

BRIEFLY

FOUNDERS DAY 2004

Washington University's Founders Day 2004, held October 2, honored two members of the School of Law community with distinguished alumni awards: Thomas R. Green, JD '58, and Alphonso Jackson, JD '73.

The Alumni Board of Governors sponsors the annual event, which commemorates the University's founding in 1853.

After receiving a degree in accounting from the University of Illinois and his law degree from Washington University, **Thomas R. Green** became an assistant county counselor for St. Louis County, while maintaining a private practice.

During the St. Louis real estate boom of the 1960s and '70s, he began investing in real-estate developments and soon opened an office. He now owns many developments in the metropolitan area, as well as about 25 shopping centers here and throughout the country.

Green is also founder and director of Royal Bancshares, and founder and president of National States Insurance Co.

An active participant in several local and national Jewish organizations, Green is on the boards of the United Jewish Appeal and the Jerusalem Foundation. In addition, he chaired the committee to build the Holocaust Museum of St. Louis and served as the museum's first chairman.

He also remains involved in the School of Law. Green helped guide the *Building for a New Century* campaign and chaired the Kresge challenge campaign that secured funding for



Thomas R. Green, JD '58

Anheuser-Busch Hall. He serves on the School's National Council and the William Greenleaf Eliot Society membership committee. Green received a Distinguished Alumni Award from the law school in 1995.

During the *Campaign for Washington University*, he and his wife established the Thomas and Karole Green Professorship in the School of Law.

Alphonso Jackson has forged a distinguished career in the private and public sectors.

A native of Texas, he stayed in St. Louis after graduation, taking a job in academia. He then became director of the Department of Public Safety for the city of St. Louis in 1977. After serving as deputy and interim executive director for the Housing Authority of St. Louis, Jackson joined the accounting firm of Laventhol and Horwarth as director of consultant services.

He left St. Louis for Washington, D.C., in 1987 to direct the Department of Public and Assisted Housing and



Alphonso Jackson, JD '73

to chair the District of Columbia's Redevelopment Land Agency. Shortly thereafter Jackson was appointed president and chief executive officer of the housing authority for the city of Dallas.

He returned to the private sector as an executive with an energy company in Texas, but then joined the Bush administration in 2001 as deputy secretary and chief operating officer of the United States Department of Housing and Urban Development. He was sworn in as HUD's 13th secretary in April 2004.

Throughout his career, Jackson has shared his expertise with many national and state commissions and served on several nonprofit boards and organizations, including the Dallas Citizen's Council, Dallas Children's Medical Center, and the Nature Conservancy of Texas.

He has received the Chairman's Award for Service to Boys & Girls Clubs of America, as well as honorary doctors of humane letters from several colleges and universities.

CLINIC WINS LEGAL VICTORIES FOR THE HOMELESS

The School of Law's Civil Justice Clinic has won two legal victories for the homeless in downtown St. Louis. The lawsuits, targeting policies of the City of St. Louis and the St. Louis Board of Police Commissioners, were filed along with the Saint Louis University School of Law Legal Clinic, Legal Services of Eastern Missouri, and the American Civil Liberties Union.

"To effectively confront the problem of homelessness, the homeless must be treated with compassion, dignity, and, above all, respect," says clinic student Cynthia Wolken, JD '05. "Being involved in this powerful and groundbreaking litigation was not only a wonderful learning experience, but also very fulfilling on a personal level in helping our homeless clients tell their stories after being ignored and mistreated for so long."

The first suit challenged the creation of a privately funded court designed to prosecute so-called "quality

of life crimes"—loitering, begging, and disturbing the peace, among others—that occur within a defined area of downtown St. Louis. Created and funded by a nonprofit organization representing downtown businesses, the court routinely sentenced offenders to perform community service in the downtown area.

On September 24, 2004, St. Louis Circuit Judge David Dowd ruled that the city's privately funded "quality of life court" is unconstitutional because the court's private funding mechanism violated the due process rights of individuals tried and sentenced by the court, thus violating the Missouri and United States Constitutions. He also ruled that the different treatment for persons arrested within the specified downtown area constitutes an unconstitutional special law.

The second of the clinic's suits challenges various practices allegedly employed by the St. Louis police to remove the homeless from downtown St. Louis. These practices included arresting and jailing dozens of homeless individuals at a time. The city required those arrested to perform community

service as a condition of release even though they had not yet been arraigned or convicted. The suit alleges that many homeless individuals were arrested during the Fair Saint Louis celebration over the Fourth of July weekend and before, during, and after other special events in downtown St. Louis.

On October 14, 2004, United States District Judge E. Richard Webber issued an order granting the clinic's request for a preliminary injunction. The order prevents "the St. Louis Board of Police Commissioners from directing or allowing the clearing of homeless people from public areas solely to sanitize public places where the homeless have a right to be, because of the perception that homeless people present an appearance that detracts from an aesthetically pleasing environment that promotes commerce." The order further prevents "judicial imposition of punishment for any municipal ordinance violation before a determination of an accused person's guilt under an ordinance has been made."

2005 TYRRELL WILLIAMS LECTURE

Former United States Solicitor General Theodore Olson (right) met law student James Hofman at the February 8 reception following Olson's delivery of the 2005 Tyrrell Williams Lecture. In his address titled "A Conversation with Theodore B. Olson," Olson covered such topics as the role of the solicitor general and the nature of the Supreme Court of the United States.



CLASS OF 1995 DEDICATES PROFESSOR FLAGG'S OFFICE

The Class of 1995 Reunion Committee, headed by Alicia McDonnell, JD '95, has recognized Professor Barbara Flagg for the influential role she played during their law school years. They raised funds to dedicate Flagg's office in Anheuser-Busch Hall in her honor.

McDonnell remembers Flagg as a popular professor. "A great professor is not just one who is prolific in publishing," she says, "but one who is devoted to her students, opens her students' minds to new thoughts and ideas, and inspires her students to think broadly."

She and her classmates also recall being pleased when Flagg received tenure the year of their graduation.

An expert on constitutional law and critical race theory, Flagg joined

the law faculty in 1988. She was a law clerk to Ruth Bader Ginsburg, now a justice on the Supreme Court of the United States, while Ginsburg was serving on the United States Court of Appeals for the D.C. Circuit.

The author of *Was Blind, But Now I See: White Race Consciousness and the Law*, Flagg has written and lectured extensively on discrimination, critical race theory, and constitutional

law issues. She teaches *Critical Jurisprudence*, *Constitutional Law II*, and *Federal Jurisdiction*. In fall 2004 she organized a conference on *Whiteness: Some Critical Perspectives* (see article on page 14).

Flagg received her bachelor's and master's degrees in philosophy from the University of California at Riverside and her JD from the University of California at Berkeley.

A plaque dedicating the office of Barbara Flagg marks the gift from the Class of 1995 Reunion Committee.



Mary Burkus

MISSOURI COURT OF APPEALS HOLDS SPECIAL SESSION

The School of Law was privileged to host a special session of the Missouri Court of Appeals, Eastern District, on November 16, 2004. The court periodically holds its sessions at law schools as part of an educational outreach program. A question-and-answer period on procedural issues and judicial clerkships followed.

The three cases on the November 16 docket focused on the statute of limitations for an adult bringing allegations of his childhood sexual abuse by a priest, a contract dispute over the sale of real estate, and a dispute between neighbors leading to claims of false arrest.

In the torts case, a 44-year-old victim alleged that he was abused by a priest at Chaminade College Preparatory School in the mid-1970s. He claimed he involuntarily repressed his memories of the abuse until recently.

The written agreement is different from an alleged oral agreement between the two parties on the sale of a home in the real estate case. The appellant disputed a verdict awarding the respondent more than \$25,000. After the sale, a fire destroyed the home and its contents.

In the false arrest case, a woman had called the Gasconade County Sheriff's Office 27 times in a seven-

month period to report harassment by her neighbor, who then was arrested for stalking. The woman was later convicted of falsely accusing the appellant of assault and of fabricating evidence.

Chief Judge George W. Draper, Judge Glenn A. Norton, Judge William H. Crandall, Judge Lawrence E. Mooney, and Judge Mary K. Hoff heard the oral arguments.

After the special session, the judges discussed what makes a compelling argument and the timetable for deciding appeals. They also encouraged students to apply for clerkships.



Mary Burkus

BY THE BOOK

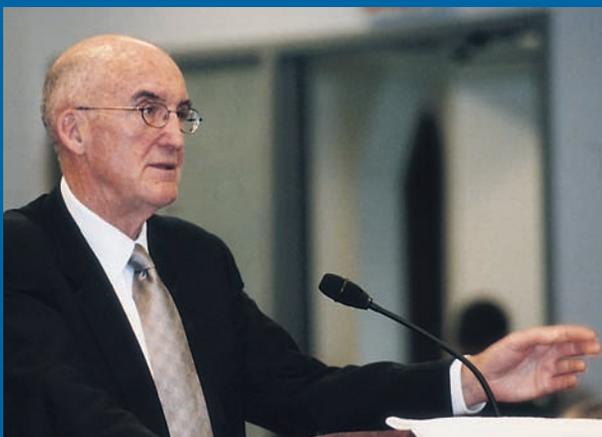
Dwaune Dupree, JD '07, read to children at King's Day Care in University City, Missouri, as part of a public service project organized through the School of Law. Close to 90 percent of the first-year class participated in public service activities during Orientation 2004. Projects helped community organizations that benefit children, immigrants, or the environment.

LAW STUDENTS RAISE THE BAR

Graduates of the School of Law who took the Missouri bar for the first time in July 2004 averaged a 96.74 percent passage rate—the highest in the School's recent history.

This passage rate is 7.46 percentage points above the state average and the highest rate among law schools in Missouri, according to results released by the Missouri Board of Law Examiners. The rate tops the School of Law's passage rate for 2003, which was 89.77.

The School credits continued progress in the bar passage rate in part to a series of special programs for law students taking the Missouri Bar. Marcia Goldsmith, JD '87, assistant director of student services, oversees these programs, which include an alumni panel discussing what did and did not work in passing the bar, time management conferences, and an essay-writing workshop focusing on the Missouri bar exam.



Mary Burkus

CLASS OF 1963 JURIST IN RESIDENCE

John C. Major, associate justice of the Supreme Court of Canada, discussed parallelism between constitutional law in Canada and the United States on October 20, 2004.

WELCOME TO LAW SCHOOL

Addressing the entering Class of 2007, Rodney Sippel, JD '81, judge of the United States District Court for the Eastern District of Missouri, spoke on professionalism on August 19, 2004.



Mary Burkus