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INTRODUCTION

Caligula felt he satisfied the Romans' need for due process by printing his laws in unreadable type and placing them in inaccessible alcoves. The Massachusetts Legislative, Executive and Judicial Branches have achieved the same result by disseminating their material inefficiently, cryptically organized, and with an utter ignorance, and disregard of technological advancements. Massachusetts is not the only state in the country that has problems providing the citizenry with legal information. The state can serve, however, as an example of what can and has gone wrong when the different branches of government enter the publishing business. Here is a rundown of the publications that would have to be used to understand our laws, regulations, and court decisions and the reasons for discontent with this state's practice in issuing them.

COURT DECISIONS

The Supreme Judicial Court publishes its opinions in a set that dates back to 1804, (The Appeals Court began publishing decisions in 1972). Originally the volumes were referred to by the name of the reporter of the court. 7 Cushing 285 would refer to the seventh volume issued by Mr. Luther S. Cushing, with the second set of numbers indicating the page on which the case begins. Beginning with volume 97 (1867), the volumes were numbered consecutively incorporating the old court reporter named sets. There are probably some old timers who wax nostalgic about citing to the court reporters. The problem is, not only is citing to the state reporters, such as Pickering and Cushing, both inefficient and quaint, but publishing the set at all is an act of waste. Twenty-one enlightened states and the District of Columbia no longer publish their state reports. They allow West Publishing Company to assume this burden at no expense to the state. West, in turn, makes its money by selling to the bar, libraries, and state governments. At a time when Massachusetts is in a deep fiscal crisis it is incumbent on the judicial branch to seek means of saving money without jeopardizing quality.

Why should the judiciary get out of the publishing business? For one reason, a state court reporter analyzes each case and a synopsis is put above the case. This synopsis has no precedential value and law students are particularly told never to rely on anything except the words actually attributed to the judge. For another, these captions are not cumulated and have no enduring purpose to serve. When one thinks of the ability it takes the Massachusetts reporter of decisions to capsulate a judge's opinion of twenty pages into four or five paragraphs, one can ask that this talent be put to better use. On the other hand, West Publishing's captions to the cases are digested in an efficient form that is taught to every law student.

DUPLICATION OF STATE REPORTS

The question is why does our judiciary not defer to West Publishing Company? Why does it require briefs before the Supreme Judicial Court to cite only to the Massachusetts Reports? Why does it insist, as does New York, on necessitating each law library to use valuable space and substantial sums of money for duplicated material. Not
only that, but duplication causes a great deal of confusion to the lay person. People trying to research the law on their own do not understand the logic of two, or three (in California and New York), sets of material carrying the identical language of judges.

ADVANCE SHEETS

The one drawback of relying on West Publishing is that advance sheets are received much more expeditiously from the court sponsored set than from West. Even though West cannot compete with the official reporter on speed, they have increased the value of their service by including the Massachusetts Reports pagination in Massachusetts Decisions. With this pagination, a legal researcher can now obtain the correct official cite without consulting an official reporter. Even with the enhancement of pagination West cannot render the official advance sheets obso­lete. The speed at which the official advance sheets are produced cannot be matched by West. Until this can be remedied, it will be necessary to publish the advance sheets.

A nagging problem is that maintaining the official reports requires the binding of advance sheets. Bateman and Slade, the company which has been chosen to print the decisions, produces paperback advance sheets of cases weekly. When a complete volume of decisions is accumulated, Bateman and Slade sends subscribers a hard cover bound volume. What is problematic is the time it takes for the bound volume of decisions to be produced. A representative of the company has told us that there is no set timetable for the binding of advance sheets. The last volume which has been bound includes cases up to several years before the current date. Having two or more years worth of cases in advance sheet form, in multiple three ring binders, is a very dangerous way to keep a copy of important cases. The paperback advance sheet is extremely susceptible to loss, theft and just plain wearing out. The longer the printers take to produce a bound copy, the more burdensome research becomes.

West Publishing Company, on the other hand, has bound decisions of Massachusetts Reports on a much more current basis. Instead of hundreds of official slip decision pamphlets to bring the official set up to date, West has a only a few. These facts speak for privatization.

Another disadvantage of the official advance sheets is that they are not color coded to reflect a new volume number. All advance sheets of the Massachusetts SJC have a drab tan cover, and the advance sheets for the Appeals Court have a mint green cover. Although this may seem like a trivial point to most people, from an organizational standpoint it is important. West Publishing Co. changes the color of the advance sheet cover for its Massachusetts Decisions periodically. This enables the library to keep the advance sheets in better order, which in turn aids the legal researcher in locating cases. The official Massachusetts reporters, because of their tremendous backlog of advance sheets, would benefit from a yearly color change.

GENERAL LAWS OF MASSACHUSETTS

Let us now turn our attention to the laws of the Common­wealth of Massachusetts. All citizens, let alone lawyers or legislators, have at some point in their lives had their attention called to the law. Whether it be to contest a speeding ticket, or to use the Lemon Law against a car dealer, a copy of the law is needed. Where would a citizen find this law? There are three sets which can be referred to: The Massachusetts General Laws Annotated (West Publishing Co.), The Annotated Laws of Massachusetts (Lawyers Cooperative Publishing Company), and The 1988 Edition of the General Laws of Massachusetts, also known as the Official Edition, (published by the Massachusetts Bar Association in association with West Publishing Company). The last time the laws of this state were codified was 1921. Technically, any difference between the law as passed, say in 1935, and the laws in the three sets mentioned above, means that the 1935 law will hold. This is an unfortunate lapse of duty on the part of the Legislature, but not as bad as the lapses of publishers. The Official Edition is official in name only. It is merely the laws without annotations published by a private company under contract to the state legislature. Referring to a set as “Official,” creates an unstated aura of authenticity that even its own editorial notes disclaim. Even though this set is “Official” it does not necessarily mean that the set is authoritative.

How could the problem of updating the law be solved? The state could recodify the “Official” code by piecemeal enactment as is done by the Federal Government with its United States Code. This would be a good idea if it did not involve a partisan political battle of patronage.

Another nagging fault of the sets put out by West and Lawyers Cooperative is that they contain reference tools which refer the user to other sources such as books and articles. However, these publishers do not tell you that they do not refer to materials that are published by competing companies. This is an example of Judge Jerome Frank’s “fight” theory versus the “truth” theory as applied to the publishing industry. A Surgeon General’s warning should be on the cover of each of the 138 plus volumes of these sets alerting the reader to this shortcoming, and possible hazards to one’s research.

One encouraging piece of information relative to improving the citizen’s ability to understand the law has occurred in Massachusetts. Massachusetts is one of a number of states that have made their codes available
through online searching. For a price (and this could be made available through libraries), you can access the laws of Massachusetts on LEXIS and WESTLAW. This means that you can find legislation without using an index by simply asking the database if a certain word appears. The state should make this database available to the public and not limit it to those who can afford the service.

**CODE OF MASSACHUSETTS REGULATIONS**

Regulations are every bit as important to the citizen as the laws and decisions. In Massachusetts the regulations that oversee the workings of state agencies, and ultimately citizens, are published in the Code of Massachusetts Regulations (CMR). The CMR is made up of twenty-five large three ring binders. The binders collectively are quite an intimidating set, due primarily to the fact that the Secretary of State has neglected to put on the outside of the binders what each binder contains. The set occupies three shelves, and each of the twenty-five volumes have approximately seven hundred loose leaf pages. If you had a need to keep prior editions of the code for historical purposes, you would use up to 18 shelves (54 feet) of space. It is because of this that very few people keep old editions of the CMR, which makes it difficult to find out what a regulation contained in years past.

To use this set, and to maintain this set presents many problems. To keep the regulations up to date, the Massachusetts Secretary of State's office provides a weekly update in the Massachusetts Register. On the first page of this publication there is a statement which claims that the Register is sent out "biweekly." By the term biweekly, the state means some weeks you get two or three issues and some weeks you don't get any issues. Once you receive your Massachusetts Register you must separate the new regulations from the general announcements. The new regulations then have to be separated into temporary "emergency regulations" and permanent "new regulations." The emergency regulations are then put into volume twenty-five along with the Regulation Filing records. The new regulations are then filed throughout the other twenty-four volumes of the set. This procedure takes up to a few hours each day, at least once a week.

Now that we have our up-to-date, complete CMR, there isn't a regulation that exists that we can't find. Well, that isn't the complete truth. Whenever the CMR is used the most glaring deficiency of the set emerges immediately. **THERE IS NO INDEX.**

To use the set successfully, the user should understand how regulations are created. To make a long story short, regulations filter down from the Governor's Cabinet to the various state agencies. Since the CMR is roughly arranged, a person using the set would have to know what office controls what regulation. For example if you wanted to look up regulations concerning pipefitting, you would have to look in chapters under the cabinet office of Public Safety. Each volume does give a list of chapter numbers and their relative subjects, but this is a sorry substitute for a detailed index. It seems as though the Secretary of State is assuming that people who know how state regulations are made (state administrative officials) will be the only ones using the CMR, and thus no "real" index is needed. The trouble with this reasoning is that it excludes a few million citizens.

In general, the Secretary of State has created in the CMR a phenomenally inefficient record of the state's regulations.

Perhaps in the hands of a commercial publisher the CMR could develop into an easily updated, useful set. But in the hands of the current publisher finding a regulation, determining what period of time it was in effect, and locating out dated regulations becomes no more than a lottery. In some instances it is a lottery that has worse odds than Megabucks.

The CMR is one set of books that would make a perfect marriage with technology. Its basic characteristics of first being a big set, and second being a constantly changing set make it a natural for recent technological advancements.

**CD-ROM**

In June of 1989, the Social Law Library announced publication of the Code of Massachusetts Regulations on CD-ROM. CD-ROM will provide full Boolean search logic, search by citation and name, and other techniques for locating regulations, administrative decisions and other valuable material that is tremendously hard to locate in the present format. The CMR will be updated on a quarterly basis which will obviate the necessity for filing under the present arrangement. Social Law Librarian Edgar Bellefontaine deserves the commendation of all the lawyers of this Commonwealth for the perseverance and tenacity of seeing this project through to its present stage. This will be a tremendous boost to the few million citizens who never realized that there was a connection between the Office of Public Safety and your local pipefitter. It is to be hoped that the Secretary of the Commonwealth will consider this an omen for the future and that Massachusetts will become a leader in the wedding of legal materials with technology.

**FORMS**

Our last quarrel with the class of official publishers of legal material has to do with official state forms. Every form that is issued under the color of law should list a
notation of the law or regulation which requires such a form to be used. The style of citation of the law should also be consistent, understandable, and easy to locate. Every form should be inspected annually to make sure that it is accurate. A citizen required to fill out a document for the Probate and Family Court or the Registry of Deeds should be able to go into a law library and ask for the law and the regulations that require that document.

An appropriate example of the confusion that surrounds the forms is the current Massachusetts excise tax billing system. Every owner of an automobile registered in Massachusetts receives, from either their city or town, an annual excise tax bill. On this bill is language that subjects the automobile owner to a municipal tax levy, which includes late-fee penalties if the tax is not paid on time. At the bottom of this form is tiny print informing the taxpayer that the form is "approved by the Commissioner of Revenue form 206," and that, "Collection will be enforced by law." Where do taxpayers go to inquire if they are being assessed the proper amount of tax? Must they take the City or Town's word at face value? What law controls when the form tells you that "collection will be enforced by law"? Where can the taxpayer find an example of form 206?

Anyone who has ever been faced with this ambiguity and has tried in vain to reach the tax department via the telephone, or find a state employee knowledgeable on the particular information can surely see the need for a streamlined solution to this problem. The remedy to the vagueness that appears on forms that are being published daily by our state administrative agencies is simple. All forms published should include a cite to the latest edition of the Code of Massachusetts Regulations. The CMR would then include the administrative and or legislative authority that gave the form its reason for existence. A sample form would also be included. This sample would ensure an inquisitive or skeptical citizen that the agency does indeed have the mandate to inquire about the particular information sought.

These comments are made not just on behalf of the legal profession which deserves better from the Executive, Judicial and Legislative branches of the government, but for the citizens who pay for their publication. The general public looks at official publications with fear, amazement, frustration and skepticism even under the best of circumstances. To compound their problem, we add confusion in the dissemination of this information. Official material produced by the state should be clear to the citizen to ensure trust and compliance within the body of laws which govern us.

Roscoe Pound wrote of "The Causes of Popular Dissatisfaction with the Administration of Justice" in 1906, and the legal profession should be reminded again and again of its obligation to the public so that the delivery of legal services can be examined for its quickness, courtesy, and efficiency.

**BOSTON**

The City of Boston should not go unscathed in this review. The "City of Boston Code-Statutes, Ordinances and Regulations" was last published on April, 1975 while Herbert P. Gleason was the Boston Corporation Counsel. However, Volume 1 of the City of Boston Code, containing ordinances through 1988, has recently been published. To locate the current provisions of the code one must go to room 601 City Hall, the City's Law Department. A recent problem arose which involved the location of the Tregor Bill. After much aggravation it was discovered that the bill turned out to be the "City of Boston Funding Loan Act of 1982." This Act referred the researcher to both the Acts and Resolves of Massachusetts, chapter 190, and the City of Boston Ordinance of November 15, 1983. It took several trips to City Hall, and access to a University law library to complete this research. To top it all off, the information which was found at City Hall had to be photocopied there or purchased. Many researchers have told us of horror stories concerning the cost of this procedure. This may be a good idea if you are billing a client, but it is an inefficient way of running a city.

Caligula, it is said, once appointed his horse to serve as a government official.13 We have no idea of the voting record of this animal, but we suspect it is half again better that what our legislators have done for the citizenry of Massachusetts in making available the primary sources by which we must guide our legal lives.

**Footnotes:**

1 Justice Frankfurter and *A Uniform System of Citation*, 14th edition, recommend citations to the named reporters up to 1874 for United States Reports. This is not only antiquated and meaningless, but confusing to the public. The University of Chicago Manual of Legal Citation equivocates on the issue, but that is a sign of progress. See 53 University of Chicago Law Review 1343, 1357-8 (1986).

2 The following states no longer publish their state reporters; Alabama, Alaska, Colorado, Florida, Indiana, Iowa, Kentucky, Louisiana, Maine, Minnesota, Mississippi, Missouri, North Dakota, Oklahoma, Rhode Island, South Dakota, Tennessee, Texas, Utah, West Virginia and Wyoming.

3 The Federal government, whose wasteful publication procedures were pointed out by Bander in "Wading Through the Congressional Morass," 7 N.Y.U. Rev.L & Soc. Change 345 (1978), (republished in part in the Boston Globe, March 23, 1979 p. 15), had the good sense to permit a private publisher (West Publishing Company) to publish its court of appeals and district court opinions.

4 Admittedly, the Shepards Citation System does refer to these abstracts by super script number. Shepards also does
this for West Publishing's "Key Number" abstracts, and this may be of some benefit to lawyers.

5 Appellate Rule 16g states that citations in briefs must be made to the official court reporter. The rule also states that cites to statutory material shall include citation to either the Acts and Resolves of Massachusetts or the current edition of the General Laws pursuant to chapter 4 of the Acts and Resolves.

6 New York is a prime example of wasting a library's valuable shelf space. The official reports; N.Y. Reports, N.Y. App. Div. and N.Y. Misc., take up a total of 254 feet of shelf space. The unofficial reports, N.Y. Supp, that duplicate the above, with some exceptions, take up 135 feet of shelf space.

The argument for the abolition of the official New York Reports was made by Professor Herbert Peterfreund in the New York Law Journal (Jan. 21, 1959 p.2). His views were not acted upon by the legal profession, but in fact were opposed. See letter of Samuel L. Brennglass, New York Law Journal, Feb. 11, 1959 p.2.

Also, this material is now available on LEXIS and WESTLAW, as well as on microform, making hard copy duplication an anomaly.

Deans of law schools and librarians must also share the guilt for this wasteful duplication with their stress on quantity rather than on quality in their collections.


8 Even the computerized LEXIS and WESTLAW cannot compete with the speed of the official reporter. Both services claim that they are able to put a new case on their system within 72 hours from the time that they receive the cases from the court. LEXIS and WESTLAW receive the cases at the same time as do subscribers to the official reporter.


10 At the time of publication WESTLAW has also made the following state statutes available online; Delaware, Illinois, Kentucky, Maryland, Minnesota, Missouri, New Mexico, North Carolina, Ohio, Oklahoma, Rhode Island, Tennessee, Texas, Virginia and West Virginia. LEXIS also has the following state statutes available online; California, Connecticut, Delaware, Florida, Indiana, Iowa, Kansas, Kentucky, Maryland, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Carolina, Ohio, Rhode Island, Tennessee, Wisconsin, and Wyoming.


12 Professor Alexander Cella writes in Massachusetts Practice Vol.39, (p.161) "Separate indexes for the rules and regulations of each volume of the Code of Massachusetts Regulations are contained at the end of each code volume. A comprehensive index of the whole code is contained in volume twenty of the Code of Massachusetts Regulations." Whatever truth there was to this statement at the time of its writing, it is no longer accurate. There are no indexes at either place. Chapter 6 of Botsford and Matz, Handbook of Legal Research in Massachusetts, 2d ed. (CLE 1988) states that, "A cumulative index arranged by subject is projected in the future." For some reason criticism of those responsible for the status quo in our official publications is verboten.

13 Suetonius p.489.
THE PRACTICALITIES OF BEING PRACTICAL: A LOOK AT THE LAW SCHOOL CURRICULUM

by RONALD S. BERGAMINI, '88

Ronald S. Bergamini, '88, is an associate in the firm of Aronsohn, Springstead and Weiner, in Hackensack, New Jersey.

Editor’s Note: Mr. Bergamini’s article addresses an issue of concern to everyone in the legal profession. Over the last two decades the program of study in all American law schools has been beset by a continuing debate over the content and purpose of the curriculum. The views expressed by Mr. Bergamini reflect one set of concerns; the editors of THE ADVOCATE have no doubt that other alumni, faculty and students have a different perspective. THE ADVOCATE invites other members of the Suffolk community to contribute their views to this on-going debate, in the form of letters to the editor or brief articles.

Even a good education leaves much to be desired. Nowadays, unfortunately, people believe the quality of education in America is leaving very much to be desired. From our inner cities to rural America our educational system is being severely criticized as we lag behind the rest of the industrialized world, most notably, the West Germans and Japanese, the two great losers of World War II. Criticism of our educational philosophy has now reached the nation’s law schools. The primary issue being whether today's law school curriculum is properly preparing students with the practical tools necessary to enter the legal community.

The continuing and well-considered debate about law school curriculum will most likely intensify as more voices join the fray. As an associate in a law firm, I join this dialogue with the caveat that I am a newcomer, still possessing a small quantity of both naivete and idealism.

The law school curriculum restructuring being advocated by legal pundits is the need to teach legal neophytes the practical aspects of everyday practice in today's modern world. This criticism may stem from those, who upon graduating from law school, discover that many of the issues addressed in law school rarely arise in the real world. There is the natural tendency to ask, upon struggling procedurally, “why didn’t anyone ever cover this topic in law school?” After all, the question of who owns a certain fox and when they own it rarely is a concern of contemporary clients. Perhaps many of those critical of today’s legal education, are the clients, particularly, when they encounter young lawyers who cannot remedy simple problems expeditiously or competently enough to the satisfaction of those paying the bills.

Moreover, the clients may feel many lawyers research an issue to such depth as to avoid the apparent straightforward path to solving the problem, which often requires an understanding of the business environment involved, human behavior, and, of course, economics.

I assume many of those critical of the lack of practicalities in law school curriculum believe more attention should be focused on the day-to-day experiences and difficulties of being a lawyer which would better prepare one for employment. Such practical courses could include: law office management, time management, writing complaints, negotiating with adversaries (including insurance companies), effectively serving the needs of the client and “real” court structure—which would address how our massive bureaucracy really works at various levels (that is, if anyone knows).

All of the above courses and those similar would surely help one enter the legal profession with more practical skills, (if it does not scare you off by boring you to death). However, the question of whether the benefit of such courses would outweigh any potential detriment remains courses (torts, contracts, property, constitutional law, civil procedure, and criminal law) are necessary foundations for comprehending other more specialized areas of the law; few deans or faculty would tolerate any tampering with year one. Yet, the argument for more practicality in law school curriculum remains persuasive, somewhat obvious, and probably well meaning.

The main argument stems from a lack of understanding of most graduates of the real and often mundane responsibilities of the lawyer. Many of the most common tasks of a young lawyer are not taught in law school, and for that reason, many struggle upon first entering the profession. This may add to a lack of confidence, and even depression, (the stimulating discussions of law school life replaced
with timesheets). Many of these early difficulties involve areas which have already been mastered by paralegals and even legal secretaries. While such practicalities certainly need to be fully grasped to enhance the likelihood of a successful legal practice, I do not believe law school is the proper forum to do so.

Law schools traditionally have been places to explore yourself intellectually. In a time-honored tradition, they teach you an entirely new language and hopefully the ability to use your reasoning to its fullest potential.

Law schools have been, and need to remain, institutions where economic and social policy are debated freely in the classrooms, hallways, and, yes, the pubs. Where else do individuals discuss with such fervor the extent of your liability as a bailee of a friend's notebook? Or when someone mistakenly touches an individual, and the question of battery arises. How sad and devoid of dynamism would be a discussion on the quickest methods to process a claim against an insurance company.

Classes devoted to the practical problems of lawyering face many practical problems themselves. Obviously, law students come from various backgrounds and pursue various career paths. Would schools become specialized to address the changing nature of practice and deal with the practicalities of that particular specialization? If so, you are confronted with making the law schools more narrowly focused. This is a path most law schools will avoid in an effort to attract a diverse student body.

This leads to the first significant obstacle in attempting to alter the course of law school curriculum, that is, the faculty. The outstanding faculty members of any law school thrive on tapping the thought process of their students and probing them to think and reason as never before. This is the lifeblood of a law school; not right or wrong answers, but live debate where students are pushed to their analytical limits, and fifty (50) minutes fly by like five (5) minutes, (unfortunately, this does not happen all of the time, with the inverse sometimes proving more accurate).

I am certainly not advocating a stagnant curriculum, nor do I believe that faculty members are not searching for new methods and new ideas to accomplish their tasks. Of course, some professors prefer to standardize their classes with a curriculum which would require simple memorization. Many may lack a thorough understanding of the practical world, and are, indeed, hostile to it. Any position so rigid can never be a constructive one.

Hopefully, and more likely, a faculty member's interest lies in forming a personality of their particular school. This is accomplished by creating a stronger learning environment where students may discover themselves intellectually, rather than discover ways to just make money. Do not misunderstand this remark; there is certainly no crime in earning money. In fact, I would propose the more one grows and is put to the task intellectually, the easier the material rewards will be upon graduation. To reiterate, it is through each and every profession that the goals of law schools would be better met, and by that all of society benefited in the long run.

All classes and, most particularly, a Professional Responsibility or Ethics course, need to remind students of the conceptual ideals of the law and realities, responsibilities, and obligations lawyers have toward our society. This is a class where the realities of the decisions one must face as a lawyer must be impressed upon the students. In other words, we must look at the entire forest or risk being engulfed by simply looking at trees. This obviously is not an easy task, but it is certainly a necessary one.

To a small extent, such a course in Professional Responsibility should help students better realize life as an attorney. An experienced faculty member cannot help but impress to a small-degree, real-life situations upon students. However, we are still confronted with the very real problem of young attorneys (this one included) not knowing some of the basic "ins and outs" of attorney life, for the simple reason no one ever effectively communicated this to them. The solution to this dilemma must come from the legal profession itself, not by restructuring law school curriculum.

Summer clerkships are an obvious and practical area to begin with. Rather than just feel out or woo students into a large firm, more time should be spent in the firm schooling them in the practical aspects of lawyering and exposing them to realities. I am not suggesting this method is non-existent today, but recommending more time needs to be spent in this area. After all, the very individuals complaining loudest are best situated to remedy this problem.

This method should carry over into the first year (at minimum) of one's professional career. A few less billable hours during the first year, or in the alternative, a little more weekend work, due to consulting on these areas, would most likely pay dividends in the near term by making an attorney more productive.

Time spent with a young attorney by a more senior member of the firm can address another concern to the benefit of both the individual and the firm. That is, providing feedback on the quality of the work product being generated by the newer attorney. Many of my colleagues state they fear being misguided by the lack of feedback they receive. Without periodic criticism of your work it is near impossible to remedy any problems you may have. Most young professionals are naturally anxious to impress those senior to them and develop their own reputation and style. However, with no comments from
above, they are often led to believe their work quality is leading to a good future in their particular firm, when, in fact, others are not satisfied with this work product.

The profession can further assist young attorneys in the area of practicality and State practice through local and state bars. (New Jersey attempts to do this, with limited success in this writer's opinion) by requiring a practical skill courses. The most helpful aspect of the New Jersey course, is a publication of a series of workbooks which are provided when taking the course. This is a step in the right direction which requires no disturbance of the law school curriculum.

Regarding procedural problems and the structure of local courts, including such areas as statute of limitations, service of process, and the like, simply add these subjects to the Bar Exam, and watch how quickly and diligently these areas are studied (e.g. New York requires a knowledge of local practice to successfully pass its bar exam). Thus, if you intend to endure successfully the bar exam, you must study local practice with more than a "passing" interest. Some will correctly observe that upon completion of the Bar exam, this knowledge rushes out of your head as the relief of completion overcomes you. While this is certainly true to some extent, one cannot help but retain, at least the basic framework and foundation of the state's practice. Presumably, if you then begin your practice, you will quickly reinforce what you have learned from studying for the Bar.

The only real solution to the practicality problems will be time and experience. Despite all efforts at teachings, experience will always remain the best professor. Adding short-term courses or workshops to the availability of law students would better prepare individuals and may be the compromise which will satisfy both traditionalists, like myself, and those criticizing today's curriculum.

In sum, I believe law school curriculum should not be changed simply to address practical problems, nor do I believe such a change would have a significant effect on the problem it would attempt to cure. However, a combination of the above suggestions may collectively help make the transition from law school into law practice somewhat more graceful. Making law schools more practical risks their all becoming trade schools. This they must never be. Like it or not, many of our leaders come from law schools, and as such, their primary concern and responsibility should be toward the aggregate advancement of society. A forum for learning to think, reason and discovering all is not always as it appears. Lawyers must be able to look to the underlying root of the issue they confront and deal with it effectively. The future of our economic and social policy, as well as our standing in the international community, may depend upon it.
THE ADVOCATE invites alumni of Suffolk University to submit brief commentaries on recent developments in the law. The following are comments on recent significant cases in which graduates of the law school participated. Except in rare cases where additional space is needed, comments should be limited to approximately 300 words or less. Comments submitted for future publication should be typewritten and submitted to: The Editorial Board, THE ADVOCATE, Suffolk University Law School, 41 Temple St., Boston, MA 02114.

If you submit a comment to THE ADVOCATE, please make a photocopy of this page, complete the information requested, and return it with the typewritten comment.

Name(s) of author of comment: ______________________________________

Address: ____________________________________________________________

Year of Graduation: 19 Zip Code: __________________________

Phone: (____) ______ - _________

Please provide exact citation to case on which the comment is based, including name of case, volume and page in reporting service, court and year: ___________________________________________

Please provide a brief biography of the author of the comment:
The Massachusetts Appeals Court recently interpreted section 9 of G.L. c.40A to authorize the issuance of special permits for relief from dimensional requirements of a town's zoning by-law. In *Emond v. Board of Appeals of Uxbridge*, the plaintiff-abutters appealed the grant of a special permit for construction of a house on a lot with 1.44 acres of land and 125 feet of frontage. The zoning district required one acre and 200 feet of frontage. The Uxbridge Board of Appeals had granted the defendant land owner a special permit under a provision of the Uxbridge zoning by-law in which the Board of Appeals could take into consideration previously developed adjoining areas and the standard of the neighborhood in permitting building on lots with less area or frontage than required.

The abutters complained that special permits for dimensional variations are not authorized by the special permit section of the Zoning Act, G.L. c. 40, §9 (St.1975, c.808, §3). The language of §9, which the Appeals Court characterized as "ambiguous," authorizes the grant of special permits "for specific types of uses which shall only be permitted in specified districts...." The Appeals Court examined the special permit section of the earlier Zoning Enabling Act, G.L.c. 40, §4 (St.1954, c.368, §2) and the relevant case law interpreting that section to apply to the grant of special permits for deviations from dimensional requirements. The Court then examined the legislative history of the 1975 Zoning Act to determine why the revised language on special permits was enacted. The Court concluded that there was no intent in the adoption of the Zoning Act to curtail the scope of the special permit section of the Zoning Enabling Act. Rather, the Court noted that case law and commentary on the Zoning Act indicate that the scope of special permits was expanded by the Zoning Act. Thus, in instances where a town by-law authorizes the grant of a special permit for dimensional variations as did the Uxbridge by-law, such a special permit will not be in conflict with the Zoning Act. Once again, the Appeals Court has found it appropriate and necessary to clarify a portion of the Zoning Act. See *Willard v. Board of Appeals of Orleans*, 25 Mass.App.Ct. 15, 514 N.E.2d 369, 373(1987) (interpreting section 6 of the Zoning Act to apply to structures).
IS YOUR SPOUSE RESPONSIBLE FOR YOUR MALPRACTICE?

Legal Malpractice after Pelletier

by Nicholas D. Alexander, ’84

About the Author
Nicholas Alexander (J.D. ’84, Suffolk University Law School), argued Pelletier on behalf of the defendant. He is an associate at Long, Anderson, McTaggart & Racicot, where he represents the American International Group insurance companies in products liability, malpractice, and general liability cases.

Can your spouse be found legally responsible for your malpractice? Under current Massachusetts law, the answer is a muddled “maybe.” Until the legislature rewrites c. 197, sections 28 and 29, or the court decides issues intentionally left unanswered in Pelletier v. Chouinard, 27 Mass.App.Ct. 92, 534 NE 2d 718 (1989), there is no definitive answer.

Pelletier, decided this past March by the Massachusetts Appeals Court, involved a claim of legal malpractice against a lawyer’s surviving spouse. The case concerned the lawyer’s disgruntled former client, who allegedly discovered malpractice. The client claimed that the discovery did not occur until after the death of his lawyer and after the statutory period of time within which a claim may be made against the attorney’s estate.

Unable to sue the estate, the client filed a complaint naming the surviving wife of the attorney as the sole defendant. The complaint alleged only that the attorney committed malpractice and that the wife was his heir. The wife was a factual stranger to the client; she had never met the client and never had any involvement with him.

The client claimed that an unique statutory basis for the action against the wife existed in c. 197 sections 28 and 29. This statute allows actions directly against a decedent’s heir for the latent debts of the decedent which could not have been timely collected from the estate.

At the motion for summary judgment, the wife argued that tort claims were not “debts” within the meaning of the statute and the contemplation of the legislature. The motion judge agreed and entered judgment for the wife.

The Massachusetts Appeals Court, faced with this thorny issue of legislative intent and appreciating the significance of its ruling, deftly sidestepped the issue by affirming the motion judge’s decision on another ground — namely that the action was not timely commenced. The issue of the applicability of c. 197, sections 28 and 29, to tort claims was addressed in a footnote (footnote #5) and carefully reserved for the next case. Pending further action from the courts or the legislature, a surviving spouse of a professional may, or may not, be responsible for his or her spouse’s malpractice.
An original drawing of the Archer building, built in 1920 for the Law School, and used by the Suffolk College of Arts and Sciences after the dedication of the Donahue Building for Law School use in 1966. As more space becomes available for use by the College in the coming years the Law School will again occupy a part of the Archer building.

Photograph taken in 1937 shows addition of upper stories to the original building.
BEACON HILL: HOME OF SUFFOLK UNIVERSITY LAW SCHOOL
Suffolk University Law School is proud of its graduates and of their accomplishments. Do not be shy about sharing information about yourself with us. Your friends, classmates and your professors want to know where you are and what you are doing. Tell us about your practice, business activities, change of address or careers, personal accomplishments, bar activities, honors and publications. Please send notices of activities by Suffolk University Law School alumni to THE ADVOCATE, SUFFOLK UNIV. LAW SCHOOL, 41 TEMPLE ST., BOSTON, MA 02114.

GOVERNMENT SERVICE

In November, 1988 Ronald K. Machtley, '78 (R., R.I.) was elected to the United States House of Representatives by the voters of the First District of Rhode Island. A graduate of both the United States Naval Academy and Suffolk Law, Congressman Machtley serves on the House Armed Services Committee.

Congressman John J. Moakley, '56, (D., Mass.) of Boston has again been re-elected to the United States House of Representatives.

Kevin J. McGoldrick, '67, is the General Counsel to the office of the Massachusetts state auditor.

Gail (Lovell) Goldberg, '71, is an attorney in the Office of the General Counsel of the United States Office of Personnel Management in Washington, D.C.

Nancy Newbury, '73, has been appointed as the Executive Director of the Jamestown Housing Authority in Rhode Island.

Patricia Wynn, '82 has been named Chief Legal Counsel to the Massachusetts House Ways and Means Committee, and is the first woman ever to hold that position.

Larry F. Wheatley, '78, served on the transition team of President George Bush.

Thomas A. Devine, '82, serves as chief of staff to the mayor of Providence, Rhode Island.

John C. Vinson, '76, recently retired from the Navy's Judge Advocate General Corps, has been named an assistant district attorney in San Francisco, California.

Patricia Sullivan Talty, '81, is the assistant city solicitor of the City of Lowell, Massachusetts.

Esther H. Francis, '80, is the associate commissioner of the Massachusetts Department of Public Works.

William J. Heaphy, III, '75, is the principal attorney for the Ohio Legislative Service Commission.

Charles R. Mansolillo, '85, is the Director of the Governor's Office of Energy Assistance in Rhode Island.

Laurie J. Sartorio, '84, was named in 1989 to be a member of the asset forfeiture unit of the Office of the United States Attorney for Massachusetts.

Stacey L. Cushner, '85, is an Assistant Attorney General in the Contracts Division of the office of the Massachusetts Attorney General.

Kenneth J. Lusnia, '74, is the supervisor, Juvenile Division, Cuyahoga County Prosecutor's Office, Ohio.

Dianne L. Granlund, '79, is the Chief Assistant District Attorney for the City of Philadelphia, Pennsylvania.

Maria Y. Lesser, '84, is an Assistant Attorney General of Massachusetts in the Civil Bureau.

Richard Thornburgh, Hon. LL.D. '88, was appointed Attorney General of the United States after receiving his honorary degree from Suffolk at the 1988 Law School commencement.

Jean M. Kennett, '81, was reappointed to a five year term as clerk of the Supreme Judicial Court of Massachusetts on May 11, 1989.

David J. Sargent, '54, the President of Suffolk University, has been appointed the Chairman of the Massachusetts Chief Justice's Commission for the Courts. The appointment of Sargent to chair this important commission, which is charged with developing programs to assist the courts into the 21st Century, was announced by the new Chief Justice of the Supreme Judicial Court, Paul J. Liacos, at his inauguration on June 20, 1989.

JUDICIARY

Antoinette T. (Antonellis) Cordingley, '71, is a judge of the Maricopa Municipal Court in Indianapolis, Indiana.

Martha A. Scannell Brennan, '76, is an associate justice of the Clinton District Court.

Elizabeth Donovan, '74, was sworn in as a judge of Massachusetts Superior Court on June 30, 1989.

Henry Gemma, Jr., '69, has been appointed to the Superior Court for the State of Rhode Island.

Michael P. Joyce, '68, has been named as an administrative judge of the Massachusetts Department of Industrial Accidents.

Martin F. Loughlin, '51, judge of the United States District Court for New Hampshire, was recently honored
in Concord, New Hampshire, on the occasion of his completion of 25 years as a judge.

Helen A. Moreschi, '81, has been named as an administrative judge in the Massachusetts Department of Industrial Accidents.

Bonnie H. MacLeod-Griffin, '72, has been appointed to the District Court bench in Massachusetts.

Christine M. McVoy, '76, has been appointed associate justice of the Concord District Court.

David G. Nagle, '66, has been named associate justice of the Brockton District Court.

Kenneth P. Nasif, '69, is a justice of the Juvenile Court in Attleboro.


Peter J. Panuthos, '69, is a Special Trial Judge of the United States Tax Court in Washington, D.C.

Robert L. Steadman, '51, Chief Administrative Justice of the Massachusetts Superior Court, delivered an address on the “Future of the Superior Court” at the 1988 Massachusetts Bar Association Annual Meeting.

William J. Tierney, '63, has been named Chief Justice of the Boston Municipal Court, having previously served as associate justice on the same court.

Robert P. Ziemian, '75, has been appointed associate justice of the West Roxbury District Court.

JUDICIAL CLERKSHPs

The following members of the Class of 1989 at Suffolk University Law School have been awarded judicial clerkships for the 1989-1990 term of court:

COLLEEN M. ARNOTT
SUPREME COURT OF THE STATE OF RHODE ISLAND

CATHERINE BERUBE
SUPREME COURT OF THE STATE OF NEW HAMPSHIRE

ELIZABETH CAROLINE BLACK
SUPREME COURT OF THE STATE OF CONNECTICUT

BRIAN J. CARNEY
SUPREME COURT OF THE COMMONWEALTH OF MASSACHUSETTS

KATHLEEN CALLAHAN
SUPREME JUDICIAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS

CLIFFORD J. DEAN
SUPREME COURT OF THE STATE OF RHODE ISLAND

MICHAEL ROBERT DOLAN
SUPREME COURT OF THE STATE OF RHODE ISLAND

KATHLEEN A. DUGGAN
SUPERIOR COURT OF THE STATE OF NEW HAMPSHIRE

AMELIA ELIZABETH EDWARDS
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

THERESA J. FARRIS
SUPREME COURT OF THE STATE OF RHODE ISLAND

JOSEPH P. FERRUCCI
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

PATRICIA BRAMANTE GARY
SUPREME COURT OF THE STATE OF NEW HAMPSHIRE

KAREN BETH GRAY
SUPERIOR COURT OF THE COMMONWEALTH OF MASSACHUSETTS

KATHLEEN MARY GUSLER
SUPERIOR COURT OF THE STATE OF NEW JERSEY

MARY ELIZABETH HEFFERNAN
MASSACHUSETTS APPEALS COURT

CHARLES P. KINDREGAN, III
SUPREME JUDICIAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS

MARIE LASOTA
PENNSYLVANIA COURT OF COMMON PLEAS FIRST JUDICIAL DISTRICT

ANDREW LAWLOR
SUPERIOR COURT OF THE COMMONWEALTH OF MASSACHUSETTS

FRANCE A. LOPEZ
SUPERIOR COURT OF THE COMMONWEALTH OF MASSACHUSETTS

SEAN M. McATEER
SUPREME COURT OF THE STATE OF RHODE ISLAND

THEOS DICKSON McKINNEY, III
SUPREME JUDICIAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS
PUBLIC INTEREST SERVICE:

Allison H. Bowland, '87, former editor in chief of THE ADVOCATE, directed the Dover Park and Recreation Summer Playground Program.

Robert B. Crowe, '73, is the Chairman of the board of the Shattuck Shelter for the homeless, and also serves on the Board of Directors of the Charles River Association for Retarded Citizens.

Laukreen A. D'Ambra, '80, has been appointed as the advocate for children of the state of Rhode Island.

Jane M. Dewey, '85, has been elected to the Board of Directors of the Greater Boston Legal Services.

David R. Friedman, '86 of the firm of Palmer and Dodge, Boston, is a volunteer in that firm's legal services for the poor program, providing services for needy elderly persons.

Kenneth J. Lusnia, '74, is a member of the Citizen's Advisory Board and Federation for Community Planning Juvenile Legislation Review Board in Cleveland, Ohio.

Joseph E. McElroy, Jr., '75, has been named legal counsel to the Massachusetts Society for the Prevention of Cruelty to Children.

Cindy T. Rizzo, '80, has been named Assistant Director of the capital campaign of the Fenway Community Health Center, Boston.

S. Paul Ryan, '79, is legal counsel to Save the Bay, an environmental organization in Rhode Island.

Antone F. Souza, Jr., '32, is an active member of the Greater Fall River Coalition for a Nuclear Weapons Freeze, the Treasurer of the Friends of the Fall River Library, and President of the Bristol County Retired Teachers Association.

EDUCATION

Raymond J. Acciardo, '78, is a member of the faculty of Russell Sage College in New York.

Gary L. Boland, '70, is the Director of the Center for Continuing Professional Development at Louisiana State University and a partner in the firm of Hunter and Boland in Baton Rouge, Louisiana.

Robert B. Crowe, '73, has been elected Law School Alumni Trustee at Suffolk University.

John Deliso, '72, Assistant Dean at Suffolk University Law School, is a trustee of the Law School Admissions Council, which administers the LSAT, LSDAS and Financial Aid programs for law schools throughout the United States and Canada.

Robert J. Galvin, '67, a partner in the firm of Davis, Malm, and D'Agostine, has been elected President of the Boston Center for Adult Education.

Christopher S. Mosher, '76, has been appointed Executive Director of the Century Fund of Northeastern University, Boston.

Martin L. Norton, '79, is Professor of Medicine at the University of Michigan Medical Center.

Brian T. O'Neill, '71, has been elected to the Board of Trustees of Suffolk University.

Michael Rustad, '84, is a member of the resident faculty of Suffolk University Law School.

David J. Sargent, '54, former Dean of Suffolk University Law School, has been elected President of Suffolk University, effective September, 1989.

Douglas D. Scherer, '69, is a member of the faculty of Touro College School of Law in Huntington, New York.

Patricia Sullivan Talty, '81, is Alumni/Trustee of the University of Lowell.

Francis T. Talty, '85, is on the adjunct faculty in the Department of Political Science at the University of Lowell.

Robert Ward, '78, is a member of the faculty of the New England School of Law.

ALUMNI PUBLICATIONS

Joseph J. Beard, '69, is the editor of the three volume set of McKinney's Uniform Commercial Code Forms, published by West Publishing Co.

Robert J. Galvin, '67, is the editor and co-author of Massachusetts Condominium Law published by Mass. Continuing Legal Education.
Martin L. Norton, M.D., J.D. '79, is the co-author of *High Intensity Care: Medical, Administrative and Legal Aspects*, published by Aspen.

Stephen R. Dooley, '80 is the co-author of *Personal Financial Planning*, published by Mullen and Co.

Janet MacNab, '83, published an article on indemnification the Massachusetts Law Review.


Theodore A. Schwartz, '69, is the author of *Pennsylvania Civil Practice and Procedure* published by the Trial Advocacy Foundation of the Pennsylvania Trial Lawyer's Association.

**ADVANCED DEGREES**

Charles J. Cannon, '78, received his LL.M. in taxation from the Boston University School of Law in May, 1989.

Darren F. Corrente, '88, received his LL.M. degree in taxation from the Georgetown University Law Center in June, 1989; he was selected to serve as the Graduate Student Advisor to The Tax Lawyer publication.

**BAR ORGANIZATION ACTIVITIES**

Betty P. Arnquist, '78, is the executive director of the Boston Bar Association Legal Advocacy and Resource Center.

Joseph J. Beard, '69, is the Chairman of the committee of the Copyright Society of the United States for the celebration of the bicentennial of the first federal copyright law.

Judd J. Carhart, '74, a former editor of THE ADVOCATE and currently the district attorney for Hampshire and Franklin counties, has been elected President of the Massachusetts District Attorneys Association.

David E. Cherny, '81, was elected in 1989 to the Board of Managers of the American Academy of Matrimonial Lawyers, Massachusetts Chapter.

Thomas G. Costello, '74, is the Vice-President of the Chicopee Bar Association.

Robert J. Cotter, '41, was presented with an award for community service by the Plymouth County Bar Association.

Norman R. D'Amour, '73, has been elected President of the Greater Lowell Bar Association.

Benjamin Fierro III, '79, is the General Counsel of the Massachusetts Bar Association.

Eugene H. Gillin, '73, has been elected the Chairman of the 600 member Probate and Trust Law Section of the Philadelphia Bar Association.

Martin W. Healy, '88, has been named Assistant Counsel to the Massachusetts Bar Association.

Robert L. Hemeon, '71, has been honored by the New Hampshire Bar Association for his services to the bar.

Michael C. Hutchinson, '79, is the President of the Washington County Bar Association in Minnesota.

Bonnie MacLeod-Griffin, '72, was presented with the Massachusetts Bar Association's Community Service Award for her work with homeless people.

Janet Maloof, '79, has been elected Chair of the Massachusetts Bar Association Young Lawyer's Division, succeeding Stephen Rosales, '80. The M.B.A. Young Lawyer's Division was recently awarded the American Bar Association First Place Award for Single Project/Service to the Bar for its publication of *Traps for the Unwary: Selected Ethical and Malpractice Hazards in General Civil Law Practice*.

Raymond Massucco, '73, is a member of the Board of Governors of the Vermont Trial Lawyer's Association.

Bruce G. Pollock, '74, was elected Secretary of the Rhode Island Bar Association in 1989; he previously served as Treasurer of the association.

Kenneth P. Reisman, '74, was elected as the Director and Clerk of the New England Corporate Counsel Association.

Kathryn A. Salzman, '80, has been admitted to membership in the Israel Bar Association.

Joseph A. Tosney, III, '79, is the President of the Greater Lowell Bar Association.

Lewis S. Victor, '74, of the firm of Schultz and Victor in Brockton, has been elected the President of the Plymouth County Bar Association. Mr. Victor has also been elected a member of the Board of Delegates of the Massachusetts Bar Association for the 1989-1990 term, and as a member of the Massachusetts Bar Foundation Board of Fellows.

**PRIVATE PRACTICE**

Ronald S. Bergamini, '88, is a member of the firm of Aronsohn, Springstead and Weiner in Hackensack, New Jersey.

Lawrence W. Brennan, '59, is managing associate in the law firm of Brennan and Barry, Chestnut Hill, Massachusetts.

Charles J. Cannon, '78, is a member of the firm of Thayer, Cannon and O'Sullivan in Norwell, Massachusetts, concentrating in the practice of tax law.

Kenneth J. Carifa, '82, has been elected a partner in the firm of Camp, Williams and Richardson in New Britain, Connecticut.
David E. Cherney, '81, is a partner in the firm of Atwood and Cherney, Boston, concentrating in probate and family law litigation.

Carroll D. Coletti, '87 is in the law firm of Campbell & Associates, Boston.

John Conathan, II, '75, is a junior partner in the law firm of Nutter, McClennen & Fish, Boston.

Leopold P. DeFusco, '81 and Brian Lyman-Askew, '81, have formed a partnership in the practice of law under the name DeFusco and Lyman-Askew, in Bridgeport, Connecticut.

Dawn-Marie Driscoll, '73, former Vice President and General Counsel for Filene's, is a partner at Palmer and Dodge, Boston.

Eugene W. Downing, Jr., has relocated his law offices to Middlesex Point, 155 Middlesex Turnpike, Bedford, Massachusetts.

Keren DuBrul, '78 has been elected a partner in the firm of Blank, Rome, Comisky and McCauley in Philadelphia, Pennsylvania.

John Farina, '85, joined the Palm Beach, Florida, office of Winthrop, Stimson, Putnam after completing a judicial clerkship with the Florida Fourth District Court of Appeals.

Eugene H. Gillin, '73, a partner in the law firm of Harkins and Harkins, Philadelphia, Pennsylvania, was elected a fellow of the American College of Probate Counsel in 1988.

Glenn M. Goffin, '88, has joined the law firm of Jones, Waldo, Holbrook and McDonough in Salt Lake City, Utah.

David S. Grossman, '83, is an associate in the firm of Keller and Rohrback in Seattle, Washington.

Michael P. Guinta, '84, is an associate in the law firm of Burns and Levinson, Boston.

Steven M. Guttell, '69, is a partner in the law firm of Gust, Rosenfeld, Divelbess and Henderson in Phoenix, Arizona, where he concentrates on labor and employment law issues in the firm's litigation department.

Christine Hasiotis, '88, is an associate in the law firm of Parker, Coulter, Daley and White, Boston.

Karyn T. Hicks, '88, is an associate in the law firm of Morrison, Mahoney and Miller, Boston.

Hope Hilton, '77, has joined the firm of Pierce, Atwood, Scribner, Allen, Smith and Lancaster in Augusta, Maine.

Michael G. Hutchinson, '79, is a member of the firm of Clinton, O'Gorman and Hutchinson, Cottage Grove, Minnesota.

Allison J. Koury, '88, is an associate in the law firm of Warner and Stackpole, Boston.

Bradford N. Louison, '81, is a member of the firm of Alexio, Miles, Murray and Rounds, P.C. in Taunton, Massachusetts, where he handles civil litigation.

Gerald F. Mackin, Jr., '71, is in the private practice of law at 105 Pleasant St., South Weymouth, Massachusetts.

Kathleen McDermott, '88, is a member of the firm of Weinberg and Green in Baltimore, Maryland.

Claudia Billings McKelway, '79, has been elected as a partner in the firm of Davis, Malm and D'Agostine in Boston where she concentrates in commercial litigation.

James T. Morris, '71, is a partner in the firm of Quinn and Morris, Boston.

Donald J. Packer, '75, is a partner in the firm of Packer and O'Keefe, in Peace Dale, Rhode Island.

Asa E. Phillips, III, '82, has been elected a partner in the firm of DiCara, Selig, Sawyer and Holt, Boston.

Nina J. Rosen, '80, is an associate in the law firm of Choate, Hall and Stewart, Boston.

Mary A. Sassone, '88, is an associate the Halstrom Law Offices, Boston.

David G. Spackman, '76, has been elected a partner in the firm of Gaston, Snow, Boston.

Patricia D. Stewart, '78, is a partner in the firm of Healey and Stewart, with offices in Westwood, Massachusetts, Brookfield, Connecticut and New York City.

Kevin J. Sullivan, '78, is in the private practice of law in Andover, Massachusetts, concentrating in the practice of real estate law.

Patricia Sullivan Talty '81, and Francis T. Talty, '85, husband and wife, are both partners in the firm of Rodger and Talty, Lowell.

Herbert F. Travers, III, '80, a former editor in chief of THE ADVOCATE, has been elected a partner in the firm of Mountain, Dearborn and Whiting in Worcester, Massachusetts.

John ("Jay") M. White, Jr., '87, former editor of THE ADVOCATE, is a partner in the law firm of Bridge and White, in Lexington, Massachusetts.
BUSINESS

Nicholas Paul Alexander, '84, is the Litigation Counsel for the American International Group.

K. Taryn Brodie, '84, is manager in the tax department at Peat Marwick, Boston.

Paul E. Danehy, '50, is the Assistant Managing Attorney for Kemper National Property-Casualty Companies in Quincy, Massachusetts.

Jane M. Dewey, '85, is the Associate Counsel for the State Street Bank and Trust Co., Boston.

Craig D. Irwin, '83, is a financial consultant, specializing in design of pension and profit-sharing plans for small businesses, at Merrill Lynch in Connecticut.

Gary K. Liebowitz, '84, has been named regional counsel of the National Association of Securities Dealers, Inc., New York.

Michael J. Lowney, '76, is Legal Counsel on Health Affairs and Risk Management for the Massachusetts Osteopathic Hospital and Medical Center in Boston, and is also a staff physician at the same hospital.

Margaret A. Lynch, '83, has been elected to the Board of Directors of the Cohasset Savings Bank.

Paul Matterfa, '78, has been appointed Vice-President and Assistant General Counsel of Liberty Mutual Insurance Co.

William T. McGrail, '71, has been named Vice President and General Counsel of the Massachusetts Hospital Association.

Stephen G. McLean, '76, is the Vice-President for planning and administration of Scitex America Corporation.

June M. Morris, '86, has been named Vice-President and General Counsel of Computer Power Group, Americas.

Paul W. Needham, Jr. has been elected Vice-President of A.W. Perry, Inc., Boston.

Sharon Offenberg, '85, is a staff attorney at W.R. Grace Co. in Cambridge, Massachusetts.

Kenneth P. Reisman, '74, has been named Vice-President and General Counsel of the Technical Aid Corporation.

Robert K. Sheridan, '77, is the President of the Massachusetts Bankers Association.

Robert G. Soule, '83, has been elected Vice-President and Northeast Regional Counsel in the Title Insurance Co. of Minnesota.

Edward L. Wallach, '82, is the executive Vice President of Sapers and Wallach in Cambridge, an employment benefits firm specializing in qualified retirement plans, executive benefits and life insurance.

Dale I. Zelony, '81, has been appointed as Vice President and director of legislative services for the Massachusetts League of Community Banks.

EVENTS


Michael DeMarco, '71, served as the national program director for the 1989 Federation of Insurance and Corporate Counsel summer meeting, held at the Homestead in Hot Springs, Virginia. Suffolk was also represented at the same meeting by William E. Reed, III, '75, who addressed the issue of pollution coverage. Professor Charles Kindregan of Suffolk addressed the general session of the convention on the subject of legal malpractice in corporate and insurance practice.

Ronald D.J. Saloman, '55, had the unusual distinction of being picked to serve as an umpire at the Little League World Series in Williamsport, Pennsylvania.

Anne Marie Tobin, '83, won the Massachusetts Women's Golf Championship.

Edward L. Wallach, '82, has been awarded the Chartered Life Underwriter and Chartered Financial Consultant designations by the American College.

Manuel V. McKenney, '42, was honored by the Suffolk Black Students Law Association. The award was presented by retired Supreme Judicial Court Judge Francis T. Quirico. Mr. McKenney is a former assistant district attorney and clerk-magistrate of the Dorchester District Court. Mr. McKenney told the many Suffolk students and faculty present at the dinner of his experiences as a poor black student at Suffolk and how "this great law school" gave him an opportunity to enter the legal profession.

Professor Robert Ward, '78, of the New England Law School faculty was honored as a distinguished black graduate of Suffolk University Law School in a dinner sponsored by the Suffolk Black Students Law Association. The award was presented by E. Macey Russell, '83.

Carol A. Witt, '77, Paul Perocchi, '75 and Leonard L. Lewin, '72 have for the past several years cooperated with the Suffolk Center for Continuing Professional Development in presenting a trial advocacy program on domestic relations trial practice at the Law School. The program, put on annually during the Spring of each year, features an innovative use of videotaped simulated trials, with live commentary and discussion by lawyers and judges.
ALUMNI NOTES

To the Graduates of Suffolk University Law School:

Please make a photocopy of this page, complete the information requested, and mail it to:

THE ADVOCATE
Suffolk University Law School
41 Temple St.
Boston, MA 02114

PLEASE TYPE OR PRINT:

Name ___________________________ Year of Graduation: 19 ___
Address: ___________________________________________________________

_______________________________________________________________
Zip Code __________________

Please briefly provide some information about your current activities for use in the ALUMNI NOTES section of THE ADVOCATE. These should be matters of general interest, such as changes in your professional career or affiliation, government service, public services, honors, publications, appointment to the judiciary, speeches, significant personal and professional accomplishments etc. Any photographs submitted should be high quality black and white.
In August, 1989 the Board of Trustees of Suffolk University appointed David J. Sargent to serve as President of the University. A member of the Law School faculty for over 35 years, Sargent served as Dean of the Law School from 1974 to 1989. He taught Wills and Trusts at the Law School and will continue to do so. Sargent gained a national reputation as a speaker and scholar in the field of automobile insurance. But it was in his leadership of the Law School that he made his most lasting contribution. During his tenure as Dean, Sargent led the development of the faculty, adding many distinguished scholars. He oversaw and encouraged the development of the Law Library and raised the educational requirements for admission. He reformed the administration of the Law School, and introduced such changes in the curriculum as the first-year writing program (LPS) and the graduation writing requirement. Above all, Sargent was at all times a friend and counselor to the student body, the faculty, the staff and the alumni. His thousands of friends wish him well in his new position as President of the University and Chairman of the Chief Justice's Committee on the Future of the Courts.
In September, 1989, Associate Dean Malcolm M. Donahue was named Acting Dean of Suffolk University Law School after Dean David Sargent was elected President of the University. Dean Donahue graduated from Harvard College in 1944 and served in the United States Army until 1946. He received his J.D. degree from Boston University in 1950. He joined the Suffolk faculty in 1952 as an Instructor and also served as Assistant Attorney General of Massachusetts until he was appointed Associate Professor of Law in 1955; he was promoted to Professor in 1956. In 1974 he was named Associate Dean of the Law School. Among the subjects he has taught during his tenure on the faculty are Administrative Law, Constitutional Law, Conflicts of Law and Agency.
Professor Gerard J. Clark again visited Spain in the Fall of 1989; Professor Clark serves on a commission studying constitutional issues in that country.

Professor Nancy Dowd will be away from Suffolk during the 1989-90 academic year, serving as Visiting Professor of Law at the University of Florida College of Law in Gainesville, Florida.

Professor Victoria Dodd, an expert on the emerging issue of accreditation of courts, has published her study titled "Development of a National System of State Court Accreditation" in the Judicature Journal (August-September 1989 issue). Professor Dodd is also the editor of the Newsletter of the Association of American Law School's Section of Law and Education.

Professor Linda C. Fentiman's scholarship has continued to receive comment and note in various publications. Her article on competency to stand trial, which had been published at 40 Univ. of Miami Law Rev. 1109, has been excerpted in a new book, Patients, Psychiatrists and Lawyers, by Spring, LaCoursiere and Weissenberger. In addition her article titled "Guilty But Mentally Ill," published at 26 Boston College Law Rev. 601, has been cited and discussed at length in Criminal Law and Its Processes (5th ed., 1989) by Kadish and Schulhofer.

Professor Joseph W. Glannon is the co-editor of the Massachusetts Governmental Liability Reporter, published by Butterworth Legal Publications.

Professor Dwight Golann served as the chairman of a program on "Taking ADR to the Bank" at the American Bar Association annual meeting in Honolulu, Hawaii, in August, 1989. The program was sponsored by the Business Law Section of the A.B.A. and focused on arbitration of financial services disputes.

Professor Stephen C. Hicks delivered a paper on the comparative study of law at the World Congress on Philosophy of Law and Social Philosophy in Kobe, Japan. Professor Hicks also delivered a paper on From Sympathy to Disinterestedness: The Revolution in Social Theory in the Eighteenth Century with an Afterward on the Origin of Modern Tort Law in Edinburgh, Scotland, in August, 1989.

Professor Bernard Keenan spoke to both the Massachusetts Conveyancers Association and the Massachusetts Bar Association in the Spring of 1989 on zoning issues. Professor Keenan also reviewed recent trends in Exactions and Impact Fees at a meeting sponsored by the American Bar Association in Denver, Colorado, in February, 1989. Professor Keenan also delivered a paper on the Supreme Court and the Taking Issue at the 1987 Mid-Year Meeting of the American Bar Association in Orlando, Florida. He also delivered a paper on Exactions and Impact Fees at the 1988 A.B.A. meeting in Philadelphia.

Professor Steven Eisenstat delivered a paper on A.I.D.S. at the 1988 conference on Ethical Perspectives on Health Care held at Boston University.

Professor Joseph W. Glannon addressed the Massachusetts Academy of Trial Lawyers on the Tort Claims Act in October, 1988.

Professor Karen M. Blum presented a paper on Suits Against the Government at the 1988 Suffolk University Law School program on civil rights. She also addressed the Conference on Section 1983 Litigation at Georgetown University Law School.

Professor Charles Kindregan recently gave lectures at programs sponsored by the Massachusetts Bar Association, the Lesbian and Gay Bar Association, the Essex County Bar Association, the Washington D.C. Suffolk Law Alumni Association, the annual national meeting of the Association of Trial Lawyers of America, the convention of the Federation of Insurance and Corporate Counsel and the Suffolk University Center for Continuing Professional Development.

Professor Eric D. Blumenson recently completed a sabbatical leave, during which he visited Pakistan, South Africa and Hungary. Working jointly with his wife Eva Nilsen, a law professor at Boston University, Professor Blumenson taught at the University of the Punjab in Lahore, Pakistan. Professors Blumenson and Nilsen then went to South Africa, where they worked in a legal clinic at the University of the Witwatersrand Law School in Johannesburg. On his re-
turn to Suffolk in September, 1989, Professor Blumenson resumed his position as director of the criminal defenders program at the Law School.

Professor Michael Rustad has been named as a recipient of a Roscoe Pound Foundation grant. This is one of the first two grants awarded by the Foundation, and Professor Rustad is using the grant to engage in a follow-up study on the issue of punitive damages in products liability cases. Professor Rustad has also been named as a member of the Executive Committee of the American Bar Association Citizenship Education Committee.

Professor John Sherman delivered an address on current tax issues to the Massachusetts Society of Certified Public Accountants at its Fall, 1988 meeting.

Professor Valerie Epps delivered a paper titled The Declaration of the Rights of Man as a Foundation for the Modern Human Rights Movement, during a symposium celebrating the Bicentennial of the French Revolution which was jointly sponsored by Suffolk University and the University of Strasbourg, France (1989). In March, 1989 Professor Epps spoke on the Future of International Legal Studies at Harvard Law School.


RECENT FACULTY PUBLICATIONS
BOOKS AND PAMPHLETS WRITTEN BY SUFFOLK FACULTY:


Summary of Damages in Massachusetts, a pamphlet by Prof. Jeffrey Wittenberg, Flaschner Judicial Institute, 1989.


Driving While Intoxicated, by Prof. Timothy Wilton, Matthew Bender (Fall 1988).


BOOK CHAPTERS, SUPPLEMENTS OR OTHER MATERIALS BY SUFFOLK LAW FACULTY INCORPORATED INTO PUBLICATIONS:

Supplement to Volume 38, 39 and 40, Administrative Law by Prof. Alexander J. Cella, expected completion and publication Fall 1989.


Massachusetts Pleading and Practice, (annual supplements to seven volume set) by Prof. Charles Kindregan [co-author], published by Matthew Bender Co. (1989).

1989 Supplement, Handbook of Civil Procedure in the Massachusetts District Courts by Prof. Marc G. Perlin [co-author].


Chapter H:12, Bender's Federal Tax Service, Transactions Between Partner and Partnership, by Prof. Tommy F. Thompson, Matthew Bender Co. (1989).

Professor Jeffrey D. Wittenberg is the author of several chapters in Contracts: Examples and Explanations, scheduled for publication by Little, Brown and Co. in 1990.
“Abolishing the Political Offense Exception” is a chapter written by Professor Valerie C. Epps in *Legal Responses to International Terrorism*, published by Martinus Nijhoff in 1988.

Professor Edward J. Bander has written a supplement to his book *Searching the Law*, published by Transnational Publishers.

**RECENT ARTICLES WRITTEN BY SUFFOLK FACULTY:**

Freedom for the College Student Press, by Professor Victoria Dodd, 59 J. of Higher Education (No. 1, 1988).


Damages: Cap on Medical Negligence Awards Unconstitutional (and commentary on other recent cases), by Professor Thomas F. Lambert, Jr., 32 ATLA Law Reporter 332 (No. 8, October 1989).

The Vulnerability of Trust Assets to Attack by the Deceased Settlor's Creditors, by Professor Charles Rounds, 73 Massachusetts L. Rev. (No. 2, 1988).


Dispensing Birth Control in Public Schools: Do Parents Have a Right to Know, by Prof. Marcia Mobilia Boumil, 18 Seton Hall L. Rev. 356 (1988).


Professor Alfred I. Maleson and Professor Thomas J. O'Toole have been named Professor Emeriti at Suffolk University Law School. These distinguished scholars and teachers devoted many years of service to Suffolk Law School, and their many friends and former students are pleased about this honor accorded to them.

Prof. Alfred I. Maleson

Professor Maleson taught Commercial Law and Tax at Suffolk for over 35 years and continues to be active in promotion of developments relating to the commercial code. He earned law degrees from the University of Maryland and Harvard, and taught at Toledo and Albany before coming to Suffolk.

Prof. Thomas J. O'Toole

Professor O'Toole served as the dean of Northeastern and vice dean at Villanova, as well as a professor at Georgetown, before coming to Suffolk. He served as a member of the Board of Appeals of the U.S. Atomic Energy Commission and on the A.B.A. Advisory Commission on the Function of the Trial Judge. He taught Torts, Atomic Energy Law, Constitutional Law and Conflict of Laws during his distinguished teaching career.
During the last academic year Suffolk added a number of new members to its resident faculty. Following are brief biographies of these new faculty members.

Laura Bennett Peterson, who has been with Suffolk since July 1988, is an Associate Professor, teaching antitrust and torts. Her "Comment on Antitrust Remedies" appears in the May 1985 issue of the University of Chicago Law School's *Journal of Law and Economics*. She practiced law for several years, with an emphasis on antitrust counseling and litigation, at the New York office of Proskauer, Rose, Goetz & Mendelsohn.

Professor Peterson was the John M. Olin Public Affairs Fellow at the Hoover Institution, Stanford University and a Visiting Scholar at the American Enterprise Institute for Public Policy Research in Washington, D.C. She served as an economist at the Justice Department, the Treasury Department, and the White House Council of Economic Advisers, where she drafted a weekly memorandum to the President.

Professor Peterson received a Bachelor's degree in economics from Princeton at age 19 and a Master's in international relations, with a concentration in international economics, from the Johns Hopkins School of Advanced International Studies (SAIS). She was the Editor in Chief of the *Review* and went on to complete language and coursework requirements for a Ph.D. Her law degree is from Stanford, where she was the Executive and Topic Development Editor of the *Stanford Journal of International Law*.

Professor Michael Rustad graduated Magna Cum Laude from Suffolk University Law School's Evening Division in 1984. He received awards as most outstanding evening law student and highest average at graduation. From 1984 to 1985 he served as law clerk to the late Hon. William E. Doyle, Circuit Judge of the U.S. Court of Appeals, 10th Circuit. He worked on several nationally-known cases including Silkwood v. Kerr-McGee. Professor Rustad received an LL.M. from Harvard University Law School in 1986. His LL.M. thesis entitled "The Social Functions of Punitive Damages and the Law of Evidence" is being prepared for publication.

From 1986 to 1988, Professor Rustad was an associate with the Boston law firm of Foley, Hoag & Eliot. While at Foley, Hoag & Eliot, he worked in the general practice and litigation fields. He also represented the homeless and political asylum applicants in Foley-Hoag's pro bono program.

Professor Rustad joined the Suffolk faculty in 1988 as associate professor. He teaches commercial law and has scholarly interests in products liability and the sociology of law. Professor Rustad earned a Ph.D in sociology from Boston College and was Assistant Professor of Sociology at Boston College and Northeastern while attending law school. He is the author of two books, *Women in Khaki: Study of the American Enlisted Woman* (1982, Praeger); and *Social Problems: The Contemporary Debates* (1986, Little-Brown).

In the Spring of 1989, Professor Rustad was one of two recipients of a Roscoe Pound Foundation grant. The Foundation (affiliated with the American Trial Lawyers Association) sponsored a national grants competition for the first time in 1989. Professor Rustad is presently completing a follow-up study of punitive damages verdicts in products liability cases.

He is also working on research projects on access to law issues as Executive Committee Member of the American Bar Association Citizenship Education Committee (YLD).

He is the co-editor (with Professor Law Librarian Edward Bander) of the Bi-Monthly Law Book Review, a publication exclusively devoted to law book reviews. He was coach of the Suffolk Constitutional Law Moot Court Team last year and will be coaching Suffolk Law School's first entry into the Products Liability National Moot Court Competition this Spring.

Marin R. Scordato was born and raised in Washington, D.C., graduating from Georgetown Preparatory School in Rockville, Maryland in 1975. In 1979, he received his B.A. as a double major in philosophy and psychology from Haverford
College in Pennsylvania. After graduation, he worked as a Systems Engineer with the IBM Corporation in Philadelphia. During the summer of 1982, he clerked for the law firm of Pacht, Ross, Warne, Bernhard & Sears (now Shea & Gould) in Los Angeles, California, working in the areas of corporate, copyright and entertainment law. After graduating from the University of Virginia School of Law in 1983, he worked for two years as an associate at the law firm of Cravath, Swaine & Moore in New York City.

In 1985, Prof. Scordato joined the faculty of the Florida State University College of Law in Tallahassee, Florida, where he was voted Professor of the Year in 1985-86. While at Florida State, Prof. Scordato taught courses in Torts, Business Associations, Corporate Finance, and Media Law, and was appointed by the legislature of the State of Florida to serve on the Academic Task Force for Review of the Tort and Insurance Systems.


Prof. Scordato is currently a member of the American Bar Association’s Forum on Communications Law and Section on Legal Education and Admissions to the Bar, the Law and Media Committee of the ABA Young Lawyers Division, the Media & Communications Law Committee of the Florida Bar, the American Intellectual Property Law Association, and the International Newspaper Financial Executives. He is a member of the New York, District of Columbia, and Florida bars.

Prof. Scordato’s wife, Paula Monopoli, is a practicing attorney with the firm of Hill and Barlow in Boston.

Assistant Professor Steven Eisenstat is a 1980 graduate of the Northeastern University School of Law. Prior to attending law school, Professor Eisenstat received his B.A. from the State University of New York at Buffalo in 1972, as well as his M.Ed. in 1974.

After graduation from law school, Professor Eisenstat served as Deputy Regional Counsel for the Massachusetts Department of Social Services. In this capacity, he was responsible for representing the Commonwealth in child abuse and neglect proceedings and in pre-adoption proceedings to involuntarily terminate the parental rights of parents accused of abuse or neglect of their children.

Immediately prior to joining the law school faculty in 1988, Professor Eisenstat served for four years as Deputy General Counsel for the Massachusetts Department of Public Health. In this capacity, he was responsible for prosecuting nursing home operators accused of failing to provide adequate care to the residents of their nursing homes. Professor Eisenstat also was extensively involved in helping to formulate the Commonwealth’s public health policy regarding AIDS, specifically in the areas of testing for the HIV antibody, and delineating the requirements for maintaining the confidentiality of the HIV test results.

From 1981-1983, Professor Eisenstat was an L.P.S. instructor at Suffolk University Law School. Currently, he is the Director of the L.P.S. Program and teaches Civil Procedure. His interests lie specifically in the areas of Health Law, Juvenile and Family Law, and Civil Procedure.

Professor Eisenstat has spoken extensively on issues relating to AIDS and the law. Most recently he has spoken at the Massachusetts Bar Association’s 1989 annual meeting and the Boston Bar Association’s Subcommittee on Health Law.

Visiting Prof. Marcia Mobilia-Boumil holds a Master of Laws degree from Columbia University School of Law, a Juris Doctor from University of Connecticut School of Law and a Bachelors and Masters degree from Tufts University.

Before coming to Suffolk as a visiting professor she practiced law for four years in the Boston law firms of Herrick & Smith and Parker, Coulter, Daley & White. She also taught part-time at Boston College and Suffolk University Law Schools and Tufts University Medical School.

She teaches in the fields of civil litigation including Civil Procedure, Appellate Procedure, Conflict of Laws and Health Law (including Medical Malpractice).

Assistant Dean John C. Deliso is a member of the Board of Trustees of the Law School Admission Council (LSAC) and a member of the Board of Directors of Law School Admission Services (LSAS). Deliso also is the Chairman of the Services and Programs Committee. This important committee monitors such matters as progress on Law School Admission Test preparation software and implementation of notification to law schools in the United States and Canada of an applicant’s prior law school matriculation. The committee also oversees Law School Data Assembly Service (LSDAS) policies and other services, such as admissions forums, recruitment, workshops, etc. Dean Deliso's committee also assesses applicant pool management, enhanced interaction between admission offices and LSAS, as well as admissions office automation. These services are vital to the process of admission to law schools throughout North America, and Suffolk Law is pleased to have one of its own active in providing these services to legal education.
During the Dean's Reception held at the Boston Museum of Fine Arts in September, 1989, Lorraine C. Cove was honored on her completion of twenty years of service to Suffolk University. The award was presented to her by Acting Dean Malcolm M. Donahue. Ms. Cove is known to a generation of law school alumni, who fondly remember her many kindnesses and service during their time as students at Suffolk. At the time of the award Acting Dean Donahue made the following remarks about Ms. Cove.

It is a great pleasure and honor to present this award to Lorraine Cove in appreciation of her twenty years with the law school.

As law school registrar Lorraine, an extremely talented and gifted person and an excellent administrator, has been a guiding light, skillfully leading the law school community through many demanding and challenging registrations.

She is the personification of what Horatio Alger would deem "the successful professional woman." She rose from the position of office clerk to recorder and in 1979, was promoted to registrar of the law school.

But more important is the fact that she is a wonderful person in every sense of the word. She represents the epitome of integrity, compassion and concern for others. Her door is always open to students, faculty and members of the administration.

Lorraine, is the wife of Robert Cove, who received his J.D. in 1972, and is the mother of three beautiful children.

Lorraine, I would like to take a moment to say “thank you.” thank you for being you. Thank you for always being there for us. Thank you for the many hours you have devoted to counseling and advising students and faculty.

Thank you for being one of the most dedicated members of our community.

May you share with us many more years.
Patricia I. Brown, '65, the Associate Law Librarian, was among the first group of women elected to the Baseball Hall of Fame in Cooperstown, New York in November, 1988.

Brown was a star pitcher and batter in the All-American Girls Baseball League (the women's professional baseball league organized by P.K Wrigley, the owner of the Chicago Cubs) in the early nineteen fifties. Pitching for the Chicago Colleens she won 11 games and lost 8 in the same year that she batted .298 at the plate. In 1951 Brown played for the Battle Creek Belles, and once played for that team in Yankee Stadium before a crowd of 30,000.

After her retirement from baseball she graduated from Suffolk University Law School and began her second career as a law librarian at the Law School in 1965, having previously served as librarian for the Suffolk University college library. A member of the A.A.L.L., Brown also holds her bachelors and M.B.A. degrees from Suffolk. She also received an M.T.S. degree from Gordon-Conwell Theological Seminary.

In addition to being elected to the Baseball Hale of Fame, Brown has been honored by listings in Who's Who in American Law and Who's Who in American Women.

Pat Brown has honored Suffolk by her presence for over 35 years, as a student, college librarian and law school librarian. Her many friends among the alumni, staff and faculty are pleased at the recognition which has come her way. We have known her as a friend, colleague and helpful librarian; we are glad that the world now knows of her youthful achievements on the ball field.
IN MEMORIAM

FACULTY:

John W. Lynch, a member of the resident faculty at Suffolk University Law School from 1966 to 1978 died recently. After his graduation from the Harvard Law School in 1937, Professor Lynch served his country as a member of the Judge Advocate General's Corps in Europe during the Second World War. After his retirement from the army, Col. Lynch became the law librarian for the Middlesex County Law Library. He became the librarian at Suffolk in 1966, at a time when the Suffolk University Law Library was beginning a program of substantial library development. Under his guidance the Law School library developed into one of the major practice and research libraries in New England. While serving as librarian, Lynch also taught legal research, Land Use and Professional Responsibility. His kindness and thoughtfulness in assisting library patrons will be remembered by a generation of Suffolk students and faculty.

Anthony J. DeVico, former director of the Career Counseling and Placement Center at Suffolk University Law School died on July 18, 1989. He was Associate Professor of Law at the school, and taught courses in Military Law and Law and the Elderly. A graduate of Boston University Law School, before coming to Suffolk he had retired from the Naval Judge Advocate General's Corps, where he held the rank of Captain. During World War II Professor DeVico saw active duty on the destroyer Davidson in the Atlantic and the Mediterranean. During his term in the Navy he also served as Dean of the Military Justice School. He will be remembered by the many students he advised, and especially by those he assisted in finding positions in legal services and in the military. A good friend of the Law School, he volunteered to continue teaching his course on the rights of the elderly even after his retirement from the resident faculty.

John C. O'Byrne, a member of the summer school faculty at Suffolk University Law School for several sessions during the early 1980s died in June, 1989. A member of the faculty at the University of Georgia, he had previously been the Dean of Northeastern University Law School in Boston. After leaving Boston to teach at Georgia, Professor O'Byrne found great delight in returning to the city during the summer months to meet his classes in the Summer Session at Suffolk.

Irwin Springer, a member of the Suffolk Law adjunct faculty for many years, died on October 1989 at the age of 84. He taught a course in arbitration. An early proponent of the use of arbitration, in 1978 the American Bar Association awarded Mr. Springer the Whitney North Seymour Award in recognition of his many contributions to the development of arbitration in the United States. Mr. Springer was also noted for his participation as a defense lawyer in the Japanese War Crimes Trial after the Second World War.
ALUMNI:

Garrett H. Byrne, '24, died at the age of 91 on September 21, 1989. Between 1952 and 1978 Mr. Byrne served as the District Attorney for Suffolk County. One of the best known and respected prosecutors in the United States, Mr. Byrne served six terms as district attorney. Prior to his graduation from Suffolk in 1924 he served with the United States Navy in the First World War. Mr. Byrne passed the Massachusetts bar examination the year before he earned his law degree, but went ahead and completed his legal education at the Law School as a member of the bar. After graduation he entered the private practice of law, and was appointed an assistant district attorney in 1933. The remainder of his legal career was spent in law enforcement, where he won fame as both a brilliant trial lawyer and later as one of the most progressive prosecutorial administrators in the nation. Long before it became common District Attorney Byrne appointed female attorneys as assistants and promoted them to the prosecution of cases. Among his many innovations was the creation of the Major Violators Division, a program aimed at giving priority to the prosecution of career criminals. He was one of the first prosecutors in the United States to operate a victim-witness program to provide support and help for victims and witnesses of criminal activity. He was also a leader in the prosecution of white collar crime, having established the Investigation and Prosecution Project which was the model for others such white-collar crime prosecution programs around the country. One of his most famous prosecutions was of the persons charged with the Brinks robbery case. He also gained national notice when he successfully prevented the holding of the world's heavyweight boxing championship between Ali and Liston in Boston in 1965, on the grounds it constituted a common nuisance. A loyal and devoted graduate of Suffolk University Law School, Mr. Byrne's numerous contributions to law enforcement stand as a memorial to a brilliant career at the bar.

Nathan Sallop, '27, died in 1989 at the age of 84. A graduate of Boston Latin School, Mr. Sallop specialized in criminal law after his graduation from Suffolk in 1927. He later practiced corporate law and served as counsel to the Massachusetts Federation of Nursing Homes.

Arthur A. Kelly, '41, died at the age of 76 on April 5, 1989. Mr. Kelly was known to generations of lawyers for his work in the Probate and Family Court in Suffolk County, Boston, where he went to work in 1934 and eventually became the First Assistant Register of Probate. Mr. Kelly was best known for the kindness and consideration he showed to newly admitted members of the bar and pro se litigants, in assisting them in learning the pleading procedures of the court. Members of the bar quickly learned that if no one else at the court had an answer to a problem Mr. Kelly was the man to see. Mr. Kelly was quiet and softspoken, but never failed to help to anyone who needed his assistance. Even many who thought they knew him well did not realize his outstanding military record as a sergeant in the United States Marine Corps in Guadalcanal and China during World War II. He retired from his position in the Probate and Family Court in 1984.

John O'Halloran,'57, died on June 17, 1989. A managing attorney for Continental Insurance Co., Mr. O'Halloran was active in promoting sports activities for young people in his hometown of Medford and throughout the United States. He served as the national director of the Amateur Hockey Association and was a member of the Olympic selection committee. In addition to serving as a hockey coach, Mr. O'Halloran was the President of the Malden Youth Hockey league and was active in other youth hockey programs.