



Fellows News

Summer 2006, Number 94

FROM THE CHAIR

As my term as Chair of The Fellows comes to a close, I am pleased to report that The Fellows membership is on the rise, new and interesting events and programs are in the works, and we have a renewed focus on supporting the work of the American Bar Foundation. As you can see from this newsletter, we have welcomed a significant number of new Fellows to the organization this year, and are continuing our efforts to reach out to the leaders in the legal community around the country. I encourage you to nominate colleagues whom you feel fit the qualifications of a Fellow.

My year as chair has been enhanced greatly by the contributions of my colleagues, **Judge Ellen Rosenblum**, who currently serves as Chair-Elect, and **Ellen Flannery**, who serves as Secretary of The Fellows. Both Ellens have provided strong leadership and great vision throughout the year, which has been a year of change and challenge. I am grateful for their able assistance and active participation in the leadership of The Fellows. Next year, they will be joined by **Jim Goodman**, of Oklahoma City, Oklahoma. I am confident that the three Fellows Officers will continue the excellent programs we have put in place and will challenge the organization to attain even greater success in its endeavors.

I am also pleased to welcome two new staff members to The Fellows organization. **Sarah Huggins** joined The Fellows this spring as Membership Director. Sarah comes to the Fellows from the Women's Board of a prestigious Chicago hospital and brings great management skills and innovative ideas. Sarah is also joined by **Jessica Myers**, who has accepted a position as Fellows Program Associate. Jessica has been with The Fellows since the first of this year and has been a great asset to our work. Both Sarah and Jessica can be reached at 800-292-5065.

2006 Midyear Meeting

During the ABA Midyear Meeting in February 2006, The Fellows held a series of interesting and engaging events. The Fellows Research Seminar honored the contributions of **Wm. Reece Smith, Jr.**, and featured a fascinating panel presentation, entitled "International Perspectives on Lawyer Professionalism and Ethics." The program, which was sponsored by Carlton Fields, P.A., featured presentations by **Emilio Gonzalez de Castilla del Valle, Jr.**, of Mexico City, Mexico; ABA Senior Research

Fellow **John Hagan**; ABA Senior Research Fellow **Terence Halliday**; **Geoffery C. Hazard, Jr.**, Trustee Professor of Law at the University of Pennsylvania; **Dianna Kempe**, QCJP, of Paget, Bermuda; Claire Miskin, of London, England; **Robert Lutz II**, Professor of Law at Southwestern Law School; and **Ramon Mullerat**, OBE, of Barcelona, Spain. Reece Smith also provided a few closing remarks where he thanked those present for supporting the work of the American Bar Foundation, noting its importance to the legal community and stating further, "[i]ts research efforts are indeed worthy of our support, both morally and financially."

In addition to the seminar, The Fellows hosted a reception, featuring **Ronald Earle**, District Attorney, Travis County, Texas. Mr. Earle provided remarks that highlighted his career and his thoughts on the legal profession. The Fellows were honored to welcome a number of members of the Fulbright & Jaworksi legal community, including the firm's Managing Partner, **Steven B. Pfeiffer**. The strong Fulbright contingent turned out to honor their colleague, **Gibson Gayle, Jr.**, who received the Outstanding Service Award during the Saturday evening banquet. In addition to Gib, The Fellows honored **Gary Johnson** of Chicago, Illinois, with the Outstanding State Chair Award and **Anthony Amsterdam**, a professor at New York University Law School, with the Outstanding Scholar Award. All of the 2006 Award Winners were honored during the Saturday evening banquet for their extensive contributions to their profession and their leadership within the legal community. As **Blake Tartt** noted, "Gibson Gayle personifies all that is good and all that is right about our profession. He is a kind, compassionate and caring lawyer who has put the interests of the proper administration of justice and the well being of the public and his clients ahead of his own self benefits." The Awards Banquet also featured a compelling talk by **Professor Noah Feldman**, a professor of law at the NYU Law School, entitled "Faith and Founders: The Problem of Religion and Government in Comparative Perspective." For those of you who were unable to attend the banquet, the dinner program booklet is available on The Fellows website and contains biographies of all the award winners as well as Professor Feldman.

continued on page 7

Welcome New Fellows

ARIZONA

Jim Hannah
Joel W. Nomkin

ARKANSAS

Troy A. Price
Samuel A. Thumma

CALIFORNIA

Marc R. Staenberg

COLORADO

Federico C. Alvarez
Jonathan D. Asher
Richard S. Gast
Richard H. Hart
Steven R. Hutchins
Raymond D. Jones
Martin Semple

CONNECTICUT

Amy Lin Meyerson

DISTRICT OF COLUMBIA

E. Tazewell Ellett
John Yang

FLORIDA

D. David Keller

GEORGIA

Paula J. Frederick

ILLINOIS

Ann E. Acker
Larry D. Berning
John H. Bitner
Daniel A. Boehnen
Dennis J. Carlin
Stephen C. Carlson
David W. Carpenter
Joel G. Chefitz
Melanie Rovner Cohen
Robert J. Cunningham
Ted A. Donner
Gary M. Elden
Paul J. Fina
Daniel R. Formeller
Elaine S. Fox
Paul T. Fox
John M. George
Stephen L. Golan
James A. Hardgrove

William Heinz
Wm. Carlisle Herbert
Allan Horwich
Lawrence H. Hunt
Jared Kaplan
Richard W. Laner
Janine M. Landow-Esser
Ty D. Laurie
Gary L. Lockwood
Richard E. Michaels
Daniel R. Murray
Christopher Murtaugh
Eric A. Oesterle
E. Lawrence Oldfield
Lynn S. Preece
Richard J. Jacobson
James W. Rankin
Donald I. Resnick
Harry J. Roper
William D. Serritella
Stewart R. Shepherd
Arthur B. Smith
David J. Stetler
Robert R. Watson
Linda D. White
Lawrence S. Wick
Mark D. Wilcox

IOWA

Willard L. Boyd
Frank J. Carroll
Kevin H. Collins
Mark V. Hanson
C. Joseph Holland
William H. Joy
Lori Klockau
Thomas A. Lawler
Jane Lorentzen
Martha L. Mertz
Alan O. Olson
Rosemary S. Sackett
Sara J. Sersland
Paul R. Tyler

KANSAS

Laura L. Ice

LOUISIANA

Marc T. Amy

MARYLAND

Kevin L. Shepherd

MASSACHUSETTS

Cary Coglianese
Alicia L. Downey
Eric Y. Drogin
John E. O'Brien
Shari A. Levitan
Gilbert F. Whittemore

MICHIGAN

Doream M. Koenig
Steven F. Stapleton
Vanessa P. Williams
Christopher P. Yates

MINNESOTA

Jay D. Christiansen
Jon M. Garon
James D. O'Connor
Patrick J. O'Connor
Brent E. Routman

MISSOURI

Susan F. Appleton
Gary D. Barnes

NEBRASKA

Theodore L. Carlson
William B. Cassel
Linda R. Crump
Neil B. Danberg
Howard Fredrick Hahn
Aimee J. Haley
John E. Hubbard
Kile W. Johnson
John S. Katelman
Jane Langan
T. Geoffrey Lieben
Bartholomew L. McLeay
William J. Mueller
Michael Mullin
Robert W. Mullin
John O. Sennett
Edward Warin

NEW JERSEY

Walter R. Barisonok
Christopher J. Carey
Samuel G. Desimone
Frank M. Donato

W. Cary Edwards
Joseph A. Falcone
Paula A. Franzese
L. A. Gibson
William F. Maderer
Kevin H. Marino
H. Curtis Meanor
Brian J. Neary
Stuart L. Pachman
Robert J. Passero
Karol C. Walker

NEW MEXICO

Michael R. Comeau

NEW YORK

Joel K. Asarch
Peter D. Barenboim
John S. Barkat
David Boies
Lorraine M. Brennan
Elizabeth Chambliss
Adam O. Emmerich
Bruce Fader
Celso Miguel Gonzalez-Falla
Simeon Gold
Linda C. Goldstein
Norman L. Greene
James D. Herschlein
Jethro K. Lieberman
Ellen M. Martin
John A. Nicoletti
William T. Russell

NORTH DAKOTA

Thomas A. Dickson
Dale V. Sandstrom
Jason R. Vendsel

OHIO

Gregory L. Adams
Michael R. Becker
Robert L. Brubaker
Stephen R. Buchenroth
David A. Kutik
Michael E. Flowers
Robin E. Harvey
Kathleen B. Havener
John D. Holschuh
Jeffrey I. Langer

Life Fellow Giving Societies

A Life Fellow who contributes a minimum of \$200 annually will be named a **Sustaining Life Fellow**

A Fellow who contributes an aggregate of \$5,000 will be named a **Life Patron Fellow**

A Fellow who contributes an aggregate of \$10,000 will be named a **Life Benefactor Fellow**

A Fellow who contributes an aggregate of \$25,000 will be named a **Life Leadership Fellow**

Christopher B. McNeil
Michael P. Mahoney
Dianne Marx
Dixon F. Miller
Robert G. Palmer
Jeffrey S. Shoskin
Susan Rector
Royce R. Remington
Michael D. Tarullo
Joseph P. Tomain
Robert Ware
James A. Wilson
Marshall J. Wolf
Thomas F. Zych

OKLAHOMA

J. Stewart Arthurs
Robert A. Butkin
Mark W. Curnutte
Michael R. Ford
John A. Kenney
Ronald Main
James H. Payne

OREGON

Arlena M. Barnes
William W. Kinsey
Christine M. Meadows
Suzanne Townsend

PENNSYLVANIA

Stanley A. Barg
Edward G. Biester
Michael G. Bock
Charles Bridges
Jennifer R. Clarke
Robert E. Chernicoff
Cecilia R. Dickson
Robert B. Dunham
M L. Ebert
David R. Eshelman
Dianne B. Elderkin
Sharon M. Erwin
Alan M. Feldman
Leonard V. Fodera
Christopher Gadsden
Rudolph Garcia
Michael Hayes
Dale M. Heist

Tim Lucas
James E. Mahood
Seth A. Mendelsohn
Juliet M. Moringiello
John E. Quinn
Michael H. Reed
Steven E. Riley
Harry M. Roth
Berle M. Schiller
Kathleen M. Shay
Mark W. Tanner
Thomas A. Tupitza
Sara M. Webster
James L. Weirbach
Alfred W. Zaher

SOUTH DAKOTA

Scott N. Heidepriem
Steven W. Sanford

TENNESSEE

Fred M. Acuff
Michael V. Abcarian, Texas
William P. Aiken
Robert E. Boston
Kemper B. Durand
S. Morris Hadden
John T. Johnson
Paul R. Leitner
Jerry E. Mitchell
William T. Ramsey
Fred Ridolphi
Hiram G. Tipton
W. Ferber Tracy
Thomas A. Williams

TEXAS

Sylvia D. Atkins
Thomas L. Ausley
G. T. Bastian
Cynthia O. Bourland
Dan S. Boyd
Ralph H. Brock
Quentin Brogdon
D. D. Brothers
Lizy Cardenas
G. David Carlock
Guillermo B. De La Garza
Martha S. Dickie

Glenn Douglas
David W. Elrod
Rick E. Freeman
Diana S. Friedman
Larry B. Funderburk
Michael T. Gallagher
Jerel J. Hill
Jay D. Hirsch
Clifton L. Holmes
Randy Howry
Steven C. James
Gene L. Jameson
Michael E. Jones
Rebecca R. Kieschnick
Mark L. Kincaid
Lisa R. Kivett
Scott C. Krist
Ted B. Lyon
Jack E. McGehee
David G. Matthiesen
Scott M. McElhaney
Edward W. Moore
Fred D. Raschke
Kay Lyn Schwartz
William L. Sessions
Daniel F. Shank
Lance D. Sharp
Georganna L. Simpson
Paul B. Underkofler
Stephen K. Yungblut
William E. Zook

VIRGINIA

Dennis I. Belcher
Randolph F. Totten

WEST VIRGINIA

Stephen R. Crislip
Irene M. Keeley
M. B. Michael
Howard M. Persinger
Elisabeth H. Rose

WISCONSIN

Christine Bremer-Muggli
Sarah E. Coyne
Thomas J. Drought
Julianna Ebert

The Fellows of the American Bar Foundation

750 North Lake Shore Drive
4th Floor
Chicago, IL 60611
800.292.5065
fax 312.988.6579
www.americanbarfoundation.org

Richard Pena, Chair
Law Offices of Richard Pena
2028 East Ben White, Suite 220
Austin, Texas 78741
richard@rpena73.com

The Honorable Ellen F. Rosenblum,
Chair-Elect
Oregon Court of Appeals
1163 State Street
Salem, OR 97301-2563
ellen.f.rosenblum@ojd.state.or.us

Ellen J. Flannery, Secretary
Covington & Burling
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401
eflannery@cov.com

Fellows News is published biannually by
The American Bar Foundation

To contact the Office of The Fellows
telephone: 800.292.5065 (ext. 6596 or 6586)
fax: 312.988.6579

Sarah J. Huggins,
Fellows Membership Director
shuggins@abfn.org

Jessica N. Myers,
Fellows Program Associate
jmyers@abfn.org

Baimei Guo,
Fellows Database Manager
jguo@abfn.org

Founded in 1952, The American Bar Foundation is
an Illinois corporation, 501(c)(3).

2005 Fellows Roster Errata

Stephen Cooper's town was incorrectly
listed. The correct town name is Pound
Ridge, New York.

Floyd L. Walker of Tulsa, Oklahoma, was
incorrectly included in the In Memoriam
page.

Linda R. Crump of Lincoln, Nebraska, is a
new Life Fellow.

Thomas O. Verhoeven, of London,
England, is a new Life Fellow.
Alaska State Chair **Donna Willard-Jones'**
name was listed incorrectly.

Richard Noble was incorrectly listed as a
Missouri Fellow. He is a Mississippi Fellow.
M. Barry Levy's name was listed
incorrectly.

Graydon Dean Luthey, Jr. is a Sustaining
Life Fellow.

The Fellows deeply regrets these errors.

Fellows in Print

Robert W. Bennett, *Taming the Electoral College* (Stanford U. Press, 2006).

Richard L. Neumeier, "Disclaiming Coverage When the Insured Fails to Give Proper Notice of 'Any Circumstance' Giving Rise to a Claim," 41 Tort Trial & Insurance Practice Law Journal 45 (2005).

James R. Silkenat, *The Law of International Insolvencies and Debt Restructurings*, (Oceana Publications, 2006), co-editor Charles D. Schmerler.

Selma Moidel Smith, "Interview: **Mary Cranston** talks about the Vision Thing" in 90 *Women Lawyers Journal* 5 (Autumn 2005).

As the 2005–06 year comes to a close, there is much to report on from the Foundation. This year has seen great attention for the importance of empirical legal studies, and the ABF has been leading the way with ground-breaking research. As the leading research institute for the empirical study of law, legal institutions, and legal processes, the American Bar Foundation makes a unique contribution to the legal profession and the society it serves.

The ABF continues to be the leading authority on the legal profession, with research that sets the standard for understanding the demographics of lawyers, the true character of satisfaction and dissatisfaction of lawyers, the changing prospects for women and minorities in the profession, the determinants of pro bono activity and other forms of community service by lawyers, the effect of legal representation on the social outcomes of traditionally disadvantaged groups, and how legal education shapes the thinking processes of law students and the roles young lawyers ultimately play in practice.

More broadly, ABF research provides information to a profession concerned with such issues as the impact of and contested character of the rule of law, the underpinnings of the legitimacy of the criminal justice system in the United States and other societies, the history of calls for exceptions to constitutional procedures based on emergency conditions, the role of law in shaping the response to the global AIDS epidemic, the historical role of law in economic development, and the social and political foundations of judicial independence.

In many ways, ABF research takes up and builds upon the professional values of lawyers. Much of this orientation is built into the very character of the ABF as a research institution, which recruits scholars who are dedicated to advancing justice through empirical research. Aspects of ABF research delve into equality of access to legal careers, the role of American lawyers in expanding American models of constitutionalism and law to developing countries, the impact of parental incarceration on the lives of their children, how constitutional democracies deal with threats to civil liberties in times of crisis and war, and the real world pressures that lawyers face in making ethical judgments.

ABF Research Fellow **Elizabeth Mertz** has recently completed her book, *Law School Language: Learning to Think Like a Lawyer*, which will be published by Oxford University Press this year. The book brings together several published articles in a fashion that is likely to have a significant impact. One finding reveals that gender and racial diversity, both of teachers and students, have profound influences on classroom dynamics. In addition, an important concern emerges in her analysis, for she finds that the very powerful linguistic techniques put to work in the law school classroom can tend to remove “context” from law. This tendency is especially problematic if the legal academy is socially homogenous, such that law professors do not bring a breadth of experience and perspective to the interpretation of coursework materials.

The ABF research on the subject of the internationalization of legal values and legal practices provides multiple points of entry into a complex process. The process includes very strong pressures coming

from the United States, the community of developed countries, multilateral organizations, and even leading academic institutions to “universalize” concepts many believe would promote improvements in justice at the national and international level. There are many reasons to applaud these sentiments, but it is also important to question how well the universal approach fits the unique conditions found in different places and whether transplanted approaches, no matter how sensitively designed, can be successful in particular settings. Senior Research Fellow **Terry Halliday’s** work provides an excellent example of how the Foundation is probing these debates. His comparative-historical project on the role of lawyers in the creation of democratic institutions, including an independent judiciary, is considering the bases for the realization of the rule of law. Through a series of conferences bringing together the leading figures in judicial politics in several different national contexts, Halliday and his collaborators will provide insights into the conditions under which the legal profession can promote the rule of law, and the conditions under which it might fail.

Turning to the field of criminal justice, ABF Senior Research Fellow **John Hagan**, one of the world’s leading criminologists, is working on a number of ground-breaking projects. His research on the International Criminal Tribunal for Former Yugoslavia has taken the study of crime to the transnational field of human rights enforcement. In a series of recent articles in criminology and sociology journals, Hagan and colleagues have begun to create a new subfield of criminology that is rooted in their work to empirically analyze the genocide in Darfur and calling for theoretical explanations for atrocities on this scale. In addition, he has broken new ground by employing vignettes with a group of Iraqi judges to examine how judicial decision-making may be affected by the extraordinary circumstances of war and regime change. On the domestic front, Hagan and colleagues have examined the careers or life histories of those at risk for crime, seeing how various choices, opportunities and constraints shape behavior. A series of recent articles analyze the gendered character of delinquency, documenting that males and females follow distinctive pathways to crime.

Much of ABF research is broadly connected to the study of disputes and litigation. ABF Senior Research Fellow **Janice Nadler** and former Research Fellow **Mary Rose** (now a professor at the University of Texas-Austin) have been conducting experimental research on the impact of victim testimony on the processes of jury deliberation in criminal cases. A recent article in *Law and Human Behavior* used a series of studies to separate out the effect of a victim’s emotional reaction to a crime from the seriousness of the crime. They found that people tend to support a norm of proportionality rather than a norm based purely on the reaction of the victim. Thus potential jurors are likely to mete out punishment based on their sense of what an appropriate reaction from a victim should be.

In the field of discrimination, Research Fellow **Laura Beth Nielsen** is heading up a major study of the changing dynamic of employment discrimination litigation, in conjunction with ABF Director **Robert Nelson** and colleagues. The project is analyzing confidential EEOC complaint files and a larger random sample of federal court filings from

1987–2003. These data, along with in-depth interviews with parties and lawyers, are providing unique insights into questions about the dramatic rise in the number of discrimination lawsuits in this period.

In the arena of legal history and the social role of law, ABF Research Fellow **William Novak's** project to produce a history of law in the early 20th century represents a broad historical inquiry into regulation and more generally the role of law. His exploration allows him to rethink a key question that is often raised about law in the United States and elsewhere. The question is whether law was mainly a “conservative” force in the move toward a more active state over the course of the twentieth century. His work will detail the role lawyers played in leading key intellectual and governmental developments prior to the New Deal. He offers an important reversal on conventional wisdom, arguing that law played a much more active role in social and economic matters than previously thought. His work is shaping debates among economists and political scientists about the proper role of law in different stages of economic and political development.

These are but a few examples of the current research being conducted at the Foundation. Given the growing recognition that empirical research is necessary to understand how law operates in our society, this is an exciting time for the American Bar Foundation. The generous financial support of The Fellows has provided a foundation for building a research faculty that represents the strongest collection of empirical social scientists working on law. Our scholars continue to generate rigorous and objective empirical research on issues of ongoing concern to the legal profession. The ABF research program will continue to develop and evolve in response to the new challenges that confront law and the legal profession in the twenty-first century. We look forward to the challenges that lie ahead.

Summer Diversity Fellowships

The American Bar Foundation is pleased to welcome four outstanding college scholars to our community as participants in the **2006 Summer Research Diversity Fellowships**. Each year, the American Bar Foundation sponsors a program of summer research fellowships to interest undergraduate students from diverse backgrounds in pursuing graduate study in the social sciences. The summer program is designed to introduce students to the rewards and demands of a research-oriented career in the field of law and social science. The program is supported in part by the Kenneth F. and Harle G. Montgomery Foundation and the Solon E. Summerfield Foundation. In addition, the Foundation gratefully acknowledges the Chicago legal community for its support of the program, as well as Foundation Board Member **Graham Grady**.

We especially recognize **Kirkland & Ellis LLP** and **Jenner & Block LLP** for their generous support by naming two of the Fellows the **Kirkland & Ellis Summer Research Fellow** and the **Jenner & Block Summer Research Fellow**.

American Bar Foundation publications are now available through the ABA Webstore!

The ABA Webstore is now hosting a collection of publications from the Research Fellows of the American Bar Foundation. You can purchase, at a discount, such publications as:

- i *Freakonomics: A Rogue Economist Explores the Hidden Side of Everything*, by Steven Levitt
- i *Employment Discrimination Research*, by Robert Nelson and Laura Beth Nielsen
- i *After the JD: The First Results of a National Study of Legal Careers*
- i *The United States Supreme Court*, edited by Christopher Tomlins
- i *Justice in the Balkans: Prosecuting War Crimes in the Hague Tribunal*, by John Hagan
- i *License to Harass: Law, Hierarchy and Offensive Public Speech*, by Laura Beth Nielsen
- i *Tangled Loyalties: Conflict of Interest in Legal Practice*, by Susan Shapiro
- i *Urban Lawyers: The New Social Structure of the Bar*, by John Heinz and Robert Nelson

Visit the ABA Webstore today to review the collection:
www.abanet.org/abastore

Additional sponsors for this year's program include:

Benefactors:

**DLA Piper Rudnick Gray Cary
Wildman, Harrold, Allen & Dixon
Katten, Muchin Rosenman LLP**

Contributors:

Mayer, Brown, Rowe & Maw LLP

The 2006 Summer Diversity Fellows are:

Zeh-Sheena Ekono, a rising senior at Harvard University, who will be working with Senior Research Fellow **Robert Nelson** and Research Fellow **Laura Beth Nielsen**.

Deepa Thimmapaya, a rising junior at Northwestern University, who will be working with Senior Research Fellow **John Hagan**.

Tiffanye Threadcraft, a rising senior at Harvard University, who will be working with Senior Research Fellow **Victoria Saker Woeste**.

Danielle Toalton, a rising senior at Swarthmore College, who will be working with Senior Research Fellow **Shari Diamond**.

Fellows in the News

DC Life Fellow **Paul M. Wolff** was elected to serve on the Board of Directors of Odyssey Re Holdings Corp., a leading worldwide underwriter of property and casualty treaty and facultative reinsurance, as well as specialty insurance.

FL Foundation Board Member and Life Patron Fellow **Leonard Gilbert** was honored by the Tampa Bay Bankruptcy Bar Association as the recipient of the Douglas P. McClurg Professionalism Award. The highly selective award was established to recognize a lawyer for his or her outstanding effectiveness in judicial proceedings through preparation, civility and courtesy to counsel and parties.

Life Fellow and Florida State Chair **Mikki Canton** received the American Jewish Committee's prestigious Learned Hand Award in recognition of her achievements in the legal profession and her dedication to charitable community endeavors. She is the first Cuban American woman to receive this honor.

GA The Governor of Georgia appointed Life Fellow **Harold G. Clarke** to chair the state's Independent Redistricting Task Force and appointed Life Fellow **Frank C. Jones** to serve as a commission member. The Task Force was created to study and consider the creation of an independent commission for the purpose of legislative and congressional redistricting.

ID Fellow **M. Allyn Dingel, Jr.**, received the Idaho State Bar annual Distinguished Lawyer of the Year award in 2004. The award is given to an attorney who has distinguished the profession through exemplary conduct and many years of service to the profession and to Idaho citizens.

IL Life Fellows **Paul Freehling** and **Samuel H. Young** were selected by the Illinois State Bar Association's Academy of Illinois Lawyers to be members of its 2006 class of Laureates. Illinois Laureates are recognized for their commitment to the highest principles of the legal profession through a pervasive record of service to the law, the profession and the public.

KY In May 2006, the United States Senate confirmed Life Fellow **Robert I. Cusick** as Director of the Office of Government Ethics. Mr. Cusick had been nominated for this position by President George W. Bush. The United States Office of Government Ethics is a separate agency within the executive branch of the US Federal Government which is responsible for directing executive branch policies relating to the prevention of conflicts of interest on the part of Federal executive officers and employees.

MN Life Fellow **Marianne D. Short** was named as Managing Partner of Dorsey & Whitney LLP. A trial attorney and former Minnesota Appellate Court judge, she will assume her leadership position in January 2007.

Life Fellow and state chair Judge Cara Lee Neville was honored by the Hennepin County Bar Association with its 2006 Professionalism Award, recognizing her devotion to the profession and to the rule of law.

MS The Mississippi Defense Lawyers Association presented its inaugural Lifetime Achievement award on January 14, 2006, to Life Fellow **Frank D. Montague, Jr.**

NJ Fellow **Mary Jean Gallagher** was honored with the Daniel J. O'Hern Award, presented by the New Jersey Commission on Professionalism in the Law on October 6, 2005. The O'Hern Award, the Commission's highest honor, is presented for career achievement, commitment to the bar and community, and observance of the highest standards of professionalism. During the same awards ceremony, the Commission presented its 2005 Professional Lawyer of the Year awards to recognize the good works done on a yearly basis by lawyers across New Jersey. Award winners included Life Fellow and New Jersey State Chair **Richard J. Badolato**, Fellow **Mary Lou Parker**, and Fellow **Yves C. Veenstra**.

NY The International Bar Association recently updated an account of its

history, including information about the work of its Honorary President Founder, **George C. Seward**, who founded its Section on Business Law.

PA Life Fellow **Hon. Phyllis W. Beck** has joined Pepper Hamilton LLP as of counsel in the Philadelphia office. Judge Beck is a former senior judge of the Pennsylvania Superior Court.

TN Vanderbilt University School of Law recently dedicated a new solarium, part of an ongoing school renovation, in honor of Life Fellow **Charles C. Trabue, Jr.** The school chose this honor to recognize Mr. Trabue's distinguished legal career and long-time support of Vanderbilt.

TX Fellow **Roland Garcia** has been named a Managing Shareholder of the Houston Office of Greenberg Traurig, LLP.

WI Life Fellow **James D. Friedman** was selected as a 2006 Leader in the Law by the *Wisconsin Bar Journal*. This award recognizes individuals for their contributions to the practice of law, including leadership in advancing legal services to the poor, important contributions to Wisconsin's legal community and important contributions to the community at large.

Send Us Your News!

Submissions for the "Fellows in Print," "Fellows in the News" and "State Happenings" features in *The Fellows News* are always gratefully received. Please send the information to Sarah Huggins in The Fellows Office at 750 North Lake Shore Drive, Chicago, IL 60611 (or call her at 1-800-292-5065).

2006 Annual Meeting

We hope that many of you will be able to join us for our activities in Honolulu during the ABA Annual Meeting. The Fellows will host a reception that will honor the memory of long-time Hawaii State Chair Burnham Hod Greeley. The breakfast meeting will feature Hon. Ronald T. Y. Moon, Chief Justice of the Hawaii Supreme Court. In addition, you asked for it and we heard you: the tennis tournament has returned. We have arranged an exciting afternoon with clinics, a barbeque, and a series of competitive matches. Sign up early for this event because we are limited to forty people. Details about the meeting are in this newsletter and can be found on The Fellows website.

People to People

For the past few years, The Fellows have teamed up with the People to People Ambassador Programs to offer a unique international cultural and professional excursion for Fellows. In April 2007, I will have the distinct pleasure of leading a delegation of Fellows to India to meet with our Indian colleagues, in person, to compare our legal systems, discuss our common problems and evaluate areas for further collaboration. As recognized leaders in the legal community, Fellows represent the ideal participants for this in-depth, intriguing program. The program offers a unique perspective on a country's culture and legal environment. Delegates have opportunities to meet with colleagues from the host country and delve into complex issues that impact our global legal culture. I have led two previous delegations for People to People and can guarantee that this extraordinary trip is not to be missed. I look forward to accompanying you on this journey. For more information about the 2007 delegation, please contact People to People Ambassador Programs at 877-787-2000, or info@ambassadorprograms.org.

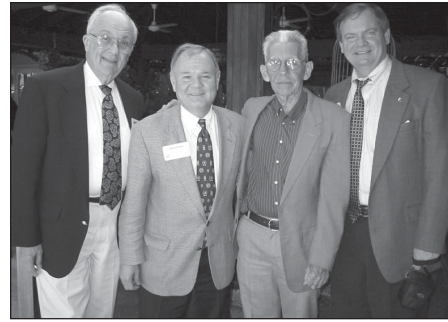
Fall Conference

This Fall, Chair-Elect **Ellen Rosenblum** is coordinating the First Annual Fellows Seminar, a gathering of Fellows hosted by the Western Region. The program will be held in Portland, Oregon, October 12–15, 2006, and will feature presentations by leading ABF researchers as well as prominent local and national lawyers. There will be a day and a half of CLE programming, inviting social events, and an exciting extra excursion into Oregon's lush wine country. Please mark your calendars and plan to attend!

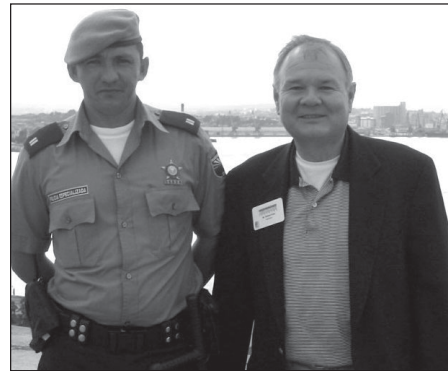
I have thoroughly enjoyed my year as Chair of the Fellows and am humbled by the contributions each of you make to your legal community, the ABA community and the Foundation. I am honored to have been able to speak this past year about the exciting, innovative and challenging work produced by the Foundation's world-renown research fellows. The Foundation is unique among institutions, whether legal, academic, or research oriented, as an organization that fosters deeply intellectual, insightful and ground-breaking research that impacts not only the legal community but greater society in general. As a Fellow, you play an integral role in insuring the future of this important institution. I commend you for your support and encourage you to continue your active participation in this great institution. I look forward to seeing you in Hawaii!

People to People Trips

Richard Pena's trips to Cuba and Vietnam under the People-to-People Program



Cuba—Havana. Richard with senior, respected lawyer who is a member of the Union Nacional de Juristas de Cuba. Flanked by two delegates



Richard with Cuban soldier overlooking the sea wall of the Malecon.



Cuba...Richard with Dorys Quintana Cruz, member of Union Nacional de Jusistas de Cuba. She is in charge of International Relations



Vietnam...Richard with Vietnamese delegate who lives in America, with his elderly mother who lives in Vietnam and his wife.



Vietnam...Richard with Vietnamese lady who has family in U. S. Ho Chi Minh City

Gift Acknowledgements

The American Bar Foundation recognizes the following generous individuals who contributed this year to the Liz and Peter Moser Research Fund in Legal Ethics, Professional Responsibility, and Access to Legal Services and the Wm. Reece Smith, Jr. Research Fund. We are grateful for your support.

The Liz and Peter Moser Research Fund in Legal Ethics, Professional Responsibility, and Access to Legal Services.

Established through a generous gift from Liz and Peter Moser, and in recognition of their lifetime of dedication to legal ethics and professionalism, this fund supports the American Bar Foundation's fundamental empirical research in the fields of legal ethics, professional responsibility and access to legal services.

Contributors:

Betty Smith Adams
Herbert J. Belgard
James H. Carter
Thomas M. Fitzpatrick
Frank T. Gray
Kathleen J. Hopkins
Earl Johnson, Jr.

Dianna Kempe
Richard Pena
Dean Rayman L. Solomon
Wm. Carlisle Herbert
Harry J. Roper
Norman Redlich

Wm. Reece Smith, Jr. Research Fund. Support for the Wm. Reece Smith, Jr. Research Fund recognizes the enormous contributions Reece Smith has made to the practice of law and legal scholarship, particularly in the fields of professional ethics, pro bono legal services, and international efforts to secure human rights and the rule of law. The fund will advance the Foundation's notable research in these vital areas.

Founding Sponsors

Carlton Fields P.A.
M.D. Anderson Foundation

Founding Partner

Kenneth J. Burns, Jr.

Founding Benefactors

Mortimer M. Caplin
International Bar Association
Robert S. Mucklestone
R.K. Shankardass
Sylvia Walbolt

Founding Gifts

John F. Buckley
Talbot D'Alemberte
Robert M. Ervin

M. Peter Moser
Robert L. Nelson
Nelson Mullins Riley & Scarborough, LLP
Norman Redlich

Founding Participants

Bennett Boskey
David R. Brink
Al Brennecke
James H. Carter
John C. Deacon
Leonard Gilbert
J.H. Gordon, Sr.
Michael Greene
Mark I. Harrison
Wm. Carlisle Herbert

Robert O. Hetlage
William C. Hubbard
Dianna Kempe
Theodore Kolb
Earle F. Lasseter
Robert MacCrate
William H. Neukom
Fernando Pombo
Harry J. Roper
Rayman Solomon
Robert A. Stein
S. Shepherd Tate
Blake Tartt



The Fellows of the American Bar Foundation and Chair-elect Ellen Rosenblum invite you to the **First Annual Fellows Seminar**, a gathering of Fellows hosted by the Western Region.

Portland, Oregon, October 12–15,
Embassy Suites Hotel, downtown Portland

Events include a day and a half of CLE programming featuring presentations by leading ABF researchers as well as prominent local and national lawyers, and a special trip to Oregon wine country!

For more information or to register contact Sarah Huggins (312) 988-6586 or shuggins@abfn.org

State Happenings

CO The Colorado Fellows held their annual meeting in June 2006. The event featured a presentation by former ABF Research Fellow Joyce Sterling, who spoke on the ABF's research project, "After the JD: A Longitudinal Study of Lawyer Careers."

DC The District of Columbia Fellows hosted an evening reception that featured a presentation on ABF research by Foundation Director **Robert L. Nelson**. In addition, the DC fellows were invited to participate in a select program featuring a presentation by Life Fellow **Justice Ruth Bader Ginsburg**.

MN State Chairs **Cara Lee Neville** and **Trudy Halla** organized a reception in May 2006 for the Minnesota Fellows. This festive evening event featured ABF Senior Research Fellow Steven Levitt who spoke about his best-selling book, *Freakonomics* to a gathering of over one hundred Fellows.

NJ In May 2006, the New Jersey Fellows hosted a formal dinner at the Pleasantdale Chateau in Roseland, New Jersey. Over 150 Fellows and their guests attended the event, making it one of the New Jersey Fellows' best attended events.

NY **Stephen L. Tober**, Chair of the ABA Standing Committee on the Federal Judiciary and Eastern Regional Chair of The Fellows, spoke recently at a Fellows Luncheon Seminar in New York City, hosted by **James R. Silkenat**, Immediate Past Chair of the Fellows, at the Arent Fox law firm. Mr. Tober made a wonderful presentation to an overflow audience concerning the recent nominations to the US Supreme Court and the role the ABA played in reviewing those nominations. A spirited discussion followed. This event was also the occasion for the presentation of the New York Fellows 2005-06 Outstanding Achievement Award, which was jointly presented to **Susan Lindenauer**, Retired Counsel to the President and Attorney in Chief of the Legal Aid Society; and **Paul Verkuil**, Professor and former Dean at Cardozo Law School and currently Of Counsel at Boies, Schiller & Flexner.

SD In June 2006, the South Dakota Fellows hosted their Annual Meeting, in conjunction with the State Bar of South Dakota Annual Meeting. Life Benefactor Fellow **Robert A. Stein**, Executive Director of the American Bar Association, addressed the Fellows during this meeting.

The Fellows of the American Bar Foundation

Proposed Bylaws Amendments

June 2006

The following amendments are presented to The Fellows of the American Bar Foundation for review and comment. The amendments will be presented for adoption during the 2006 Annual Business Breakfast of The Fellows on Saturday, August 5, 2006, 7:30 AM, Hilton Hawaiian Village, Tapa Ballroom III, Honolulu, Hawaii.

Article VII

Officers, Executive Council and Committees

...

Section 7.03 Committees

...

B.Fellows Research Advisory Committee

There shall be a Fellows ~~Advisory~~ Research Advisory Committee that shall advise the Director of the Foundation concerning any matter pertaining to the research of the Foundation. The Chair of the Fellows ~~Advisory~~ Research Advisory Committee will make a written report annually to the Chair of The Fellows and the Director of the Foundation.

...

Article X

Awards

Section 10.01 Outstanding State Chair

The officers of The Fellows shall, on an annual basis, select a current State Chair for the Outstanding State Chair of The Fellows who has demonstrated a dedication to the work of the Foundation and the mission of The Fellows through exceptional efforts on behalf of The Fellows at the state level.

Section 10.02 Outstanding Service Award

The Fellows shall, on an annual basis, select a Fellow for the Outstanding Service Award, who has, in his or her professional career, adhered for more than thirty (30) years to the highest principles and traditions of the legal profession and to the service of the public. Individuals who are nominated for the Award and are not selected will be automatically reconsidered for three (3) years following their initial nomination. The Outstanding Service Award shall be recommended by the officers of The Fellows to the Board of Directors of the Foundation for confirmation. Conferral of the Award is conditioned upon agreement to attend the Award presentation event. Individuals who are current or former Fellows Officers, Foundation Officers or Board members, or ABA Officers cannot be considered for the Outstanding Service Award for at least ten (10) years after their term of office ends.

Section 10.03 Outstanding Scholar Award

The Fellows shall, on an annual basis, select a person, not necessarily a Fellow, for the Outstanding Scholar Award, who has engaged in outstanding scholarship in the law or in government. Individuals who are nominated for the Award and are not selected will be automatically reconsidered for up to three (3) years following their initial nomination. The Outstanding Scholar Award shall be recommended by the officers of The Fellows to the Board of Directors of the Foundation for confirmation. Conferral of the Award is conditioned upon agreement to attend the Award presentation event. Foundation Research Fellows cannot be considered for the Outstanding Scholar Award for at least ten (10) years after their employment with the Foundation terminates.

Comments on these amendments should be submitted no later than July 24, 2006, to

Eileen Gallagher

American Bar Foundation

750 North Lake Shore Drive

Chicago, Illinois 60611

Phone: 312-988-6519

Fax: 312-988-6579

Email: egallagher@abfn.org

Law & Social Inquiry Journal of the American Bar Foundation

One of the American Bar Foundation's most important channels to scholarly, professional and public audiences is its research journal, *Law & Social Inquiry*. The journal appears four times a year. It publishes original, peer-reviewed, research articles, and commissioned review essays and book notes. Project research by ABF research fellows is one source for the articles that appear in the journal, but most of our issues are filled with articles submitted by scholars from all over the world who compete to place their research in our pages. *LSI's* job is to publish the best academic research on law, the legal profession and legal institutions in the US and worldwide. The journal is among the top twelve peer-review journals in the law field, and measured statistically by its "impact factor" its influence is increasing. *LSI* enjoys extensive interest and support in the academic and legal communities, and it brings the ABF widespread recognition as a sponsor of interdisciplinary research on law; the journal's strong reputation and high quality is one of the factors that ensures the ABF's national and international standing as a research institution remains high.

Law and Social Inquiry is made available to all Fellows during their inaugural year as a Fellow of the American Bar Foundation. Subscriptions to the Journal are then available for subsequent years. While the Journal is a rigorous academic journal, the articles often have pressing relevance to practicing attorneys as well as those interested in exploring the nexus of law, social science and empirical research. Examples of recent and forthcoming articles and review essays include:

- i "Educational Debt and Law Student Failure to Enter Public Service Careers: Bringing Empirical Data to Bear on the Conventional Wisdom", Christa McGill (31:3, Summer 2006)
- i "Explaining Shades of Green: Why Do Companies Act Differently on Similar Environmental Issues?", Jennifer A. Howard-Greenville (30:3, Summer 2005)
- i "The Federal/State Criminal Prosecution Nexus: A Case in Cooperation and Discretion", Lisa L. Miller and James Eisenstein (30:2, Spring 2005)
- i "Fall from Grace or Business as Usual? A Retrospective Look at Lawyers on Wall Street and Main Street", by John M. Conley and Scott Baker (30:4, Fall 2005)
- i "Convergence: Conflicts of Legitimacy in a Chinese Lower Court", Sida Liu (31:1, Winter 2006)
- i "Making Meaning of Megan's Law", Rose Corrigan (31:2, Spring 2006)
- i "Seeing Hazily (But Not Darkly) Through the Lens: Some Recent Empirical Studies of Surveillance Technologies", Gary T. Marx (30:2, Spring 2005)
- i "Phillip Corboy and the Construction of the Plaintiffs' Personal Injury Bar", Sara Parikh and Bryant Garth (30:2, Spring 2005)

For more information about the Journal and subscriptions, please contact Sarah Huggins at shuggins@abfn.org or Lila Stromer at lsi-abf@abfn.org.

2006 Annual Meeting Information

The Fellows registration will open at 8:00 a.m. Thursday, Friday and Saturday mornings. Located on the ground floor of the Hawaii Convention Center, Kamehameha III Room, registration will be staffed and available to all Fellows until 6:00 p.m. each night.

Friday morning at 11:00 a.m. in the Hawaii Convention Center, on the third floor in Room 302 A/B, the State and Regional Chairs will meet for the **Annual State Chair Luncheon**.

Friday evening at the beautiful Halekulani Hotel in the Garden Terrace Courtyard, the Fellows will host their **Annual Summer Reception**. This year's reception will feature the presentation of the ABA Coalition for Justice Burnham "Hod" Greeley Award. A dinner buffet will be served. The reception will begin at 6:00 p.m. and will end at 8:00 p.m.

Saturday morning at 7:30 a.m. in the Tapa Ballroom III of the Hilton Hawaiian Village Hotel, the Fellows will host their **Annual Business Breakfast**. This year's breakfast will feature the Honorable Ronald T.Y. Moon, Chief Justice of the Supreme Court of Hawai'i. Chief Justice Moon will speak to the uniqueness of the Hawaii Legal Community. For information about sponsorship opportunities please contact Sarah Huggins in the Fellows Office at (312) 988-6586 or shuggins@abfn.org.

Saturday afternoon, The Fellows will host a **Tennis Tournament and Barbeque**. This special social event is limited to the first 40 registrants and will be held at the Central Oahu Regional Park, beginning at 12:00 PM. The afternoon includes a tennis clinic, tournament, awards ceremony, refreshments and snacks and a lunch barbeque.

Sunday morning the **Fellows Advisory Research Committee** will meet in room 305A of the Hawaii Convention Center.

For more information, please visit The Fellows website at <http://fellows.abfn.org/annualmeeting.html>

We look forward to seeing you in Hawaii!!

FELLOWS OF THE AMERICAN BAR FOUNDATION

Expanding Knowledge, Advancing Justice

750 North Lake Shore Drive
Chicago, Illinois 60611

<http://fellows.abfn.org>
1.800.292.5065