MEET THE CLASS

This is one in a series of profiles of first-year law students.

Dawn Bryant, known to many as “Ducky,” is considered the crazy half of a set of identical twins. She grew up in the small town of Glister in Northern California and received a bachelor’s degree from the University of California, San Diego. “I took computer science courses and really liked computer modeling,” she said.

Bryant is addicted to world traveling and experiencing new cultures and, given the opportunity, will drop just about anything to take part (except her law classes, of course). She hopes to combine her love of traveling with her passion for science and the law to pursue a career in intellectual property and international licensing.

SUMMER EXPERIENCES

This is one in a series of reports on how students, faculty and staff spent their summer. Please send information on your summer experiences to: DI. MG. LAW Communications.

Professor Michael Berch taught Professional Responsibility at the University of San Diego School of Law this summer. It was the 15th time he has taught a summer session there.

When not in the classroom he could be found on the beach or at the neighborhood bar in the Gaslamp Quarter. Professor Berch and his wife, Vee Chief Justice of the Arizona Supreme Court Rebecca Berch (Class of ’79), own a condo at the City Front Terrace in downtown San Diego.

O’GRADY SPENDS SABBATICAL AT AG’S OFFICE

In a unique collaboration between academic and practicing legal communities, Catherine O’Grady, a professor at the Sandra Day O’Connor College of Law at Arizona State University, is spending six months of a research sabbatical at the Arizona Attorney General’s Office, working with the Solicitor General’s Office. She will concentrate primarily on brief writing for cases in the Arizona and U.S. Supreme Courts.

The workload was one of the attractions for O’Grady. “It’s the largest law firm in the state,” O’Grady said. “There’s an amazing amount of cases and unique challenges. I want to make a connection between those challenges and what we do in law school.”

Goddard said O’Grady’s professional competence and positive personality makes a difference whenever she goes, and that her arrival at the Attorney General’s Office has sparked great enthusiasm.

“We have a lot of lawyers who are ASU grads and have had Professor O’Grady’s class,” Goddard said. “They know her and respect her and are excited to work with her.”

“She came to the new attorney orientation last week, because technically she’s just a summer employee. You could just feel the buzz. It was palpable.”

“Five of the 25 new lawyers at that session had taken classes with her and the idea that Professor O’Grady would be part of their peer group was exciting for them.”

Goddard said he and Patricia White, Dean of the College of Law, have discussed ways for the two entities to collaborate, but that it has been decades since a professor actually worked in the Attorney General’s Office.

“Getting a leading professor? It’s been 30 years,” said Goddard, referring to the time ASU law professor Jonathan Rose worked for then-Attorney General Bruce Babbitt.

“That was in 1974-75,” Goddard said. “Professor Rose reformed the offices’ antitrust function and wrote what became the state procurement code.”

O’Grady will work closely with Solicitor General Mary O’Grady, a classmate, not related, whose similar name has caused confusion over the years.

“She used to get my e-mails,” Mary O’Grady said. “People would tell my husband, ‘I saw your wife on Here.com.’ Someone would say, ‘I hear you gave a student an extension on a paper.’”

“She’s been getting credit that Cathy’s good work for years.”

Mary said she is thrilled to have Cathy in her office, and that she will help with many efforts they haven’t had the resources to deal with.

“In the Solicitor General’s office, we review filings to help improve the writing and the legal arguments,” Mary said. “It’s a very lengthy review, from a bit more latency distance.”

“She will review everything we file at the state Supreme Court, work with the criminal appeals section looking at briefs we previously haven’t had the resources to review, and review our U.S. Supreme Court filings.”

“Cathy said she loves the work,” Mary said. “That’s great work,” Cathy said. “I have six giant case files scattered all over my desk right now. I’m doing more front-line legal research now than in a long time, and I’m doing it myself instead of reviewing a student’s research. I’m doing more persuasive advocacy writing. And I’m reading a lot of case files to get up to speed on issues. I’m also enjoying meeting new people.”

“Most of the attorneys here are smart, hard working, and really happy with their choice to be at the AG’s office. When they talk about their cases, they just smile.”

“Everyone is doing fun.”

Presentation celebrates U.S. Constitution

When defendant John LiBurn successively argued that immemorial usage and British common law entitled him to a trial in open court, he helped secure our right under the Sixth Amendment of the U.S. Constitution.

When he asked for a chamber pot and relieved himself after the judge denied a recess, he became the hero of a presentation on the Constitution by Robert J. McWhirter. Professor McWhirter, a former Assistant Federal Public Defender, is the author of the Maricopa Legal Defender’s Office and former Assistant Federal Public Defender.

McWhirter and Andy Hessick, a visiting professor at the Sandra Day O’Connor College of Law, will speak on the U.S. Constitution as part of a celebration of the 220th Anniversary of the U.S. Constitution from 2:30 p.m. on Constitution Day, Sept. 17. The event will be held at the Great Hall in Armstrong Hall.

Hessick will speak at 2 p.m. on “The Constitution in Action,” outlining several Constitutional cases that will be heard by the U.S. Supreme Court this term.

McWhirter’s presentation, “How the Constitution Guarantees You a Trial, a Lawyer and a Chamber Pot! A Multimedia History of the 6th Amendment,” will begin at 3:30 p.m.

The event, co-sponsored by University Libraries and the Ross-Blakley Law Library at the College of Law, is free and open to the public, and refreshments will be served.

The cases Hessick will discuss include a case on child pornography, a Texas case in which the president directed the state to reconsider a Mexican national’s habeas petition and the state refused, and another on the dormant commerce clause, which deals with state and national regulation of interstate commerce.

Hessick will also discuss the case that struck down all gun laws in Washington, D.C., which the court hasn’t yet accepted, but probably will.

McWhirter said his interactive presentation is one of several he is writing on each of the Constitutional amendments as part of his upcoming book.

“The Sixth Amendment is very broad,” McWhirter said. “I cover the confrontation clause, the right to a lawyer and the reasonable doubt standards. I go back to the European trial by ordeal.”

McWhirter joked that, in addition to legal gatherings, he has given his presentations at the occasional bat mitzvah and wedding.

“It’s dynamic,” he said.
McWhiter, a certified specialist in criminal law with the State Bar of Arizona, defends death penalty and other serious felonies. He received his J.D. from the University of Arizona College of Law. His partner and former Chief Justice Stanley G. Feldman of the Arizona Supreme Court, and was an assistant federal public defender from 1989 to 2007, representing Native American and other clients in a wide range of federal cases including homicide, a sexual abuse and bank robbery.

Hessick, who received his J.D. from Yale Law School, served as law clerk for Judge Raymond Randolph of the U.S. Court of Appeals for the D.C. Circuit and for Judge Reena Raggi of the 2nd U.S. Circuit Court of Appeals. After spending a year as a Brother at the Cleveland Office of the Salvation Army in the United States, working on a number of cases before the U.S. Supreme Court, Hessick joined Kellogg, Huber, Hansen, Todd, Evans & Filgell in Washington, D.C. He confessed that his talk will be informative but not funny, an area he leaves to McWhiter: “I’m totally not funny,” Hessick said. “Don’t be fooled by the dormant commerce clause. It may be boring, but is really important when it comes to the Court’s constitutional docket.”

COLLEGE RANKED IN BEST FOR HISPANIC STUDENTS

The Sandra Day O’Connor College of Law is one of the top law schools in the country for Hispanic students, according to a ranking in the September issue of Hispanic Business magazine.

The College is ranked seventh among the Top 10 in the publication’s annual “2007 Best Law Schools for Hispanics.” The magazine, which also rates business, engineering and medical schools, based its selections on enrollment, faculty, student services, retention rates and national reputation.

“From its inception, the Sandra Day O’Connor College of Law has served a diverse student population of Hispanics, Native Americans, African Americans, Asian Pacific Americans and women,” said Dean Patricia D. White. “From the first incoming class in 1967 and in the 40 years since, the college has produced a large number of minority attorneys who now lead the communities where they practice.”

“Our location in the heart of the Southwest makes us a natural home for Hispanic students, who feel comfortable in this multicultural setting, and we are pleased to have been recognized as one of the best law schools in the country for them,” White said.

In both Hispanic student enrollment and degrees earned by Hispanics, the College of Law performed well, according to the magazine’s research. Fifteen percent of its 629 students are Hispanic, and 13 percent of the Juris Doctor degrees awarded by the College are earned by Hispanics. Seven percent of its full-time faculty also is Hispanic.

Hispanic students are drawn to the College because of its “mentoring, moot court, clerkships at top law firms, vibrant student organizations, pro bono opportunities, and supportive academic environment,” the magazine reported.

The schools on the 2007 Top 10 list are: (1) University of New Mexico School of Law in Albuquerque; (2) University of Miami School of Law in Coral Gables, Fla.; (3) University of Texas at Austin School of Law; (4) University of Southern California Gould School of Law; (5) University of California Washington College of Law in Washington, D.C.; (6) University of Arizona College of Law in Tuscon; (7) Sandra Day O’Connor College of Law at Arizona State University; (8) Stanford Law School in Palo Alto, Calif.; (9) University of Arizona James E. Rogers College of Law in Tucson; and (10) Florida International University College of Law in Miami.

Martin Quezada, a third-year law student and past-president of the College’s Chicano/Latino Law Student Association, credited the faculty support from the Arizona Hispanic Bar Association and students themselves with helping to vault the law school into the top tier.

“The Chicano/Latino Law Student Association at ASU is proud to have played a role in reinforcing commitment to diversity as an essential part of the future success of all lawyers preparing to enter an increasingly Latino U.S. population,” Quezada said.

Hispanic Business ranked the colleges using data it obtained from questionnaire sent to 170 law schools around the country. Points were awarded for the number of Hispanic students currently enrolled, the percent of full-time Hispanic faculty members among total full-time faculty, and the number of special recruitment and mentorship programs for Hispanics and student support organizations available to them. Also factoring into the ranking was the number of Hispanic students returning for their second year of law school, and the reputation of the college, based on U.S. News & World Report’s “America’s Best Graduat e Schools 2007.” The magazine first started ranking law schools in 1998.

To read the College of Law’s profile and for more information on the rankings, go to www.hispanicbusiness.com.

IN THE NEWS

Eric Menkus, an associate clinical professor and director of the Technol ogy Ventures Clinic and adjunct professor Randy Haines were quoted in an Aug. 25 article titled, “Movements of relevance to companies can be a source of intellectual property,” with her publis her, in The Arizona Republic.

Menkus told reporter Erin Zmolek that the bank ruptcy of Valley-based Tricklein Enterprises was an important lesson for authors, artists, freelance writers and inventors about protecting their intellectual property. Until the bankruptcy is finalized, the copyrights to several Tricklein authors’ books are in limbo, out, but other times not having the proper legal advice at the beginning “can be a fatal error.”

Haines, a U.S. Bankruptcy Judge, said it’s important for entrepreneurs to understand what their contract clauses protect them from and what is unen forceable. Read the article at law.asu.edu.

CLE SEMINARS SCHEDULED

The Alumni Association of the College of Law has scheduled a seminar on Chapter 13 bankruptcy law on Sept. 15, 2007, for ASU law students and the public. The seminar is free and will be up at ASU’s Tempe campus.

The program offers four hours of CLE credit, including one hour of ethics credit. The fee is $110 before Sept. 21. Register at law.asu.edu/bankruptcy.

DODGE, DIVE, DIP AND DODGE

The law firm held a panel discussion with experts in bankruptcy law at the law school’s auditorium.

The program offered four hours of CLE credit, including one hour of ethics credit. The fee is $230.

LASSA EVENTS

The College’s Law and Science Student Association is hosting two lectures this week.

• Eugene Novak, an attorney at Novak Druzin, LLP, will address “Legal Issues in Virtual Worlds” on Sept. 12 at 9:30 a.m. at the law school.

• Tony A. Mariscal, administrative law judge and member of the College of Law’s alumni association, will discuss “The Brazilian System of Justice” on Sept. 15 at 9:30 a.m. at the law school.

HISPANIC HERITAGE MONTH

The Chicano/Latino Law Student Association has organized a series of speakers and events to celebrate Hispanic Heritage Month, which begins Sept. 15, the anniversary of independence for five Latin American countries—Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua.

The speakers are:

• Sept. 20 Jose A. Cárdenas, partner, Lewis & Roca LLP “The Gap Between Negative Stereotypes and Reality”

• Oct. 9 Ernie Calderón, founder, Calderón Law Offices and member of the Arizona Board of Regents “The State of Education in Arizona”

• Oct. 11 Daniel Ortega, partner, Rosch, McCracken, Guerrero,Miller & Ortega “Immigration and the Employee Sanctions Bill”

• Oct. 18 Lori Higuera, director, Feineman Craig “Los Abogados Hispanic Bar Association and the Importance of Community Involvement”

All speakers will be from noon to 1 p.m. in Room 114, and light refreshments will be served.

DANA CARVEY HEADLINES FUNDRAISER

Comedian Dana Carvey will headline a fundraiser at 8 p.m. on Sept. 20 at Arizona State University’s Gammage Auditorium.

The fundraiser, hosted by the National Association of Industrial and Office Properties, will benefit ASU’s Master of Real Estate Development program.

Special engagement tickets are $250 each and include front of house seating, pre-show reception beginning at 6 p.m., and a post-show dessert reception. These premiere tickets are available only through Sharon Hauen at (480) 965-4181 or sharon.hauen@asu.edu.

Show-only tickets are available for $150 through ticketmaster.com or the ASU Gammage Auditorium box office (480) 965-3434. ASU law students, faculty and staff may purchase upper-level tickets at the Gammage Auditorium box office on the ASU Tempe Campus for $50 each, limit eight with ASU ID.

The program includes performances by Dana Carvey and other comedians.

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