THE CREIGHTON LAWYER

CREIGHTON SCHOOL OF LAW

VOLUME 1, NUMBER 2 SPRING 1986
Libraries have changed radically in recent years. The development of space-age technology has transformed once musty stacks into vibrant information retrieval centers.

In this issue, The Creighton Lawyer takes you behind the scenes and introduces you to some of the electronic wonders in the Klutznick Law Library.

See page 5.

The Creighton Lawyer is published twice a year. It is devoted to keeping alumni informed of news of the Creighton Law School, its faculty and graduates. Published under the direction of Assistant Dean Kathryn Boe, The Creighton Lawyer solicits items of interest to the Creighton family.

Please address communications to: The Creighton Lawyer, Creighton Law School, 2133 California Street, Omaha, NE 68178. Creighton University is a non-profit institution organized under Nebraska law and does not discriminate in any of its employment or student-centered programs.
In Issue 1 of *The Creighton Lawyer*, we pledged that succeeding issues would include an article written by a Creighton alumnus on an area of law of current interest. We are very pleased to fulfill that pledge in this issue with Bill Schiffbauer's article on biotechnology and the Toxic Substances Control Act. We plan to have such an article as a regular part of our magazine. I would, however, like to take the rest of this letter talking with you about another matter.

By now most of you have heard about Campaign for Creighton — your University's fund drive with a goal of $70,000,000. Unlike other Creighton campaigns this sum is to be raised entirely from private sources. Seventy million dollars is a lot of money, more than three times as much as we've ever raised from private sources. As of this date over forty million of that seventy million has been pledged. Over the next three years I am confident that the balance will be raised.

While this is not the forum in which to detail the projects and goals of this drive, it is an appropriate and useful forum to give you an idea of what the campaign means for your law school.

A law school is people, programs and facilities. In a private university the funds necessary for these people, programs, and facilities can only come from two sources — gifts for endowment and operating funds, and tuition paid by the students.

Our students will pay over $6,000 a year in tuition for the 1986-87 academic year. Endowment and gift income must continue to meet the ever widening gap between the cost of a quality law school education and the tuition income. Just a few examples will illustrate the importance of your support for this drive. The expenses for the law library are well over $500,000 a year — representing more than $1,000 per student. We cannot ask the students to bear a larger share of these costs. Our students must have access to and learn to utilize the latest in computer research equipment. The funds for these must come from endowment and gift income — from you.

The non-classroom activities of the school must be supported. The Creighton Law Review represents a net cost of over $60,000 a year in scholarships, overhead and publication costs. Every trip that our client counseling and moot court teams take, every speaker that we present represents an expenditure of tuition or gift dollars.

Professorships and endowed chairs will help us maintain our excellent facility. Scholarships are essential to attract and keep an outstanding student body. In addition to scholarships endowed by private donors, the law school currently awards some $200,000 in scholarships which are financed out of general gift and tuition income. Again tuition should not support any increase in these funds. With the reduction in federal funds available for student aid, the law school must turn to its friends and alumni.

In addition, the physical facilities of the school must be maintained. The law school has already shared in a portion of a gift to the University. A new roof was installed this last year at a cost in excess of $100,000. Our building is over ten years old and needs recarpeting at a cost of over $100,000. We hope to begin this project this summer.

I hope these examples will demonstrate our need. We at the law school try to put every dollar we get to good use. Your law school is what it is today largely because of your loyalty and support. You have always responded to our needs in the past. We count on your response today.
Regulating Biotechnology Under the Toxic Substances Control Act
by William G. Schiffbauer

Encouraged by the U.S. Supreme Court's decision in Diamond v. Chakrabarty which declared that new, genetically engineered living organisms can be "manufactured" and are patentable, the biotechnology industry has made substantial progress over the last five years towards developing a wide spectrum of commercially feasible genetically engineered products. Potential new products range from disease resistant plants and biomass energy development to microbes that detoxify hazardous wastes.

The novelty of genetically engineered organisms and the lack of experience with them has made it difficult to predict the impact on human health and the environment.

Due to growing concerns that no single governmental entity has the expertise or authority to supervise the development of the biotechnology industry the White House Office of Science and Technology Policy (OSTP) formed a working group of various federal agencies in April 1984 to chart
the future course of regulating this new industry. On December 31, 1984, this working group published a Notice of Proposed Regulation (Notice) in the Federal Register addressing possible federal oversight by the Food and Drug Administration, the Environmental Protection Agency, and the U.S. Department of Agriculture. EPA announced in the Notice the agency’s proposal to utilize the authority of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Toxic Substances Control Act (TSCA) to regulate aspects of biotechnology. This article briefly reviews portions of the EPA position specifically with regard to TSCA’s jurisdiction over biotechnology and microbial products.

Biotechnology employs “genetically engineered” living organisms to make or modify certain products, most recently through the application of recombinant-DNA technology. Traditionally, biotechnology has used less sophisticated techniques, such as ultraviolet irradiation, to produce in organisms genetic mutations that would occur only very rarely in nature. Recombinant-DNA technology, however, employs the splicing or recombining of two different DNA molecules to create a recombinant-DNA (rDNA) molecule. The subsequent insertion of this new “genetically engineered” recombinant molecule into a living microorganism creates a new microorganism. In addition to rDNA, other technologies which manipulate genes and create new molecules used to produce new microorganisms include cell fusion and recombinant-RNA.

Enacted in 1976, TSCA was passed by Congress in reaction to reports of human cancer related diseases associated with chemical substances such as PCBs, vinyl chloride, mercury and other heavy metals, arsenic, and asbestos. Although authority for premarket review existed for pesticide uses under FIFRA, and the use of drugs, foods, and cosmetics under the Federal Food, Drug and Cosmetic Act, Congress noted that existing federal law simply did not provide the means by which adverse effects on human health and the environment could be ascertained and appropriate action taken before chemical substances were first manufactured and introduced into the marketplace. The only remedy, prior to enactment of TSCA, was to impose restrictions on toxic substances after they entered into use in the workplace, under the Occupational Safety and Health Act, or to regulate discharges and emissions under the Clean Air Act and Federal Water Pollution Control Act, or to set product standards under the Consumer Product Safety Act. Under

“Existing law did not provide the means (to measure adverse effects) on human health . . . .”

“Courts . . . will defer . . . to an . . . agency’s interpretation . . . .”

“. . . TSCA may inadequately protect human health . . . .”

TSCA any person who intends to manufacture or import a new “chemical substance” for commercial purposes in the United States must submit a notice called a Premanufacture Notification (PMN) to the EPA at least 90 days before beginning manufacture, allowing the EPA to review and evaluate the “potential risks” of new substances and to control “unreasonable risks” before they can cause significant harm to human health or the environment.
The initial inquiry presented by EPA’s proposal is whether the agency’s interpretation of “chemical substance” to include living organisms is based upon a reasonable construction of the statute. Federal courts will generally defer to an administrative agency’s interpretation unless the legislative history or purpose and structure of the statute clearly reveal a contrary intent on the part of the Congress. The legislative history suggests that TSCA was designed to address the problems associated primarily with chemical compounds.

Crucial to the success of EPA’s proposed regulation of genetically engineered microbial products is the role of the courts in reviewing the agency’s interpretation of its statutory responsibilities under TSCA. No court has yet decided the issue. Nevertheless, decisions in other areas give an indication of how courts would approach it. A reasonable agency interpretation of its mandate must be accepted where there is no expressed legislative intent. Further, an act providing broad authority may be held to encompass products of new technology never envisioned by the act’s authors.

A careful reading of the legislative history reveals that Congress did not express an intention to exclude new microbial products of biotechnology from the definition of “chemical substances” for purposes of TSCA jurisdiction. By virtue of the fact that these products contain recombinant DNA “molecules,” which are not present on EPA’s current Inventory of “existing chemicals,” these recombinant molecules and the microorganisms containing them would be regulated as “new chemical substances” subject to the premanufacture notice requirements of the Act. EPA’s premarket assessment of the risks posed by these new substances, however, will be significantly hampered by the lack of available data and experience with genetically engineered microorganisms. To date, TSCA regulation of new chemical substances has relied upon a data base of substantially similar existing chemicals which assists the agency in establishing standards and in assessing the risks. Once EPA completes its review of a “new” chemical substance and decides that no control action will be needed, manufacture can begin and the substance is added to the inventory of existing chemicals. Once put on the inventory, the substance can be manufactured by anyone, for any use, and in any quantity without notice to the EPA. For microbial products, this can represent a major loophole in the regulatory scheme. Due to the nature of these new microbial products as living organisms, aspects of TSCA may inadequately protect human health and the environment. The EPA is considering the appropriateness for exemptions for all research and development activity which involve activities in the open environment. As living organisms, these new products of a brave new world harbor the potential for ecological disruption, toxicity to other organisms, and other unknown injuries. The Congress may well consider amendments to TSCA to clarify and tailor the Act’s application to genetically engineered microorganisms and to consider authorizing a program of interim PMN approval once a microbial product has passed the narrow scope of the PMN process.

“Once on the inventory . . . the substance can be manufactured by anyone . . . .”

TSCA, as currently written, offers an important initial regulatory authority in ensuring initial premarket review of the biotechnology industry’s products. However, adequate protection of human health and the environment will require fine-tuning and perhaps additional statutory authority tailored specifically to microbial products as this important new industry develops and matures. On November 14, 1985, the OSTP announced the creation of a Biotechnology Science Coordinating Committee to formally coordinate interagency regulation of biotechnology. A formal statement of each agency’s regulatory policies was scheduled to be announced in the Federal Register early in 1986.
Creighton’s Klutznick Law Library is a whole-hearted participant in space-age electronic technology.

In the first issue of The Creighton Lawyer it was reported that the Klutznick Law Library is participating in the Telefacsimile Outreach Project.

Under this program, Creighton received a grant to purchase and operate a Rapicom 3300 transceiver.

Since the project began, three large Omaha law firms have participated. They are Kennedy, Holland, DeLacy and Svoboda; Kutak, Rock and Campbell; and Baird, Holm, McEachen, Pedersen, Hamann and Strasheim.

Creighton’s library is one of nine in the Mid-America region to participate. “Telefax” allows inter-library communications to be sent and received electronically.

Creighton, in effect, is on an electronic mail line with participating schools and other entities.

If the library is interested in purchasing an expensive set of books, for example, it can ask the participants and get an instant review from other users before investing Creighton dollars.

Likewise, if a professor has learned that the Iowa legislature has passed a law earlier this week, this service would allow receipt of a copy on the day the request is made, without waiting for formal publication.

One of the most interesting
computer applications is a service called PrairieLink which has on its menu such items as a state publications check list, bills introduced in the Unicameral, opinions of the Attorney General, a Nebraska film and audiovisual locator and the Nebraska Library Commission Catalogue, which can be searched by subject.

**Opinion**

The Attorney General opinion service allows the user to inquire by topic, for example, to determine whether the state's chief law enforcement officer has ever drafted an opinion on a given topic.

In the technical processing area, a computer terminal connected to a data base in Ohio provides extensive bibliographic information with which each book in the collection, as well as periodicals, microfiche and videotapes, may be accurately described and made accessible to patrons.

Creighton's collection of nearly 150,000 volumes includes the volume equivalents of 32,000 units of microfilm and microfiche.

**Research**

The library has acquired WESTLAW II and LEXIS computer-assisted legal research systems. Paul Hill, the reference librarian, has been in charge of training students and has personally assisted 50 to become proficient on WESTLAW.

The day when law libraries contained nothing more than paper or "hard" copies of treatises, reporters and law reviews is long since over. Creighton is at the technological front-line and intends to use the new tools to make the learning and application of the law ever more accessible to library patrons.
Some law faculties have been content to expound upon the law after it is written down.

At least for some members of the Creighton faculty, the process of molding the law has been an important part of their professional involvement over the years. For example:

J. Patrick Green was a judge of the Nebraska Court of Industrial Relations from 1974 through 1979.

Ronald Volkmer has been a member of the Nebraska Accountability and Disclosure Commission since 1984.

Richard Shugrue was a member of the Governor’s Task Force on Christian Schools and is serving as chair of an industry task force looking into modernization of the alcoholic control legislation.

Shugrue serves as a member of the Legislation Committee of the Nebraska State Bar and has had testimony before the United States Senate and the House of Representatives.

This article takes a look at the contributions of two members of the Creighton faculty to the development of the law.

Eric Pearson is at the forefront of fashioning solutions to environmental problems.

Prior to joining the Creighton faculty, the Pittsburgh native worked for the Pennsylvania Environmental Resources Department and the federal government’s Environmental Protection Agency.

In 1979 and 1980, Pearson was Associate Chief Counsel of the President’s Commission on the Accident at Three Mile Island.

He has been at Creighton since the fall of 1980. Pearson was appointed by Governor Bob Kerrey to the Nebraska Water Independence Congress.

This state-wide body was charged with the task of reviewing Nebraska’s water policy. Its work was largely responsible for the passage of the first major water bill in a decade. The new legislation created the water management board, established the office of director of natural resources and recognized in-stream uses of water.

Pearson has also served as an officer and leading spokesperson for Nebraska’s chapter of the Sierra Club.
He and the environmentalist organization have played significant roles in drafting legislation dealing with endangered species, the Platte River habitat, hazardous wastes, super fund clean up, the Missouri River basin and many other issues.

In his leadership roles, Pearson has testified before the Unicameral, Congress and administrative agencies. He has maintained working relations with government officials.

While he has not personally been involved in litigation, he considers the education role of the organization important. He has not shied from appearing wherever he might make a positive impact.

**Terry M. Anderson** has become involved in finding a solution to the farm crisis as it relates to bankruptcy law.

This year the North Dakota native who has been on the Creighton faculty since 1972 has appeared before the United States Senate Judiciary Committee’s subcommittees dealing with agricultural bankruptcy.

Anderson appeared along with distinguished members of the judiciary and such faculty members as Frank Kennedy of the University of Michigan.

He urged the Congress that, rather than take piece-meal steps to solving the problem, a new subchapter of Chapter 11 be written entitled “The Family Farmer.”

Specific recommendations made by Anderson, Kennedy and United States Bankruptcy Judge A. Thomas Small of North Carolina included the following proposals:

1. Expand debt limits for eligibility for Chapter 13 (wage earner) plans to 1.5 million dollars;
2. In Chapter 11, reduce the availability of relief from automatic stays based on a debtor’s failure to make adequate payments to a creditor;
3. Give the family farmer a longer time in which to file a plan, expanding the deadline from 180 to 240 days.
4. Allow the family farmer freer use of cash collateral.

Following the appearance in Washington, Anderson and Judge Small have, cooperatively, drafted proposed legislation incorporating these recommendations. They anticipate that Sen. Charles Grassley of Iowa may introduce them.

Anderson is somewhat of a “triple threat” on the family farm bankruptcy issue. He is filing an amicus brief in a case dealing with the issue of adequate protection for the farmer and he is preparing a lead article for the Eighth Circuit survey issue of the Creighton Law Review.
FACULTY NOTES

Joseph Allegretti has made several presentations on Comparable Worth and the Law. He will give another such address this spring in Creighton’s University College. He is also scheduled to speak on "Philosophy, Christianity and Contemporary Culture" for Creighton's Department of Philosophy.

Allegretti is serving as vice chair of the New Covenant Justice and Peace Center’s Board of Directors. During the fall of 1985 he gave a six-week course on the history of the Catholic Church at St. Leo’s Parish in Omaha.

Kathryn Boe recently delivered a speech, “Developing In-House Training Programs” at the International Franchise Association in Hawaii. She has published “A Comprehensive Guide to the Franchise Law Journal” in volume five of that publication. She is serving as editor for the second edition of Henward and Ginalsli’s The Franchise Option to be published in May, 1986. She serves on the Nebraska State Bar Association’s Committee on Access to the Legal Profession.

Marianne Culhane recently addressed the Farm Credit Legal Forum in Grand Island, Neb., on the topic of fraudulent conveyances. She is teaching a new course on suretyship and guarantees.

G. Michael Fenner has written “About Circumstantial Evidence in Nebraska” for the Creighton Law Review. As reporter for the Supreme Court Committee on Practice and Procedure, he is continuing with the revision of Nebraska’s Pattern Jury Instructions.

Fenner has recently been named a member of the executive committee of Nebraska’s newly created Judicial College. He is serving as chair of the State Bar Association’s Bar/News Media Committee and is a member of Omaha’s Landmarks Heritage Preservation Commission.

Barbara Gaskins has been named a member of the Nebraska State Bar Association’s Special Committee on the Supreme Court Docket. She is also a member of the NSBA’s long range planning project task force.
Gaskins is the recipient of a special recognition of outstanding dedication, performance and service to the Omaha Bar Association.

Robert Q. Kelly has published a review of Against Fate: An Essay on Personal Dignity by Glenn Turner in Vera Lex. He has also submitted a review of Phillip Soper's A Theory of Law to Vera Lex.

R. Collin Mangrum currently has under review for publication a church and state historical book on Zion in the Courts: A Legal History of the Church of Jesus Christ of Latter-Day Saints, 1830-1900. He has begun work on materials on the rule of law and its critics and is working with G. Michael Fenner on a Nebraska Rules of Evidence Manual for practitioners.

Eric Pearson has completed for publication in the Creighton Law Review “Property Rights in Streambeds in Nebraska.”

Manfred Pieck is serving as translator of German commentaries as they have been developed “very extensively for the last three years,” Whitten said.

He noted that the book works out well in class. After each textual segment, the teacher can use as much or as little of the problems to extract exactly what the professor's goals are for the coverage, Whitten observed.

The next step for the Creighton scholars is submission to a publisher. It usually takes about a year from the time a contract is signed to the time the book comes out.

Both Whitten and Teply have “nursed” books to publication before. Teply’s “Programmed Materials on Legal Research and Citation,” published by West, is now in its second edition.

Whitten is co-author of “The Constitution and the Common Law” with Robert Bridwell of the University of South Carolina.
for *Vera Lex*. An avid skating enthusiast, Pieck assisted with the Southwestern Regional Ice Skating competition held at Ak-Sar-Ben. He continues to be faculty moderator for the International Moot Court Competition.

**Roland Santoni** edited the recently published "The Sixteenth Annual Institute on Securities Regulation" published by the Practicing Law Institute. He has written an overview of Part I through Part V of the American Law Institute's Corporate Governance Project which will be published for an upcoming seminar of the House Counsel and Corporate Practice Section of the Nebraska Bar Association.

**Richard Shugrue** has been elected chair-elect of the Nebraska State Bar Association House of Delegates. He delivered three continuing legal education papers since September and has completed "Wiretapping in Nebraska" for the *Creighton Law Review*.

Shugrue serves on the Legislative Committee of the Nebraska Bar Association and is a member of the NSBA's advisory board for the legal services-lawyer referral program.

**Ronald Volkmer** continues to serve on the Nebraska Accountability and Disclosure Commission. He was recently elected a member of the House of Delegates of the Nebraska Bar Association. **Volkmer** is a member of the Marian High School advisory board. He was the recipient of an award of recognition from the Legal Aid Society of Omaha after completing a six-year term on its board of directors.

**Barbara Perlman** was re-elected to the Board of Directors of Omaha's Personal Crisis Service, Inc. She is a member of the Creighton Federal Credit Union's Supervisory Committee and serves on the all-university statutes and handbook and fringe benefits committees.
1941
Clement B. Pedersen, Omaha, was recently honored by the Omaha Bar Association for distinguished service.

1951
Donald L. "Pinky" Knowles, Omaha, has filed for re-election as County Attorney in Douglas County.

1952

1957
C.E. Heaney, Jr., Omaha, and Jeffrey D. Toberer, Omaha, (J.D., 1969) of the firm Kennedy, Holland, DeLacy and Svoboda, were contributory authors to a three-volume work entitled Legal Compliance Checkups: Business Clients, published by Callaghan & Co. Heaney authored a chapter on insurance and Toberer a chapter on professional incorporation.

1970
Richard J. Nolan, Littleton, Colo., is Special Assistant United States Attorney in Denver. He has been promoted to Colonel in the United States Air Force Reserves.

1972
Harry D. Dixon, Omaha, is serving as chairperson for a Practising Law Institute seminar on Agricultural Workouts and Bankruptcies held in January, March and April in Washington, D.C., Kansas City and San Francisco, respectively.

Edward T. Hackney, West Bend, Wis., was named Vice President and General Counsel of the West Bend Company, a division of Dart Kraft, Inc.

Thomas C. Marfisi has been named Labor Relations Negotiator for the City of Omaha.

1974
John B. "Brad" Ashford, Omaha, is a candidate for the Nebraska Legislature from the Sixth District. He is the founding partner of Ashford, Bowie and Higgins in Omaha.

Michael A. Nelsen, Omaha, was given an Outstanding Service Award from the University of Nebraska at Omaha Alumni Association. He is past president of the association and has served on that board since 1980.

1975
Don Dupler, Jonesboro, Ga., has been accepted as a visiting Graduate Tax student at Emory University School of Law.

Sederstrom, Burke Head Law Campaign

Omaha attorneys Thomas R. Burke and Charles Sederstrom, Jr. have been named co-chairs of the Law School phase of Campaign Creighton. The campaign is for $70 million over a period of five years to continue excellence at Creighton, Dean Rodney Shkolnick said.

Burke, a Creighton alum, is a partner in Kennedy, Holland, DeLacy and Svoboda. Sederstrom, a graduate of the University of South Dakota, is a partner in Erickson and Sederstrom. The two are being assisted by prominent lawyers from the metropolitan area both in private practice and the corporate world.
JoAnn York, Budapest, Hungary, has begun a two-year assignment as Second Secretary and Vice Consul with the United States Embassy.

1977
Lt. Col. Richard H.L. Marshall has been reassigned as Deputy Legal Advisor, Headquarters, United States European Command, Stuttgart, Germany. Col. Marshall has been awarded the Meritorious Service Medal.

Brenda Warren Council, Omaha, has completed a term as President of the Omaha Board of Education. She is a candidate for re-election to the Board.

1978
Mary Julianne Yard, Lakeland, Fla., is associated with the firm of Holland and Knight, which has eight offices in Florida and one in Washington, D.C. She is in the bond department working in the area of municipal finance.

1979
James R. Nicas, Kingwood, Tex., has become Senior Landman for Offshore Drilling with Exxon, U.S.A. in Houston.

Kim M. Hawkins, Omaha, of the Hawkins Construction Co. here has been elected vice president of the Associated General Contractors of America, Nebraska Chapter.

Robert L. Schell, formerly of the Peterson Law Offices in Council Bluffs, Ia., has joined the legal staff of the Federal Deposit Insurance Corporation in Des Moines.

1980
Asenath M. Kepler, Santa Fe, N.M., is a founding partner of the firm of Rubin, Katz and Kepler here.

Cynthia Irmer, Washington, D.C., is with the United States Department of Justice handling Environmental Protection litigation.

1981
Dell E. Perelman, Washington, D.C., has become Counsel for Government Affairs at the Air Conditioning and Refrigeration Institute.

Gary J. Ostrow, Omaha, is associated with Gross, Welch, Vinaridi, Kauffman and Day, P.C. He was formerly tax manager with Cooper and Lybrand.

Robert Capriles, Syracuse, N.Y., is practicing with the firm of Mooney, McQuat, Capriles and Bonkey here.

1982
William E. Dumke, Jr., New York City, has joined the firm of Rosenman, Colin, Freund, Lewis and Cohen here.

1983
Keith G. Engel has become an associate in the Peterson Law Offices of Council Bluffs.

Charles M. "Matt" Samuelson, Pender, Neb., is serving as a judge for the Omaha Indian Tribal Court in Macy, Neb.

Mark A. Olague, Renton, Wash., has become Contract Administrative Assistant with the Minuteman Program at Boeing Corporation in Seattle.

Marynell DeVaughn, Washington, D.C., will complete her Master's Degree in International Law this spring. She is presently working for the law firm of Harris and Berg, handling import-export matters.

Frank Mihulka, Phoenix, Ariz., has become associated with the firm of Beus, Gilbert, Wake and Morrill here.

Mark D. Frederiksen, Papillion, Neb., has joined the firm of Zarley, McKee, Thomte, Vorhees and Sease as an associate in the Omaha office.

1984
Jerry F. Coffey, Wichita, Kan., is Title Analyst for Koch Industries, Inc., a major oil purchaser, refiner and pipeline corporation.

Lawrence K. Cullan, Frisco, Colo., has joined James Tyler, class of 1975, in the practice of law here.

Denise Thomte, Omaha, has joined the firm of Gallup and Schaefer as an associate.

Capt. Joseph L. Miller, Tokyo, Japan, is practicing international, military and civil law at Yokota Air Force Base north of here.

1985
Earlene R. Baggett, has been named Supervisor, Labor Relations for the General Motors plant in Drayton Plains, Michigan.

Todd W. Buchardt, Omaha, has joined the firm of Young and White as an associate.

G. Michael Schuyler, Littleton, Colo., has joined the firm of Bell and Pollock, P.C., as an associate.
SCENE

Students See Courts In Action

A Creighton alum who is serving as Federal Bankruptcy Judge added to the "real life" exposures of law students this semester.

Judge Timothy Mahoney, class of 1972, conducted Motion Day at the Ahmanson Law Center in February. Interested students were able to see the dynamics of the Bankruptcy Court in operation.

Judge Mahoney was appointed to the bench in 1985 and is the only bankruptcy judge in Nebraska.

The bankruptcy proceedings are just another in-house opportunity for law students to acquaint themselves with the law in action.

Earlier during the semester, the Nebraska Supreme Court sat at the Law School to hear five important cases.

The appellate court conducts a conference on the cases heard and has a brief opportunity to interact with the law school community.

One of the highlights of Supreme Court Day is the return to their alma mater of current clerks for the justices. This year, six Creighton alums are clerking for the Nebraska court.

At least once every three years, the United States Court of Appeals for the Eighth Circuit sits at each law school within the circuit. The 1985-86 academic year is not Creighton's turn.

The facilities of the Law Center are also used for a variety of other legal processes. Administrative law hearings in the employment relations area are frequently scheduled, for example.

Judge C. Arlen Beam of the United States District Court conducted a jury trial during a non-class time. And this past month the F.B.I. produced a training film on trial techniques in the Doyle Court Room.

Strom Becomes Federal Judge

The newest United States District Judge in Nebraska is Lyle E. Strom of Omaha.

Strom, a graduate of Creighton's undergraduate school in 1950 and of the Law School in 1953, had served his profession as a member of the Fitzgerald and Brown law firm in Omaha.

A member of the executive committee of the Nebraska State Bar Association and a fellow of the International Academy of Trial Lawyers and of the American College of Trial Lawyers, Strom has served as a board member of the Legal Aid Society and president of the Midwest A.A.U.

He is also a member of the national Jesuit honorary society Alpha Sigma Nu.

Strom has been an enthusiastic member of the Law School's adjunct faculty, a position he will continue even though he has donned the judicial robe.

Calling All Judges!

Selection as a judge is the peak of any lawyer's career.

The Creighton Lawyer wants to identify all law school alums who are judges anywhere in the United States.

Of course, the law school is aware of alums in the general Nebraska-Iowa territory who are selected for the judiciary. But as the law school has graduates all over the nation, some judicial selections may have missed our attention.

Please let us know if you or any member of your family who is a law school alum has served or is serving at any level of the judiciary. You may want to use the postage paid card on the back cover.
Sir Joseph Gold Collection Donated

The Klutznick Law Library has been given a significant collection of printed materials from Sir Joseph Gold, formerly General Counsel and Director of the Legal Department of the International Monetary Fund.


His gift to the library consisted of his publications on the I.M.F. and monetary law, plus his personal collection of general books and reprints on various social, economic and legal topics.

In the spring of 1981, Sir Joseph spent a day at Creighton, lecturing and conferring with students and faculty. He contributed a leading article to volume 15 of the Creighton Law Review in 1982 entitled “The Relationship Between the International Monetary Fund and the World Bank.”

Librarian Hill Wins Competition

Creighton Law School Reference Librarian Paul F. Hill has recently won the West Publishing Company’s “The Great American Law Story” competition.

Hill, author of Bicycle Law and Practice which will be published this spring, found inspiration for his winning entry in the West contest because of his cycling interest.

Entrants were to submit stories about how a Westlaw service “saved their day.”

Hill’s winning submission told how he was able to uncover an obscure case in the area of bicycle law.

E.E.O. Commissioner Visits Law School

Tony E. Gallegos, one of five members of the United States Equal Employment Opportunity Commission, visited the law school in mid-January.

Gallegos, named to the Commission in 1983 by President Reagan, spoke informally with students in the Schneider Commons. His Creighton stop was part of a two-day Omaha visit sponsored by the Personnel Association of the Midlands.

The Commission enforces employment law in the areas of age discrimination, equal pay and Title VII.
Activities Fill Student Calendar

Student extra-curricular activities keep the law school hopping well into the night during the spring semester.

This year, Creighton serves as host for three competitions, the Client Counseling matches, the Jessup International Moot Court competition and the American Bar Association’s regional moot court contest.

In addition to the extra-mural competitions, the school manages to conduct two in-house Client Counseling contests and to help a regional moot court team prepare for battle in Columbia, Missouri, and another team of trial advocates to get ready for a Colorado inter-school contest.

None of the intercollegiate competitions at the law school could be held without the assistance of attorneys and jurists from the Omaha-Council Bluffs region who serve to judge rounds.

The Client Counseling program, under the direction of Prof. Larry Teply is one of the newer extra-curricular activities. It provides the students with an opportunity to “office manage” a client’s problem from a first interview through early disposition.

This year’s client counseling topic is criminal law.

The winners of the intra-mural upper-class competition were Juniors Dawnvolynn Callahan and Anne Troia, both of Omaha. They defeated seniors Stu Bauch and Connie Anstey. As is always the case, the winning team represents Creighton at the regional competition.

Cathleen Tutty

C.U. Law Junior Holds A.B.A. Post

Cathleen Tutty, a Creighton law junior, has been elected national vice-chairperson-elect of the American Bar Association Law Student Division.

Tutty was elected by the Board of Governors at a meeting in San Diego in November, 1985.

Her term runs through August, 1986, at which time she will be installed as national vice-chairperson in New York City.

Her duties will include membership and program coordination, as well as supervision of the Board of Governors and local school representatives.

Tutty is a native of Butte, Montana.

Billie Johnson (left) and Teddie Beam consult with a client during intramural Client Counseling.
Hire a Creighton Graduate

If you are interested in hiring a CU law graduate, and would like some placement assistance, here's what to do:

1. Get in touch with the Placement Office (402-280-3082). A member of the full-time staff will take some information from you: Name, type of practice (or business), location, hiring profile (senior, recent grad, class rank, etc.)

2. Let us know if you would like to conduct on-campus interviews, on what day and how many of you will be coming. Many firms schedule on-campus interviews as early as six months ahead of fall screenings.

3. If you would like resumés sent to you ahead of your visit, let us know your deadline.

4. If you would rather interview at your office, let us know when it's convenient. We'll inform the students and make necessary arrangements.

5. During September and October, on-campus interviews fill the calendar of most every school day. Reserve your day early.

6. If you're in the market for an experienced lawyer, let us help you. Or if you yourself are looking to make a change we will help you in the strictest of confidence.
ADMISSIONS

Please send information about Creighton Law School to:

Name __________________________
Address _________________________
City _____________________________
State ____________________________ Zip ________________
Referred by (your name) __________
Class ____________________________

PLACEMENT

☐ I would like to interview/receive resumes from (circle) Creighton students qualified to join my practice or business.
☐ I would like to interview at Creighton on (date).
☐ Send more information on Creighton’s Placement services.

Name __________________________
Firm or Business __________________
Address _________________________
City _____________________________ State ______________ Zip __________
Telephone ________________________

NEWS/ADDRESS CHANGE

Name __________________________
Address _________________________
City _____________________________ State ______________ Zip __________
Telephone ________________________ Year of J.D. __________________
News item (list marriage, birth, job change, honors, etc.) for inclusion in the next The Creighton Lawyer.