



TEXAS TECH UNIVERSITY
School of Law™

Page 6 - From Wedding Gown to Cap and Gown
TECH LAW IS FULL SERVICE



LAWYER

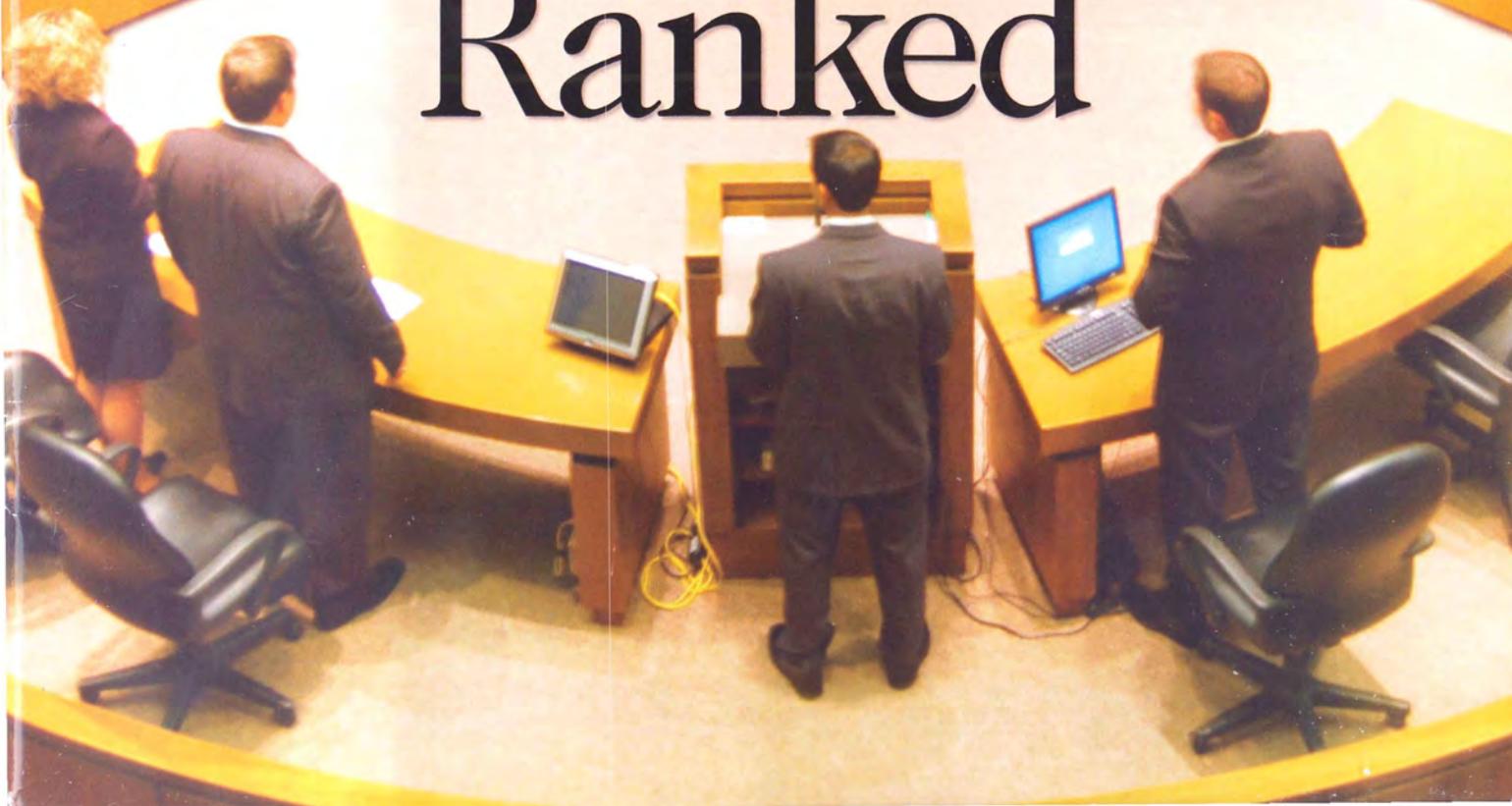
TEXAS TECH

The Alumni Magazine of the Texas Tech University School of Law

Fall/Winter 2006

2 TEXAS TECH UNIVERSITY SCHOOL OF LAW PROGRAMS

Nationally Ranked





Left to Right:

Joseph W. Tombs — Lubbock, TX
JD, MBA, MS, CLU, ChFC, ARM, CFP®
TTU School of Law Class of 1988

Matthew M. Hayes — Beaumont, TX
JD, MS
TTU School of Law Class of 2003

Gregory B. Maxwell — Salt Lake City, UT
JD, MS, CFP®
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Jesús A. Longoria — El Paso, TX
MS, CFP®
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FROM WEDDING GOWN TO CAP AND GOWN

Tech Law is Full Service

Greetings fellow Alums, and welcome to the sixth issue of the *The Texas Tech Lawyer*.



We have hit the ground running hard in this new academic year including adding several new faces to our faculty. As I noted last issue, Professor **Arnold Loewy**, the former Graham Kenan Professor of Law at the University of North Carolina Law, became our first **George R. Killam, Jr., Chair of Criminal Law**. Professor Loewy is one of the world's most highly regarded academicians in the field of criminal law, and Texas Tech is indeed fortunate to have him.

Arnold, as expected, has already made a tremendously positive impact on the School, both in the classroom and in his scholarship and service.

To fill a long-standing need for a professor with expertise in advanced Corporate and Securities law, we brought in **Christopher Bruner**, who was a visiting professor of law at Boston University. Christopher brought truly impressive credentials to Texas Tech: he got his undergraduate degree from the University of Michigan and his law degree from Harvard. Christopher also received a Masters degree in Modern English Literature from Oxford University in England, and has both practiced and taught corporate law.

I also mentioned last issue that **Maddox Professor Bruce Kramer** announced that December 31, 2006, will be his retirement date. Although all of us who profited from (and squirmed under) Professor Kramer's teaching over the last 32 years hated to see him retire, we were delighted to acquire the services of **Professor Bill Jeffery**, a Stanford Law graduate, to help fill the large void Bruce leaves. Bill has significant experience in natural resources law in private practice, government service, and teaching; and we are certain he will be an excellent addition to our already strong faculty.

To replace the late **Legal Practice Professor Kay Holloway**, we were fortunate to hire one of our own alumnae, **Jennifer Horn '94**, as a visiting professor. Jennifer has a great deal of broad and relevant experience in both public and private practice that will doubtless benefit her legal practice students at her law alma mater.

With the retirement of **Maddox Professor of Law Bruce Kramer** and the departure of **J. Hadley Edgar Professor of Law Rachael Van Cleave**, the Law School Faculty and Texas Tech University chose two professors with long and outstanding records at Tech Law to hold the vacated endowed professorships. The **Maddox Professorship** was awarded to Professor **Wes Cochran** and the **Edgar Professorship** to Professor **Bob**

Weninger. These selections are fitting tribute to both Wes and Bob for all they have done for our law school and generations of its graduates, and we look forward to their continuing contributions in the future.

Our **July 2006 bar passing rate** of 87.4 %, while good in absolute terms, did not quite meet our high expectations and tradition relative to the other Texas schools. However, that twinge of dissatisfaction was more than offset by an achievement that is both remarkable and at the same time something that is becoming fairly common among Tech Law graduates: Texas Tech graduate **Rick Haan '06**, earned the highest score on the exam. Over the past six bar exams, Tech Law grads have earned the highest score three times—by far the most of any Texas law school. Indeed, only one of the other high scorers during this time has come from another Texas law school—UT; the other two were from the University of California Hastings College of Law and Harvard.

As you have come to expect, our students continue to excel in inter-school competitions. Our newest entry—the **Arbitration Team**—won its regional competition in Milwaukee with unanimous decisions from the judges in every round. The team continued its excellent performance at nationals by finishing second in the nation on a very close split decision. The members of the team are **Scott Goble**, **Jonathan Stovall**, **Geeta Yadav**, and **Derek Knolton**; coaches are **Murray Hensley '82**, and **Brandon Benoit '05**.

Tech Law's **National Criminal Procedure Moot Court Team** advanced all the way to the quarter-finals in the 18th Annual National Criminal Procedure Moot Court Tournament in San Diego, California. This was an exceptional performance by the first team Tech Law has ever sent to this highly regarded competition. The team consisted of **Erin Welch** and **Lori Truitt**, both second year law students, and was coached by our alum, **C. Dean Richard '96**.

The School's **John Marshall Moot Court Team** of **Graigory Fancher**, **Jamie Hoff**, and **Sara Thornton** were one of the two teams selected to compete in the Ambassador Round of this prestigious competition based upon the team's outstanding oral argument scores during the four rounds of competition. The team excelled in typical Texas Tech Moot Court fashion and was named **Ambassador Round Champion** as the best oral advocates in the John Marshall competition.

Tech Law continued its dominance in the **American Bar Association's Negotiation Competition**, capturing the two top spots at the ABA's Regional Negotiation Competition in Houston. Third-year student **Rachel Anthony** and her partner, second-year student **Mike Davis**, took top honors, and third-year student **Derek Knolton** and his partner, second-year student **Katy Sparks**, placed second. Twenty-eight teams entered from across the region representing Oklahoma, UT, Arkansas, LSU, SMU, South Texas, Texas Southern, Texas Wesleyan, Tulsa, Tulane, Houston, and Washburn. The Texas Tech teams head next to the national finals in Miami in early February. The coaches for this year's teams are **Legal Practice Professor Cristina Knolton** and **Dean Brian Shannon**.

The 2006-2007 Tech Negotiation teams follow in a proud tradition in this event that—over the last 15 years—includes two national championships, two national runners-up, five additional top-five national finishes, numerous regional titles, and the 2005 international championship.

Student opportunities and excellence are fueled by scholarships, and last issue I discussed the unveiling of the largest and most prestigious endowed scholarship program in the School's history: the **West Texas Legal Legends Scholarships**, which honor lawyers who have made a significant positive impact in West Texas. This scholarship program was made possible through the tremendous generosity of **Wayne Reaud '74, and his wife Dana**, and Wayne and Dana hope other friends and Tech Law alums will join them in creating additional scholarships in this prestigious category.

I am delighted to announce that **Wayne** has recently made another magnificent gift to the Law School: he contributed \$1,000,000 to endow a professorship to be associated with the Dean's position in honor of **W. Frank Newton**, Tech Law's longest-serving Dean. Thus, future Deans will hold the title of "Dean and W. Frank Newton Professor of Law." This million dollar gift also enabled us to obtain \$250,000 in matching funds from the University, so the total endowment is \$1,250,000—the second largest faculty endowment in our history. There are many great things about this gift. The endowment will be a major step forward for Texas Tech in both making our already attractive Dean's position even more attractive to quality candidates in the future and in establishing Tech Law as a serious player on the same level as those older schools we seek to emulate.

I have mentioned the **Mark & Beck Lanier Professional Development Center** on many occasions. I can now report that construction has actually begun. Dirt is flying as the contractor prepares the site for the Center's foundation. Moreover, the builder is installing utilities in the front of the building—something we can observe from our first floor offices (thereby allowing us to supervise the construction). We are confident that we will be able to move into the new building sometime in early 2008.

Regarding the Lanier Center, you should have all received information about **naming opportunities** both in the new Center as well as in the original law building. Opportunities range from the bricks leading into the Lanier Center to classrooms and offices. I suspect that one of the hottest naming opportunities will be the study carrels in which we spent so much time as students. These may go fast, so I encourage you to endow one at your earliest opportunity. The money we raise from these naming opportunities will be used to **endow permanent funds** to support our students in the areas of scholarships, student competitions, access to cutting edge technology, and other areas that foster and enhance student legal education.

Last year, we conducted our first **Class Giving Competition** to boost the Dean's Excellence Fund. It was a resounding success. We increased general contributions from \$65,000 in 2004-2005 to over \$250,000 in 2005-2006. More importantly, we raised our overall alumni-giving percentage from 2% to 8%. These annual gifts provide **current operational funds** that are the cornerstone of many of the programs upon which we depend to create true excellence and to continue our climb up the *U.S. News & World Report* rankings. They support, inter alia (as we say in the law), student research and presentations,

increased Tech Law faculty presentations at national and international forums, visiting speakers to our law school, and ultimately touch all of our alumni by allowing us to continue such activities as this excellent alumni magazine. I deeply appreciate your assistance in making this project a resounding success and ask that you join me in supporting the second Class Competition. Our goal for the second year is to increase overall alumni giving to 10%.

As I mentioned last Spring, for the first time in its history, Texas Tech had two programs ranked among the best in the nation by *U.S. News & World Report*. Tech's trial advocacy program was ranked 14th in the nation, and its legal writing program was ranked 23rd. Although, as previously discussed, *USN&WR* rankings are fraught with problems, and by any objective standard these programs should be ranked even higher, we are proud of this recognition of our law school and the students, alumni, and faculty whose hard work and talent certainly deserved national recognition. You can read more about both of these programs in this issue of the magazine.

Also included in this magazine is a heart-warming story about how the Law School community helped two recent graduates pull together a wedding on just 24-hours notice—and on graduation day. **Jane Cardnell Campbell '06**, and **Augustus "Auggie" Campbell '06**, are one of several couples featured in this issue who found love while in Law School. I think you will really enjoy this story describing how Tech Law faculty, staff, and students all pitched in to make the wedding a reality. As I said after the wedding, we really are a "Full Service Law School", and this event underscored the sense of family enjoyed by all connected with Tech Law.

Finally, I would like to mention the alumni reunion and gala held on Friday, September 22, 2006, to celebrate the **40th Anniversary** of Tech Law's founding (classes began 39 years ago). The Law School together with Phi Alpha Delta legal fraternity hosted the gala, at which our **2006 Distinguished Alumnus, Justice Phil Johnson '75**, of the Texas Supreme Court, was honored. The turn-out was simply overwhelming, particularly when compared to our initial alumni event just three years ago. From an attendance of just over 30 at our first event, we had over 350 at this year's dinner. In fact, the banquet was sold out. I thank all of you for your support of events like these, which are so important to bring together our network of alumni, faculty, staff, and students and celebrate our achievements.

I look forward to seeing many of you at future alumni gatherings, either in Lubbock or in your area, and I thank you for all that you do for the Texas Tech School of Law. Because of your loyalty and support, it really is an honor for me to serve as dean of our law alma mater. And because of you, our school's trajectory is well described by one of my favorite phrases, "Onward, Ever Upward".



Walter B. Huffman
Dean and Professor of Law
Class of '77



Year One of Dean's Excellence Fund Class Competition Raised Over \$250,000!

The inaugural year of the class competition was a huge success. In addition to increasing annual fund donations from last year's total of only \$65,000, overall giving among all Tech Law alumni increased from 2% to over 8%.

Winners were awarded to classes in 3 categories:

Highest giving percentage: *Class of 1970*

Highest number of donors: *Class of 1977*

Largest total giving: *Class of 1988*

One of the recipients of these funds is the advocacy teams program. We have teams competing in Client Counseling, Mock Trial, Moot Court, and Negotiations. In a survey of attorneys, judges and professors across the U.S, the Texas Tech School of Law ranked 14th among the country's 191 accredited law schools in trial advocacy preparation. Tech Law boasts 15 national and one international championship. Through these competitions, the Texas Tech School of Law receives very positive national attention.

Year Two of the Class Competition has begun and runs through August 31, 2007. Be looking for a letter from your class representative and please consider investing in your Law School through the Dean's Excellence Fund. Every gift counts, regardless of size, and helps build a stronger Law School.

Thanks for your support,

Sid Walker
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What *Tech Law* is Truly About

In the hustle of everyday law school life, students often forget to take a step back and appreciate life outside these brick halls. We are too busy writing, studying and trying to climb the legal ladder to see what we are missing – the humanity of it all. In the past year, I have discovered that law school is not just about grades, extracurricular activities and finding employment. The friends you make, the loves you find and the mentors you meet are the memories that will stay with you forever.

What I most enjoy about the fall/winter issue of the Texas Tech Lawyer is that it tells you, our alumni, not only about the important legal aspects of the law school, but it personifies the significance that this law school has to its students in both the courses of law and life.

In the *Texas Tech Lawyer's* sixth issue, I am proud to bring you stories about our top ranking programs, outstanding accomplishments of students, unique alumni and newly made foreign connections. This fall we celebrate 40 years as a law school, but Tech Law is more than an alma mater; it is a family. The familial environment can be seen in the stories of this magazine, especially the article featuring Auggie and Jane Campbell, where the law school pulled together to make the most important day of two graduates become a reality. Not every law school could (and would) conquer such a feat as holding a graduation and a wedding on the same day.

The *Texas Tech Lawyer* staff has done an exceptional job in writing and editing articles and producing top-notch photography. Our goal is to continue the tradition of bringing Tech Law alumni a magazine of high quality and remarkable content. I welcome your comments and suggestions, and I hope you enjoy this issue as much as we have had the pleasure creating it.

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Texas Tech Law

Nationally Ranked

THE APRIL 2006 ISSUE OF U.S.
NEWS & WORLD REPORT RANK-
ING AMERICA'S BEST GRADUATE

Schools listed two Texas Tech University School of Law programs as among the nation's best. In a survey of lawyers, judges, and law school professors throughout America, Tech Law was evaluated as 14th among the nation's 191 accredited law schools in Trial Advocacy preparation and 23rd among the nation's Legal Writing programs. Dean Walter Huffman said he was "very pleased at this national recognition for the quality of our law school, its faculty, and its graduates." Huffman noted that "these national rankings reflect what was already a well-recognized appreciation of the Tech Law programs among those who know us best."

Legal Practice: Foundation *for* Success

by Tiffany Colunga

Many alumni remember their legal writing course as a two-hour course taught by a revolving door of professors with a focus on grammar and bibliographic research. Well, those days are long gone at Texas Tech University School of Law. The law school has revamped and renamed its program over the past ten years. The two-hour Legal Research and Writing course has since become two three-hour Legal Practice courses, both taught during the first year of law school.

"We do a lot more things than many other programs because we go much farther than just research and writing," Legal Practice Professor Dale Jones said.

The changes are getting noticed. *U.S. News and World Report* ranked Tech Law's Legal Practice program 23rd in the nation in 2006. The ranking was based on a nation-wide survey of professors specializing in legal writing.

The transformation of Tech's program began in the fall of 1999 when the law school formalized the Legal Practice program and expanded the course from two hours to three.

"Gradually, like other schools, we asked whether [the Legal Research and Writing course] was the best way to provide the most fundamental skill for a lawyer—communication," said Professor Dean Pawlowic, interim director of the Legal Practice program from 2000-2001. "Legal Practice is the foundational course in law school. Those skills, research and writing, are what other courses and practice are based upon."

The faculty developed a formal set of rules governing its new Legal Practice Program in spring 2001. Those rules led to the hiring of a full-time, tenure-track director for the program, Nancy Soonpaa. She arrived at Tech in fall 2001.



Soonpaa, Director of the Legal Practice Program and now also Associate Dean for Student Affairs, said the program has become a success based on a variety of factors, including the hiring of excellent faculty to teach in the LP Program, administrative support, and changes to the structure of the program.

Regarding the Legal Practice professors, Soonpaa said, "Everyone has great practice experience, and having that experience in every classroom makes it a strong program."

Historically, Legal Research and Writing professors were novice professors, who taught the course to "pay their dues," or part-time faculty, who had no career stability in the position. Today, the program, which one professor said was previously referred to as "the stepchild of the law school," is now earning well-deserved respect, starting with the hiring in 1999 of full-time faculty members to teach Legal Practice. Soonpaa noted that the Legal Practice professors have obtained a special contract status that has created long term security in their contract positions. The program now comprises Soonpaa, five full-time LP faculty members, two adjunct faculty members, and a writing specialist.

Those faculty members are active at the law school beyond teaching in the LP

Program. For example, Professor Kim Phillips is also Deputy Director of the Military Law Center. Professors Rosemary Dillon and Cristina Knolton coach a moot court and a negotiation team respectively.

In conjunction with the full-time LP professors, Tech Law librarians Sharon Blackburn and Terry Conaway assist the LP Program in the planning and teaching of the research component of the course.

Another contributing factor to the program's success is the administration's support. The school now employs a part-time writing specialist to assist students in refining their writing skills. In making hiring decisions, the administration is sensitive to ABA recommendations about optimal class size and has worked to improve the student-professor ratio (now 19:1 per section). That ratio allows LP professors sufficient time to work individually with students on their writing to maximize professional skill development.

In addition, Soonpaa said that Dean Walter Huffman has been very supportive in making funds available for her to attend and present programs at regional and national legal writing and other academic conferences.

"That financial support shows the importance of the program to the administration,"

the Texas Tech LEGAL PRACTICE PROGRAM

THE PROGRAM...

incorporates research, writing, client interviewing and counseling, and alternative dispute resolution (ADR).

THE PROGRAM...

exposes students to more facets of the actual practice of law, such as client interviewing, client counseling, negotiations, and mediation.

THE PROGRAM...

has first-year students draft appellate briefs and present oral arguments to a panel of judges, research the law to prepare a memorandum.

Soonpaa said. Her conference participation has also given her an opportunity to showcase nationally both the program and the school.

"It is not that other schools have a negative opinion of us. They just don't have an opinion at all," Jones said. He further explained that schools on the East and West coasts typically have no previous knowledge of Tech because of geography.

This national recognition helped the Program obtain the Top-25 Ranking because part of the rankings is based on peer knowledge of legal writing programs.

"We are so highly rated because we have a director who is very involved at the national level," Jones said. "The administration was supportive of the changes and recognized the importance of Legal Practice as part of the law school," he said.

One of the major changes was the conversion of the program from a purely research and writing course to one that incorporates research, writing, client interviewing and counseling, and alternative dispute resolution (ADR). The ADR component is combined with drafting exercises so that students get experience in how negotiations and mediation may occur in practice, with a written contract or other document as a product.

"I have taught at two law schools, with two very different programs for teaching legal analysis, research, and writing. In Tech's Legal Practice program, students are exposed to more facets of the actual practice of law, such as client interviewing, client counseling, negotiations, and mediation," said Rosemary Dillon, Assistant Professor of Legal Practice.

While most first-year legal writing courses do include objective and persuasive writing, Tech's program goes further by providing real-life practice context for every assignment. Tech Law's program has first-year students draft appellate briefs and present oral arguments to a panel of judges, complete negotiations that end in drafting a contract, and interview a client as well as research the law to prepare a memorandum.

"The course not only introduces students to effective methods of researching legal issues and writing memos and briefs based on that research, but also shows the students the practical applications of such work," Dillon said.

Both of the adjunct professors who teach in the program are also Tech grads who went to law school before the new incarnation of the Legal Practice Program. Shery Kime-Goodwin '94, a federal public defender by day and LP professor by night, commented, "[A]s a Texas Tech Law School graduate, I'm really pleased to see the changes that have been made to improve the legal writing pro-



First Row: Cristina Knolton, Rosemary Dillon, Jennifer Horn, Kim Phillips **Second Row:** Sharon Blackburn, Natalie Tarenko, Nancy Soonpaa, Shery Kime-Goodwin, Dale Jones, Doug Welch **Not Pictured:** Terry Conway

gramming that is offered to the students. I think that the experiences that they have in Legal Practice with respect to the legal research and writing assignments are about as close to a real life clerkship as you can get."

In the future, Soonpaa hopes the program can expand to include advanced level courses in a required third semester and continue innovations with the ADR component of the program.

Other professors agreed that an extended Legal Practice program is a goal for the future.

"While I think the LP program provides students with a solid foundation in research and writing, I think the ideal program would be three semesters long," Dillon said. "Rather than cover pre-trial briefs and appellate briefs in one semester, the second semester

would focus on drafting litigation documents such as complaints, discovery requests, and motion briefs. The third semester then would cover post-trial motions, appellate notices and docketing statements, and appellate briefs."

Professors are also seeing results from the new program, so much that many professors are adding a writing component to their upper-level courses. For example, Professors Vaughn James and Gerry Beyer have students draft testamentary documents in their Wills and Trusts classes.

Students also appreciate the extra work because they notice a difference in their writing.

"We have always had a strong writing program as part of the curriculum, but creating a separate program puts a focus on the importance, and students have begun to understand the significance of learning to research and

write well," Jones said.

Third-year student Brian Sheguit agreed that the Legal Practice Program helps students become proficient in their legal writing and research. "Legal Practice with Professor Knolton was one of the best classes I have taken here at Texas Tech. Professor Knolton's detailed and supportive instruction in legal writing provided me with the necessary skills to excel in my legal work," he said.

Other students have seen the improvements in research and writing skills during their summer law clerking positions.

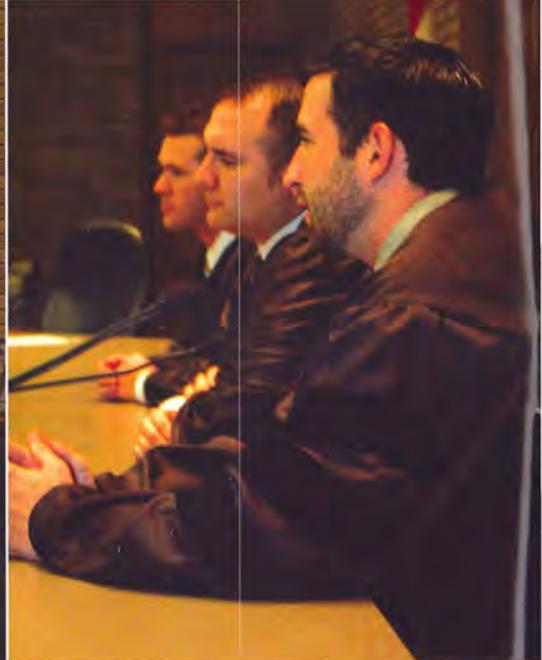
"Legal Practice was very helpful for me when I worked this past summer," Lindsay Epley, 2L, said. "Despite everyone else's hesitance to use the books, I loved the books, and the training I received in Legal Practice made it easier for me to obtain my research than some of the other clerks in my office who spent all day on WestLaw searching articles and cranking up a high bill."

Rehan Safiullah, 2L, agreed. "Although it was a lot of work, I didn't fully appreciate the Legal Practice class until I interned the summer after my first year. I was at the Federal District Court for the Eastern District of Texas for six weeks. I was required to draft memoranda and other documents throughout my time there. Based on the feedback I received, I feel I was well prepared and able to accomplish my tasks," he said. "The appellate brief, Bluebook citations, and research on WestLaw were especially helpful. Without the Legal Practice class, I do not think I would have been prepared to perform the work throughout my internship."

Students who used to dread researching the dusty books in the law library, now take satisfaction in knowing that the study time they put in now will pay off in the future.

"I think one of the advantages our students have is that they are not starting from square one when they go out and practice," Jones said. "As a result of students being well prepared, the word is getting out to the law firms, and they are hiring our students knowing they will be prepared." ■

"Everyone has great practice experience, and having that experience in every classroom makes it a strong program"



Turning Courtroom *into* Classroom

by Tiffany Colunga

Nationally, West Texans are thought to speak with a slow southern drawl, but Texas Tech's Trial Advocacy Program is proving that West Texas is the place to learn to be silver-tongued. Ranking 14th in the *U.S. News and World Report*, the Trial Ad Program is bringing recognition to what most Red Raiders already knew – Texas Tech Law has top-notch advocates.

"Our national reputation in this area would probably surprise most people," Mock Trial Coach Murray Hensley '82 said. "If you remove the private law schools from the *U.S. News* list, we are likely in the top ten public schools in the nation."

Regarding the importance of the *U.S. News and World Report* ranking, Board of Barristers Chairman Noaman Azhar said, "It is very significant because not only does it demonstrate the quality of advocates [the law school] produces, but also the success of the law school as a whole."

Azhar was Best Oralist at the John Marshall International Moot Court Championship in fall 2005.

"The Board [of Barristers] plays a large role in developing the first-year students' advocacy skills so that when they become second and third year law students, they are ready to compete in the national competitions," Azhar said.

The Board sponsors ten competitions each year at the law school: six for

"Texas Tech has long had a great Trial Advocacy Program.

Don Hunt has done an excellent job over the years, and our teams are always very competitive,"

-Murray Hensley

advanced law students and four for first-year students.

"One of the strengths is the intra-school competitions, which are widely participated in by the students," Hensley said. These competitions include Moot Court, Mock Trial, Client Counseling, and Negotiations.

"The thing that makes our school better is that we allow 1Ls to participate, which is rare. Most schools do not allow students until their second and third years," Associate Professor Calvin Lewis, faculty advisor for the Board of Barristers, said.

Outside of the Board competitions, the law school annually competes in 15 to 20 national and international competitions in Negotiations, Moot Court, Mock Trial, and Client Counseling. The national and international traveling teams typically consist of third-year law students.

"It is not that we have the best record throughout the nation because we don't. It is that all of Tech's teams are competitive and are close to national and international championships," said Professor Donald Hunt, former mock trial coach and current moot court coach.

The Trial Advocacy Program's coaches are also credited for the development and success of Tech Law's advocates.

"I think one of the reasons the law school program has been so successful is



Recent Accomplishments

ABA NATIONAL NEGOTIATION

A Texas Tech negotiations team finished fifth in the nation in the **2006 ABA National Negotiation Competition**. The team of Brandon and Gara Hill won the regional competition and advanced to the national competition where they fell less than a point short of placing among the top four negotiation teams in the country. The team of **Rachel Anthony** and **Dawn Newell** finished third in the Regional Negotiation Competition.

NATIONAL APPELLATE ADVOCACY REGIONAL COMPETITION

Two Texas Tech moot court teams reached the elimination rounds in the **2006 National Appellate Advocacy Regional Competition** in San Francisco, California. **Noaman Azhar**, **Allison Clayton**, and **Cynthia Goodman** reached the regional finals of the competition and **Cole Bryan**, **Derek Montgomery**, and **Chad West** reached the regional semifinals. **Noaman Azhar** received a best oralist award at the competition. Both teams were coached by **Adjunct Professor Don Hunt** and assistant coach **Charles Dean Richard**.

TEXAS YOUNG LAWYER'S ASSOCIATION

Texas Tech's 2006 **Texas Young Lawyer's Association Mock Trial** team reached the regional semifinals. The team consisted of **Brad Anderson**, **Shea Haas**, and **Leigh Mauer**. Team coaches were **Adjunct Professors Murray Hensley** and **Dick Baker**.

JOHN MARSHALL INTERNATIONAL MOOT COURT COMPETITION

A Texas Tech moot court team reached the quarterfinals in the 2005 **John Marshall International Moot Court competition** in Chicago, the most prestigious of the nation's moot court competitions. The competition hosts the world's best moot court teams from around the globe including teams from Australia, India, Hong Kong, and Malaysia. The Texas Tech team consisted of **Noaman Azhar**, **Allison Clayton** and **Andrea Olivier**. **Noaman Azhar** finished as the tournament's best oralist. In 2003 a Texas Tech team won the competition.

TEXAS YOUNG LAWYER'S ASSOCIATION STATE MOOT COURT COMPETITION

Texas Tech's 2005 State Moot Court Team finished third in the state at the annual **Texas Young Lawyer's Association State Moot Court** competition. The team advanced to the semifinal round, losing to eventual champion South Texas College of Law. The team consisted of **Noaman Azhar**, **Brandon Barnett**, and **Derek Montgomery**. **Adjunct Professor Don Hunt** coached the team.

ABA NATIONAL NEGOTIATION COMPETITION

The husband-and-wife team of **Brandon and Gara Hill** placed fifth in the nation last February at the **2006 ABA National Negotiation Competition**. **Mandy Gundlach** and **Joy Gibbs** are recent Law School graduates who placed second in the 2005 ABA National Negotiation Competition and advanced to defeat 15 teams from 13 countries to win the 2005 International Negotiation Competition in Dublin, Ireland.

that we have well trained faculty and coaches, who have been coaching a long time and have won many national competitions," Azhar said.

One of these coaches is Hunt, who stepped down as coach of the mock trial team but continues to coach four moot court teams. Hunt started working with the Trial Ad program in 1974. Incidentally, that was also the school year that the Texas Young Lawyer's Association organized the National Mock Trial Competition.

In the spring of 1975, a pilot program was started to determine whether trial competitions could be held. Up until this time, typically only national moot court competitions were held. The first TYLA National Mock Trial Competition was held in 1976, and Texas Tech competed then and has competed in every one since. In fact, for 30 years Hunt coached each of Texas Tech's national mock trial teams.

"Texas Tech has long had a great Trial Advocacy Program. Don Hunt has done an excellent job over the years, and our teams are always very competitive," Murray said.

The Trial Advocacy Program will continue to expand with the addition of the soon-to-be-built "courtroom of the future," which will be the focal point of the \$12 million addition to the law school.

Alumnus Mark Lanier '84 dedicated the courtroom in his former Moot Court coach's name – The Donald M. Hunt Courtroom. While Hunt appreciates Lanier's gesture, he believes the courtroom should have a more descriptive name.

"I have encouraged them to leave my name off. If Mark [Lanier] wanted to do

something like a small plaque somewhere, then that would be fine. But the courtroom really needs some other sort of name because it is going to be more than a courtroom; it will be an advocacy center," Hunt said.

When asked why he has coached these teams for so many years despite the late hours and hard work, Hunt replied, "I hope I can teach young people to be pleasant, assertive advocates. If you have the desire and confidence to stand up in public and be heard and you work at it regularly, it will be pleasurable.

"But you have to do it each time because each time is a new challenge. You are not doing it to be famous. I am not trying to do anything but give these people a foundation to become great communicators," Hunt said.

Hunt noted that he is often proud of his advocates. The latest example is former Tech Law advocate Brandon Barnett '04, who received the top score on the February 2006 Texas Bar Exam.

Lewis most enjoys watching the "maturation process" of the students. "My favorite part is seeing the growth in the students from wherever they are when we get them to the time when they compete," he said.

In the future, Hunt said the program needs to identify somewhere between 15 and 20 competitions that will be attended each year and then identify coaches that will make each team from Tech Law competitive throughout the nation.

"The goal [for the trial advocacy program] is to get better, no matter how good we are now and how many competitions we win," Lewis said. "We have room to grow, and we intend to get there." ■



Wedding Gown from to Cap & Gown

Tech Law is “full service”

by: Kristin Sims

Contributing Writers - Brittany Barrientos and Bryan Wendell

The Texas Tech Law community is not only dedicated to the fostering of an exceptional legal education, but to providing students a home away from home and a familial environment. In May 2006, the Tech Law faculty commandeered the planning of two law students' wedding in a 24-hour time period before the spring graduation ceremony.

“We deal with a lot of different things around here. We’ve just never had a request like this,” Dean Walter B. Huffman said. “I’m really proud of the law school for pulling this off. It proved we’re a full service law school.”

After the wedding, the newlyweds rushed to change from their wedding attire and into caps and gowns for their next life-changing moment—graduation.

“[The wedding] was three and a half hours before graduation. Dean Fletcher who was in charge of the whole thing, had said ‘You can come a bit late,’” Jane Cardnell, the bride, said. “And we ran in about 10 minutes after 6:00, and all the law students just started clapping. That’s a very Texas Tech Law thing.”

As spontaneous as this event was, Huffman said he was just doing his job—something he would do for any law student.

Augustus “Auggie” Campbell ’06 and Jane ’06 first met through an alphabetical seating arrangement and carrel assignment on the first day of law school three years ago.

As the old adage says: opposites attract. The saucy, yet pristine, English

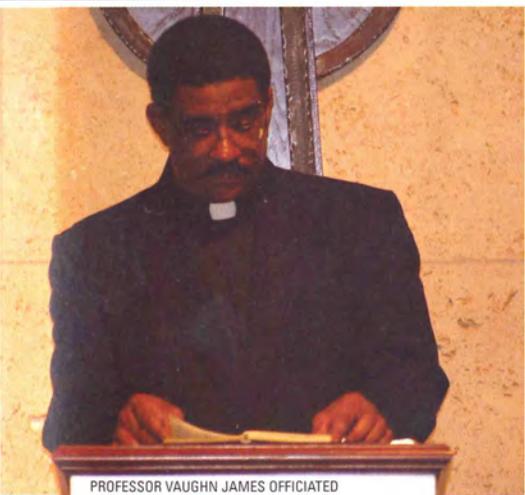
lady and the charming Southern gent were immediately drawn to each other and almost instantly began dating.

“We hit it off and started talking and went out, hung out some, and started dating,” Auggie said. “It wasn’t atypical of law school courtships. We’ve actually met other people who have really similar stories.”

Auggie and Jane heard distant wedding bells chime during spring break 2005 when the couple visited a jewelry store at the largest shopping mall in England shortly after stepping off the plane. Like all contracts between two savvy attorneys, the couple negotiated an offer, an acceptance, and a meeting of the minds: if Auggie bought the ring that Jane liked, she would marry him. Auggie and Jane



AUGGIE & JANE CAMPBELL WITH DEAN WALT & ANNE HUFFMAN



PROFESSOR VAUGHN JAMES OFFICIATED



ASSISTANT DEAN KAY FLETCHER PLAYED PIANO



AUGGIE & JANE WITH VANESSA DICKSON & NATHAN DALEY WHO ALSO MARRIED ON GRADUATION DAY (IN A PLANNED CEREMONY)

were happily engaged, and the planning began.

The wedding date was set for December 30, 2006, and the plans were practically finalized.

"We had the church, the reception, her dress and tuxedos," Auggie said. "Her mom had done an amazing job of planning it. We had booked a honeymoon and were going to go to Cancun with an all-inclusive hotel. We had gotten everything nailed down; we had everything arranged; it was pretty much done."

That is until approximately 9:30 a.m. on May 12, just one day before graduation. Auggie's second "love"—the Army had other plans for the fiancé. As an Army Reservist, the husband-to-be received orders to serve in Iraq shortly after graduation, which meant he wouldn't be available for the December wedding date.

The couple decided to plan the wedding ceremony for the only time both sets of in-laws would be by their sides—the day of graduation. Credit for this ingenious plan, however, is claimed by both spouses.

"This is where you're going to get the conflicting story," Auggie said. "I said as a joke, 'We can just do it tomorrow,' and she said, 'You're serious?' Well, I wasn't but it's really hard for her because a lot of her family is in Great Britain."

But Jane remembered it slightly different.

According to Jane, "I said, 'We could always get married tomorrow,' and he said 'That's not a bad idea.'

"I called my mom and she said 'You're getting married tomorrow, but what about the wedding?'" she said.

Even though the couple had come up with this grand idea, how could they, single-handedly, pull off a wedding in just over 24 hours? Thanks to the faculty and administration at the law school, they would not have to.

Jane and Auggie met with Dean Huffman to brainstorm.

"I called the Reverend at Westminster Presbyterian Church and said, 'What do you think about making the chapel available Saturday?'" said Huffman.

Associate Dean Brian Shannon also joined the "planning committee" and reminded the group that there was already a minister on staff, Tech Law Professor Vaughn James.

"When they told me Auggie was going into the Army, I was happy and sad," James said. "Happy that he was going to serve his country but sad that he had to leave so soon after getting married."

James was more than just Auggie and

Jane's professor in their Wills and Trusts class; he also was the founder of one of the couple's beloved law school pastimes: cricket, a team sport with its modern-day origins in England.

Had the wedding been in December, the minister would have been an individual unknown to Auggie and Jane. Instead, the couple was joined together in wedlock by a person they considered a friend and mentor.

Assistant Dean Kay Fletcher was approached to play the piano. Through the career services office, Fletcher gets to know most students on multiple levels. She is also involved in CLE accreditation and the Administrative Law Journal, in which both Auggie and Jane participated.

*"This is the way
to do it.*

*Everyone was in a
good mood
and nobody
had anything to
complain about."*

"I've sometimes cooked food for some of the students' pregnant wives or students that have had recent surgeries," she said. "Sometimes people just need some TLC."

In this case, Fletcher said she enjoyed playing the piano, and she was coincidentally practicing music for another wedding.

"We discussed some music choices. Jane was very knowledgeable about music," Fletcher said. "There was only a five minute rehearsal, and I remember Jane's brother sang."

In a day, the law school faculty was transformed into full-service wedding planners.

"[The law school administration] took care of everything," Auggie said. "That was really something. Frank Ramos, the Office Manager at the Law School, said

he could get us a good deal on flowers. What we didn't know was that his son, who is an art student at Ithaca, was in town and was nice enough to do all the arrangements."

Fletcher remarked that it was the easiest wedding to plan. "This is the way to do it. Everyone was in a good mood and nobody had anything to complain about," she said.

The day before the wedding, Jane's brother received his PhD from Rice shortly before catching a flight to Lubbock to attend the graduation and wedding ceremonies. Also on the flight with Jane's relatives was her wedding dress.

The day of the wedding, after forgetting to wash champagne glasses, minutes before the wedding, Auggie and his brother washed 50 glasses at his Lubbock apartment, while Jane had a minor but potentially problematic wedding dress issue. A group of faculty and their spouses began congregating at Assistant Dean Amy Jarmon's house, the site of the reception, to set up food and beverages.

The wedding began at 3 p.m. with Professor James officiating.

"The biggest key to this whole thing was Vaughn James. Obviously, there hadn't been a rehearsal. He had a lot of people to lead to make sure this went off looking like a wedding, and he had such control. It looked like it had been practiced a number of times," Huffman said.

And because cricket had been a mutual interest of the couple, James used the sport as a theme for his sermon in the wedding.

"Love is long, it does not keep an inventory or keep score of the wrongs that your mate does, so you have to learn to forgive and forget," he said. "You also have to cover each other's faults in silence and talk to each other."

"We're both lawyers and are really good at remembering things and doing things," Auggie said. "We both really took that to heart. He had some really good advice in that ceremony."

Fittingly, James' wedding present to the newlyweds was cricket gear—a bat, glove and ball—that he had flown in from Houston especially for the ceremony. The equipment was a visual representation of the wedding message.

"Texas Tech is a very loving place. I've taught in very many places, but Texas Tech has this kind of family spirit and family attitude," James said. "This is something we would do for anyone, but doing it for Auggie and Jane was very special because they are very nice people." ■

finding Love in the law

by: Lori Yarbrough

Relationships are challenging for every couple regardless of where they live or what they do; however, if you add long hours, extreme competitiveness, and a multitude of stressful subject matters, most people would predict a recipe for disaster. So, how do law students and lawyers make their relationships work when work is what they do most? Perhaps it is “balance,” but is balance really a possibility when law students spend countless hours with their heads in books or when lawyers spend the better portion of their day at a bustling office? Keeping romance in a relationship is not always easy, but here are a few secrets from couples who met at while they were students at the law school.



BEAU & BETHANN

Currently residing in Austin, Texas, Beau and Bethann Eccles '95 spend their time together enjoying the authentic food and unique culture that Austin has to offer. The couple met in Professor Floyd's Civil Procedure class in 1992 when Bethann “accidentally” forgot her book and was forced to share with Beau.

The two became engaged on February 12, 1994. Because of differing religious backgrounds, the couple had a tough time deciding how and by whom they should be married. So, they ended up marrying on Saturday, November 9, 1996 in the 3rd Court of Appeals courtroom by Texas Supreme Court Justice Bob Gammage, who had sworn in the two as attorneys.

Now, when Beau argues in front of the 3rd Court of Appeals, a smile always crosses his face knowing that he and Bethann kissed on that bench



ZAC & ANNA

Before asking Anna to marry him, Zac had to make a choice: Anna or nachos? The couple went to a football game and planned to meet at a particular gate. The line was so long, however, that Zac decided to stop off for some nachos while he waited. Bad choice. Anna couldn't find Zac for some time, and when she finally did, she let him have it! “Nachos are more important than my safety,” she exclaimed.

In the end, Zac chose Anna, although he claims that the nachos were quite tasty. Anna says the secret to having a successful relationship in law school is leaving law school at the door.

“You've go to have other things to talk about besides law school,” Anna said.

Anna McMinn and Zac Brandl graduated in 2006 from Tech Law and are now living in Austin, Texas.



MIKE & LEIGH

Is age a factor? Not for Leigh Mauer '06 & Mike Lee '06. If anything, the couple says their 10 year age gap gives the relationship character—like Mike's favorite 80s hair band and stylish parachute pants versus Leigh's preference for present day rap and chic, metro style.

Mike and Leigh met through the Student Bar Association and became instant friends. The two never pictured ending up married to one of their best friends, but both are glad that things worked out as they did. Leigh became Mrs. Leigh Lee (an ongoing joke) on August 26, 2006.

The couple says to "remember that your significant other has goals, too." And while they have common interests of cooking over a good bottle of wine and watching football games, Leigh is a Raider Raider through-and-through while Mike is an Aggie at heart.



LOGAN & AMBER

After living the fast-paced, city-life in the Metroplex, Logan Burdine moved to Lubbock, Texas, and unexpectedly found that the slower way of life had a way of creeping up on him. One person who suddenly crept into his life was Amber Reed—a small town girl from Munday, Texas. The last thing Logan was looking for in law school was love, but that's exactly what he found.

To Logan's dismay, Amber was any-

thing but "small-town." Although she was the sweetest girl he'd ever met. Amber amazed him with her quick wit, beauty, intelligence, and not to mention, her desire to be heard.

"She is so smart. She wins every argument and leaves me saying, 'Damn, that was a good point,'" Logan said.

Logan wasn't the only one who was surprised to fall in love so suddenly. "I really didn't think I was ready for a serious relationship and wasn't looking," said Amber.

Yet, the two were happily married on August 5, 2006, in Amber's hometown and both will graduate in May 2007.



DAVID & JANET

Gazing across the room during Professor Krahrmer's Contracts class, Janet caught David's eye and he was determined to meet her. They soon met in 1979 and succumbed to the temptation of skipping Professor Wood's class to get to know each other a little better over a picnic in the park. On the way out the door, however, they crossed paths with Professor Woods, who grilled them relentlessly the next time class met.

The couple cautions: "If you decide to skip class, make sure to sneak out the back door."

David and Janet Copeland '82 married on September 4, 1982, but only after a small predicament—David called off the wedding because Janet refused to live in Midland, which is where David intended to practice law. The two reconciled their differences and ended up in Midland for the better part of their lives together. David's recommendation to future lawyers is to "find out where your partner intends to live and practice before wedding invitations are mailed out."

After graduating from Tech Law, Janet worked as Assistant District Attorney in Midland from 1982-87. David is the VP General Counsel for Concho Resources, Inc. in Midland, Texas.

survey says...



BRYAN STREET & STACY MARLIN

- 1 **WHAT IS THE DISADVANTAGE OF DATING A LAW STUDENT?**
Frequently arguing about controversial issues causing unnecessary quarrels—like the answers to this survey!!
- 2 **WHAT IS ONE CHALLENGING ASPECT ABOUT YOUR PARTNER?**
When we disagree on an issue, I just have to keep reminding myself I will never convince him to change his mind and accept that I will never convince him that my view on the matter is actually justified and not complete crap.
- 3 **WHAT ARE SOME ADVANTAGES OF DATING A LAW STUDENT?**
 - Always have a study buddy
 - Have a built-in note taker
 - Never getting into arguments about one not having time for the other.
- 4 **WHAT ARE YOUR PARTNER'S BEST CHARACTERISTICS?**
He always makes me laugh. (Stacy)
She is a beautiful person, inside and out. (Bryan)
- 5 **WHAT AREAS OF LAW ARE YOU INTERESTED IN PRACTICING?**
Patent law (Bryan)
Criminal law (Stacy)
- 6 **WHEN WILL YOU GRADUATE?**
May 2007
- 7 **DATE OF ENGAGEMENT AND DATE OF WEDDING:**
January 3, 2006 (engagement)
December 30, 2006 (wedding)

West Texas Legal Legends Scholarships

by: Logan C. Despain



Three plaques adorn the foyer in the main entrance to the Texas Tech University School of Law, honoring prestigious West Texas Legal Legends Travis D. Shelton, John F. “Buddy” Maner, and W. Frank Newton. On April 21, 2006, a reception was held in honor of their accomplishments and to announce the creation of the new West Texas Legal Legends Scholarships, the most esteemed scholarships at the Texas Tech University School of Law. Wayne Reaud '74 and his wife, Dana, generously funded these scholarships, the largest in the history of Texas Tech University Law School.

The philanthropy of the Reauds will enable students to achieve their legal goals. The West Texas Legal Legends Scholarships will allow many students to attend the School of Law who otherwise would not have had the means. In addition, they will reward many outstanding students who have already been successful in their studies.

Wayne has had much success since his graduation from Texas Tech School of Law. During the 1970s and 1980s, he represented clients injured by asbestos. Later, he became one of the “Tobacco Five,” the group of lawyers who benefited from Texas’s settlement with Big Tobacco in 1998. He later obtained a large settlement with Toshiba. Wayne has chosen to share his success by funding not only these three scholarships, but many other projects, as well.

The availability of scholarships offered by the law school sometimes is the determining factor in whether some students can attend law school. For others, it is the deciding factor in choosing to attend a certain law school.

Dean Walter Huffman is grateful to the Reauds and their generosity in funding these scholarships, each of which has endowed at a minimum of \$250,000. Huffman hopes that these new scholarships will attract attention from Texas Tech University School of Law alumni and other generous donors. He anticipates that



there will be new West Texas Legal Legends Scholarships soon.

Huffman noted that while Reaud could have named these scholarships after himself, he chose instead to name them after individuals whom he admired and appreciated.

The ceremony and reception to unveil the new scholarships, held at the law school, honored the contributors to the scholarship as well as those for whom the scholarships are named. In attendance were Wayne and Dana Reaud; Frank and Nancy Newton, and family; and friends representing both the late Travis Shelton and the late Buddy Maner.

Following remarks made by Interim Chancellor Don Haragan and Huffman, comments were made about each honoree’s life and career. Professor Dale Jones spoke about his law partner of almost 30 years, Travis Shelton. Judge Jack Young talked about his friend Buddy Maner, and Emeritus Professor J. Hadley Edgar spoke about his friend, Frank Newton. Following these commentaries, Wayne Reaud summed up the reception by emphasizing that “the lives and legacies of these men are very, very special.”

These scholarships will help many present and future students at the School of Law. Just a few years ago, state funding of

the operational support of state schools was about 90 percent. Presently it is about 30 percent. To compensate for this funding discrepancy, public schools are forced to increase their tuition.

Generous scholarships and alternative funding have become necessary to assist students in acquiring their education to compensate for these tuition increases. The more endowments and scholarships that the school receives, the more opportunities it can provide to prospective and current students. In other words, the more willing donors are to assist the law school, the more opportunities are created. This is exactly what Reaud has done in funding these scholarships.

The three honorees personally selected by Reaud have all made exceptional contributions to the practice of law in West Texas. All three are very deserving of this honor, and the School of Law is indebted to Reaud for his generosity in honoring them.

Huffman applauded the efforts of the Reauds.



"We are proud of Wayne and Dana, and we really appreciate their support of our law school. Mr. Reaud's concept is exactly right," Huffman said. "When this scholarship category is announced, it will attract a lot of attention among our graduates, among others, who will believe that this is a very appropriate way to honor those lawyers who have had a significant impact in West Texas. I believe we will see a number of other scholarships established in fairly short order."

Huffman said that Texas Tech has many

successful alumni, some like Wayne Reaud, who recognize that they would not be where they are professionally and financially were it not for two important things. One is the education that they received at this law school, and the other is the people who had a significant impact in shaping their legal talents and careers. These endowments are an unprecedented means by which alumni can show their appreciation for the law school and those who did the most for them.

Wayne has taken it upon himself to provide opportunities for many students to achieve their educational dreams by providing funding for scholarships. By naming these three scholarships for people whom he admires and respects, he hopes to generate further donations and funding so that others can be recognized. His funding of over \$500,000, in addition to matching funds from Texas Tech, has allowed these three scholarships to move forward and benefit current and prospective students. ■

TRAVIS D. SHELTON



Early life experiences strongly influenced the legal career of Travis Shelton. Surviving on a poor cotton farm in Lynn County during the Great Depression

and serving his country during WWII before putting himself through law school gave Travis a toughness in the courtroom and an empathy for his clients that he never lost. Travis was an excellent trial lawyer whose honesty and integrity gave him great credibility with both judges and opposing counsel. His clients were always well represented. That personal integrity also served the lawyers of Texas well. As the first President of the State Bar from West Texas, Travis helped the Association weather one of the most critical times in its history. Travis Shelton was truly a lawyer's lawyer, and his integrity, professionalism, and legal skill left an enduring and positive legacy for all lawyers, and especially those living and working in the West Texas he so loved.

JOHN F. "BUDDY" MANER



Buddy Maner saw possibility in every man and woman he met. He welcomed contact with another human being, no matter how humble. He cared nothing for notoriety. Rather, family, friendship and his love of the law were his constant staples. Buddy worked long and hard in the legal profession on behalf of others, winning many triumphs and suffering through a few defeats, always maintaining his sense of humor and his sense of self. He did not expect perfection in others, but sought the cooperation of many minds, believing that justice was the continuous desire to render to others what they deserved. What we do on great occasions will depend on who we are. Buddy Maner was an honest and courageous champion of law.

W. FRANK NEWTON



An outstanding lawyer, leader and legal educator, Frank Newton sees his duty in the legal profession as a mission to ensure that the benefits of legal advice and representation are not restricted to those who could afford them, but to the poor and disenfranchised as well. As Dean of the Texas Tech University School of Law, he set up scholarships for minority and disadvantaged students. As President of the State Bar of Texas, he championed pro bono support of the poor. A lawyer's lawyer, Frank practiced what he preached by representing many underprivileged clients. As Dean of Tech Law for 16 years, his impact on law and lawyers in West Texas is both significant and lasting. Although Frank is renowned as a brilliant lawyer and professor, it is most important to remember that Frank Newton practiced law with his heart as well as his mind.



Alumnus Doing Elvis Justice

by: Chris Hesse

Not many attorneys have the opportunity to be Elvis. Chad Edgington '04 went from being a teacher in Nashville to being Elvis in Lubbock while in law school. Today, Edgington is an attorney in Eastland and occasionally still finds time to put on a show.

Halfway between Abilene and Fort Worth is the town of Eastland with a population of about 4,000. This small town is home to more than a few interesting characters and icons. One of its renowned residents is a Texas horned frog. The creature was named "Old Rip" after the Rip Van Winkle children's story because he was placed in a time capsule in a cornerstone of the town's old courthouse in 1897 to be rediscovered alive and well in 1928, when a new courthouse was built in the same place. Old Rip visited President Hoover in the nation's capitol and is now on display in the courthouse, with the County Judge having the honor of possessing the only key to the display case.

Eastland's courthouse is in the center of the town square and houses the district attorney's office, a county judge, a district judge, and the 11th Court of Appeals. Eastland is the smallest city in Texas to have a court of appeals, and the 11th Court of Appeals is one of a handful of appeals courts to have only three justices.

One notable Texas Tech Law School graduate in Eastland is Jim Wright '71, Chief Justice of the 11th Court of Appeals. In 1979 Wright was appointed judge of the 91st District Court in Eastland, and in 1995 he was appointed to the 11th Court of Appeals. Justice Wright is the first graduate of Texas Tech University School of Law to serve in the Texas judiciary.

Another Eastland alumnus is Stephen R. Herod '87, who was the youngest Tech Law graduate to join the Texas judiciary at age 30. He is currently the district judge for the 91st District Court.

One of the newest members of the Eastland bar is Chad Edgington '04. Aside from being known for his budding legal career, Edgington has become somewhat of a local icon because of his "famous" Elvis impersonation.

"As I was leaving for law school," said Edgington, "Donna Hilley, a Nashville music executive, bought a white Elvis suit for me as a gift because she enjoyed my Elvis impersonation. I didn't know I would use it so much."

Even before his days as an Elvis impersonator, Edgington always enjoyed music. While at Howard Payne University, he played in the Howard Payne Band and was a production stage manager for his Music Theatre. He formed a pop-rock band that was to become the Luxury Liners, and after graduating in 1997 with a teaching certification and major in English, he moved to Nashville, Tennessee, to pursue a music career with his band.

The band landed a production deal, recorded a couple of compact discs, and they were honored as Hot Prospects by Billboard magazine in 1998. He married Melissa, his college sweetheart, in 1999 and she moved to Nashville to join Edgington.

Edgington also enjoyed teaching, and in 2000 he became a youth minister and teacher. After teaching, he decided that he wanted to do something more.

"When I was in college I had kicked around the idea of going to law school, but didn't have the desire. But while teaching, I thought law school would be a good way to incorporate all my talents," Edgington

explained. "I thought I was a good teacher and entertainer. Law has a little bit to do with communication and a little to do with the dramatic." In November 2000, Edgington applied to several law schools. After being awarded the Regent's Scholarship to Texas Tech School of Law, he decided to attend.

After arriving at Tech Law School, Edgington and his wife were dining with John Montford, Edgington's uncle and past Chancellor of the Texas Tech University System. Montford mentioned a local producer named Don Caldwell who ran the Cactus Theatre in Lubbock.

"I had met Chad a couple of years prior at the Buddy Holly Music Festival when he was performing with the Luxury Liners," Caldwell said. "John and Chad and I just happened to run into each other at Gardski's restaurant one night and either John or Chad mentioned that Chad did Elvis. I told them that I was doing an Elvis show in a couple of weeks."

Soon Edgington was performing one to two shows a month at the Cactus. "Over the years I've seen a lot of Elvis imitators, and I guarantee that that he is as good as it gets," Caldwell said. "He doesn't take himself too seriously which makes it a whole lot of fun."

"We've had him on a lot of shows at the Cactus, and as a featured act on 4th on



International Moor Court Champion at the John Marshall Competition.

He remembers times that he would study backstage before performing. "I would study before shows, and many times I would study flashcards or casenotes and all the other entertainers would ask what I was doing," Edgington said.

Today, Edgington works for the Eastland office of Wagstaff, Alvis, Stubbeman, Seamster, and Longacre, L.L.P., as an associate attorney. The central office is located in Abilene, Texas. Like many other small town attorneys, he is a general practitioner, with the majority of his practice in family law, criminal defense, and real estate.

Edgington has taken his Elvis impersonation from Lubbock to Eastland. He performs at the local Majestic Theatre and has performed at an Elvis birthday bash and a 4th of July celebration.

"LAW HAS A LITTLE BIT TO DO WITH **COMMUNICATION** AND A LITTLE TO DO WITH THE **DRAMATIC.**"

Broadway Celebration. He's also done some road trips with us."

Working at the Cactus was Edgington's only job while attending law school. He performed for the Cactus Theatre, did private shows, and performed at Raider Alley.

"The Christmas show was the best part, because then we could buy presents for our whole family," Edgington said.

Edgington balanced his course load with performing and with other law school activities. For instance, he was a Staff and Technology Editor on the Law Review, president of his second-year class, accepted into the Blackstone Fellowship, member of the Board of Barristers and

Eastlanders love his act.

"I was dancing in front of the stage," said Carolyn Bolt, a secretary at the District Attorney's Office, recalling his most recent act at the Majestic Theatre.

Sherry Williamson, the Clerk of the Court for the 11th Court of Appeals, also enjoys Edgington's performances. "I've seen several of his performances and he has performed several times at my church," Williamson said. "Chad performed when a Grand Ole Opry exhibit came into town, and he also performed his Elvis impersonation for my daughter's Junior/Senior prom last year."

"He put on a fantastic show at our



church's senior adult banquet. He has the moves that Elvis had, and does Elvis justice," Williamson continued.

Edgington is very active in his local church, the First Baptist Church of Eastland. He teaches a young couples' Sunday School Class, plays guitar in the church praise band and at Sunday services, and sings in an adult ensemble called "Voices of Praise."

Larry Wesson, the Minister of Music for the church, had nothing but praise for Edgington. "At our senior adult appreciation dinner last February, the theme for the night was 'Hawaiian Luau', and he had scarves that he would dab the sweat off his face and then give to the ladies," laughs Wesson. "Normally Chad is a reserved person, but he becomes more of the character of Elvis, definitely more

than he would be of himself!"

After seeing Edgington's Elvis birthday bash performance, Blake Gaines, a local mechanic, created an Elvis smoothie in Edgington's honor. Elvis' favorite snack was a peanut butter and banana sandwich. Gaines' smoothie is made of bananas and peanut butter, and is called the "Thank You Very Much Elvis" smoothie. While most people would look suspiciously at the idea of peanut butter in their smoothie it is surprisingly good.

Gaines' shop is another interesting aspect of Eastland. It used to be a Cadillac dealership, and the front entrance looks more like an ice-cream parlor than an auto mechanic's shop. The front entrance is painted pink and decorated with old-time photos of the dealership. Patrons can get their car repaired and buy a smoothie all at the same time.

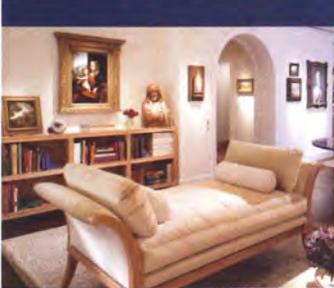
Edgington still sings and performs for the Cactus Theatre in Lubbock. "No where else do I play where I get a seven piece backing band," said Edgington.

Edgington hasn't stopped making music either. You can enjoy some of his music on his homepage at chadedgington.com. You can also see a few movies of Edgington doing his famous Elvis impersonation. ■

"HE HAS THE MOVES THAT ELVIS HAD, AND DOES ELVIS JUSTICE"

-Sherry Williamson

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Faculty Publications

From January 1, 2006 - June 30, 2006

Bryan T. Camp

"Camp's Compendium: The Function of Forms," *Tax Notes*, January 30, 2006, pp. 531-42.

"Why the Supreme Court of New York Is Not the Supreme Court of New York," *Haverford Journal* 2, no. 1 (February 2006): 1-29.

"Camp's Compendium: The Never-Ending Battle," *Tax Notes*, April 17, 2006, pp. 373-83.

"Camp's Compendium: The Function of Forms in the Substitute-For-Return Process," *Tax Notes*, June 26, 2006, pp. 1511-21.

Larry Cunningham

"Using TWEN to Reach Evening Students," *The Law Teacher*, Spring 2005, pp. 12-13.

Susan Saab Fortney

"The Billable Hours Derby: Empirical Data on the Problems and Pressure Points," *Fordham Urban Law Journal*, 33 (November 2005):171-92. Prof. Fortney's article was solicited for the Fordham Law School Conference on Professional Challenges Facing Large Law Firms.

Jarod Gonzalez

"A Matter of Life and Death-Why the ADA Permits Mandatory Periodic Medical Examinations of 'Remote-Location' Employees," *66 Louisiana Law Review* 682-731 (2006).

Michael Hatfield

"Ignore the Rumors - Campaigning from the Pulpit is Okay: Thinking Past The Symbolism of Section 501(c)(3)," *20 Notre Dame Journal of Law, Ethics & Public Policy* 125-73 (2006).

John Kraemer

"Commercial Transactions," *SMU Law Review* 58 (Summer 2005): 657-78.

Texas Methods of Practice, Sections 24.1 to 37.0. Texas Practice, vol. 12. 3d ed. Thomson West, 2005. 771 pp.

Vernon's Texas Code Forms Annotated, Uniform Commercial Code Forms. 3d ed. 2005 pocket parts and CD-ROM. Thomson West, 2005.

Marilyn Phelan

"Legal and Ethical Considerations in Museum Acquisitions," in *Museum Philosophy for the Twenty-first Century* 27-46 (Hugh H. Genoways ed., 2006).

Vickie Sutton

"Dual Purpose Bioterrorism Investigations in Law Enforcement and Public Health Protection: How to Make Them Work Consistent with the Rule of Law," *Houston Journal of Health Law & Policy* 6 (2006): 165-85.

"Custom, Tradition and Science in the South Pacific: Fiji's New Environmental Management Act and Vanua." *Journal of South Pacific Law* 9 (2005).

Compiled by Sharon Blackburn, Law Library



* Correction, Spring/Summer 2006 Issue Nicole Tomich '04 co-authored "Harnessing Wind Is Not (by Nature) Environmentally Friendly" with Professor Victoria Sutton.



Book Request from Iraq

by Becky Behl-Hill

Today when we think of heroes in Iraq, many think of American soldiers protecting life and advancing freedom for the Iraqi people. Nevertheless, it is important to consider other kinds of heroes like the ones who support and provide resources for Iraqi education to promote development and self-sufficiency. Texas Tech School of Law is fortunate to have Gerry Beyer, Governor Preston E. Smith Regents Professor of Law, who supports education not only for the students at Texas Tech but for all students, domestic and foreign.

Beyer has authored numerous articles and more than 25 books including the *Modern Dictionary for the Legal Profession* and a student favorite *Wills, Trusts, & Estates: Examples & Explanations*. These publications have led to numerous requests for books and articles domestically, but Beyer was surprised to open his e-mail in January 2006, and find a book request from the University of Mosul in Iraq.

Ali Adnan Al-feel, an assistant lecturer at the University of Mosul College of Law and a legal advocate contacted Beyer requesting a copy of the *Modern Dictionary for the Legal Profession* for the University library. In response, Beyer sent not only the requested dictionary, but also a copy of the *Wills, Trusts, & Estates: Examples & Explanations*. Beyer chose to send the E&E along with the dictionary because Al-feel needed general information books and both would provide a good starting point for legal studies.

Recently, Beyer received a similar request from a group of law students in Jatinangor City, Indonesia. Whether this is kismet, coincidence, or the world getting smaller, it is interesting that two seemingly unrelated requests followed so closely together when Beyer has never received an international request before them.

Beyer was surprised at the requests because his expertise in wills, trusts, and

estates is domestic and not international, but it is likely that the growing worldwide interest in our legal system fueled the requests.

The books arrived at the University of Mosel on March 20, 2006, more than seven weeks after they were mailed from Texas Tech.

Al-feel explained that the long-term international sanctions have led to high-priced goods and essentials, both personal and educational. These high prices preclude most Iraqi legal specialists and university libraries from access to these publications.

"All I can say is that I should remember my own slogan which echoes—I should look for knowledge everywhere; no matter how distant or far. I would like to express my grateful thanks for the help you provided me, and I repeat my thanks for your generous and honorable stand with me despite the distance between us," Al-feel told Beyer.

Beyer said that he felt honored by the request and was pleased that his work could be helpful to the redevelopment of the country.

"It is just a small thing, but if everyone does something small, what a difference we could make," Beyer said. ■



Inside and Outside the Booth, Parrish Gets Lubbock's Attention

by Micah Malouf

"Good afternoon ladies and gentlemen, and welcome to Jones AT&T Stadium!" These are the first words to greet Red Raider football fans on Saturdays in the fall. Since the 2000 season, the voice behind these words has belonged to Curtis Parrish, stadium announcer for Jones Stadium and second-year law student. A great communicator, Parrish shares a passion for both announcing and the legislative process.

In spring 2000, Parrish was selected by members of the Texas Tech athletic

department to be the stadium voice of the Red Raiders. While some first-year law students shudder at the thought of speaking in front of classmates, Parrish said any pre-game anxiety surrounding speaking to 53,000 Red Raider fans quickly subsides once the game begins.

"There is a brief moment of nervousness at first; but once I say, 'Good afternoon ladies and gentlemen,' then I'm good to go," he said. Parrish takes great pride in his contribution to the game days at Jones Stadium.

"Sports are entertainment, and we like to see our teams win, and we're sad when they lose. But above all, we want to come and enjoy the college atmosphere," he said. "To me, it's more about that environment. I'm just a small part of that environment."

Parrish's most memorable gameday incident occurred after the 2001 Texas Tech versus Texas A&M game. In the excitement of a win, Red Raider fans flooded the field and tore down the goal post. Parrish remembered being handed a card which read, "No one is allowed on the field." Despite his best efforts, some fans ignored his warning. "I must have read that card eight times in an effort to clear the field, but the goal post came down anyway," Parrish recalled.

Having lived in Lubbock since 1978, Parrish has worked in radio, television, university administration, and politics. "This is my third career. For some nontraditional students, it's their second career. I'm on number three," he explained.

Parrish is particularly intrigued by the legislative side of law. For the past ten years, he served as a legislative aide for Senator Robert Duncan '81. In addition, a portion of those years were spent in Austin working as a committee clerk.

"I love exploring how ideas and policy become law," Parrish said. Having chosen Texas Tech School of Law to supplement his interest, Parrish thinks highly of the education he is receiving.

"A law degree from Tech will serve me well by allowing me to affect policy by identifying problems and examining how we can solve them legislatively. Many leaders of this state have gone through this law school," he said. "The program has a great reputation for putting out lawyers ready to do the job."

Parrish cited school finance and the selection of judges as two areas in which he intends to address aggressively upon graduation.

Between his Saturdays behind the microphone, his pursuit of a law degree and his passion about legislative reform, Parrish's voice is likely to be heard for a long time to come. ■

Professor Returns after Hiatus in Washington, D.C. by Andy Cates



It was the summer of corporate fraud in 2002. The corporate disasters now known as Enron and WorldCom were in full swing. Congress was demanding answers, the President was unsure of what to do, and with billions of dollars floating around, Texas Tech Law Professor and '86 Tech Law grad, Bill Mateja arrived in Washington, D.C.

A Texas Tech adjunct law professor since 1995, Mateja was taking a three-year hiatus from teaching to explore corporate fraud at the highest levels and was what he recalls as a "rewarding and fascinating journey" and "a great opportunity to bring something back to Texas Tech."

In June 2003, Mateja was invited to go to Washington, D.C., to work at the Executive Office of United States Attorney. Soon thereafter, Congress passed the Sarbanes-Oxley Act in response to growing corporate fraud scandals. Within the month, the President had created the Corporate Fraud Task Force. For the next year, half of Mateja's workload centered on corporate fraud at the national level.

In 2003, then Deputy U.S. Attorney General and head of the Corporate Fraud Task Force Larry Thompson asked Mateja to join his staff, manage the Task Force, and oversee the white collar and violent crime efforts. While in this prestigious position, Mateja pulled together law enforcement resources to effectively combat corporate fraud and helped draft the

Thompson memo, which sets forth nine factors for Assistant United States Attorneys to consider in deciding whether to investigate and charge an organization with corporate fraud.

By the end of the year, there was a new Deputy Attorney General, James Corney, who asked Mateja to continue his exceptional work as point person for the Corporate Fraud Task Force. Corney also asked Mateja to serve as the Justice Department's Special Counsel for health care fraud.

During his time in Washington, D.C., a mere two years, Mateja oversaw some of the biggest corporate fraud and white collar crime cases to date, including WorldCom, HealthSouth, and Martha Stewart. When asked what his best experience was while in D.C., Mateja said, "One of the things that I'm most proud of is the difference that we made in restoring integrity to the financial marketplace."

When Mateja decided to return home to Texas, to his family and friends in Dallas, Associate Dean Brian Shannon immediately took the opportunity to ask Mateja to return to Texas Tech Law to teach. The foremost expert in white collar crime that West Texas and, arguably, the entire state, Mateja proved an invaluable addition to the faculty. Mateja returned to the law school to continue what he calls his "true vocation" teaching. He now teaches an upper-level class in white collar crime.

A true West Texan, Mateja is humble about his incredible achievements yet very

proud of the people and institutions that led him there. As an alumnus, Mateja admits that then Associate Dean Joseph Conboy "took me under his wing and made me feel at home" in Lubbock.

During law school at Texas Tech, Mateja was on the Board of Barristers and was Associate Editor of the Law Review. With two years on the National Mock Trial team, Mateja graduated, eager to find himself in the courtroom.

For the first five years after law school, Mateja worked with a law firm in Dallas in commercial litigation, which he enjoyed, but he yearned for more trial work. In May 1991, he applied for a position with the United States Attorney's Office and decided to return to Lubbock as an Assistant U.S. Attorney.

For the next 11 years, Mateja settled into his niche of prosecuting many of the most notable white collar and violent crime cases that came to West Texas. Three of these white collar prosecutions earned him both the prestigious Texas Department of Public Safety's Director's Award and the 2001 Executive Office of U.S. Attorneys' Director's Award for Superior Performance as an Assistant U.S. Attorney.

Bill Mateja is a Texan at heart and a Texas Tech Alumnus at his core. Through all his fame as a proficient prosecutor, U.S. Attorney, and leader in his field, he still maintains that he likes it here best.

"I do everything I can for Texas Tech whether it's in Lubbock, Dallas, or Washington, D.C.," Mateja said. ■



'06 Grad Published in Ivy League Journal

by Becky Behl-Hill

When most law students consider their writing requirement, they generally have a mix of anxiety, agony, and apprehension. While the mere thought of publishing a paper often seems like an illusion, for recent Texas Tech grad Chad West, his second publication is quite a reality. His article, entitled "Economics and Ethics in the Genetic Engineering of Animals," was chosen for publication in *The Harvard Journal of Law and Technology*.

West, who graduated May 2006, suggested that his article was chosen not simply because of the interesting subject matter. When asked why his article was published, he grinned, saying "They were getting down to deadline and didn't have an article?"

West confided that he thinks the journal selected his article because it is not a topic that has been extensively written about.

"[The genetic engineering of animals is] an area that hasn't been covered too much, and it's not a super hot topic right now, but I think it could be. Once it starts being discussed more it could be something that's highly debated," West said.

West discovered a lack of regulation and guidelines for researchers conducting these experiments, which left the regula-



tion to the free market. Organizations like the Jockey Club are regulating themselves, proving that if the industry is allowed to police itself, it will.

As a hunter and environmentalist, West's intention is for his article to catch the attention of other organizations, such as the Jockey Club or the Boone and Crockett Club. The Boone and Crockett Club was founded by Theodore Roosevelt in 1887 as a coalition of dedicated conservationists and sportsmen, who would provide leadership in addressing issues affecting hunting, wildlife, and wild habitat.

West hoped to alert the Boone and Crockett Club and other interested organizations to the fact that genetic engineering is not science fiction and help prepare them for issues they may face in the future, including the ground-breaking advances in health care research and treatment, implications in the pet retail industry, and the possibility of bolstering the trophy hunting and horse racing industries.

Preparing individuals, as well as civic and recreational organizations, for the

future is one of the benefits to being published, and West encourages anyone interested in being published to join one of the journals. West was the Water Law Symposium Coordinator for Volume 38 of the *Texas Tech Law Review*.

If law students decide not to pursue journals, West suggests there are other avenues for publication available.

"If you are not on a journal, do it for a class or get a professor's help. A professor will mentor you through the process and help you develop your writing," West said. "Professors Fortney and Jeffery were invaluable. They were an incredible help."

West stated that the secret is for students to choose subjects about which they are passionate.

"Passion shows. Don't be intimidated by the process. Just go at it with guns blazing," West said.

West has another paper, "For Body, Soul, or Wealth: The Distinction, Evolution, and Policy Implications of a Water Ethic," which he wrote for Professor Gabriel Eckstein's International Water Law class in the spring of 2006, to be published in the January 2007 *Stanford Environmental Law Journal*. West expressed his gratitude to Professor Eckstein for the mentorship in guiding him through the research and writing process on his paper.

West is currently a law clerk for the Honorable Terrie Livingston of the Second Court of Appeals in Fort Worth, Texas. After he completes this clerkship, he will work as an associate in the Litigation Division of Kelly, Hart & Hallman, P.C. ■

Alumnus Honored For His Fund Raising Efforts by Kassi Horner

In his opening remarks at a reception honoring Alberto "Beto" Cardenas '98, Dean Walter Huffman praised Cardenas for recently becoming General Counsel for Senator Kay Bailey Hutchison.

In recognizing Cardenas' accomplishments for Texas Tech University, the Chancellor's office gathered past professors and colleagues at the School of Law on March 22, 2006, to thank Cardenas for his endless hard work and to wish him well on his new endeavor.

"Beto is a great credit to our school," Huffman said.

For the past three years, Cardenas has served as Texas Tech's Federal Liaison in Washington, D.C. During this time, Cardenas promoted Texas Tech by developing relationships with Congress and the Executive Branch and

obtaining funding for the university. At the reception, Donald Haragan, Texas Tech University Interim Chancellor, reported that Cardenas has helped obtain \$110 million in federal funding.

One program that Cardenas has supported is the Center for the Study of Addiction and Recovery. Dr. Kitty Harris from the program said Cardenas truly has a "heart for people" and was instrumental in securing an earmark of \$248,000 for two years to replicate the Center at other universities.

Cardenas lobbied Congress on behalf of the Texas Tech School of Law for \$450,000 for the Center for Water Law Policy. Professor Gabriel Eckstein, director of the Center for Water Law and Policy at Tech Law School, applauded Cardenas' efforts.

"Beto was invaluable in securing this

grant for the Center," Eckstein said.

One theme that stood out among the speakers was that Cardenas has done an excellent job establishing relationships in Washington, D.C. His enthusiasm, passion, and the contacts he established will continue to benefit Texas Tech School of Law. ■





JAG Corps Summer Intern Program

by Goran Krnaich

I was fortunate to be among the 75 2Ls selected for the U.S. Army Judge Advocate General's Corps (JAG Corps) summer internship, and I was assigned to work in the Washington D.C. area. The D.C. area is the headquarters of JAG Corps operations, with the highest level offices located there, such as the Office of The Judge Advocate General, the Office of the General Counsel of the Army, and the JAG Corps Recruiting Office.

The Army JAG Corps is the "in house counsel" of the U.S. Army and is the oldest and second largest law firm in the world. The Army JAG Corps was formed in 1775, shortly after George Washington was appointed Commander in Chief of the Continental Army. Ever since, the JAG Corps has played a significant role in Army operations by helping with a wide range of legal issues, including matters such as military courts-martial, advising commanders on international law issues, interpreting treaties and rules of engagement, and assisting individual soldiers and their families with their personal legal problems. Among others, military lawyers are active participants as prosecutors and defense lawyers in the Military Commissions for unlawful enemy combatants.

I was assigned to the U.S. Army Litigation Division, which represents the Army in civilian courts throughout the United States on various civil matters. Its main mission is to defend the Army against civil suits brought in federal court. These civil suits cover a wide range of subjects, including torts, civilian personnel, military personnel, and

general litigation. The Litigation Division is composed of military and civilian attorneys, and it works closely with the U.S. Department of Justice.

The Litigation Division is one of the busiest places in the JAG Corps, and there was never a dull moment. The War on Terrorism contributed greatly to the large amount of litigation in that department.

The greatest experience I had was being assigned real world cases and learning how to think like a litigator from attorneys with many years of experience. Some of the cases I worked on involved litigation against the American Civil Liberties Union, litigation under the Freedom of Information Act, as well as a case involving the U.S. Department of State. Spending time in D.C. with the JAG Corps also allowed me to get a lot of interesting inside opinions from JAG attorneys on the very current issue of military commissions and the United States Supreme Court decision of *Rumsfeld v. Hamdan*.

Not having prior military experience was not a problem this summer, as most JAG officers did not have any military experience prior to their entry into the JAG Corps. The JAG attorneys came from various backgrounds and from many law schools all over the United States, thereby providing for a very diverse work atmosphere. They all agreed that the JAG Corps gave them the opportunity to handle their own cases right away instead of only doing research for more senior lawyers.

Of course, work was not the only activity I engaged in this summer. Numerous other exciting experiences were available, including a visit to the United States Supreme Court and the opportunity to meet the Clerk of the Court, William Suter, himself a former Assistant Judge Advocate General of the Army. There was also the visit to the U.S. Army JAG Corps School in Charlottesville, VA, where I got an inside view of how JAG attorneys are trained.

To sum up my experience as a JAG summer intern, I recall the welcoming words of Major General Scott C. Black, the current Judge Advocate General of the Army. He said we should "work hard and play hard." My summer internship in D.C. definitely contained both of those elements. After completing my summer job, I realized how much emphasis and importance the JAG Corps puts on balancing work and personal life, an element that many practicing attorneys sometimes forget. This makes it a very a strong incentive for me to consider working for the JAG Corps after graduation from law school. ■



Tech Law Dean sends Brief to the U.S. Supreme Court

by Keli Johnson

Attorneys for Osama Bin Laden's driver, Salim Ahmed Hamdan, argued before the Supreme Court on Tuesday, March 28, 2006, to appeal from "enemy combatant" detention and an alleged breach of international law. Richard Rosen, Texas Tech University School of Law Associate Dean for Administration and External Affairs, submitted an amicus curiae brief in conjunction with Professor Steven Goldblatt of Georgetown's Appellate Litigation Program.

The issue was whether the Supreme Court should abstain from hearing Hamdan's appeal that the military commissions violated the Constitution and international law. Dean Rosen's position was that the Supreme Court should not abstain. He argued that a military commission is not equipped to handle constitutional and international claims and is not the proper forum to hear those complaints.

Hamdan is the first enemy combatant in the War on Terror for alleged war crimes whose challenge to the legality of the military commission reached the Supreme Court. Hamdan is not pursuing a trial in a civilian court; rather, he seeks trial court-martial.

Ultimately, the Supreme Court did not abstain from hearing Hamdan's challenge, and in a June 2006 decision it deemed the military commission proves unconstitutional and violative of international law. ■



Work-Life Balance

by Valera Kothman

Many attorneys try to find that seemingly elusive balance between their personal and professional lives. The problem is becoming increasingly significant, especially among the younger generation of attorneys. Susan Saab Fortney, the George H. Mahon Professor of Law, recently completed a cross-profession research report on these work-life conflicts with funding from the National Association of Law Placement Foundation.

Fortney based the study on her previous research of culture, compensation, and work expectations. This project allowed her to expand her research to the national level.

According to Fortney, the purpose of the study, entitled “In Pursuit of Attorney Work-Life Balance: Best Practices in Management,” was to obtain actual data on the extent of attorney work-life conflicts, its effects, and employer strategies to help employees address those conflicts.

“The report outlines practical steps that employers can take to create work environments in which lawyers can thrive and deliver quality legal services while attaining a satisfactory level of work-life balance,” Fortney said.

The study obtained information from both supervised and managing attorneys working in three different practice settings: law firms, corporate offices, and government offices. Fortney stated that in addition to questionnaires, facilitators held nine different focus groups in various U.S. cities to gather information and explore employer best practices.

The study showed that “government attorneys had the lowest median number of conflicts while law firm attorneys had the highest and that younger attorneys experienced more conflicts than older

attorneys,” Fortney said. “Study findings reveal that work-life conflicts adversely affect job satisfaction and retention.”

According to Fortney, the structure of compensation systems in law firms has greatly contributed to the lack of job satisfaction among attorneys. For example, she said that billable hour requirements and the trend in law firms to base bonuses on billable hours cause problems for many attorneys. These requirements are especially difficult for ethical attorneys, she added. The study found that many supervised attorneys would be willing to make less money to work less hours, but they feel that reduced-hour arrangements will prevent career advancement.

Achieving a satisfactory work-life balance among employees would benefit both employers and employees. The study outlines the best practices to assist “employers who recognize that good human resources management translates to good business.” After researching available initiatives, Fortney discovered that managing and supervising attorneys agreed that the two initiatives most effective in addressing work-life conflicts were flex-time and having the option to work at home.

Fortney claims that if employers use the initiatives suggested in the study, employers will not only improve the quality of life for their employees, but they will also improve job satisfaction and retention. While she does not have specific plans for future work-life studies at this time, Fortney knows that further studies on the effects of compensation systems would benefit attorneys in all areas of practice. ■

Matisse: More than an Artist

by David Cummins,
Emeritus Professor of Law

Henri Matisse was born in Le Cateau, France (1869). He and Picasso are generally considered the two greatest painters of the twentieth century. But as far as historians can tell, there was absolutely no sign in Matisse’s early life that he would go on to become an artist. He started out studying law, and though his law school was in Paris, Matisse never once attended an art museum while he was living there, not even the Louvre.

He returned home after law school to take a clerical job in a lawyer’s office when he was struck by a case of appendicitis.

He was bedridden for weeks, and a neighbor suggested that he try passing the time by painting. His mother bought him a box of paints, and he read a how-to-paint book. He later described those first experiences painting as almost like a religious conversion. He said, “For the first time in my life I felt free, quiet, and alone... carried along by a power alien to my life as a normal man.”

When Matisse finally recovered from his appendicitis, he took his job at the law office, but he also enrolled secretly in a local drawing class, which he attended every morning for an hour before going to his job. Then, after several months of this, he told his father that he was going to quit the law practice and devote himself to art. He spent hours at the Louvre copying the techniques of the old masters.



Henri Matisse. Self Portrait in a Striped T-shirt (1906). From “Statens Museum for Kunst,” Copenhagen, Denmark

Matisse was not very successful when he first began exhibiting his work and his wife had to run a dress shop to support the family. Then in 1905, Matisse submitted a portrait of his wife called “Woman with the Hat” to an exhibition of paintings by a group of his friends, all of whom were using radically bright, primary colors. Critics were particularly shocked by Matisse’s painting, and so Matisse was surprised to learn at the end of the exhibition that his painting had sold to a couple of American expatriates known for their eccentric taste, Leo and Gertrude Stein. Leo Stein described Matisse’s painting as, “A thing brilliant and powerful, but the nastiest smear of paint I had ever seen.”

Matisse continued to be one of the most controversial artists in the world for the next decade. When his paintings were shown in America in 1913, students at the Art Institute in Chicago burned him in effigy. But when people met Matisse they were always shocked to find how conservative and mild mannered he was. Though he hadn’t become a lawyer he continued to dress like one for most of his life wearing a suit even while he painted. ■



Double-Duty: A First Year's Quest to be Miss Texas

by Faith Feaster

I came to Texas Tech University School of Law in August 2005 determined to conceal my alter-ego as a "pageant girl." I wanted to avoid the common and cliché references to the movie, *Legally Blonde*. My attempt, however, failed miserably after my classmates googled me and found pictures of me as Miss Texas Panhandle 2005.

After some initial snickers and questions, I decided that I wouldn't be involved in pageants if I were not proud of what I was doing. When I won the title of Miss San Angelo 2006 on Halloween, my friends became more interested and supportive of my pageant endeavors. I thought, "Who could better give credibility to the Miss Texas Scholarship Pageant and dismiss the stereotype held by many than a pageant contestant in law school?"

The first confusing point I usually have to clear up is that I am not from San Angelo; I am from Roscoe. Roscoe is a tiny town just west of San Angelo and south of Lubbock, and I don't think anyone will host a Miss Roscoe pageant in the near future. But if you ask Miss Houston or Miss Ft. Worth where they are from, you will probably get a similar response, a small town. Miss Texas 2005 Morgan Matlock was Miss Ft. Worth and

is originally from Lamesa. (She too is a Red Raider.)

The purpose of the program is to get as many girls to participate as possible. As a result, local pageants remain open for girls from anywhere in Texas to compete. I wanted to stay close to home, and San Angelo is about an hour from my hometown.

My close friend in class told me, "I just don't see the point of all this pageant stuff now that you are in law school." Like any good law student, I justified my involvement by the simple fact that the Miss America Organization and its state and local organizations are the world's largest provider of scholarships for young women.

These organizations awarded over \$45 million in cash and scholarship assistance last year alone. Over 12,000 young women each year around the country compete in this system to help pay for college, prepare for careers, gain additional life experience, work on issues of importance to society, and enhance their personal talents and professional skills.

Unlike some girls who have been involved in pageants since they could walk, I did not begin competing until my freshman year of college at Hardin-Simmons University in Abilene. As a piano performance major with almost 15 years of lessons under my belt, it was natural for me to sign up for a competition that was based 40 percent on talent. After winning first runner-up and a \$4,000 scholarship to Hardin-Simmons in the Miss Abilene pageant, I was hooked.

parades this weekend?" Although I have done some parades, the job of a titleholder involves a little more these days. One of the most distinguishing characteristics of the Miss Texas America organization is the requirement that contestants promote a social issue or platform during their year of service. This is a once-in-a-lifetime opportunity to use that crown on your head to speak to people all over Texas about something that is important to you.

I didn't have to look hard to find an issue of importance and relevance to me and the people of Texas. In 2004, both of my parents suffered heart attacks within six months of each other. Fortunately both of them survived, but it really opened my eyes to the widespread dangers of heart disease.

Heart disease is the number one cause of death of Americans, and stroke is number three. Heart disease is now the number one cause of death of women, claiming more lives than the next six combined. Nearly half-a-million women a year, about one per minute, die of heart disease. I realize how lucky I am to still have my parents and want to educate others on the dangers of this life-threatening disease.

The qualifications for the job of Miss Texas go far beyond selecting the right earrings and high heels. The résumé for the job of Miss Texas includes a vision for implementing your platform statewide, a marketing plan to market the brand name of "Miss Texas," and the legacy that you would leave behind after your year ends. This is hard work. I spent Spring Break

"Like any good law student, I justified my involvement by the simple fact that the Miss America Organization and its state and local organizations are the world's largest provider of scholarships for young women."

Last year, I competed for the first time in the Miss Texas pageant. After winning \$500 and the Most Talented Musician award for playing Gershwin's "Rhapsody in Blue" (my dad's favorite), I decided to go back and give it another try. After all, I will age out of the competition this year at 24. Despite all the stress and anxiety of competing in the pageant, it is one of the most fun and rewarding things I have ever done.

Whenever I am gone for the weekend as Miss San Angelo, my friends ask, "Do you have to go kiss babies and ride in

selling advertisement pages to go in the Miss Texas program book (the law school purchased one), putting the ad layouts together, rounding up money from sponsors, and creating a website.

The work is well worth the reward, considering the job perks. Winning prizes include living in the furnished "Miss Texas" apartment for a year, a new Chevy Trailblazer, a full-length fur coat, wardrobe and jewelry, and of course, a \$10,000 scholarship to go toward school. It couldn't hurt the career prospects, either. ■

Groundbreaking Construction Changing the Face of Tech Law

by Jeff Allen

“The finest legal education facility in the nation” is how Dean Walter Huffman describes the Mark and Becky Lanier Professional Development Center, the much anticipated 32,000-square-foot addition to the Texas Tech University School of Law.

Before the Lanier’s donation, Richard Rosen, Associate Dean for Administration and External Affairs, had once called the idea of the new addition a “dream for some future, distant dean”; however, the momentous construction, located just to the west of the current building, broke ground in October 2006. Had it not been for the generous gift of alumnus Mark Lanier ’84 and his wife, Becky, also a graduate of Texas Tech University, the dream may not have been realized.

“The importance and impact of Mark and Becky Lanier’s gift is difficult to overstate,” Huffman said. “Without a significant private donation, like the \$6 million gift that the Laniers have made available, it would simply be impossible for us to build this addition to the law school.”

The impact of the new facility will be felt immediately upon the Tech Law community. For instance, the construction will change the profile of the school, necessitating the revision of numerous commemorative Christmas tree ornaments. Beyond aesthetics, it will place Tech Law firmly in position to compete for the best faculty and students.

“Universities build new athletic facilities, new libraries, and new research facilities because those things attract the best coaches, the best athletes, the best faculty members, the best researchers,” Huffman said. “High quality up-to-date facilities play a significant role in the ability of the university to attract the students and faculty that we want to attract.”

It was this idea of a high tech, up-to-date facility which was the driving force behind the design of the new Lanier Center. The Center will bring two major additions to Tech Law, both of which have been anticipated for a long time: a new state of the art courtroom and an auditorium. The courtroom, which has been named for Mark Lanier’s moot court coach, Don Hunt, is designed to



prepare students for the environment they will meet outside the brown brick walls of Tech Law.

Dean Rosen noted the significance of the courtroom. “[It] will give more opportunities [for students] to compete in a realistic setting,” Rosen said. “But more importantly, it will introduce them to the technology that they are likely to encounter in many courtrooms around the country. It will enable them to seamlessly incorporate the technology into their presentation, so it’s really a realistic training ground for students.”

Not only will the Donald M. Hunt Courtroom act as a training facility for future students, it will also be a forum into which Tech Law may draw the Fifth Circuit Court of Appeals and the Texas Supreme Court, an invaluable observation opportunity for students.

“Those courts have visited here before,” Dean Huffman said, “but it is difficult to

that give the law school the visibility it takes to enhance the national reputation.”

The addition will benefit Tech Law’s national reputation. Huffman has noted that any opportunity to break ground on a new facility is an opportunity to spread the fame of Texas Tech School of Law, but what the Lanier Center does beyond that is give the school a growing tradition of excellence.

“Our problem is not quality; our problem is that we are not on the East coast or the West coast,” Lanier said. “The marketing, making other people aware of the high quality of the law school has been a challenge.

“The building will allow us to host the kind of events and gain the kind of publicity that allows us to showcase the other very positive qualities of this law school.”

Even with the new Lanier Center, the school will not be sitting on its laurels. Recognizing that a “courtroom of the

“High quality up-to-date facilities play a significant role in the ability of the university to attract the students and faculty that we want to attract.”

share a courtroom with students.”

The problem of the much needed large capacity auditorium will be addressed by the Bill and Carolyn Lanier Auditorium. Currently, the largest venue within the confines of Texas Tech Law School is Lecture Hall 109. The Bill and Carolyn Lanier Auditorium will contain enough space to house an entire law school class for events, such as orientation. Additionally, it enhances the reputation and prestige of Tech Law, thus enabling the school to house more dynamic Continuing Legal Education (CLE) seminars and conferences.

“The quality and size of this addition allows us to do a number of things that we have been limited in our capability to do before,” Huffman said. “In many ways this building will allow us to do things

future” will quickly become a “courtroom of the past,” a plan has been formed to create an endowment through which the new Hunt Courtroom and other Tech Law facilities will remain state of the art. The endowment is set to draw from numerous naming opportunities in the Lanier Center as well as the existing Law School structure.

Such prominent features as the Law Library, the Forum, the lecture halls, all the way down to individual carrels are open for dedication in the existing facility. The opportunity extends into the Lanier Center with a new Academic Services Center, new career services and development offices, practice courtroom, convocation area, seminar rooms and Board of Barristers offices, among other opportunities. A new main



entrance to the school will be created that will include a brick walkway, with opportunities for individual dedications on the bricks themselves and benches.

"Even alumni from our first class will find the value of their education at Texas Tech and the value of that diploma [enhanced by the Lanier Center]," Huffman said. "They will want to hang it a little straighter, and it will shine a little brighter."

"It is important to everyone who is associated with the Texas Tech School of Law in any respect," Huffman continued. "It's a very exciting thing." ■

Israeli Judge Visits the Law School

by Clinton Snow

Judge Dani Beeri, a criminal court trial judge in Tel Aviv, Israel, visited the Texas Tech School of Law this summer conducting research while on a sabbatical from the court. He has been studying the validity of scientific evidence that often comes before him in court via expert witnesses.

Judge Beeri came to Texas Tech for his research on the recommendation of Associate Dean Richard Rosen, whom he knew from his Master of Law studies in the Judge Advocate General's School in Charlottesville, Virginia in 1986. Rosen was part of the school's faculty at the time, as was Professor Calvin Lewis.

Judge Beeri was born in Turkey and lived there until he completed his law degree at Istanbul University Law School. He then moved to Israel where he served in the Israeli Defense Force (IDF) from 1974 to 1997.

Before his retirement as a colonel from the IDF in 1997, Beeri served as Judge Advocate of Central Command of the Air Force, Army Ombudsman, military judge, and Chief of the IDF Criminal Law Department. Since then, Judge Beeri has been a trial judge in a civilian criminal court in Tel Aviv, Israel. ■

G'Day Mate

by Jessica Escue

Pretty soon Texas Tech law students will hear a different greeting in the halls – "G'day Mate" will replace "Howdy." Final preparations are being made for an international exchange program with La Trobe University in Melbourne, Australia. An agreement between Texas Tech University School of Law and La Trobe University was signed in January 2006 to establish a program, which has been in the works since May 2003 when Texas Tech Professor Dean Pawlowic was first approached about the opportunity while a visiting professor at La Trobe.

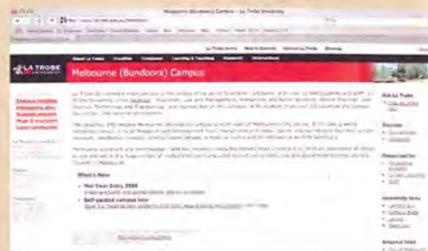
La Trobe is a major university in Australia with its main campus in Melbourne. The entire La Trobe system has more than 26,000 students and 2,300 faculty and staff. La Trobe prides itself in its exchange programs with other law schools from around the globe. Texas Tech law students who choose to spend a semester in Australia will have the opportunity to meet and learn with students from over 25 different countries.

Professor Jorge Ramirez, Director of International Programs at Texas Tech Law School, views this opportunity to study in the Pacific Rim as a crucial addition to the diversity of the International Program at Texas Tech. For years he had been looking for an opportunity for Texas Tech law students to study in an eastern country.

"We really needed a presence in an Asian or Pacific Rim country. It was a hole in our International Program, and with the amount of trade that Texas does with that region, we really needed it," Ramirez said.

Ramirez explained that 13 percent of all international trade by the United States is done by Texas. Our two highest trade partners are Mexico and Canada, but the next five are all located in the Asia/Pacific Rim area. With the vast problems in language and cultural barriers, an opportunity to study in the Asia/Pacific Rim area seemed almost impossible. This impossibility was overcome by La Trobe's offer in 2003.

Australia's largest trading partners are all located in the Asia/Pacific Rim area. Australia's location made it a premiere location for a program to study Asian/Pacific Rim business while remaining in an English speaking coun-



try whose legal system is somewhat similar. The opportunity to study in Australia will enable Texas Tech law students to study the law, culture, and trade of Asian/Pacific Rim countries without the obstacles of language and large cultural barriers, according to Ramirez.

Another advantage of the program allows students to attend La Trobe while paying their tuition to Texas

Tech Law International Exchange Programs

- La Trobe University School of Law Program in Melbourne, Australia
- Universidad Pablo de Olavide Program in Sevilla, Spain
- University of Lyon Program in Lyon, France
- Summer Law Institute in Guanajuato, Mexico Program

Tech University School of Law, which allows students to stay on Tech scholarships and financial aid while studying in on a different continent. La Trobe University students will likewise pay tuition to La Trobe while attending Texas Tech. Ramirez hopes the inter-school cooperation and unique opportunity will make the exchange program an attractive option for Texas Tech law students.

Ideally, up to three students from Tech would visit La Trobe each semester while three corresponding students from La Trobe would come to Texas. Students will have a variety of subjects to choose from and can tailor their course selections to their interests; however, Texas Tech students must first have their courses approved by Ramirez to make sure the coursework is in accordance with American Bar Association requirements for credit. ■



Good Times for a Good Cause

by Brad Levy

Amidst the soothing melodies of King Shakey and the Banned, a diverse crowd of students, faculty, and local bar members mingled in the Merket Alumni Center this past February for the 4th Annual Talent Show & Auction, hosted by the law school's Student Public Interest Initiative (SPII).

Throughout the evening, visitors enjoyed refreshments, perused silent auction items, watched talent acts, and excitedly bid during a live auction. But this jovial atmosphere was more than a gathering of good spirits; it was a fundraiser for law students who worked in public interest law during summer 2006.

"This event is incredibly important for the students, faculty, and the local bar," said Professor Jorge Ramirez, who has donated auction items and participated each year. "We need to make sure that, as lawyers, we provide for those who are unable to otherwise afford legal representation, and we contribute to this duty by backing organizations like the Student Public Interest Initiative."

According to Heather McDonald, class of '06 and president of SPII, the proceeds from the event have been able to fund between four and six student internships each year. This year's event, which was primarily sponsored by the Lubbock County Young Lawyers Association, had the largest attendance yet. Additionally, over \$7,500 was raised for grants to support law students' summer internships. With increased participation, those numbers and the awareness of SPII's cause will continue to grow.

"One of our long-range goals is also to start a loan assistance program for Texas

Tech grads who go into public interest law," said McDonald. "[We] believe that [this area of law] is extremely important because it provides legal services to groups of people who would otherwise be unable to afford legal help."

Two of the biggest catalysts for the fourth annual event were auctioneer Karl Campbell and emcee Byrn Bass. In the second straight year in which he generously volunteered his services for the event, Campbell conducted an energetic and professional auction which got almost everyone involved. Bass, a local attorney in the firm of Harding, Bass, Fargason, Booth & St. Clair, led the event with a natural ease that complemented Campbell well. Bass donated his services as emcee for the evening.

Aside from raising money for student internships, SPII seeks to promote understanding and enthusiasm in public interest law. While not everyone in attendance may aspire to practice in the public interest sector, the wide range of people who came showed an awareness of the cause and a willingness to participate.

"There were so many people from different backgrounds among the professors, graduate students, [and] law students," said Associate Professor Angela Laughlin of the event. "I thought it was a huge success."

Laughlin, along with Ramirez and others, performed with King Shakey and the Banned, which is headed by another member of the law school faculty, Professor Vaughn "King Shakey" James. James' band formed in Trinidad, West Indies, in 1979, and it originally consisted of members who

are now spread throughout the United States and the Caribbean. For the Talent Show, James recruits students and faculty to join him and his son, who also plays in the band. This year's event marks the second time in four years that King Shakey and the Banned have been a part of the Talent Show.

"I'd love to keep playing for the Talent Show," James said. "It's been such a good mixture of students and faculty that have performed with us each year."

Other faculty and students exhibited a broad spectrum of talents as well. Among them was Associate Dean for Academic Affairs Brian Shannon, whose contribution to the show was a stand-up comedy act. Drawing applause and laughter from an attentive audience, Shannon innocently poked fun at law students, professors, and lawyers.

While this was his first year to perform, Shannon has contributed auction items each year that the event has been held.

"As part of a profession, we all should feel an obligation to value and contribute to public interest work," Shannon said. "As both a Texas attorney and a faculty member for the students who have formed the backbone of SPII over the years, I am very proud of their efforts."

SPII also holds an annual Public Interest Forum in the fall, which brings public interest practitioners and former grant recipients together with students to further explain public interest law. SPII can be located on the web at www.studentweb.law.ttu.edu/SPII. ■



5th Circuit's Chief Justice speaks on 'The Role of a Judge'

by Charmaine Tupue

Last February during a speech at Texas Tech University School of Law, Chief Justice Edith Jones of the U.S. Court of Appeals for the 5th Circuit discussed the role of judges and specifically the place of international law sources in Constitutional decision making. The student chapter of the Federalist Society sponsored the presentation and Professor Jorge Ramirez provided commentary.

Jones, who was appointed by President Ronald Reagan in 1985, received her commission at the age of 36, and became Chief Judge in January 2006, stated that about

making. Second, she stated that the use of international law in judicial adjudication would result in the hijacking of our system by foreign law because foreign law is promulgated by agency watch groups that have no political accountability. Finally, she noted the difficulties in maintaining predictability in a justice system that follows international law. Among the difficulties are deciding which foreign law to follow, to what extent it should be followed, and who should make these important determinations.

In his commentary, Prof. Ramirez stressed that the concept of ordered liberty is not uniquely American and that it may be advantageous for us to take note of international law. He also noted that the Declaration of Independence as well as the Federalist Papers talks about respecting the laws of nations. He further countered by stating that predictability exists when we take note of international mores and laws just as there is predictability in our system of 50 sovereign states with arguably 50 different sets of laws. ■



better understanding of practicing in the oil and gas industry," said Nathan Yates, president of the MLIG.

Nibert is well-respected in the oil patch. He received his doctorate of jurisprudence at Pepperdine Law School, graduating cum laude in 1983 as Editor-in-Chief of the Pepperdine Law Review. Since then, he has been practicing oil and gas law at the Hinkle firm in Roswell.

Nibert has excelled in his field as Director of the Section of Natural Resources, Energy and Environmental Law of the NM State Bar, Director of the Independent Petroleum Association of NM, NM Board of Legal Specialization specialist in Oil and Gas Law, Trustee of the Rocky Mountain Mineral Law Foundation, Research Fellow for the Center for American and International Law, and presently serves along side Maddox Professor of Law Bruce M. Kramer, of Texas Tech School of Law, as Chairman of the Unitization and Communitization Committee of the Rocky Mountain Mineral Law Foundation.

He has been involved in numerous large ranch transactions in the State of New Mexico, including examining title to and representing the Pennzoil Company in the sale of the Vermejo Ranch in Colfax County, New Mexico. Nibert has also been published numerous times in forums including the Rocky Mountain Mineral Law Foundation and the Center for American and International Law.

Among his many honors, Nibert has contributed to his Roswell community as the Chairman of the Republican Party of Chaves County, Director of the Roswell Chamber of Commerce, Roswell Kiwanis Club President and Lt. Governor, and member of the Roswell Independent School District Board of Education.

For more information regarding the MLIG, visit their website at: www.studentweb.law.ttu.edu/mlig/. ■



five members of the current U.S. Supreme Court are committed to using international and comparative law in adjudication and noted that the practice started out in dicta and four-member plurality opinions. She asked rhetorically how the Japanese internment during World War II and also those of three fairly recent criminal law cases of Thompson, Stanford, and Lawrence would have been decided if the Supreme Court had followed international law and opinion. Also, she raised the issue of whether the federal government could require the states to pass the Brady Bill and noted that European federal governments routinely force states to enforce federal law.

In declaring the impropriety of using international law to decide American Constitutional law, Jones set forth three arguments. First, she noted that there is no basis in the Constitution to allow the use of international law in constitutional decision

Roswell Attorney Speaks on Practicing in Oil and Gas Law

by Beth A. Ryan

Roswell, New Mexico, attorney, Greg Nibert, spoke to students at Texas Tech University School of Law on February 16, 2006. Nibert, resident partner at the law firm of Hinkle, Hensley, Shanor, & Martin, L.L.P., was invited to speak to the law student members of the Mineral Law Interest Group (MLIG).

The MLIG is a student-run organization that promotes discussion and education of legal and policy issues in the fields of oil, gas, water, other minerals, and natural resources. It sponsors student, faculty, and guest seminars on these issues and facilitates networking among students, professors, and other members of the legal community working in minerals and natural resources.

In his speech, Nibert informed the law students on the day-to-day oil and gas transactional and administrative practice of law. The lecture was a useful planning tool for law students who are trying to find their niche in the oil and gas practice. As most law students will agree, determining where and how to begin law practice is difficult.

"Thanks to [Nibert], our students have a

West Texas General Practice Symposium

by Nicholas Davis

"Just when I thought I was out, they pull me back in." Perhaps this very phrase from *The Godfather* echoed through the minds of the attorneys who journeyed from all over Texas to Texas Tech School of Law's Continuing Legal Education program on March 3, 2006, but the West Texas General Practice Symposium demonstrated there is always more to learn.

The CLE informed practicing attorneys of changes in the law and also touched on aspects involving national security and trial strategies.

The event was attended by Texas lawyers, Tech Law alumni, and even law students. The program included remarks from Dean Walter Huffman, who welcomed all the attendees to Tech's Law school. Speakers included Charles "Tex" Thornton Professor Brian Shannon, Associate Dean for Academic Affairs; Richard Rosen, Associate Dean for Administration and External Affairs; Governor Preston E. Smith Regents Professor Gerry W. Beyer; Mark D. White '82 of Sprouse, Shrader and Smith; Professor

Vaughn James, Douglas R. Woodburn '75 of Woodburn, Watkins and Jackson; Ray Cantu, Director of the Attorney Compliance Division of the State Bar of Texas; Guy D. Choate of Webb, Stokes and Sparks; Mark Lanier '84 of The Lanier Law Firm; and Hon. Robert A. Junell '76, Hon. Brian Quinn '81, Hon. Kem Thompson Frost '83, and Hon. Samuel A. Medina '76.

Rosen prepared an in depth analysis regarding the international war on terror. In his presentation, Rosen illuminated the significant consequences of the U.S. bypassing the rules stated within Article 5 of the Geneva Convention, which basically iterates that if there is any doubt as to POW status, then the default is to treat them as POWs.

"This has forced the U.S. on the defensive to justify its treatment of the detainees, and it has created a lot of moral equivalency to the terrorists in the international level. This of course isn't the case, but it gives the United States a black eye to the world," Rosen said. "We must justify what we've done. If we had just followed the rules set out by the Geneva Convention, then the world really wouldn't have much to gripe about.

"What really concerns me is the comparison of the U.S. to the terrorists. The fact that our foes don't follow the rules, doesn't justify our departure."

Lanier '84 delivered his presentation on "Winning at Trial (Tips and Techniques)"

and "tipped his hat" to other attorneys who had taught him many useful methods of building a successful case. Lanier first pointed out to every attorney the sure fire way of winning a trial.

"I call it plan A: just find a winning case," Lanier said. He followed up that comment with the caveat, "I've been practicing law for 22 years and I haven't had any of these." "So, I go with plan B: 'Make a Winning Case.'"

Lanier then proceeded to explain the three steps he takes in building a winning case. The first step is to "make a good foundation," the second step is to "do your framing," and the final step is to "do your finishing." Lanier explained this last step in a few simple sentences. "Trial work at its very best is story telling."

Lanier emphasized you take the bad parts of your case, put them into your story and make them sound good. "Fall down and get back up," he said. "I've lost a ton of cases.

"So go with plan B, make a good case, but if you've got a choice, go with plan A," Lanier said.

Dean Huffman viewed The General Practice Symposium as a success. Huffman expressed his pleasure in hosting the event and in an effort to raise the Law School's esteem he said that this event was just one of many other prestigious events to be hosted at Tech Law in the near future. ■



Symposium Successful Despite Wind and Rain

by Clinton Snow

The Texas Tech Administrative Law Journal hosted a symposium, "Regulations & Resources: Balancing our Economy and our Environment," on March 20, 2006, at Texas Tech University School of Law.

After meticulous planning and arrangement of speakers and guests, the ALJ members were concerned that the event might not take place because flights at DFW were delayed for hours from storms the night

before. Several flights were to carry prominent attorneys and judges from all over the state to speak at the United Spirit Arena, the forum for the event.

With the exception of Texas Commission of Environmental Quality (TCEQ) Commissioner, Larry Soward, all were able to take alternate flights to Lubbock and arrived before noon. Despite the delayed start and the inclement weather, the symposium was a success.

As winds outside the conference center gusted up to fifty-five miles per hour, Bill Warnick, General Counsel for the Texas General Land Office, kicked off the symposium with a presentation on wind power and Texas General Land Office wind farms. Attorneys and students also listened to presentations on deregulation in the electric industry, groundwater, the Clean Water Act, and ethical issues in both environmental and administrative law.

Presentations were given by notable speakers, such as Julie Parsley '90, Commissioner for the Public Utility Commission of Texas; Lynn Sherman, Professional Consultant with the Winstead Consulting Group; Associate Professor Bill Jeffery, Texas Tech School of Law Deputy

Director of the Center for Water Law and Policy; Professor Jorge Ramirez, Texas Tech School of Law Director of International Programs; and Pamela Giblin, Partner and Head of the Environmental Department at Baker Botts and EPA Clean Air Advisory Committee Member. The speakers, as a panel, also fielded questions from the audience.

Day two of the symposium afforded symposium attendees the opportunity to not only hear about oil and gas regulation from Maddox Professor of Law Bruce Kramer and enforcement of environmental law from Duncan Norton, former General Counsel of the TCEQ, Symposium attendees were also able to question a panel of judges from Texas Courts of Appeals about issues in administrative law, including Chief Justice Brian Quinn '81 of the Seventh Court of Appeals, Jan Patterson of the Third Court of Appeals, and Susan Walker of the Third Court of Appeals.

Members of the Administrative Law Journal who helped organize the symposium wish to express their thanks to all those who helped make the event a success, especially those who spoke and those who attended. ■

Federal Preemption in the Financial Institutions Arena

by Professor Ann Graham, Assistant Dean Kay Fletcher and Mary Wahne

Last Spring's Symposium on Federal Preemption in the Financial Institutions Arena brought together noted scholars from a wide array of law schools, the legal community, state and federal agency heads, and their general counsels for a timely contribution to the Supreme Court's review of federal preemption issues.

The Texas Tech Law Review and Texas Bank Lawyer were quick to seize the opportunity to showcase the Tech Law School and its students by hosting the Symposium. These dedicated law students earned the respect of Symposium attendees and speakers. For many out-of-state participants, this was a highly favorable first impression of the Texas Tech University School of Law. By raising national awareness of what alumni, faculty, and current students know to be our strong commitment to academic excellence, programs like this continue to enhance our image and standing in larger arenas.

So, how did this opportunity arise? The effort was orchestrated by Professor Ann Graham, who has practiced in the banking law area. In her 30-year career, she has served as General Counsel to the Texas Banking Department, as Regional Counsel for the Federal Deposit Insurance Corporation (managing legal affairs for a four-state region which includes Texas, Oklahoma, Colorado, and New Mexico), and as a financial institutions lawyer with major international law firms in both Washington, D.C., and Texas.

Before joining the Law School faculty, Banking Law Professor Ann Graham served as Senior Vice President & Chief Regulatory Counsel for the Texas Bankers Association, where she participated in both the legislative process and the litigation analysis resulting in the Fifth Circuit case of *Wells Fargo v. James*. This 2003 opinion holds that a regulatory interpretation of the Office of the Comptroller of the Currency ("OCC"), the federal agency that charters and regulates national banks, preempted a Texas consumer protection statute. Texas Banking Commissioner Randall James, the named defendant, determined not to appeal the Fifth Circuit's ruling. Nevertheless, both the Texas

Banking Commissioner and the Texas Legislature retain a keen interest in the broad scope of federal preemption this decision may represent.

During the summer and fall of 2005, a string of cases in other jurisdictions extended the holding in the *Wells Fargo v. James* case. One of the most interesting of these cases involved New York Attorney General Eliot Spitzer and his effort to obtain information necessary to enforce state "predatory lending" laws vis-à-vis state-chartered non-bank corporations that were mortgage lending subsidiaries of national banks. In *OCC v. Spitzer*, the federal bank regulator successfully argued that even the request for information from these entities, which owe their corporate existence to state law, infringed the exclusive examination power of the OCC over national banks and their subsidiaries and thus was preempted by federal law. Attorney General Spitzer promptly appealed this decision.

Other cases from the 2nd, 6th and 9th Circuits were ruling on cases in the federal preemption area and raising complex legal and policy issues such as:

- Are there compelling states' rights arguments? What about the Tenth Amendment?
- Can a state initiate a lawsuit to enforce laws that OCC concedes do apply to national bank subsidiaries or is the OCC the exclusive enforcement agency under federal preemption theory?
- To what extent should courts defer to the interpretations of federal agencies such as OCC?
- Does deference to agency interpretation extend beyond statutory interpretation of the fundamental statutes administered by the agency? Should the courts defer when the agency enlarges its jurisdiction by declaring state law preempted?

As the federal preemption issue simmered in the nation's courts, Professor Graham and her colleagues from across the country began to discuss the possibility of a Symposium. Texas Tech Law School offered to host a Symposium and assembled a group of students to assist in the organization and implementation of the program. Special recognition goes to the members of Professor Graham's Fall 2005 Banking Law Class, which included Texas Tech Law Review's Vol. 38 Editor-in-Chief Corey F. Wehmeyer, Articles Editor



Ann Graham

Brandon Hill, and Staff Member Elizabeth Von Kriesler. Vol. 38 Symposium Coordinator Chad West and Business Manager Shea Haas were quick to see the potential for the Symposium. Mary Wahne, Vol. 39 Symposium Coordinator, students from Law Review and Texas Bank Lawyer devoted countless hours to the Symposium.

As a direct result of the Symposium, Professor Graham and a group of 17 other law professors from law schools across the country joined the Center for Responsible Lending and others in filing an Amicus Curiae Brief to the U.S. Supreme Court in *Watters v. Wachovia*. The National Conference of State Legislatures, National Governors Association Council of State Governments, National League of Cities, National Association of Counties, International City-County Management, the U.S. Conference of Mayors, and the Conference of State Bank Supervisors have also joined in filing their own Amicus Curiae Brief in opposition to aggressive federal preemption. The case is expected to be argued before the Supreme Court in Spring 2007. Ultimately, Congress may be the arbiter of this conflict.

Participants and attendees at the conference were overwhelmingly positive in their evaluation of the Symposium. Professor Arthur E. Wilmarth, Jr., from George Washington University Law School wrote "[your] symposium was one of the best-organized and most enjoyable events that I've attended. You deserve great credit for conceiving the symposium and bringing it to fruition. I was also highly impressed by your faculty colleagues and your law students. I've never met a more friendly, respectful and helpful group. Our students at GW could certainly learn a great deal from the "can do" attitude, unfailing courtesy and personal dedication shown by your students." ■

Speakers

James J. Butera • Deborah Dakin
Joseph A. Dinuzzo • Jeff Dunn
Keith R. Fisher • Ann Graham
Howell Jackson • Randall S. James
Everette D. Jobe • Kathleen E. Keest
Patricia McCoy • Karen Neeley
Danny Payne • Christopher Peterson
Elizabeth Renaut • John W. Ryan
Elizabeth R. Schiltz • Heidi Mandanis
Schooner • Richard Matthew Whiting
Arthur E. Wilmarth, Jr.

Dean Walter B. Huffman and the members of the Texas Tech Law School Foundation thank the Alumni & Friends who have generously contributed to Tech Law.

The following gifts were received February 1 - June 30, 2006.

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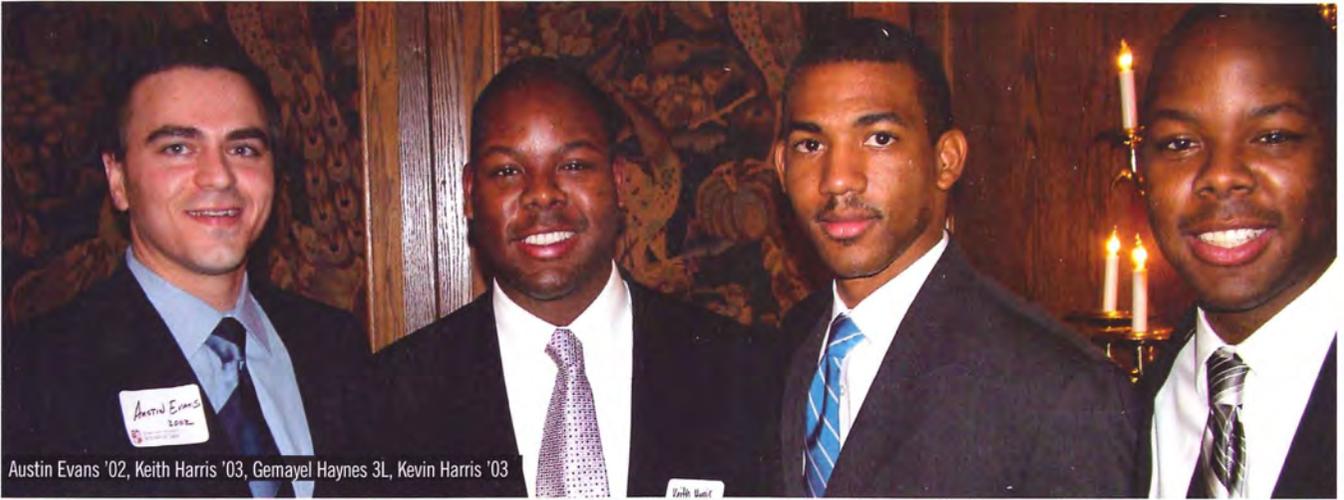
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February 17, 2006 | Dallas Petroleum Club



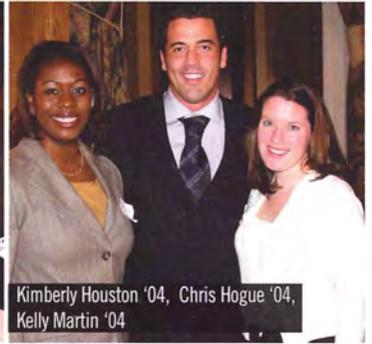
Austin Evans '02, Keith Harris '03, Gemayel Haynes 3L, Kevin Harris '03



Christina Lee '06, Kara Altenbaumer Price '03, Marisa Pruett Elmore '02, Mark Elmore '02



Karen Cude, Martin Cude '70



Kimberly Houston '04, Chris Hogue '04, Kelly Martin '04

Austin Area Alumni & Applicant Reception

February 24, 2006 | Austin Club



David Hartman '99, Mark Scott '99, Brian Shannon



Lee Parsley '89 & applicants



Amy Hardberger '05, Yolonda Sewell '05



Nathan Block '98, Christian Brooks '02, Joe Basham '02



Ramsey Abarca '02, Jeremy Kennedy '03

Amarillo Area Alumni Reception

April 3, 2006 | Burberry's

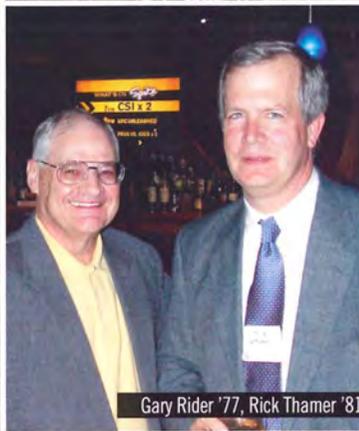
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John Huffaker '74, Mark White '82



Kimberly Warminski '05, Melinda Rahlfs '03, Jason Rahlfs '04,
Wendy Humphrey '01, Wade Byrd '03



Gary Rider '77, Rick Thamer '81



Ginger Pearson Nelson '95,
Vanessa Buzzard '78

Midland- Odessa Alumni Reception

April 4, 2006 | Midland County Club

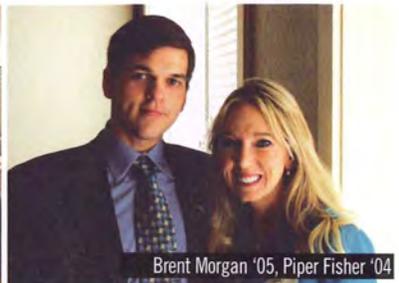
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David Copeland '82, Robert Junell '76



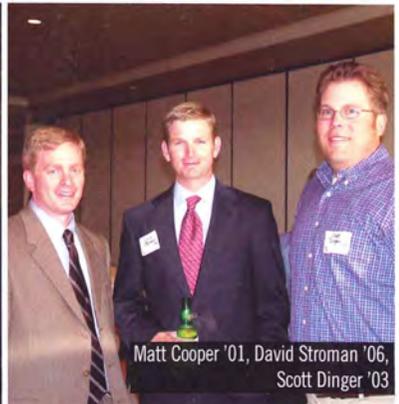
Jim Leeton '77, Barbara Leeton,
Terry Rhoads '82



Brent Morgan '05, Piper Fisher '04



Josh Ham '01, Sean Guerrero '01



Matt Cooper '01, David Stroman '06,
Scott Dinger '03

1st Annual Black Law Students Association Alumni Weekend

April 7-9, 2006 | Lubbock



LaToya Colley 2L, Chibuike Nwaokemele 2L,
Gene Gaines '76, Shatorree Bates 2L

LaToya Colley 2L, Maryellen Hicks '74,
LaShonda Taylor 2L

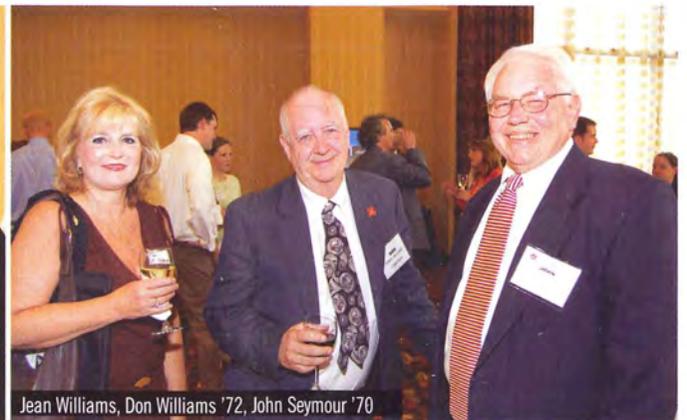
Cheryl Pitre 2L, Maryellen Hicks '74

Texas Tech Law School Reception at the State Bar of Texas Annual Meeting

June 15, 2006 | Austin Hilton



Kay Fletcher '80, Ralph Brock '75, Carolyn Moore '79



Jean Williams, Don Williams '72, John Seymour '70



Jason Harvey '04, Ramsey Abarca '02,
Blake Rocap '03



Marcy Melton 3L, Steve Mierl '94,
Dustin Howell 2L



Carter Schildknecht '92, Phil Johnson '75,
Karl Prohl '72, Walt Huffman '77



Christiaan Siano '05, Mark Curnutt '05,
Brian Rogers '05

El Paso Area Alumni Reception

June 20, 2006 | Jaxon's



Bob Gilbert '77, Walt Huffman '77



Yolonda Sewell '05, Gay Pulner '05



Alex Kellner Zant '99, Terence Cook '98

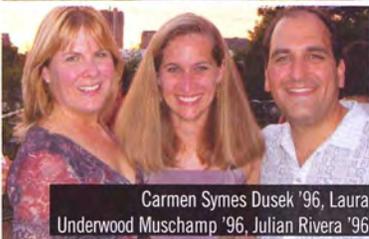


John Valdez '04, Diana Valdez '04, Casey Carson

Class of 1996 Reunion

August 18-19, 2006 | Austin

Organized by Michelle Musick, '96



Carmen Symes Dusek '96, Laura Underwood Muschamp '96, Julian Rivera '96



Chris Pharis, Michelle Peregrine Musick '96, Tracy Harrison Gross '96, Jeff Gross, Angela McCoy '96, Byron Buchanan '96



Kay Molina '95, Jennifer Pearson Burton '96, Mark Sickles '96



Texas Tech University School of Law Alumni

1975

Doug Woodburn has been elected President of the Texas Academy of Family Law Specialists for 2006-2007. Woodburn, current Treasurer of the Family Law Section of the State Bar, also received the Panhandle Family Law Association Leadership Award for 2006 for his contributions in pro bono projects, service to the family bar, and professionalism. He is a partner in the Amarillo firm of Woodburn, Watkins & Jackson and may be contacted at woody@dwoodlaw.com.



1977

Walt Huffman, dean of the Texas Tech University School of Law, was inducted into the National Black Law Students Hall of Fame. The NBLSA Hall of Fame Award is given to an individual who has displayed exemplary support for NBLSA.

Ed Tinsley has been elected Chairman of the National Restaurant Association for the administrative year, 2006-

2007. Tinsley is the president and CEO of Tinsley Hospitality Group, LLC, a restaurant intellectual property company and master franchisor of K-BOB'S Steakhouses. K-BOB'S franchises operations of 22 stores located in New Mexico, Texas, Oklahoma and Colorado. Tinsley Hospitality Group, LLC, is headquartered in Santa Fe, New Mexico.

1978

Nancy C. Johnson, nee Caywood, marked her 25th year as an attorney with the Department of Veterans Affairs in June 2006. Johnson is currently practicing in the Des Moines, Iowa office.

1980

Robert A. Black, a shareholder of the firm of Mehaffy Weber, P.C. in Beaumont, was elected chair of the board of the State Bar of Texas during the organization's quarterly Board of Directors meeting in Brownsville. Black assumed the position during the State Bar's Annual Meeting June 15-16 in Austin.

1981

Senator Robert Duncan was presented the "Star of Justice Award" by Texas Supreme Court Justice Harriet O'Neill, on behalf of the Texas Access to Justice Commission. Duncan was honored for his long-standing support for legal aid for low-income Texans.



1982

The Texas State Fellows of the American College of Trial Lawyers announced that **M.C. Carrington** has been inducted into the Fellowship. Lawyers must have a minimum of fifteen years trial experience before they can be considered for Fellowship and membership in the College cannot exceed 1% of the total lawyer population of any State or Province. Carrington is a shareholder in the firm of Mehaffy Weber, P.C. and practices in their Beaumont office.

Lawdragon, a provider of legal news and lawyer information, has recognized **Philip R. Weems** as among the 500 elite leading attorneys in the United States. The list was published in the summer 2006 issue of *Lawdragon* magazine. Weems is a partner in the firm King & Spalding and is head of King & Spalding's Global Transactions practice. He practices in their Houston office.

1983

Governor Rick Perry has appointed **Patrick Gordon**, a partner in Gordon & Mott in El Paso, to the Rio Grande Compact Commission. Gordon's term will expire June 9, 2007.

1984

Karl L. Baumgardner has joined the Burnette Law Firm, P.C., located at 500 S. Taylor, Suite 504, L.B. 206, Amarillo, Texas.

Mark Lanier was named one of the Nation's Top 10 Litigators by *The National Law Journal*.

1987

Janet Miller Denton has launched her own practice to further promote and practice collaborative law in family law cases. Denton's new office is located at 1205 Hall Johnson Road, Colleyville, Texas 76034. She can be contacted at (817)479-0534 or janetmdenton@msn.com.

1991

Wendy R. Wilson is the Texas Apartment Association's new General Counsel. Wilson served as General Counsel for Sen. John Carona for the last four years. Prior to that, she worked in private practice.

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1992

Thomas A. Greenwald was selected for the 2006 edition of *The Best Lawyers in America*. In 2006, Greenwald received a Presidential Citation from the Dallas Bar Association for outstanding leadership as chair of the 2005 Family Law Section.

1993

Scotty MacLean has been elected partner in the Fort Worth firm of Jose, Henry, Brantley, MacLean & Alvarado. He specializes in civil litigation with an emphasis in personal injury and business disputes.



1994

Gov. Rick Perry appointed **Robert Bland** as District Attorney for Ector County. Bland, a private practice lawyer in criminal and civil matters, served as an Ector County assistant district attorney from 1996 to 2001.

Anna Kingsley

Alvarado has been elected partner in the Fort Worth firm of Jose, Henry, Brantley, MacLean & Alvarado. She specializes in civil litigation with an emphasis on personal injury, medical malpractice and business disputes.



1996

Keith Ward has joined the law firm of Shannon, Gracey, Ratliff & Miller, LLP, as an associate. Ward has practiced corporate law and litigation for nine years. A certified accountant, he is also a member of the Texas Society of CPAs. Ward lives in Austin with his wife and daughter.



1997

Stephanie McClain Hall was named a Rising Star by *Texas Monthly Magazine*. McClain Hall is with Valero Energy Corporation in San Antonio. She and her husband Art '96, have one daughter, Londyn Elyse Hall, born August 22, 2005. Art Hall is a City Councilman in San Antonio.



Londyn Elyse Hall

1998

Nathan Block has joined the firm of McGlinchey Stafford, PLLC, in Houston. Block is an Associate in the Business Law/Tax section. His practice focuses on environmental and public law. Prior to joining McGlinchey Stafford, Block practiced environmental enforcement in the Litigation Division of the Texas Commission on Environmental Quality and worked in-house for a national environmental engineering and consulting company.



2000

John Mark Stephens has joined Winstead Sechrest & Minick P.C. as an associate in the Dallas office. Stephens is practicing in the Real Estate/Real Estate Finance Section and the Structured Finance Practice Group.



2001

Wendy A. Humphrey has become a partner in Lovell, Lovell, Newsom & Isern, LLP, in Amarillo. Humphrey serves as the 2006-07 Secretary/Treasurer of the Amarillo Area Bar Association and Vice-President of the local young lawyers association.

Mike Springer has joined the Houston office of Sutherland Asbill & Brennan,

LLP, as an associate. Springer handles all types of commercial real estate transactions representing buyers, sellers, and lenders.

Jeremiah Williams and his wife, Leslie, welcomed a son, Samuel David, on August 12, 2005. Their daughter, Georgia Grace, is three years old. Williams is working in private practice in Austin.

2002

Leslie Searle is the Director of Development for the Children at Heart Foundation in Houston. The Children at Heart Foundation provides fundraising, charitable estate planning, and communication services for Gracewood in Houston, Miracle Farm in Brenham, STARRY in Round Rock, and Texas Baptist Children's Home in Round Rock.

Kimberly Smith, formerly with the Collin County District Attorney's Office, has joined the law firm of Parker and Montgomery in McKinney, Texas, as an associate.

Stephanie Warnock married Dr. David Cavazos on September 25, 2004. Warnock received her MSN in 2006. She currently resides in Virginia and is an Associate Professor of Nursing at the Department of Nursing at James Madison University.

2006

Brandon Barnett earned the top score on the February 2006 Bar Examination. Barnett is a JAG in the Marine Corps. He is pictured with Texas Supreme Court Justice Phil Johnson '75 at the swearing in ceremony in Austin.



Patrick M. Carlson has joined Thompson & Knight's Real Estate and Banking practice group in Houston.



Nathan W. Daley

joined the firm of Thompson & Knight as an associate. He will be in the Firm's Trial practice group in Dallas.



Stacy A. Estes is a prosecutor for the 13th Judicial Circuit in Tampa, Florida. Estes was sworn in as an attorney and as an Assistant State Attorney on September 22, 2006.

Rick Haan

earned the top score on the July 2006 Bar Examination. Haan is practicing in the Real Estate and Banking practice group as an associate in the Dallas office of Thompson & Knight. He is pictured with Dean Walt Huffman '77 and Texas Supreme Court Justice Phil Johnson '75 at the swearing in ceremony in Austin.



Stephen D. Taylor

has joined Cantey & Hanger law firm as an associate in the Fort Worth office. Taylor practices in the Health and Insurance Law Section.



Matthew Z. Williams

has joined Thompson & Knight as an associate, practicing in the Corporate and Securities group in the Houston office.



**Alice Anderson in Austin?
Plaintiff's attorney in Port Arthur?**

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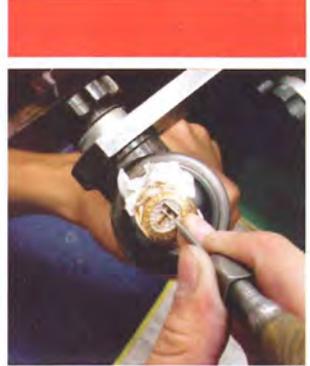
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