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the
LAWYER

GONZAGA UNIVERSITY SCHOOL OF LAW
since 1912

**Commercial
Law Center**
Envision the Future
of Legal Education

- **Passion for their Work:**
Bob Evans, Skip Smyser,
Irene Ringwood, Cliff Webster
- **Promoting the Rule of Law in Kosovo**

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MESSAGE from the DEAN

Shortly after my arrival at the law school in July of 2005, it became apparent that we needed to engage in strategic planning. The school was anticipating a sabbatical visit from the American Bar Association in February of 2006, the university was moving forward with its own process, and we needed to start planning for the law school in its second century of existence as our centennial celebration approaches in 2012.

As a precursor to launching our planning process I worked with the faculty in the fall of 2005 to revise our mission statement. The result of that effort was the replacement of our old six paragraph statement with a single sentence, to wit: *To provide an excellent legal education informed by our humanistic, Jesuit, and Catholic traditions and values.* This pledge affirms that our core function is the education of our students and it highlights the unique and invaluable humanistic, Jesuit, and Catholic character of the institution.

With our new mission statement in place I asked the directors of our various programs to assess their departments. Specifically, I asked our associate deans of academic affairs and students, and our directors of admissions, alumni relations, clinical legal education, career services, development, and the Chastek Law Library to thoroughly review their areas. By the middle of December 2005, I had reports from each that identified internal strengths and weaknesses, surveyed our competition, and listed the top priorities for each department for the next five years. These reports provided valuable information and insight to everyone who became involved in our planning efforts.

In January of 2006 five strategic planning committees, made up of faculty, student, staff, and alums, were organized under the headings of Law Program, J.D. Curriculum, Faculty, Students, and Alumni Relations. I requested that the committee members "make no little plans" and that they dedicate themselves to using the process to give the school a road map for keeping our promise of providing an excellent legal education. The committees worked diligently for six months to produce a list of ranked initiatives in each area. Those initiatives were then vetted, and in some cases revised, by the full faculty in numerous meetings over the next nine months. I am very grateful for all the hard work, time, and effort that went into this process and exceedingly proud of the results. We have made great plans that will have a tremendous effect on the life of this institution.

We have dedicated ourselves to pursuing the following initiatives: a new enrollment strategy, a completely revamped alumni outreach effort, and new programs to increase our effectiveness at attracting and retaining a diverse student body. Our plans also include an extensive curriculum review and reform effort. This major undertaking will be the next phase of our strategic planning process and presents us with an opportunity to fundamentally improve our program of legal education.

As each of our initiatives come on line we will be sharing the news with all of our friends and supporters in a variety of ways. For example, this edition of *The Lawyer* announces the creation of the Gonzaga School of Law Center for Commercial Law, one of the most exciting developments to come out of our strategic planning process. I am exceedingly confident that under the leadership of Professors Linda Rusch and Stephen Sepinuck this new Center will establish us as a leader in the field of commercial/transactional law.

This is an exciting time in the history of our school. We are only five years from our centennial and we are going to arrive at that celebration in excellent shape. We are blessed with an inspiring history, a beautiful physical location, and dedicated faculty, staff, and alums. All the ingredients are in place to take this law school to the next level and I am confident that we will capitalize on this opportunity.

Dean Earl Martin
Gonzaga University School of Law

COMMERCIAL LAW CENTER

By Christianna Sharman

Just when you think you have Gonzaga University School of Law all figured out, something happens.

Indeed, the last few years have been rich with creativity and change — new building and leadership, renewed energy for faculty research, and increased scholarship offerings for first-rate students. Now, that same momentum has led us to our most recent development, the formation of the Commercial Law Center.

The potential is nothing short of exhilarating.

“We are hoping to transform legal education,” says Professor Stephen L. Sepinuck, who serves as co-director of the Commercial Law Center with Professor Linda J. Rusch. “The skills involved in putting a deal together are very different from those law schools typically spend time teaching.”

In pursuing that goal, the center takes a broad view. As you

might expect, students will gain an understanding of complex financial transactions, identify and anticipate problems, develop innovative solutions, and draft the transaction documents. But beyond that, the center will reach out to the bar, explaining how legal developments affect transactional practice, and work to transform legal rules that unduly inhibit fair commercial practices.

Gonzaga’s mission will inform all such efforts, Sepinuck says. “A focus on commercial law and commercial practice can serve the public,” he explains. “Commerce isn’t divorced from the public interest.”

Rusch agrees. “To build a just society, you need economic development.”

The two directors are exceptionally well-suited to the challenge. Rusch has been on the Permanent Editorial Board of the Uniform Commercial Code (UCC) since 2000. She also has served as an advisor to the revision of UCC Article 9, as an

associate reporter for the National Conference of Commissioners on Uniform State Laws and the American Law Institute Drafting Committee to Revise UCC Article 2, and as a co-reporter for and member of the NCCUSL-ALI Drafting Committee to revise UCC Article 7.

She has also authored or co-authored three casebooks on the UCC, as well as numerous other books and law review articles. A fourth casebook on bankruptcy has just been published. “Everybody in the field knows her,” Sepinuck says. “She’s a huge name.”

The same could be said of him. Sepinuck co-authored two casebooks with Rusch, and for the past seven years, has edited “The Uniform Commercial Code Survey.” In addition, he has authored or co-authored an impressive list of publications, and given presentations before the American Bar Association, the Institute for Law School Teaching, the Eastern District of Washington Bankruptcy Bar, and the East/West Bankruptcy Judges Conference, among many others.

“Linda and Steve are national leaders in the field of commercial law,” says Earl Martin, dean of the school of law. “They are incredibly active academic scholars, highly talented teachers, and tireless servants to the bench and bar.”

Their enthusiasm for commercial law takes them all across the country — one of them appears in a speaking engagement at least every other month — but those experiences inevitably make their way back to the classroom. “We’re training people to look at things from other perspectives. That’s a key skill for transactional attorneys,” Sepinuck says.

According to Rusch, the need for mutually beneficial outcomes explains the difference between litigation and transactional practice. “In transactional law, both parties have a common goal — to get the deal done,” she explains. “You’re trying to get people together. It’s a collaborative view of practice.”

And ideally, that approach leads to long-lasting relationships.

“A lawyer should be intimately involved in a client’s business planning,” Rusch says. “What we’re trying to do is establish a model where students develop curiosity and insight about a client’s business.”

Rusch and Sepinuck have gathered a thirteen-member board of advisors to guide them in their work. “It’s an incredible group of commercial law attorneys,” Sepinuck says. “Everyone we asked said yes.”

With that level of talent and experience behind it, the Commercial Law Center is well positioned to make its mark, both in the field of commercial law and in the world of legal education.

“As the global economy grows more and more complex, it is going to take better and more thoroughly trained lawyers to navigate the challenges,” Martin says. “The Commercial Law Center will serve that purpose for our law students.”

To learn more, visit the center’s Web site at www.commerciallawcenter.com.



Our mission

The Commercial Law Center imparts the legal and theoretical knowledge and teaches the lawyering skills needed to represent businesses and consumers in all manner of commercial transactions, including sales, leases, licenses, asset-based lending, and structured finance.

Our board of advisors

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PASSION *for their* WORK

By Graham Sharman III

The world of legislative law can be attractive to some lawyers.

But in the case of these Gonzaga alums, it attracted four lawyers who had no intention of becoming lobbyists. In the end, however, they found their true calling.

For Robert A. Evans, a career in legislative law grew naturally out of his interest in history and government. He grew up during the civil rights movement, the Vietnam War, and Watergate. Exposure to those events created his desire to become a lawyer so he could be an active and effective participant in the future.

Mr. Evans started law school when he was thirty — a little later than most students. He researched Gonzaga University after a number of lawyer friends recommended the school and he liked what he saw. Mr. Evans discovered that Gonzaga students represented a broad range of age and experience. He also found that the student body and faculty came from all over the country — all of which provided what he considered a wonderful academic and social environment. In fact, Mr. Evans

still counts some of the students and faculty he met during his time at Gonzaga among his closest friends and colleagues.

After graduation, he moved to Alaska and went into private practice. Almost immediately Mr. Evans got involved in the 1980 U.S. Senate race. Shortly after that, he relocated to Anchorage and began working as an assistant attorney general in the consumer protection section of the Department of Law. His next move took him to Kotzebue, where he was an assistant public defender. In the meantime, Mr. Evans' friend Steve Cowper ran for governor and won. He asked Mr. Evans to be his deputy chief of staff and legislative liaison. After four years, Governor Cowper decided not to seek reelection. However, Mr. Evans found the work so rewarding that he began a career as a contract lobbyist. Since then, Mr. Evans has continued to expand his practice and is currently of counsel for the law firm of Patton Boggs LLP.

These days, as he goes about the business of advocating for his clients, Mr. Evans attributes much of his success to the principle of treating people with respect and providing people

with all the information, good and bad.

Maintaining that type of candor with people is just as important to Charles A. "Skip" Smyser. As he lobbies for his clients, Mr. Smyser makes sure he truly understands every aspect of the issue and fairly and honestly portrays the opposition's side to legislators. Mr. Smyser — whose private practice, Connolly and Smyser, deals primarily in governmental affairs, administrative law, civil litigation, family law, and business law — got interested in the law early on by watching Perry Mason on TV and going to the courthouse to watch trials in person.

Growing up in Boise, Mr. Smyser was aware of Gonzaga by its reputation and had even played basketball against the Bulldogs. He was impressed by the way students rallied around the team and knew that Gonzaga was a place where he could feel at home. Once he began attending, that knowledge was validated by the sense of family he felt at Gonzaga. Mr. Smyser could tell that the faculty wanted him to succeed and found them making the effort to assist him in any way they could.

And succeed he did. Mr. Smyser spent ten years as a member of the Idaho Legislature before returning to a full-time

Association. They hired him the following year and before he knew it, Mr. Smyser was getting paid to be involved in something he loved.

Mr. Smyser, who has a three-foot-tall statue of Lady Justice in his home, finds the principle of blind justice an ongoing inspiration, giving him daily pride in his profession. So it is perhaps fitting that he made the best career move possible for himself almost by accident.

Similarly, providence played a large part in Irene Ringwood's career choice — but in her case, it was the decision she made to go to Gonzaga in the first place. Raised on a wheat farm outside of Spokane, she had no exposure to attorneys or the practice of law. By chance, Ms. Ringwood met a Gonzaga law student, the husband of a treasured high school teacher. He impressed her so much with his sense of fairness and equity that Ms. Ringwood decided if this was what a law student was like — especially a Gonzaga law student — then she wanted to be one.

With a family history at Gonzaga including both the prep school and the University, Ms. Ringwood had an initial perception of Gonzaga as place where she could get a



BOB
EVANS



SKIP
SMYSER

law practice. With no plans to engage in legislative law, at one point he found himself advising a client to find a lobbyist to help change a law. The client insisted that Mr. Smyser become the needed lobbyist. His subsequent success during that legislative session got Mr. Smyser noticed by several people, including some former friends in the Prosecuting Attorney's

fine education and not have to endure the kind of cutthroat competition present at some other law schools. She turned out to be absolutely right. Not only did Ms. Ringwood find a generally collegial attitude among fellow students, she also found a faculty that, while demanding, was more than willing to help those who reached out for it.

Ms. Ringwood, who finds great inspiration in the First Amendment right to petition the government, got involved in public sector legislative work immediately after taking her bar exam. She was part of Representative Tom Foley's reelection effort and, upon victory, was invited to join Foley's staff in Washington, D.C. While in Washington, Ms. Ringwood became an authority on the dichotomy of public and private power, and the role of the federal government in both. Eventually, she transferred her experience in the public sector to expertly represent involved parties in the private sector.

In all her dealings, while working with Representative Foley and now with her various clients, Ms. Ringwood holds herself and other lobbyists to a high standard of integrity — because individual integrity is absolutely critical to anyone who wants to make a career out of legislative law.

Personal integrity is something Clifford A. "Cliff" Webster truly takes to heart, especially when things go wrong. He doesn't believe in placing blame, but instead asks himself what he could have done differently to produce a better outcome.



However, given his achievements as a lobbyist, Mr. Webster will much more often find himself taking pride in the work he does, rather than asking himself what he could have done differently.

Cliff's strong interest in politics and the government's legislative and executive branches prompted several of his high school teachers to suggest a law career. To that end, Mr.

Webster worked in the law offices of E. R. Whitmore, Jr., as part of a career work-experience program during his senior year. He left high school knowing he wanted to become a lawyer.

Based on advice from one of his mentors, Mr. Webster decided to attend law school where he expected to practice, because law school classmates become a reliable network for referrals and professional advancement after school. Since he grew up in Wenatchee and graduated from Washington State University, Mr. Webster was familiar with Gonzaga and its reputation for turning out solid lawyers.

Like many lobbyists, Mr. Webster came to the profession through luck, opportunity, and a chance to turn an avocation into a vocation. After Gonzaga, he returned home and joined the three-lawyer staff of the county prosecuting attorney's office. Some time later, through Mr. Whitmore, he met then-Attorney General Slade Gorton and immediately volunteered for Mr. Gorton's U. S. Senate campaign. The campaign was successful and Mr. Webster became Senator Gorton's

legislative aide. After two years on Capitol Hill, he returned to private practice as a litigator, but Mr. Webster soon found himself helping the legislative practice group of his firm. He's been doing it ever since, now as a principal of Carney Badley Spellman, because he loves the excitement, challenges, and fun that come with lobbying — and because in the lobbying world, every day is game day. 🎲



ABA INTERNATIONAL PUBLIC SERVICE: HELPING TO PROMOTE THE RULE OF LAW IN KOSOVO

By Dan Webster

Kosovo isn't likely to sit atop anyone's list as a favorite vacation spot.

Not only is the southernmost region of Serbia one of the poorest areas in Europe, but it is just eight years removed from a war that displaced much of the populace and devastated a fair amount of the landscape. Kosovo, whose population is 90% ethnic Albanian, has been administered by the United Nations since 1999.

As Gonzaga Law School professor Mary Pat Treuthart and 2L student Rosalie Matthews discovered, not only is Kosovo a pleasant spot to visit but it is a place that can provide benefits that go far beyond a mere holiday.

"It was absolutely one of the personal and professional highlights of my life," Treuthart says of the almost two months she spent in Kosovo in the fall of 2006 and her brief follow-up visit to Pristina in early May 2007.

"It was just amazing to have the chance to be in a country that was recently adopting laws to promote equality and offer a way to fight discrimination and persecution," says Matthews, who spent ten weeks in Kosovo last summer.

Both Treuthart and Matthews lived and worked as volunteers

in Pristina, the capital of Kosovo, in the office of the American Bar Association. Both were associated with the ABA's Central European-Eurasian Law Initiative (ABA-CEELI), which later became known as the Rule of Law Initiative (ABA-ROLI). Treuthart had been looking for volunteer opportunities to fill the second half of her sabbatical. "At a university that emphasizes social justice and service, it seemed natural to devote part of my time to doing volunteer work. But it was a little more challenging to make that happen than I had envisioned."

After receiving a referral from former GU law professor Speedy Rice, who had been in the Balkans on a Fulbright scholarship, Treuthart was invited to serve a short-term position as an ABA pro bono legal specialist. She pointed out, "My husband's making the necessary arrangements to accompany me greatly enhanced the experience."

"My mandate was to provide instruction about innovative interactive teaching techniques to interested professors at the University of Pristina law faculty," Treuthart says, "and to assist with the development, implementation, and instruction of a legal methodology course for law students. Those projects were delayed slightly, so I was able to spend time initially