Legacy and Innovation in Legal Education

This issue of Washington University Law Magazine pays tribute to one of the law school’s most beloved faculty members, David M. Becker, upon the milestone of his 50 years of teaching. During the more than two years of planning for this celebration, as we worked with key organizers—David’s dear friend Gene Kornblum and alumni Alan Bornstein, Tatjana Schwendinger, and Brad Winters—as well as so many others, I learned an amazing amount about David’s legacy. He truly has touched the lives of thousands of students and by extension hundreds more in our community.

As I listened to the myriad memories and anecdotes about David, what struck me most were not only David’s gift for teaching and molding young lives, but also his resiliency and his ability to shift with the times. The school that David joined here nearly 50 years ago is a very different one from our school today, and it is an understatement to note that the climate surrounding legal education has vastly changed. What David teaches us, beyond the lessons of Max and Myrtle Bibo and “how to think like a lawyer,” is that we can adapt and excel while also maintaining our core values. Like David, we are a school that values the best of what a legal education can provide within a caring and dynamic community.

David also has been a strong advocate for giving back, as witnessed by the many programs that bear his name: the Becker Public Interest Fund, the David M. Becker Teacher of the Year Award, the Career Services Office Becker Project, and now the Becker 50th Scholarship Initiative. The scholarship initiative is part of the law school’s campaign to raise a minimum of $55 million, in conjunction with the university’s Leading Together: The Campaign for Washington University.

Also highlighted in this issue of the magazine are our school’s goals for Leading Together, which envisions support to continue our trajectory toward becoming a truly global law school. Vital to this will be financial support for faculty, critical funding for student scholarships, and the ongoing need for the Annual Fund, as it supports so many of our key programs. We are truly grateful for the generous assistance of our alumni and friends, including the gifts of an endowed professorship from Caroline and Howard Cayne, an endowed visiting professorship from Yvonne and Joe Cordell, and the legacy gifts from the estate of Warren Maichel and from the William R. Orthwein, Jr. and Laura Rand Orthwein Foundation.

Representative of our school’s core values are our alumni, two of whom we feature in this issue: Meredith Perkins in her leadership role at Enterprise Holdings in St. Louis and Michael Millikin who heads the legal team at GM in Detroit.

Also featured are other areas of interest at our school, such as faculty scholarship, including faculty law review excerpts by Professors Adam Badawi and Hillary Sale; the work of Professors Pauline Kim and Andrew Martin in creating an accessible database of 2,300 EEOC cases; and our new Semester-in-Practice program allowing our students to intern anywhere in the country.

As you read this issue, I hope you will join us in celebrating David Becker, supporting our campaign during difficult times for law schools, and reaffirming our core values while we strive to continue along a path of improvement at our school. Despite the difficult climate surrounding us, I firmly believe this is a great time to become a lawyer, especially a lawyer who receives the unprecedented training our school provides from dedicated teachers like David Becker, as well as those who have followed in his footsteps.
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During the last 50 years, David M. Becker, associate dean for external relations and the Joseph H. Zumbalen Professor Emeritus of the Law of Property, has taught more than 6,000 students and touched the lives of innumerable others in the extended law school community.

“David has left an indelible mark on the law school through his outstanding teaching and commitment to his students throughout their careers,” says Kent Syverud, dean and the Ethan A.H. Shepley Distinguished University Professor. “David’s friendships with thousands of our students have created a legacy of mentoring, volunteering, and giving that has benefited so many. We celebrate David for this and for transforming the lives, minds, and careers of so many of his students.”

In their tributes to him, Becker’s students acknowledge his brilliant teaching, his compassion, and his genuine affection for them.

“Professor Becker stands out in my mind as extraordinary not only because he was a masterful teacher, but also because he genuinely cared about his students and created an enduring bond with many of us,” says John I. Karesh, JD ’70, a shareholder in the New York office of Vedder Price.

R. Mark McCareins, JD ’81, observes: “Dave Becker is a triple threat: lawyer, professor, and tireless advocate for Washington University. The school, its students, and alumni
Perpetuities, which imposes time limits upon the transferability of property. Employing the Socratic method, he guides his students through these difficult concepts in the classroom. The experience of developing basic tools for analysis and problem-solving, Becker notes, is like learning to ride a bicycle.

“Quite simply, the skill of balancing a bike cannot be learned exclusively through books and lectures. Nor can it be learned merely through observation. Balancing on two wheels demands active participation,” he notes. “One must attempt to ride without expectation of instantaneous success. One must fall, get up, try again, get up, try again, and over time succeed. One only gets the hang of it by actually doing it, and, if necessary, doing it over and over again.”

For his part, Becker says he is grateful for having found his calling in teaching and for the many friendships that have endured. “What my students have given to me in many ways is much more than I have given to them. They have challenged me with their intellect, ingenuity, and originality.” he says.

“They have enriched my life with their vitality, resilience, resourcefulness, and their ability to overcome potholes and giant obstacles in their respective lives,” he continues. “And after graduation they have rewarded me with their accomplishments and the good lives they lead.”

Those students have gone on to become judges, members of Congress, heads of corporations, managing partners at large and small firms, leaders in nonprofit organizations, law professors, commissioners for state agencies, U.S. attorneys, and more. Becker’s friendships with them have extended to celebrating marriages and births, offering support during times of illness and tragedy, and simply being available to listen and guide them with his wise counsel long after they are on his classroom roster.

NUMEROUS CONTRIBUTIONS
During the past five decades, Becker has served under the leadership of nine deans and experienced with the law school community much transformation. Becker joined the Washington University law faculty in 1963, after one year of teaching at the University of Michigan. At that time located in January Hall, the law school had 11 faculty members and 210 students, most of whom were from St. Louis. The tuition was $1,350 a year, and there were a grand total of eight endowed scholarships for students. Today there are just under 1,000 students, including visiting students, scholars, and judges. The student body represents almost every state, and more than 120 students hold law degrees from more than a dozen foreign countries. The law school now occupies two state-of-the-art buildings, Anheuser-Busch and Seigle Halls, as well as facilities in Washington, D.C. It also

cheer for the lifelong lessons that David instilled both in the classroom and outside of it.”

LIKE LEARNING TO RIDE A BICYCLE
Author of several books and numerous articles, Becker focuses much of his scholarship on estate planning and the Rule Against Perpetuities, which imposes time limits upon the transferability of property. Employing the Socratic method, he guides his students through these difficult concepts in the classroom.

Professor Becker, center, receives an honorary doctor of humane letters degree at Commencement 2012.
has more than 70 full-time faculty and offers programs all over the world. Additionally, the school has 113 endowed scholarships and 105 annual scholarships.

“Much of that progress bears David Becker’s fingerprints,” Syverud says. “David has always led for students, particularly in scholarships and summer public interest fellowships.”

In 2002, alumni established The David Becker Public Interest Fund to honor their teacher. Since the program’s inception, 43 Becker Fellows have devoted the summers after their second year of law school to meaningful public interest legal work.

The law school and alumni leaders have also launched the Becker 50th Scholarship Initiative (see page 37), as well as the Becker Career Connections Project. Through the Becker Project, more than 3,000 alumni are available to assist students with networking in their job searches.

In recognition of his many contributions, Becker is the recipient of Washington University’s Distinguished Faculty Award at Founders Day, the first Law Alumni Distinguished Teaching Award, and the Dean’s Medal. During the university-wide 2012 Commencement ceremony, he received an honorary doctor of humane letters in recognition of his distinguished career.

Fittingly, Becker also has regularly received the Teacher of the Year Award from the Student Bar Association (SBA). In 2007, the SBA renamed the award—the SBA’s highest recognition of excellence in teaching—as the David M. Becker Professor of the Year Award.
The sights, sounds, and tastes of Italy. A video featuring Father Guido Sarducci with a “special message from the Vatican.” Buttons printed with “A to B for life.” A moving video tribute. A rebuttal tribute from Max and Myrtle Bibo commenting on their property law case. A gubernatorial proclamation. These many highlights coalesced to form an unforgettable evening of celebration marking the 2012 milestone of Professor David M. Becker’s 50th year of teaching.

More than 600 alumni and friends gathered for the October 26 Gala Dinner at the Ritz-Carlton to express appreciation, heartfelt thanks, and love for their professor. As a nod to Becker’s high regard for all things Italian, the Ritz’s ballroom was transformed to resemble an Italian piazza and the fare represented the best of an Italian home-style meal. Violin, accordion, and guitar music floated through the venue as guests mingled and reminisced.

In all, more than 1,100 law alumni and friends returned to campus on October 26–27 for Alumni Weekend and the Becker celebratory events. Tribute activities began with a symposium on Friday on The Law School in the New Legal Environment (see page 13) and continued with the Gala that evening. On Saturday, former students went back to “class” in Anheuser-Busch Hall, where they had the opportunity to visit with Becker, followed by reunion activities and class dinners.

Celebratory plans had been in the works for the past two years under the leadership of Becker’s close friend Gene Kornblum and law alumni Alan Bornstein, JD ’81, Tatjana Schwendinger, JD ’72, and Brad Winters, JD ’81, along with a Steering Committee and a 200-plus-member “Becker Brigade.”

TEACHER, TRAVELER, SPORTS FAN, AND SAGE

Gala commemorates Becker’s legacy, celebrating his passion for Italy and his students
As part of the festivities, a Becker website, law.wustl.edu/becker50, houses memories, tributes, photos, event details, and committee and brigade member listings.

Schwendinger, chair of the Becker Brigade, said the efforts spoke volumes about the impact Becker has made on so many lives. Looking around the packed room at the Friday evening Gala, she observed, “I’d say the mere fact that so many of Professor Becker’s friends, students, and colleagues are here tonight to honor him allows us to say ‘Mission accomplished!’”

Schwendinger invited Fred Hanser, JD ’66, on stage to present Becker with a Cardinals #50 jersey. Although originally a Cubs fan, soon after moving to St. Louis, Becker converted to become a loyal Cardinals fan, even throwing out the first pitch at one of the annual Washington University Law School Nights at Busch Stadium. In addition to the presentation of the honorary jersey, the Cardinals Foundation was acknowledged for its generous contribution to the Becker 50th Scholarship Initiative. Also unveiled on stage was a congratulatory proclamation from Governor Jay Nixon formally honoring Becker’s teaching milestone.

Winters, who served as the master of ceremonies, brought just the right spirit of celebratory fun and enthusiasm. He also master-minded the scripts for two short videos that brought gales of laughter from the crowd. One depicted actors playing Max and Myrtle Bibo, a couple involved in a complex 1947 property law case used in Becker’s class. The second, following the Italian theme, was a spoof live message from the Vatican, featuring comedian Don Novello playing the character of Father Guido Sarducci (a popular persona on Saturday Night Live in the late 1970s).

Also making remarks were Chancellor Mark Wrighton; Dean

“What I saw was that David has a very strong bond with his students—a very strong bond. He really loves his students.”

—Sandi Becker
Kent Syverud; and Bornstein, who spoke about Becker’s lasting legacy of alumni engagement. Kevin E. Packman, JD ’98; Philip D. Shelton, JD ’72; and Heather M. Mehta, JD ’11, all gave humorous and inspirational accounts of how Becker made profound differences at the law school and in their own lives.

A more serious video tribute (available on the Becker website) captured Becker’s many contributions to the law school community, including his own thoughts on his love of teaching and how Washington University became just the right fit for him—his Shangri-La. The tribute begins with an account of how he might not have become a professor if it had not been for the faith and encouragement of his wife, Sandi. Apparently, Becker had thrown away a teaching invitation from the University of Michigan, which she then recovered and convinced him to consider. Looking back over the last five decades, Sandi Becker observed that teaching was a natural fit: “What I saw was that David has a very strong bond with his students—a very strong bond. He really loves his students.”

As the video progresses, Becker recounts this bond with his students through stimulating class interactions, sports competitions, promotion of diversity, assistance with career goals, long-lasting friendships, and support during challenging times. His mentoring of other faculty is captured in comments by Professor Kim Norwood. Vignettes and commentary by alumni and friends Sheila Bader, JD ’76; Claire Halpern, JD ’85; Michael Hannafan, JD ’70; Anita Maddali, wife of Chaitanya Maddali, JD ’05, who passed away in 2011; Charles Newman, JD ’73; Peter Thompson, JD ’79; and Harry Joe, JD ’75, also all underscore how Becker influenced their lives.

The video concludes with Chancellor Emeritus William Danforth remarking that Becker was an ideal teacher. “He treated his students as if they were his family, his children almost, trying to make them better lawyers and better people,” Danforth observed. “And they were from having been associated with him. That is the way I saw it, and I thought, what a wonderful life to live.”
“Learning the skills of lawyering is not an easy matter. For most students it is the most significant, difficult, demanding, and anxious learning experience of their lives.”

“The process requires students to formulate an idea that is then subjected to careful scrutiny. Next, in light of that scrutiny, it requires students to improve on that idea or understanding. And if one does this enough times, eventually students are able to master the skill and analyze the rule or problem—critically and comprehensively—on their own.”

“Experiential learning requires extraordinary patience on the part of both the teacher and the student. A student response requires scrutiny through a teacher’s thoughtful reply. And when necessary, the teacher and student must resume the process with a principle and question that are more elementary. Ideally, the student must always see and achieve the light herself.”

“Certainly one can say this about creativity. New ideas may just happen, but one can seldom rely upon them to be there exactly when one wants them. Fresh ideas need to percolate, and that takes time and patience. One may have to work with a problem or puzzle again and again before a viable solution begins to emerge. And then there will be even more time—the time that it takes to test, critique, and shape this new idea.”

Professor David Becker’s highest calling has been his teaching demonstrated through his mastery of the Socratic method. He is well-known for his ability to skillfully and patiently lead his students to that “Aha” moment in their journey to understanding and acquiring legal reasoning. Becker’s own words, gleaned from his law review articles, give insight into his thought processes, as well as his extraordinary commitment to his students.
Focus on Students

“The one thing a teacher should never do is to take a response and, despite its content, jam it into the answer, explanation, or conclusion a teacher ultimately seeks. ... An effective teacher must remember that the process is about the student and what she has to offer and not about the teacher’s desire to establish personal brilliance.”

Maximizing Learning

“The better one knows the players, the better one comprehends the dynamics of the class. And with such understanding, the teacher is in a superior position to anticipate the strengths and weaknesses of individuals and orchestrate class discussion effectively. Ultimately, this makes for higher quality classes, but more importantly, this knowledge enables a teacher to achieve the best efforts from each student and thereby maximize individual learning experiences.”

Accessibility

“Contacts outside of class offer outstanding teaching opportunities to promote the skill set that lies at the core of legal education, and they are also the most satisfying educational experience for both teacher and student. But they also offer much more, especially opportunities for advice and counsel, greater knowledge of individual students, and humanization of the teacher.”

Importance of Writing Skills

“For the lawyer, there is nothing more important than the written word. Lawyers write constantly. They draft letters, contracts, wills, trusts, complaints, motions, memoranda, and briefs. These documents must be clear, precise, comprehensive, accurate, organized, logical, and persuasive. No practitioner ever escapes the written word.”

‘Old School’ Research with Books

“Ongoing synthesis of materials requires forethought and judgment as one proceeds through a search. Some materials stand out as central and essential, but others may be quickly discarded. ... The process of critical thinking takes time. Sound organization, logical and persuasive progression, and creativity cannot be beckoned upon a moment’s notice.”

Getting to Know Students

“While I try to get [students] to talk about any subject, the focus is above all on each of them. This often leads to discussion of their prior lives, their aspirations, and their views on many subjects. Along the way, I hope to discover as much as possible, including anything that offers insight on how they might address and resolve problems or how I might better understand and interact with them.”
“David is the most beloved academic I encountered in my seven years of higher education. Every student who met him was immeasurably enriched by his examples and teachings, both inside and outside of class. He is without equal in either setting, and alumni, faculty, and Washington University would all do well to emulate him.”

Charles Newman, JD ’73
Dentons, St. Louis

“They don’t make someone like David Becker anymore. But he has made a lot of us his disciples. We stand in his giant shadow.”

Harry Joe, JD ’75
Jackson Lewis LLP, Dallas

“I hope that Professor Becker is pleasantly surprised and proud that one of his Property students became the chief justice of the Nevada Supreme Court.”

Hon. Michael A. Cherry, JD ’69
Nevada Supreme Court

“As a first-year law student, I was terrified of being called on in class. So much so that I considered dropping out of law school. Professor Becker said he would cure me of that by calling on me frequently. Which he did. In particular it was in re Estate of O’Connor, which involved a statute imposing a tax when property transferred. But when did a property transfer? We were early on in the tax, no-tax hypotheticals when he called upon me with a question. I gave him an answer, thinking that was all there was to it. But no, apparently I had given him the correct answer so the next tax, no-tax hypo was mine as well. Indeed, in my memory, I became the main tax, no-tax person for the next two weeks. It is no coincidence that for the past 30 years my practice has focused on tax-exempt bonds reviewing and pronouncing either tax or no tax.”

Claire Halpern, JD ’85
Gilmore & Bell PC, St. Louis

“David is the most beloved academic I encountered in my seven years of higher education. Every student who met him was immeasurably enriched by his examples and teachings, both inside and outside of class. He is without equal in either setting, and alumni, faculty, and Washington University would all do well to emulate him.”

Charles Newman, JD ’73
Dentons, St. Louis
“It is delicious irony lost on no one that our most extraordinary teacher of future interests turned out to be our teacher with the most extraordinary interest in our futures.”

Brad Winters, JD ’81
Sher Corwin Winters LLC, St. Louis

“First year of law school. First day of Property with David Becker. About 70 very nervous first-year students in the lecture hall. Enter Professor Becker wearing a tan sportcoat and with his pipe in his mouth. Total silence. Professor Becker removes his sportcoat in a very exacting fashion and lays it over the lecture table in the front. Professor Becker then spends what seemed like an eternity ministering to his pipe, which he eventually places next to his sportcoat. Still total silence. Professor Becker then commences to speak, giving the class a rather lengthy and detailed hypothetical question. All of us in the class are now seriously considering withdrawing from law school. Professor Becker finishes his hypothetical question and pauses as he scans the class list. Total silence accompanied by sheer panic. Professor Becker looks up and says something like ‘What do you think the holding should be, Mr. Big Bird?’ (name changed to protect all, even though I’m quite sure the applicable ‘statute of limitations’ has expired). Mr. Big Bird is seated two seats away from me. Sixty-nine people in the lecture hall all heave an audible sigh of relief. Mr. Big Bird mutters under his breath ‘Oh @#$%’. Without missing a beat, Professor Becker deadpans: ‘No, would you like to try again?’ Game, set, and match—Becker.”

Edward Richard, JD ’74
Manetti & Griffith Ltd., Oak Brook, Illinois

“David Becker changed the trajectory of my career in the most positive way. When he reached out to me as a young law student, he truly helped me reach my potential. His assistance in helping me improve my performance has aided me both in law school and in my career.”

Bob Millstone, JD ’88
The Millstone Company, St. Louis

David Becker, back left, at a basketball game
> David Becker with students at a reception
A term from Professor David Becker’s Real Property class, “A to B for life,” has become the motto for Becker’s legacy. Lead organizers for the Becker celebration have adopted it as a way to encapsulate their favorite professor’s life’s work of reaching out to each generation of students.

The phrase, which appeared on buttons distributed at the Gala, challenges alumni to support students in any way they can. Alumni are encouraged to actively engage in the school—by being involved in everything from scholarship support to hosting student dinners, judging competitions, assisting students with their employment goals, mentoring students, serving on an alumni panel, and/or partnering in a public service event.

Today’s students are B’s. David has been saying to us all along to make a conveyance of scholarship, friendship, and mentoring for life to today’s students so they may do the same for tomorrow’s students. It is in this commitment to the next generation of students that we truly celebrate David and ‘A to B for life.’

The A to B for life concept, which launched many a “heart-pounding, palm-sweating, roller-coaster class discussion,” has come to mean much more, says Alan Bornstein, JD ’81.

“It is what David asks of us. It is how he has led his life. It is what he has demonstrated in his teaching and service to us and the law school,” Bornstein says. “Simply put, we, as alumni, are all A’s. Giving Back to Students Is a Lifetime Commitment

The A to B for life: It is what David asks of us. It is what he has demonstrated in his teaching and service to us and the law school.”

—Alan Bornstein

Tatjana Schwendinger, JD ’72, also stressed the importance of ongoing volunteerism. “In the same spirit of encouraging alumni to support a financial commitment for scholarships, which is near and dear to David, equally important is a commitment to ‘leave our legacy’ through our relationships with current students,” she says. “Every time we, as alumni, reach out and connect with a student, we honor David. He lives his life connecting with students, and now it’s our turn to give back and lend a hand to the next generation.”

For more information on alumni volunteer opportunities, visit the website law.wustl.edu/alumni/volunteeropportunities.aspx.

Full Circle
Alumni reinforce Becker’s belief in supporting students
In keeping with its position as a leader in legal education, Washington University School of Law went high-tech at its October 26 symposium on The Law School in the New Legal Environment.

The morning of the symposium, attendees—some 200 members of the legal, business, and academic communities—were asked to use their smartphones, laptops, and iPads to participate in an online survey to identify their top priorities for change among law schools. The symposium, which was held in conjunction with the weekend celebration of Professor David M. Becker's 50th year of teaching, addressed the challenging environment for law schools and the legal profession. Access Group Inc. and the Washington University Journal of Law & Policy, which will publish some of the resulting papers, co-sponsored the conference.

The law school’s Center for Empirical Research in the Law (CERL) coordinated the survey and tabulated the results. The top five priorities were revealed and discussed over lunch during the symposium’s closing session.

Those priorities were:
• Enhance skills training
• Penalize false data reporting
• Reduce JD enrollment
• Reform U.S. News rankings
• Increase teaching expectations

“The symposium brought together key thought leaders from legal education and practice for a substantive discussion of how law schools must change to meet the needs of our students, the profession, and the clients they will serve,” says Kent Syverud, dean and the Ethan A.H. Shepley Distinguished University Professor.

REFLECTIONS ON CHANGE

During the plenary session, Andrew Puzder, JD ’78, CEO of CKE Restaurants Inc., compared law schools to businesses in a down market, noting that over the past two years 25 percent fewer students took the LSAT. “No business can readily adjust to a 25 percent drop in its customer base. For law schools, students are your customers. What your customers want is not only an education, but when they are done, they want jobs,” he said.

By Timothy Fox
Turning to his own career, Puzder was able to rescue the failed Hardee’s brand by re-instilling an entrepreneurial spirit, including instituting a simplified business model, a culture of change that allowed for risk-taking, improved customer service and accountability, and innovative products and provocative advertising. While he believes that the “value of a legal education is hard to dispute,” the decline in legal jobs and rise in the cost of legal education will mean that law schools must be able to manage change and be innovative to survive. “Businesses that fail are businesses that never question how and why they do what they do,” he said.

Brian Tamanaha, the William Gardiner Hammond Professor of Law, presented a sobering analysis of the economic model of law schools, drawn from his book, *Failing Law Schools*. “The cost of obtaining a law degree today is vastly out of proportion to the economic return on the degree for the vast majority of students,” he said.

Tamanaha’s book looks at economic forces that have come together to accelerate the need for change, including the rise in tuition, increase in debt, decline in jobs, and leveling out of salaries. Additionally, while about 20,000 law jobs are available each year, law schools are producing twice that many graduates. “The bottom line is that we have too many law graduates, schools are enrolling too many people, and no schools will voluntarily close,” he said.

Lauren Robel, president of the Association of American Law Schools and provost at Indiana University—Bloomington, spoke about change and academic mission. Alluding to Janus, the Roman god of change, Robel noted that law schools have to look in two directions—toward the academy (the university setting) and toward the legal profession. “We are, as law schools, for the most part, small pieces of much larger academic institutions. We are required to meld that academic mission with our obligation and our moral responsibility to prepare students for the profession," she said. Since many of the issues law schools face are replicated in universities generally, any solutions need to keep in mind this broader context, she said.

IN-DEPTH REVIEW

Following the keynotes, breakout sessions focused on affordability and access to legal education; the future of law faculty; preparation for practice and job placement; and the possibilities for online legal education and how it will change traditional law schools. Among the many presenters was Chip Paucek, CEO of 2U, the law school’s partner in the new online Master of Laws in U.S. Law degree for foreign students.

Suggestions from the break-out sessions encompassed creating more flexible models for delivering legal
education, including modular approaches, condensed scheduling, certificate programs, and online options. Among other suggestions were lowering the cost of research and teaching, including greater use of adjuncts; establishing affordability baselines and risk-ratings for schools and students; better adapting to the forces of globalization, automation, and supply and demand; and re-examining what professional skills, courses, and experiential learning opportunities are needed, especially in regard to available jobs.

During the lunch hour, participants engaged in spirited discussion, moderated by the Hon. Ruth McGregor, retired chief justice of the Arizona Supreme Court, and Daniel Bernstine, president of the Law School Admission Council. While a broad range of topics was discussed, two themes were woven throughout: transparency and cost-cutting.

For example, Barry Currier, interim consultant on legal education for the American Bar Association (ABA), said that to increase transparency, the ABA’s Section on Legal Education and Admissions to the Bar has developed a proposal for a protocol for auditing school data. Another participant suggested that since law schools are subsidized by the federal government, the False Claims Act could be used to impose penalties for falsification of data.

Taking the discussion a step further, Michael Fitts, dean and the Bernard G. Segal Professor of Law at University of Pennsylvania School of Law, described how transparency and costs go hand in hand. “It’s not a regulatory issue, but one of law schools being upfront about what their costs are, what careers are available to students, and being very cost conscious,” he said, adding that “in the end, you can’t have a professional market unless students are going to get careers within that profession.”

McGregor asked about the larger universities of which most law schools are a part. Would they accept a law school’s efforts to cut costs so that they could admit students at a lower tuition? Others wondered what impact sweeping cost cuts might have on faculty’s ability to conduct original research or schools’ ability to serve their communities through legal clinics while providing students with direct professional training.

Looking ahead, Syverud said he and other Washington University participants are continually working to address the many issues raised in the symposium. “The next step for our law school will be to examine how we can expand upon our current initiatives for change and strategize to best address the ongoing challenges in legal education and legal practice,” Syverud said.

For more information on the symposium, including a full list of presenters, visit law.wustl.edu/becker50/symposium.aspx.
In keeping with its statutory powers to independently enforce federal laws forbidding employment-related discrimination based on race, color, religion, sex, or national origin, the Equal Employment Opportunity Commission (EEOC) typically files several hundred cases annually against private employers.

The EEOC’s employment-related civil rights cases are an especially important part of the federal district courts’ total civil docket. Whether adjudicated or settled, they directly implement federal anti-discrimination policy. However, they have rarely been systematically studied, says Pauline Kim, the Charles Nagel Professor of Law and a renowned employment law scholar.

This EEOC enforcement litigation takes place in the U.S. federal district courts. The trial court judges who staff these courts differ from their counterparts in the appellate courts and the U.S. Supreme Court in significant ways, yet research on their activities and decision-making processes has been relatively sparse, and many of the empirical studies are methodologically flawed, Kim observes.

All that is changing—thanks to the vision of Kim and two other law professors, along with their exacting use of technology and quantitative methods. In October 2012, faculty in the law school’s Center for Empirical Research in the Law (CERL) released a new online resource, the EEOC Litigation Project (eeoclitigation.wustl.edu). The database is the work of Kim; Andrew Martin, vice dean, the Charles Nagel Chair of Constitu-
tional Law and Political Science, and CERL’s founding director; and legal scholar Margo Schlanger of the University of Michigan. A grant from the National Science Foundation’s Law and Social Sciences division supported the project.

The EEOC database contains extensive quantitative data about a randomly selected stratified sample of more than 2,300 enforcement lawsuits from the EEOC’s federal court docket of 4,000 cases from 1997 through 2006. The project is primarily of interest to scholars for two reasons—1) it allows systematic study of the EEOC’s enforcement activities; 2) it provides data that can be used to study the litigation process in federal district courts more generally, by analyzing the subset of cases involving EEOC-initiated litigation.

“The unique dataset permits rigorous empirical study of the entire litigation process from filing through the decision to appeal—along with insight into litigation dynamics and the interaction between litigant and judicial decision-making,” Kim says.

General advantages to the database’s focus on EEOC litigation include:
• Details of case outcomes are usually available as matters of public record;
• In a single issue area, trends in judicial decisions, settlement, and party win rates can be systematically analyzed; and
• Because one party’s identity can be held constant, how characteristics of the other party influence process and outcome can be studied.

The database information is lucidly parsed, remarkably detailed, and accessible to the public. It has been assembled into “bricks” of data that can be downloaded for use. The database also includes information about each case’s substantive allegations, principal actors, and litigation processes.

In particular, the database offers details on the amount and types of relief the EEOC obtained, with emphasis on the terms of any injunctive relief. It also includes details about all types of court decisions—published and unpublished, final and non-final, and written and summary. Similarly, it contains all kinds of outcomes—default, settlement, pretrial adjudication, and judgment after trial, as well as litigation events prior to resolution. A downloadable, 96-page codebook lists the variables collected and how each was coded.

One unusual feature is that while most databases are flat, presenting data in a two-dimensional grid of rows and columns, this database incorporates multiple tables capturing as many case events as occurred, ranging from zero to thousands.

“To build the database, we obtained a list of all EEOC cases brought in federal court; it included considerable basic information,” says Martin, who at CERL has developed a dozen projects for Washington University faculty.

Next came the scientific case-sample selection. Then the team used district-court docket numbers from the EEOC to gather extensive additional data from the federal courts’ web-based docketing system, PACER (Public Access to Court Electronic Records). The massive amount of coding for the project was accomplished with what Martin calls “an army” of graduate students who are pursuing law degrees or PhD degrees in political science, as well as Arts & Sciences undergraduates, most of whom are either political science majors or in American Culture Studies.

Kim and Schlanger are currently using the database to examine the injunctive relief ordered or agreed to in resolved EEOC cases to analyze the broader impact on the workplaces concerned. Other scholars have begun to use the data to pursue additional inquiries.

One indicator of the interest in the project are the invited scholars in the fields of law, political science, and economics who attended a closed conference at the law school in spring 2013. “All are doing empirical work on employment discrimination or the litigation process,” Kim says. “After learning more about the data, they began formulating projects to pursue and will be producing related scholarly papers in the fall.”
Meredith Perkins, JD ‘96, vice president, corporate counsel, and assistant secretary of Enterprise Holdings, the largest rental car company in the world, is a generalist involved with every spoke of her corporation’s large wheel. “I feel like everyone at Enterprise is my client,” says Perkins, who was critical in helping with the acquisition of Alamo and National.

“I believed we could explain the transaction more easily in person,” Perkins recalls. “So, I gathered a number of our business specialists and flew with them to Ottawa. We sat down with the Canadian Competition Bureau and worked through any questions or concerns.”

The personal connection worked, and before summer’s end, the acquisition was complete.

Today, Perkins is vice president, corporate counsel, and assistant secretary of Enterprise Holdings. She is actively involved with some 2,300 employees at corporate headquarters, as well as with more than 63,000 field employees at Enterprise’s 45 regional subsidiaries throughout the country.
In her various roles, she handles everything from tax, compliance, legislative, and regulatory concerns to leasing, truck, airport, contractual, corporate account, insurance replacement, corporate record, and environmental issues. She also supervises three of the department’s lawyers and has played a key role in the past several years in restructuring and integration efforts after the Alamo and National purchase.

Enterprise, which Perkins joined in 2004, is family-owned (Andrew Taylor’s father, Jack Taylor, founded it in 1957 with just seven vehicles) and locally grown. In fiscal year 2012, its various businesses accounted for $15.4 billion in revenue and operated 1.3 million vehicles worldwide.

Perkins’ willingness to become involved and immerse herself in diverse scenarios can be seen early on, in a key childhood experience. Her parents, law alumni Alwyn Wolfarth, BSBA ’59, JD ’63, LLM ’68, and Mary Lou Shelton Wolfarth, AB ’59, MA ’60, JD ’64, sent their only child to Costa Rica when she was 14. Through the American Field Services program, Perkins lived with a family in the tiny pueblo of Liberia for three months.

“I think they wanted to be sure that I would be independent,” Perkins says. “I cried the first day when I couldn’t find a pay phone to beg them to bring me home. And I cried the last day when I didn’t want to leave my host family. I learned to become a part of another culture and acquire new experiences.”

Perkins next honed her interests through a dual degree in psychology and Spanish at the University of Vermont, with the intent of pursuing a graduate degree in psychology. However, after an illuminating year working as a paralegal at a Washington, D.C. firm, she decided to enroll in law school, which brought her home to St. Louis.

Perkins credits her involvement with the Student Bar Association (SBA) as the experience that showed her the importance of going beyond the routine to dig a little deeper and get things done. Vice president of SBA by her third year, Perkins “got to know professors personally outside of class as they helped SBA members achieve goals.” She adds: “That connectivity was educational and also a lot of fun.”

After graduation, she began her career as a product liability litigator with Thompson Coburn in St. Louis. Five years later, she became one of two in-house attorneys at the Missouri American Water Company.

The variety of her current work at Enterprise is rewarding and taps into her international interests. The company now has a presence in 39 countries worldwide, including 8,200 corporate-owned and franchise locations, as well as a strategic investment in China.

True to her nature, Perkins also believes in making a difference through connections locally. She serves on the boards of the Service Bureau and the Women’s Exchange, two organizations that seek to enable economic opportunities for area families. In recognition of her activities, Perkins received a regional economic development award from the Winning Women organization in April 2012.

Among her other roles, she was a gubernatorial-appointed board member of the Missouri Arts Council & Cultural Trust in 2005–12 and a delegate to the Republican National Convention in 2008.

Perkins and her husband, Peter, EMBA ’12, are both strong believers in a legacy of giving back. Perkins often brings daughters, Campbell, 9, and Lambert, 11, to volunteering events. “I value my time with my kids, and doing that together lets them see how fulfilling volunteering can be.”
When General Motors Co. emerged from Chapter 11 bankruptcy in 2009—a trip many believed the world’s largest automaker for most of the last century would never take—it installed Michael P. Millikin, JD ’73, as general counsel. GM chose the globally tested, then 32-year company veteran when many other top leaders were being recruited from outside the company.

ONE OF THREE senior vice presidents at the automaker and responsible for GM’s legal affairs worldwide, Michael Millikin guides his team to provide the best possible legal support on all issues arising in any of the 157 countries where the Detroit-based automotive giant has a presence. And these lawyers “fully appreciate what I expect of them—to do all they can to help GM meet its business objectives lawfully and with high integrity,” says Millikin.

Millikin, who joined GM in 1977, says he is continually impressed by his team’s enthusiasm, entrepreneurial spirit, and determination to help GM reclaim the respect it earned for decades as the industry’s undisputed leader. “I’ve grown with these lawyers, as we have grown globally, and they’re as dedicated as I am.”

One of those with whom he rose is Frederick Fromm, currently vice president and general counsel for GM’s Shanghai-based General Motors International Operations (GMIO).
Fromm joined GM Legal within a month of Millikin in 1977, and the two worked “in the trenches” for decades, at times on the same legal matters. More recently, Fromm has been a direct report to Millikin.

“You know where you stand with Mike. You know what’s expected of you,” Fromm says. “He’s not going to pull any punches. He’s very strong on integrity. And I know if my back is to the wall—if I have to give some really tough legal advice—I can talk with Mike and I will have his full support. I know he’s going to be there for me.”

**MILLIKIN SEeks TO INSPIRE** by personal example. He speaks with compelling energy and excitement about his work. “I thoroughly enjoy the art of advocacy and argumentation—so long as it is accompanied by the civility that befits an art form—and the huge intellectual challenge involved,” he says.

His uncompromising values emerge in situations like a recent interview with a young woman just out of law school. “I said that first and foremost, no matter what the issue may be, you must act with integrity. Your name is your brand; if you damage it, you’ve damaged your career. If you don’t keep your word, for example, that will quickly become known.”

Millikin stressed the importance of learning all the facts of a case and understanding applicable case law to make the right decision with no regrets for failing to dig deep enough.

“Not every issue has one right decision,” he said. “A good lawyer can take both sides of an issue.” (Millikin, himself, enjoyed that intellectual challenge during his clerkship for Judge Vincent J. Brennan of the Michigan Court of Appeals, when the panel asked him to help write both the majority and the dissenting opinions.)

**OF HIS PROFESSIONAL** qualities, Millikin adds, “I enjoy challenges and I’m highly competitive!” Notable among Millikin’s career successes was winning a $1.1-billion settlement in 1997 for GM in an internationally publicized corporate espionage case—the 20th century’s biggest—that he says was “even larger than it was given credit for.”

Millikin and his team spent four years pursuing the matter, which involved a high-ranking GM executive, Jóse Ingacio López de Arriortura, who in 1993 absconded to Volkswagen AG with confidential product plans and manufacturing and global purchasing documents.

López’s and VW’s defense featured Robert Strauss, former U.S. ambassador to Russia, and Plato Cacheris, counsel for John Mitchell during Watergate and for CIA spy Aldrich Ames. At the time, Millikin memorably commented, “While I’m unconcerned with flashiness, I’m extraordinarily concerned with effectiveness.”

Over the years, Millikin steadily assumed positions of increased responsibility, becoming, for example, vice president and general counsel of GMIO, then based in Zurich. He was a member of the GMIO and European strategy boards just as GM was beginning its globalization effort. He also joined GM’s supervisory boards in Germany and Korea before rising to his current position.

GM’s legal structure today owes a lot to Millikin’s driving principles of cooperation, communication, and coordination. In the last decade, he oversaw creation of processes governing how the company’s nine virtual practice areas—such as purchasing, marketing, and global product development—would run.

“Because of Mike’s global focus from his work outside the United States, he’s really pushed the global processes and highlighted the importance of operating as one team,” says Fromm, who also clerked in the Michigan Court of Appeals as a young attorney—after Millikin left to join the U.S. Attorney’s Office in Detroit.

Millikin particularly acknowledges the influence on his career of Professors Michael Greenfield and Frank Miller, who in their use of the Socratic method taught him to correctly anticipate the other side’s arguments, and William Jones, from whom he learned about Chinese law. “In my dealings with China, I remembered things he taught me,” Millikin says. Today, GM can point to 13 straight quarters of profitability and is in the midst of the largest number of new vehicle introductions in its history.

Millikin feels “enormous satisfaction watching GM come back as it has and will continue to do.”

Also cheering on GM are sons, Christopher and Matthew, AB ’98, JD ‘01; 2-year-old grandson, Ethan Michael; and especially, Millikin’s wife, Karen—whose “unwavering confidence in my ability is why I am where I am today.”
BEGINNING IN FALL 2013, the law school will offer a new Semester-in-Practice Externship, an innovative program that empowers second- and third-year students to gain hands-on professional experience anywhere in the country. Through the externship program, students will earn academic credit by spending a semester working full time for a nonprofit, government, or in-house corporate law office in the location of their choice.

“Our students tell us that our existing comprehensive clinical and externship programs are the number one reason they chose us,” says Kent Syverud, dean and Ethan A.H. Shepley Distinguished University Professor. “Having established our reputation as one of the highest-ranked law schools in the nation in clinical education, we are taking the next logical step by expanding our clinic and externship opportunities coast to coast.”

THE LAW SCHOOL’S 16 CLINIC and externship programs already in place in Washington, D.C., New York, St. Louis, and abroad are among the most comprehensive programs available, says Robert Kuehn, associate dean for clinical education and professor of law. However, because of their popularity, these unique opportunities are always in high demand, year after year.

“For the 2012–13 academic year, we were oversubscribed for the 70 available spots in our existing U.S.-based clinics and out-of-town externships, with the D.C. and New York placements being particularly popular,” Kuehn says. “The Semester-in-Practice Externship will help address growing student interest in semester-long experiential learning opportunities outside the St. Louis area, including in Chicago and Los Angeles. Students will be able to literally design their own professional practice experience.”

The school’s Career Services Office, which proactively partners with students in their professional development and job placement goals, reports that the current class of first-year law students has identified more than 40 different cities as their first choice for post-graduation employment.

“The Semester-in-Practice Externship will facilitate students in obtaining critical practical experience in their desired geographic location, which in turn will be an important part of their professional portfolio in seeking employment post-graduation,” says Janet Laybold, associate dean of admissions, career services, and student services. “It also will provide valuable contacts as our students work to expand their professional network during law school.”

Recent graduate Joe Franklin stresses the benefits of the coveted Congressional & Administrative Law Externship, one of the nation’s oldest law school Clinical Education Programs on Capitol Hill.

“There is no substitute for work experience in D.C. if your goal is to be an attorney for the federal government,” says Franklin, JD ‘13, who plans to work for the Food and Drug Administration’s Chief Counsel’s Office. “The D.C. Clinic provides a combination of relevant course work, networking opportunities, and, most importantly, the chance to work full time in a high-profile agency office.”

SIMILARLY, RAMSEY MESYEF, JD ‘12, said his experience as one of the first students in the law school’s New York City Regulatory & Business Externship provided critical real-world experience.

“Washington University’s New York externship was an invaluable part of my legal education,” says Mesyef, who is currently working as an associate in control room compliance for Goldman Sachs.

“In this competitive market, the combination of real-world legal training and built-in networking opportunities was a true capstone to the law school experience that prepared and equipped me for the job search and the next step in my career,” he says.
Together, we learn. Together, we innovate. Together, we lead. Together with our great alumni, students, faculty, staff, and friends, we create a truly global law school.

Imagine a world in which the very best legal scholars, teachers, practitioners, and students come together to create the global Washington University School of Law. That community remains grounded in the traditions of which we are justly proud. But it also reaches beyond the confines of Anheuser-Busch and Seigle Halls to welcome the very best worldwide.

Imagine law students engaging this new world. Most students spend the morning attending classes taught by our world-class faculty and by a diverse group of visiting professors. Other students in a one-week professional practice externship in Dallas or Chicago log on to their computers and are able to attend (and fully participate in) their courses through innovative online technology.
Imagine a group of students gathering for a specialized course on international arbitration where they are joined by the leading practitioner in the field from her office in London. For an afternoon session on intellectual property, students in the Bryan Cave Moot Courtroom are joined by their peers in New York and Washington, D.C., through state-of-the-art technology. Together, they learn from our own world-class scholars and from leading practitioners around the world.

Imagine these students graduating with an innovative portfolio of professional practice experiences tailor-made to share with specifically matched employers. These students exude confidence as they demonstrate their critical thinking and writing skills and present a full array of marketable and practical skills needed to successfully navigate in the new legal environment.

Imagine this vision becoming a reality. Capitalizing on its strengths and track record for embracing change, the law school is well positioned to create innovative programming that will address law students’ needs for legal education, career opportunities, and affordability, while maintaining the school’s core values.
ENVISIONING A GLOBAL LAW SCHOOL
The law school has joined the university’s campaign, Leading Together—The Campaign for Washington University, to address the school’s most pressing needs in its goal of becoming a truly global law school.

Howard Cayne, JD ’79, and Steven Rappaport, JD ’74, are heading the school’s efforts to far exceed a conservative goal of $55 million. The two are co-chairing a 30-member committee that is helping to guide the school’s efforts. To date, the school has received more than $29 million in gifts and pledges toward its goal as part of the multi-year effort.

“I am deeply grateful to Howard, Steve, and the committee for heading up this most important effort and for all the support we have received to date,” says Dean Kent Syverud. “The campaign is crucial to our school as we embrace change in a challenging legal environment and continue to position our school as a leader in the transformation of global legal education.”

The campaign recognizes that the practice of law is transforming in fundamental ways, and that, in an increasingly globalized world, legal practice has become international in scope. Today’s graduates need not only critical thinking and writing skills, they must also be able to successfully navigate this new global legal environment.

Support of Students $20 million

Student scholarships and experiential externships bring the brightest to our campus in St. Louis and open up a world of practice-ready experiences for our students.

The law school’s campaign seeks to raise financial support for students through a number of bold initiatives. These include expanded and innovative career placement strategies; increased scholarships and summer stipends; and enhanced clinical, experiential-learning, and career-building opportunities nationally and abroad.

To continue the law school’s trajectory of successfully recruiting a strong and diverse student body, the school must ensure that students’ financial means do not limit their ability to enroll here. Gifts ranging from partial scholarships to full tuition scholarships help students manage the significant investment in their legal education.

The Clinical Education Program is a strong example of the law school’s global reach as clinics and externship programs serve children and families in the St. Louis community; immigrants facing asylum hearings; entrepreneurs who seek to protect their intellectual property; and individuals in developing countries interacting with governmental, nongovernmental, and intergovernmental organizations. The school also offers a robust curriculum of alternative dispute resolution courses.

“The campaign is crucial to our school as we embrace change in a challenging legal environment.”
—Dean Kent Syverud

Clinical programs such as those in Washington, D.C., and New York provide students with critical legal practice and networking opportunities.

The Transnational Law Program exemplifies the law school’s increasingly global reach.
that provide negotiation and other skills that students can take directly into practice. Financial support for clinical and experiential learning will help provide much-needed resources for this program.

Also vital is student support for the cost of travel and living arrangements for experiential-learning externships and summer fellowships. These opportunities are crucial to facilitating student professional development and helping ensure connections that will lead to careers after graduation.

**Support for Faculty**  $19 million

*Bringing the world to our campus in St. Louis and bringing our world-class faculty to the world is a game changer.*

At the heart of a Washington University legal education are the school’s internationally recognized scholars and teachers.

Support for faculty focuses on increased chaired professorships and visiting and adjunct opportunities, as well as development of new models for teaching. Leveraging online technology would assist the school in building a world-class visiting faculty of the best practitioners and leaders in the law.

**At the heart of a Washington University legal education are the school’s internationally recognized scholars and teachers.**

At the same time, strategic use of the school’s distance learning platform, which was developed for the @WashULaw LLM program in U.S. law for foreign attorneys, would allow students to continue their traditional course of instruction while getting
practical experience anywhere in the world. Gifts to cover the cost of curriculum conversion will support these important new modes of teaching.

Clinical and experiential learning opportunities also have a strong faculty support component. All of these programs require students to engage in closely supervised hands-on legal work, grapple with professional and ethical issues that arise in practice, and develop the fundamental ability to reflect on their work and to learn from experience. Support for clinical faculty will help the school expand its robust program of professional training.

**Law Annual Fund  $16 million**

The Law Annual Fund forms the backbone of support. The Annual Fund’s unrestricted support makes possible both new initiatives and ongoing programs. A strong Annual Fund benefits today’s students, as well as enhances the value of their law degree by building and maintaining the overall quality of a Washington University education. The Annual Fund will be vital to supporting the school’s combined strategies for providing a world-class legal education.

**Sophisticated technology opens up new possibilities for extending the law school’s national and international reach.**

**Faculty support is a vital component of the campaign. Professors Robert Kuehn and Maxine Lipeles are leaders in clinical education.**

**Partnering with students in their success remains a core value.**

**Student scholarships continue to represent a critical need. Ned Lemkemeier, JD ’62, center, with two scholarship recipients.**
LASTING IMPRESSIONS

Caynes Endow Professorship to Carry Forward the Law School’s Teaching Excellence
WHEN MEETING WITH DEAN KENT SYVERUD several years ago, Caroline Cayne recalls, “He addressed our volunteer group with these words: ‘Close your eyes. Try to remember the teachers who changed your lives.’” Former teachers themselves, Caroline and Howard Cayne, JD ’79, felt the import of these words. “It was a powerful moment,” Caroline Cayne says. “He went on to make the point: The law faculty does change lives.”

Longtime advocates of the law school, the Caynes believe that the key to the future of legal education, and a great law school, are great teachers.

“The law school was the place where I learned to think,” says Howard Cayne, a partner with the Washington, D.C.-based firm of Arnold & Porter LLP. “The faculty had extraordinary credentials, and emphasized rigor and creativity. Whatever I’ve accomplished in my professional life, I owe to the university and to the law school.”

Caroline and Howard Cayne wanted to demonstrate their appreciation in a way that would ensure a superb experience for the students and faculty who come after them. They chose to make a $2 million gift to establish and endow the Howard and Caroline Cayne Professorship.

“Professorships are key to our vision of becoming a truly global law school,” says Syverud, the Ethan A.H. Shepley Distinguished University Professor. “We are grateful to Caroline and Howard Cayne for this wonderful gift, which will further distinguish the school and benefit generations to come.”

The Caynes began supporting the law school many years ago, when they recalled having little extra money to spare. But Howard Cayne had a compelling reason to give.

He will never forget his first semester in law school. Not so much for the rigors of case reviews or the endless hours in the law library. He doesn’t forget because he came dangerously close to dropping out due to extenuating financial circumstances.

“At the end of my first semester, my dad, a department store manager, lost his job,” recalls Howard Cayne, who grew up in Rochester, New York. “I went to Dean Shelton’s office and said, ‘I’m going to have to withdraw.’ He said, ‘No, we’ll find a way.’ A couple of days later, he put together a package of scholarships and loans that allowed me to stay in school. I later found out that he literally called people and asked for donations. He scraped together funds from the school to help me.

“I started supporting the school on a government salary—small amounts,” Howard Cayne continues. “I was giving at the same time I was paying back my student loans. It seemed like the right thing to do.”

The Caynes have helped other students “find a way” by co-chairing the law school’s Scholarship Initiative Committee—along with Lorrie, JD ’68, and Maury, JD ’69, Poscover—and by establishing several endowed scholarships to honor dear friends and to express appreciation for their leadership. These include the Dean Kent Syverud Scholarship, the Professor Michael Greenfield Scholarship, and the David Blasingame Scholarship. The Caynes also established a scholarship in law to celebrate their daughter Elizabeth’s marriage in 2011: the Howard and Caroline Cayne Scholarship in Honor of the Marriage of Max Samuel Rosen, AB ’10, and Elizabeth Cayne Rosen, AB ’11.

In appreciation of the education their daughter, Allison Cayne Burka, AB ’07, received at Washington University, they established the Dolores Pesce and Dan Presgrave Scholarship in Music in Arts & Sciences. Burka’s husband Douglas, AB ’01, is also an alumnus. The Caynes support as many as five annual scholarships a year.

“Those we have honored have shown incredible commitment to the university and its students,” says Caroline Cayne, whose enthusiasm for the university rivals that of her husband. “They are visionaries and set the tone for the future of the university.”

That future, say the Caynes, is destined for greater success. A member of both the university’s Board of Trustees and the Law School National Council, and a campaign committee co-chair for the law school, Howard Cayne, along with co-chair Steven Rappaport, JD ’74, is heading efforts to top a conservative goal of $55 million in resources critical to the school’s success.

“The campaign for Washington University School of Law provides me, and all who have benefited directly from this strong foundation, an opportunity to say thank you while giving back to both our school and to the current generation of students,” Howard Cayne explains.
ENHANCING THE LAW SCHOOL’S SUCCESS

Endowed Visiting Professorship Reflects Couple’s Commitment to Diverse Perspectives

Mary Butkus
HEN YVONNE, JD ’88, AND JOE CORDELL, LLM ’08, decided to start their law firm in St. Louis in 1990, they took all kinds of cases. “We had to open the doors wide,” says Joe Cordell. “We had to do what our clients needed.” Over time, that turned out to be family law, today the exclusive purview of the domestic litigation firm of Cordell & Cordell.

“We wouldn’t have predicted this,” Joe Cordell says, “but it was clearly a sign of the many problems our society faces and the family values we deem important that are often undermined. It has become important to us to help preserve those values in political, cultural, and moral contexts.”

The Cordells have made a gift commitment of $1 million to establish and endow the Cordell & Cordell Visiting Professorship. The gift will support an established legal scholar and teacher who demonstrates a commitment to adding a diverse voice to legal education, including one that represents a conservative and/or Libertarian viewpoint. The Cordells hope the visiting professorship also will attract a strong scholar and teacher who is committed to public service, pro bono work, and/or activities that support family values and the community.

“We appreciate Dean Syverud’s role in recognizing the importance of maintaining a balance of legal perspectives at the school,” Yvonne Cordell says. “He has ambitious plans and is determined to lead the law school to greater prominence. We think there is no better way we can invest our resources.”

The couple also sponsors the Joseph Cordell Family Scholar in Law at the law school. Prior to forming Cordell & Cordell, Yvonne Cordell worked in the legal department of American General Finance in Evansville, Indiana. Joe Cordell, a CPA who worked at Arthur Andersen before earning a JD from the University of Texas at Austin, practiced law for a year at a large St. Louis firm.

“Our first five years building the firm were exciting,” he says. Yvonne Cordell adds, “But we decided that once we started a family, I would devote myself full time to raising and homeschooling our children.” Indeed, she left the practice in 1996, when their daughter, Caroline, was born. Elizabeth followed two years later.

Soon after, Cordell & Cordell began to focus solely on protecting the interests of men facing divorce. “We represented dads in some very tough cases—horrendous situations—where they were clearly the more qualified candidate for primary custody, but denied it due to their gender,” Joe Cordell explains. “This inspired us to serve their needs.”

“Paradoxically,” he adds, “our firm encourages clients to save their marriage when feasible. We typically represent the man who doesn’t want the divorce, the man who desires custody of the children and a financially secure future for his family.”

Today, Cordell & Cordell has more than 70 offices in 24 states and is the largest family law firm in the country. Newly hired attorneys enroll in an intensive, three-year program—known as Cordell College—that teaches litigation through a rigorous curriculum that promotes rapid career advancement.

“We can’t wait the eight- to 12-year maturation process traditional law firms have designed for associates to progress to senior management,” Joe Cordell explains. “That model permits over-hiring and large turnover. Ours is based on a teaching process that fast-tracks attorney development and enhances retention.”

The firm is greatly assisted by Cordell Practice Management Group—a separate entity of 100 employees who handle everything from marketing to human resources to training to client care—so the attorneys can focus exclusively on practicing law.

“We’ve worked hard to ensure that when Cordell & Cordell attorneys walk into courtrooms across America every morning, we have in place very strong systems and supports,” says Joe Cordell, whose firm has been featured in the New York Times, the Huffington Post, TIME, and on Fox News.

“Yvonne and I graduated from one of the best institutions in the nation, and we appreciate the outstanding legal education that has allowed us to do so much,” he says. “We’ve been blessed with the means to support what has been important to us. The law school is high on that list.”
LEGACIES OF SUPPORT
TOWARD A BETTER COMMUNITY
Orthwein Foundation Supports Students Who Value Public Service
By Cynthia Georges

WILLIAM R. ORTHWEIN, JR. MAINTAINED that it is just as important for practicing attorneys to support public interests as it is for those working directly for social services agencies. Acting in concert, both will be far more effective.

“This is what Bill Orthwein believed,” says Stephen C. Jones, JD ’82, co-trustee of the William R. Orthwein, Jr. and Laura Rand Orthwein Foundation, “and this is why the foundation has established the Orthwein Scholars in Law.”

Through the endowed William R. Orthwein, Jr. and Laura Rand Orthwein Scholarship Fund, the foundation will provide scholarships and public interest stipends in perpetuity, with the intent to provide more than $2.6 million over the next several decades. Scholarships will be awarded to students with a demonstrated interest in volunteerism, public service, and the betterment of the community.

The foundation will provide a minimum of $52,500 annually to fund scholarships and first-year public interest summer stipends. Each year, three first-year law students will be named Orthwein Scholars in Law, ultimately bringing to nine the number of Orthwein Scholars to be enrolled in any given year. “Given the realities of tuition expenses, this gift of scholarships serves the mutual interests of the law school and its students,” says Jones, a longtime family friend and partner at Armstrong Teasdale.


“It is the foundation’s hope that we can create a community of Orthwein Scholars in Law who exemplify the value of civic service.”

—Stephen C. Jones, JD ’82

By Cynthia Georges

TOWARD A BETTER COMMUNITY
Orthwein Foundation Supports Students Who Value Public Service
By Cynthia Georges

“Bill wanted to do something meaningful to honor that heritage,” says Jones of the scholarship fund. “As a civic leader, Bill inspired people to have a positive impact on their communities. It is the foundation’s hope that we can create a community of Orthwein Scholars in Law who exemplify the value of civic service, much like Bill did throughout his lifetime, and like his wife, Laura, continues to do.”

William R. Orthwein, Jr. and Laura Rand Orthwein
A LOVE FOR LAW
Legal Education and Practice Were Central to Maichel’s Life

By Rachel Wisdom

WARREN MAICHEL, AB ’50, JD ’52, had great affection for Washington University. When asked once about the impact the school had had on him, he said simply, “It made my life.”

Maichel chose to make the university one of the main beneficiaries of his estate, leaving more than $5 million for unrestricted support of Washington University School of Law after his death in December 2010. He had served as an adjunct professor at the school for many years and was a longtime supporter of scholarships for law students.

Maichel’s affection stemmed from his love of the legal profession. “Washington University was where he became a lawyer,” says his friend and former colleague, Matt Perlow of Husch Blackwell LLP, “and Warren really loved being a lawyer. He had a passion for the law, and a passion for the intellectual pursuit behind the law.”

A native St. Louisan, Maichel was the recipient of a full scholarship to attend Washington University’s four-year combined Arts & Sciences and law school program. He served two years as the editor of the Law Quarterly.

He began his career at the law firm of Martin Peper Martin and was a founding partner of Peper, Martin, Jensen, Maichel, and Hetlage. Over his 50-year career, Maichel became known as one of St. Louis’s top experts in tax law and trusts and estates, with a legal knowledge Perlow calls “encyclopedic.”

Perlow also calls Maichel “one of the most insightful, practical lawyers I ever met.” Longtime friend Nadine Day suggests that it was partly his love of the practical and orderly that first drew Maichel to the law. “He always wanted to study law,” she says, recalling the 18-year-old she met more than 65 years ago. “I think he loved the order of it. He would say that the rules of law are what keep us from fighting with guns.”

Maichel considered Washington University School of Law an excellent academic unit. “He had a soft spot for the law school,” Day recalls. “He thought Washington University was a very, very fine school, and who could blame him? He thought the education he received there was terrific.”

“He thought Washington University was a very, very fine school, and who could blame him? He thought the education he received there was terrific.”

—Nadine Day

> Warren Maichel

>> Warren Maichel believed strongly in giving back to his law school.
A Scholarship Drive in honor of David M. Becker, associate dean for external relations and the Joseph H. Zumbalen Professor Emeritus of the Law of Property, encapsulates his deep commitment to his students and his ability to inspire others to pay it forward. Alan Bornstein, JD ’81, a partner at Dentons LLP in St. Louis and member of the law school’s National Council, led the Becker 50th Scholarship Initiative.

This Initiative is an extension of the law school’s 2009 Scholarship Initiative to raise $7.5 million in gifts and pledges by 2014. That successful effort was co-chaired by National Council members Maury Poscover, JD ’69, a partner at Husch Blackwell LLP, and Howard Cayne, JD ’79, a partner at Arnold & Porter LLP in Washington, D.C. In 2011, the Becker Scholarship Initiative Committee, backed by the 200 alumni members of the “Becker Brigade,” decided to link the celebration of their beloved professor to the scholarship drive. Becker himself was firmly behind the move, stressing that any plans to honor him should also benefit students. Including Becker gifts, the scholarship gifts and pledges now exceed $8 million.

“Combined with our emphasis on alumni volunteerism, the Becker 50th Scholarship Initiative is a natural way to honor David,” Bornstein says. “Supporting students in achieving success, including through financial support, has long been near and dear to David.”

The law school’s current scholarship aid goal, which is part of the law school’s Leading Together: The Campaign for Washington University, is to build on this strong foundation and raise $18 million for student programming, including scholarships and financial aid.

“Our ability to attract and support exceptional students is based, to a large extent, on the funds available for financial aid,” says Kent Syverud, dean and the Ethan A.H. Distinguished University Professor. “We are grateful to the generosity of alumni and the greater law school community in helping provide vital resources for scholarship support.”

Scholarship support is increasingly important as graduating law students, on average, face a debt load of $100,000. Currently, more than 75 percent of students at the law school receive merit- or merit/need-based scholarships, which are guaranteed for three years.

Through the years, alumni, parents, faculty, staff, and friends have contributed to a total of 113 endowed scholarships at the law school. During the 2012–13 academic year, these endowed scholarships benefited 133 law students.

The Scholars in Law Program offers the opportunity to sponsor a named scholarship at the law school on an annual basis, and additional opportunities are available to support students for summer and externship opportunities.

< The scholarship drive supports current students in their pursuit of an outstanding legal education.
THE CHOICE of legal remedies has been a central focus of economic analysis of law for several decades. And justly so; understanding why a legal entitlement should be in the form of a liability rule, a property rule, or related variants of these rules is a question that courts often face. But an antecedent question—whether a legal remedy is the exclusive remedy available—has received far less attention in the scholarly literature.

This is the problem of whether to permit self-help, and, like legal remedies, this method of vindicating an entitlement comes in different variants. At the polar ends of the self-help spectrum are complete freedom to vindicate a legal right or privilege and a complete prohibition on the ability to act without engaging legal process. The law never allows complete freedom to use self-help as even the most permissive of the existing rules puts limits on behavior.

THOSE RESPONDING to a deadly threat cannot make use of non-necessary force, and bounty hunters who seek to apprehend a subject face similar restrictions. Many areas of law, however, completely forbid the use of self-help. A victim of an accident may not take the property of the tortfeasor without a court order, and a party who is subject to a nuisance cannot trespass to remove the source of offense.

When the law does permit some form of self-help, it tends to gravitate to two salient points along this spectrum. Perhaps most famously, creditors may repossess collateral without resort to court process as long as they do not create a breach of the peace during the repossession. An even more permissive rule allows victims of theft to attempt to recapture their property and to use reasonable force while doing so.

This article seeks to understand the puzzles posed by this existing patchwork of rules by developing a framework for the analysis of self-help. Perhaps the most confounding of these puzzles is the different treatment of the repossession of personal property and real property. If a commercial tenant fails to pay rent, a landlord in most states cannot use self-help repossession. In Berg v. Wiley, the Minnesota Supreme Court abrogated the common law rule that permitted the use of self-help and, in so doing, explained the prevailing rationale for this rule: “[T]here is no cause to sanction such potentially disruptive self-help where adequate and speedy means are provided for removing a tenant peacefully through judicial process.”

Contrast this view to the treatment of secured goods under Article 9 of Uniform Commercial Code. Creditors have substantial leeway to retake property, even if it means trespassing on the debtor’s land. Policymakers could apply Berg’s ready-made piece of reasoning to this situation—reposessions are fraught with the risk of violence, and, because quick judicial proceedings are available, self-help should be prohibited in these circumstances. But they do not.

INSTEAD, CREDITORS can go so far as to break into a 747 and fly it off the tarmac without resort to legal process. The prevention of violence plays little to no role in the analysis here, as there is an array of evidence that Article 9 repossessions can sometimes provoke strong reactions that can lead to significant injuries.
and even death. Moreover, the situations where the law sometimes permits the use of violent self-help—such as the retrieval of stolen property and the use of bounty hunters to seek out those who have skipped out on bail—are precisely those situations where violence is most likely to arise.

If the claim that the prevention of violence should be a driving factor in this area of law is not correct, what other concerns can account for these rules? The framework developed here argues that self-help rules take into account not only the costs of violence, but also the administrative costs associated with mandatory process, the costs of mistakes, the costs of violence, and the costs of the delay associated with required process. This formulation permits analysis of interactions between these elements. For example, while some prior analysis has identified the tradeoff between administrative costs and violence, the emphasis on mistakes has received little treatment despite its ability to further our understanding of what drives self-help rules and behavior. 

ONE OF THE CHIEF benefits of investing administrative costs is the ability of this investment to increase the accuracy of judicial process. It follows that this sort of investment will be of most use when the underlying rights are not clear and this logic can provide a rationale for forcing investments in accuracy through a prohibition on self-help.

The connection between the clarity of the underlying rights and administrative costs can provide insight to the different repossession rights that apply to personal and real property. The contracts between creditors and debtors that govern personal property tend to be rather straightforward because they impose few duties on the creditor. This makes breach a straightforward affair; if the debtor misses payments, this is a default. Alternatively, the leases that govern real property involve a series of reciprocal duties. Landlords have repair and maintenance duties that a chattel property creditor typically does not have. These duties complicate any assertion of breach; a tenant who has not paid rent may have legitimate counterclaims involving the landlord’s failure to repair and maintain the premises. Given the difficulty of unwinding a mistaken repossession, it makes sense that the law funnels these disputes into court.

A formulation that takes into account the interaction between administrative costs and delay, in addition to violence, can also help to understand what motivates the choice between violence-minimizing rules, such as the breach-of-the-peace standard, and rules that expressly permit the use of force. It often takes little work by a debtor to create a breach of the peace—in some jurisdictions a repossession attempt can be defeated by as little as a verbal protest.

A DEBTOR WHO IS aware of the breach-of-the-peace standard, and who would not otherwise respond to a repossession attempt with violence, can strategically defeat repossession through a verbal protest or through feigned violence. This strategic dynamic means that the breach-of-the-peace standard entails a tradeoff between the amount of violence that occurs and the increased costs of administrative process and of delay that are necessary to deal with strategic debtors. But to act strategically, a debtor needs to know the prevailing rule, which may not often be the case.

This facet of self-help may explain some of the different rules that we observe. If debtors do not know the standard that governs repossessions, the breach-of-the-peace standard may help to minimize the amount of violence that occurs without a substantial drop in the effectiveness of self-help. In contrast, if the targets of self-help are knowledgeable about the underlying standards—as may be a plausible assumption for commercial tenants—a breach-of-the-peace standard may not be effective because those targets can act strategically to circumvent self-help attempts. This puts policymakers to the choice of permitting the use of force or prohibiting self-help altogether.

“At the polar ends of the self-help spectrum are complete freedom to vindicate a legal right or privilege and a complete prohibition on the ability to act without engaging legal process.”


Adam B. Badawi, associate professor of law, is an expert in contracts and commercial law. His scholarship concentrates on the interaction between formal law and informal norms to regulate behavior.
HIS ARTICLE develops a construct of judges as gatekeepers in corporate and securities litigation, focusing on the last period—or settlement stage—of the cases. Many accounts of corporate scandals have focused on gatekeepers and the roles they played or, in some cases, abdicated.

Corporate gatekeepers, like investment bankers, accountants, and lawyers, function as enablers and monitors. They facilitate transactions and enable corporate actors to access the financial and securities markets. Without them, the transactions would not happen. In class actions and derivative litigation, judges are the monitors and enablers. They are required to oversee the litigation arising from bad transactions and corporate scandals. Unlike other types of private law litigation, where the parties settle and have the case dismissed, judges must approve settlements of class actions and derivative litigation. They are actually charged with fiduciary responsibilities and control the exit stage, or settlement, of the litigation. As a result, the judges’ job is to be a gatekeeper.

THE JUDGES ARE NOT, however, doing their jobs. “Doing their jobs” requires actual scrutiny of the role of defense counsel and insurers, both of whom amplify agency costs. It also requires scrutiny of the settlement collusion between defendants and plaintiffs. Yet, traditionally both academics and the courts have failed to analyze those issues in the context of the costs of aggregate and derivative litigation. This article provides a real cut at those issues. It then develops and explores principles for gatekeeping judges, which, if implemented, will decrease the agency costs of this type of litigation and ensure that the judges are actually functioning as the fiduciaries they are required to be.

Securities and corporate laws and regulations rely on gatekeepers to provide merits reviews of corporate disclosures and transactions. Accountants, lawyers, and investment bankers control access to financing and the securities markets. They certify documents and financials and ensure that corporate actors adhere to their fiduciary, disclosure, and other duties. Independent directors also combat agency costs, monitor their fellow corporate actors, and, in some cases, hire the other gatekeepers and ensure they do their jobs well. Thus, gatekeepers control market access directly—certified accountant reports are required for certain public filings—and indirectly through advice to clients or their companies.

Many accounts of corporate scandals have focused on gatekeepers and the roles they played or, in some cases, abdicated. Corporate gatekeepers function as monitors and enablers. Judges oversee the private enforcement that arises from financial gatekeeping failures and scandals. They control access to settlements and therefore are also monitors and enablers. Although no one has previously identified them as gatekeepers, judges are assigned that role for certain types of litigation. They are not, however, doing the job well.
This article develops a construct of judges as gatekeepers and a set of principles to guide them in policing aggregate and derivative litigation. Part I provides an introduction to this type of litigation and the role of judges as agency cost monitors. Part II contrasts the “solutions” of this type of litigation with its costs, and explores an area not developed in the legal literature—the agency issues on the defendants’ side of the cases. The development of the role of defense counsel and their collusion with plaintiffs’ counsel illuminates the need for judges to perform their gatekeeping role.

Part III explores the role of judges in aggregate litigation, including their fiduciary responsibilities as monitors of the agency costs inherent in these cases. The judicial role maps to the role of gatekeepers more generally. The focus of this article is on gatekeeping for the “exit mechanism,” or settlement stage of these cases. To develop this gatekeeping role, this article examines a set of cases in which judges engaged in some gatekeeping, as well as incentives for gatekeeping and for shirking.

The principles developed and explored in Part IV reveal that judges both have the power and incentives to control the agency costs by refusing to grant settlement approval in cases that do not meet the standards of Rule 23. Moreover, the decision to grant, or refuse, approval is contingent on fulfilling their gatekeeping/fiduciary responsibilities. Adherence to the principles developed in this article will help to ensure that judges are in fact functioning as the fiduciaries the law requires them to be.

Active engagement and careful review are the basic hallmarks of judicial settlement gatekeeping. Without judicial approval, litigants cannot exit. There is no remedy. There are no fees. There is no preclusion. The power to grant all of these things is significant. The power to refuse it is as well. Fulfilling this role will create not only a better settlement process, but also will result in better substance and outcomes.

Of course, judicial gatekeeping is not a complete solution to the agency problems in aggregate litigation. No single solution is. It is important to recall, however, that aggregate litigation itself provides a solution to gaps in the administrative state and the resulting agency issues. Gatekeeping judges can help to decrease collusion on all sides of the cases. The judicial gatekeeping construct in this article provides a partial solution to the agency cost issues. It establishes the role and duties of the courts and reveals how they can protect the authority of the system, the nature of the settlements, and the deterrence effects of the cases. In short, gatekeeping judges have an important role to play, and this article constructs and explicates that role. Now it is up to the judges.


Hillary A. Sale, the Walter D. Coles Professor of Law and professor of management, is a leading expert in securities law and corporate governance. The co-author of a casebook on federal securities regulation and a book on federal securities laws, rules, and forms, she has written extensively on redesigning the Securities and Exchange Commission, independent directors as securities monitors, derivative litigation, and corporate law and governance.
1973

Jay Summerville, a litigation partner and general counsel at Armstrong Teasdale LLP's St. Louis office, was elected chairman of MERS/Missouri Goodwill Industries Inc., the largest social service agency in Missouri. Having already worked with the organization for about 17 years, he began a one-year term on January 1, 2013.

Chief Justice Richard B. Teitelman of the Supreme Court of Missouri was elected second vice president of the Conference of Chief Justices. Founded in 1949, the conference provides opportunities for the highest judicial officers of the states to meet and discuss matters of importance in improving the administration of justice, rules and methods of procedure, and the organization and operation of state courts and judicial systems.

1974

Norm Pressman and Wendi Pressman (JD ’85) served as honorary chairs for the 23rd Annual Justice for All Ball. The ball is Legal Services of Eastern Missouri Inc.’s premier fundraising event of the year. The two have been regular ball attendees and supporters for more than 20 years. In addition, they played a leadership role in the organization’s capital campaign in the 1990s. Norm Pressman is a member of Goldstein & Pressman PC in west St. Louis County, and Wendi Pressman is a partner at Lathrop & Gage LLP in Clayton.

1975

Earon Davis married Martha M. Foster, and they have moved from the Chicago area to Bloomington, Indiana. Davis continues to work as an online adjunct professor for Kaplan University’s School of Health Sciences. To view the couple’s photo, visit law.wustl.edu/news/images/2012-2013/EaronDavis.jpg.

John Gilbert has joined Sandberg Phoenix & Von Gontard PC’s Edwardsville, Illinois, office as counsel.

John W. Kozyak received the Greater Miami Jewish Federation’s Honorable Theodore “Ted” Klein Special Recognition Award and the Coalition of South Florida Muslim Organization’s Judicial Bridge Builder Award. He has been promoting diversity in the law in South Florida for more than 30 years and has established a minority mentoring program that attracts more than 3,500 law students, judges, and guests to its annual mentoring picnic.

Donald G. Tye (JD/MSW) completed the second edition of How to Try Divorce Cases in Massachusetts for MCLE Inc. He was also recently appointed to A Child’s Voice, a statewide task force chaired by the chief judge of Probate and Family Courts in Massachusetts. Additionally, he recently completed five years of service on the Judicial Nominating Commission, which reviews applications for all state judicial appointments for Massachusetts Governor Deval L. Patrick.

1978


Alumnus Baker Receives Michigan Bar’s Hudson Award

Frederick Baker, Jr., JD ’75, received the Roberts P. Hudson Award, the State Bar of Michigan’s highest award. This award is presented periodically to commend one or more lawyers for their unselfish rendering of outstanding and unique service to and on behalf of the State Bar of Michigan, the legal profession, and the public.

Baker set the record as the longest-serving chairperson of a State Bar of Michigan committee, having devoted 24 years to overseeing the bar’s Publications and Website Advisory Committee. According to one of the 23 current and former committee members who wrote words of praise about his work and accomplishments, Baker provided “hundreds, probably thousands” of hours of editorial guidance to the Michigan Bar Journal and the state bar’s website.

Baker is currently a commissioner for the Michigan Supreme Court, having worked previously as a partner at Honigman, Miller, Schwartz and Cohn LLP’s Lansing, Michigan, office. For more information, visit the website michbar.org/journal/pdf/pdf4article2088.pdf.
1979
James E. Baker was named city manager for Chesapeake, Virginia. He previously worked in St. Louis County.

Mark Kaufman (MSW ‘77, JD ’79) was named chairperson of the Department of Social Work at Washburn University in Topeka, Kansas, where he has taught since 1998.

Shel Silver and his wife, Cyndi, have moved from Denver, Colorado, to Escondido, California. In Denver, Silver served as chair of the School of Criminal Justice at ITT Technical Institute. He is now professor and chair of Homeland Security and Emergency Management at Ashford University in San Diego.

1980
Tim Duncan worked with Elizabeth Warren in the Obama administration on the passage of the Dodd-Frank Act and the launch of the new U.S. Consumer Financial Protection Bureau. At the beginning of 2012, he returned to Boston to start a new technology company, GoodlyHome. GoodlyHome is a unique effort to solve many of the problems that led to the housing and financial crisis. This private-sector solution brings together mortgage lenders, consumer groups, and institutional investors.

Bradley G. Kafka (JD/MSW) is heading up the St. Louis Labor & Employment Practice Group at Polsinelli PC. The group assists a broad spectrum of employers in a variety of matters, such as dispute resolution, crafting policies, handling terminations, and defending lawsuits and administrative claims.

Tom Newmark was named to the Board of Trustees of the American Botanical Council in Austin, Texas. He previously worked for New Chapter Inc., a dietary supplements company. He helped New Chapter become the first such company to have its entire line of vitamins certified as "made with organic ingredients." He has also worked for the Animal Legal Defense Fund and the Natural Law Party.

John Wallach received the Stephanie Seelman Award for Outstanding Service from the Anti-Defamation League. He is serving his second term as board chair of the Missouri/South Illinois Region. He practices in St. Louis at Wallach & Wolff LLC.

1981
Vu-Duc Vuong (JD/MSW) is now director of general education at Ho Chi Minh University in Ho Chi Minh City, Vietnam.

1982
Beth Alpert (JD/MBA) was featured in Leading Lawyer’s Network magazine. Through her firm, Beth Alpert and Associates in Chicago, she works to help seriously disabled people receive Social Security benefits.

Mark Ricciardi (JD/MSW) was installed as a fellow in the College of Labor and Employment Lawyers in Atlanta, Georgia. The founding and managing partner of the Las Vegas, Nevada, office of Fisher & Phillips LLP, he is the first and only management-side attorney from Nevada to be installed in the college.

1983
Laurence M. Frazen was named managing partner of Bryan Cave LLP’s Kansas City office. Frazen practices in the firm’s Bankruptcy, Restructuring and Creditors’ Rights Client Service Group. His practice involves representing debtors, creditors, creditors’ committees, and other interested parties in bankruptcy proceedings locally and across the country. He also focuses on commercial workouts and out-of-court restructurings.

Perry Newman’s book, The Ten Commandments of International Business (Atlantica Press, 2012), is now available in French as Les Dix Commandements du Commerce International. The French version has been purchased throughout Quebec and Atlantic Canada. It also is in use as a text in one of Quebec’s “Cégeps,” a general and vocational college. Newman recently spoke to law students on “Israel and Its Arab Citizens: Building Civil Society in a Start-up Nation.”

1984
Leonard Chanin has joined Morrison & Foerster LLP’s Washington, D.C., office as a partner. He previously was a financial regulatory attorney at the Consumer Financial Protection Bureau, including serving as assistant director of the Office of Regulations. He also was deputy director of the Division of Consumer and Community Affairs at the Federal Reserve Bank.

1985
Wendi Pressman (See Class Note listing for 1974)

1990
Gregory Kirsch was named a partner at Smith, Gambrell & Russell LLP in Atlanta, Georgia. Kirsch is part of the firm’s Intellectual Property Practice. He focuses on patent law, with a concentration in electrical and communications technology, software and business methods patents, and medical technology. He is patent counsel to numerous technology companies, ranging from large multinational corporations to small start-ups.

Philip J. Onorato is senior vice president and general counsel of Daytop Village Inc. in New York. Founded in 1964, Daytop provides primary medical care, as well as substance-abuse and alcoholism treatment services. Onorato also established his own firm, Onorato Law LLC, with offices in New York City and New Jersey.

1992
Eric Riess received the 2012 Trainer of the Year Gold Award from the Franchise Brokers Association, a national organization that assists franchise brokers with building practices and helps franchisors grow globally. Riess was recognized for the legal, business, and sales training he provided to franchisors and franchise consultants. He is a franchise law attorney in Greensfelder, Hemker & Gale PC’s St. Louis office.

1993
Teresa Cotton Santos has joined Career Education Corporation as senior vice president and chief ethics and compliance officer. She was previously assistant general counsel for litigation and legal compliance for Eli Lilly and Company.

James Webb was named senior vice president legal and general counsel of Chesapeake Energy Corporation in Oklahoma City, Oklahoma.

1994
Chris Quinn has joined The Driscoll Firm PC in St. Louis after serving six years with the Missouri Attorney General’s Office. He represents private parties in pharmaceutical, medical device, and other product liability litigation; class action lawsuits; and medical negligence matters.
1995

Mike Bloomquist was named general counsel at the House Energy and Commerce Committee. He was previously deputy general counsel after having served as general counsel for the Joint Select Committee on Deficit Reduction.

Jennifer Hoekel, a partner at Armstrong Teasdale LLP in St. Louis, passed the Nevada bar exam. Hoekel focuses her practice on intellectual property litigation with an emphasis on patent litigation.

Revlynn C. Lawson has joined the firm of Linebarger Goggan Blair & Sampson LLP in Austin, Texas.

1996

Jeffrey N. Davis was elected to serve on the General Council of Phi Delta Theta fraternity, located in Oxford, Ohio.

Thomas G. Huszar (JD/MBA) has joined Moritt Hock & Hamroff LLP as a partner at the New York firm’s Manhattan office. He concentrates his practice in all facets of corporate law matters, regularly representing public and private companies in a broad spectrum of business transactions and in support of operational matters.

1997

Nicole Saunders and her husband, Dan, welcomed their son, Colton Patrick, into the world on August 30, 2012. The family resides in New Buffalo, Michigan. Saunders recently changed roles within Accenture, joining the company’s Federal Services Group as senior litigation counsel.

2000

Jovita Foster received Washington University School of Law’s Black Law Students Association’s Outstanding Achievement in Practice Award as an African American who has achieved great success in her legal career. She is a partner in Armstrong Teasdale LLP’s Litigation Practice Group in St. Louis.

Alex Lee is now director of legal affairs for Centric Group in St. Louis. He was previously with Gonnemar Reiner LLC in St. Louis.

Laura McNeal was inducted into the Hall of Fame at the College of Education at Illinois State University. She was one of five inductees recognized for their leadership during a recent ceremony at the university.

2001

Alex Belotserkovsky has joined HeplerBroom LLC in Edwardsville, Illinois, as an associate.

Kevin Linder received the Atlanta Volunteer Lawyers Foundation Inc.’s Domestic Violence Project’s Volunteer of the Year Award. Linder, now in solo general practice in Atlanta, Georgia, previously took a hiatus from Barnes & Linder in Decatur, Georgia, to act as deputy director of Wassu Gambia Kafu in Gambia.

Kristi Lush was named a partner at Zupkus & Angell PC in Denver, Colorado.

Jonathan L. Pompan was elected a partner at Venable LLP. He co-chairs the firm’s Consumer Financial Protection Bureau Task Force in Washington, D.C. His practice focuses on providing comprehensive legal advice and regulatory advocacy to a broad spectrum of clients, such as nonbank financial products and services providers, nonprofit organizations, and trade and professional associations, with a particular focus on consumer protection issues, including advertising and marketing.

2002

Shannon L. Haney was elected an officer at St. Louis-based Greensfelder, Hemker & Gale PC. She serves in the firm’s Corporate Practice Group.

Amy Locklear Hertel (MSW ’99, JD ’02) is the director of the American Indian Center at the University of North Carolina at Chapel Hill.

Cliff Merrell was elected a shareholder at Greenberg Traurig LLP in Atlanta. His practice focuses on product liability defense, with an emphasis on pharmaceutical and medical device litigation.

Jason Murata (JD/MA ’02) was named of counsel at Axinn, Veltrop & Harkrider LLP. He works in the firm’s Hartford, Connecticut, office as part of the Intellectual Property Group.

2003

Christopher D. Castellanos (JD ’03, LLM ’07) has joined Lashly & Baer PC in St. Louis as of counsel. He concentrates his practice in trusts and estates, including a wide range of estate planning and probate matters, asset protection planning, and estate and trust administration.

Christine Cochran has joined Polsinelli PC’s Chicago office, where she will counsel clients in securing and preserving their intellectual property rights in the life sciences as part of the firm’s Science and Technology Practice.

Jennifer M. Horrom was elected an officer at St. Louis-based Greensfelder, Hemker & Gale PC. She serves in the firm’s Corporate Practice Group.

Lauren K. Lofton has joined the Madison, Wisconsin, firm of Solheim Billing & Grimmer SC. She practices real estate and business law.

Scott Stone has joined Hunton & Williams LLP’s Environmental Law Practice Group as counsel. Stone will work in the firm’s Washington, D.C., office. He was previously director of Global Environmental Initiatives at Sierra Nevada Corporation.

Khara Coleman Washington has accepted a position with the Illinois Attorney General’s Office in Chicago and is currently assigned to the Consumer Fraud Bureau. She previously spent two years as a prosecuting attorney with the Scott County Attorney’s Office in Davenport, Iowa.

2004

Rachel Atterberry was named a partner at Freeborn & Peters LLP in Chicago. A member of the Litigation Practice Group, she focuses on employment and business litigation matters before state and federal courts, as well as the Equal Employment Opportunity Commission, Illinois Department of Human Rights, Illinois Human Rights Commission, and other state agencies.

Christopher Feldmeir and Elizabeth (Pernoud) Feldmeir (both JD ’04 and LLM-Taxation ’05) announce the birth of their son, Conrad, on January 2, 2013. Christopher Feldmeir was elected an officer at Greensfelder, Hemker & Gale PC, and...
Elizabeth Feldmeir was elected a partner at Husch Blackwell LLP, both in St. Louis.

Heather Friedman was named a partner at Morris, Manning & Martin LLP in Atlanta, Georgia. She works in the firm’s Environmental, Construction, Hospitality, and Sustainability Practices, focusing on transactions and acquisitions of properties throughout the United States. She represents clients in regulatory and transactional aspects of state and federal hazardous site cleanups, National Environmental Policy Act matters, voluntary cleanup/brownfield programs, underground storage tank programs, and wetland and state water permitting.

F. Scott Galt has been named a partner at Armstrong Teasdale LLP in St. Louis. A member of the International Practice Group, he handles international corporate compliance issues and global transactions for foreign and domestic companies in a wide variety of industries. He also acts as national counsel for a number of regional clients managing high-dollar commercial litigation matters.

Clarence Lee was promoted to partner at Troutman Sanders LLP in Washington, D.C.

Kristen Reinsch and Jason Reinsch (JD ’05) welcomed a daughter, Ava Finley Reinsch, into the world on May 9, 2012. They reside in Dallas, where Kristen Reinsch practices commercial litigation at Lackey Hershman LLP, and Jason Reinsch is a litigation associate with Jackson Walker LLP.

Michael Schroer was named an associate in HeplerBroom LLC’s Edwardsville, Illinois, office.

Michelle (Gruber) Torline has joined WireCo WorldGroup Inc. as general counsel. She previously practiced at Husch Blackwell LLP in Kansas City.

Nick Williamson, a partner in Bryan Cave LLP’s St. Louis office, was appointed to the Board of Directors of Ranken Jordan, a pediatric specialty hospital in Maryland Heights, Missouri.

2005

B. Scott Eidson was named a partner in Armstrong Teasdale LLP’s St. Louis office, where he is a member of the firm’s Intellectual Property Litigation Practice Group. He focuses on complex intellectual property matters pending in state, federal, and appellate courts throughout the United States.

Jason Reinsch (See class note listing for 2004).

Andrew Scavotto was named a partner in the St. Louis office of Stinson Morrison Hecker LLP, where he helps clients pursue and defend intellectual property, financial services, and breach of contract claims and defends product liability cases.

Johnny Wang, an attorney in Polsinelli PC’s St. Louis office, was selected a Diverse Business Leader 2012 by the St. Louis Business Journal. Wang focuses his practice on advising privately held and publicly held corporations on a variety of employment matters, including labor and employment law, employment litigation defense, and employment policies and procedures.

2006

Harrison A. Lord has joined Bernhardt & Strawser PA in Charlotte, North Carolina, where he focuses his practice on creditors’ rights, commercial litigation, and debt collection.

Kristi (Kleiboeker) Lush was named a partner at Zupkus & Angell PC in Denver, Colorado.

Amy Sample was awarded the Chicago Bar Foundation’s Sun-Times Public Interest Law Fellowship. The Chicago Bar Foundation awards five fellowships annually to legal aid attorneys in Illinois—four who practice in Chicago and one who practices downstate. The awards are given in recognition of contributions to public interest law, academic excellence in law school, and outstanding character and integrity. For more information, visit law.wustl.edu/news/pages.aspx?id=9527.

Alumna Vaughan Honored with Women of Worth Award

Kayla Vaughan, JD ’76, received a 2012 Women of Worth Award. The Gateway Outstanding Women’s League of St. Louis presents this award to women in the community who have made significant differences in their areas of expertise.

Vaughan has worked for more than 40 years to better economic and social conditions, especially for women and girls, through her professional and volunteer efforts. As a career public interest attorney, she represented thousands of low-income people, primarily women, in court. She was appointed and served four years in the mid-1990s as municipal judge of the 22nd Judicial Circuit Municipal Division, where she presided over the prosecution of St. Louis City ordinance violation charges.

Following this term, she returned to practice at Legal Services of Eastern Missouri, where she was the managing attorney for the Family Law Department and director of the Lasting Solutions Program.
2007

Nimrod Chapel, Jr. (LLM-Taxation) announces the birth of his second son, Bryant Owen Chapel, who was born on August 8, 2012.

2008

Ross Blankenship launched StudyHall.com, an online peer-to-peer learning platform that allows students to share notes and documents while providing a forum to work collaboratively on a single platform. StudyHall.com is now “live” on the Washington University campus after having been tested at Harvard, Yale, Georgetown, and Cornell.

Roma Desai has joined Bernstein Shur PA’s Portland, Maine, office as an associate. She is a member of the Business Restructuring and Insolvency Practice Group. Desai previously clerked for the Hon. J. Michael Deasy and the Hon. Mark W. Vaughn of the U.S. Bankruptcy Court for the District of New Hampshire, and she has worked for several law firms in New York City.

Timothy D. Gronewold has joined Howard & Howard Attorneys PLLC. He practices in the firm’s Peoria, Illinois, office.

Roxanna Mason received the Missouri Bar Foundation’s 2012 David J. Dixon Award for outstanding appellate advocacy. After earning her JD, she joined the trial division of the Missouri State Public Defender. She then transferred to that office’s Appellate and Post-Conviction Relief Division in August 2011.

2009

Deanna Atchley (JD/MSW) has joined Husch Blackwell LLP as an associate in the firm’s Kansas City office. She focuses on labor and employment law.

Yaoyu Liu (LLM-U.S. Law) is an in-house counsel for Toon Express Guangzhou in Hong Kong.

Wakaba Y. Tessier has joined Husch Blackwell LLP’s St. Louis office as an associate. She will work on the firm’s Healthcare Team.

Brett M. Winterstein and his wife, Michelle, welcomed their daughter, Logan Taylor Winterstein, into their lives on February 21, 2013.

2010

Jessica Mendez (JD ’10, LLM-Taxation ’11) has joined Armstrong Teasdale LLP as an associate in the St. Louis office. She is a member of the Intellectual Property Practice Group, where she guides brand owners in matters regarding trademark policing and protection, and works to resolve disputes involving infringements of patents, copyrights, trademarks, and trade secrets. She was also recently selected to attend the Latino Leadership Institute, created last year by the Hispanic Chamber of Commerce St. Louis Foundation. The institute is sponsored by Centene Corporation.

Ryan Seeke has joined Dinsmore & Shohl LLP as an associate in the firm’s Labor & Employment Department. He practices in the Morgantown, West Virginia, office.

2011

Justine S. Casselle is an Assistant Attorney General for the Ohio Attorney General’s Office. She has served as chief litigator in more than 65 cases pending in various Ohio Courts of Common Pleas. Casselle has successfully negotiated numerous settlements on behalf of the Ohio Bureau of Workers Compensation, and has been a first-chair and second-chair litigator in two jury trials. She also defends the Ohio Industrial Commission in Workers Compensation, and has been a first-chair litigator in cases involving the United States.

Samir Mehta has joined Armstrong Teasdale LLP’s St. Louis office as a member of the Intellectual Property Practice Group. He prepares and prosecutes U.S. and foreign patent applications in the area of high technology, specifically related to computer software and hardware. Mehta is also one of 12 lawyers throughout Missouri selected for the 2012–13 Missouri Bar Leadership Academy, which seeks diversity in gender, race, area of practice, and locality of practice—with the goal of including attorneys from underrepresented areas to broaden and strengthen the Missouri Bar.

2012

Laura Bentele has joined Armstrong Teasdale LLP’s St. Louis office as an associate. She is a member of the Litigation Practice Group, focusing on complex intellectual property matters pending in state, federal, and appellate courts throughout the United States.

Jera L. Oliver (JD ’11, LLM-IP/TL ’13) is serving as the director of Annual Giving for the Urban League of Greater Cincinnati. Oliver is responsible for generating unrestricted revenue, managing three affinity groups, cultivating individual donor relationships, and planning and executing special events.

Rebekah E. Raber (JD ’11, LLM-Taxation ’12) has joined Husch Blackwell LLP’s St. Louis office as an associate.

Ramone Reese (JD ’11, LLM-Taxation ’12, and LLM-IP/TL ’12) has joined Thompson Coburn LLP as an associate in the St. Louis office. He is a member of the Business Litigation Practice Group, where he works with clients in diverse industries on commercial litigation matters. He is also vice president of the Mound City Bar Association and a member of the Board of Directors for Lafayette Preparatory Academy, a charter school opening in St. Louis in 2013.

Kevin Shih has joined Taiwan Semiconductor Manufacturing Company Limited as senior counsel.

Christopher Chen has joined Armstrong Teasdale LLP’s St. Louis office as an associate. He is a member of the International Practice Group, assisting clients with general domestic and cross-border transactions, as well as outbound investment into Chinese-speaking jurisdictions and Canada.

Patrick J. Coyle has joined Armstrong Teasdale LLP’s St. Louis office as an associate. He is a member of the Intellectual Property Practice Group, focusing on complex intellectual property matters pending in the United States.
Danielle DuRousseau has joined Armstrong Teasdale LLP’s St. Louis office as an associate. She is a member of the Corporate Services Practice Group, advising on general corporate and securities matters, including mergers and acquisitions, securities, and general corporate law. Her experience extends to representing banks with regard to FDIC filings and change-of-control notices.

Michael P. Farrell has joined Black McCuskey Souers & Arbaugh LPA, in Canton, Ohio, where he focuses his practice on business, corporate, and real estate law.

Dale Funk has joined St. Louis-based Brown & Crouppen PC as an associate. The firm specializes in personal injury, medical malpractice, workers’ compensation, and Social Security disability cases.

Keith K. Grissom (LLM-Taxation) has joined Weiss Attorneys at Law PC in St. Louis as an associate, concentrating on corporate, real estate, taxation, commercial, and small-business law.

Richard Juang (JD ’12, LLM-IP/TL ’13) has joined Polsinelli PC’s St. Louis office as an associate. He concentrates his practice in intellectual property and technology litigation.

Andrew Kabat has joined Senniger Powers LLP in St. Louis, focusing on intellectual property law with an emphasis in intellectual property litigation.

Andrew Meyer has joined Husch Blackwell LLP’s Real Estate & Development Group in St. Louis.

Sandra S. Oh has joined Husch Blackwell LLP’s Product Liability Group in St. Louis.

Michael F. Orlowski has joined Polsinelli PC’s Real Estate Transactions/Development Practice Group in Kansas City.

Mikela T. Sutrina has joined Husch Blackwell LLP’s Labor & Employment Group in St. Louis.

Kevin Valdez was assigned to the 15th Judicial District Public Defenders Office in Lafayette Parish, Louisiana. Valdez was a Fellow of the Public Defender Corps, a national program that trains, mentors, and supports attorneys entering the criminal justice system.

Daniel C. Willingham (LLM-Taxation) has joined Husch Blackwell LLP’s St. Louis office as an associate.

The Alumnus and National Council Member Webster Receives Prestigious ALI Henry J. Friendly Medal

The Hon. William H. Webster, JD ’49, received the American Law Institute’s (ALI’s) Henry J. Friendly Medal. One of the ALI’s highest honors, the medal is awarded periodically to individuals who have made significant contributions to the law.

The medal is named in honor of Judge Henry Friendly, a former chief judge of the U.S. Court of Appeals for the Second Circuit, who has been referred to as “the most powerful legal reasoner in American legal history.” Past recipients of the Friendly Medal include retired U.S. Supreme Court Justice Sandra Day O’Connor and the late New York University School of Law constitutional law scholar Ronald Dworkin.

A Washington University School of Law National Council member, Webster is a retired partner at Milbank, Tweed, Hadley & McCloy in Washington, D.C. He previously directed the Central Intelligence Agency and the Federal Bureau of Investigation; served as U.S. Attorney for the Eastern District of Missouri; and was a judge on the U.S. District Court for the Eastern District of Missouri and on the U.S. Court of Appeals for the Eighth Circuit.

In addition, Webster served as a lieutenant in the U.S. Navy in World War II and the Korean War. Among his many accolades are the Presidential Medal of Freedom and the National Security Medal. He currently serves as chair of the Homeland Security Advisory Council. Additionally, Washington University has presented Webster with an Alumni Citation for contributions to the field of law, the William Greenleaf Eliot Award, and an honorary degree. At the law school, he has received the Distinguished Law Alumni Award, and the Webster Society scholarship program for law students committed to public service is named in his honor.
In Memoriam

1940s
Albert E. Schoenbeck, AB ’40, JD ’40
Walter J. Kramer, JD ’45
Robert H. Stahlheber, AB ’42, JD ’48

1950s
Gen. Samuel C. Oliver, JD ’50
Helen Graefe Bauer, AB ’48, JD ’51
Larry Carp, AB ’47, JD ’51
John H. Cassidy, Jr., AB ’49, JD ’51
Walter H. Heinecke, JD ’52
Hon. Robert Lee Campbell, AB ’53, JD ’53
Robert H. Mohrme, JD ’55
Gordon I. Herzog, AB ’55, JD ’58
Alfred A. Meyer, JD ’59

1960s
Harriet L. Robnett, JD ’61
Robert R. Sandcork, JD ’61
R. Stephen Duke, BSBA ’64, JD ’66

1970s
Duane Sherman Cox, LLM ’77
Jonathan Lewis Samen, JD ’77

1980s
J. Joseph Raymond, LLM ’89

1990s
David Brian Palinsky, MA ’94, JD ’94

2000s
David S. Guard, JD ’02

2010s
Samantha L. Folkemer, JD ’10

Note: View Washington University School of Law’s online Class Notes (law.wustl.edu/alumni/class-notes.asp) for recent additions, including individually reported selections to Who’s Who in Black St. Louis, International Who’s Who of Franchise Lawyers, Who’s Who Legal, Who’s Who Trademarks, Best Lawyers in America, Best Lawyer in Kansas City, Tampa Lawyer of the Year, Connecticut Law Tribune’s New Leaders in the Law, Connecticut Magazine’s 40 Under 40, St. Louis Copyright Lawyer of the Year, St. Louis Mergers & Acquisitions Lawyer of the Year, and Attorney Division of the Jewish Federation’s Outstanding Lawyer Under 40.

View submitted tributes online at law.wustl.edu/alumni.
Law student Tiffany Wong participated in the New York City Regulatory and Business Externship this spring, spending a semester at FINRA (Financial Industry Regulatory Authority). Learn more about the remarkable opportunities Wash U law students enjoy in the fall issue.

We want to hear from you!

In fall 2013, the magazine will examine three questions:

Why Law?
Why Wash U?
Why Now?

If you have reflections on these questions, please email them to Ann Nicholson at anicholson@wustl.edu.