Transcript

FAR and WIDE

News for Alumni and Friends of the School of Law
Transcript is published twice annually by the University of Missouri School of Law. Its main purposes are to inform alumni and friends about activities and events at the School of Law and to publish news about alumni. In this way, Transcript seeks to provide a link between the school and its alumni. Opinions expressed and positions advocated herein are those of the authors and do not represent the policies of the school. All rights to reproduction of any material printed in Transcript are reserved for the magazine. Permission for the adaptation of the content for any other publication must be granted in writing by the editor.

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I am frequently asked about my vision for the law school. To put it succinctly, my vision is to take this law school to the next level – to take an excellent flagship state law school and raise its profile regionally, nationally and internationally.

Achieving this goal involves two challenges – resources and strategies. In this letter, I hope to share with you my thoughts thus far on how to achieve this goal.

The law school’s fundamental challenge is the need to increase the resources available to support scholarships, faculty and programs. As you all know, state financial support of your alma mater is diminishing in real dollar terms. This economic effect is compounded by concerns about student debt and access to legal education that limit the ability to raise tuition. To take the law school to the next level, and to further increase the value of your degree from the University of Missouri, I ask for your support in one or more of these areas:

**Every Graduate of the Law School Received a Scholarship:**

Consider this fact – whether you are a graduate of the class of 1950 or 2012, your tuition level was probably one-half, one-third or maybe even one-fourth of the tuition level at a comparable private law school. Thus, everyone who attended Mizzou effectively received a scholarship. Now is the time to help give back, because many private law schools have enough money (from endowment and tuition revenue) to enable them to offer scholarships that are drawing away students who would normally enroll at the School of Law. The law school needs more financial weapons to fight this battle in order to compete in this challenging environment.

**New Centers of Excellence:**

The practice of law is becoming increasingly specialized and law schools must keep up with this development. Mizzou has been nationally known for many years for our Center for the Study of Dispute Resolution. It is time for us to add a second center of excellence at the law school. I proposed to the faculty that we start a Center for Entrepreneurship, Innovation & Intellectual Property Law – a center focusing on some of the core areas of law related to economic development and technological change. We have students and faculty at the law school who have a strong interest in these fields. Prof. Dennis Crouch, for example, is nationally known for his work in patent law and for his blog, Patently-O. In addition Prof. Thom Lambert does innovative work in the corporate, business and antitrust field. Several other members of the faculty are heavily involved in work related to these areas. The proposed center would also offer opportunities for interaction and cooperation with other departments and centers around the campus, increasing the law school’s interdisciplinary emphasis. Eventually, I hope the law school can house other centers of excellence, focused on fields such as advocacy/trial practice, agriculture or First Amendment law.

**New Clinics and Experiential Learning Opportunities:**

Our students, applicants and potential employers are clamoring for additional clinical and experiential learning opportunities at the law school. One of my goals is to expand our current strong clinical offerings, with the addition of new clinics, as well as expanded...
DeAN'S CORNeR: regionally, nationally and internationally? What does it take to raise the law school’s profile?

A Vision for the Next Level

salaries, support for travel for speaking
support scholarships and faculty (through $25,000 per year for four years to
in which donors commit to giving
effort called the 25 for 25 Challenge,
this purpose. He has spearheaded an
committed to help us raise funds for
enhanced scholarship awards, Don has
In addition, because of the need for
law school attract and retain outstanding
would like to work toward helping the
System Board of Curators, informed
a member of the University of Missouri
the firm of Gray, Ritter & Graham and
a St. Louis lawyer with
The 25 For 25 Challenge:
Don M.

Building Recognitions and Credentials

I hope we can move the Game

The law school’s efforts to

An inner window on the

The law school’s public service mission.

These challenges create a great

Finance

Alumni Engagement:

In the years ahead, I hope to
move forward and receive the recognition
of the law school. In the years ahead,
our alumni can be involved in the life
support is not the only way in which

I hope we can have more interaction
of the law school. In the years ahead,
the United States, the best legal education possible.

Faculty and students at the School of
whether it involves presenting
faculty and students at the School of
"The Bronx Household of North Carolina-Chapel Hill, and
"Defining Religion
"Reforming

February 19-20, 2012, at the University of North Carolina

"Principles

"The Need for

"Overcoming

"Resolution.

"Law School for Real World Practice," which
took place in March at the University
of Assembly & Religious Liberty," which
appealed a decision in
an African-American church to have equal
access to public school buildings to hold
worship services. On appeal to the U.S.
Supreme Court, the lower court upheld the free
exercise claim of a school district, which was
decided by the U.S. Supreme Court in
Tate Hall, affectionately known as
tag as the “new law school building,”
Many of our alumni refer to Hulston
Hall as the “new law school building,”
Hulston Hall was
designed as their law school experience took place
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Professors Joshua Hawley and Erin Morrow Hawley gained a depth of experience and insight in the legal world, following similar paths before they made the move to Mizzou.

He attended Stanford University and received his AB in history with the highest honors. She attended Texas A&M University and received her BA in animal science and the Senior Merit Award. Both then attended Yale Law School, where he served as articles editor of The Yale Law Journal and she was an editor of the journal and a Coker Fellow in Constitutional Law.

He clerked for the Hon. Michael W. McConnell of the U.S. Court of Appeals for the 10th Circuit, while she clerked for the Hon. J. Harvie Wilkinson III of the U.S. Court of Appeals for the Fourth Circuit. Following their circuit court clerkships, the Hawleys then clerked for the Hon. Chief Justice John G. Roberts of the Supreme Court of the United States.

After this, he went on to work for Hogan Lovells US LLP in Washington, D.C., as an appellate litigator. She then worked for the U.S. Department of Justice as counsel to Attorney General Michael Mukasey and for King and Spalding LLP in Washington, D.C., as an appellate associate.

Throughout their careers, the Hawleys have authored numerous briefs before circuit courts, state courts of last resort and the U.S. Supreme Court on a variety of legal issues.

As a result of their prestigious backgrounds, both professors offer a wealth of knowledge and practical skill to the law school community.

Joshua Hawley

Prof. Joshua Hawley is a Missouri boy born and raised who jumped at the opportunity to come back to his home state to teach. A mutual acquaintance and Hawley’s strong connections to Missouri are what brought him and Mizzou Law together to explore the possibility of the Hawleys joining the faculty. When he visited the school he was impressed by the true commitment to teaching that faculty members display. He appreciated the collegiality among faculty members, but most importantly the strong relationships between students. He believes the smaller school and class sizes help to foster a better environment with less negative competitive energy among students.

Hawley taught in various capacities in the past, specifically as a John Colet Teaching Fellow at St. Paul’s School in London, but this is his first job as a law school professor. He finds it rewarding to help students grasp new concepts and

“I appreciate the connection between my practical outside work and the subject matters I teach because this helps me connect interested students with real world experiences.”
Arrive at new insights. As he explains it, his personal goal when he teaches is "for students to arrive at new insights and have ideas that are their own." He wants to go beyond information-sharing and truly engage his students. Thus far at Mizzou, Hawley has focused his teaching on courses in constitutional law, federal jurisdiction, statutory interpretation and legal philosophy, as well as the first year Torts course.

Outside of his teaching responsibilities, Hawley stays at the forefront of professional development and is busy pursuing the subject areas about which he is passionate. He writes many editorial pieces and articles for lay audiences to explain hot legal topics that are in current news. Along with this, he works as of counsel for the Becket Fund for Religious Liberty. This is a nonprofit, public interest law firm that fights for the religious liberties and free expression rights of persons of all faith backgrounds at the highest levels, including a recent Supreme Court victory in Hosanna-Tabor v. EEOC.

"I appreciate the connection between my practical outside work and the subject matters I teach because this helps me connect interested students with real world experiences," he explains. Students benefit from Hawley's interest in delving into hot legal topics as he has helped the Federalist Society organize numerous bipartisan panels and presentations.

Erin Morrow Hawley
Prof. Erin Morrow Hawley does not have the same personal ties to Missouri as her husband, but this does not mean she was any less excited to begin her teaching career at Mizzou. She wanted to teach long before her move and appreciates that Mizzou is a flagship state university.

After a visit to Hulston Hall, Hawley recognized that the level of investment in student lives is greater here than at most law schools. She explains how the strong relationships faculty and students develop is evidenced by the fact that Mizzou Law students are not afraid to take advantage of office hours or open doors.

"It stood out to me during my interview that the current Mizzou faculty could name specific students and their individual accomplishments and backgrounds, which was impressive," she notes.

Before teaching at Mizzou, Hawley spent two semesters as an adjunct professor at George Mason University School of Law teaching Federal Courts. Thus Hawley brings a wealth of professional experience, but also teaching insight, to her position at Mizzou.

Hawley’s favorite thing about teaching is watching a student understand a concept for the first time. She loves to see students grasp the tie between a rule of law and the policy concerns that animate it. “One of the best parts of teaching is when students become invested in learning not only the specific contours of a particular rule of law, but also the reasons for it,” she says.

So far, Hawley has taught courses in federal income and partnership taxation and agriculture law. Next year, she is excited to teach a course in constitutional litigation, giving students further experience in persuasive legal writing and oral advocacy.

Beyond the classroom, Hawley works on appellate projects as of counsel to Bancroft LLP of Washington, D.C., a firm which handles high-stakes and complex litigation matters. Last spring, she wrote one of the merits briefs for the Affordable Care Act arguments that were heard by the U.S. Supreme Court. Her work on the jurisdictional aspects of high profile cases has led to numerous article ideas, including two current works in progress.

The Hawleys have already developed strong ties to the community at Mizzou Law. Their passion and youthful approach to a wide variety of legal topics helps foster the same feelings in their students. Both look forward to raising their son, Elijah, in Columbia. They have loved their time in this community and look forward to raising their family here.

“One of the best parts of teaching is when students become invested in learning not only the specific contours of a particular rule of law, but also the reasons for it.”
School of Law alumni pursue career opportunities outside the Show Me State

Sixty-five percent of University of Missouri School of Law graduates practice in Missouri after they graduate. They fill the state from edge to edge, from the flat farmland of northern Missouri to the rolling hills of the Ozarks. As expected, there are large concentrations of them in the Kansas City, St. Louis and Springfield metropolitan areas, and in the center of the state, including in the home county of the Missouri state capitol.

But many alumni leave Missouri as they pursue their professional dreams – about a third, in fact. The network stretches far and wide – law school alumni live or practice in all but one state.

Here we profile alumni along the edges of the United States – in New York, Florida, Texas, California, Alaska and North Dakota. Each has used a law degree from the University of Missouri to pursue professional dreams without boundaries.
John A. Bioff, ‘96, grew up in Kansas City, but travelled far to achieve his current position with Kawerak, Inc., a regional non-profit Native corporation located in Nome, Alaska. In his role as general counsel, he provides legal services to the 20 tribal governments located in Northwest Alaska.

Before enrolling at the School of Law, he completed his undergraduate degree at the University of Kansas. When he began law school, he did not anticipate settling in Alaska, but that is right where he landed. “I served time in the military before getting my law degree,” he explains. “One of the places I just happened to be stationed was Fort Wainwright in Fairbanks, Alaska.”

While stationed at Fort Wainwright, Bioff began dating his now-wife, Alice, who was raised in a small village near Nome. The couple returned to Missouri while he finished his law degree and stayed while Bioff practiced law in Kansas City, but their goal was to return to Alaska to be near his wife's family. After returning to Alaska, Bioff practiced in Fairbanks for a year and a half, then moved to Anchorage for a while before finally settling down in Nome to be near family.

“A law degree from Mizzou helped me in numerous ways to be the advocate I currently am,” Bioff says. “The professors honed my skills helped me with this, especially Prof. Carl Esbeck, and his traditional Socratic method of teaching. I did not usually enjoy my professors being hard on me at the time, but I learned in practice that it has helped me become a strong advocate for my clients.”

His professors’ methods of teaching simulated the real life tough situations that he faces everyday as a zealous advocate for his clients. Another accolade Bioff would grant the law school was their graciousness in making exceptions for students who require it. The law school was flexible with his own situation in allowing Bioff to finish in a non-traditional way.

“I am living proof that a law degree from Mizzou can take you wherever you desire to go geographically,” he says. “My area of law – representing the Inupiaq tribes in this region of Alaska – is a very specialized field that is not widely available. It would be difficult to specifically prepare a law student for this field in law school, yet the strong underlying advocacy and writing skills I developed as a student at Mizzou through rigorous coursework and challenging practical exercises has enabled me to adapt to the needs of my chosen field. Consequently my degree from Mizzou has proven to be versatile and extremely valuable as a practicing attorney.”

Bioff says that Mizzou is certainly known throughout the Midwest and has a prestigious reputation. He says that the fact that it is a well-known major university with a solid reputation has resulted in his degree being an asset wherever he has gone, whether that be his early days of law practice in Kansas and Missouri, or his current position taking him to states all over the Northwest. Bioff sees Mizzou as a respected law school that has allowed him to pursue his professional dreams.

“I am living proof that a law degree from Mizzou can take you wherever you desire to go geographically.”
Andrew J. Neumann, ’11
Bismarck, North Dakota

Andrew J. Neumann, ’11, is originally from Bismarck, N.D., and is now back in his home state practicing law.

Before attending law school, he attended Hamilton College in Clinton, N.Y., graduating with a bachelor’s degree in 2008.

Neumann decided to attend the School of Law because of its strong reputation in alternative dispute resolution (ADR). He was on the path to pursue the certificate in ADR when he realized that there were other courses he wanted to take which fit better with his future career interests. Despite his decision to suspend his pursuit of the ADR certificate, Neumann still feels his time at the School of Law was well spent. He spent the rest of his duration as a student focused on transactional courses like natural resources law, commercial real estate and taxation.

It was never Neumann’s plan to return to North Dakota. He was more concerned with finding a quality job in one of the worst legal markets the industry had ever faced. When he graduated in 2011, North Dakota had one of the best employment climates in the country because of the energy boom occurring there.

After Neumann graduated from law school, he spent a year clerking for the Hon. Mary Muehlen Maring of the North Dakota Supreme Court. He then joined Fredrikson and Byron in Bismarck, after he worked as a summer associate for the firm in the summer of 2010.

As an associate at Fredrikson and Byron, Neumann has been able to put all of his transactional courses to work as his practice focuses on title examination and oil and gas law. Even though this is a very unique practice and does not transfer to other areas of the law seamlessly, Neumann still credits the law school for preparing him to be able to practice in this arena.

Daryl N. Snadon, ’71
Dallas, Texas

“A law degree from Missouri allows students to take the bar in any state.”

Daryl Snadon is from the small town of Lockwood, located in Dade County, in the southwest corner of Missouri.

For college, he initially left the state to attend the Air Force Academy in Colorado Springs, but returned to Missouri after a year there. He then attended Mizzou for the rest of his undergraduate career and majored in economics and accounting.

After earning his bachelor’s degree, Snadon decided to stay at Mizzou for his law degree. When he graduated with his JD, he moved to Dallas to attend Southern Methodist University, pursuing post-graduate study in tax. Since moving to the Dallas area for graduate school, Snadon has found great success in the region.
Jani Lynn Spurgeon, ’82, grew up in the small Missouri town of Canton and later attended Truman State University in Kirksville for her undergraduate degree. While she was in college she worked for a law firm in her hometown. Both of the partners in the law practice where Spurgeon worked extolled the advantages of the University of Missouri School of Law. They told her about the relationships that form among students at Mizzou that last for years and develop into professional contacts and references. Spurgeon was confident in her choice to go to the School of Law because she wanted to benefit from the strong statewide network her bosses always talked about.

Spurgeon never intended to leave the state of Missouri and always believed she would practice in her home state. After she graduated from the School of Law she spent two years in Kansas City, clerking for the Honorable Scott O. Wright, ’50, of the U.S. District Court for the Western District of Missouri, and then practiced with the Kansas City office of the firm now known as Stinson Morrison Hecker LLP. Spurgeon met her husband, Louis P. Comeau, ’82, a New York native, while she was at Mizzou and eventually decided to join him out east. Comeau spent time in Missouri as an undergraduate and wanted to continue his time in the state for law school due to the cost benefits of an education from Mizzou Law.

When asked what he would tell a prospective student who was worried that a law degree from the University of Missouri would limit their opportunities to practice in other areas of the country, Spurgeon said that fear is not true. She explains that having a degree from the School of Law may make it a bit more difficult to explore career opportunities elsewhere, but “it’s not a game changer, it’s just a factor.” She believes with a strong record from a school like Mizzou Law and a solid background in practical courses, graduates can go on to explore many interests outside of the state of Missouri.

Jani Lynn Spurgeon, ’82
Plattsburgh, New York

“I received a good foundation in law, which allowed me to practice in another state.”
Alexander D. Tomaszczuk, ’81  
Calabasas, California

“At the law school, I received an excellent legal foundation which prepared me extremely well for, and enabled me to pass, the three bar exams I’ve taken.”

Alexander D. Tomaszczuk, ’81, is a Missouri native. He was born in St. Joseph and grew up in Kansas City. A first generation American, Tomaszczuk still has strong ties to the state and visits regularly. Tomaszczuk left Kansas City to attend Stanford University, receiving his bachelor’s degree in 1977, but returned to Missouri for law school. It was important to him to receive a quality education and scholarship money to support his studies. The School of Law fulfilled both of these requirements and provided him with the stepping stones necessary to embark upon a successful legal career.

The path of Tomaszczuk’s career since graduation has been varied and bicoastal. He never knew that he would end up practicing in Los Angeles, but his career path eventually took him there. After Tomaszczuk graduated in 1981 he clerked for the U.S. Court of Claims (now the U.S. Court of Appeals for the Federal Circuit) in Washington, D.C., for one year. After this he joined the law firm of Shaw Pittman in Washington, D.C., practicing there from 1982-1987 before leaving to join the Office of the Legal Advisor at the U.S. Department of State. In 1987, Tomaszczuk received his LLM in international and comparative law from Columbia University Law School in New York City before returning to Shaw Pittman in Washington, D.C., where he made partner in 1991.

Shortly before the 2005 merger between Shaw Pittman and Pillsbury Winthrop, Tomaszczuk – who took the California bar in 1989 – had the opportunity to move to Los Angeles to continue his government contracts practice there. For the past nine years, Tomaszczuk has maintained offices in both Los Angeles and Tysons Corner, Va., focusing his practice on the litigation of government contracts claims and bid protests, and the conduct of internal investigations.

Tomaszczuk credits the School of Law for providing him with an excellent legal education that was both solid and broad. “At the law school, I received an excellent legal foundation which prepared me extremely well for, and enabled me to pass, the three bar exams I’ve taken,” he explains.

Not only that, but he believes the faculty was outstanding. He says the relatively small size of the school helps to generate beneficial faculty-student relationships. The letters of recommendation and encouragement he received from his professors helped him secure his post-graduation clerkship, which in turn opened the doors for future success.

When asked what he would tell a prospective student who wondered if a degree from the University of Missouri School of Law would allow him to practice only in the state of Missouri, Tomaszczuk answered that he is proof of this being a faulty assumption. He feels his law degree is valuable and has never held him back from practicing on either coast.

Tomaszczuk shows that with some planning, initiative and strong skills, a law degree from the University of Missouri can lead to a distinguished career on either coast.
Susan E. Johnson-Velez, ’90, is originally from Houston, but found a home at Mizzou for law school.

“I had friends in the CLEO [Council for Legal Education Opportunity] program,” Johnson-Velez explains. “It is run by law schools who host minority students for the summer, kind of like a trial run. Through the CLEO program I got to know Bob Bailey who essentially recruited me. I was sold.”

Johnson-Velez knew upon entering law school that she would not end up in Missouri.

“I was not thinking really far ahead, but I remember as a 1L The Missouri Bar coming and distributing bar applications,” she says. “I remember getting the packet, but I never filled it out because I had no idea where I would end up, but I felt there was a good chance it would not be Missouri.”

After law school, Johnson-Velez alternated between Texas and Florida for a time before settling permanently in Tampa, drawn in part by the warm temperatures and beautiful beaches. Now she is a sole practitioner, concentrating in a broad range of areas, including land use and zoning, real estate, governmental and administrative law.

Johnson-Velez says that a law degree from Mizzou has opened doors for her at all levels. “When it came time for me to leave the public sector and move into private practice, I had several interviews,” she says. “The firm that I ended up working at, I remember distinctly one of the folks I was talking to saying how great a law school Missouri was. I was pleased and surprised to find that Missouri is a respected law school even in Tampa.”

Johnson-Velez says that Mizzou helped her to get involved not just professionally, but in other organizations as well. She credits part of her election as the local bar association president to the networking skills and organization involvement she learned at Mizzou. “I have always found Mizzou to be an asset – something that set me apart,” she notes.

Johnson-Velez would tell law students that they shouldn’t be hesitant to leave Missouri after graduation. “There are welcoming legal communities everywhere and if it’s something you want to do, you should go for it,” she says.

“I have always found Mizzou to be an asset – something that set me apart.”

Susan E. Johnson-Velez, ’90
Tampa, Florida

FACULTY NOTE

Douglas E. Abrams has written five law review articles, which will appear soon in the Journal of Supreme Court History, the Mississippi Sports Law Review, the Missouri Law Review, the Virginia Journal of Social Policy and the Law, and the Wake Forest Law Review.

The Albany Law Journal of Science and Technology has also published a footnoted transcript of his presentation at Albany Law School’s recent symposium on student cyberbullying.

Abrams presented “The Public School’s Authority to Discipline Students’ Off-Campus Cyberbullying of Classmates” at the ninth annual meeting of the International Bullying Prevention Association. He spoke at The Missouri Bar’s annual “U.S Supreme Court Highlights” continuing legal education program. He also delivered his annual “Missouri Juvenile Justice and Family Law Legislative Update” at the Missouri Juvenile Justice Association’s Fall Educational Conference.

Abrams continues to write an article about legal writing in each issue of Precedent, The Missouri Bar’s quarterly magazine; his most recent articles are “How Not to File a Complaint” (Summer 2012) and “Acronyms” (Fall 2012). In addition, the St. Louis Post-Dispatch published his op-ed article, “The Five Most Inspiring Youth Sports Stories of 2012,” and the New Hampshire Union Leader says that he is “recognized as a leading authority on youth sports.”
From the Faculty Files

School of Law faculty members regularly publish articles in academic journals around the world. In this issue of Transcript, we reprint a revised version of an article about WikiLeaks and the First Amendment that was written by Prof. Christina E. Wells and was originally published in the Iowa Law Review.

WikiLeaks, Balancing and the First Amendment

Christina E. Wells

I. The Evolution of Balancing As Applied to Disclosure of Information Under the Espionage Act

A prosecution of Assange is likely to proceed under a provision of the Espionage Act, 18 U.S.C. § 793(e), which punishes anyone who has “unauthorized possession of … information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States or the advantage of any foreign nation” and who “willfully communicates, delivers, [or] transmits … the same to anyone not entitled to receive it.” Prosecutors might also pursue Assange for conspiring with Bradley Manning to violate 18 U.S.C. § 793(e). Although this law appears quite broad, the First Amendment somewhat limits its application.

A. The Pentagon Papers Decision

The most recognized Supreme Court case on this topic involves the New York Times and Washington Post’s decision to publish excerpts of a top-secret study about the Vietnam War (the “Pentagon Papers”) while the war was ongoing. In New York Times v. United States, a majority of the Court refused to sustain injunctions barring further publications of the Pentagon Papers, primarily because such injunctions were unreasonable prior restraints against the press. The Court’s per curiam opinion did not establish a standard for injunctions against disclosure but the concurring opinions noted that the government’s burden was very high. Thus, Justices Douglas and Black argued against the injunctions altogether because of the Court’s general antipathy to prior restraints. Justice Brennan, on the other hand, posted that “only governmental allegation and proof that publication must inevitably, directly, and immediately cause the occurrence of an event kindred to imperiling the safety of a transport already at sea can support even the issuance of” an injunction. Justice Stewart also noted that an injunction was inappropriate because the disclosed documents would not “surely result in direct, immediate or irreparable damage to our Nation or its people.”

Although the possibility of enjoining the press clearly troubled the justices, they were not as opposed to potential criminal punishment under the Espionage Act. Justices Stewart and White, concurring in the result, noted the availability of “specific and appropriate criminal laws … [that] are of colorable relevance to the circumstances of this case.” Several other justices similarly intimated that the Espionage Act allowed criminal punishment of the newspapers’ publication of the Pentagon Papers. Unfortunately, these opinions did not discuss the standard under which such criminal sanctions should be judged. Thus, the Court’s intimation that criminal punishment might survive constitutional scrutiny, without more, served merely to muddy the constitutional waters. Given that the government did not pursue sanctions against the newspapers in New York Times, other courts were left to determine when and how to balance the Espionage Act’s arguable punishment of disclosure against the First Amendment’s right to free expression.

B. Subsequent Lower Court Decisions

Relatively few of these later decisions involved attempts to punish non-government publishers of classified or sensitive information. Rather, they have typically involved application of the Espionage Act to persons who engaged in classic espionage activities. Two exceptions exist. The first decision, United States v. Morris, involved prosecution...
of a government employee who leaked top secret photographs of a Soviet aircraft carrier to Jane’s Defense Weekly. Although there was no espionage-related activity, the court found that the defendant’s actions fell within Section 793(e)’s proscription of providing national defense information to persons not entitled to receive it. Even here, however, the extension of Section 793(e) is somewhat understandable. The free speech rights of government employees are limited compared to the rights of citizens, and certainly more so when employees undertake a position of confidence and trust, such as when their job gives them access to confidential information.15

The other decision, United States v. Rosen,16 is far more worrisome because it is the only decision to date to find that 793(e) reaches non-espionage related disclosures by non-government actors. Rosen involved two political lobbyists (Rosen and Weissman) for AIPAC, an organization that lobbied Congress and the executive branch on behalf of Israel.17 The government accused Rosen and Weissman, in their positions as lobbyists, of conspiring to violate the Espionage Act by cultivating relationships with federal officials, gaining access to sensitive information, and disseminating that information to others not entitled to receive it, such as the media, foreign policy analysts and officials of other governments.18

In response to defendants’ First Amendment challenge, the court attempted to balance competing societal interests.19 On one hand, the lobbyists’ actions involved information-gathering about and public discussion of political affairs, which implicated core First Amendment values. On the other, defendants had disclosed government secrets that could threaten the nation’s security.20 The Court concluded that free expression must sometimes “yield to the government’s legitimate efforts to ensure the environment of physical security which a functioning democracy requires.”21 However, to reach an effective balance of interests, the court construed section 793(e) as punishing only intentional disclosures of “closely held” information that a defendant knows is “potentially damaging to the United States or ... useful to an enemy of the United States.”22

In a series of subsequent motions, the court allowed defendants to subpoena several top government officials to show that they lacked the state of mind required by the statute.23 Defendants argued that they did not know their disclosures could potentially damage the United States because government officials regularly leaked information to them as a form of “back channel diplomacy.” The prosecutors eventually dismissed the case against defendants, complaining that the court’s “knowledge” requirement established an impossibly “high” evidentiary burden.24 Yet it is not at all clear that Rosen’s test is a hurdle to prosecutors pursuing individuals in circumstances different from Rosen and Weissman (i.e., non-lobbyists) who disclose confidential information.

II. BALANCING THE EFFECTS OF THE WIKILEAKS’ DISCLOSURES

Despite prosecutors’ complaints, Rosen’s balancing is actually quite malleable and can result in substantial deference to government officials’ claims of threats to national security. In fact, Rosen’s approach hearkens back to earlier, discredited Supreme Court decisions. Our experience with those decisions suggests that indeterminate balancing tests are likely to be used most effectively against certain kinds of speakers – whom the government can cast as radical outsiders like Assange – regardless of whether they pose an actual threat to national security.

A. Balancing Tests and National Security in the Twentieth Century

Beginning in World War I, the Supreme Court struggled to find the appropriate test to determine when speech was sufficiently dangerous to be punished. In Schenck v. United States, the Court held that government could prosecute speech when it was made in circumstances that “create[d] a clear and present danger that [would] bring about the substantive evils Congress ha[d] a right to prevent.”25 Although the test sounded reasonably protective, it provided few concrete parameters to guide judges regarding when harm resulting from speech was “clear” or “present.” Combined with a presumption that speakers intended to cause harm from the sheer fact of their speech,26 the test actually allowed punishment of speech simply because it criticized government actions. Furthermore, historical evidence shows that armed with such a malleable test, government officials primarily pursued socialist and radical groups rather than mainstream groups who criticized government actions. Such groups were unfamiliar and different and thus more easily cast as dangerous even though their speech was identical to other groups.27

The Court eventually responded to the problems arising from Schenck’s amorphous balancing by adopting a test that required government officials make a showing of immediate harm resulting from speech. In Brandenburg v. Ohio, for example, the Court found that officials could punish incitement of unlawful action only if it was “directed to inciting or producing imminent lawless action and [was] likely to incite or produce such action.”28 This stringent formulation of the clear and present danger test tightened the nexus between speech and harm, which was necessary to distinguish between punishing unpopular speech and punishing speech that caused immediate and irreparable harm.29

Yet the Court has sent mixed signals about the clear and present danger test with speech implicating national security. In Dennis v. United States, the Court upheld the Smith Act, a federal law punishing advocacy of overthrow of the government, as applied to the leaders of the Communist Party USA (“CPUSA”).30 According to the Court, although there was no evidence of imminent harm from defendants’ advocacy of communist doctrine, the enormity of the harm – potential overthrow of the government – justified weighing the magnitude of the harm against the likelihood of its occurrence.31 The alleged conspiratorial nature of the CPUSA coupled with the presumption that it would someday try to overthrow the United States authorized the government to punish the defendants’ speech although they did little more than teach communist literature.32 Post-Cold War cases attempted to limit Dennis’ balancing approach by imposing heavy evidentiary and causation requirements and allowing punishment only of “incitement to action.”33 But the Court did not overrule Dennis as much as it re-interpreted the decision. Even Brandenburg did not actually overrule Dennis or Schenck.

Thus, those decisions exist as potential precedents. Courts can rely on them as the Rosen court did.34
According to Rosen, Section 763(e) legitimately punishes intentional disclosures of “closely held” information that a person knows are “potentially damaging to the United States or ... useful to an enemy of the United States.” Under Rosen, then, the publisher must know the information is potentially harmful and the government must have tried to keep the information secret (as opposed to selectively leaking it). The test does not require imminence or even substantial likelihood of harm. By removing the imminence requirement, Rosen allows significant government manipulation, especially given that most people accept the executive branch’s special expertise regarding national security matters.

Admittedly, the Rosen court characterized the test as imposing a “bad faith purpose to either harm the United States or aid a foreign government.” But that requirement does not generally help defendants. As the Rosen judge specifically noted, the government need only demonstrate the “likelihood of defendant’s bad faith purpose” which it can show by demonstrating that “the possessor has reason to believe [the disclosed information] could be used to the injury of the U.S.” In the Internet era, officials can essentially meet this requirement by claiming that a defendant knew enemies (i.e., terrorists) could access the website on which they posted the disclosed information. By allowing the government to base proof of bad faith on a showing that defendant had “reason to believe” disclosure would harm the United States, the court’s test is perilously close to the doctrine of constructive (or presumed) intent found in earlier decisions like Schenck and Dennis.

B. Balancing & the WikiLeaks Disclosures

The government’s response to the WikiLeaks disclosures highlights why the Rosen balancing is so dangerous. In the immediate aftermath of those disclosures, government and NGO officials claimed that they would harm national security and diplomacy, including possibly putting individuals at risk. It is unclear that any of those harms have come to fruition; in some cases, officials admit that they have not. But this latter fact may not matter. As interpreted by Rosen, the Espionage Act seems to require only that one intentionally disclose “closely held” information that he knows at the time of disclosure is potentially damaging to the United States or useful to an enemy. It does not require that the material have caused actual harm. That officials immediately decried WikiLeak’s disclosures and sought to contain potential harm may be sufficient evidence that Assange knew the disclosures were potentially damaging to the United States. This is especially true given Assange’s willingness to proceed in the face of warning letters from federal officials prior to disclosure. Assange’s well-publicized statements that he views disclosure, at least in part, as a method of radical resistance (i.e., a method of destabilizing institutional authority), may also lend credence to the claim that he “knew” the disclosures could hurt the United States or aid its enemies.

Even if actual harm is required under the Espionage Act, whether the disclosures caused harm will be contentious at the very least. Under Rosen, the government can combine that contestable harm with inferences about knowledge and intent based on manipulable feelings and prejudices toward the individual disclosing the information. The Rosen defendants avoided prosecution because, as lobbyists with close political ties to powerful people, they could plausibly claim that they did not believe their actions harmed the United States. Assange has no such status. The government need only portray him as a cyberpunk hacker with a grudge against the United States who basks in the celebrity status brought by continuing disclosures. That portrayal can create an inference that Assange intentionally disclosed classified information he knew could harm the country. Many people have worked hard to create just such a portrait.

This is a common problem with indeterminate balancing tests as was true during World War I and in Dennis. Once a speaker (Assange/radicals/domestic communists) is portrayed as sufficiently monstrous, such tests easily allow judges or juries to overlook the improbability of the alleged harm (damage to national security/interference with the war/overthrow of the government) resulting from the otherwise protected speech (WikiLeak’s disclosures/criticism of the war/advocacy of communist doctrine).

C. Balancing and Journalists

Successful prosecution of Assange also arguably affects traditional news organizations since they also publish “closely held” national security information. Observers debate whether WikiLeaks qualifies as actual journalism, assuming that the Supreme Court’s decisions provide something akin to prosecutorial immunity for the press. But nothing in the Pentagon Papers decision suggested such de facto immunity; the concurring justices actually intimated that government officials could use the Espionage Act against the New York Times and Washington Post. We derive any argument regarding the traditional press’s prosecutorial immunity from assumptions about the way courts should interpret the Espionage Act given (1) the Court’s free speech jurisprudence in other areas, and (2) our basic understanding about the need for a free press.

Rosen, however, should cause us to rethink these assumptions. Rosen’s interpretation of the Espionage Act – which explicitly relied on the Pentagon Papers case and the older Supreme Court decisions discussed above – applies to any non-government publisher of classified information. Nothing prevents a prosecutor from pursuing a traditional news organization or its journalists under section 793(e). Furthermore, as with Assange, one can easily level an allegation of conspiracy against investigative journalists, whose bread and butter involve inducing leaks of information from confidential sources. Accordingly, a successful prosecution of Assange has significant, negative implications for traditional news organizations.

That said, traditional news organizations (especially well-established ones) are unlikely to see their journalists jailed as a result of disclosures of confidential information. The balancing test that works against Assange works in favor of traditional journalists in most circumstances. Prosecutorial pursuit of traditional journalists would cause howls of protest. Criminal punishment of journalists contradicts our long held notions of free press and informed citizenry and arguably portrays the government as weak and ineffectual. Assuming the government was inclined to prosecute, courts would...
likely want very strong evidence of actual “bad purpose,” as opposed to inferring it from the defendant’s character. Even if judges did not, it would be difficult to portray a traditional journalist as a radical outsider with a vendetta against the United States. In contrast, it is far easier to prosecute Assange, whom the public holds in relatively low esteem after others have portrayed him as a radical and from whom traditional news sources have kept their distance.\textsuperscript{50}

In the end, an indeterminate balancing test like \textit{Rosen}’s is likely to result in prosecution of journalists at the government’s whim. Thus, whether the WikiLeaks disclosures amount to journalism is irrelevant after \textit{Rosen}. Instead, the press should be concerned about the extent to which nontraditional journalists—especially online journalists unassociated with established news organizations—are at greater risk of prosecution simply because they are more easily portrayed as outliers. History suggests that \textit{Rosen}’s manipulable balancing test hurts nonconformists and those who can be portrayed as violating traditional social norms. Attempts to enforce conformity hurt not only the journalists who are prosecuted but also those who are not because they must make more cautious decisions in order to preserve their position as trustworthy stalwarts of the press. Either way, the press as an independent check on government suffers.

\textbf{Endnotes}

\footnotesize

\begin{itemize}
  \item Enoch H. Crowder Professor of Law, University of Missouri School of Law. This essay is a revised version of a response to Professor Mark Fenster’s article about WikiLeaks. Both originally appeared in the \textit{Iowa Law Review}.\textsuperscript{1}
  \item \textit{Fenster, supra note 1, at 765.}
  \item \textit{Other statutes may also apply, 18 U.S.C. § 641, which criminalizes knowing or willful theft of government property (including information); and 18 U.S.C. § 1030(a), which incorporates portions of the Espionage Act into statutes prohibiting accessing government computers. Bradley Manning has been charged with violating these statutes.}\textsuperscript{5}
  \item 403 U.S. 713 (1971).
  \item Id. at 714.
  \item Id. at 714-20 (Black, J., concurring).
  \item Id. at 726-27 (Brennan, J., concurring).
  \item Id. at 730 (Stewart, J., concurring).
  \item Id. at 737.
  \item Id. at 743 (Marshall, J., concurring); id. at 753 (Burger C.J., dissenting); id. at 759 (Blackmun J., dissenting).
  \item 844 F.2d 1087 (4th Cir. 1988).
  \item Id. at 1086-70.\textsuperscript{11}
  \item See, e.g., Geoffrey R. Stone, Top Secret 6-11 (2007).
  \item 445 F Supp. 2d 602 (E.D.Va. 2006). \textit{Rosen} was “the first reported prosecution by the U.S. government against private citizens for exchanging classified information in the course of concealed nespionage activities.” \textit{Heidi Kitrosser, Classified Information Leaks and Free Speech,} 2008 U. Ill. L. Rev. 881, 882 n.5.
  \item 445 F Supp. 2d at 607-08.
  \item Id. at 608.
  \item Id. at 633 (quoting \textit{Morison, 844 F.2d at 1082}; United States v. Robel, 389 U.S. 258, 264 (1967)).\textsuperscript{19}
  \item Id.\textsuperscript{20}
  \item Id.
  \item Id. at 639-40 (quoting \textit{Morison, 844 F.2d at 1084}). “Closely held” is not synonymous with classified information. The government might treat information as “classified” while nevertheless not securing it in a manner qualifying it as “closely held”—e.g., by leaking it on purpose. Courts or juries determine if information is closely held. Id. at 621, 639-40.\textsuperscript{21}
  \item \textit{See Motion to Dismiss Superseding Indictment, United States v. Rosen, Crim. No. 05CR225 (E.D.Va. May 1, 2009), available at http://www.fas.org/sgp/jud/aipac/dmisss.pdf.}
  \item Schenck v. United States, 249 U.S. 47 (1919); see alsoDefs v. United States, 249 U.S. 211 (1919); Frohwerk v. United States, 249 U.S. 204 (1919).
  \item Schenck, 249 U.S. at 51.
  \item \textit{See Motion to Dismiss Superseding Indictment, United States v. Rosen, Crim. No. 05CR225 (E.D.Va. May 1, 2009), available at http://www.fas.org/sgp/jud/aipac/dmisss.pdf.}
  \item \textit{See Dennis, 341 U.S. 510 (1951). Scholars and jurists view Dennis as the nadir the “clear and present” dangerous test. See Christina E. Wells, \textit{Fear and Loathing in Constitutional Decision-making,} 2005 Wiscon. L. Rev. 115, 119 n.16.}
  \item \textit{Dennis, 341 U.S. at 510 (In each case [courts] must ask whether the gravity of the “evil,” discounted by its improbability justifies such invasion of free speech as is necessary to avoid the danger.”).}\textsuperscript{34}
  \item Id. at 508-11.
  \item Yates v. United States, 354 U.S. 298, 303 (1957).
  \item \textit{Rosen referred to quotes in Schenck and Dennis and cited to numerous decisions thought to be superseded by later decisions in order to justify the balancing approach. Rosen, 445 F Supp. 2d at 631-32, 632 n.42.}
  \item Rosen, 445 F Supp. 2d at 639-40.
  \item Id. at 626.
  \item Fenster, \textit{supra note 1, at 788-95.}\textsuperscript{27}
  \item Id.\textsuperscript{30}
  \item Much, although not all, of the material in the WikiLeaks releases would be “closely held” as defined by \textit{Rosen. Id. at 763 & nn.42-43.}
  \item Fenster, \textit{supra note 1, at 791-92.}\textsuperscript{31}
  \item Id. at 774-78.
  \item Id. at 789-90.
  \item \textit{Yochai Benkler, A Free Irresponsible Press: WikiLeaks and the Battle Over the Soul of the Networked Fourth Estate,} 46 Harv. C.R.-C.L. L. Rev. 311, 331-33 (2011) (discussing effort to create a picture of Assange as a terrorist). Many observers disagree with such portrayals, see Fenster, \textit{supra note 1, at 768 n.69, but they nevertheless exist and can be manipulated.}\textsuperscript{41}
  \item \textit{See Wells, supra note 30, at 159-68 (discussing psychological influences on threat and risk perception).}\textsuperscript{42}
  \item \textit{See, e.g., Benkler, supra note 45, at 356-61.}\textsuperscript{43}
  \item Id. at 353-54.
  \item \textit{Timothy Zick, Falsely Shouting Fire in a Global Theater: Emerging Complexities of Transborder Expression,} 65 Vand. L. Rev. 125, 173 (2012).\textsuperscript{45}
  \item \textit{Fenster, supra note 1, at 799; Benkler, supra note 45, at 356, 358.}\textsuperscript{46}
\end{itemize}
Third-Year Student Lands Clerkship With Ninth Circuit

What started out as humble beginnings soon blossomed into a burgeoning legal career

by Jessica Coghill, 2L

Third-year student Michelle Wright grew up on a series of small farms in rural Missouri. Her parents, who were educators, instilled in her the value of hard work at an early age.

“When we weren’t at school, we were doing chores on the farm and when we finished with our chores, we would go help others out with their chores to earn some extra money,” Wright explains. “My parents always encouraged hard work because there’s not really room to be soft on the farm. Although we didn’t have a lot of stuff, we didn’t really need it. My parents made sure we had what we needed and had opportunities.”

Wright seized these opportunities. In high school, she joined Future Business Leaders of America and began competing in business competitions. She advanced all the way to the national competition, where she placed every year she competed. This is where she learned of her love for business law.

“I remember I used to study for these competitions months and months in advance and usually, by the time the competition rolled around, I would be tired of the subject,” she says. “With the subject of business law, I was still interested after the competition. I still felt there was so much more to learn and it was interesting.”

Wright’s love of business carried her to Mizzou, where she began pursuing a degree at the Robert J. Trulaske, Sr. College of Business as part of the Cornell Leadership Program.

“As an undergraduate, I started really looking into law school and came to the law school to talk to [Director of Admissions] Michelle Heck. Michelle told me about the six-year plan, where I could finish both my undergraduate degree and my JD in six years,” she says. “I was on track to finish undergrad in three years anyway so after some class arranging, it all worked out well. I still don’t actually have my undergraduate degree yet, which is kind of strange and confusing to explain to employers.”

As an undergraduate, Wright worked at the law firm of Oliver, Walker, Wilson in Columbia. After a successful 1L year, she began working at Armstrong Teasdale in St. Louis during the summer, but her post-graduate prospects will carry her far beyond the borders of Missouri.

Wright says her plan was always to stay in Missouri, but that’s not what the future had in store. After graduation in May, she will head to California to clerk for Judge Carlos Bea of the United States Court of Appeals for the Ninth Circuit.

Wright says that Prof. Erin Morrow Hawley was instrumental in helping her apply for this prestigious clerkship. “Prof. Hawley looked over my resume and even called some of her contacts who used to clerk for Judge Bea and set up times for me to talk with them about what their experiences [were] like,” she explains.

Wright credits her accomplishments to a work ethic that was learned from the hard days of work on the farm. “I remember digging a ditch one day until my hands bled – that’s hard work to me. I enjoy writing and researching and I’ve never really seen that as hard work.”

After her clerkship with Judge Bea, Wright plans to join the firm of Goodwin Proctor in Silicon Valley, Calif.
New Faces at the School of Law

ANNE GARDNER ALEXANDER, ’08,
joined the School of Law faculty in 2012 as an associate teaching professor of law. Previously she was a litigation associate at Jenner & Block in Chicago, where her cases included complex commercial arbitration, trade secrets litigation, insurance litigation, school law and family law matters. She also assisted with the examiner’s independent investigation of the Lehman Bankruptcy.

Before attending law school, Alexander worked in the field of education as both an elementary and preschool teacher. While teaching, she participated in grant-funded research groups facilitating student social action against injustice. She presented her research at the National Council of Teachers of English national meetings in 2002 and 2004 and at the Whole Language Umbrella national conference in 2004.

Alexander graduated from Indiana University, receiving a bachelor of arts in anthropology in 1996 and a master of science in elementary education in 2004. She graduated from the School of Law cum laude and Order of the Coif. While attending the law school, Alexander was the lead articles editor of the Missouri Law Review and a member of the Regional Moot Court Team. She also completed a Graduate Certificate in Educational Public Policy from MU.

KATHRYN A. BUSCH, ’07,
joined the Office of Career Development in December 2012. In addition to counseling students, she primarily focuses on broadening the law school’s network of small-firm employers. She is also responsible for the law school’s judicial clerkship program.

Before returning to the law school, Busch was an assistant prosecuting attorney in Warren County, Mo. She handled all levels of criminal cases, worked on various county government civil issues, and was actively involved in the treatment court programs in Warren County.

Busch received her undergraduate degree in political science from the University of Missouri in 2003. Prior to law school, she spent a legislative session working as the legislative director for the speaker pro tem of the Missouri House of Representatives.

Busch is married to Dan Busch and they have one son, Clayton (2).

CAROL D. NEWMAN is a visiting associate professor of law and will become an associate professor of law this fall. She is a professor in the practice of law at Emory University School of Law, where she also served as executive director of Emory’s Center for Transactional Law and Practice. In 2012 she co-chaired Emory Law’s Third Biennial Conference on the Teaching of Transactional Law and Skills, “Preparing the Transactional Lawyer: From Doctrine to Practice.”

Newman is a retired partner from Powell Goldstein LLP, where she served as the firm’s director of corporate/ transactional training and chair of its corporate training committee. While at Powell Goldstein, she developed transactional skills simulation programs and corporate training seminars for associates. In her practice, she focused on corporate finance, mergers and acquisitions, corporate compliance and general corporate and business law. Her mergers and acquisition practice included negotiated business acquisitions and financing for both public and privately owned companies in a variety of industries.

Newman serves on the Third Year Advisory Board at Washington and Lee University School of Law, where she teaches in the transactional skills immersion program. From 2009–2012 She served as co-chair of the Business Law Education Committee of the Business Law Section of the American Bar Association.

Before beginning her legal career, Newman earned a PhD at the University of North Carolina–Chapel Hill. Her undergraduate teaching experience includes three years at Bridgewater College and a year at Sweet Briar College. She also completed an administrative internship, sponsored by the Carnegie Corp., in academic administration for women in higher education at Skidmore College.

A past president of the Atlanta Chapter of the Association for Corporate Growth, Newman serves on the board of the Board of Directors Network in Atlanta and is a former board member of the Atlanta Women’s Foundation and The Women’s Finance Exchange in Atlanta.

In addition to a PhD, Newman holds a law degree from Duke University School of Law and a bachelor’s degree from Sweet Briar College.

JORDAN E. PARSHALL joined the Office of Admissions as coordinator of admissions and recruitment in January. She has a bachelor of arts degree in geography and a master’s of education degree in higher and continuing education, both from MU.

Parshall has experience working with students at Mizzou through multiple campus roles, especially with the Office of New Student Programs and other offices within Student Life. She is excited to now be a part of the School of Law.

Columbia is her hometown, so Parshall is happy to introduce Mizzou Law students to the town she loves.

J. JEFFREY TURNBULL serves as coordinator of financial aid for the School of Law, counseling students in the areas of financial aid and personal finance. In this role, he enjoys making life easier for law students from a financial perspective. Before joining the law school full time, he divided his time between the law school and the MU College of Veterinary Medicine.

Turnbull has 15 years of experience as a professional school financial aid administrator and a bachelor’s degree from Columbia College. He is from Monroe City, Mo., but after 23 years considers Columbia his hometown.
25 for 25 Challenge

THE SCHOOL OF LAW is known for its outstanding faculty, with nationally recognized scholars at every stage of their professional careers.

It’s also known for recruiting the best and brightest applicants to the school to train to become outstanding lawyers.

Unfortunately, the school’s financial resources for faculty and scholarships are substantially below the level that is common among its peer institutions. As a result, the law school’s ability to compete for the best faculty and students is severely limited. With limited state funding, the only avenue available to provide the increased funding that is so important and necessary for our faculty and students is our generous group of law school alumni. We sincerely ask our alumni to give generously so that we can continue to recruit the caliber of students for which we are known, and so that those students will continue to have the best teachers and advisors to guide their legal educations.

In order to help address the financial needs of the law school, we have developed the 25 for 25 Challenge, which offers an opportunity for 25 law firms, groups of law firms, corporations or individuals to support faculty and student scholarship resources. To become a member of this select group, a donor must make a financial commitment of at least $25,000 per year for four years, or a total pledge of $100,000. These contributions will be used for quality faculty retention and recruitment as well as student scholarships.

Don M. Downing, ’82, a partner in the St. Louis law firm of Gray, Ritter & Graham and a University of Missouri curator, is the driving force behind this program. Downing made a $100,000 cash gift in December 2012, becoming the first member of the 25 for 25 team. He is also the chair of the leadership committee that has been established to identify and recruit 24 additional supporters who will complete this goal. The 25 for 25 Challenge will only be available until the 25 donors make their pledges.

We hope you will consider participating to support the students and faculty who make this law school great. For information please contact Mark Langworthy, senior director of advancement, at 573-884-3083 or langworthym@missouri.edu.

Law Day Returns to the Spring, While the Fall Brings a New Law Alumni Tailgate Party

One of the great traditions at the School of Law is the annual Law Day celebration. Originally, Law Day was an annual springtime event. A few years ago, it was decided to move the event to the fall to coincide with a home football game. That worked very well for years, as alumni were able to come back to campus, visit with fellow alumni, faculty and students, enjoy festivities on Saturday morning, and head over to Faurot Field for the regular one o’clock kickoff.

However, the success of the football program in recent years plus the move to the Southeastern Conference means that most – if not all – of the Tigers’ football games will be televised. Kickoff times for televised games are almost always fluid up until a couple of weeks before the game. In recent years this has made organizing the multiple events of the Law Day Saturday very difficult, and it was decided that Law Day would return to its roots as a springtime event.

Because we’ve already had Law Day for this academic year, the next Law Day will not be until the spring of 2014. So that means that there will be no Law Day during the calendar year 2013, and classes that would have planned a reunion for this year – classes which ended in the numbers 3 or 8 – should plan reunions for the spring of 2014, along with the classes that already anticipated 2014 reunions (class years ending in 4 or 9).

But this doesn’t mean we don’t want to see you in the fall. We are hoping that you will come back to campus in the fall for a Law Alumni Tailgate Party, to kick off a new law school tradition. The date for the inaugural Tailgate Party is Sept. 7, 2013, at a time and location to be determined.

Look for more information about both Law Day and the Law Alumni Tailgate Party in the upcoming months.
The Timothy J. Heinsz Professorship Endowment

The Timothy J. Heinsz Professorship Endowment was an outstanding professor, dean and friend whom we lost way too soon in July 2004. His memory continues to inspire the faculty, staff and alumni who knew him.

Many are devoted to ensuring that Tim’s legacy has a permanent place at the School of Law and will inspire even those who never had the opportunity to meet him. In 2011, Roger Geary, ’83, led an effort to rename an existing fund, which was supported by he and his partners at Shook, Hardy and Bacon in Kansas City, for Tim with the purpose of establishing a professorship.

The fund contained nearly $250,000, but university guidelines required that it have $550,000 to be called a professorship. Roger worked with former Dean Larry Dessem and Dean Gary Myers on a wide-ranging effort to raise the additional sum necessary to endow the fund.

We are pleased to announce that in December 2012, the threshold amount was reached, and the Timothy J. Heinsz Professorship is in place. Thanks to Roger, the people at Shook, Hardy and Bacon, and all who contributed to help make this happen.

Does your firm have two or more School of Law alumni?

If so, take the Law Firm Challenge to encourage these alumni to give back to the School of Law

- No minimum amount for a gift to qualify
- Participating firms with a giving rate of 50 percent or more will receive special recognition in a future issue of Transcript
- Best of all, your participation will encourage alumni at other firms to give
- Last year two firms achieved a giving rate of 100 percent, while one reached 75 percent and another reached 50 percent. We challenge you to help us make this effort grow!

Firm Honors McCarter with Contribution

The St. Louis law firm of Behr, McCarter & Potter honored their own W. Dudley McCarter, ’75, with a generous contribution to the School of Law in his name. The proceeds will be used to offer scholarships to students who are the first in their family to attend law school.

On January 10, Dean Gary Myers visited the firm and accepted the check on behalf of the law school. Shown with Dean Myers are Tony Behr, McCarter, McCarter’s wife Beth and Steve Potter.

Please contact us to let us know that you will lead the challenge for your firm.

Mark Langworthy, ’90
Senior Director of Development
✆ 573-884-3083
✉ langworthym@missouri.edu
Citation of Merit
Douglas S. Lang, '72, received the Citation of Merit after being introduced by Mark A. Shank, '79. Lang has served as one of 13 justices on the Court of Appeals for the 5th District of Texas in Dallas since 2002.

Excellence in Research Award
Carl H. Esbeck is the R.B. Price Professor and Isabelle Wade & Paul C. Lyda Professor of Law at MU. He was selected for this honor based on his article “Uses and Abuses of Textualism and Originalism in Establishment Clause Interpretation,” published in the Utah Law Review.

Judge L.F. Cottey Advocacy Award
Brian J. Stair, a second-year law student from Chesterfield, Mo., received the Judge L.F. Cottey Advocacy Award. He graduated summa cum laude from Covenant College with a bachelor’s degree in history.

Husch Blackwell Distinguished Faculty Achievement Award
Dean Myers presented Frank O. Bowman III, Floyd R. Gibson Missouri Endowed Professor of Law, with the Husch Blackwell Distinguished Faculty Achievement Award, which was created to recognize a faculty member who has established a record of distinguished achievement in teaching.

Citation of Merit
M. Elizabeth Phillips, '97, was nominated by President Barack Obama in 2011 to the U.S. District Court for the Western District of Missouri, and was confirmed by the Senate in 2012. She was introduced for the Citation of Merit by Michelle Boehm O'Neal, '97.

Distinguished Recent Graduate Award
Matthew L. Dameron, '02, the 2012 Distinguished Recent Graduate Award recipient, was introduced by Bradford B. Lear, '01. Dameron is a partner with Stueve Siegel Hanson in Kansas City, Mo.

Loyd E. Roberts Memorial Prize in the Administration of Justice
The Loyd E. Roberts Memorial Prize in the Administration of Justice was presented to Prof. Mary M. Beck, '88, who joined the School of Law faculty in 1991 and serves as director of the law school’s Family Violence Clinic.

Order of the Coif Initiates from the Class of '12
Distinguished Non-Alumnus Award

The Distinguished Non-Alumnus Award was presented to Edward H. Hunvald Jr., who joined the faculty of the School of Law in 1957 and taught full-time for 42 years and part-time for an additional eight years. He was introduced by School of Law Assistant Dean Robert G. Bailey, ’79.

Order of the Coif

The 2012 honorary initiate into the Order of the Coif was David L. Forbes, ’74, who retired from AT&T as general attorney & associate general counsel with executive-level responsibilities in the labor and employment practice area in 2011. He was introduced by Roger M. Driskill, ’74.

Order of Barristers Initiates from the Class of ’12

Sabrina K. Bennett
Andrew W. Blackwell
Alexander J. Cornwell
Daniel W. Graves
F. Jacob Kohut
Rachel S. Meystedt
Jacqueline P. Oster
John D. Risvold
Chirag K. Shah
Jacqueline M. Whipple

LAW DAY 2014

Law Day is returning to its roots as a spring event. (See “Developments” on page 18.) This fall the law school will host a tailgate before the Mizzou vs. the University of Toledo game on Sept. 7. We hope you’ll join us!
Faculty in the News

School of Law faculty members are regularly called upon by news outlets around the state and the country to provide expert opinion on a variety of topics. Here is a sample:

Douglas E. Abrams
- Re: constitutional rights of a high school football player who was arrested and later exonerated  WFAN (New York)
- Re: diversity in youth sports  WFAN (New York)
- Re: the U.S. Department of Education’s directive about student-athletes with disabilities  WFAN (New York)
- Re: the legal authority of high school coaches to monitor their players’ activities on social media  WFAN (New York)
- Re: youth sports liability  ESPN
- “The Five Most Inspiring Youth Sports Stories of 2012”  St. Louis Post-Dispatch (op-ed)
- “Young Athletes Give the Gift of Inspiration”  New Hampshire Union Leader
- “Blaming the Victim: Florida A&M Argues Hazing Death Was Student’s Fault, Not School’s”  The Daily

Frank O. Bowman III
- “Against Attorney General Eric Holder, GOP is Fast and Furious”  ABC News

Dennis D. Crouch
- “Microsoft Versus Google Trial Raises Concerns Over Courtroom Secrecy”  Reuters

David M. English
- “Lawyers Giving Back”  (July 2012)  ABA Journal

Carl H. Esbeck
- “Back-Stabbed in Brooklyn”  Ami Magazine
- “Government Backs Down on Contraceptive Mandate”  Christianity Today
- “InterVarsity Wins Key Nondiscrimination Battle at Tufts”  Christianity Today
- “Obama Birth Control Mandates Loosen Lawsuits”  Associated Press

Joshua D. Hawley
- “Re: the U.S. Supreme Court’s healthcare ruling”  MSNBC

Thomas A. Lambert
- “The Time Bomb in Obamacare?”  The Washington Post

S.I. Strong
- “Is Growth of Foreign Class, Normal’ as Schools Adjust to Job-Market Changes?”  The Legal Intelligencer
- “Law School Marketing Violates Legal Ethics”  The Wall Street Journal
- “Reducing the Discount Rate”  The Environmental Forum

Rodney J. Uphoff
- “Mo. Lawyer Accused of Forgery in Father’s Death”  Associated Press
- “Oscar Pistorius: Will He Be Granted Bail?”  USA Today
- “Re: conditions of bail for defendant Oscar Pistorius”  CNN

Larry Dessem chaired an American Bar Association/Association of American Law Schools site inspection team that visited the William S. Boyd School of Law at the University of Nevada, Las Vegas last fall. This spring, Dessem taught in the study abroad program in London that the law school co-sponsors as part of the London Law Consortium. He chairs the 2014 Nominating Committee for Officers and Executive Committee Members of the Association of American Law Schools, and his article, “Stepping Aside as Dean,” will appear in the Leadership in Legal Education Symposium XII in the University of Toledo Law Review.

Martha Dragich received an LLM in agricultural and food law from the University of Arkansas in December 2012. During the spring semester, she offered a Food Law & Policy course for the first time. She is active on several campus and community groups relating to local food systems and sustainable agriculture. An article on Dragich’s interest in food and cooking, “Living Season to Season and Learning to Love It,” appeared in the April 12, 2012, issue of the Columbia Tribune. Dragich also is a member of the University of Missouri System’s Culture of Health Committee, which advises the system-level administration on the creation of a healthier workplace. Dragich’s most recent publication is “Back to the Drawing Board: Re-Examining Accepted Premises of Regional Circuit Structure,” in 12 Journal of Appellate Practice & Process 201-253 (2011).
Center for the Study of Dispute Resolution Symposium

Overcoming Barriers in Preparing Law Students for Real-World Practice

October 19, 2012

There is a growing consensus that American law schools need to do a better job of preparing law students to practice law. Teaching students to “think like a lawyer” is still important, but it is not enough for students to be able to act like a lawyer soon after they graduate.

Training lawyers is especially difficult because lawyers work on many types of problems, both when handling disputes and negotiating transactions. Some legal disputes are resolved at trial or on appeal, but most are resolved through other processes in the shadow of the law. Although legal education has evolved in recent decades, the legacy of the Langdellian system makes it hard to combine instruction in legal doctrine, practical skills and clinical experience.

Recognizing the general problems of legal education is fairly easy. Solving them can be quite hard. Law schools serve many constituencies that have demanding and diverse interests. Needed time and money are scarce and there is no one-size-fits-all solution.

In October, the Center for the Study of Dispute Resolution symposium gathered scholars, practitioners and judges to analyze the needs of stakeholders of legal education and discuss how law schools can most effectively satisfy those needs.

Keynote Address
Training the Heads, Hands and Hearts of Tomorrow’s Lawyers
given by Lisa Kloppenberg
Professor of Law
University of Dayton School of Law

What Law Firms and Clients Need from Lawyers
Moderated by: Prof. Melody Richardson
Daily, ’86

Clark D. Cunningham
Georgia State University
College of Law

Hon. Solomon Oliver Jr.
U.S. District Court, Northern District of Ohio

John R. Phillips, ’71
Husch Blackwell LLP
American Bar Association
Section of Dispute Resolution

Assessing Reforms in Legal Education: What Has and Hasn’t Worked Well
Moderated by: Prof. S. David Mitchell

Judith Welch Wegner
University of North Carolina School of Law

David M. Moss
University of Connecticut Neag School of Education

Barbara Glesner Fines
University of Missouri-Kansas City School of Law
An Increasingly Competitive Market

Each year, our admissions team – which is significantly smaller than most of our peers – hits the road to recruit an outstanding incoming class for the School of Law. They attend law school forums and graduate fairs around the country, mail view books to prospective applicants and put faculty members in touch with prospective students based on interest area. With the help of a group of enthusiastic student ambassadors, they field many, many phone calls and e-mails and give tours of Hulston Hall to prospective students.

Their efforts are mentioned repeatedly by students who choose to come here and by those who do not. Without question, this is one thing we are doing right.

What the admissions team cannot overcome is the lack of scholarship money to get some students to Columbia to attend the School of Law. In an increasingly competitive market, our scholarship offerings are well below our peers – even below schools who are not perceived as wealthy and who do not boast big endowments. Although our tuition is affordable in the law school market and there is no question we offer an outstanding, well-rounded education that will allow a student to pursue a legal career anywhere, students are swayed by scholarship money.

The shocking tale from this admissions cycle is that a competitor school offered to double scholarship aid to anyone receiving a scholarship from the University of Missouri School of Law. That is the reality in which we operate now. While we know that throwing money arbitrarily at admitted students is not the best use of our limited funds, we do need to be able to secure students who have strong academic credentials and diverse backgrounds to enhance our community in Hulston Hall, most importantly, but also to enhance our reputation, which results in our students having an advantage when it comes time to apply for jobs.

We hope you will consider supporting a scholarship fund at the law school to help us remain competitive in the arena of student recruitment. If you need some guidance about what scholarship funds might best match your personal interests or goals, please contact Michelle Heck, our director of admissions.

If you are unable to support a scholarship fund financially at this time, there are other ways to help. Admissions is always looking for alumni to contact prospective students and participate in admitted student events.

We thank those of you who have helped recruit the Class of 2015 – it is a good one!
Career “Boot Camp” for First-Year Law Students

FOR LAW STUDENTS, THE SAYING “it’s never too soon to start your job search” is almost, but not quite, correct. The American Bar Association and National Association for Legal Career Professionals have rules that prevent the Career Development Office from talking to 1Ls about their job hunt until after November 1 of their first semester, to give the students some time to adjust to the rigors of law school without the additional concerns of where they will work the next summer.

Last November, in order to celebrate the passing of November 1 and encourage our first-year law students to start thinking about their legal careers as soon as possible, the Career Development Office organized a Career Boot Camp for first-year law students.

The boot camp involved a full day of informative presentations designed to introduce first-year law students to many of the necessary aspects of legal professionalism, such as how-to guides for legal resumes and cover letters, appropriate attire, networking do’s and don’ts, courteous communication, financial planning for their legal careers, and mock informational interviews.

The highlight of the boot camp was the opportunity to attend three lively panel presentations in which various practitioners spoke wisely and candidly about the pros and cons of different types of legal practice: litigation vs. transactional, large firm vs. small firm, and public service vs. government vs. private practice. Following the panel presentations, The Missouri Bar Young Lawyers Section and the School of Law co-hosted a networking reception in the Law Library for the attorney presenters and other local attorneys, which gave the first-year law students an opportunity to try out their newly-acquired networking skills.

Following the boot camp, the 1L class has approached the job search process with savvy, preparation and enthusiasm.

The Career Development Office greatly appreciates the assistance of the Young Lawyers Section of The Missouri Bar and our numerous panel presenters: Laura Bailey Brown, ’10; J. Ryan Boatright, ’10; Garrett S. Taylor, ’02; Greta M. Bassett-Seymour, ’01; Thomas R.B. Ellis, ’07; Thomas L. Azar, ’04; Julia M. Harrgraves, ’09; Daniel H. Lyskowskij, ’11; Katie Jo Wheeler, ’11; Kathleen Henry; Michael Byrne and Brook Spear.

To learn more or to volunteer for next year’s Career Boot Camp for 1Ls, please contact the Career Development Office at 573-882-7386 or mulawcareers@missouri.edu.

2013 Winter Judicial Internship Program

NEARLY 40 FIRST-YEAR STUDENTS were able to gain practical and valuable legal experience following their first semester of law school by interning with judges across Missouri and beyond. Thirty-two judges agreed to host student interns over winter break, and the responses were overwhelmingly positive. The students’ experiences included research and writing projects; observing murder trials, bench and jury trials, juvenile proceedings, motion hearings and pre-trial proceedings; drafting bench orders; reviewing case files; and visiting with local court officials.

The internship has been an amazing learning experience! I worked for Judge Bates [Jeffrey W. Bates, ’84] at the Missouri Court of Appeals for the Southern District. The first day, Judge Bates and his clerk, Mary Ellen, assigned me to a case. I worked on researching the merits of both the appellant and respondent’s cases and then wrote a memo on the case and discussed with Judge Bates which argument seemed to be the correct way to go. I also was able to discuss the case with a couple of the other judges from the court. There weren’t any oral arguments while I was there but the process of seeing how the Court of Appeals decides much about a case based on briefs and legal files before oral arguments ever occurs was interesting. I would highly recommend an internship with Judge Bates to anyone interested.

— 1L Antonio Stanfield Jr.
Clinic Students Publish in Academic Journals

THREE THIRD-YEAR STUDENTS in Prof. Mary Beck’s 2012 Advocacy, Family Violence and Public Policy Seminar have accepted offers for publication of their seminar papers.

Sarah C. Ayres accepted the offer of the Cardozo Journal of Law and Gender to publish “Expanding Rape Shield Laws: Breaking Through Prejudice for Better Protection of Battered Women.”

Tyler S. Barnett accepted the offer of the BYU Education and Law Journal to publish “Pulling Back the Curtains: Undetected Child Abuse and the Need for Increased Regulation of Home Schools in Missouri.”

Amanda K. Rhodes accepted the offer of the Tennessee Journal of Race, Gender, and Social Justice to publish “Strengthening the Guard: The Use of GPS Surveillance to Enforce Domestic Violence Protection Orders.”

Students Assist in Filing Brief with U.S. Supreme Court

THIRD-YEAR LAW STUDENTS Ashley Cross, Diamond Scott, Anthony J. Cross and Greg M. Goodwin provided research assistance to Family Violence Clinic Director Mary Beck and Arizona attorney Jay McCarthy in co-writing an amicus curiae brief urging the Supreme Court of the United States to accept certiorari on behalf of the American Academy of Adoption Attorneys for Adoptive Couple v. Baby Girl. The Supreme Court did accept certiorari in this case, as was widely reported in The New York Times, CNN and other national news outlets.

Cross and Scott are again assisting Beck and McCarthy in writing the corresponding brief on the merits on behalf of the American Academy of Adoption Attorneys. Beck took two students with her to the court to hear oral argument in this case and Michelle R. Mangrum, ’86, who practices with Shook, Hardy & Bacon in Washington, D.C., agreed to house the trio.

Guardianship Pairs Law Students with Social Workers

FAMILY VIOLENCE CLINIC STUDENTS Anthony J. Cross, 3L; Joseph P. Fischer, 3L; E.J. Sansone, 3L; and Sarah E. Felts, ’12, completed a unique guardianship involving parties in multiple states for two children. This guardianship is part of a cooperative effort between University of Missouri Health Care social workers and the Family Violence Clinic to provide permanency for children whose parents are diagnosed with terminal illnesses.
Drive for Gifts
At the annual meeting on April 1959 the Law School Alumni Association voted to raise $16,000 to provide some of the equipment for the new wing on Tate Hall which could not be purchased from the state appropriation. Specific needs are a book-lift elevator costing $11,000 and furnishings for a conference room at a cost of $5,000. Receipts by March 15 amounted to about $6,000 including two gifts of $1,000 each, one from Stanley Ginn ’34 of Columbia and one from Erwin C. Ochsner ’23 of Amarillo, Texas. Several $100 gifts have been received. Gerald B. Rowan of Kansas City, President of the Law School Alumni Association, said the drive will continue and alumni and friends of the Law School are requested to send gifts to the Law School Alumni Office in Tate Hall or hand it to your class agent who has contacted you.

Extending WestlawNext for the Attorney General’s Office

by Research Librarian John Dethman

October 5th was an absolutely perfect Missouri fall day. It was a wonderful day for a late morning drive south on US Highway 63 to Jefferson City enjoying the explosion of colors. Cindy Shearrer and John Dethman, reference librarians, took that road to meet with attorneys of the Missouri Attorney General’s Office for a CLE on WestlawNext and resources of the MU Law Library.

The location was in a well-appointed teaching facility in the “rabbit-run” basement of the Supreme Court building. In addition to the usual computer and AV equipment, it had telepresence capability that allowed AG attorneys in St. Louis, Kansas City and Springfield to attend the class. On hand were IT experts to get it all up and running.

After Dethman led introductions and set the stage, Shearrer took the first act to go over the changes and enhancements from Westlaw Classic to WestlawNext. She began the process of discovering where the AG attorneys were in this changeover. Many had at least sampled WestlawNext.

WestlawNext is now a Google type search. You search everything through a search box at the top of the screen – the Google-box. Then you filter the results in various categories: cases, statutes, secondary sources, etc. Additionally, there are new research saving tools called folders that allow you to save your research results and access them at a later time at no additional charge.

The second act was Dethman’s. It was his task to show them how WestlawNext could be used as they had for years used Westlaw Classic. While not exactly the same, Boolean/terms and connectors are available in the Google-box. You can choose to not search everything. In Westlaw Classic you couldn’t do that and were required to choose which databases to search. These choices are still available in WestlawNext and naturally reduce the results you must filter.

Additionally, there is an “advance search” function that allows you to use full Boolean searches just as you had in Westlaw Classic.

While scheduled for an hour, they went about 10 minutes over. There were no complaints.

The law school’s librarians area available for research-oriented CLE programs. Contact Cindy Shearrer at shearrerc@missouri.edu for more information.
Patty H. Epps Award
Laura J. Coleman is the recipient of the 2012 Patty H. Epps Award, which is presented to a non-exempt staff member who honors the memory of Patty H. Epps with exceptional public service, cheerfulness and indomitable spirit and dedication to the School of Law. Faculty and staff vote by private ballot each year and the award recipient is kept secret until the official announcement.

Coleman began her career at the law school as a temporary employee in the fall of 1999 in the Center for the Study of Dispute Resolution. She has remained in the center, first working mainly with the LLM program. Now her position encompasses assisting the Mediation Training Program as well as Campus Mediation and the annual CSDR symposium, among other duties. One of her favorite pastimes is spending time with her two college-age children and husband.

Law Staff Recognized for Excellence

JoAnn Humphreys Law Library Employee Performance Award
Tamara Guilford-Davis is the recipient of the 2012 JoAnn Humphreys Law Library Employee Performance Award, which is presented to a staff member of the library who honors the memory of JoAnn Humphreys. The awardee is determined based on outstanding contributions to the law school community that enhance the quality of law school life and purpose through support of its core teaching, research and service activities. Nominations are submitted by faculty and staff and the awardee is selected by the Law Library management team. The award recipient is kept secret until the official announcement.

Guilford-Davis joined the university in 1985 at the circulation desk at Ellis Library. She moved to the law school in 2000. She is a team leader for 12-16 student employees for the library’s circulation desk, training them to carry out the area’s responsibilities to the building and the law school community, and oversees the law school’s collection of legally-focused movies. She says one of her favorite parts of her job is working with law students, whom she describes as organized, ethical and emotionally intelligent.

Registrar Recognized with Vanguard Prize
The law school’s registrar, Denise Boessen, was recognized by the National Network of Law School Officers (NNLSO) with the 2013 Vanguard Prize. This award recognizes individuals for outstanding professional achievement in support of student services. The recipient is selected by the NNLSO executive committee using nominations made by deans of member schools.

Boessen has served as the law school’s registrar for more than 15 years. She is a long-term member of NNLSO who has served as regional representative and as a member of the board.

Wilson Appointed to Supreme Court of Missouri
Paul C. Wilson, ’92, was appointed to the Supreme Court of Missouri by Gov. Jeremiah W. “Jay” Nixon, ’81. The court celebrated his formal investiture on April 22 in Jefferson City.

Wilson, a Jefferson City native, received an undergraduate degree from Drury College in Springfield, Mo., and his law degree cum laude from the School of Law. He clerked at the Supreme Court of Missouri and the U.S. Court of Appeals for the Sixth Circuit before becoming an associate at the New York law firm of Sullivan & Cromwell. He returned to Missouri in 1996 to work in the attorney general’s office, culminating there as deputy chief of staff for litigation. He then served as senior counsel for budget and finance and then director of the Transform Missouri Project. In 2010, he served as a circuit judge in Cole County, Mo. He was a member of Van Matre, Harrison, Hollis, Taylor and Bacon PC when Gov. Nixon appointed him to the Supreme Court last December.

Wilson joins Judges Patricia A. Breckenridge, ’78, and Judge Mary L. Rhodes Russell, ’83, as law school alumni on the state’s highest court.
Former Supreme Court Judge John C. Holstein, ’70, presents a plaque to Hamra, commemorating the building renaming. Looking on is Missouri Attorney General Christopher A. Koster, ’91, and the event’s emcee, H. Dee Wampler III, ’65.

**50s**

**Thomas G. Strong, ’55**, recently published *Strong Advocate: The Life of a Trial Lawyer*. This book details the more than five years Strong spent working for the State of Missouri to obtain a just outcome in litigation against “the wicked cancer stick manufacturers.”

Before his retirement, Strong was a partner with Strong, Garner, & Bauer in Springfield, Mo., practicing personal injury and product liability law.

**60s**

**Maurice B. Graham, ’62**, was named a member of the Lawyers Committee for the National Center for State Courts (NCSC). The NCSC is a nonprofit organization charged with improving judicial administration in the United States and around the world by providing leadership and service to state courts.

Graham is the president of the St. Louis plaintiff litigation law firm Gray, Ritter, & Graham.

**Harold L. Lowenstein, ’65**, was presented with a 2012 Faculty-Alumni Award by the Mizzou Alumni Association. This award honors faculty and alumni who, through their successes, have brought honor upon themselves and the University of Missouri. Lowenstein is of counsel at Armstrong Teasdale in Kansas City, Mo.

**Stephen F. Hanlon, ’66**, teaches a practicum on structural challenges to indigent defense systems at Georgetown Law Center. The practicum focuses on working with firms who undertake this kind of institutional reform litigation, specifically on case refusal by overworked public defender organizations. Previously, Hanlon was a partner with Holland & Knight in Washington, D.C., for 23 years.

Sam F. Hamra, ’59, was recognized by Legal Services of Southern Missouri with the renaming of its building to The Sam F. Hamra Center for Justice.

Hamra helped form the Legal Aid Association of Greene County (Mo.), now known as Legal Services of Southern Missouri, and he served as its first chairman of the board in 1976. His lifetime of helping others in need, and his concern that low income citizens’ legal needs would otherwise remain unmet, led to Hamra’s decision to found LSSM.

Hamra has been a business owner and practicing attorney for more than 50 years in the Ozarks region of Missouri. He is chairman of Hamra Enterprises in Springfield, Mo.

**70s**

**Kerry D. Douglas, ’70**, retired from Douglas, Haun, and Heidmann law firm in Bolivar, Mo. Douglas is a third-generation partner in the firm, joining the office in 1972.

**John R. Phillips, ’71**, was appointed to serve as chair for the American Bar Association’s Section of Dispute Resolution for 2012-2013. He was also recognized by the National Academy of Distinguished Neutrals for excellence in the field of dispute resolution. This organization’s membership “consists of ADR professionals distinguished by their hands-on experience in the field of civil and commercial conflict resolution, and by their commitment to the practice of alternative dispute resolution.”

Phillips is a partner with Husch Blackwell in Kansas City, Mo., where he leads the firm’s alternative dispute resolution practice, which focuses on arbitration advocacy, mediation advocacy, development of dispute resolution programs incorporating mediation and arbitration, and neutral arbitration/mediation.

**Keith A. Birkes, ’73**, retired after 27 years of serving The Missouri Bar as the executive director. Birkes is also a fellow of the Missouri Bar Foundation and a sustaining member of the University of Missouri’s Jefferson Club.

In honor of Birkes and his dedication to The Missouri Bar, he and the Missouri Bar Foundation founded the Keith A. Birkes Fund for Justice Education to support efforts by Missouri lawyers to educate Missouri about their justice system and to support programs and projects ensuring that Missouri’s citizens of all ages and backgrounds understand the judicial branch and the vital role that it plays in our democracy.

**Mark I. Bronson, ’73**, was honored by the Public Justice Foundation, a public-interest legal group based in Washington, D.C., for his work on a landmark lawsuit against the Doe Run lead-smelter operation in Herculaneum, Mo. His team won the case, which resulted in the largest jury verdict in Missouri history. Bronson is a partner at Newman Bronson & Walilis in St. Louis, where he focuses his practice in the areas of car and motorcycle accidents, medical malpractice, serious personal injuries and wrongful death.

**Joseph P. Rice, ’73**, is a member of The Missouri Bar’s Executive Committee for 2012-2013, serving as one of the representatives for the three districts of the Missouri Court of Appeals. Rice is a partner with Rice, Spaketh, Summers, Heisserer in Cape Girardeau, Mo., where he concentrates his practice in the areas of workers compensation, trial practice and personal injury law.

**Jodie Capshaw Asel, ’75**, was elected to serve as presiding judge of the 13th Judicial Circuit Court in Boone County, Mo. Asel began her career as an assistant prosecuting attorney in Boone County before being appointed to the court in 1991. In 2006, she was elected circuit judge of Division IV.

**W. Dudley McCarter, ’75**, was presented with the Alumni Achievement Award from Knox College in Galesburg, Ill. He is a partner at the firm of Behr, McCarter & Potter in Clayton, Mo. He has served as president of The Missouri Bar, chair of the Children’s Trust Fund of Missouri and as a member of the Parkway School Board, and is a past recipient of The Purcell Professionalism Award and the Oliver Rasch Award from The Missouri Bar.

**Raymond C. Conrad Jr., ’68**, was appointed as the federal public defender for the Western District of Missouri. This is his ninth four-year appointment by the United States Court of Appeals for the Eighth Circuit.

The oath required for Conrad’s appointment was administered by the Hon. Robert E. Larsen, Chief U.S. Magistrate for the U.S. District Court for the Western District of Missouri, as Conrad’s family looked on.

**O. Strong Gales, ’72**, was appointed to serve as the National Conference of State Legislatures (NCSL) legal director for the 1972 session of the Missouri legislature. He currently serves as the dean of the Missouri Bar School of Law at the University of Missouri-Columbia.

**A. Constance Conkle, ’73**, was appointed to serve as the Missouri State Library’s acting director. Conkle began her career as a trainee in 1966.

**Susan L. Heidmann, ’73**, was appointed as the third-generation partner in the law firm of Strong, Garner, & Bauer in Bolivar, Mo.和Heidmann law firm in Bolivar, Mo. Douglas is a third-generation partner in the firm, joining the office in 1972.
Bill L. Thompson, ’75, has been chosen by the Supreme Court of Missouri as clerk of the court. Thompson began working for the Supreme Court in 1978 as a staff attorney. He became staff counsel in 1979 and was named court counsel in 1997.

Donald K. Anderson Jr., ’76, has been selected to receive the Directors Community Leadership Award from the FBI Office of Public Affairs. Anderson practices with Becker, Dufour, & Yarbrough in St. Louis.

Thomas M. Blumenthal, ’76, was recognized by the National Academy of Distinguished Neutrals for excellence in the field of dispute resolution. This organization’s membership “consists of ADR professionals distinguished by their hands-on experience in the field of civil and commercial conflict resolution, and by their commitment to the practice of alternative dispute resolution.”

Suzanne R. Gladney, ’76, was nominated for Kansas City Public TV’s Change Makers competition. The competition celebrates Kansas City women whose pioneering contributions continue to shape the world in which we live. For more than 30 years, Gladney has worked with undocumented individuals in the Kansas City region and developed a medical/legal clinic in Lexington, Mo., for migrant workers and their families.

Ann K. Covington, ’77, was nominated to fill the remaining vacancy on the University of Missouri Board of Curators. Covington served on the Court of Appeals for the Western District of Missouri before being named as the first woman to sit on the Supreme Court of Missouri. She retired from the high court in 2001 and joined Bryan Cave in Jefferson City, Mo., in 2010.

Gary W. Lynch, ’77, was elected president of the Council of Chief Judges of the State Courts of Appeals and will serve a one-year term. He is a judge for the Missouri Court of Appeals for the Southern District.

Patrick B. Starke, ’78, was elected president of The Missouri Bar for 2012-2013. Starke has practiced law for 31 years with Starke Law Offices in Blue Springs, Mo., representing clients in general legal matters with an emphasis on criminal, civil and trial work.

Edward N. Peters, ’82, was appointed as one of only two American lay advisors to the Synod of Bishops that met at the Vatican during October 2012. Peters has been active as a defense expert in numerous legal actions filed against the Holy See and contributed to an award-winning amicus brief filed by experts in religious law before the Supreme Court of the United States in the Hosanna-Tabor case. Peters holds a doctorate in canon law from the Catholic University of America.

Mark W. Stahlhuth, ’82, returned to private practice at Armstrong Teasdale in Jefferson City, Mo., following 27 years of service to the Missouri Department of Insurance, Financial Institutions & Professional Registration.

John Warshawsky, ’82, received the U.S. Attorney General’s Award for Distinguished Service for his work as one of the federal negotiators whose work produced a landmark $25 billion settlement among the five largest servicers of residential mortgages, 49 of 50 states, the District of Columbia and the United States. The settlement resolved federal and state claims against the servicers, established industry standards for mortgage servicing, and provided broad forms of relief for consumers and members of the military.

Warshawsky is a trial attorney with the civil fraud section of the U.S. Department of Justice in Washington D.C., where he specializes in financial aid procurement fraud matters.

Michael A. Clithero, ’83, is a partner with Lathrop and Gage in St. Louis. He concentrates his practice on business litigation, banking and finance, construction, manufacturing and retail, with nearly 30 years of litigation experience. Previously, he was a partner with Husch Blackwell.

Mary L. Rhodes Russell, ’83, is the recipient of the Spirit of Martha Award from the Griffiths Society at the University of Missouri. The Spirit of Martha Award honors a Mizzou alumna or faculty member who has distinguished herself in her chosen field as well as exemplified the spirit of leadership, particularly in the furtherance of women. Russell serves on the Supreme Court of Missouri.

William M. Corrigan Jr., ’85, has received the Special Old Newsboys Day Recognition Award from the Suburban Journals of Greater St. Louis. The award honors Corrigan’s leadership in the Old Newsboys Day 2012 campaign and work advocating the program’s mission throughout the community. Old Newsboys is spearheaded by the Suburban Journals, and it is a charitable effort that serves hundreds of area children’s charities via fundraising. Corrigan is a partner at Armstrong Teasdale in St. Louis.

Kimberly Jade Norwood, ’85, completed her first marathon as a participant in the Chicago Marathon. She is a professor of law and a professor of African and African American studies at Washington University in St. Louis.


Susan Ford Robertson, ’86, was appointed by Kansas City Mayor Sly James to the board of directors of the Streetcar Authority, which will oversee the $100 million dollar project that will bring streetcars to downtown Kansas City, Mo. She practices with the Robertson Law Group in Kansas City, where she serves as appellate counsel assisting trial counsel across the nation in all phases of litigation in complex civil cases and handling all aspects of appeals in state and federal courts.
Robert T. Ebert Jr., ’87, was appointed deputy leader of the Commercial Litigation Client Service Group at the Bryan Cave in St. Louis.

Meryl L. Lange, ’87, was appointed associate circuit judge for Cass County, Mo., by Gov. Jeremiah W. “Jay” Nixon, ’81. Lange is a partner with Crouch, Spangler, and Douglas in Harrisonville and has been with the firm since 1990.

John T. “Jack” Walsh, ’87, is a partner with SmithAmundsen in St. Louis. He concentrates his practice on commercial litigation, specifically resolving financial and business disputes between individuals and businesses.

Lucas R. Boling, ’88, is membership services director of The Missouri Bar in Jefferson City, Mo. He has worked for The Missouri Bar since 2007, serving as an attorney for The Missouri Bar CLE Program.

Greggory D. Groves, ’88, is senior vice president and general counsel for John Q. Hammons Hotels & Resorts in Springfield, Mo. He is responsible for real estate and financing transactions, operational compliance, contractual development, human resources and oversight of claims and litigation involving the company’s management of 78 hotels in 24 states. Previously Groves practiced with Lowell Johnson Attorneys at Law in Springfield, where he served as managing member.

George B. Crowell, ’90, practices with the Law Firm of A.W. Smith in Columbia. He concentrates his practice on representing people in serious personal injury and wrongful death cases. Crowell has served as an elected Missouri prosecuting attorney, special prosecuting attorney for several Missouri counties and as deputy district attorney for the state of Colorado.

Patrick J. Kenny, ’90, was selected by the Lex Mundi board of directors to serve as chair of its insurance and reinsurance committee. Lex Mundi is a global network of 160 independent law firms operating in more than 100 countries. Kenny is a partner with Armstrong Teasdale in St. Louis and is a member of the firm’s Litigation Practice Group and co-chair of the firm’s Pro Bono Committee.

Robert M. Thompson, ’90, was named a member of the executive committee of Bryan Cave in Kansas City, Mo. He practices in the Commercial Litigation Client Service Group, representing debtors, creditors, creditors committees and other interested parties in bankruptcy proceedings locally and across the country.

Jennifer K. Huckfeldt, ’91, was appointed to the Board of Law Examiners for a nine-year term, one of six members appointed by the Supreme Court of Missouri who make up the board. Huckfeldt is a shareholder of the firm Carnahan, Evans, Cantwell, & Brown in Springfield, Mo.

Michael W. Atchison, ’93, recently published the novel XL, which has been described as part prolonged existential crisis, part rock and roll fantasy. Atchison’s previous book, True Sons, A Century of Missouri Tigers Basketball, was published in 2006.

Kevin L. Fritz, ’93, was elected to the 2012-2013 board of directors of USLAW Network, a defense-based international organization composed of 108 independent law firms and more than 6,000 attorneys. Fritz practices with Lashly & Baer in St. Louis, where he serves as a trial attorney in both state in federal courts, focusing in the areas of civil litigation, insurance defense and coverage, premises liability, product liability, vehicular negligence and personal injury work.

Art Hinshaw, ’93, LLM ’00, co-wrote an article, “Gender and Attorney Negotiator Ethics,” in 39 Washington University Journal of Law and Policy 145 (2012), that was published on forbes.com. This article builds on Hinshaw’s prior study of attorney negotiation ethics.

Hinshaw is the director of the Lodestar Dispute Resolution Program and a clinical professor of law at Arizona State University’s Sandra Day O’Connor College of Law.

Eric A. Farris, ’94, was named the managing member of the Farris Law Group in Branson, Mo.

Russell N. James III, ’94, was awarded the Chancellor’s Council Distinguished Teaching and Research Award at Texas Tech University in Lubbock. He is an associate professor in the Department of Personal Financial Planning at the university, where he also serves as the Director of Graduate Studies in Charitable Planning. He is an internationally known expert, focusing his research on uncovering practical and neurocognitive methods to encourage generosity and satisfaction in financial decision-making.

Robert T. Ebert Jr., ’87, was appointed deputy leader of the Commercial Litigation Client Service Group at the Bryan Cave in St. Louis.

Meryl L. Lange, ’87, was appointed associate circuit judge for Cass County, Mo., by Gov. Jeremiah W. “Jay” Nixon, ’81. Lange is a partner with Crouch, Spangler, and Douglas in Harrisonville and has been with the firm since 1990.

John T. “Jack” Walsh, ’87, is a partner with SmithAmundsen in St. Louis. He concentrates his practice on commercial litigation, specifically resolving financial and business disputes between individuals and businesses.

Lucas R. Boling, ’88, is membership services director of The Missouri Bar in Jefferson City, Mo. He has worked for The Missouri Bar since 2007, serving as an attorney for The Missouri Bar CLE Program.

Greggory D. Groves, ’88, is senior vice president and general counsel for John Q. Hammons Hotels & Resorts in Springfield, Mo. He is responsible for real estate and financing transactions, operational compliance, contractual development, human resources and oversight of claims and litigation involving the company’s management of 78 hotels in 24 states. Previously Groves practiced with Lowell Johnson Attorneys at Law in Springfield, where he served as managing member.

George B. Crowell, ’90, practices with the Law Firm of A.W. Smith in Columbia. He concentrates his practice on representing people in serious personal injury and wrongful death cases. Crowell has served as an elected Missouri prosecuting attorney, special prosecuting attorney for several Missouri counties and as deputy district attorney for the state of Colorado.

Patrick J. Kenny, ’90, was selected by the Lex Mundi board of directors to serve as chair of its insurance and reinsurance committee. Lex Mundi is a global network of 160 independent law firms operating in more than 100 countries. Kenny is a partner with Armstrong Teasdale in St. Louis and is a member of the firm’s Litigation Practice Group and co-chair of the firm’s Pro Bono Committee.

Robert M. Thompson, ’90, was named a member of the executive committee of Bryan Cave in Kansas City, Mo. He practices in the Commercial Litigation Client Service Group, representing debtors, creditors, creditors committees and other interested parties in bankruptcy proceedings locally and across the country.

Jennifer K. Huckfeldt, ’91, was appointed to the Board of Law Examiners for a nine-year term, one of six members appointed by the Supreme Court of Missouri who make up the board. Huckfeldt is a shareholder of the firm Carnahan, Evans, Cantwell, & Brown in Springfield, Mo.

Michael W. Atchison, ’93, recently published the novel XL, which has been described as part prolonged existential crisis, part rock and roll fantasy. Atchison’s previous book, True Sons, A Century of Missouri Tigers Basketball, was published in 2006.

Kevin L. Fritz, ’93, was elected to the 2012-2013 board of directors of USLAW Network, a defense-based international organization composed of 108 independent law firms and more than 6,000 attorneys. Fritz practices with Lashly & Baer in St. Louis, where he serves as a trial attorney in both state in federal courts, focusing in the areas of civil litigation, insurance defense and coverage, premises liability, product liability, vehicular negligence and personal injury work.

Art Hinshaw, ’93, LLM ’00, co-wrote an article, “Gender and Attorney Negotiator Ethics,” in 39 Washington University Journal of Law and Policy 145 (2012), that was published on forbes.com. This article builds on Hinshaw’s prior study of attorney negotiation ethics.

Hinshaw is the director of the Lodestar Dispute Resolution Program and a clinical professor of law at Arizona State University’s Sandra Day O’Connor College of Law.

Eric A. Farris, ’94, was named the managing member of the Farris Law Group in Branson, Mo.

Russell N. James III, ’94, was awarded the Chancellor’s Council Distinguished Teaching and Research Award at Texas Tech University in Lubbock. He is an associate professor in the Department of Personal Financial Planning at the university, where he also serves as the Director of Graduate Studies in Charitable Planning. He is an internationally known expert, focusing his research on uncovering practical and neurocognitive methods to encourage generosity and satisfaction in financial decision-making.

Christine M. Krug, ’94, was appointed as the attorney team leader of the violent crimes unit at the St. Louis Circuit Attorney’s Office. Krug has been with the St. Louis Circuit Attorney’s office for more than 14 years.

Rachel L. Bringer, ’95, married Bobby Ray Shepherd on July 21, 2012, at the South Union Baptist Church in Maywood, Mo. Bringer is the presiding judge of the Tenth Judicial Circuit of Missouri, which consists of Marion, Monroe and Ralls counties.

Jordan M. Humphreys, ’95, is the director of collections for Health Care Navigator in Tampa, Fla. Previously Humphreys served as the manager of MO HealthNet Division’s Managed Care Contract Compliance Unit in Jefferson City, Mo.

Jill Morris, ’96, was appointed administrator of the Early Assessment program at the U.S. District Court in Kansas City. The Early Assessment Program encourages alternative dispute resolution of civil lawsuits in an effort to save time and resources for the court and for litigants. Morris practiced first with Armstrong Teasdale and Ogletree, Deakins, Nash, Smoak & Stewart before being appointed to this position.

Rebecca J. Grosser, ’97, practices with Grosser Law in St. Louis. She concentrates her practice in the areas of state and federal criminal law and employment discrimination.

Chad A. Troutwine, ’97, hosted former President William J. Clinton and Chelsea Clinton, who addressed more than 1,000 visitors at Paramount Studios in Los Angeles. President Clinton spoke about ways to improve global health, promote healthier childhoods and support entrepreneurs, particularly in emerging and underserved markets. Troutwine and President Clinton share ties to Independence and Kansas City, Mo.

Troutwine also hosted a fundraising event for Missouri Sen. Claire C. McCaskill, ’78, at which she accepted a Women in Leadership Award. In 2002, Troutwine co-founded Veritas Prep to prepare college aspirants. He is also a film producer, working on titles such as By the People: The Election of Barack Obama and Freakonomics.
Chris Kunza Menenmeyer, ’97, was elected as the circuit judge of the 45th Judicial Circuit of Missouri, which includes Lincoln and Pike counties. Previously she practiced with Mueller, Beck, & Meyer in Troy, Mo.

Amy Henderson, ’98, is assistant vice president and relationship manager with Central Trust & Investment Co. in Columbia. She has focused her career on estate planning and plan administration while serving in various legal counsel capacities for her clients throughout Missouri.


Thomas E. Bassett, ’99, is an award-winning member of the Department of English and Cultural Studies at Bryant University in Smithfield, R.I. He is also a regular contributor to “Disunion,” the New York Times’ online series about the Civil War and has published articles and reviews on the war elsewhere. He is currently working on a novel.

Andrea Mazza Follett, ’99, is the executive director for employment law and human resources for Columbia (Mo.) Public Schools. Previously she served as the director of legal services for the Missouri Council of School Administrators in Jefferson City, Mo.


Bryan T. Pratt, ’99, is a partner with Shook, Hardy & Bacon in Kansas City, Mo. He concentrates his practice in tort law.

Amy J. Lorenz-Moser, ’00, who has been nationally recognized for her work on behalf of abused women, was featured in the documentary “The Perfect Victim.” The documentary tells the story of women who have been abused, including two of Lorenz-Moser’s clients. Additionally, she was elected to the 2013 Missouri Coalition Against Domestic and Sexual Violence board of directors. Lorenz-Moser is a member of the litigation group of Armstrong Teasdale in St. Louis.

Regina Lewis Wells, ’08, is an associate with HeplerBroom in St. Louis. She focuses her practice on complex litigation matters, including products liability, professional and general negligence, school law and clergy misconduct.

Holly J. Henze, ’01, was appointed by the Adams County, Ill., circuit and associate judges to serve as the chief public defender of Adams County. She took office on July 1, 2012, and supervises a staff of four attorneys that handles the felony, misdemeanor, traffic and juvenile court caseload.

Bryan R. Berry, ’02, opened an office for the general practice of law in Mount Vernon, Mo. Previously he was of counsel to the Springfield, Mo., office of Lathrop & Gage.

Jennifer Kopp Dameron, ’02, serves as chair of Land Bank of Kansas City, Missouri. The land bank works to rehabilitate abandoned property into property for business use and obtains revenue from the sale of properties, cash donations from potential lenders and real estate taxes for three years after the sale of properties.

Matthew L. Dameron, ’02, was appointed by Gov. Jeremiah W. “Jay” Nixon, ’81, to the Missouri Development Finance Board, for a term ending Sept. 14, 2015. The board oversees financing programs for Missouri businesses, local governments and state agencies. Dameron is a partner with Stueve Siegel Hanson in Kansas City, Mo.

Brett A. Emison, ’02, and his wife, Nikki, announce the birth of their son, Connor William, on Sept. 5, 2012. He joins big sister Charlea. Emison is a partner at Langdon & Emison in Lexington, Mo. He concentrates his practice on complex personal injury and mass tort litigation.

Kathleen S. Hamilton, ’02, is a partner with HeplerBroom in St. Louis. She concentrates her practice on general trial litigation and insurance defense, including premises liability, professional liability, construction law and complex tort litigation.

R. Ryan Harding, ’02, is a partner with Husch Blackwell in St. Louis. He joined the firm in 2008 and has an active litigation practice emphasizing governmental compliance, investigations and healthcare litigation. Previously Harding worked as a senior staff attorney within Special Litigation Division of the Missouri Attorney General’s office.
D’Onica N. Hodgkin, ’03, (second from left) served as a team member representing Rotary International District 6040 in the Group Study Exchange (GSE) program in Romania. Hodgkin stayed in Romania from May to June 2012. GSE is a cultural and vocational exchange program for professional men and women between the ages of 25 and 40 through Rotary International.

Laura B. Staley, ’02, is a partner at Husch Blackwell in St. Louis. She joined the firm in 2008 as an associate. Previously Staley practiced law at a boutique employment law firm in St. Louis.

Debra J. (Gronewoller) Wright, ’02, was appointed as magistrate judge to the 12th Circuit Court of Kansas. Previously she served as legal counsel for the 17th Circuit Court of Missouri’s Juvenile Division in Kansas City.

Timothy A. Garrison, ’03, was appointed deputy staff judge advocate for the 4th Marine Division, which is headquartered in New Orleans. Garrison is a major in the Marine Corps Reserve and, in his civilian capacity, is a federal prosecutor with the United States Attorney’s Office in Springfield, Mo.

Devin T. Staley, ’03, is defense counsel with the Appellate/Post Conviction Relief Department of the Missouri State Public Defender System in St. Louis. Previously, Staley practiced with the St. Louis City Public Defender’s Office.

Kristen M. Tuohy, ’03, is the first assistant prosecuting attorney for Christian County (Mo.). Prior to joining the Christian County Prosecutor’s Office, Tuohy served as a senior assistant prosecuting attorney for the Greene County (Mo.) Prosecutor’s Office, specializing in serious drug offenses.

Alyson M. Carrel, ’04, is a visiting clinical assistant professor in the Center on Negotiation and Mediation at Northwestern University in Chicago.

Karla S. Dozier, ’04, is a juris doctor advisor at Washington University School of Law in St. Louis. She also serves as the assistant director and senior attorney for the Metropolitan St. Louis Equal Housing and Opportunity Council, a fair housing enforcement agency whose mission is to end housing discrimination.

G. Nicole Hininger Howell, ’04, is managing shareholder with Ogletree, Deakins, Nash, Smoak, & Stewart in Kansas City, Mo. She is the first female managing shareholder in the history of the office. She concentrates her practice on defending employers, and management in employment-related disputes in various forums.

Robert L. Orbals Jr., ’04, is a shareholder with Ogletree, Deakins, Nash, Smoak, & Stewart in St. Louis. He concentrates his practice on discrimination, harassment, retaliation, wrongful discharge, failure-to-accommodate, FMLA interference, trade secret, and other related state and common-law claims.

Nicholas J. Walker, ’04, is a shareholder with Ogletree, Deakins, Nash, Smoak, & Stewart in Kansas City, Mo. He has extensive labor and employment litigation experience.

Jesse E. Weisshaar, ’06, is assistant senior counsel in the legal department of Takeda Pharmaceuticals U.S.A., Inc., where she focuses on litigation. Previously she practiced with Shook Hardy & Bacon in Washington, D.C., concentrating on the litigation of defective and dangerous products.

Natalie M. Binkholder, ’07, was featured in “Hill Climbers: Far Lawyer, Dream Job On Hill Was in the Cards” in Roll Call. She is legislative counsel the office of Rep. Mick Mulvaney in the U.S. House of Representatives.

Daniel P. O’Donnell Jr., ’07, practices with Jackson Lewis in St. Louis.

Lauren A. (Standley) Peterson, ’08, and her husband, William E. Peterson, ’10, announce the birth of their son, Frederick Matthew, on May 23, 2012. She practices with The Hershewe Law Firm and he is associate general counsel at TAMGO Building products, Inc., both located in Joplin, Mo.

Peter Wilder, ’08, received the Wisconsin Law Journal’s Up and Coming Lawyer award, which honors the rising stars of law in Wisconsin who represent determination in legal work, community betterment and improvement at their own law firms. Wilder is a member of the Banking & Financial Institutions Practice Group of Godfrey & Kahn in Milwaukee.

Jonathan W. Bertz, ’09, is an assistant prosecuting attorney for Boone County, Mo. Previously he served as an assistant prosecuting attorney in Cole County, Mo.


Robert B. Harry, ’09, closed his law office and joined Veterans United Home Loans in Columbia as in-house counsel.

R.J. Morrison, ’09, is an associate at SNR Denton in Kansas City, Mo. Previously Morrison was an associate at Thompson Coburn in St. Louis.

Sean P. Dolan, ’10, is an associate at Brown & James in St. Louis. Previously he practiced in Washington, Mo.

John M. Eccher, ’10, was selected to serve on the 2013 executive committee of The National Trial Lawyers: Top 40 under 40, which in an invitation-only, professional organization that is composed of America’s top young trial attorneys. Eccher is a partner with Ward, Hollingshead & Eccher in St. Louis, where he concentrates his practice in the areas of complex criminal defense, DWI defense, medical malpractice, employment discrimination and other personal injury litigation.

Ashley N. Franz, ’10, is in-house counsel with Veterans United Home Loans in Columbia. Previously she practiced with Brown, Willbrand & Simon in Columbia.

Ryan E. Neal, ’10, is an associate with HeplerBroom in Edwardsville, Ill., where he concentrates his practice in toxic tort defense.

Jeremy Brenner, ’11, was elected to the board of directors of St. Louis Hillel at Washington University and was named to the Anti-Defamation League’s Glass Leadership Institute for 2012-2013.

Brenner practices with the employment and labor and non-compete/trade secrets practice groups at Armstrong Teasdale in St. Louis. He counsels and represents employers of all sizes and in a wide array of industries in employee-related matters and handles all aspects of litigation at the administrative, state and federal levels.

Samuel E. Buffaloe, ’11, practices with the Columbia (Mo.) Appellate Office.

Michael E. Campbell, ’11, was appointed to the board of directors of Phoenix Programs, Inc. in Columbia. The mission of Phoenix Programs is to reduce the adverse effects of alcoholism and other drug addictions in the community by providing treatment, support and educational services.

Campbell practices with Grimez, Fay and Kopp in Columbia, where he concentrates his practice in the areas of personal injury and criminal defense.

Margaret E. Carlyle, ’11, is associate counsel of Sharks Sports & Entertainment in San Jose, Calif., which owns the San Jose Sharks. Previously she was a football administration assistant with the San Francisco 49ers.

Kevin D. Dohager, ‘11, is an associate in the area of patent law with Schwabe, Williamson & Wyatt in Seattle. Most recently he worked as a patent examiner with the United States Patent and Trademark Office, dealing with applications in software development.

L. William “Bill” Hardwick, ‘11, was one of 12 attorneys chosen for the Missouri Bar Leadership Academy for 2012-2013. The academy 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. Hardwick is the assistant prosecuting attorney for Pulaski County, Mo.

Christopher K. Limbaugh, ‘11, was appointed as prosecuting attorney for Cape Girardeau County, Mo. Previously he practiced civil and criminal law in Cape Girardeau with the Limbaugh Law Firm.

Dane C. Martin, ‘11, is an associate with Shank & Hamilton in Kansas City, Mo., where he concentrates his practice on commercial disputes, products liability, business torts and class action litigation. Previously he served as a law clerk for Judge Patricia A. Breckenridge, ’78, at the Supreme Court of Missouri.

Daniel C. Willingham, ‘11, is an associate at Husch Blackwell in St. Louis, practicing in the Banking & Finance Group. Previously he worked at Advantage Capital Partners.

Joseph N. Blumberg, ‘12, is an associate at Polsinelli in St. Louis. He concentrates his practice on wealth planning.

Alex J. Cornwell, ‘12, is an associate with Greensfelder, Hemker & Gale in St. Louis. As a member of the firm’s Litigation Practice Group, Cornwell represents clients in general civil and commercial litigation matters, including product liability and mass tort litigation.

Allyson Walker Cunningham, ‘12, practices with Lathrop & Gage in Kansas City, Mo. She represents clients in administrative negotiations with federal and state agencies, advises clients regarding their regulatory requirements, and assists with the litigation of environmental claims. Before joining Lathrop & Gage, Cunningham served as a law clerk for the United States Attorney’s Office in Jefferson City, Mo.

Kyle G. Gottuso, ‘12, is an associate with the intellectual property group of Senniger Powers in St. Louis.

Neal Griffin, ‘12, is a litigation associate with Stinson, Morrison, Hecker in St. Louis.

Anne B. Hucker, ‘12, is an associate at Bryan Cave in Kansas City, Mo. She practices with the firm’s Commercial Litigation Client Service Group.

Kristin Michael, ‘12, is an associate at Carson & Coil in Jefferson City, Mo. She concentrates her practice on family and divorce law.

Emily M. Park, ‘12, is an associate at Husch Blackwell in Jefferson City, Mo. She practices with the firm’s healthcare group.

Clayton L. Thompson, ‘12, is an associate with Rogers, Einhardt, Weber and Howard in Columbia. He concentrates his practice in personal injury, insurance defense, business and employment law, wills and trusts, and criminal law.

Art Hinshaw, ’93, LLM ’00, co-wrote an article, “Gender and Attorney Negotiation Ethics,” in 39 Washington University Journal of Law and Policy 145 (2012), that was published on forbes.com. This article builds on Hinshaw’s prior study of attorney negotiation ethics.

Hinshaw is the director of the Lodestar Dispute Resolution Program and a clinical professor of law at Arizona State University’s Sandra Day O’Connor College of Law.

Paula Young, LLM ’03, was promoted to full professor at the Appalachian School of Law and was designated as president of the Virginia Mediation Network by the board of directors of the Virginia Mediation Network for the 2012-2013 year.

Larry P. McLellan, LLM ’06, was selected as a district court judge for the 5th Judicial District of Iowa by Gov. Terry Branstad.

Iyekomi Gfu, LLM ’08, recently took a position as ADR coordinator with Baltimore County Circuit Court in Towson, Md.

John Blankenship, LLM ’08, will teach ADR this fall at Belmont University College of Law in Nashville.

Andrew Gange, LLM ’09, is a family law mediator and adoption investigator for the Baltimore County Circuit Court in Towson, Md. In this capacity, he mediates standard child access cases, high-conflict child access cases, CINA/TPR mediations, pre-hearing contempt cases and custody evaluations.

Mary Jude Cantorias, LLM ’10, wrote a paper on commercial arbitration, “Party-Appointed Arbitrator Ethics and Ethos—Cross-Cultural Differences and How They Affect Arbitrator Behaviour in Rendering Arbitral Awards.” Cantorias’ paper was accepted for presentation in Shanghai, China, at the 3rd East Asian Law and Society Conference, which was held at the Koguan Law School, Shanghai Jiao Tong University, in March.

Christopher Adejo, LLM ’12, announces the birth of his son, Ateko Patrick Adejo, who was born on Sept. 14, 2012, in Columbia.

Runan Han, LLM ’12, works in the Contract Management Division of the Overseas Business Management Department of the China Railway Eryuan Engineering Group Co., Ltd. (CREEC). Founded in 1952 and located in Chengdu, CREEC is the largest multi-industry and comprehensive engineering survey and design corporation in China. It is a state-owned enterprise with core businesses in surveying, design, consulting, general contracting and system integration.

Thendo Tsuhuengwa, LLM ’13, was selected for an internship with the International Institute for Conflict Prevention and Resolution in New York City for the summer of 2013. This internship is funded through the Husch Blackwell LLP ADR Externship Program.

Noluthando Xolilizwe, LLM ’12, is a candidate attorney at Cliffe Dekker, one of South Africa’s big five law firms.

To submit news for an upcoming issue of Transcript: Transcript Alumni Notes 235 Hulston Hall, Columbia, MO 65211 ☏ 573-882-4984 ✉ bakercd@missouri.edu ➤ law.missouri.edu/alumni/update-form
Alumni Memoriam

40s

John R. Bailey, '40, of Cape Girardeau, Mo., died Sept. 17, 2012, at age 97. He became associated with E.B. Gee Cotton and Grain Co. and Gee Farming in 1941 and continued that association through the 1980s. Bailey was appointed probate judge of New Madrid County, Mo., in 1961 and retained that position until 1975 when he took the duties of the magistrate court and served as probate and ex-officio magistrate judge. He became associate circuit judge of New Madrid County in 1979. He went on to serve as circuit judge for the Missouri counties of Pemiscot and New Madrid until his retirement in 1987.

Harold C. Liney, '40, of Shawnee Mission, Kan., died Sept. 6, 2012, at age 95. He spent 31 years in the Army and served in World War II and the Korean War, attaining the rank of colonel. After World War II, Liney practiced law in Nevada, Mo., and was the prosecuting attorney in Vernon County, Mo.

James Elmer Curry, '48, of Ava, Mo., died Jan. 1, at age 92. Curry was a retired attorney. He also held ownership of Herald Publishing Co. and served as publisher of the Douglas County Herald. He was a World War II veteran and served with the U.S. Navy.

Charles C. Oliver Jr., '49, of Leawood, Kan., died Jan. 28, at age 90. He served in the U.S. Army during World War II, earning the Bronze Star. Oliver served as a probate judge from 1949-1957. He became counsel and later commissioner of the Probate Court of Jackson County, leaving the court in 1959 to become executive vice president and executive trust officer of Traders National Bank of Kansas City. He became president and chairman of the executive committee of the bank in 1975. In 1981 he became president and chairman of the board of United Kansas Bank and Trust.

Donald B. Russell, '49, of Nevada, Mo., died Feb. 19, at age 89. In 1943, he joined the Navy. After graduating from U.S. Navy Midshipman School, Notre Dame University and the U.S. Naval Reserve Diesel Engineering School at Cornell University, he was assigned to the 7th Fleet Amphibious Forces as an engineer and line officer on the USS LST 714. He began practicing law in Nevada in 1949 and was a senior partner of the law firm of Russell, Brown and Breckenridge. He was elected Vernon County (Mo.) prosecuting attorney in 1953.

50s


After serving as a member of the faculty of the MU School of Business and Public Administration, he moved to Albany, Mo., to practice law. He served as prosecuting attorney of Gentry County (Mo.) for many years.

James Francis Menefee, '51, of Dallas, died Jan. 19, at age 90. He served honorably in the U.S. Army Air Corps during World War II. Menefee practiced law in both Missouri and Texas, concentrating mainly in the area of juvenile law.

John S. Patton, '51, of Lake Ozark, Mo., died Nov. 17, 2012, at age 86. He served in the U.S. Army Air Corps during World War II. He practiced law in Butler, Mo., and was also an executive of American Family Insurance Group. Patton participated with the AARP Tax-Aide, a service providing free tax preparation for the elderly for many years.

H. Edison Kaderly, '52, of Joplin, Mo., died March 6, at age 87. He served in the U.S. Navy during World War II. He served for twelve years as the magistrate and probate judge of Barton County, Mo., beginning in 1955, and held a two-year term as Barton County prosecuting attorney beginning in 1967. Kaderly was the youngest man to ever serve as president of the Magistrate and Probate Judges Association of Missouri. He served on the Probate and Trust Committee of the Missouri Bar. Beyond Kaderly’s private practice of law, he was involved in the banking business, having co-owned and operated the Bank of Jasper and the Bank of Diamond. Kaderly also owned and operated Lamar Mini Storage and he considered himself a “gentleman farmer” like his father.

William Collingsworth, '53, of Rancho Mirage, Calif., died Dec. 16, 2011, at age 81. He served in the U.S. Army from 1954 to 1956. He was prosecuting attorney for McDonald County, Mo., from 1957 to 1959 and was later employed by the Interstate Commerce Commission from 1961 to 1965 in Washington, D.C. After leaving the Interstate Commerce Commission, Collingsworth was employed at Service Pipe Line Company for four years then became partner at Hall, Estill, Hardwick, Cable, Collingsworth, and Nelson in Tulsa for 16 years. Before he retired, he served as associate general counsel to the Williams Companies from 1986 to 1993.

Fred E. Schoenlaub, '54, of Kansas City, Mo., died Aug. 26, 2012, at age 82. He was an assistant prosecuting attorney of Buchanan County, Mo.; city attorney of St. Joseph, Mo.; and a special assistant attorney general for the State of Missouri. He was in private practice in St. Joseph from 1957 to 1963, and was elected circuit judge of the Fifth Judicial Court of Missouri in 1963. At the age of 32, Schoenlaub became the youngest circuit judge ever elected in the state of Missouri. He was elected for six consecutive terms and held that position for 25 years until his retirement in 1987. He served as a special judge of the Missouri Supreme Court and appellate courts, and later became general counsel for Black & Veatch, retiring as a partner in 1995. Schoenlaub subsequently became counsel with Shack, Hardy & Bacon in Kansas City, Mo., transferring to the London office in 1998 and returning in 2001. After leaving the firm, he was in private practice, concentrating in international construction and transactional law, until the time of his death.

Thomas W. Wehrle, '55, of St. Louis, died Feb. 5, at age 86. He served in the U.S. Marine Corps in 1944 and was stationed at Parris Island, Guam and Okinawa, receiving the Purple Heart for being wounded in battle. Wehrle argued before many courts as a lawyer, including the U.S. Supreme Court and the Supreme Court of Missouri. He first practiced law with his father, Walter Wehrle, then was hired in 1964 by the St. Louis County Counselor’s Office, and was later appointed county counselor from 1973 to 1989. Wehrle concluded his legal career by practicing with the Clayton law firms of Susman, Schermer, Rimmel & Shiffin, and Gallop, Johnson & Neuman.

Duane Sherman Cox, '57, of St. Louis, died Aug. 25, 2012, at age 80. He practiced law in the St. Louis area for more than 40 years.

Paul R. Schramm, '58, of St. Louis, died Jan. 18, at the age of 79.

William O. Welman, '58, of Springfield, Mo., died Jan. 20, at the age of 81. He served in the U.S. Army. Welman joined the law firm of McHaney and McHaney in 1958, practiced law for 47 years in Kennett, Mo., and retired in 2005 from the firm of McHaney, Hively and Godley. After retiring, Welman moved to Springfield to be closer to his family.


Stanley A. Grimm, '59, of Cape Girardeau, Mo., died Sept. 27, 2012, at age 79. He practiced law from 1959 to 1972 with the law firms of Oliver & Oliver and Radar and Grimm. In 1972, he was elected as a circuit court judge for the 32nd District of Missouri. In 1987, Gov. John Ashcroft appointed him to the Missouri Court of Appeals for the Eastern District, on which he served until 1998, when he resigned and became a mediator and arbitrator.

60s

James R. Hall, '60, of Doniphan, Mo., died Sept. 3, 2012, at age 75. He served Ripley County, Mo., as prosecuting attorney from 1965 to 1982, and as a city attorney for Doniphan from 1974 to 1982. In 1982, Hall was elected as an associate circuit judge for the 36th District of Missouri. He retired as a full time judge in 2006 after 24 years of service and continued to sit on the bench as a senior substitute judge until 2011.


Lawrence N. Koeln, '66, of Centerville, Mo., died January 8, at age 70. He began his career as the Reynolds County, Mo., prosecutor until he opened his own law office in 1975.
Ford R. Nelson Jr., '67, of Kansas City, Mo., died Nov. 14, 2012, at age 70. He served in the U.S. Army after college and was an MACV infantry advisor during the Vietnam War. He was honorably discharged in 1970 and was awarded the Combat Infantry Badge. After his army service, Nelson practiced law at the firm of Dietrich, Davis, Dicus, Rowlands, and Schmitt (now Armstrong Teasdale) for more than 40 years.

Loyd E. Owen Jr., '68, of Kansas City, Mo., died Dec. 19, 2012, at age 69. He served in the U.S. Army, achieving the rank of captain. He received the Bronze Star and completed two tours of duty in Vietnam. Upon completion of service, Owen began his law practice at Gage and Tucker in Kansas City. He worked as a labor lawyer and later became a managing partner of the firm. Upon his retirement, Owen began his own company, Starco, manufacturing and distributing streamlined refuse removal units of his own design.

Robert L. Norris, '68, of Ballwin, Mo., died Oct. 30, 2012, at age 69. He served in the Judge Advocate General Corps from 1969 to 1973 and continued his military ties as a member of the U.S. Army Reserve JAG Corps, retiring as a colonel in 1998. During his service with the military he received numerous awards, including the Frank J. Buckley Manager of the Year in 1994. He retired in 2002 as branch chief of the Aviation and Missile Command.

70s

Earl F. Seitz, '73, of Columbia, died Sept. 22, 2012, at age 66. He was the assistant prosecuting attorney for Boone County, Mo., from 1973 to 1978 before entering into private practice, where he focused on criminal defense law.

Geoffrey T. Jones, '74, of Phoenix, died May 30, 2012, at age 64. He was an attorney who, throughout his career, worked at the City of Phoenix Prosecutor's Office, the Maricopa County (Ariz.) Prosecutor's Office and the Arizona Attorney General's Office. He also maintained a private law practice as a criminal defense attorney.

80s

G. John Richards, '86, of Troy, Mo., died Sept. 18, 2012, at age 51. He was in private law practice for six years until 1999, when he was elected Lincoln County, Mo., prosecuting attorney, a position he held until 2010. He was in private practice from 2010 until the time of his death. He also served as a professor at Missouri Baptist University in Moscow Mills, Mo.

Alumni and Faculty Honored by The Missouri Bar

Outstanding School of Law alumni and faculty were recognized at The Missouri Bar Annual Meeting in October 2012.

David J. Dixon Appellate Advocacy Award
Recognizes outstanding achievements in appellate practice by young lawyers of The Missouri Bar
Matthew M. Ward, '03

Legislative Award
Presented annually to lawmakers and others who have played a key role in supporting legislation of interest to the state bar or who have taken the lead in sponsoring bar-drafted legislation
Jason O. Barnes, '05
Christopher S. Kelly, '89

Missouri Association of Prosecuting Attorneys Prosecutor of the Year Award
Daniel K. Knight, '92

President's Award
Presented to one or more members of the state bar who have contributed significantly during the past year in terms of participation in the work of the bar, value to the organization and leadership
Keith A. Birkes, '73
Raymond E. Williams, '95

Pro Bono Publico Award
Presented annually to those who have, within the last year, rendered outstanding pro bono service to indigent or low-income persons in need of legal assistance
Gerard “Jay” Harms Jr., '05

Michael R. Roser Excellence in Bankruptcy Award
Presented by The Missouri Bar’s Commercial Law Committee to honor the memory of Michael R. Roser, to an individual who manifests the highest standard of excellence in bankruptcy practice, who has contributed distinctively to the development and appreciation of bankruptcy law, and/or who has made an outstanding contribution in the field of bankruptcy administration or practice
John C. Reed, '80

Spurgeon Smithson Award
Presented annually by the Missouri Bar Foundation to Missouri judges, teachers of law and/or lawyers deemed to have rendered outstanding service toward the increase and diffusion of justice
Prof. Larry Dessem

Theodore McMillian Judicial Excellence Award
Recognizes jurists who, by virtue of their integrity, leadership and diligence in the pursuit of the efficient administration of justice, inspire other members of the judiciary to a similar noble purpose
J. Edward Sweeney, '69
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Katie D. Whitman, BA, JD, Adjunct Associate Professor of Law
Jayne T. Woods, BS, JD, Adjunct Associate Professor of Law
June 2013

5-7
Mediation Training for Civil Cases
John K. Hulston Hall
Time 8:30 am-4:30 pm
INFO 573-882-1630
law.missouri.edu/cle/programs

August 2013

13-15
New Student Orientation
John K. Hulston Hall
INFO 573-882-6042

September 2013

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Law Alumni Tailgate
Time and Location TBA
INFO 573-882-4374
mulawalumni@missouri.edu

20
Annual Alumni Luncheon
held in conjunction with The Missouri Bar Annual Meeting
12:15 pm
Holiday Inn Executive Center, Columbia
INFO 573-882-4374
mulawalumni@missouri.edu

October 2013

3-4
2013 Journal of Dispute Resolution Symposium
“Resolving IP Disputes: Calling for an Alternative Paradigm”
John K. Hulston Hall
Time TBA
INFO 573-882-5969

24
The Trial of William C. Quantrill
presented by the Historical and Theatrical Trial Society
Missouri Theatre
Time TBA
INFO 573-882-2749

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