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Winter 1977

Alumni Headnotes (Winter 1977)

University of Tennessee College of Law

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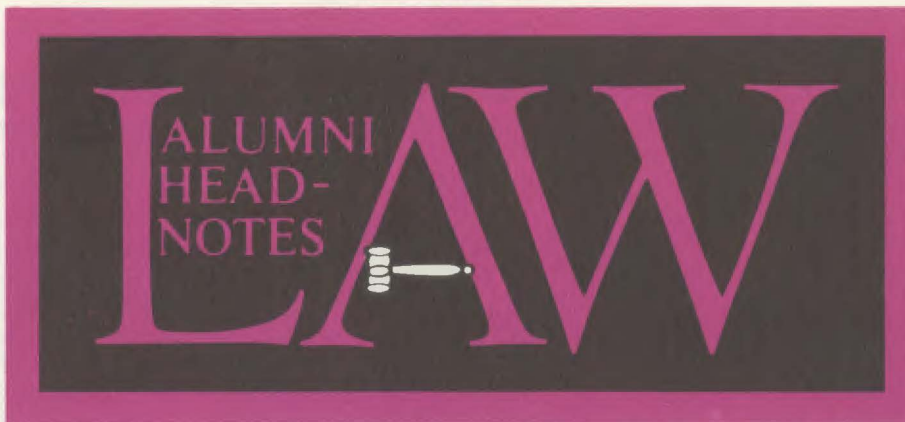


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The University of Tennessee College of Law/Editor: Curtis L. Wells/Associate Editor: Nancy Nelson

THE LEGAL CLINIC'S NEW DIRECTOR: JERRY BECKER

Today throughout the country, clinicians are beginning to engage themselves in dialogue and evaluation about the present state of the clinical art. Why are such writings surfacing at this time? Perhaps, it is due to the fact that many clinical programs have ended their initial funding periods and are forced to evaluate their role in legal education as decisions about their continued existence are being made. Secondly, with the incredible diversity and disparity in programs described as "clinical," many clinicians are becoming aware of the need more precisely to define these experiences, so as to maximize their educational contributions.

We, at Tennessee, look at these national discussions with a great deal of interest. As the oldest continuously operating clinical program in the country, our presence as a leader in this area has been clearly recognized. The work and writings of Charles H. Miller have been studied and adopted in countless programs. However, we have not let our tradition determine the breadth of our future. For the past two years, we have undergone extensive internal examination by our own faculty. Not only did we feel a need to analyze our contributions to legal education at this school, but equally importantly, we deemed it imperative to rethink some of our pedagogical assumptions, so as to insure a highly productive use of teacher and student time. The fruition of these studies is beginning to take shape. They forecast a continuation of our closely supervised instructional methodology, coupled with the employment of some highly innovative teaching devices.

Any portrayal of our program must begin with a description of our staff. While we have grown substantially in the past two years, we have nonetheless attracted and retained a staff that certainly must be recognized as one of the finest in the country. We now have four professors, twelve staff attorney/instructors, and one social worker employed on a full-time basis in the clinic. We are young, but the individual backgrounds of the staff provide a



JERRY BECKER

wealth of clinical and litigation experience. Only two staff members are June graduates. The rest have been teaching or practicing from one and a half to ten years. We shall continue to stress this type of experience in our future hiring decisions. Hopefully, we shall be able to obtain the financial resources to retain our most seasoned and gifted staff.

Programmatically, we have expanded the number of clinical courses and corresponding credit hours for each. However, the increase in offerings has not meant an enlargement in our student/staff ratios. We presently offer an introductory civil and criminal course, an advanced criminal clinic, and a program in economic development. Plans are underway to add an advanced civil offering sometime during the next year. In each of these courses, the staff has thoroughly reevaluated our teaching techniques and where warranted, changed curricula, developed simulation exercises, and enlarged video tape feedback to expand the students' perceptions of their progress. The credit hours for the civil and criminal programs have been expanded from three to five credit hours. Economic Development has also been increased from three to five hours, but over a two quarter sequence. Thirdly, by establishing ceilings on enrollments in the clinic, we are able to keep our student/staff ratios at an approximate level of 8:1. We feel that this figure affords us the teaching

continued on next page

B.A., University of Michigan, 1966
J.D., Rutgers School of Law (Newark, New Jersey), 1969
J.S.D., Candidate, Columbia Law School
Legal Services Attorney, Louisville Legal Aid Society, Louisville, Kentucky, 1969-71
OEO-Sponsored Reginald Heber Smith Community Law Fellow, Louisville, Kentucky, 1969-71
Instructor, University of Louisville School of Law, 1970-71
Ford Urban Law Fellowship, Columbia Law School, 1971-72
Assistant Professor of Law, College of Law, University of Tennessee 1972-1975
Associate Professor of Law and Director UT Legal Clinic, College of Law, University of Tennessee 1975-Present

QUARTERLY HIGHLIGHTS

Visit by Tennessee Court of Appeals to the Law College on October 21st, using the newly renovated Moot Court Room, hearing seven live cases for benefit of law students, sponsored by Moot Court Board.

First *Law Review* banquet in recent years held on Friday, November 12th, homecoming weekend, heard Professor Robert Summers of Cornell Law School on a delightfully jurisprudential topic—the life and ideas of Jeremy Bentham, "legal reformer."

The National Moot Court Team (composed of Greg Fletcher, Sue Bohringer, and Dan Lamb) upheld the Tennessee tradition in regional competition at Tuscaloosa: first runner up overall and best individual oralist: Dan Lamb. The team will participate in the national finals in New York in December.

Alumni Advisory Council met on Friday, October first, heard reports, discussed major endowment drive possibilities, reception with faculty and students, followed by dinner hosted by Chancellor and Mrs. Reese; members were guests of the University at the football game with Clemson on Saturday (see group picture elsewhere in this issue).

contracts most conducive to a beneficial experience. Finally, I should add that the clinical staff for the first time has placed course prerequisites on those desirous of entering any of the programs. For too long, too many students have come into the clinic not possessing a sufficient amount of substantive and procedural knowledge to make their participation in the clinic as meaningful as possible. With the prerequisites, we shall be in a better position to develop and refine lawyer skills, rather than merely introducing them.

In conclusion, the University of Tennessee Legal Clinic has continued its traditional role of providing an educational program for teaching students the lawyering skills necessary for their professional growth. We have never veered from our basic policy of providing this instruction within the College of Law. Nothing is "farmed out" to any other legal institution. We have grown in staff and course offerings. We have studied ourselves and others with a receptivity to innovation. However, we have not changed for change's sake. Rather, we have developed only those programs and ventured into only those areas that would maximize our ability to teach our students about the professional responsibilities and skills that they must possess as lawyers.



**NICKI
RUSSLER**

New Instructor/Staff Attorney in the Legal Clinic is Nicki Russler. She received an A.B. from University of California at Santa Cruz and J.D. from Harvard Law School. While at Harvard she worked with the Harvard Legal Aid Bureau.



**ROBERT L.
DeLANEY**

Mr. DeLaney has recently joined the Criminal Division of the Legal Clinic as an Instructor/Staff Attorney. Formerly, he was a Clinical Instructor at Vanderbilt Legal Clinic, Vanderbilt School of Law, Nashville. He is a graduate of Vanderbilt Law School and Carson-Newman College.

The Legal Clinic also provides legal services to the indigent from their community office on Gay St. Here paralegal assistant Syd Childers confers with staff attorney Carl Manning.

CONVERSATIONS WITH SOME GRAND OLD MEN

In future editions of the "Alumni Headnotes" we hope to feature articles about our alumni and articles which we feel would be of interest to the alumni (see the proposed alumni profile questionnaire).

We felt that an appropriate place to begin this series was to identify alumni from our earliest classes. In compiling our future directory, we identified Judge John Thornburgh (Class of '02) of Knoxville as our oldest living alumnus (by class) and Leopold Bernstein (Class of '10) of Los Angeles as our oldest living (by class) out-of-state alumni.

Letters were sent to both of these fine gentlemen asking them to reflect upon their remembrances of the College of Law, Knoxville and Tennessee, and their legal careers. Mr. Bernstein responded by letter, inasmuch as the dean was reluctant to allow me to travel to Los Angeles for the interview.

In the case of Judge Thornburgh, Dean Penegar, my associate editor Nancy Nelson, and myself visited him one morning at his home in Knoxville. We were all impressed by his clarity of thought, his recall of historical events, his humorous tales of lawyers and his eye for the ladies.



JUDGE THORNBURGH

We opened the interview with Judge Thornburgh by asking him about his family roots. "I was born in Knoxville and have lived here all my life (ninety-five

years young). My sister was Miss Laura Thornburgh, who was a well known writer. She wrote the *History of the Great Smoky Mountains*, which is a standard work and required reading for National Park Service personnel."

Further back in the judge's history, we found that his grandfather, Montgomery Thornburgh, was a member of the Tennessee State Senate from Jefferson County, city of New Market. His father was also born at New Market. Both ancestors were involved in the Civil War. The older Thornburgh was incarcerated in Andersonville Prison, that being the reward for Union loyalty, and Judge Thornburgh's father was a colonel at twenty-seven years of age in the Fourth Tennessee Union Cavalry. Both, upon returning to civilian life, resumed the practice of law which they had begun some years earlier. It perhaps should be noted at this time that lawyers seem to run in John Thornburgh's family. His son-in-law is a graduate lawyer, as is prospectively his granddaughter, Margaret, who is a second-year student at the College of Law today.

We asked Judge Thornburgh about admissions requirements to law school at the time he desired to go. He told us that he took an A.B. degree in 1901 and a LL.B. degree in 1902. At that time, the law class was a two-year curriculum. However, several subjects, such as Constitutional History and International Law, counted toward each degree, which allowed one to complete six years of study in five. Judge Thornburgh remembered two members of the faculty. [In fact, there were only two members of the faculty.] The first was H.H. Ingersoll, and the second was Charles Turner, both men being at one time or another dean of the college. Dean Ingersoll practiced parttime with a Mr. Peyton in Knoxville, which left Professor Turner with the bulk of instruction. We asked Judge Thornburgh whether there was any special requirement for taking



**The University
of Tennessee
Moot Court Team
Wins
National Competition.
(Full details will follow
next issue.)**

the bar exam at that time. He indicated that graduation from law school, coupled with an affidavit from two lawyers that one was a man of good moral character and that they believed he would make a good lawyer were all that was necessary for the practice of law in Tennessee.

Responding to the question as to his intent to practice law upon graduation, he related this story to us of an interview he had with Professor Turner. "When I graduated, I had the second highest grade in the class. I think Mr. Steve Robinson of Greeneville had better grades than I. Professor Turner called me into his office one day and said 'John, are you going to practice law as a profession, are you going to make that your life work?' I said, 'Mr. Turner, I don't know. My father was a lawyer, my grandfather was a lawyer, everybody expected me to study the law and I have, but I'm not sure yet whether I'm going to pursue it as my life's work.' He said, 'Well, I want to say this. I think you've got a good legal mind, you can see both sides of a question and I think your legal judgment is good. If you should decide to make it a profession, your life work, I think you should succeed.' " And so, John Thornburgh went into private practice with the firm of Cornick, Wright & Frantz. The offices were located in what is now the United American Bank Building.

"How did you get into bankruptcy work?", we asked the judge. He told us that Edward Sanford, who had graduated from Harvard Law School, came to Knoxville and was taken into Judge Thornburgh's father's firm, which at that time was Andrews and Thornburgh, later to become Andrews, Thornburgh and Sanford. "At about the same time, I had been appointed a U.S. Commissioner during World War I, a post which I held for eleven years. I issued many a warrant to a man for failing to register for the draft. I also practiced law during that time. My partner was J. Frank Powers, Jr. Judge Sanford had made inquiries around among the court personnel as to whether or not they thought I could make a good bankruptcy referee and handle the job. Apparently they must have told him that I could. So it was that Judge Sanford appointed me as bankruptcy referee. This appointment was made in 1920 and I held the position of bankruptcy referee for thirty-seven and one-half years, until I was seventy-five years of age.

"Up until the last ten years when the position became full time I was still able to maintain my private practice with Frank Powers. I defended automobile damage suits all over East Tennessee in circuit courts.

"During those years, I also taught on a part-time basis at the Law College, giving about three lectures each year devoted to the subject of filling out the bankruptcy schedule and other matters pertaining to bankruptcy generally. Incidentally, I received no compensation."

Dean Penegar asked the question of the judge as to who was the most colorful of the characters that Judge Thornburgh had mentioned during the interview, including all the old deans, Judge Jones and/or others that came to mind. Mr. Thornburgh answered, "I always had a great deal of respect for John Frantz as a lawyer. I think he was about the best lawyer I ever knew. I had a case, the first case I ever took to the Tennessee Supreme Court, and it involved the certification of a judgment obtained in another state. It had some right good legal questions in it. I argued it before the Court of Civil Appeals and Judge McKinney Barton wrote a twenty-page opinion deciding the damn thing against me on every count. Twenty pages in his opinion. I threw up my hands. John Frantz read the opinion and he said, 'John, you take this on up to the Supreme Court. You're dead right in this case and that Barton opinion is all hogwash,' and so I did."

We also asked Judge Thornburgh about another memorable character in Knoxville's legal history, John R. Neal. We said tell us a story about John R., and he did. The Judge said "John R. Neal was a relative of my wife. Every time I would get a little dirt on my clothes that needed cleaning she would say a little something and I would say, 'Now quit comparing me to your cousin, John R. Neal.' I remember one time that he left an overcoat hanging in the S & W Cafeteria. He went back a week later and found his overcoat with roughly \$8,000-\$10,000 of government bonds in the coat pocket. He also told me one time that he ran for public office in order to get out and make speeches. He said he would be scared to death if he was ever elected to anything."

We switched to the national scene and asked Judge Thornburgh his reflections of U.S. history, particularly presidents. And he told us that he had a picture of William Howard Taft in his bedroom in which President Taft and Judge Thornburgh were sitting side by side. (This was a group photograph taken at the Tenn. Bar Convention in 1912.) His father had taken him to Washington when he was six years old and he had met Benjamin Harrison. He also met Woodrow Wilson, William Howard Taft and has been in proximity in Washington to Teddy Roosevelt, Calvin Coolidge and Herbert Hoover. In fact, he told us, he attended a reception given by Hoover at the White House and talked to Charles Evan Hughes.

Does he keep up with any of this colleagues in the law, we asked him? Yes, he responded, Arthur Seymour. "He lives right down the boulevard from me. Arthur is a good friend of mine. He takes me to the basketball games frequently. I have a couple of season tickets to both football and basketball. I am quite a sportsman. You will remember I told you that when I was at the University I was on the track team. I ran the high hurdles, the high

jump and the full 440, and finished second in all of them in a conference meet."

We asked him what he was doing now that he had retired. "Mighty little," he opined. "I have an office at 505 W. Church Ave. with Warren Duggan. The work of the bankruptcy court was getting heavier and heavier each year, and I was getting on in years. So I wrote Judge Robert Taylor to tell him that I thought it was about time that I retire. I fixed the first of July of the following year as my anniversary date. Judge Taylor accepted my resignation and arranged for a little party for me in my office. At that time they presented me with thirty-seven and one-half silver dollars in honor of my thirty-seven and one-half years as a referee." But with a twinkle in his eye he told us proudly of the fact that within the last year he had represented a woman charged with shoplifting in sessions court here in Knoxville, and was able to obtain a verdict in her favor.

We certainly enjoyed the opportunity to visit and to interview our oldest living alumnus and each of us came away with the feeling that we had encountered a very fine gentleman.



LEOPOLD BERNSTEIN

We received the following letter from Mr. Bernstein and have reproduced his reply in its entirety.

In reply to our letter, Mr. Bernstein wrote:

"...I was born in North Topeka, Kansas, on July 23, 1889.

"At the age of three years my family moved to Memphis, Tennessee, where I resided until June, 1920.

"My early education was in the public schools of Memphis until the age of 16. I then became a student at the Christian Brothers' College, where I received my Masters Degree in 1908. I entered the University of Tennessee Law College in 1908 and graduated in 1910. I was admitted to the practice of law in courts of Shelby County, Tennessee, in July, 1910, where I practiced law in all of the Tennessee Courts until 1920. I took sick and was advised by my physician to move to California. I was admitted to practice law in the State of California, at Los Angeles in July, 1920, where I have engaged in the

continued on next page

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practice of law ever since in all of the courts of California and the United States of America, including the Supreme Court of the United States of America since October, 1954.

"On January 1st, 1975, I moved my office from downtown to my home, where I have since carried my practice representing a few old clients and still pay the State Bar of California my license fee to practice law in the State of California.

"I have noticed significant changes in the practice of law. The lawyer is permitted to advertise via television and newspaper, and the Bar associations are making so many new laws and regulations that are so far beyond the professional ethic that I was taught that I would not attempt to offer any suggestions."



ELEANOR KERSEY

The Role of the Placement Office in the Law College by Eleanor Kersey

When Dean Penegar called in mid-summer and invited me to the College of Law for an interview with Curtis Wells, Assistant Dean of Placement and Continuing Legal Education, I knew little about career placement for law students. I was aware of the popularity of law school among the brightest students in my undergraduate classes at the University of Tennessee, Knoxville, from 1971-1974, as they clamored to take the LSAT examination. A legal career seemed to be the great hope of gifted females and males across the nation's college campuses. Take two hundred students who are tops in their respective undergraduate fields, place them in a competitive law school environment, and the obvious outcome is that the best woman/man is in the eyes of the professors, not the beholder! Not all of them will attain the coveted top one or two class standing. Not all of them will comprise even the top 10 percent. Compound this reality with the additional problem of an ever-tightening job market everywhere, and the role of the Placement Office becomes far more challenging than in the past when acceptance to law school assured employment opportunity. The interview with Dean Wells assured me

that this kind of challenge is one I welcome.

Three months on the job, and I am aware that the ultimate challenge of any Placement Office is for every graduate to leave the College of Law with satisfactory employment. The question is how does one accomplish such a goal? The starting place has to be with each individual student. How does one best prepare a student to evaluate personal assets and having done this, accentuate the assets well enough to make the liabilities inconsequential? For instance, if the student is not in the top 10 percent, what other interest or activity carries equal weight? Certainly, the question is more easily asked than answered, but it deserves some thought.

Though individual counseling is a vital function for the Placement Office, there are times when a group situation can be equally productive. This approach was best presented to the students here when Wayne Nelson, President of Productivity Motivation, Associates, Inc., conducted a series of Interview Skills Workshops. "People Skills" is one way that Wayne defined the business of developing human potential. One of his sessions was videotaped and is now a part of our developing visual aids library.

The emphasis on interview skills brought reward to the University of Tennessee students when the Southeastern Placement Consortium held its first annual meeting at Stouffer's Atlanta Inn in late October. Ten colleges rotated interview slots with firms from Daytona Beach to San Francisco. The California firm has invited one of our students to visit; one has been to Daytona and another is going to Greenville, South Carolina. All of the interviewers were complimentary of the twelve students who participated. Plans are being made to make the consortium a traditional event.

Resources for increasing the effectiveness of the Placement Office are continually being sought. However, we never lose sight of the fact that the needs of the students can best be served in the job market by you, the practicing lawyer. We feel that the College of Law is doing a good job of preparing students as competent clerks and associates. The challenge is yours, as well as ours.

Wayne Nelson conducts an interviewing skills workshop for law students.



AWARD TO CHARLIE MILLER



October 8, 1976

Prof. Charles H. Miller
University of Tennessee
1505 W. Cumberland Avenue
Knoxville, TN 37916

Dear Professor Miller:

The Society of American Law Teachers is an organization of nearly 500 individual law teachers, formed to provide a vehicle of expression of concern about a number of issues relevant to legal education, including the social responsibility of teachers and lawyers and the quality of legal representation. A year ago the Board of Governors of the Society decided to institute the practice of making an Annual Award to a law teacher "in recognition of his or her outstanding achievements. The Award will seek to identify teachers who are successful innovators or who have otherwise made a significant contribution to the development and reform of legal, governmental or social institutions, whether through teaching, writing or public service related to their academic careers." The first recipient of the Award was Professor David F. Cavers. I am writing because at its recent meeting the Board of Governors unanimously and enthusiastically voted to make this year's Award to you.

The Award is conferred, by tradition of a year's duration, at the annual meeting of the Society, held at the time of the AALS meeting, and is scheduled this year for the evening of December 28, at the Hyatt Regency Hotel in Houston. The speaker for the dinner meeting will be the Honorable Prentice Marshall of the U.S. District Court in Chicago.

It would be superogatory for me to add any individual words here to the collective action of my colleagues, other than to say that I very much hope that you will be able to be our guest on the evening of December 28, and consent to receive the second annual SALT Award in person.

Best regards.

Cordially,

Howard Lesnick
University of Pennsylvania

LEGAL HISTORY

In the last edition of the "Alumni Headnotes," Professor Carl Pierce began a series of articles on the history of the legal profession. This edition features an article on romanticism vs. realism in the development of a legal tradition in Tennessee. Subsequent articles will attempt to focus on Tennessee history, but occasionally we hope to explore interesting facets of the development of the legal profession in America.

If a particular facet of legal history is of interest to you or if you can shed some historical insight on a topic, Carl Pierce is interested in hearing from you.

The Editor



THE BAR IN ANTEBELLUM TENNESSEE:

A HISTORIAN'S STUDY OF A LAWYER'S REMINISCENCES

BY PROFESSOR CARL PIERCE



In 1965 Daniel Calhoun published *Professional Lives in America*, a book that should be of particular interest to Tennessee lawyers because of its chapter on the bar in Davidson, Sumner and Smith counties between 1790 and 1860. By use of the minutes and appearance dockets of the county and circuit courts, Calhoun attempts to reconstruct the structure of legal practice in these three counties of antebellum Tennessee. In so doing, he calls into question the portrait of the early Tennessee bar painted by the reminiscences of antebellum lawyer Josephus C. Guild, *Old Times in Tennessee* (Nashville, 1878).

Guild relied upon his memory to report the prevalence of circuit riding, in which a judge, surrounded by a small group of boisterous, high-spirited attorneys, went from county seat to county seat holding court. The lawyers and judges traveled, roomed, and drank together; they also fought each other, both inside and outside the courts. Each lawyer brought a horse for transportation, but the down-to-earth professional corps enjoyed a healthy

horse race and wager as well. Attorneys' fees were paid in kind, frequently cattle. The accouterments of the complete attorney were "a good horse, Blackstone, the Tennessee statutes, and a branding iron for his fees." Out of this freewheeling life, as remembered by Guild, has come the traditional portrait of the frontier bar in Tennessee.

Using the more tedious research techniques necessitated by a survey of court records, Calhoun concludes "that Guild was wrong." Only from 1790-1800, twenty years before Guild commenced his practice, did the legal profession possess the attributes suggested by his reminiscences. By 1820, there was very little overlap between the lawyers practicing in Nashville, Gallatin, and Carthage. Also the practice of law was highly concentrated in a small number of attorneys. In Sumner County, for example, the top three lawyers shared over 50 percent of the court appearances. Davidson County's more populous bar was dominated by five practitioners. The successful individual of Guild's memory was more likely to be in a partnership. Patterns of specialization developed in the representation of creditors and debtors which brought about further concentration of the established attorney's share of the legal business. The securing of clients at the courthouse was replaced by newspaper advertising in the 1820s and 1830s, which in turn was replaced by the retainer in the 1840s. Calhoun's portrait is that of a changing bar, influenced by changes in Tennessee society and economy, moving rapidly away from the professional structure of the 1790s that dominated the memory, although not the experience of Josephus C. Guild. Although Guild did engage in some intercounty practice, his memoirs seriously overemphasize the extent and glamour of his own circuit riding, and are, according to Calhoun, even less accurate as a general description of the bar in the Cumberland Valley.

Which version is correct? Guild's makes for more exciting reading and provides a romantic history to delight lawyers involved in the more complex tasks of the contemporary bar. Yet Calhoun's statistics are hard to challenge and at least should provoke us to better document and interpret the changing nature of legal practice in antebellum Tennessee. As the frontier disappeared in Tennessee, so did the frontier bar that has been part of our profession's mythology. Calhoun's work also commences but does not complete an inquiry about the ways in which Tennessee lawyers have reacted to changes within their profession. For example, he suggests that Guild's reminiscences were his reaction to and perhaps way of denying the fact that his profession had departed from the way it was and, in his judgment, ought to be. Calhoun the historian confronts Guild the reminiscing lawyer, and, not unlike the psychobi-

ographers of recent vintage, attempts to explain why Guild could fall into the errors of romanticization, exaggeration, and unrealism with which he is charged. Calhoun challenges Guild's memories as accurate reflections of historical reality but he nonetheless regards Guild's reminiscing as an important piece of evidence in his effort to identify how members of the legal profession reacted to and attempted to cope with the changing conditions of practice in Tennessee between 1790 and the beginning of the Civil War. Guild's volume, therefore, retains value for the student of the bar's history in Tennessee, but for a new and different purpose.

A WELCOME TO NEW FACULTY & STAFF



COVEN



HOOVER



REAVES

GLEN ELLIS COVEN, JR.

Mr. Coven is a graduate of Swarthmore College and received his LL.B. from Columbia University, cum laude. He was law clerk to Judge Harold R. Medina of the Second Circuit Court of Appeals from 1966-67. From 1967 until coming to The University of Tennessee he was with the firm of Winthrop, Stimson, Putnam & Roberts, New York, New York.

MARY JO HOOVER

Assistant Dean for Admissions Mary Jo Hoover comes to Knoxville from Nashville where she was law clerk to The Honorable Martha Craig Daughtrey of the Tennessee State Court of Criminal Appeals. Formerly she served as Managing Attorney for MFY Legal Services, New York, NY; Staff Attorney for Community Action for Legal Services, New York, NY; and staff attorney for East New York Legal Services, Brooklyn, NY. She is a graduate of the University of Michigan and Brooklyn Law School.

RICHARD D. REAVES

A 1976 UT Law School graduate, Richard Reaves, is the new Grant Administrator for the Public Law Research and Service program. In that capacity he designs and executes continuing education seminars for judges and develops printed materials used in the seminars. These materials are available to the practicing bar as well as the judiciary. He is a 1969 cum laude graduate of Beloit College, Beloit, Wisconsin.



A VIGNETTE by the Editor

How often have you wanted to capture a conversation by offering to share a piece of knowledge which only you possess? Knowledge designed to impress and captivate your listeners? If so, let me offer the following as a suggestion.

There is an international convention with regard to heroic horse and rider. The guidelines are as follows:

(1) Horse standing on all four legs with rider mounted means the rider is a national hero.

(2) Horse has three legs on the ground

with rider mounted means the rider died as a result of his wounds in battle.

(3) Horse has two legs on ground with rider mounted means the rider died during the battle.

(4) In all the above positions, if the rider is standing beside the horse it means the horse died also.

How does this relate to the law? I would suggest that it falls under the heading of interpretation of "statues."

Dear Alumni:

The idea occurred to us that in a future edition of the "Alumni Headnotes" you might wish to see a profile of College of Law alumni.

The following questionnaire seeks to elicit information which, taken as a composite, will provide an insight into the activities of your classmates after graduation from law school.

As you can see, the questionnaire is designed to insure the anonymity of individuals. If any of the questions strike you as offensive, accept my apologies and feel free to ignore them.

It is our hope to make the "Alumni Headnotes" more interesting by varying the content from issue to issue. This is an attempt to meet that challenge.

A. Do you practice in Tennessee () Out of state ()

If in Tennessee, are you in

1. Memphis ()
2. Nashville ()
3. Knoxville ()
4. Chattanooga ()
5. Tri-Cities ()

If not in any of the above, are you in

6. West Tennessee ()
7. Middle Tennessee ()
8. East Tennessee ()

B. If out of state, please indicate the area of the U.S. you are in.

9. New England (MA, VT, NH, RI, MS, CT)
10. Middle Atlantic (NY, DC, NJ, DE, PA, MD, WV)
11. Southeast (VA, NC, SC, GA, FL, AL, MS, KY, LA)
12. Midwest (OH, MI, IN, IL, WI, MN, IA, MO)
13. Southwest (AR, OK, TX, NM, AZ)
14. Plains States (ND, SD, NE, KS)

15. Mountain States (MT, WY, CO, UT, NV, ID)

16. West Coast (CA, OR, WA)

a. After graduation in which area numbered above did you find employment? _____ How long did you remain there? _____ (Example: If you went to New England, fill in 9, Chattanooga, 4, etc.)

b. If applicable, to which category was your second career move? () Please indicate any other career changes in sequence of moves () () () ()

[Example: If you went first to California, fill in (16) first, if then to South Carolina, fill in (11), etc.]

C. What is your present status? (Legal or legally related)

- a. Private Practice
 - Solo practitioner ()
 - Firm size less than 4 ()
 - Firm size 5-12 ()
 - Firm size more than 12 ()
- b. Corporate Practice ()
- c. Government
 - Federal ()
 - State ()
 - Military ()
- d. Judge ()
- e. Judicial Clerkship ()
- f. Academic ()
- g. Trust Officer ()
- h. Other _____ (Please specify)

D. If you are in private practice, are you a full partner? _____

How long did it take to become a partner? _____ How long have you been a partner? _____

E. Approximate population of the city in which you practice is _____

F. If you are not engaged in a law practice, are you in

- a. Corporation management ()
- b. Self-proprietor of a business ()
- c. Nonelective governmental administration ()
- d. Other () Please specify _____

Did you practice law before entering your present position? _____ If so, for how long? _____

G. Are you now () or have you ever () served in elected public office?

- a. executive/administrative ()
- b. legislative ()

Are you now () or have you ever () served as a legal aid attorney?

Are you now () or have you ever () served as a judicial clerk?

Are you now () or have you ever () served as a judge?

Are you now () or have you ever () served as a prosecutor or attorney general?

Are you now () or have you ever () served in an advisory capacity to a governmental body? _____

H. How long have you been in your present position? _____

I. What is your approximate law-related income? _____

- Less than \$10,000 ()
- \$10,000-15,000 ()
- \$15,000-20,000 ()
- \$20,000-25,000 ()
- \$25,000-30,000 ()
- \$30,000-35,000 ()
- \$35,000-40,000 ()
- \$40,000-45,000 ()
- \$45,000-50,000 ()
- \$50,000-60,000 ()
- \$60,000-70,000 ()
- \$70,000-80,000 ()
- \$80,000-90,000 ()
- \$90,000 + ()

What percentage of your professional time is devoted to pro bono representation or to other nonremunerative professional acts? _____

J. Have you obtained any advanced degrees in law? _____

In other fields? _____

K. Have you published in a

- a. law review ()
- b. state bar journal ()
- c. national bar journal ()
- d. law book ()
- e. other (specify) _____

L. Have you lectured in continuing legal education programs? _____

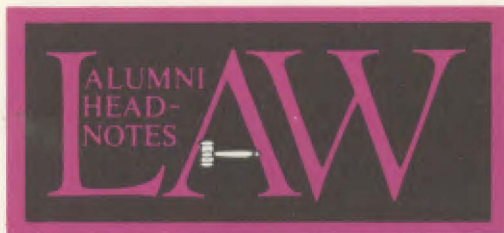
M. How many children do you have? _____

N. Have any of your children graduated from UT College of Law? _____

Other colleges of law? _____

O. Have any other relatives (spouse, parents, siblings, etc.) attended UT College of Law? _____

Please return this questionnaire to the editor.



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The University of Tennessee
College of Law
1505 W. Cumberland,
Knoxville, Tennessee 37916

WINTER 1977

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ALUMNI ADVISORY COUNCIL

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ALUMNI NOTES

EDWARD C. STOTHART, JR. ('37) announces the moving of his office to Suite 407A Colwick Towers, Charlotte, North Carolina.

A. O. BUCK ('38) and CHARLES CARTER BAKER, JR. ('68) announce the formation of a partnership for the practice of law under the firm name of Buck, Baker & Baker in Nashville.

JERE B. ALBRIGHT ('61) and Lloyd S. Adams, Jr. announce that they are no longer associated in the practice of law. Jere Albright will have his office at 209 North 14th Avenue, Humboldt, Tennessee. The law firm of Adams, JAMES T. RYAL, JR. ('70) & McLeary will remain in the Merchants State Bank Building, Hum-

boldt, with LLOYD S. ADAMS ('12) remaining of counsel to the firm.

JOHN A. TURNBULL ('66) has opened his own office at 1010 E. Main St., Livingston, Tenn. His former partner, JOHN M. ROBERTS ('60) will remain at 209 W. Main St., Livingston.

JAMES RUSSELL DEDRICK ('72) has been appointed a full-time Knox County Assistant District Attorney General by District Attorney General Ron Webster.

PATRICK J. FRALEY ('72) announces that he has opened offices for the general practice of law in Clayton, Missouri.

STEVEN RAY HAWKINS ('73) has left the office of the Attorney General, Knoxville, to open his office at 404 E.

Church Ave., Maryville, Tennessee.

J. MICHAEL ENGLE ('75) has opened an office in Nashville, Tennessee.

ELIZABETH WINTER HOOBAN ('75) is now engaged in the general practice of law in Knoxville.

FLOSSIE WEILL ('76) is now associated with the firm of Weill, Ellis, Weems & Copeland, Chattanooga.

DEATHS

We regret to announce the death of CHARLES McNABB ('37) of Knoxville. Mr. McNabb had been president of Fowler Brothers Furniture Co. since 1963.