund. This scholarship will be $300.

Another highlight of Law Day was the student skit, which was a mock faculty meeting, sung to the tune of H.M.S. Pinafore by Gilbert and Sullivan.

The speaker at the Annual Banquet was Dean William Prosser of the University of California, famed authority on torts, and one of the draftsmen of the Uniform Commercial Code. The Edna Nelson dinner was held on Friday evening, with the Law Review and first year law students as guests of the Law School Foundation. Dean Page Keaton of the University of Texas Law School, President of the Association of American Law Schools, was the speaker.

It seems that great interest is being shown in the 25th anniversary of each class and it is expected that the class of 1937 will have a good attendance at Law Day 1962.
50s

Sam F. Hamra, ’59, received the Hall of Fame Award from Wendy’s International at the Wendy’s Convention in October. The Hall of Fame is the highest honor awarded by Wendy’s International each year.

60s

Owens Lee Hull, Jr., ’65, is now the namesake of the Platte County (Mo.) Courthouse. On Dec. 31, 2013, the Platte County Commission voted to change the name of the courthouse to the Owens Lee Hull Jr. Justice Center.

Kenneth H. Suelthaus, ’69, has been named chairman of the board of The Foundation for Barnes-Jewish Hospital in St. Louis, and will also serve as member of the board of directors at Barnes-Jewish Hospital.

He was elected to the Foundation board in 2006.

The Foundation supports the patient care, research and innovation, community outreach and educational mission of Barnes-Jewish Hospital and its Washington University Physician colleagues, as well as supports the Siteman Cancer Center, Goldfarm School of Nursing at Barnes-Jewish College and Barnes-Jewish West County Hospital in the St. Louis area.

Suelthaus is vice chairman of the Polsinelli law firm.

70s

Thomas Cummings, ’70, is deputy general counsel for Armstrong Teasdale in St. Louis. He is a partner in the firm’s litigation practice group and represents banks and financial institutions in litigation related to lending, bank deposits and collections, and regulatory matters. He also handles class actions, complex real estate cases, significant trust and estate disputes and the representation of title companies.

John Sandberg, ’72, received the 2013 Law Firm Leader Award by Missouri Lawyers Weekly. The award recognizes managing partners who “demonstrate extraordinary vision, innovation and leadership.” Sandberg is a managing partner with Sandberg Phoenix & von Gontard in St. Louis.

Douglas S. Lang, ’72, was appointed by the Supreme Court of Texas to serve as a commissioner on the State Commission on Judicial Conduct for a term of six years expiring Nov. 19, 2019. Lang is a justice on the Texas Fifth District Court of Appeals in Dallas.

John W. Maupin, ’75, was appointed by Gov. Jeremiah W. “Jay” Nixon, ’81, to the St. Louis County Board of Election Commissioners, which conducts all public elections in St. Louis County, Mo. He practices with Eckenrode-Maupin in St. Louis.

Cynthia MacPherson, ’76, was appointed by Gov. Jeremiah W. “Jay” Nixon, ’81, to serve as associate circuit judge for Ozark County, Mo. Previously she operated her own private law practice in southwest Missouri.

In January 1977, MacPherson became the first woman to serve as an elected county prosecuting attorney in Missouri when she became prosecutor for Audrain County.

80s

H. Morley Swingle, ’80, announces his marriage to Lane P. Thomasson, daughter of Donald P. Thomasson, ’52. Thomasson is a second-year law student at the University of Denver Sturm College of Law, where she serves on law review. Swingle practices with the law office of James T. Anest, P.C. in Parker, Colo. After spending the majority of his career as a prosecutor, he now does work in criminal defense.
Nancy M. Watkins, ’81, was appointed by Gov. Jeremiah W. “Jay” Nixon, ’81, to serve as associate circuit judge for the 21st Judicial Circuit, which covers St. Louis County. Previously she practiced with Schuchat, Cook & Werner in St. Louis.

John Warshawsky, ’82, has joined the Financial Industry Regulatory Authority (FINRA) in Rockville, Md., as counsel for the Market Regulation Department. FINRA serves as the largest independent securities regulator in the United States and strives to maintain fairness and honesty in the country’s capital markets.

With his move to FINRA, Warshawsky concluded a 27-year career with the federal government, primarily with the U.S. Justice Department, but also featuring stints at the Securities and Exchange Commission and the Federal Deposit Insurance Corp.

Warshawsky and his wife, Susan, continue to reside in Bethesda, Md., and welcome the opportunity to dine with friends visiting Washington, D.C.

Jeffrey J. Comotto, ’83, retired from Anheuser-Busch on Jan. 31, after 27 years, the last five of which were spent as Vice President, Taxes. Comotto and his wife, Christine, have purchased a bed and breakfast in Defiance, Mo., and will retire from St. Louis.

Charles M. Key, ’84, rejoined the Health Care Practice of Wyatt, Tarrant & Combs in Memphis, following a 16-month leave of absence to serve as in-house general counsel for a firm client. At the firm, Key concentrates his practice on a variety of health care issues including regulation of provider conduct, Medicare reimbursement, antitrust, insurance, privacy of health information, medical peer reviews, managed care, licensing and general health law.

Erik A. Bergmanis, ’85, was elected vice president of The Missouri Bar. He has served as a member of the bar’s board of governors since 1999.

Bergmanis is the managing member of the Bergmanis Law Firm in Camdenton, Mo.

Lori L. Bockman, ’85, is general counsel for Armstrong Teasdale in St. Louis. As general counsel, she serves as the firm’s chief legal officer and is responsible for protecting the firm’s legal interests, maintaining its operations within the scope established by law and providing guidance on risk management and related liability issues.

Kimberly Jade (Tillman) Norwood, ’85, is editor of and contributor to Color Matters: Skin Tone Bias & the Myth of a Post-racial America, a book published in 2013 by Routledge. She is a professor of law and professor of African and African American studies at Washington University in St. Louis.

Tracy C. Flanigan, ’86, was appointed by Gov. Jeremiah W. “Jay” Nixon, ’81, to the Missouri Southern State University Board of Governors. She operates a private practice in Carthage, Mo., and Fort Worth, Texas. As part of her practice, she serves as outside legal counsel to the Burlington Northern and Santa Fe Railway Co.

Ronald A. Norwood, ’86, is the chairman of the Diversity and Inclusion Committee for Lewis Rice Fingersh in St. Louis. Norwood’s commitment to promoting diversity and inclusion is not limited to his role at the firm; he proudly serves as a mentor to students from local law schools, high schools and middle schools through participation in the College Bound program, which provides promising students from under-resourced backgrounds with the academic enrichment, social supports and life skills needed to succeed in college and careers.

Susan Ford Robertson, ’86, was named to the Kansas City Business Journal’s “Best of the Bar” list of outstanding Kansas City lawyers chosen by their peers. She practices with The Robertson Law Group in Kansas City, Mo.

Frank A. Rodman, ’88, is a loan compliance officer with The Bank of Missouri. After 24 years in public service, the last 12 with the Missouri Attorney General, he moved to the private sector. He is responsible for ensuring compliance with laws, rules and regulations pertaining to all lending activities at the bank.

Rodman was promoted to the rank of colonel in the Missouri Air National Guard (MOANG). He has been judge advocate for nearly 25 years in the Air Force, Air Force Reserve and Air National Guard. He currently serves as the state staff judge advocate for MOANG, where he advises commanders on statewide issues affecting National Guard units and members.

M. Shawn Askinosie, ’89, received a Faculty-Alumni Award from the Mizou Alumni Association in October. This award recognizes the achievements of faculty and alumni. Alumni are considered for their accomplishments in professional life and service to their communities and alma mater. Askinosie is the founder and chief executive officer of Askinosie Chocolate in Springfield, Mo. He is also the founder of the Lost and Found Grief Center for children, which provides grief support to individuals and families, in Springfield.

J. Ronald Carrier, ’89, was appointed by Gov. Jeremiah W. “Jay” Nixon, ’81, to serve as associate circuit judge for Greene County, Mo.
90s

Patrick J. Kenny, ’90, led a panel discussion on international dispute resolution at the global Lex Mundi Insurance and Reinsurance Cross-Border Legal Summit in Munich, Germany. He chairs the Lex Mundi Insurance and Reinsurance Committee, which organized the conference. Lex Mundi is an international network of 160 law firms operating in more than 100 countries.

He was invited to join the Claims and Litigation Management Alliance, a nonprofit alliance comprised of thousands of insurance companies, corporations, corporate counsel, litigation and risk managers, claims professionals and attorneys. Selected attorneys and law firms are extended membership by invitation based on nominations from alliance fellows.

Kenny is a partner with Armstrong Teasdale in St. Louis.

Paul F. Pautler Jr., ’90, serves on the board of directors for The Academy of Hospitality Industry Attorneys (AHIA). He has been a member of AHIA since 2005. The organization is a select membership of attorneys who have demonstrated experience, competence and recognition in handling legal matters for clients in the hospitality industry. Pautler is a partner with Husch Blackwell in Kansas City, Mo.

Mavis T. Thompson, ’90, was appointed by Gov. Jeremiah W. “Jay” Nixon, ’81, as the city license collector for St. Louis.

Thompson also serves on the state’s Division of Employment Security Appeals Tribunal.

Jay M. Dade, ’93, received a Faculty-Alumni Award from the Mizou Alumni Association in October. This award recognizes the achievements of faculty and alumni. Alumni are considered for their accomplishments in professional life and service to their communities and alma maters. Dade practices with Polsinelli in Springfield, Mo. He has represented employers before the National Labor Relations Board, the U.S. Department of Labor and many other organizations state and nationwide. He is also a contributing editor for The Developing Labor Law.

Art Hinshaw, JD ’93, LLM ’00, has an article published on mediate.com about the NFL concussion settlement. He also spoke at the annual Lawrence Negotiation Lecture at the Ohio State University Moritz College of Law. The title of his talk was “Learning and Understanding Negotiation Ethics.”

Hinshaw is the director of the Lodestar Dispute Resolution Program at the Arizona State University Sandra Day O’Connor College of Law.

David M. Israelite, ’93, delivered the keynote address for an entertainment business seminar co-hosted by the New York State Bar Association’s Entertainment, Arts & Sports Law Section. The seminar was part of the CMJ Music Marathon week-long conference and festival. Since 2005, Israelite has served as president and CEO of the National Music Publishers’ Association.

Steven R. Leppard, ’94, and Lisa K. Barton, ’94, celebrate the 20th anniversary of their graduation from law school and arrival in Seattle. They were married in 1997 and are currently partners in O’Brien, Barton, & Hopkins in Issaquah, Wash. Barton practices all facets of family law, including litigation, collaborative law and mediation, and acts as a court-appointed guardian ad litem; and Leppard’s practice focuses on estate planning and probate law. They share their home with their 9-year-old son, Collin. Their home email address is leppard@gmail.com

Cynthia M. Foster Davenport, ’95, formed the law firm of Davenport Tomko & Butler in Troy, Mo. She represents several municipalities and focuses the rest of her practice on real estate law, civil litigation, criminal defense and estate planning.

T. Christopher Watkins, ’95, practices with Watkins Law in Columbus. He has practiced law in Columbus since 2007, specializing in business start-ups, business transactions, corporate and securities law, and estate planning.

Terry M. Jarrett, ’96, practices with Healy & Healy Attorneys at Law in Jefferson City, Mo. He focuses his practice on energy and regulatory law.

Marsha Blakemore Fischer, ’86, was selected to participate in the American Arbitration Association (AAA) Higginbotham Fellows Program. Participation is a highly competitive process in which a subcommittee of the AAA Advisory Committee on Diversity chooses candidates from a large pool of applicants across the country. She will begin the year-long program by traveling to San Francisco for a week of training and networking in May.

In addition to continuing her employment and labor law counsel and litigation practice, Fischer is currently on the list of outside mediators for the U.S. District Court for the Western District of Missouri. She is a shareholder in Walther, Antel, Stamper & Fischer in Columbia.

Matthew T. Schelp, ’96, is a partner with the government compliance and investigations team of Husch Blackwell in St. Louis. Previously, he practiced with Jensen Bartlett & Schelp and as senior advisor to the Ashcroft Law Firm.

Thomas C. Albus, ’97, is senior litigation counsel for the U.S. Attorney’s Office for the Eastern District of Missouri in St. Louis. He oversees training and law internships and continues to prosecute complex fraud, public corruption and civil rights matters.

Nicole L. Lothen, ’97, was appointed by Gov. Jeremiah W. “Jay” Nixon, ’81, to the Missouri Quality Home Care Council, which was created to ensure the availability and improve the quality of home care services by recruiting, training and stabilizing the personal care attendant workforce. She is general counsel to the Missouri Department of Health and Senior Services.

J. Brian Baehr, ’98, combined practices with Scot L. Wiggins, ’01. Their firm, located in Columbia, is known as Baehr Wiggins and specializes in consumer bankruptcy protection.

00s

Lauren Perkins Allen, ’00, opened her own law firm, Lauren Allen, LLC, in Kansas City, Mo.

Courtney E. Goddard, ’00, was named one of the 2014 Rising Stars of Philanthropy by Nonprofit Connect in Kansas City, Mo. She was honored for her work with the Kansas City Repertory Theatre, The Harvest Ball Society, Hope House, The City Union Mission, the Kemper Museum of Contemporary Art and the Lyric Opera.

The Rising Stars recognition acknowledges a diverse group of individuals who gave with their hearts, minds and time.

Goddard is associate vice president and general counsel for Park University in Parkville, Mo.

Tyson H. Ketchum, ’00, was named to the Kansas City Business Journal’s “Best of the Bar” list of outstanding Kansas City lawyers chosen by their peers. Ketchum, who has been listed every year since 2008, is a partner with Armstrong Teasdale in Kansas City, Mo. He is a member of the firm’s litigation practice group and concentrates his practice in insurance coverage disputes, breaches of contract, lease disputes, personal injury matters, product liability matters, employment discrimination claims and construction disputes.
Jennifer C. Bailey, ’01, is a partner with Erise IP in Overland Park, Kan. Bailey enjoys a thriving patent prosecution practice, representing clients across a range of industries including computer software, electrical and mechanical arts. She regularly negotiates and drafts licensing agreements; prepares invalidity, non-infringement and freedom-to-operate opinions; and negotiates settlements of various intellectual property disputes.

Molly B. Bartalos, ’01, was named to the Kansas City Business Journal’s “Best of the Bar” list of outstanding Kansas City lawyers chosen by their peers. Bartalos is of counsel to McCausland Barrett & Bartalos in Kansas City. She focuses her practice on litigation in the following areas: employment, casualty and personal injury, corporate and commercial, and construction.

Aimee D. Davenport, ’01, is of counsel with Evans & Dixon in Columbia, where she represents public and private entities in environmental, energy and administrative law matters.

Amanda Pennington Ketchum, ’01, was named to the Kansas City Business Journal’s “Best of the Bar” list of outstanding Kansas City lawyers chosen by their peers. She was also recognized by Missouri Lawyers Weekly as one of its “Up & Coming Lawyers” for 2013. The list recognizes lawyers 40 years old or younger who have practiced law for 10 or fewer years. The awardees epitomize excellence in the legal community and are identified as leaders in their communities.

Ketchum practices with Dysart Taylor Cotter McMonigle & Montemore in Kansas City, Mo. She focuses her practice on personal injury and employment litigation.

Earl D. Kraus, ’01, is a deputy state courts administrator for Missouri. Previously, he served as chief legal counsel for the division of professional registration in the Missouri Department of Insurance, Financial Institutions and Professional Registration in Jefferson City, Mo.


Scott L. Wiggins, ’01, combined practices with J. Brian Baehr, ’98. Their firm, located in Columbia, is known as Baehr Wiggins and specializes in consumer bankruptcy protection.

Thomas K. Neill, ’02, is a principle with Gray, Ritter & Graham in St. Louis. He practices primarily in civil litigation, including personal injury, medical malpractice, products liability, Federal Employer’s Liability Act and consumer class actions.

Jailiah Chilcoat Otto, ’02, was appointed by Gov. Jeremiah W. “Jay” Nixon, ’81, as associate circuit judge for the 16th Judicial Circuit, which covers Jackson County, Mo. Previously she served as the chief trial assistant for the Jackson County Prosecuting Attorney’s Office, where she supervised more than 20 criminal prosecutors and support staff.

Justin D. Butler, ’03, formed the law firm of Davenport Tomko & Butler in Troy, Mo. He concentrates his practice in collection/commercial litigation, personal injury matters and disability claims.

Reno R. Cova III, ’04, is a partner with Hawkins Pollard Thackston & Young in St. Louis. He has been representing corporations and individuals in high risk litigation for nearly a decade, including various types of liability defense litigation, Federal Employers Liability Act defense litigation, toxic tort, business litigation, personal injury, premises liability, product liability, insurance and bad faith litigation. In addition to individuals and local businesses, Cova has represented manufacturers and distributors of industrial manufacturing equipment, industrial production components and materials, power generation facilities, industrial equipment and commercial and industrial contractors.

Michael E. Gardner, ’04, was appointed to the Missouri Board of Law Examiners by the Supreme Court of Missouri. The board is responsible for administering the bar exam and evaluating applicants’ character and fitness for admission to the practice of law in Missouri. Gardner practices at Osburn, Hine, Yates & Murphy in Cape Girardeau, Mo.


Taimage E. Newton IV, ’04, is chair of the Amicus Committee for the Missouri Association of Criminal Defense Lawyers. He practices with Pleban & Petruska Law in St. Louis.

Jennifer Chierek Znosko, ’04, and her husband, Brett, announce the birth of their second child, Wesley Edward, on Sept. 17, 2013. Znosko reports that big brother Elliot is very excited about his new little brother.

Znosko practices management side employment law at Littler Mendelson in St. Louis. She counsels employers on legal issues with respect to their employees and litigates employment cases in front of administrative agencies and state and federal courts. Littler Mendelson is the largest labor and employment firm globally.

John F. Crawford, ’05, was elected shareholder of Polsinelli. He practices in the firm’s Chicago office, where he concentrates his practice on nonprofit organizations.


Trachtenberg also published an essay, “Testimonial Is as Testimonial Does,” in the Florida Law Review in January concerning the Confrontation Clause of the Sixth Amendment. The essay replies to Richard D. Friedman, the Alene and Allan F. Smith Professor of Law at the University of Michigan, who wrote a response to Trachtenberg’s December 2012 Florida Law Review article, “Confronting Coconspirators: Coconspirator Hearsay, Sir Walter Raleigh, and the Sixth Amendment Confrontation Clause.”

In addition, Trachtenberg was named chair of the Mark Twain Fellowship Committee, which administers a new scholarship open to Mizzou students seeking postgraduate education abroad in any field of study.

Rodney J. Uphoff spoke at the Iowa Law Review Symposium, “Fifty Years of Gideon: The Past, Present and Future of the Right to Counsel” in October. He also spoke on the role of the NCAA at the 2013 Black Studies Conference, “Exploring the Black Experience in Sports and Paving New Directions,” held in October. In September, Uphoff taught at Harvard Law School’s Trial Advocacy Workshop. He also appeared several times on local television to discuss the overturned conviction of Columbia resident Ryan Ferguson and wrote an op-ed piece that appeared in the Columbia Tribune about the Ferguson case.
Andrew J. Ennis, ’05, was elected shareholder of Polsinelli. He practices in the firm’s Kansas City, Mo., office, where he concentrates his practice on health care litigation.

Waldon L. Moss, ’05, is the managing attorney at the Moss Law Firm, LC, which concentrates on employment law, non-profit law and civil litigation.

Timothy J. Reichardt, ’05, received the 2014 Roy F. Essen Outstanding Young Lawyer Award from the St. Louis County Bar Association. This award is given annually to an attorney age 36 or younger “who has demonstrated excellence as a lawyer, distinguished service to the bar and outstanding service to the community.” He practices with Behr, McCarter & Potter in St. Louis.

John C. Ayres, ’06, is general counsel of Aratana Therapeutics, Inc., a biopharmaceutical company focused on the licensing, development and commercialization of innovative medications for pets, in Kansas City, Kan. Previously he was a corporate attorney at Amgen Inc., a biotechnology company based in Thousand Oaks, Calif.

J. Zachary Bickel, ’06, was recognized by Missouri Lawyers Weekly as one of its “Up & Coming Lawyers” for 2013. The list recognizes lawyers 40 years old or younger who have practiced law for 10 or fewer years. The awardees epitomize excellence in the legal community and are identified as leaders in their communities. Bickel practices with the Robertson Law Group in Kansas City, Mo.

Jennifer Koboldt Bukowsky, ’06, was named a member of the 2014 “Class of 20 Under 40” by the Columbia Business Times. Members are those who “exemplify a desire to grow professionally and personally and help Columbia grow, too.” She practices with The Bukowsky Law Firm in Columbia.

Kristen L. Ellis, ’06, was appointed by Gov. Jeremiah W. “Jay” Nixon, ’81, as the prosecuting attorney for Lafayette County, Mo. Previously she served as an assistant prosecuting attorney in Lafayette County and Clay County, Mo.

Mary Jane Judy, ’06, was elected shareholder of Polsinelli. She practices in the firm’s Kansas City, Mo., office, where she concentrates her practice on complex real estate transactions.

Kevin A. Meyers, ’06, is an associate with Fisher & Phillips in Kansas City, Mo. Before joining the firm, he was an associate in business litigation and labor and employment at Husch Blackwell in Springfield, Mo.

Jason D. Sapp, ’06, is a principal in the firm of Gray, Ritter & Graham in St. Louis. He concentrates his practice in complex business and commercial litigation, as well as consumer and class action litigation.

Timothy D. Steffens, ’06, was elected shareholder of Polsinelli. He practices in the firm’s Kansas City, Mo., office, where he concentrates his practice on science and technology.

Jonathan R. Waldron, ’06, is an associate with the Technology, Manufacturing & Transportation team of Husch Blackwell in St. Louis. He represents clients facing complex environmental litigation matters, including industrial/environmental cleanup actions under the Comprehensive Environmental Response, Compensation and Liability Act. Previously Waldron was a trial attorney with the U.S. Department of Justice’s Office of Environmental Tort Litigation in Washington, D.C.

Adam D. Woody, ’06, opened the Law Office of Adam Woody in Springfield, Mo. He focuses his practice in the area of criminal defense and is on the board of directors for the Missouri Association of Criminal Defense Lawyers.

Andrea E. Benna, ’07, was named a member of the 2014 “Class of 20 Under 40” by the Columbia Business Times. Members are those who “exemplify a desire to grow professionally and personally and help Columbia grow, too.” She is the assistant director of compliance for eligibility and recruiting for Mizzou Athletics.

Travis A. Elliott, ’07, and his wife, Hollie, announce the birth of their daughter, Hadley Maria, on Dec. 4, 2013. At the time of her birth, Hadley weighed 7 pounds, 5 ounces and was 21 inches long. Elliott is a shareholder in the law firm of Ellis, Ellis, Hammons, & Johnson in Springfield, Mo. He concentrates his practice in the areas of labor and employment, hospital law, school law and commercial litigation.

Scott P. Waller, ’07, is a shareholder of Gilmore & Bell in Kansas City, Mo.

Tana Sanchez Benner, ’09, was selected for 2014 Leadership Columbia. According to the Columbia Chamber of Commerce, this program was developed to “identify, cultivate and motivate future community leaders. This informative and thought-provoking program introduces participants to the community, exposes them to its challenges and requires them to fully participate in the 12-session curriculum which ultimately supports the Chamber’s strategic initiatives and goals.” It is sponsored by the MU Robert J. Trulaske, Sr. College of Business. Benner practices with Columbia Family Law Group in Columbia. She concentrates her practice in family law, domestic violence, adult abuse, custody cases and adoption law.

Wilford R. Comer, ’09, was named by Lawyers of Color Inc. to its 2013 “Lawyers of Color Hot List” for the Midwest region. This list recognizes 100 early- to mid-career minority attorneys under the age of 40 for their noteworthy accomplishments in the legal profession.

Comer is an associate with Segal McCambridge Singer & Mahoney in Chicago, where he concentrates his practice in products liability, toxic tort and corporate defense litigation.

Jennifer Redel-Reed, ’09, is the director of risk management and human resources for Boone County, Mo. Previously she served as an assistant attorney general in the Missouri Attorney General’s Office, where she worked in the Litigation Division as a trial lawyer handling the defense of cases brought against the State of Missouri and its employees.

Laura Bailey Brown, ’10, was selected by The Missouri Bar for its 2013-2014 Leadership Academy. The academy encourages diversity among the leadership of the bar by recruiting and targeting young or recently-admitted attorneys who are already outstanding leaders in their communities. Brown practices with Carmody MacDonald in St. Louis.

J. Danielle McAfee, ’10, is staff attorney and director of the Domestic Violence Program at Mid-Missouri Legal Services in Columbia.

Darin P. Shreves, ’11, is an associate with Lathrop & Gage in Kansas City, Mo., where he concentrates his practice on business and tort litigation. Previously, he clerked in Kansas City, Mo., for U.S. District Court Judge M. Elizabeth Phillips, ’97, and in St. Louis for Senior U.S. District Court Judge E. Richard Webber, ’67.

Chad E. Voss, ’11, practices with Cooling & Herbers in Kansas City, Mo., where he focuses on state, federal, and international tax issues, as well the acquisition, sale and leasing of aircraft.

Daniel C. Willingham, ’11, is an associate with the corporate services practice group of Armstrong Teasdale in St. Louis. His practice encompasses helping individuals, businesses and nonprofit organizations comply with statutes and regulations in federal, state and local banking and tax codes.

Megan L. Dittman, ’12, is an associate with Brown & James in Springfield, Mo., where she concentrates her practice in insurance litigation.
Melissa A. McCoy, ‘12, is an associate in the real estate, development and construction group of Husch Blackwell in St. Louis. Previously she served as a clerk to the Hon. Mary L. Rhodes Russell, ’83, of the Supreme Court of Missouri.

Clayton L. Thompson, ‘12, was selected for 2014 Leadership Columbia. According to the Columbia Chamber of Commerce, this program was developed to “identify, cultivate and motivate future community leaders.” It is sponsored by the MU Robert J. Trulaske, Sr. College of Business. Thompson practices with Rogers, Ehrhardt, Weber & Howard in Columbia.

Jill E. Elsbury, ’13, is an associate with Harper, Evans, Wade & Netemeyer in Columbia, where she concentrates her practice in the areas of personal injury and criminal defense.

Benjamin S. Faber, ’13, is an associate with The Bukovsky Law Firm in Columbia.

Benjamin S. Harnes, ’13, is an associate with Brown & James in St. Louis, where he concentrates his practice on premises liability, insurance law and product liability.

Nathan D. “Drew” Kemp, ’13, is an associate with HeplerBroom in Edwardsville, Ill. He focuses his practice on toxic torts, premises liability and products liability.

Phillip R. Raine, ’13, is an associate with Brown & James in Kansas City, Mo., where he focuses his practice on insurance law, business and commercial litigation, and product liability.

C. Curtis Shank, ’13, is an associate with Bryan Cave in Kansas City, Mo. He practices in the firm’s Commercial Litigation Client Service Group.

Kevin M. Stockmann, ’13, is an associate with Brown & James in St. Louis, where he concentrates his practice on insurance law, premises and retail liability, and product liability.

Christopher J. Strobel, ’13, is an associate in the intellectual property practice group of Armstrong Teasdale in St. Louis. He represents emerging and mature business clients regarding the development and leveraging of technology, and prepares non-infringement and invalidity options, patentability, due diligence and patent landscape analysis.

Luke J. Weissler, ’13, is an associate in the business litigation group of Husch Blackwell in St. Louis.

Art Hinshaw, JD ’93, LLM ’00, had an article published on mediate.com about the NFL concussion settlement.

He also spoke at the annual Lawrence Negotiation Lecture at the Ohio State University Moritz College of Law. The title of his talk was “Learning and Understanding Negotiation Ethics.”

Hinshaw is the director of the Lodestar Dispute Resolution Program at the Arizona State University Sandra Day O’Connor College of Law.

Patrick D. Pinkston, LLM ’01, was appointed to a district judgeship in Elmore County, Ala., by Alabama Gov. Robert Bentley.

Bin Zhou, LLM ’01, opened his own intellectual property firm, which handles intellectual property-related matters, such as trademark and patent prosecutions, copyright registration and dispute resolution of intellectual property rights, in China and around the world.

LoValerie Mullins, LLM ’07, was a panelist for a session, “Overcoming Resistance to Resolution in Mediation: Encouraging Parties to Embrace Rather than Resist a Problem-solving Process. Toolbox Session!,” at the Association for Conflict Resolution’s annual conference.

Samukelisiwe Dlamini, LLM ’11, was admitted as an attorney of the High Court of the Republic South Africa. She works as a deed examiner with the Department of Rural Development and Land Reform in Nelspruit, South Africa.

Onyekachi Obi-Okoye, LLM ’12, is enrolled in the doctor of juridical science program at the University of Kansas School of Law.

Bob Rawlings Onghetich, LLM ’13, represented Uganda as a delegate in multilateral negotiations at the 9th Ministerial Conference of the World Trade Organization in Bali, Indonesia. The Uganda Christian University Senate also approved the alternative dispute resolution curriculum Onghetich developed, with classes in mediation, negotiation and arbitration to begin in September.

Clark Peters presented “Effective Transition Plans and Reviews Under Ideal and Less than Ideal Circumstances” at the Effective Case Oversight & Review for Young People in Extended Care and Older Youth in Foster Care Symposium, hosted by the Jim Casey Youth Opportunities Initiative, in Detroit.

The fall semester brought a new course, Law and Social Work Practice, available to undergraduate and graduate students on the MU campus interested in the intersection of legal and human service issues.


Editor’s Note: Dr. Clark Peters is an assistant professor in the MU School of Social Work and has a courtesy appointment at the School of Law.
In the fall 2013 issue of Transcript, we reported the death of Jack C. Stewart, ’65. We are pleased to report that Mr. Stewart is alive and well in Hillsboro, Mo., where he continues to practice with the Wegmann law firm. We’d like to publicly apologize to Mr. Stewart and offer our appreciation for his understanding!

40s

Thomas E. Deacy, Jr., ’40, of Mission Hills, Kan., died Sept. 23, 2013, at age 94. During World War II, Deacy served as a captain in the U.S. Army from 1942 to 1945. He practiced law in Chicago as a partner in Taylor Miller Busch & Boyd, and was named the youngest Squadron Patrol Commander in the South Atlantic Fleet.
After graduation from law school, he joined the U.S. Navy. He became a decorated WWII pilot and the youngest Squadron Patrol Commander in the South Atlantic Fleet.

James “Keith” Gibson Sr., ’48, of Chicago, died Dec. 1, 2013 at age 92. At the age of 18, he became a well-known semi-professional baseball player, playing for the Texaco Fire Chiefs. He was invited to the Chicago Cubs spring training camp, but instead, as World War II began, joined the U.S. Navy. He became a decorated WWII pilot and the youngest Squadron Patrol Commander in the South Atlantic Fleet.

After graduation from law school, he was an attorney and land developer. He built and developed more than 2,000 homes in Aurora, Ill., as well as the Aurora Hilton Inn and 300 apartment units.

On Gibson’s 90th birthday, Aurora Mayor Thomas Weisner declared it “Keith Gibson Day,” recognizing his many professional and charitable accomplishments.

Joseph K. Houts, ’48, of St. Joseph, Mo., died June 16, 2013, at age 89. A World War II veteran, he served in the U.S. Navy on the USS Rathburne. During this time, he obtained the rank of lieutenant junior grade and spent more than 35 years. He was a firm leader and served as managing partner before his retirement in 1994.

50s

William Wayne Shinn, ’52, of Weatherby Lake, Mo., died Jan. 2 at age 85. After graduation from law school, he served for three years in the U.S. Air Force as a member of the Judge Advocate General Corps stationed at Wright Patterson Air Force Base and Burtonwood Air Force Base in England. After his honorable discharge in 1956, he joined the law firm of Shook, Hardy & Bacon, where he spent more than 35 years. He was a firm leader and served as managing partner before his retirement in 1994.

David A. “Art” Oliver, ’56, of Columbia, died on Oct. 30, 2013, at age 84. After receiving his undergraduate degree, Oliver served in the U.S. Army, Counter Intelligences Corps, and was stationed in West Germany. He received an honorable discharge then enrolled in law school.

During his career, he practiced with the firm of Howard F. Major, served as probate judge for Boone County, Mo., was director of legal education for The Missouri Bar Association, and practiced with Oliver, Walker & Wilson in Columbia.

He was named a Fellow of the American College of Trial Lawyers and was active in the community, serving on the board of directors of Woodhaven Boone County Shelter Workshop, The Cancer Research Center, Boone County Group Homes, Visiting Nurses Association, the Columbia Area United Way and Shelter Insurance Companies.

Isaac N. “Ike” Skelton IV, ’56, of Lexington, Mo., and McLean, Va., died Oct. 28, 2013, at age 81. In 1956, Skelton was elected prosecutor for Lafayette County, Mo. In 1970, he was elected to the Missouri Senate, serving six years before being elected to the U.S. Congress. He served 17 years in the House of Representatives and was former chairman of the House Armed Services Committee. As a member of the House, he was credited with helping enhance Missouri’s two military installations — Whiteman Air Force Base and Fort Leonard Wood. After leaving the House, he joined Husch Blackwell, working in the firm’s Kansas City, Mo., and Washington, D.C., offices.

Skelton was a presidential appointee to the American Battle Monuments Commission and the World War I Centennial Commission. He received the Sylvanus Thayer Award at West Point in 2012.

60s

Alex Bartlett, ’61, of Jefferson City, Mo., died July 30, 2013, at age 75. He was commissioned as a reserve officer of first lieutenant with the U.S. Army in 1962. After completing Infantry Officer’s Basic Training Course and The Judge Advocate Officer (Special) Course with honors, he served in the Judge Advocate General’s Corps until 1965. He served on the staff of the Judge Advocate General of the Army at the Pentagon in the International Law Branch of the International Affairs Division. In 1964, he became a captain.

Before his time in the military, Bartlett was an associate with Hendren and Andrae in Jefferson City. After his military service, he continued there as an associate until becoming a partner in 1972. He later became president and principal of Bartlett and Vanters Law Firm, returning to solo practice later. In 1990, he became a partner of Husch & Eppenberger (now Husch Blackwell) in St. Louis, where he worked until his retirement in 2012.

Joseph H. Johns, ’61, of Manhattan Beach, Calif., died Aug. 5, 2013, at age 81. He was a veteran of the Korean War.

James D. Sickal, ’62, of Chesterfield, Mo., died Feb. 14, at age 75. After graduating from law school, he served in the U.S. Army JAG Corps. He practiced in the U.S. District Courts of Missouri, the Missouri Courts of Appeals and the U.S. Eighth Circuit Court of Appeals. He was in private practice, served as municipal judge in Sikeston, Mo., and city attorney for Crocker, Mo., and St. Robert, Mo. In 2012, he was recognized as a “special counselor” by The Missouri Bar for being an active member of the bar for more than 50 years. He retired from practice in 2013.

Ronald A. McClary, ’67, of Lee’s Summit, Mo., died March 25, 2013, at age 72.
70s

William D. Powell, ’70, of Columbia, died Oct. 11, 2013, at age 68. Powell came to Mizzou as an undergraduate on a football scholarship, serving as part of the undefeated Tigers for four years while he pursued a degree in chemical engineering with a minor in nuclear engineering. He was drafted by Vince Lombardi of the Green Bay Packers but chose instead to attend law school. Powell practiced law in Columbia. He had a real estate broker’s license and focused on real estate law during the latter half of his career.

80s

Phillip E. Jones Sr., ’81, of St. Louis died on Oct. 22, 2013, at age 62. He was engaged in private practice for more than 16 years, focusing on family law. In 2000, he was appointed to serve as a family court commissioner for the St. Louis County Circuit Court, Division 65. He had recently been appointed to serve his fourth term on the bench.

Lee J. Hollis, ’84, of Leawood, Kan., died Dec. 23, 2013, at age 54. Before attending law school, he worked as a reporter and announcer for KFVS-TV in Cape Girardeau, Mo. After he received his law degree, he began practicing as an associate with Watson, Ess, Marshall, & Enggas in Kansas City. In 1988, he joined Sprint Corporation as a corporate attorney. In 1996, he opened The Hollis Law Firm, a personal injury and mass tort firm in Kansas City, Kan. Hollis concentrated his practice on representing clients who were injured by dangerous prescription drugs and medical devices.

90s

Cathie St. John-Ritzen, ’98, of Asheville, N.C., died Nov. 7, 2013, at age 68. Before entering the legal profession, she was a registered nurse, providing bedside care and holding several supervisory and administrative positions for nearly 20 years. In 2001, she opened an elder law practice in Asheville.

During her career, she was active in the legal community in Buncombe County, N.C., including service as the Buncombe County public administrator, on the executive committee of the Buncombe County 28th Judicial District Bar, as chair of the education committee of the North Carolina Association of Women Attorneys and on the board of the state chapter of the National Academy of Elder Law Attorneys. St. John-Ritzen also taught law-related courses in the College for Seniors Program of the Other Lifelong Learning Center at the University of North Carolina-Asheville and was a program presenter for CarePartners, Land-of-Sky Regional Council, Triad and other community organizations.

FACULTY NOTES

Philip G. Peters Jr. recently added Education Reform to his course list. The class focuses heavily on proposals for reducing our current racial and socioeconomic achievement gaps. He is now taking that work into the community as the project director of a Columbia education reform project called Cradle to Career Columbia. In that role, he recently spoke before a coalition of Boone County school superintendents and will soon be addressing the Columbia Board of Education, the local regional economic development board and the Boone County Community Services Advisory Commission. The goal is to build a cross-section coalition of community leaders committed to changing education outcomes and opening the doors of opportunity for more of our children. He is also finishing an article that explores whether the 2010 legislation authorizing evidence-based federal funding for visits to the homes of parents with young children is likely, in its current form, to fulfill the promise of changing children’s lives for the better.

Peters continues to teach Health Care Law and Policy and Torts. He frequently gives talks to medical students, bar associations and other groups about medical malpractice law and the Affordable Care Act. In addition, he was an invited speaker at a national conference at the University of Minnesota on the law governing reproductive technology.

S.I. Strong’s book, Class, Mass, and Collective Arbitration in National and International Law, was published by Oxford University Press. She also lectured at Georgetown University in Washington, D.C., and the University of Rionegro in the Republic of Colombia and spoke at the University of Pennsylvania, George Washington University, Washington University and Brooklyn Law School. In December, Strong travelled to the Middle East to conduct capacity training for the Jerusalem Arbitration Center, which provides a neutral, internationally-backed means of resolving commercial disputes between Israelis and Palestinians.
Alumni and Faculty Honored by The Missouri Bar

Outstanding School of Law alumni and faculty were recognized at The Missouri Bar Annual Meeting last fall.

DAVID J. DIXON APPELLATE ADVOCACY AWARDS
Recognizes outstanding achievements in appellate practice by young lawyers of The Missouri Bar
Thomas J. Hershewe, ’05
Timothy A. Garrison, ’03

PRESIDENT’S AWARD
Presented to one or more members of the state bar who have contributed significantly during the past year in terms of participation in the work of the bar, value to the organization and leadership
H. A. “Skip” Walther, ’79

PURCELL PROFESSIONALISM AWARD
Presented to a Missouri lawyer who unfailingly demonstrates outstanding professionalism. The recipient must display competency, integrity and civility in his or her practice and personal life.
Cathy J. Dean, ’82

SPURGEON SMITHSON AWARD
Presented annually by the Missouri Bar Foundation to Missouri judges, teachers of law and/or lawyers deemed to have rendered outstanding service toward the increase and diffusion of justice
Robert G. Russell, ’69
Isaac N. “Ike” Shelton, ’56

W. OLIVER RASCH AWARD
Presented to a lawyer who has contributed and written the best Journal of The Missouri Bar article of the year
H. Morley Swingle, ’80

YLS PRO BONO AWARD
Presented by the Young Lawyers’ Section of The Missouri Bar to acknowledge those who have excelled in one or more of the following ways: demonstrated dedication to the development and delivery of legal services to the poor through a pro bono program; contributed significant work toward developing innovative approaches to delivery of volunteer legal services; participated in an activity which resulted in satisfying previously unmet needs or in extending services to underserved segments of the population; successfully litigated pro bono cases that favorably affected the provision of other services to the poor; and successfully achieved legislation that contributed substantially to legal services to the poor
Derek A. Ankrom, ’11
Jennifer K. Bukowsky, ’06


In December, Oliveri’s article on a fair housing case before the U.S. Supreme Court was featured in the American Bar Association’s magazine, Preview. In January, she participated in a “Professor’s Corner” webinar for several hundred members of the ABA’s Section on Real Property.

Oliveri was selected to be a policy research scholar with the Institute for Public Policy in the university’s Harry S Truman School of Public Affairs.

David A. Fischer, ’68, has taught torts and products liability courses at the School of Law, the University of Notre Dame Law School, the University of North Carolina at Chapel Hill School of Law and twice at the Brooklyn Law School.

In October, Fischer published Products Liability: Cases and Materials (West Group, 5th ed. 2013) (with Richard Cupp, Michael Green, William Powers Jr. and Joseph Sanders). As part of that project he created a casebook companion website containing teaching materials for professors who adopt the book. The website contains numerous images of products, component parts, product labels, product warnings and product advertising pertaining to the products featured in the cases and notes in the book. The website also contains videos of product advertising, products in operation and product-related accidents.

In November, Fischer participated in the Causal-Overdetermination Roundtable organized by the University of Illinois Urbana-Champaign. This roundtable brought together seven philosophers, four law professors, three psychologists and a computer scientist for a full-day discussion of their perspectives on how to determine causation where more actors contributed to a result than were necessary to produce the result.


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May

18
Hooding Ceremony
with guest speaker Judge Gerald Bard Tjoflat,
United States Court of Appeals,
Eleventh Circuit
Jesse Auditorium
12:30 pm
INFO 573-882-3247

August

18
Law Alumni Golf Tournament
Columbia Country Club
11 am Registration & Lunch
1 pm Shotgun Start
INFO 573-882-4374

19-21
New Student Orientation
John K. Hulston Hall
INFO 573-882-6042

September

12
Annual Alumni Luncheon
held in conjunction with The Missouri Bar
Annual Meeting
Location and Time TBA
INFO 573-882-4374

19
Inaugural MU Columns Society Gala
Location and Time TBA
INFO 573-882-4374

October

5
Revisiting the Salem Witch Trials
hosted by the Historical and Theatrical
Trial Society
The Missouri Theatre, Columbia
Time TBA
INFO 573-882-2749

9
Distinguished Alumni Luncheon
for alumni who graduated 40 or more
years ago
Cherry Hill Event Center, Columbia
Time TBA
INFO 573-882-4374

9-10
Journal of Dispute Resolution
Symposium
Judicial Education and the Art of
Judging: From Myth to Methodology
John K. Hulston Hall
Time TBA
INFO 573-882-5969

November

1
Law Alumni Tailgate
before the Mizzou vs. Kentucky football game
Location and Time TBA
INFO 573-882-4374