


Senator John Edwards Speaks at Luvera Lecture

Former Democratic vice-presidential candidate, and former North Carolina Senator, John Edwards, delivered the Gonzaga University School of Law's annual Luvera Lecture on Tuesday, January 10, 2006, at the Columbia Tower Club in Seattle. The Luvera Lecture Series, established in 1990, is an annual event designed to inspire Gonzaga University Law School students and alumni by bringing many of the nation's brightest minds to speak on a range of subjects. The Luvera Lecture series is underwritten by Seattle attorneys Paul and Lita Luvera, Gonzaga Law School graduates and partners in the Luvera law firm.

Mr. Edwards told the 150-plus Seattle audience that poverty is a great moral issue facing our country and Americans have an obligation to address this need. Edwards, the son of a mill worker, was the first in his family to attend college. He is now the director of the Center on Poverty, Work and Opportunity at the University of North Carolina, and has been traveling the country speaking about the need for Americans to launch a grass roots movement to tackle the issue. He calls this his life's work. 



Above: Senator Edwards with Dean Martin. Left: Lita Luvera with John Edwards and Hanna Welch



John Edwards takes a question at the Luvera Lecture podium

Above: Paul Luvera Right (l-r): Ronna Washines, Aisha Brooks, Maria Garcia, Steve Giaier, John Edwards, Jon Morrone, Scott Bradford, Anne Bernhard and Chrissy Anderson



Bob and Ginny Kane, John Edwards, and Bill Lindberg

9th Circuit Court Hears Cases at Gonzaga Law

On Wednesday, April 12, the School of Law hosted the 9th United States Circuit Court of Appeals as it heard oral arguments in Spokane. Senior Circuit Judge Jerome Farris, Circuit Judge Sidney Thomas, and Circuit Judge Margaret McKeown presided. The court heard two cases; Rogers vs. City of Kennewick, and Stuter vs. Stevens County Sheriff's Department.

The hearings were held in the Barbieri Courtroom, to a capacity audience. Following the hearings, students had the opportunity to



9th Circuit Court Lunch

ask questions directly of the judges. After the question and answer session, the judges, Dean Martin and a small group of students discussed clerkships and issues over lunch

Teresa Kulik Appointed to Division III, Court of Appeals

On March 23, 2006, the Washington Women Lawyers, Spokane Chapter, and the Gonzaga University School of Law hosted a reception honoring Teresa Kulik, recently appointed to the Division III, Court of Appeals. Judge Kulik is the first woman to hold this position for the Eastern Washington region of Division III.

Governor Chris Gregoire made the appointment of Judge Kulik when the seat was vacated by Judge Frank L. Kurtz on November 1,

2005. Judge Kurtz, who is a 1974 Gonzaga University School of Law alumni, vacated the position to accept an appointment to the United States Bankruptcy Court for the Eastern District of Washington. Over fifty alumni and friends attended the reception at Gonzaga Law, where Dean Earl Martin and Ashley Richards, president of Washington Women Lawyers, Spokane Chapter, honored Judge Kulik for her professionalism and commitment to service. Governor Christine Gregoire was unable to attend, but sent a letter of congratulations that was read by Dean Martin.

**Changes in Leadership
Welcome Amy Kelley
Thank you Helen Donigan**

Associate Dean of Academic Affairs Helen Donigan will relinquish her position and return to the faculty at the end of May, 2006. For the past three years, Professor Donigan has been a tireless worker, always putting the best interest of the law school first. With the announcement of Helen's departure as Associate Dean, Dean Earl Martin stated, "I am personally very grateful to Helen for all of the help she has given me in my first year as dean. She has been a wonderful source of advice and someone that I can count on to get the job done."

Professor Amy Kelley, a member of the



Amy Kelley, left, and Helen Donigan

Gonzaga University School of Law faculty since 1979, assumes the position of Associate Dean of Academic Affairs in June, 2006.

Amy received her Juris Doctor from the University of South Dakota School of Law in 1977, and her B.A. from the College of St. Catherine in 1974. She was previously a visiting professor at the University of Texas, University of San Diego, and University of San Francisco Schools of Law. Professor Kelley brings experience to the position, having served as Associate Dean of Academic Affairs from 1999 to 2003. Dean Martin and the law school faculty and staff are looking forward to working with Amy as we move into a new school year.

Women's Law Caucus Recognizes Cheryl Wolfe

Gonzaga University School of Law Women's Law Caucus presented the 14th Annual Myra Bradwell Award to Cheryl Wolfe of the Spokane Attorney General's Office. A ceremony and reception was held April 13 in the Barbieri Courtroom at the law school, recognizing Ms. Wolfe's achievements in her legal career. The award is presented annually to an outstanding alumna of Gonzaga Law School in honor of Myra Bradwell who, in 1872, was denied the right to practice law on the basis of her gender. It is presented to



Chrissy Anderson, Cheryl Wolfe and Karen Riley



Judge Brown, Dean Earl Martin, Teresa Kulik, and Frank Kurtz

someone who has demonstrated an ongoing commitment to women's and children's issues through the law.

Wolfe, who graduated from GU School of Law in 1985, has spent twenty years as an attorney for the Spokane Division of the Washington State Attorney General's Office. She is currently section chief and lead counsel for the Division of Children and Family Services for DSHS, supervising a unit of ten attorneys, two

paralegals, eight legal assistants, and three law clerks. She represents the department in dependency, termination, and guardianship proceedings in the superior and appellate courts. She also handles administrative law matters including day care, foster care, and adult family home cases. She oversees paternity and child support cases, and handles guardianship and protection order cases involving vulnerable adults.

Ms. Wolfe's career has been recognized in the community and across the state. Awards she has received include Government Attorney Pro Bono Lawyer of the Year from the Spokane Bar Association, a Community Service Award from the Child Abuse and Neglect Prevention Council, an Outstanding Leader Award, and most recently, the Governor's Distinguished Management Leadership Award. The Gonzaga University School of Law Women's Law Caucus is proud to recognize Cheryl Wolfe with the 2006 Myra Bradwell Award. 📄

IN *the* NEWS



Rob McKenna and Dean Martin with former 3L students Sam Gordon and Angela Richardson

Attorney General Rob McKenna visits Gonzaga Law

On Tuesday, March 21, 2006, Attorney Rob McKenna spoke to GU School of Law students about life as the Attorney General for the state of Washington. He shared unique cases the AG's office has been involved in, and offered ideas on employment opportunities at the Attorney General's office.

Spokane Interplayers Theater Donates to the Maxey Scholarship Fund

Spokane's Interplayer's Theatre donated \$1,300 to the Carl R. Maxey Scholarship Fund at Gonzaga University School of Law, alma mater of the late Spokane attorney and nationally prominent human rights advocate. Mary Ann McCurdy, executive director of Interplayer's Theatre, presented the check to Dean Earl Martin at a ceremony held on February 1, 2006, near Maxey's bronze statue in the School of Law's Chastek Library. The money was raised at a matinee benefit performance of Harper Lee's "To Kill A Mocking Bird" on January 16, 2006. The performance was part of Spokane's city-wide celebration of the Martin Luther King Jr. holiday.

Maxey, a 1951 graduate of GU Law, worked tirelessly to represent the disenfranchised and the victims of discrimination. A well-respected trial lawyer, Maxey



was best known regionally and nationally for his civil rights advocacy. He took on hundreds of pro bono cases for members of the National Association for the Advancement of Colored People (NAACP). Following Maxey's death in 1997, Gonzaga University School of Law established a scholarship fund for minority students in his name.

How Sweet It Was

Gonzaga junior Adam Morrison, a consensus All-American and the nation's leading scorer, led the Bulldogs this year to the "Sweet 16" of the NCAA Tournament. The Bulldogs swept through the West Coast Conference regular season with a perfect (14-0) record, captured the WCC Tournament (held at Gonzaga) also without a loss, and advanced to the NCAA Tournament for the eighth-straight time (1999 through 2006) and ninth (1995) overall.

A No. 3 seed into the tournament, the Zags whipped No. 14-seed Xavier 79-75 on March 16 and defeated the No. 6 seed Indiana Hoosiers 90-80 two days later, before falling to UCLA 73-71 at the Oakland Arena on March 23 in a heartbreaking ending to a wonderful season. In April, Morrison announced he would forego his senior year at Gonzaga and declared himself eligible for the upcoming NBA draft.



Adam Morrison gets one past UCLA.

Mary Ann McCurdy presents a check to Dean Earl Martin, left

LIFE *in the* LIBRARY

Ode to the Student Worker

by June Stewart

The library has many accomplishments to boast of this year. We passed the ABA inspection with flying colors. We celebrated, with sadness, the retirement of Elizabeth Thweatt, who worked at the library for over twenty-five years. We began strategic planning for the library and participated in the law school strategic planning. We instituted Terminal Services for all student computer workstations in the labs, clinic, and law reviews, providing students with faster computing capability than they had previously. Finally, we instituted a Law Student Help Desk to provide laptop support for students using their personal laptops at school. While doing all of this, we continued to provide warm, personal service to our students, faculty, staff, alumni, and other users.

As I look back over this year, I am struck by how much we have accomplished. I am reminded yet again how dedicated the staff is to their work and to serving our users. While I am grateful to each member of the library staff, I want to take a moment to acknowledge a group of workers that often gets overlooked – our student employees.

While our student workers may be anonymous faces to the masses of library users, to us they are the sinew and muscle of library operations. Their contributions are legion. When we need someone to



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staff the circulation desk early in the morning or late at night, we look to our student workers. When we have a special project where 10,000 books have to be bar-coded in three months, we look to our student workers. When we need to install new computers in all the staff and faculty offices over the summer, we look to our student workers. When we need coverage of the Reference Desk during times the librarians are not available, we look to our law student workers. There is no limit to the tasks that we ask our student workers to tackle.

Students often come to us as callow youths with no experience. Then, right before our eyes, they grow into poised young men and women who can effortlessly cover the circulation desk, process materials for shelving, and handle any of the other myriad tasks we ask them to perform. We are pleased to enjoy their presence while they are here, and we send them off to their new lives with our heartfelt appreciation and high hopes for their future endeavors.

If you were one of those fortunate people who had a work-study position in the library while you were in school, we salute you. If you never had that honor, but have been a library user, take a moment to appreciate the service these students have provided to maintain the smooth library services you enjoy. 📖



Professor Upendra Acharya

Presentations

Professor Upendra Acharya participated in a panel discussion at the University of Montana School of Law on April 14, 2006. The topic was *Can the U.N., or Anyone Else, Stop Genocide & Crimes Against Humanity?* The panel was part of a conference sponsored by the International Law Society at the law school.

Professor Lynn Daggett

Presentations

Professor Lynn Daggett presented *The Case for State Protection of Private School Students from Discrimination*, to the American Association of Law Schools, Education Law Panel.



Professor David K. DeWolf

Publications

David K. DeWolf, *Waiting for Scopes: The Future of Intelligent Design*, op-ed in the Jurist magazine (November 7, 2005).

David K. DeWolf (with Casey Luskin, John West and Jonathan Witt), *Traipsing into Evolution: Intelligent Design and the Kitzmiller vs. Dover Decision*, Discovery Institute (2006).

Presentations

Professor David DeWolf participated in a panel discussion that preceded the re-enactment of the Scopes trial by the L.A. Theatre Works, in York, Pennsylvania, January 2006. He was also on a panel discussing the Kitzmiller case at Boston College in January. In February, he was part of a panel discussion airing on C-Span 2, called *Evolution and Intelligent Design*, sponsored by the Close Up Foundation. On April 13, he delivered a lecture on "Darwinian Orthodoxy and Intelligent Design: Was Justice Jackson Wrong?" as part of a series on the religion

clauses at Flathead Valley Community College. On May 5, he was part of a panel discussion taped for cable broadcast by the Massachusetts School of Law on evolution and intelligent design. On May 9, he participated in a panel sponsored by Spokane Community College debating gay marriage.



Professor Helen Donigan

Presentations

Associate Dean Helen Donigan has been asked to speak at a University of Oxford Roundtable on Women's Leadership to be held at Harris Manchester College, England in August, 2006. Her topic is *Gender and Justice in the Washington State Courts: A Decade of Leadership by a Supreme Court Commission*.



Professor Sheri Engelken

Presentations

In November, 2005, Professor Sheri Engelken presented *Democracy in a Federalist System: The Late Chief Justice Rehnquist and the First Amendment* to Gonzaga Law School's William O. Douglas Committee. The lecture addressed the underlying pillars of Justice Rehnquist's First Amendment jurisprudence.

Professor Gail Hammer

Etc.

In November, Law Clinic Professor Gail Hammer took her third and final trip to Serbia as part of her consulting work with the National Center for State Courts on the Serbia Rule of Law project. Professor Hammer's efforts have been focused on reforming Serbian legal education and improving teaching methods. She consulted individually with Serbian law professors and deans and conducted intensive workshops on teaching methods.

Professor Gerry Hess

Publications

Gerry Hess, *Improving Teaching and Learning in Law School: Faculty Development Research, Principles, and Programs*, 12 WIDENER L. REV. (2006).

Gerry Hess, *The Trail Smelter, the Columbia River and the Extraterritorial Application of CERCLA* 18 GEO. INT'L ENV'T L. REV. 1 (2005).

Presentations

"Using Active Learning to Engage Students," Capital University Law School (March, 2006).

"Study Tour for Afghan Legal Educators – Curriculum Development and Interactive Teaching Methods," United States Agency for International Development (February, 2006).

"Teaching and Learning Values," AALS Annual Meeting (January 2006).

"Law School Survey of Student Engagement: From Anecdote to Analysis," AALS Annual Meeting (January 2006).

"Designing, Preparing, and Presenting Effective Learning Activities," National Judicial College (December, 2005).



Professor Joe Hnylka

Presentations

Professor Joe Hnylka gave a presentation titled "Co-participant tort liability in sports" at the Tort and Workers' Compensation Issues in Sports conference sponsored by Loyola Sports Law Institute, Los Angeles, California (February 10, 2006).



Professor Brooks Holland

Presentations

Professor Brooks Holland participated in an on-line symposium sponsored by the Journal of Law & Liberty at the New York University School of Law, on the topic of *Anticipatory Search Warrants in the Federal Courts* (February 10, 2006).



Professor Amy Kelley

Etc.

Professor Amy Kelley has been designated as the "Public Lands Chair" on the program committee for the 52nd Annual Rocky Mountain Mineral Law Foundation Institute to be held July 2006, in Santa Fe, New Mexico. Each chair is instrumental in identifying topics and speakers, and also for insuring that each speaker produces a law review-quality article to be published in the Institute Proceedings.



Dean Earl Martin

Publication

Dean Martin's article *America's Anti-Standing Army Tradition and the Separate Community Doctrine* was accepted for publication by the Mississippi Law Journal.

Presentation

Dean Earl Martin participated in a panel discussion at the 35th Annual Deans' Workshop in association with the ABA mid-winter meeting in Chicago in February. His topic was *The Future of the Profession: Fostering Professionalism, Integrity, and a Commitment to Pro Bono in Our Students*. Dean Martin also spoke on November 4 to the Spokane County Bar Association on the topic of *The Past, Present, and Future of Legal Education*.



Professor Jim McCurdy

Publications

Professor McCurdy is completing the manuscript for the 6th edition of *Sports Law: Cases & Materials* (Lexis Nexis 2006).

Etc.

Professor Jim McCurdy completed his three-year term as Washington's commissioner on the Basin Environmental Improvement Project Commission, a collaborative body charged with implementing the Superfund clean-up of the Coeur d'Alene River basin.

Professor McCurdy performed as the sole expert witness for the Carolina League during arbitration concerning the compensation owed by the Washington Nationals in relocating to Washington, D. C.



Professor Dan Morrissey

Presentations

Professor Dan Morrissey gave his presentation *Piercing the Corporate Veil*, to the Washington State Trial Lawyers Association roundtable in Spokane, Washington (January 2006).



Professor Ann Murphy

Awards & Acknowledgements

Professor Ann Murphy was named the "Orland Professor of the Year" by the student body at the annual Heidelberg celebration (April 2, 2006).



Professor Rosanna Peterson

Presentations

Professor Rosanna Peterson presented "Improving Your Speaking Skills" at a Spokane County Bar Association Trial Skills CLE (January 2006).



Professor Linda Rusch

Awards and Acknowledgements

On March 15, 2006, Linda J. Rusch was honored as the 2005-06 Outstanding Alumni at Augustana College in Sioux Falls, South Dakota. During her time at Augustana, Professor Rusch spoke with the men's basketball team regarding life after sports, at a college-wide convocation on *Practicing Leadership as a Way of Life*, and at a luncheon of lawyers and business people in Sioux Falls on *Current Issues in E-Commerce*.

Publications

Linda J. Rusch, *Hawkland's Uniform Commercial Code Series: 2006 Supplement to Volume on UCC Article 2*.

Linda J. Rusch, *Hawkland's Uniform Commercial Code Series: 2006 Supplement to UCC Article 7*.

Linda J. Rusch, *Hawkland's Uniform Commercial Code Series: New 2006 volume on Revised UCC Article 7*.

Linda J. Rusch, faculty editor, *The Business Lawyer*, August 2005, American Bar Association, Business Law Section.

Linda J. Rusch, faculty editor, *The Business Lawyer*, November 2005, American Bar Association, Business Law Section.

Linda J. Rusch & Stephen L. Sepinuck, *Problems and Materials on Secured Transactions* (Thomson/West 2006), with Teacher's Manual.

Linda J. Rusch, *Secured Transactions, Black Letter Series* (Thomson/West 2006).

Presentations

Professor Linda J. Rusch gave several presentations over the last few months:

The Effect of Failure to Enact Amendments to Articles 2 and 2A: Scope, Formation, and Battle of the Forms, Etc., to the American Law Institute and American Bar Association conference in Washington, D.C. (December 2005).

Current Issues in the International Sale of Goods, to the American Law Institute and American Bar Association conference in Washington, D.C. (December 2005).

The UCC and Revenue Recognition: How to Avoid Having Your Terms and Conditions Mess up Your Client's Financials, a CLE presentation sponsored by the American Bar Association Business Law Section (November 2005).

On March 14, 2006, Professor Rusch spoke at Hamline University Law School regarding *Practicing Leadership as a Way of Life*.

Etc.

Professor Rusch recently commenced a two year term as treasurer for the American College of Commercial Finance Lawyers.

She attended the September meeting in Philadelphia of the American Law Institute Members Consultative Group discussion of a draft of several sections of the Restatement of Restitution.

In November Professor Rusch attended the meeting of the Permanent Editorial Board of the Uniform Commercial Code in Chicago as a member of the American Law Institute.

She also participated in the American Bar Association Business Law Section Council midwinter meeting as a member of the Council.

In February 2005, she was part of the American Bar Association site inspection team conducting a sabbatical inspection of the University of Kentucky College of Law in Lexington, Kentucky.

She was recently appointed as Chair of the Council Committee on Member Services, for the American Bar Association Section of Business Law for a term commencing August 2006.

In May 2006, she attended the annual meeting of the American Law Institute in Philadelphia to participate in discussion of several draft restatement projects.



Professor Stephen Sepinuck

Publications

Linda J. Rusch & Stephen L. Sepinuck, *Problems and Materials on Secured Transactions* (Thomson/West 2006), with Teacher's Manual.

Stephen L. Sepinuck, *Teaching Statutory Construction Through Reverse Problems and*

'Why' Problems, *The Law Teacher*, Fall 2005.

Stephen L. Sepinuck, Robyn L. Meadows & Russell A. Hakes, *The Uniform Commercial Code Survey*, 60 *Bus. Law.* 1635 (2005) (editors).

Presentations

On April 6, Professor Stephen Sepinuck presented a two-hour program titled *Avoiding the Pitfalls of UCC Practice*, at the spring meeting of the Business Law Section of the ABA. He also presented two CLE programs to the law firm of Paul, Hastings, Janofsky & Walker LLP in Greenwich, Connecticut, one titled *The Basics of Secured Transactions*, and the other covering *Recent Developments in Commercial Law*.

Etc.

Professor Sepinuck was recently elected to the American College of Commercial Finance Lawyers.



Professor Vickie Williams

Awards and Acknowledgements

Professor Vickie Williams was awarded the "Orland 1L Professor of the Year" award at the Heidelberg celebration (April 2, 2006).

Presentations

Professor Vickie Williams will present a talk titled *Fluconomics—Preparing Our Hospitals for the Economic Impact of Pandemic Disease*, at the Health Law Teachers' Conference, Health Care Law and the Taking Clause scholars' panel, University of Maryland School of Law. This conference is scheduled for June 2006. Ms. Williams has also been invited to speak to the Washington/Alaska chapter of the Healthcare Financial Managers' Association (HFMA) in Spokane on May 18, 2006, regarding hospital economics and pandemic disease. The title of her presentation is, "The Takings Clause and Public Health."