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University of Pittsburgh School of Law

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LAW NOTES

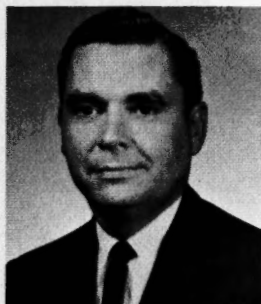
VOL. III No. 2 WINTER 1975
PUBLISHED QUARTERLY BY THE UNIVERSITY OF PITTSBURGH
SCHOOL OF LAW, PITTSBURGH, PENNSYLVANIA 15260

DEAN'S COLUMN

I am pleased to announce that for the first time in the eighty-year history of the School of Law, it is quartered and conducting its program in its own building. We completed the move between, September 15, and began the second semester on Monday, January 5, in our beautiful new structure. The move went smoothly and the start of the semester got off with surprisingly little difficulty. As in all new buildings, there are a few "bugs" to work out, such as balancing the heating and getting the elevators in proper adjustment. However, these are minor when one contrasts the great facilities we are now enjoying with those that were available to us in the Cathedral of Learning. In fact, the availability of more and better space has completely eliminated the sense of "crowding" which we had in our old quarters.

This promises to be an exciting, busy and very significant term in the history of the School. We are scheduled for a re-accreditation inspection by the American Bar Association and the Association of American Law Schools. It is planned for late February or early March. This procedure takes place on an average of once every ten years.

We had a new addition to the faculty as we began the second semester. Ms. Martha Munsch, previously an associate of Reed, Smith, Shaw and McClay, Pittsburgh, and a graduate of Yale Law School, replaces Professor Steven Yablonski, who has returned to the private practice of law in Washington, D.C.



W. EDWARD SELL,
DEAN

Plans are progressing for the dedication of our new building on April 30 and May 1. Mr. Justice White of the United States Supreme Court will deliver the dedicatory address on Saturday morning, May 1 — Law Day, 1976. We hope that many of the alumni will plan to join us for this most significant occasion in the history of the School.

The Graduation Program for the Law School will be held Saturday morning, May 8, in the court room of the law building. Admission to graduation is by ticket only because of limited facilities. As usual, a reception will take place for the graduates and their guests following the program. The Honorable Richard L. Thornburgh will address the graduating class. We expect to graduate approximately one hundred five this year. This was a small class since we had to control the size while in the Cathedral of Learning.

I have been told by our Director of Admissions and the Admissions Committee that the number of applications will more than likely be down slightly from last year, although the credentials presented by the group will likely increase. The slight reduction would accord with the national trend in law school applications. We expect to admit about two hundred and twenty in September.

Placement continues to be the number one concern of most of our students. Some of the firms that had yearly been in the market for hiring graduates are not currently hiring. If you know of any potential job opportunities, I trust you will notify Assistant Dean Robert B. Harper. We are anxious to uncover every possibility that can be made available to our graduates. Our graduating seniors are of high quality and deserve every effort not only by the school but by our alumni.

Our Partners for Preeminence Campaign has not been

completed. We have decided to prepare a tentative plaque for the Dedication, affording any of our alumni or friends who have not contributed an opportunity to do so and thus be included in the permanent plaque.

Now that we are in the new building, I sincerely hope that any of you who are in the Oakland area will drop in to see us. We will be happy to "show off" our new home, which we think is one of the finest law school buildings in the nation.

DEAN SELL HEADS PENNSYLVANIA BAR INSTITUTE

Dean Sell is currently serving as President of the Pennsylvania Bar Institute. He had been on the Board of Directors for several years and then served as Secretary and later as Vice President before assuming the Presidency. The Institute, commonly known as the "P.B.I.", is a non-profit corporation formed by the Pennsylvania Bar Association to carry out its educational objectives.

The Board of Directors of the Pennsylvania Bar Institute is elected by the Board of Governors of the Pennsylvania Bar Association. The Institute, quartered with the Bar Association in its new facility in Harrisburg, conducts continuing legal education programs for the bar of Pennsylvania. Many of these programs are conducted at a number of locations throughout the state, affording members of the bar in the sixty-seven counties an opportunity to attend a program within reasonable proximity to their homes. Depending upon the nature of a particular program, it may be held in only one or a very few locations.

The Institute cooperates with local bar associations in the presentation of its programs. It attempts to develop seminars on subjects of current concern to practicing lawyers and members of the judiciary. Written materials are normally prepared by a member or members of the bar, and faculty members drawn from the bar then present the programs at the various locations. The written materials are available for purchase from the Pennsylvania Bar Institute after the programs have been conducted.

Each year, at the Annual Meeting and the Mid-Year Meeting of the Pennsylvania Bar Association, the P.B.I. presents a program surveying recent developments in various fields of law. This survey is published in the Pennsylvania Bar Quarterly.

Dean Sell took office at the Annual Meeting of the Pennsylvania Bar Association in May in Pittsburgh. He will serve through the Annual Meeting to be held in Philadelphia in May, 1976.

LAW REVIEW NAMES NEW EDITOR

Professor George P. Smith, Faculty Advisor to the *University of Pittsburgh Law Review*, has announced the election of Charles G. O'Hara, 27 years old, as Editor for Volume 38 of the *Review*. He succeeds Carolyn Wood Maricondi, a Wellesley graduate and holder of a Ph.D. in Chemistry from the University of Pittsburgh. Mrs. Maricondi was a former member of the faculty of the Chemistry Department at the University of Pittsburgh before entering law school. She is the first woman editor in the history of the *Review* since it began publication in 1935.

Mr. O'Hara grew up in Drexel Hills, Pennsylvania, a suburb of Philadelphia. He earned a B.A. from Villanova University and spent four years in the U.S. Navy, first as an Ensign and later as a Lieutenant, j.g. on the U.S.S. Brewton, DE-1086. He will clerk this Summer with the Pittsburgh law firm of Tucker, Arensberg and Ferguson and hope to eventually specialize in corporate law.

In commenting upon her experience as Editor of the *Review*, Mrs. Maricondi gave credit to her staff for their "marvelous spirit of co-operation in making Volume 37 a success." Mr. O'Hara stated that his goal as Editor was to organize his staff to "perform as well and as expeditiously as Mrs. Maricondi's."

ENVIRONMENTAL COUNCIL PLANS NATIONAL INSTITUTE

Dean Sell has announced that the University of Pittsburgh Environmental Law Council composed of Pitt law school students will conduct a two day national institute entitled, "Environmental Law and the Quality of Life," March 25, 26, 1976, at the new law school.

The purpose of the Institute is to educate lawyers, public officials, concerned citizens and students to problems of environmental management. Two concurrent or plenary sessions of the Institute will be conducted. A luncheon speaker is featured in addition to the presentation of five individual panels concerned with topics in air, water, land use, litigation and citizen action.

Among the nearly thirty panelists participating are Nicholas Yost, Deputy Attorney General, California; Gary Widman, General Counsel of the Council of Environmental Quality, Washington, D.C.; Steven Quarles, Counsel to the U.S. Senate Interior Committee; William Eichbaum, Deputy Secretary of the Pennsylvania Department of Environmental Resources; Henry Lord, Deputy Attorney General, Maryland; Jan

Drennan, Special Counsel at the Federal Power Commission, Washington, D.C. and Robert Ryan, Esquire, Director of the Office of Legislation, U.S. Environmental Protection Agency, Washington.

Tuition is \$50.00. Further information may be obtained from Professor George P. Smith, University of Pittsburgh Law School, Pittsburgh, Pa. 15260, telephone 624-6234.

PROFESSOR YABLONSKI RETURNS TO PRIVATE PRACTICE

Following one and one-half years at the School, Assistant Professor Stephen K. Yablonski has decided to return to private practice. Professor Yablonski taught in the areas of trade regulation, unfair competition and torts. He has been named as a partner in the firm of Truitt, Fabrikant, Bucklin & Lenzner in Washington, D.C. The Faculty and Administration of the School of Law join Professor Yablonski's students in wishing him well.

MARTHA MUNSCHE JOINS FACULTY

Martha Hartle Munsch has joined the Faculty as an Assistant Professor of Law. She comes to the School from Reed, Smith, Shaw & McClay where she has been an associate since 1973. Professor Munsch is offering courses in Employment Discrimination and Labor Relations and Social Legislation this semester. Next year she will offer a section of the new course Process and Procedure in addition. Professor Munsch received her B.S. at the University of Pittsburgh and her J.D. at Yale University.

SCHOOL COMPLETES MOVE

On Saturday, January 3, 1976, the School completed the move to the new building at 3900 Forbes Avenue. This ended four hectic weeks during which the faculty, staff, library and the library staff were moved from the Cathedral where the School has been located since 1936. Most of the faculty and staff began moving to the new facility in early December. During the first two weeks of the month this first group of residents worked at putting the new home in order. During the final two weeks of the month the library was moved. The move

involved the packing and unpacking of more than 5,000 boxes and large quantities of other material. The new building was completely furnished with new equipment which greatly assisted in making a smooth transition.

The move was handled completely by University and Law School personnel and went very smoothly. All School of Law Alumni are urged to stop and see us in our new quarters.

FACULTY PROFILES

ROBERT L. POTTER

Professor Robert L. Potter (age 33) is a native of the Pittsburgh area. Born in Mt. Lebanon in 1942, Bob attended Western Reserve Academy in Hudson, Ohio, graduating cum laude in 1959. Professor Potter then entered Cornell University in Ithaca, New York, graduating in June, 1963 with a B.A. in chemistry. While at Cornell, Bob lettered in varsity track twice, serving as team captain in his final year.

The next six years Bob spent on active duty as an officer and pilot in the United States Marine Corps. From June, 1968 through July, 1969, Professor Potter flew the McDonnell-Douglas F4B Phantom aircraft in the Vietnam conflict, logging 280 missions and receiving the Distinguished Flying Cross, the Air Medal and the Navy Commendation Medal.

Leaving the Marine Corps as a captain in September, 1969, Bob attended law school at the University of Pittsburgh, receiving his J.D. degree summa cum laude in May, 1972. While at the School of Law, Professor Potter was Articles Editor of the *Law Review* and with a classmate won the Gourley Moot Court Competition of 1972. Upon graduation, Bob was elected to the Order of the Coif.

Bob then served as law clerk to Mr. Justice Thomas W. Pomeroy, Jr. of the Supreme Court of Pennsylvania. After completion of the clerkship, Professor Potter was then employed as an associate of the law firm of Reed, Smith, Shaw & McClay here in Pittsburgh from which position he comes to the School of Law.

Professor Potter married the former Linda Kay Whipkey of Salem, Ohio. They have two children, both boys, ages 5 and 1-1/2, and live in Ben Avon Borough.

Professor Potter is currently teaching Torts to a section of the first year class, Evidence, and the course in Professional Responsibility to all third year students.

ERIC M. HOLMES

Professor Eric M. Holmes was born in Winston-Salem, North Carolina in 1943. He spent his undergraduate years at Duke University and then attended law school at the University of North Carolina in Chapel Hill. At North Carolina he wrote four law review notes, won several awards (Am. Jur., Grail, Nathan Burkan Memorial, Dean's Certificate of Commendation), and graduated with a J.D. degree in 1969. Immediately upon graduation, he joined the Atlanta law firm of Hurt, Hill & Richardson. After two years of private practice experience and active involvement as a member of several committees of the Georgia Bar Assn., he decided to gratify a long-suppressed desire to teach — a decision which took him in 1971 to the University of Tennessee.

At Tennessee, he served as faculty advisor to the *Law Review*, as chairman of freshman orientation, and as initiator of "The General Issue" (a student-alumni publication). Mr. Holmes was accorded the opportunity of teaching a plethora of courses during the next two years. He was recognized in 1974 with the "Outstanding Teacher Award" bestowed upon him jointly by the Tennessee Student Bar Association and the Phi Alpha Delta Legal Fraternity. He left Tennessee to become a Krulewitch Fellow in the J.S.D. program at Columbia University for the academic year 1974-75. Following the completion of a lengthy article (which incidentally will be published by *Columbia Law Review* this spring), Columbia awarded him the L.L.M. degree. He is currently a candidate for the J.S.D.

Mr. Holmes left New York in June 1975 to become a Visiting Professor for the summer at his alma mater (U.N.C. Law School) and in September joined the Pittsburgh faculty as an Associate Professor. His teaching and research interests center around contracts, commercial law and insurance, in which areas he has authored nine publications.

He is a member of the American, Georgia, and Atlanta Bars, the Order of the Coif, several A.A.L.S. and A.B.A. committees. In addition to having participated in panel discussions at various bar functions, he was principal speaker at the Seventh Annual Meeting of the Georgia Defense Lawyers Association in April 1974. Mr. Holmes is married, and his wife Nancy is currently a Ph.D. candidate in English literature.

A MESSAGE FROM LAW ALUMNI ASSOCIATION PRESIDENT JAMES D. MORTON

As I noted in the last issue of "Law Notes," our major event of 1976 is the dedication dinner scheduled for April 30 at the Pittsburgh Hilton. Two excellent organizers, S. Knox Hunter, '33, and Samuel N. Goldman, '34, are the co-chairmen. You may expect your formal invitation early in March.

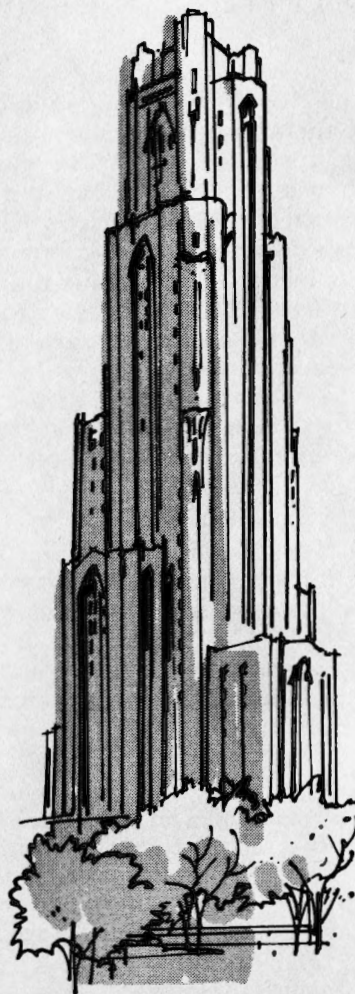
We will be equipped to handle 1,100 guests that night. If you think that's a lot, consider these facts: 1) This is a once-in-a-lifetime occasion and the greatest in the history of the School of Law; 2) The Pittsburgh Dapper Dan gets that many for its luncheon and twice that for its dinner; 3) The crowd will not be limited to alumni and their guests but will be swelled by guests of Dean Sell, who will include members of our appellate courts in Pennsylvania, governmental officials, the Board of Trustees and the Administration of the University of Pittsburgh, and deans and representatives from many other law schools. We anticipate that the alumni will be allotted some 900 of the 1,100 tickets available, which breaks down to about 450 couples. So we are suggesting to the alumni that they make their reservations promptly to avoid disappointment.

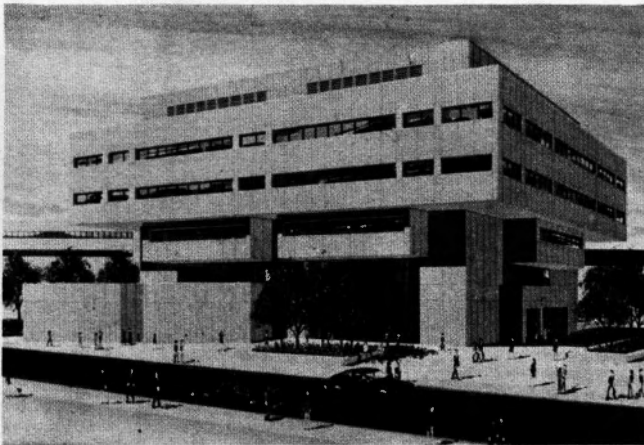
The Hunter-Goldman committee is hard at work seeing to it that everything will be done to arrange a banquet that will befit the occasion in every way. Extravagance will be shunned, but nonetheless there will be many expenses not covered in the price of the tickets. Therefore, Sam Goldman has been contacting lawyers, both alumni and not, on a highly selective basis asking them to contribute \$100 toward expenses, in exchange for which, they will be listed in the souvenir dinner program as "patrons." The response has been very good, and it occurs to us that others might like to join as patrons. Inquiries about this should be directed to Sam in care of the Law School.

The dedication dinner falls the night before the official dedication on May 1. Note the symbolism of the date: Law Day of the Bicentennial year. Anticipating a large alumni turnout from outside the area, we have reserved a block of rooms at the Webster Hall Hotel in Oakland to make it convenient for people to attend both the Friday night dinner and the ceremonies the next day.

I was very pleased that Frank Conflenti, '52 agreed to serve as Chairman of the 1975-76 Annual Giving Fund drive. Frank is a partner in the firm of Cauley, Birsic & Conflenti and one of the ablest fund-raisers the School can boast. Frank has enlisted Daniel B. Dixon, '38 as Chairman for Leadership Gifts. Dan's task will be to increase membership in the Century Club (\$100 minimum), the William Pitt Associates (\$500 minimum), and the Charter Council (\$1,000 minimum).

Our A.G.F. goals for this year are 1,350 donors and \$100,000. Through December 31 we are showing gifts from 366 alumni for \$37,413.





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