ADA Can Make Economic Sense for Business

A new study conducted by Peter Blanck of the University of Iowa School of Law indicates that the average cost of complying with the Americans with Disabilities Act is a fraction of the cost of replacing qualified workers and results in less litigation than many critics claim.

Blanck, a professor of law and psychology, examined a total of seventy-one accommodations made by Sears, Roebuck and Company between January 1, 1993 and December 31, 1995, and found that the average cost of the changes was $45. Only one cost between $500 and $1,000 and none cost more than $1,000. The majority (fifty-one accommodations) cost nothing. The average cost of replacing an employee at Sears is $1,800 to $2,400.

The study also found that of the 138 formal complaints lodged against Sears under the ADA, nearly all (98 percent) were resolved without litigation. For the eighteen cases that were settled by the company, the average cost was $6,193.38.

The findings are reported in “Communicating the Americans with Disabilities Act: Transcending Compliance: 1996 Follow-Up Report on Sears, Roebuck and Co.,” published by the Annenberg Washington Program. Blanck is a senior fellow in the program.

The study is a follow-up to Blanck’s 1994 landmark study that tracked the effect of the ADA, which was implemented in 1990, on Sears. The 1994 study found that between 1978 and 1992 Sears spent an average of $121 per accommodation on 436 ADA-related workplace changes.

If those costing more than $1,000 are excluded, the average was $36.

Blanck emphasizes five implications of the new study: the impact of the ADA on businesses is evolutionary, not revolutionary; universal design and access fulfill the objective of including persons with and without disabilities into productive workforce participation; efforts to educate management and the workforce about the ADA and the capabilities of persons with disabilities must be based on facts, not myths; starting from a base of ADA compliance, companies can look beyond compliance in ways that make strong economic sense; and far from creating onerous legal burdens, the ADA can provide employers and employees a framework for effective dispute avoidance and resolution.

Sears employs about 20,000 people with disabilities among its 300,000 employees. For a copy of the report, contact Peter Blanck, University of Iowa College of Law at (319) 335-9043.

Class of 1995 Employment Data Show Modest Improvement

NALP’s research tracking the employment experiences of law graduates has documented the employment status of more than 82% of the Class of 1995 with the initial findings revealing that 86.7% were employed six months after graduation. This compares to a figure of 84.7% for the Class of 1994 and includes data showing that the prevalence of full-time legal employment has increased slightly over levels one year ago.

“While we may still find ourselves comparing this year’s employment data to the 92% employed rate of the late 1980s, there are differences that go beyond a simple comparison of the numbers,” offered 1996-97 NALP President Pam Malone. “Achieving an 86.7% employment rate in today’s constrained legal market has required greater effort on the part of both career services professionals and students. While the market is slightly improved, the resources required to reach employers in this buyers’ market and to achieve this level of employment differ dramatically from resources expended during the boom years. The reality of the market is simply that it is much more difficult today to sustain or improve employment levels.”

The NALP data also reveal that for the first time in seven years, the percentage of graduates accepting employment in private practice settings rose. Just over 56% of the employed Class of 1995 graduates found jobs in private practice. Similarly, 70.7% of graduates about whom employment status was known found full-time legal employment—a slight increase over the 60.6% level for the prior class.
CONSULTANT

Law Schools Report Downsizing of Entering Classes

by James P. White

At the February workshop for deans of law schools, a number of deans discussed the apparent downsizing of law school entering classes. In response to the requests of a number of these deans, the Office of the Consultant undertook a survey of deans to gather data from ABA-approved law schools concerning the downsizing of enrollment.

One hundred nine of the 178 J.D. degree granting schools approved by the ABA responded. Fourteen schools reported data on a confidential basis while ninety-five schools reported their data on a nonconfidential basis. Data for sixty-nine schools have either not been submitted, or in a few cases, the data that were submitted represented more of a one-time anomaly as opposed to the actual admission strategy of the institution.

The responses were as shown in the box below.

The results of the survey indicate that there has been a trend in downsizing the entering class over the past three years. The factors causing this decline in the size of the entering class are individually determined by the dean and the faculty of each law school, not by the American Bar Association.

It is useful to review a report of the Council entitled Long Range Planning for Legal Education in the United States. This report was the product of a blue ribbon committee chaired by the late Robert B. McKay and issued in July 1987 following a three-year trend in the downsizing of law school entering classes. It is appropriate to quote the final portion of the report, which states:

Ultimately, each law faculty is the guarantor of quality legal education for its students, the future lawyers of America. Even more important is the obligation to the public to train

Continued on page 3

RESPONSES:

<table>
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AVERAGE ENTERING CLASS SIZES:

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Several law schools are currently engaged in building projects—new buildings or renovations. One of the many issues that must be addressed in any new physical configuration in legal education is the presence or absence of the "computer lab."

Many law schools established computer labs in the last decade. When first established, the computer was the room in which all computers for student use resided, usually with shared printers. Generally, the computers were positioned in carrel-type furniture, to give privacy to each user, sometimes in carousel or other creative arrangements. Usually the lab was located within the law library. Often, a desk was provided for a technical person to assist in using the computers and the applications found on the computers. In the early days, the applications included LEXIS or WESTLAW and some word processor; sometimes there was also a spreadsheet or outlining program available. In time, most labs were networked, and compact discs, e-mail, and access to the Internet provided other applications. This arrangement could easily be serviced because all machines were located in a small area. This arrangement also removed the noise of machines and keyboards (and later, mouses) from study areas, and it could be ventilated for a high concentration of heat-producing machinery.

The computer lab is now obsolete. Although originally conceived both for word processing and as a place in which instruction in computer-assisted legal research could occur, invariably, the instruction was concentrated in one or two weeks each semester and the most often-invoked application was word processing. Today, word processing and instruction are both portable. Word processing can be accomplished anywhere there is an outlet: in the library—at carrels or tables or study rooms—in classrooms, in lounges, in dormitories, and even in cafeterias; and instruction can be accomplished in other settings.

The use of computers for instruction is no longer concentrated on computer-assisted legal research. Today, computers pervade legal education, from research and writing to communications, document assembly, multimedia computer-assisted learning, citation analysis, expert systems, class notes, outlines, and casebooks. Computers in classrooms are desirable for a variety of innovative teaching mechanisms currently being developed, including litigation and negotiation modeling, legal analysis and problem solving, and collaborative practice.

There is use for a computer classroom as an alternative to the computer lab. This is a room with affixed computers, sometimes loaded with software that allows the instructor to take over the operation of one or more student computers in order to illustrate a point. This software also allows the instructor to "peek" at student work and critique the process being used. Generally, students face in a single direction. Computer classrooms also have available printers, projection techniques, and a large "white board" for the instructor.

With a creative combination of several available technologies, computer classrooms can also be used for distance education and collaboration, with on-line video at each computer. In addition, or as an alternative to computer classrooms, classrooms can be "computerized." Computerized classrooms are often traditional law classrooms merely wired to provide electrical and/or network connections, generally with some projection device (or "intelligent podium") for the instructor. In a computerized classroom, an instructor might require laptops of all students or the individual student might make that decision.

The computer lab is now obsolete. A computer classroom is a desirable luxury for innovative teaching mechanisms currently being developed, while computerized classrooms are integral to today's legal education process.

Mickie A. Voges is director of the law library, associate professor of law, and codirector of the intellectual property program at the Chicago-Kent College of Law of the Illinois Institute of Technology.

CONSULTANT
Continued from page 2

lawyers for competence and professional responsibility in the interest of justice. These are large responsibilities. We are confident that legal education is committed to the task and will perform admirably, even in the less-than-optimum circumstances that we may encounter in a yet-undetermined future.
Legal Hotchpot

Northern Illinois University College of Law Law Review sponsored a symposium on “New Directions in Environmental Regulation Affecting Development” in March. The event was cosponsored by the Illinois State Bar Association and several regional associations. The program’s purpose was to bring members of the legal, planning, development, and academic communities together to explore related environmental issues. The symposium was held in DeKalb at the Carl Sandburg Auditorium of the Holmes Student Center. The symposium’s presentations began with “Brownfields: A New Approach to Site Cleanups” discussed by James T. Harrington and David L. Reiser, partners in Ross & Hardies, Chicago.

The San Francisco law firm of Folger & Levin is giving $250,000 to Stanford Law School to aid the growing number of students who want to explore public-interest careers. The Folger & Levin Public Interest Fellowship Fund will provide grants to help defray the living expenses of Stanford Law School students who take summer jobs with public-interest organizations. Students who choose these low-paying or unpaid jobs often must pass up better-paid summer opportunities in law firms or corporations. Summer public-interest grants typically range from $1,000 to $2,000, with loans often making up the remainder of summer living expenses. Without such financial aid, few students could afford to pursue summer public-interest work. Students who receive financial aid typically carry a student loan debt of about $50,000 at graduation.

The number of law students seeking summer public-interest experience has risen dramatically over the past decade. Next summer, some seventy-five students will be doing public-interest work, up from about fifteen per summer in the early 1980s, when the school first began providing summer assistance to such students. Last summer, students worked for such nonprofit community organizations as the Legal Aid Society and the Cheyenne River Sioux Nation; in the offices of prosecutors and public defenders; in federal departments such as the Environmental Protection Agency and the Department of State; and in advocacy organizations such as the American Civil Liberties Union and the Natural Resources Defense Council.

As part of its 20th Anniversary celebration, Pace University School of Law presented a colloquium on “Directions and Corrections in Air Pollution Policy” in April. Michael Finnegan, Counsel to New York State Governor George Pataki, delivered the keynote address. Major advances in air pollution control occurred with the passage of the 1990 Amendments to the Clean Air Act after eight years of congressional debate. The amendments, designed to introduce a wide range of market-based pollution control methods, achieved widespread bi-partisan support for air quality improvement and solutions to acid rain, smog, air toxics exposure and chemical accident problems.

Five years after enactment, controversy about the Clean Air Act continues; Congress is considering major amendments. Northeastern states are concerned that the Act is inadequate to prevent pollution from the Midwest and industry is seeking greater flexibility to lower consumer costs.

The Nationwide Insurance Enterprise Foundation has awarded a $1 million lead grant to Capital University Law School. The Nationwide grant is the first corporate gift the law school has received since announcing in February that it has selected the Columbus Life Insurance Company building on East Broad Street as its new home. In recognition of the many years of outstanding service provided by Peter F. Frenzer, president and chief operating officer of Nationwide Life Insurance Company, the Center for Dispute Resolution’s offices at the new site will be named the Peter F. Frenzer/Nationwide Insurance Enterprise Foundation Center for Dispute Resolution. Frenzer is retiring next month after twenty-two years with Nationwide.

In the twelve years since the Center for Dispute Resolution was established, it has been a leader locally, nationally and internationally in developing and presenting dispute resolution methods as alternatives to costly litigation. Under the leadership of center codirectors Professor Roberta Mitchell and adjunct Professor Scott Dewhirst, it offers continuing education courses in alternative dispute resolution for attorneys, and conducts training for communities, businesses, government agencies, schools, universities, churches, and courts. In 1989, through the center’s Jamaica/Capital Project, Jamaica became the first nation in the world to focus on dispute resolution at the national level. With the support of a grant from the Ford Foundation, more than 1,000 police, educators, human service personnel, and legal professionals received training in mediation. In Nicaragua, where there were no economic resources to rebuild a justice system devastated by years of civil war, the center trained professionals and laypersons in 1991 as mediators to provide effective means of resolving disputes.

Capital has also received a second major corporate gift. Huntington National Bank has presented a $500,000 gift to the law school’s capital campaign.

The Emory University Law and Religion Program has received a
grant of $318,000 from the Ford Foundation to support research and public policy analysis of the legal, religious, and human rights aspects of cultural transformation in Africa. "The project will seek to identify and examine both negative and positive contributions of law and religion to the promotion and realization of a human rights culture in Africa," says Abdullahi An-Na’im, professor of law and principal director for the project. Codirecting the project with An-Na’im will be John Witte, Jr., director of the law and religion program; and Johan van der Vyver, I.T. Cohen Professor of International Law and Human Rights and fellow at The Carter Center.

The project will consist of two phases, says An-Na’im. During a one-year planning phase, project directors will conduct a variety of consultation to identify a team of African and Africanist scholars and activists, who will in turn devise the approach and methodology of the project. During a three-year implementation phase, the project team will undertake a variety of scholarly and activist initiatives, which could include: convening regional or international conferences and seminars; publication of books or articles; and developing policy recommendations, law reform proposals and advocacy strategies for addressing human rights issues.

The planning phase will begin June 22 in Atlanta with a meeting of U.S.-based Africanists and civil rights scholars and activists. "We seek to identify ways in which the American civil rights movement and other initiatives for social and economic justice in the United States can share and exchange experiences and insights with their African counterparts," says An-Na’im. He hopes to involve Atlanta’s historically black colleges and universities, representatives of which have been invited to the June consultation. Within the last year, Emory’s Law and Religion Program has received a total of four major program grants totaling more than $1 million, according to law and religion director Witte.

Duke University law Professor Madeline Morris has worked with Rwandan President Pasteur Bizimungu and his government to design a criminal justice plan to help the African nation handle a backlog of thousands of genocide-related crime cases and begin to mend fences in the country torn by mass violence in 1994. Morris describes the new plan, approved by the Rwandan cabinet in April, as "a very constructive approach to a staggeringly difficult problem." She was asked to serve as a consultant to the president after she delivered a paper last November in Rwanda on the legal handling of crimes of mass violence. Since that time, she has focused intensively on the plan, taking the twenty-three-hour flight to the African nation for bimonthly meetings and work on legal documents.

In discussing the new approach to dealing with genocide cases, Bizimungu has said, "Justice is . . . a must. Yet there are limits to justice in our situation. Nowhere in the world can an ordinary judicial system prosecute and try hundreds of thousands of criminals. . . . We must look for alternative forms of justice to supplement the classic forms."

Harvard Law School has announced the establishment of a professorship named after the late Carl F. Schipper, Jr., of Needham, MA, whose estate provided the $2 million endowment for the chair. Harvard Law School Professor David Westfall will be the first holder of the Carl F. Schipper, Jr. Professorship. Schipper practiced as associate and partner of the Boston law firm Goodwin, Procter & Hoar from 1945 until his death on October 25, 1995, in Needham, at the age of 92.

Dean Changes

Dean Richard A. Matasar of Illinois Institute of Technology’s Chicago-Kent College of Law has resigned to become the new dean of the University of Florida College of Law, succeeding Jeffrey E. Lewis. Stuart L. Deutsch becomes Kent’s acting dean.

Dean John R. Kramer has resigned from Tulane University School of Law. He is succeeded by Edward Sherman of the University of Texas School of Law.

Robert M. Ackerman, associate dean of Dickinson School of Law, is Willamette University College of Law’s new dean.

Dean Steven R. Smith has resigned the deanship of Cleveland-Marshall College of Law to succeed Michael H. Dessent as dean of California Western School of Law.

Steven Steinglass becomes Cleveland-Marshall’s acting dean.

Associate Dean Barry A. Currier of the University of Florida College of Law has been appointed the new dean of Samford University Cumberland School of Law. He succeeds Parham Williams, who will return to the faculty.

Professor John Makdisi of the University of Tulsa College of Law has been named the new dean of Loyola University New Orleans School of Law.

Dean Thomas F. Guernsey is the new dean of Southern Illinois University School of Law.

Professor L. Kinvin Wroth of the University of Maine School of Law is the new dean of Vermont Law School. He succeeds Maximilian W. Kemper.

Thomas Cooley Law School has chosen Professor Don LeDuc to succeed Dean Michael H. Cox. LeDuc served Thomas Cooley as dean from 1982-1987.

Professor Michael Gerhardt has been chosen to succeed Peter T. Gerhardt as dean of Case Western Univer-

Continued on page 15
Accreditation Committee Meets in Indianapolis

Floor, Left to Right: Dean Leonard P. Strickman, University of Arkansas (Fayetteville) School of Law; Sharren B. Rose, Esq., Green Bay, Wisconsin; Professor Michael J. Davis, University of Kansas School of Law; Honorable Solomon Oliver, Jr., U.S. District Court, Northern District of Ohio; Dean Jeffrey E. Lewis, University of Florida College of Law; Dean Lizabeth A. Moody, Stetson University College of Law; Nancy M. Neuman, Public Member, Lewisburg, Pennsylvania; Professor John S. Elson, Northwestern University School of Law; James P. White, ABA Consultant.

Stairs, Right to Left: Dean Steven P. Frankino, Villanova University School of Law; Professor Claude R. Sowle, Chairperson, University of Miami School of Law; Bernard F. Ashe, Esq., Albany, New York; Professor Dan J. Freehling, Boston University School of Law; Cathy A. Schrage, ABA Executive Assistant; Beverly Tarpley, Esq., Abilene, Texas; Professor Harry E. Groves, University of North Carolina School of Law (retired); and Diane C. Yu, Esq., General Counsel, State Bar of California.

Not pictured: Honorable Sandra S. Gardebring, Associate Justice, Supreme Court of Minnesota; Maria Ramirez, Public Member, Albany, New York; and Honorable David G. Trager, U.S. District Court, Eastern District of New York.
1996-97 Fulbright Award Winners in Law

Mhaer J. Alahydoian, assistant professor of political science, American University of Armenia: Armenia.

Robin D. Alexander, director of international labor affairs, United Electrical, Radio, and Machine Workers of America (Pittsburgh): Japan.


Robert C. Art, professor of law, Willamette University: Bulgaria.

Roger V. Ashodian, staff attorney in the Housing Unit, Delaware County Legal Assistance (Chester, Pennsylvania): Armenia.

Robert S. Barker, professor of law, Duquesne University: Argentina.

John J. Davidson, instructor in government, College of William and Mary: Russia.

Elizabeth F. Defeis, professor of law, Seton Hall University: Armenia, Italy, and Russia.


Harry M. Dorfman, principal trial attorney, District Attorney’s Office (San Francisco): Portugal.

Floyd F. Feeney, professor of law, University of California at Davis: Germany.

Kenneth S. Gallant, professor of law, University of Idaho: India.

James R. Gordley, professor of law, University of California at Berkeley: Italy.

Michael E. Hartmann, attorney, District Attorney’s Office (San Francisco): Pakistan.

Richard Hyland, associate professor of law, Rutgers University at Camden: Japan.


Thomas C. Kohler, professor of law, Boston College: Germany.

Charles J. Lipton, adjunct professor of law, New York University: Estonia.

Margaret L. Maisel, executive director, Housing Discrimination Project Inc. (Holyoke, Massachusetts): South Africa.

Stephen F. Matthews, professor of agricultural economics, University of Missouri at Columbia: Thailand.

Daniel P. McGrory, adjunct assistant professor of management and organization, University of Iowa: Russia.

Julie A. Mertus, professor and coordinator, Autonomous Women’s Center (Belgrade, Yugoslavia): Romania.

Milton Milkes, judge, Superior Court of San Diego: Uruguay.

Eric R. Neisser, professor of law, Rutgers University at Newark: Cyprus.

Joel S. Newman, professor of law, Wake Forest University: China.

Mark D. Oettinger, lawyer and lecturer in business administration, Champlain College: Russia.

Stephen B. Presser, professor of legal history, Northwestern University: Britain.

Matthew B. Riley, attorney and adviser in the U.S. Customs Service, Department of the Treasury (Washington): Britain.

Edward B. Rock, professor of law, University of Pennsylvania: Israel.

Richard A. Rosen, professor of law, University of North Carolina at Chapel Hill: Eritrea.

Michael B. Salerno, visiting professor of law, University of California at Davis: Italy.

Elise S. Shore, trial attorney in the Civil Division of the Federal Programs Branch, U.S. Department of Justice (Washington): El Salvador.

Ralph G. Steinhardt, professor of law, George Washington University: Ireland.

Melvyn Tanenbaum, justice, State of New York Supreme Court (Central Islip, N.Y.): Russia.

William V. Vetter, assistant professor of accounting, Wayne State University: Kazakhstan.

William J. Wagner, associate professor of law, Catholic University of America: Germany.

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Section Establishes Web Page

The Section of Legal Education and Admissions to the Bar has established a home page on the ABA’s World Wide Web Site—http://www.abanet.org. The ABA’s web site contains information on many aspects of the ABA including sections, divisions, commissions, committees, events, and publications. The Section can be found at http://www.abanet.org/legaled or at the ABA web site by clicking the “entities” icon. Readers will find an up-to-date draft of the proposed revision of the Standards, a conversion chart from the current Standards to the proposed Standards, the Statement on Preparation for Legal Education, the 179 ABA-approved law schools hyper-text linked to their individual home pages, and the joint calendar of events for the Section and sibling organizations. If you have comments and suggestions on ideas for further development of the Section’s web site, please contact Carol Weiss at (312) 988-5798.
1996 Annual Meeting Program

ERICA MOESER
Chair
Section of Legal Education and
Admissions to the Bar
Madison, Wisconsin

WEDNESDAY, July 31
7:30 a.m. to 5:00 p.m.
Section Office, Camellia Room,
Atrium Level, Hyatt Grand Cypress

THURSDAY, August 1
7:00 a.m. to 5:00 p.m.
Section Office, Camellia Room,
Atrium Level, Hyatt Grand Cypress
10:30 a.m. to 5:00 p.m.
Poinciana Room, Ground Level,
Hyatt Grand Cypress
Council Meeting

FRIDAY, August 2
7:00 a.m. to 5:00 p.m.
Section Office, Camellia Room,
Atrium Level, Hyatt Grand Cypress
7:30 a.m. to 5:00 p.m.
Poinciana Room, Ground Level,
Hyatt Grand Cypress
Council Meeting

SATURDAY, August 3
7:00 a.m. to 5:00 p.m.
Section Office, Camellia Room,
Atrium Level, Hyatt Grand Cypress
7:30 a.m. to 10:00 a.m.
Grand Cypress Ballroom C,
Hyatt Grand Cypress
ABA/AALS/LSAC Deans' Breakfast Meeting

Speakers:
ERICA MOESER
Chair
Section of Legal Education and
Admissions to the Bar
Madison, Wisconsin

DEAN RUDOLPH C. HASL
Chair-Elect
Section of Legal Education and
Admissions to the Bar
Jamaica, Queens, New York

PROVOST WALLACE LOH
President
Association of American Law Schools
Boulder, Colorado

CARL MONK
Executive Director
Association of American Law Schools
Washington, D.C.

DEAN LEIGH TAYLOR
Chair
Law School Admission Council
Los Angeles, California

PHILIP D. SHELTON
Executive Director
Law School Admission Council
Newtown, Pennsylvania

Do You See What I Mean?—
Presenting Visual Information
Program:
Clients and courts increasingly demand
that lawyers communicate complex
information efficiently and clearly.
Although law traditionally has used text
to convey information, visual displays of
information convey some types of infor-
mation more effectively and more mem-
orably. Visual communication is particu-
larly effective for business executives
who are accustomed to it; in addition,
one of every three people learn better
visually than textually. This program
will use examples from a variety of con-
texts to demonstrate the underlying prin-
ciples of visual communication, as well
as applications to law practice. Of
course, visual displays will be a promi-
nent part of the program.

Speakers:
DR. SUSAN KLEIMANN
American Institute for Research
Information Design Center
Washington, D.C.

WAYNE TANNER
Arthur Andersen Legal Consulting
Services
Atlanta, Georgia

Moderator:
CHRISTINA L. KUNZ
Professor
William Mitchell College of Law
St. Paul, Minnesota

10:30 a.m. to Noon
Orchid B, Atrium Level
Workshop for Unapproved Law Schools

10:30 a.m. to 11:30 a.m.
Buena Vista Palace
Westminster Ground Level
Update on CEELI Projects

Noon to 1:30 p.m.
Southern Hemispheres III, IV, V
Walt Disney World Dolphin Hotel
Central & Eastern European Law Initiative Luncheon—honoring presidents of emerging democracies in Central & Eastern Europe and Section members and schools who have participated in the CEELI program, (ticketed)

1:30 p.m. to 4:00 p.m.
Grand Cypress Ballroom H/I
Hyatt Grand Cypress
Section Program—
The Future of Legal Education:
Who Will Go to Law School;
What Will They Study and What Will
They Do for the Rest of Their Lives?

Program:
This is the "best and worst" of times in
legal education. It is the best of times
because of the improvements we have
made in legal education and the exciting
opportunities that exist for scholarship
and for innovative teaching. The decline
in law school applications, the tight job
market for lawyers, and the dependence
on loan programs contribute to the disre-
gard that many harbor for the profession.
The panel is composed of experts across
the spectrum of law and they shall be
asked to consult their crystal balls and
look into the future.
SUNDAY, August 4

7:00 a.m. to 5:00 p.m.
Section Office, Camellia Room,
Atrium Level, Hyatt Grand Cypress

8:00 a.m. to 10:00 a.m.
Palm Room D/E/F
Hyatt Grand Cypress
Incoming Chairperson’s Breakfast

9:00 a.m. to 12:00 p.m.
Grand Cypress Ballroom H/I
Hyatt Grand Cypress
Team Taught Learning-by-Doing Workshop
ABA Coordinating Committee on Legal Education

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Program Chair:
DEAN LIZAEBETH A. MOODY
Stetson University College of Law

Program Co-Chair:
DEAN ARTHUR N. FRANT
Widener University School of Law

Moderator:
ALFRED P. CARLTON, JR.
Nominee
Chair of the ABA House of Delegates

Panelists:
R. FRANKLIN BALOTTI
Immediate Past President
Delaware State Bar Association

LA RONDA D. BARNES
Assistant Professor of Law
Nova Southeastern Law Center

LESLEY W. JACOBS
Former Ohio Bar Examiner
Past President
Ohio State Bar Association

HONORABLE ELIZABETH KOVACHEVICH
Chief Judge
United States District Court
Middle District of Florida

DANIEL LAU
President
Law Access

DEAN RICHARD A. MATASAR
University of Florida College of Law

CHARLES F. MCCALLUM
Chair
Committee on Law Firms
ABA Section of Business Law

KEN MYERS
Education Columnist
National Law Journal

PAULA A. PATTON
Executive Director
National Association for Law Placement

DEAN BURNELE V. POWELL
University of Missouri-Kansas City
School of Law

LINDA WIGHTMAN
Vice President
Operations, Testing, and Research
Law School Admission Council

4:00 p.m. to 4:45 p.m.
Grand Cypress Ballroom H/I
Hyatt Grand Cypress
Section Annual Meeting
(See Council nominations on pages 12-13.)
IT is difficult to grasp that my year in the chair is actually coming to an end, particularly when there were so many times when I used the term “endless” to describe it. Susan Boyd wrote of the Section’s first hundred years in the lovely and honest volume that she prepared in 1993 for our centennial, and now I feel as though I could chronicle the hundred years that have elapsed since then.

As I write this to meet an early print deadline, there is still plenty of time for additional plot development in this year’s saga. It may be premature to attempt to sum up the year, but as this is the last column that I will write, it is my only chance.

There are two events scheduled for the closing months of the Section year that are especially significant. First, the hearing on the entry of the consent decree has been scheduled on June 20, and that may or may not play out uneventfully. Second, the recodification of the Standards under which law schools are evaluated for accreditation is scheduled to come before the House of Delegates this summer.

As it appears that the Department of Justice has signed off on the areas in which it had expressed concern in the proposed consent decree, and as the ABA has been proceeding under the proposed decree all year because of an agreement in June 1995 to abide by its terms (so that the Section has been operating under a consent decree for all practical purposes), I forecast little change.

When this year began, a number of us expressed great uncertainty that our people and our processes could carry on. It was a disappointing, emotional, and risky time, but we managed. Part of the reason that continuing presented a mysterious challenge was the degree of hurt and anger that many volunteers felt as the outside world appeared to be invited to buy into the notion that the people “on the inside” had manipulated the process for their own benefit. This was and remains a bizarre notion to many of us who had observed and participated in the processes that were condemned.

In order to continue, we were required to park our feelings, including our amazement, and commit to making the new order work. From my observations, we did this largely for two reasons—the consumer need of law students and the need for healthy educational institutions that are capable of turning out competent and ethical lawyers. We did not stay because, like some dog, we did not have enough sense to come in out of the rain. We stayed because we thought that we were uniquely equipped to make the proposed consent decree work, which we did.

Throughout the year, we proceeded fairly intensely with the assignment to recodify the Standards. The pace was accelerated to meet an objective to bring a complete body of Standards before the ABA’s House of Delegates in August 1996. The Section will meet that objective, and if the Standards are not adopted in August, it will not be because we failed to deliver on the schedule that we established for ourselves.

Unfortunately, the process for recodifying the Standards will continue to present many temptations for special pleaders to zero in on pet topics, and the House of Delegates will be required to decide if the community’s interest in adopting a coherent package to replace the present patchwork overrides the rhetorical allure of those who would delay or amend for various reasons.

Are the Standards that the Council will send to the House appealing to all? Most certainly they are not. I have a few I would modify myself if someone left the final drafting to me. The recodification package is a brokered document, with all the advantages and liabilities that are associated with negotiated products.

The Standards will undoubtedly be amended again and again in the future, and that is how it should be. The pressing need this time around will be to replace what we have with what we propose. Few would argue that the recodification fails to improve on its predecessor. In addition, the ravages of the past two years have changed the predecessor document, and the negotiations with the Department of Justice over the six trailing items compel changes in order to keep faith with the consent decree process.

I will be interested to see how the House of Delegates responds to the call to adopt the recodified Standards. I hope that the delegates ignore the siren song of those who offer a chance to engage in recreational democracy, and that they consider seriously their mission to give law students, law schools, and the ABA a solid rule book without further delay. It will all come down to whether the victors are those who think of the interests of the whole or those who champion only their own self-interests.

As to summing up my own year, I have tried to be a conciliator and a facilitator. I felt at times like the engine bearing the snow plow that clears the tracks for the trains that follow. Sometimes the drifts were just too high, and I stalled until the next thaw.

People have treated me very courteously, more courteously than I might have expected. The Board of Governors committee charged with consent decree oversight responsibilities, and chaired by Roy Hammer, was fair, helpful, and appropriate to its role. No one cut the Section any
particular slack, but virtually everyone, including many ABA staff members whom I had never met before, were very helpful.

For my part, I never got very far out of my consent decree/recodification burrow to sample or promote our other activities. This was a function of terrific time demands and of the fact that the Section's resources are themselves in pitiful shape despite our efforts at austerity. I am hoping that my successor, Rudy Hasl, will be able to enjoy a wider range of pursuits within the Section beginning in August.

I often felt as though I was walking a fine line as the Section Chairperson. I tried to be cooperative without seeming too compliant, and I tried to project unapologetic without seeming defiant. I went about the whole year in good faith, and for the moment I am content with what I accomplished.

As I have mentioned in earlier columns, it is the men and women of the Section, both volunteers and staff, who constitute the engine that drives our activities. Volunteer-intensive efforts are rarely flawless, and this one certainly is not. It is genuine and good, however, and I am proud to have had a chance to lead the Section for this year.

The year has seen such a difference, and some things will not be the same. For the literati, we have Thomas Wolfe's "you can't go home again." For me, there is Judy Holli-day in "Bells Are Ringing" as she sings of her wish to go back "where I can be me, to the Bonjour Tristesse Brassiere Company." There is humor and strength and wistfulness in her rendition.

There were many times this year when I found myself humming about the Bonjour Tristesse Brassiere Company, wondering what on earth I was doing as the Chair of this Section. I hope that I projected humor and strength, and I cannot end the year without a dash of wistfulness. Thanks to all of you who gave me something to feel wistful about.

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LSAC Report

LSAC Responding to Change

by Jana Cardoza

During the last week in May, Law School Admission Council volunteers packed up their troubles in their old kit bags and headed for sunny St. Petersburg Beach, Florida, where they pondered changes in admission policies, past, present, and future. Billed "Responding to Change," this year's annual meeting and educational conference actually embraced two major themes: the experiences of women in the legal academy, and strategic enrollment policies that may become increasingly necessary if the current trend toward decline in law school applicant volume continues.

The Right Honourable Kim Campbell, P.C., Q.C., former Canadian Prime Minister and former Minister Justice and Attorney General of Canada, was the keynote speaker. That the Canadian Prime Minister was the keynote speaker for a legal education event in which the community gathered to celebrate the fact that currently nearly half of all law students are women was highly apropos. In the early 1970s, only 10 percent of all law students were women. Linda Wightman, LSAC vice president of operations, testing and research, presented an overview of her recently published report, Women in Legal Education: A Comparison of the Law School Performance and Law School Experience of Women and Men. A session titled "Women on the Verge of a New Career: Outlook for the Millennium" explored what law schools are doing to serve the challenging career needs of female students, alternative career paths, and new definitions of success. How women lawyers balance their personal and professional lives and what the future may hold were also among the issues discussed.

Another session looked at how women lawyers are portrayed in the popular media and discussed media stereotypes of and societal attitudes toward women in law.

In a plenary session on strategic enrollment management, Peter Bryant, senior vice president of Noel-Levitz, a prominent enrollment management consulting firm, addressed concerns about applicant downturn and the need for law schools to define their institutional images and employ aggressive marketing and recruitment strategies. Bryant also conducted a session on how law schools can get the most out of their scholarship programs and institutional aid budgets.

Other sessions addressed such hands-on topics as better budget management and establishment of a Web site. Also explored were broad issues with far-reaching implications for admissions such as preserving affirmative action in light of the recent Fifth Circuit decision in Hopwood and the myths and realities of dealing with the learning disabled population among the law school applicant pool.

The title of one session on recruiting part-time and nontraditional students, "Rope 'em, Tag 'em, Tie 'em," seemed to say it all. Participants came to this year's annual meeting ready to brainstorm with their colleagues on new ways to meet the challenges of the current law school applicant decline.
Nominating Committee Announces Council Nominees

The Nominating Committee of the Section of Legal Education and Admissions to the Bar, consisting of Sharp Whitmore, Esq., Chairperson; President James Douglas; Professor Jane L. Hammond; Nancy Newman and Harold L. Rock, Esq., have submitted the following list of nominees as Section Officers and Council members for election at the Section's Annual Business Meeting on Saturday, August 3, 1996 4:15-4:45 p.m., Grand Cypress Ballroom H/1, Hyatt Grand Cypress Hotel, Orlando Florida.

Rudolph C. Hasl, Chairperson-Nominee (automatic under bylaws), is Dean of St. John's University School of Law and former Dean of St. Louis University School of Law. He is an honors graduate of Xavier University in Cincinnati Ohio and a cum laude graduate of St. Louis University School of Law. He holds an LL.M. from New York University School of Law. Dean HASL is a former chairperson of the American Bar Association Accreditation Committee. He is a former member of the Xavier University Board of Trustees, a former President of SCIRIES, and the 1988 recipient of the Missouri Bar Spurgeon Smithson Award.

Beverly Tarpley, Esq., Chairperson-Elect Nominee, is of counsel with Scarborough, Black, Tarpley, and Trimble in Abilene, Texas. Ms. Tarpley is former Chairperson of the Texas Board of Law Examiners, and is Past Chair of the Board of the National Conference of Bar Examiners. She is the delegate from the NCBE to the House of Delegates of the American Bar Association. She serves as a member of the American Committee working with similar groups from Mexico and Canada, on implementation of the provisions of NAFTA for cross borders delivery of legal services. Ms. Tarpley is a former President of the Abilene Bar Association and is a Fellow of the Texas Bar Foundation and the American Bar Foundation. She holds B.A. and J.D. degrees from the University of Texas.

Honorable Randall T. Shepard, Vice Chairperson-Nominee, is Chief Justice of the Indiana Supreme Court. He is a current member of the Council of the Section of Legal Education and Admissions to the Bar. Chief Justice Shepard was appointed to the Indiana Supreme Court in 1985 and was elected chief Justice in 1987. Prior to his service on the Supreme Court he served as judge of the Vanderburgh Superior Court in Evansville, Indiana. He is a cum laude graduate of Princeton University and earned his J.D. degree at Yale Law School. Chief Justice Shepard served as Chairman of the Historic Landmarks Foundation of Indiana and as Chairman of the Indiana Commission on the Bicentennial of the Constitution. He is a member of the Board of Directors of the National Trust for Historic Preservation. He is current Chair-Elect of the Appellate Judge Conference of the American Bar Association and serves as a member of the Executive Committee of the National Conference of Chief Justices.

Erica Moeser, Esq., Immediate Chairperson (automatic under bylaws), is President of the National Conference of Bar Examiners. She is the former Executive Director of the Board of Bar Examiners of the State of Wisconsin. She is a former Chair of the Conference of Bar Administrators and a former member of the Board of the National Conference of Bar Examiners. Ms. Moeser served as an adjunct faculty member at the University of Wisconsin School of Law. She is a member of the American Law Institute. Ms. Moeser holds a B.A. from Tulane University and a J.D. and M.S. from the University of Wisconsin. She has received a honorary LL.D. from Nova Southeastern University and the John Marshall Law School.

Jose Garcia-Pedrosa, Esq., Section Delegate to the House of Delegates, is a former Chairperson of the Section and a former member of the Section's Accreditation Committee. Mr. Garcia-Pedrosa is former managing partner in the Miami, Florida firm of Tew, Garcia-Pedrosa, and Beasley. He is City Manager of Miami Beach, Florida. Mr. Garcia-Pedrosa served as a member of the ABA Commission on Professionalism and was a founding member of the Cuban-American Bar Association. He is a former city attorney for Miami. He is a Fellow of the American Bar Foundation. Mr. Garcia-Pedrosa holds a B.A. with honors from Harvard College and an LL.B. from Harvard Law School. He is a trustee of the Bass Museum, Miami Beach, Florida.

Martha Walters Barnett, Esq., Council Member Nominee, is a partner in the law firm of Holland and Knight and serves on its Director's Committee. She is a former member of the Board of Governors of the American Bar Association where she served as chair of the Finance Committee. She is completing a two-year term as Chair of the House of Delegates of the American Bar Association. She is a Life Fellow of the American Bar Foundation, a member of the American Law Institute, a former member of the American Judicature Society Board of Directors and a member of the Board of Directors of the Lawyer's Committee for Civil Rights Under Law. Ms. Barnett received a B.A. cum laude from the Sophie Newcom College of Tulane University and J.D. cum laude from the University of Florida College of Law where she was an editor of the Florida Law Review.

Laura N. Gasaway, Council Member Nominee, is Professor and Director of the Law Library of the University of North Carolina. She is former professor and director of the Law Library at the University of Oklahoma Law Center. She is a former president of the Association of American Law Libraries. She served as a member of the Accreditation Committee of the American Bar Association. She has written and lectured widely in the area of intellectual property. Professor Gasaway received a B.A. and M.L.S. from Texas Women's University and a J.D. from the University of Houston.
William R. Rakes, Esq., Council Member Nominee, is a practicing lawyer in Roanoke, Virginia, with the firm of Gentry, Locke, Rakes and Moore. Mr. Rakes is a former president of the Virginia State Bar and a former Chairman of its Disciplinary Board. He is a Fellow of the American College of Trial Lawyers, the International Society of Barristers and the American Bar Foundation. He serves as a member of the ABA House of Delegates. Mr. Rakes is completing a one-year term on the council. Mr. Rakes holds a B.A. and LL.B. from the University of Virginia.

E. Thomas Sullivan, Council Member Nominee (for a one year term) is Dean and William S. Pattee Professor at the University of Minnesota Law School. He is former dean of the University of Arizona College of Law and former Associate Dean of the Washington University Law School. He is a nationally recognized authority on anti-trust and complex litigation and authored and co-authored seven books on this area. He is a Fellow of the American Bar Foundation and a member of the American Law Institute. Dean Sullivan holds a B.A. from Drake University and a J.D. magna cum laude from Indiana University School of Law-Indianapolis where he served as Articles editor of the Indiana Law Review.

Diane C. Yu, Esq., Council Member Nominee, is General Counsel of the State Bar of California. Ms. Yu is a current member of the ABA’s Accreditation Committee. She is former White House Fellow and former California Superior Court Commissioner. She served as a member of the ABA Commission on Opportunities for Minorities in the Profession, and as a member of the ABA Commission on Women in the Profession. She is a member of the Council of the Section on Individual Rights and Responsibilities. Ms. Yu is a former Chair of the Committee of Bar Examiners of the State Bar of California and is a current member of the ABA House of Delegates. She is a Fellow of the America Bar Foundation. Ms. Yu holds a B.A. from Oberlin College and a J.D. from the University of California-Berkeley (Boalt Hall).

WASHINGTON REPORT

Following a protracted Fiscal Year 1996 budget struggle involving twelve temporary spending measures, two shutdowns of unfunded federal departments, and confrontation between congressional leaders and the President on most major federal education programs, the FY 1997 appropriations process appears to be headed toward an early, less acrimonious resolution. As it is an election year, the interests of all involved may best be served by reaching reasonable compromises early in the summer and heading home to campaign on this record for the fall.

A year ago, the balanced budget plan then taking shape called for large cuts in student financial aid, ending the in-school interest subsidy on student loans, killing the direct lending program or capping it at a maximum of 10 or 20 percent of loan volume, ending funding for AmeriCorps, elimination of the Department of Education, and termination of a large number of federal education programs. The President vetoed two “budget reconciliation” bills containing the balanced budget plans, and many months later an appropriations bill that compromised on all of these issues was enacted by the Department of Education through until October 1996.

As it looks now, student financial aid programs will not be called upon to absorb a substantial cut in funding and the interest subsidy will continue. Direct lending will continue, and a deal was reached to permit all colleges to enter the program. The AmeriCorps national service program ended up with $400 million for the current year. The Department of Education is currently out of immediate danger of elimination.

Many programs, however, that were slated for termination both by Congress and the President were in fact unfunded. These included the Legal Training for the Disadvantaged administered by the Council on Legal Education Opportunity and the Patricia Robert Harris graduate fellowships. The Law School Clinical Experience program was reduced from $14.9 million to $5.5 million and is slated to go to zero funding in the FY 1997 legislation.

Still, critics of the federal role in higher education are not resting. A plan put forward by the Heritage Foundation this spring called for elimination of the Education Department, as well as an end to the federal Perkins Loan, College Work-Study and Direct Student Loan programs. Under the plan, Pell Grants, Federal Family Education Loans and other surviving programs would be administered by the Department of Health and Human Services. Legislation similar to this plan, the Back to Basics Education Reform Act, has been introduced in the House of Representatives. But these issues will not receive much further attention this year. They will likely be addressed next year, probably in the context of the 1997 reauthorization of the Higher Education Act of 1965, when the 105th Congress begins its work following the results of the November elections.

E. Bruce Nicholson is legislative counsel for the Government Affairs and Public Services Group of the ABA.
Assessing Performance Is More Than Numbers

by Pam Malone

Imagine a system that assessed faculty effectiveness and merit primarily on the basis of arbitrarily weighted data—most of it over which individual faculty would have little or no control. Imagine the angst faculty members would feel if they were being evaluated not only on their publications, class hours taught and such, but also on the number of seminar questions students ask during a randomly selected time period, or on the intensity with which students give their attention during a lecture, or how well prepared students are for tests, and you can probably imagine faculty suggesting that such a narrow and arbitrary range of data is not representative of them, their expertise nor their capacity to teach effectively.

Welcome to the world of today's law school career services administrators—professionals whose performances are scrutinized under just such a system of assessment. If you can imagine the concerns faculty would have regarding such a system for their evaluation, then you can probably imagine the dread, fear, and trembling that beset career services administrators who know that as "placement" data are collected, compiled and evaluated—arbitrary and incomplete data and invalid interpretations are often used. "Placement" data, "percent reporting salary," "median salary" and OCI employer counts—the current standards for judgments about career services performance—are merely one narrow range of data. These data fall far short of a comprehensive, fair assessment of the effectiveness of the people and programs in the career services office.

To be fair, just as faculty are accountable for certain aspects of their performance and the academic achievements of their students, career services administrators should certainly be held fully accountable for excellence in counseling, innovative outreach to employers, quality informational programming, and much more.

But just as faculty cannot necessarily control all of the quantitative and qualitative elements that could be collected and used in an assessment of their performance, career services administrators cannot necessarily control the volatility of the legal employment marketplace, the initiative and motivation of students, nor the inclination of students to seek and accept career counseling. Moreover, career services administrators cannot and should not dictate nor be accountable for the reasoned career choices graduates make—a factor that determines median starting salaries and in some assessments, either contributes to or detracts from a law school's perceived prestige and visibility.

It is time to look well beyond the numbers. In 1988 the "success" of career services offices was enconced in the number of employers participating in OCI. The downturn in the market that marked the early 1990s and that has created a contemporary buyers' market has been followed by an avalanche of new, efficient electronic recruitment resources. Thus, OCI, long known as a somewhat inefficient vehicle for recruitment, is far less attractive and far less used by legal employers today than ever before. Nevertheless, OCI activity still continues as a standard for assessments of career services "success." Unfortunately, the very measurable and positive results of intensive student and alumni career counseling or outreach designed to market the law school to employers—career services resources and time formerly used in the management of massive OCI programs—are not commonly incorporated into measures of career services effectiveness.

It is time to interpret numbers in context. In today's constrained and conservative employment market, many small or medium firms, government agencies, and public interest employers extend offers of employment only after graduates offer proof of bar passage. Similarly, graduates seeking nonlegal jobs do not acquire their offers months in advance of their starting date. These facts assure that meaningful statistics for graduates who pursue jobs with employers other than large blue chip law firms will not be forthcoming for at least six to nine months following commencement ceremonies. At graduation employment data—while important in this day of increasing debt burdens—may only be reliable when compiled relative to students who are seeking jobs from employers that can and do extend offers prior to graduation.

It is time to focus on the fact that complex numbers are too often presented in simplistic terms. A school that boasts an average starting salary of $60,000 will undoubtedly have very happy admissions folks and will probably reap immediate results with their recruitment efforts. However, that figure provides no understanding about the fact that a significant number of students from that school most assuredly accept midsize firm employment paying $20,000 less than that claim. It offers no understanding that employment with small firms, government or public interest organizations will subtract an additional $5,000-$15,000 from that modest salary level. More to the point, a figure of $60,000 doesn't take into account that some graduates, due to privacy interests and/or embarrassment, do not report salaries that are at either extreme of the spectrum.

Finally, it is time to recognize that the data summaries currently quoted in commercial assessments of law schools and career services per-
formance are based on criteria and computational methodology that change from year to year. Assessments of career services or "placement" success that appeared in ratings and rankings publications a year ago have little or no valid correlation to data published this year. This year, as in past years, not only did the questions and reporting datelines change, but the computation and weighting methods were altered as well. It follows that stigmatizing career services program or department performance on that basis is grossly unfair.

Looking beyond the "placement" numbers means engaging in meaningful dialogue with career services professionals about the realities and complexities of the legal hiring process today. There are no easy answers, scapegoats, nor pawns when seeking strategies to improve the employment successes of law graduates.

Look beyond the numbers when evaluating career services successes—just as faculty would ask others to do in evaluations of their performance—and it is clear that commonly used data on graduate employment are only a partial reflection of the effectiveness of the law school and its student career services program.

Pam Malone is director of Career Services at Vanderbilt University School of Law and president of NALP.

DEAN CHANGES
Continued from page 5

sity School of Law.

Harold H. Bruff is the newly appointed dean of the University of Colorado School of Law.

Columbia University School of Law has appointed David Leebron to succeed Lance M. Liebman as dean.

John R. Roberts has resigned the deanship of DePaul University College of Law to return to the faculty. Associate Dean Mark Weber has been appointed acting dean.

Janice Griffith has been chosen as the new dean of Georgia State University College of Law, succeeding Marjorie L. Girth.
The American Bar Association has announced the recipients of the 1996 Pro Bono Publico Awards:

- The Broward County (Fla.) Attorney’s Office, the first governmental law department to receive the award, cited as a model for other governmental agencies around the country for the legislation that removed barriers to publicly employed lawyers doing pro bono work;
- The Rolando Cruz defense team of Lawrence C. Marshall, Thomas M. Breen, Matthew F. Kennelly, and Nan R. Nolan, all of Chicago, the first unaffiliated group of lawyers recognized for joint effort in a single case;
- Lise Iwon, a partner in Lawrence & Iwon, a two-lawyer firm in Wakefield, R.I., recognized particularly for her work for women and children victims of domestic violence;
- B. Riney Green, a partner in the Nashville law firm of Farris, Warfield & Kanaday, honored both for his direct service to low income persons and for his leadership in expanding services to the poor in Nashville and statewide; and
- The California law firm of Munger, Tolles & Olson, with offices in Los Angeles and San Francisco, recognized for volunteer services on a vast variety of issues and on a statewide basis.

"Each of the recipients brings a special dimension to the Pro Bono Publico Award. The breadth and diversity of the recipients reflects the commitment of lawyers across this nation to serve the needs of poor persons by giving of their knowledge, their talents, their access to and ability to employ the legal system for fairness and justice," said ABA President Roberta Cooper Ramo.

Ramo was joined in announcing the selections by James Baillie of Minneapolis, chair of the ABA Standing Committee on Lawyers, Public Service Responsibility, which confers the awards.

"In a time when resources for public needs are diminishing and in constant threat of curtailment, the volunteer work of lawyers in every form of practice stands as the only hope for many of our citizens. While volunteer legal service can never hope to meet all of the needs, it is an invaluable resource to this nation, and a crucial partner with publicly funded legal assistance programs in serving our citizens," said Baillie.

The 1996 awards will be presented at a luncheon Aug. 5, during the ABA Annual Meeting in Orlando, by Baillie and Robert E. Juceam of New York, chair of the awards subcommittee.

The ABA Pro Bono Publico Award each year recognizes up to five lawyers, law firms or institutional legal departments for direct service to the poor or for activities that increase the access of poor persons to legal assistance.