Revamped Curriculum and Emphasis Areas Prepare Students to Navigate a Changing Legal Profession
On the Cover:

Charting New Waters
Revamped curriculum and emphasis areas prepare students to navigate a changing legal profession.

Photograph by John Clement
www.johnclementgallery.com

Umtanum Ridge Water Gap
Overlooking Yakima River, Kittitas Co., Wash. Listed on National Register of Natural Landmarks by U.S. National Park Service

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Dean’s Message:
Where American Legal Education Is Headed …
Idaho Is Already There

“I skate to where I think the puck will be.”
– Wayne Gretzsky

Strategic planners are fond of citing one of hockey’s greatest players for the profoundly simple proposition that the future belongs to those who do not merely follow a crowd. The future belongs to those who see where current events are leading, and who chart a course to be there when the events arrive. In legal education, this means identifying the trends in a world permanently transformed by the Great Recession.

Our profession is changing. Cost-conscious clients are increasingly willing to support the expensive, layered hierarchies of practitioners in “big law” firms. In 2010, the percentage of American law school graduates hired by big law firms declined to 21 percent from 26 percent the previous year. At the same time, the percentage of graduates entering private firms or public sector offices with 2 to 11 lawyers rose from 32 percent in 2009 to 39 percent in 2010, and those entering private practice as solo practitioners rose from 3 percent to 6 percent. These jobs, long prevalent in Idaho, are not consolation prizes in the job market. Although they pay entry-level salaries lower than those still found in big law jobs, they are attractive to graduates who have attended cost-effective law schools like the University of Idaho, whose debts are manageable, and who choose this kind of practice because it brings deep satisfaction from serving communities and people of ordinary or modest means.

A flatter and more competitive environment is also producing a new kind of specialization in which firms are differentiated, not only by their subject-matter focus, but also by their position on a spectrum of relations with clients. At one end of the spectrum, high-volume routine work is becoming a commodity to be purchased as inexpensively as possible, especially by repeat customers in a legal services market. Firms at this end of the spectrum are providing unbundled legal services and struggling to cope with global outsourcing. At the other end of the spectrum, where a lawyer’s work requires nuanced expertise and experience-based judgment, and where close personal and professional relations have been carefully nurtured between lawyer and client, the practice is solidly grounded in the lawyer’s role as a problem solver and counselor. This is the role prominently played by Idaho lawyers — especially those whose value to clients has been enhanced by combining legal expertise with interdisciplinary competencies in science, business, dispute resolution, and ability to work across cultures.

We further find that opportunities for holders of the J.D. degree are expanding beyond the traditional practice of law. As noted by the American Bar Foundation and the National Association of Legal
Career Professionals Foundation in a 2009 collaborative report, “After the JD II: Second Results from a National Study of Legal Careers,” approximately 17 percent of lawyers three to eight years out of law school, work in government (including public administration and the military) rather than in the private practice of law. Another 6 percent work in various types of public interest organizations, another 19 percent work in business (some in corporate counsel positions but others in executive and management jobs where the J.D. degree is preferred or advantageous rather than required). This leaves approximately 58 percent in private practice — a figure that moved down to approximately 51 percent between 2008 and 2010. The other 49 percent hold jobs outside the traditional practice that often pay as much as, or more than, the average starting salaries for traditional law jobs. Such jobs are attractive to young lawyers with families who seek shorter work weeks and more regular hours. They are in no sense second-class jobs.

These trends — the resurgence of small firms that cultivate personalized lawyer-client relationships, the demand for lawyers with problem-solving and cross-disciplinary competencies, and the expansion of jobs in allied professions — all favor the recipients of an affordable legal education that gives them the economic flexibility and practice readiness to take advantage of emerging opportunities. The trends are converging at the University of Idaho.

In this issue of Idaho Law, you will read about our new curricular structure that combines disciplinary rigor with interdisciplinary breadth. You will learn about our professional skills instruction in Moscow and Boise, featuring innovative externships and a clinical education program ranked 13th for student opportunities among the nation’s 200 accredited law schools. And, you will sense our pride in the class of 2011, which devoted 11,795 hours to pro bono service and then proceeded to post a 90 percent first-time pass rate on the Idaho bar examination.

For these graduates and those who will follow, the post-recession world will not be easy. But they are well prepared, having received their education at a place where the future is arriving.

Don Burnett
Dean and Foundation Professor of Law
CHARTING New Waters

REVAMPED CURRICULUM AND EMPHASIS AREAS PREPARE STUDENTS TO NAVIGATE A CHANGING LEGAL PROFESSION.
By Stacie Jones

On August 22, approximately 130 law degree hopefuls filed into the Menard Law Building at the University of Idaho to mark the beginning of their law-school journey. Brimming with fresh ambition, lofty dreams and, undoubtedly, a hint of anxiety, these first-year students – like so many before them – are counting on their education to steer them toward a successful and fulfilling future in law. The College of Law has taken several measures to ensure they are prepared for what’s ahead.

A Call for Change

In 2007, the Carnegie Foundation for the Advancement of Teaching released a report examining law schools across the nation.

“The calling of legal education is a high one – to prepare future professionals with enough understanding, skill and judgment to support the vast and complicated system of the law needed to sustain the United States in a free society,” said the authors of the report, titled “Educating Lawyers: Preparation for the Profession of Law.”

However, the report’s authors warned, as the legal profession changes, it is imperative that law schools rethink and improve the curriculum to better prepare graduates for the practice of law. This call for change was echoed in a similar report sponsored by the Clinical Legal Education Association, “Best Practices in Legal Education.”

“We felt it important to introduce students to public law in their first year, as opposed to their second year, because they need to develop an early understanding that law doesn’t come only from the judges; it also comes from places like Congress, the Federal Trade Commission, and other state and federal administrative agencies,” Seamon says.

To accommodate the new courses, the curriculum committee eliminated some first-year material in the Property, Torts, and Contracts courses. This material will be offered in upper-division electives.
“Exposing our first-year students to different sources of law, and to various ways of analyzing and reading the law, will allow them to develop an important early skill set and a stronger foundation for upper-division study, and ultimately for the practice of law after graduation,” Beard says.

The first-year curriculum reform is part of a broader plan that is driving significant ongoing changes in the College of Law, Seamon says. Among these changes is the creation of emphasis areas of study.

“The practice of law is becoming more specialized,” Seamon says. “The emphasis areas provide a package with a core set of courses, clinical experiences, and experiential learning programs to allow students to get deeper into a specialized area of law and become better prepared for their career goals.”

In developing the emphasis areas, the College worked to leverage faculty expertise, while also maximizing the distinct advantages of its two locations. For example, the University’s depth in agriculture, life sciences, and natural resources on the Moscow campus provides a rich array of opportunities for collaboration across disciplines, such as in natural resources and environmental law and in Native American law. On the other hand, the College’s new metropolitan location in Boise for its third-year program, is better suited for emphases in business law and entrepreneurship and economic development.

The College most recently created an emphasis in litigation and alternative dispute resolution. Offered for the first time this fall, the new emphasis capitalizes on the law faculty’s depth of experience and expertise in litigation practice, courtroom advocacy, negotiation and mediation. It will also integrate learning opportunities provided by the College of Law’s intensive Trial Advocacy program and the Northwest Institute for Dispute Resolution, which offers mediation training to practicing professionals.

“This has always been one of our core areas of strength in the College,” says Maureen Laflin, professor, director of clinical programs, and one of the developers of the emphasis. “A lot of our students will go out after graduation and focus on advocacy work. The new emphasis will now streamline the program for these students, pulling all of our advocacy courses and related clinical and trial experiences together in one area.”

Each area of emphasis approved by the Idaho State Board of Education leads to a special notation on a graduating student’s transcript, signaling to potential employers a focused concentration of studies in that specific area of law.

Don Burnett, dean of the College of Law, says the first-year curriculum reform and development of emphasis areas exemplify the College’s commitment to delivering quality public legal education throughout the state of Idaho.

“We take our statewide mission as Idaho’s public law school very seriously,” he says. “We are committed to providing a 21st-century education that not only ensures the success of our students after graduation, but also better prepares them to serve the unique law-related needs of our state and region.”
The University of Idaho College of Law has placed priority in recent years on the development of an emphasis in natural resources and environmental law and an emphasis in Native American law.

“These emphasis areas draw upon the strength of faculty within the College, as well as upon the College’s connections across the Moscow campus, and upon the College’s relations with tribes throughout Idaho and the Northwest,” notes Don Burnett, dean of the College of Law.

Natural Resources and Environmental Law

Emmi Blades, Idaho native and avid backpacker, has “a strong attachment to the state’s beautiful wilderness and open spaces” and a passion for preserving and protecting the region’s picturesque natural environment. An emphasis in natural resources and environmental law was the ideal fit.

“The program is what brought me to the law school in the first place,” says Blades, who graduated from the College of Law last spring. Although she previously earned a master’s in environmental science from the University of Idaho, Blades credits the law school for providing her with the additional expertise she needed for a career in the complex field.

“I knew the program would give me the additional tools, experiences, and professional connections to accomplish the things that I want to accomplish,” explains Blades, who plans to use her law degree to assist in restoration and conservation projects and sustainable development, and to help people with land-use issues.

The complexity of natural resources and environmental law was a primary driver in the creation of this emphasis, says Barbara Cosens, a lead professor of the program.

“In a region that has relied traditionally on the agriculture, timber and mining industries – and in an arid state with limited water supply – natural resources and environmental law is of critical importance,” she says. “But for students to practice successfully in this highly technical and complex field, and to become effective problem solvers, they must have a deeper understanding than what is provided by one or two electives in the area.”

First established in 2008 at the request of students, the emphasis program requires students to complete 18 hours of coursework in the area and an intensive writing assignment. Students also take part in an externship program that places them in state and federal agencies that are working on environmental law or natural resource issues.

Further, students have unique opportunities to contribute to Cosens’ research as part of the Universities’ Consortium on the Columbia River Governance. Made up of representatives from six Northwest universities in the United States and Canada, the consortium leads collaborative research to address issues and potential implications of the review of the Columbia River Treaty, an agreement established in 1964 between the United States and Canada for hydropower development and flood control. The consortium holds an annual symposium,
which draws university researchers, stakeholders, and tribal and governmental representatives from both the United States and Canada for an open dialogue on issues surrounding the Columbia River Basin.

Last spring, Cosens offered a seminar class on the Columbia River Treaty project. Students in the class developed questions and conducted interviews of people with expertise on or strong connections to the river basin, to develop alternatives to inform the cross-border dialogue. Students interviewed representatives on both sides of the border from area tribes, communities, state and federal government, utilities, and more. The class compiled a report and presented their findings to key stakeholders. They also presented a poster at the Pacific Northwest Economic Region annual conference in July.

“ar is an excellent example of what we mean by engaged learning,” Cosens says. “Students learn about a real problem, interact with the actual people who are working on that problem, and get to contribute to the solution.”

Another highlight of the program, says Cosens, is the opportunity for students to take elective courses in other disciplines, such as hydrology or aquatic biology.

“Because of the complexity of the field, we encourage students in the emphasis to take classes outside of the College to expand their understanding of how to integrate science and social science with the law. This makes them better problem-solvers and advisers to clients,” Cosens says.

She notes that students benefit from the College of Law’s strong connections within the University of Idaho through the concurrent J.D./Master of Science (M.S.) in Environmental Sciences Program and through the College’s collaboration with Waters of the West (WOW), which offers a concurrent J.D./M.S. and a concurrent J.D./Ph.D. in water resources. The concurrent degree in water resources is one of the only programs of its kind in the nation and draws on the expertise of faculty members in six colleges, integrating aspects of law, natural resources, engineering, political science and more.

The College of Law also collaborates with the College of Art & Architecture in offering a concurrent J.D./M.S. in Bioregional Planning, which focuses on building sustainable communities.

Dylan Hedden-Nicely, (right) a law student who is currently working on his final requirements for the J.D./M.S. in water resources, points to the College’s strength in natural resources and environmental law as a key factor in his decision to come to the University of Idaho College of Law. With an undergraduate background in geology and hydrology, he says the opportunity to continue his education in science and engineering, while simultaneously earning his law degree, was “too good to pass up.”

“The emphasis is a natural progression toward what I want to do in my career,” he says. “I didn’t come to the College and then get interested in the emphasis. I chose Idaho because of its reputation of being a premier school for natural resources and environmental law.”

He offers specific praise for the faculty in the program. “The College has built a faculty of really incredible people,” he says. “They are not only nationally renowned experts in their fields, they are also very good teachers who go out of their way to be involved in the student experience and make sure we all succeed.”

In addition to Cosens, whose expertise is in water law and the intersection between law and science, faculty members who teach in the natural resources and environmental law program include Dale Goble, public lands law and endangered species; Jerry Long, land-use and environmental law; Angelique EagleWoman, Native American natural resource law; Richard Seamon, administrative law; and Anastasia Telesetsky, international environmental law.

Native American Law

In addition to his studies in natural resources and environmental law, Hedden-Nicely hopes
to enhance his career opportunities by earning a second emphasis in Native American law.

“The University of Idaho is sandwiched between two prominent tribes, the Nez Perce and the Coeur d’Alene,” he says. “As a student here, you have unique opportunities to be involved in Indian country, because you are in it. You don’t have to go far to be right in the middle of critical issues.”

Hedden-Nicely plans to leverage his legal education in environmental and Native American law, as well as his graduate degree in water resources, for a career in working with regional tribes on natural resource issues, specifically with their claims on north Idaho water rights. His graduate paper focuses on this issue, and he recently completed an externship with a firm in Coeur d’Alene that specializes in the area.

A registered citizen of the Cherokee Nation in Northeast Oklahoma, Hedden-Nicely was one of two Native American students in his first year at the University of Idaho College of Law. He credits the College’s new emphasis in Native American law for increasing that number “exponentially” in the three years he’s been in the program.

Professor EagleWoman, a widely respected expert in Native American law who joined the College of Law four years ago, has been instrumental in the development of the emphasis.

“There’s a strong history between the tribes and the state of Idaho, including legislation passed in the 1950s that allows the state to assume some types of criminal jurisdiction within reservation boundaries in the state,” EagleWoman says.

Because of that close relationship, she says, it is imperative that those practicing in Idaho have a basic understanding of three core areas in Native American law: tribal law, federal Indian law, and the intersection of state law.

“This is one of the most complicated areas of law, and it demands that the law students have a grasp on almost every other subject area so they can understand when those subject areas intersect with tribal law and tribal jurisdictions,” EagleWoman explains.

The program includes an intensive writing component and a requirement that each student complete a minimum of 20 hours of experiential
learning in the field. For example, students may work with a tribal court, in a private law firm on a Native American law case, in a state agency on a Native American collaborative issue, or in a federal agency on issues related to Indian country.

The emphasis program is home to the Native American Law Student Association (NALSA), one of the College’s youngest, yet most active, student organizations. Recognized in 2010 as Club of the Year by the Student Bar Association, NALSA co-ordinates educational programming, charity events and visiting speakers. It also sends student teams to the national NALSA moot court competition.

“Tapping into the national NALSA network helps students see the bigger perspective on issues, not only on tribes in Idaho, but at the national level,” EagleWoman says.

EagleWoman says the demand is great for lawyers who specialize in Native American law. Through her involvement in the Northwest Indian Bar Association, she tries to connect recent graduates of the program to potential job opportunities.

“In the Northwest alone, there are at least five job announcements a month looking for lawyers with Native law expertise,” she says. This summer, she helped two recent graduates land jobs working in the public defenders’ offices for different tribes. Recent graduates from the Native American law program have also secured positions in the Bureau of Land Management, in Washington, D.C., and in the Attorney General’s office in Alaska.

Dean Don Burnett, who once served as a tribal court judge to the Shoshone-Bannock Tribes of eastern Idaho, agrees. “Today,” he declares, “on almost any major issue of economic development or environmental protection in the American West, there will be a tribal component and a demand for Native American law expertise.”

EagleWoman says her goal is to provide graduates with the “basics they need to serve competently and to make significant contributions to the field, which is a service to everyone who is working on Native American legal issues.”

“My perspective is that tribal nations are permanent neighbors with states and the federal government. And as attorneys, we have a role in creating a positive legal environment between these three levels of government,” she says.
On the Struggle for the Rule of Law in the Middle East and North Africa

A world-respected scholar – whose memoir details her 105-day solitary imprisonment in Iran – delivered last spring’s Bellwood Lecture, with separate appearances in Boise and Moscow, in late April.

Haleh Esfandiari is founding director of the Middle East Program at the Woodrow Wilson International Center for Scholars in Washington, D.C. A native of Iran who holds additional U.S. citizenship, she has worked in her native country as a journalist, deputy secretary-general of the Women’s Organization of Iran and deputy director of a cultural foundation that oversaw museums as well as arts and cultural centers.

Dr. Esfandiari went on to teach at Oxford and Princeton universities before establishing the Middle East Program in the U.S. capital.

In her presentations here, she stressed the fact that the rule of law is being sought and tested in the Middle East and North Africa as these societies struggle against their nations’ repressive regimes.

Thus far, she said, Egypt and Tunisia have achieved largely nonviolent changes, Libya had fallen into civil war among tribal antagonists, and Iran – after a brief period of secular moderation – has solidified its theocratic system.

Today in Iran, rule of law exists but for a chosen few. Meanwhile, untold numbers of innocent people pack jails and prisons, not only in her home country but also throughout the Middle East and North Africa.

At the same time, women in those countries are increasingly placing themselves on the front lines of potentially dangerous political demonstrations, yet it remains to be seen whether they will receive equitable shares of power in any emerging governments.

Dr. Esfandiari knows only too well the powerlessness felt by anyone detained without due process by such dictatorial governments and their agents, which seem to fear no reprisal.

Iran’s security force grabbed this grandmother of two and detained her, subjecting her to interrogations and solitary confinement in one of Iran’s notorious prisons, just as she was wrapping up a routine 2008 visit with her then 93-year-old mother in Tehran.

She was eventually released after an international outcry including bipartisan pleas on her behalf by public figures in the United States.

In her book, “My Prison, My Home: One Woman’s Story of Captivity in Iran,” she chronicles her experiences in often chilling detail. The encounter only strengthened her resolve to push for democratic rule in such long-oppressed nations and societies.

Dr. Esfandiari’s visit included meetings with law students, law faculty and M. Duane Nellis, University president. Additionally, she participated in a panel discussion in the Menard Law Building courtroom, moderated by Professor Monica Schurman, a human rights scholar; Bill Smith, director of the University’s Martin Institute for Peace Studies and Conflict Resolution and a history professor; and Professor Susan Ross, a scholar on international mass media and cultural studies at Washington State University.

Dr. Esfandiari believes the days of authoritarian rule in even the most repressive countries are numbered. “There comes a moment when even the most docile population rises up. That moment is coming,” she said.

The Bellwood Memorial Lecture, held in the Administration Building’s University Auditorium, drew students and faculty from across campus, the Idaho State Bar President Deborah Ferguson of Boise, and Paul W. Daugharty, member of the Idaho State Bar Board of Commissioners.

For more information about Bellwood events contact Helen Albertson, associate dean in the College of Law, at (208) 885-4977 or send her e-mail at hap@uidaho.edu.

To hear Dr. Haleh Esfandiari’s presentation, visit our website at: www.uidaho.edu/law/newsandevents/bellwoodlectures.
Rob Todeschi, a University of Idaho law student, has been fully immersed in the intensive study of the legal system for more than a year, logging countless hours of case readings, faculty lectures, and heated discussions with classmates. But it wasn’t until he saw an actual handcuffed defendant stand before a judge in an Idaho courtroom that the true significance of his future profession really began to sink in.

Todeschi was one of eight College of Law students to complete an externship this summer at the Fourth District Court in Boise, where he says firsthand experiences in and outside the courtroom helped put a face on his textbook learning.
“When you read about cases in books and talk about them in class, it’s difficult to appreciate the relevance of what’s really going on,” Todeschi explains. “But when you’re in a courtroom, and you see the cuffed defendants, and the faces of the victims and their families, you begin to realize there’s a story behind the cases, with real people who are dealing with some very serious issues . . . and as attorneys, we can help them.”

Each morning of the eight-week program, Todeschi and his fellow externs walked one block from the College of Law at the Idaho Water Center on Front Street in downtown Boise to the Ada County Courthouse, where they received daily projects from the law clerks and judges. The students returned to their “offices” at the Water Center to work on their assignments, which included researching and writing bench memos, jury instructions, and other legal documents for active cases.

The students not only honed their research and writing skills, with valuable feedback and critiques from the clerks and judges, they also had opportunities to observe court in session. Todeschi says his observations of Drug Court were especially inspiring. “When the defendants first appeared in [drug] court, they would be at what was probably a real low point in their lives. But when they came back to report on their progress, you could see that most of them were making real improvements,” Todeschi says. “It was cool to see how an attorney can play such a big role in that.”

Another highlight of the experience, Todeschi notes, was the special invitations to the judges’ chambers, where he and his classmates had the chance to discuss the unfolding cases with the judges and clerks.

“We had candid, honest discussions about the attorneys, the situations, and the issues,” he says. “It meant a lot to meet the judges and to hear their insights throughout the process.”

District Judge Michael McLaughlin, who was instrumental in bringing the externship program to the Ada County Courthouse, appreciated the opportunity to mentor the students, and he views the program as a “win-win” for all involved.

“I was very impressed with the students. They had a good basic understanding of their role, and they were very focused and eager to learn,” he says. “Their work helped the county immensely with processing our extensive case load.”

McLaughlin says the College of Law’s new downtown location presented a “golden opportunity” for establishing the program.

“In the past, our impediment was that we didn’t have the physical space to house the externs,” he says. The Water Center, located conveniently just minutes from the courthouse, made it possible to overcome that obstacle by providing the students with needed office space and resources, he says.

“The law school’s Boise location was definitely a variable in our ability to open this particular externship program to more students,” agrees Katie Ball, coordinator of the College’s Boise externship program. “It was an excellent opportunity for them to work with a variety of judges and law clerks. They got to see how law moves from the classroom into the courtroom, and how the substantive material they learn in law school transforms and works in the real world.”

For Todeschi, the externship solidified his interest in pursuing a career in litigation, and it shed new light on his chosen profession.

“The whole experience gave me a new appreciation for the importance of our legal system in this country,” he says. “It helped me realize that as a lawyer – whether you’re a prosecutor or defense attorney – you can really have a positive impact on the community and in people’s lives.”
On May 14, 2011, the College of Law celebrated its first statewide graduating class, comprised of students who have taken a full third year of study at either Moscow or Boise. The class totaled 104 students, including those who graduated the previous December and several who participated in commencement ceremonies in Coeur d’Alene and Boise.

During the law commencement ceremony in Moscow, held at the University of Idaho Commons, University Provost Douglas Baker presented the Juris Doctoral candidates. Their degrees were conferred by University President M. Duane Nellis. Don Soltman, member of the University of Idaho Board of Regents/State Board of Education, brought greetings and congratulations from the State Board.

The Class of 2011 had the distinction of performing approximately 11,800 hours of service pro bono publico. The graduates were congratulated on this demonstrated commitment to the public interest by the Commencement Speaker, Wendy J. Olson, United States Attorney for the federal District of Idaho. Olson, a native of Pocatello, received her legal education at Stanford, served in a federal judicial clerkship, worked in the Civil Division of the U.S. Department of Justice, and returned to Idaho, joining the U.S. Attorney’s office, in 1997. She rose to the rank of Senior Litigation Counsel and in 2010, she was confirmed by the Senate, following nomination by the President, to become Idaho’s U.S. Attorney. In her commencement address, Ms. Olson outlined principles to guide the graduates’ personal and professional lives, illustrated by cases drawn from her career and by narratives of her own challenges.

Several other awards and special recognition of alumni, faculty and students were bestowed at the commencement ceremony.
Faculty Award of Legal Merit

J. FORD ELSAESSER '78

The Award of Legal Merit recognizes the outstanding contribution of an Idaho law graduate whose career exemplifies the best in the legal profession. This annual award is determined by a vote of the law faculty and is based on demonstrated standards of integrity, competence, service and leadership through work as a legal practitioner, service to the legal profession, service to the community, or service to business, state, and/or national interests. The award is presented during the College of Law commencement ceremony. Nominations are submitted to the dean of the College of Law and voted on by the faculty each spring.

Continuing a tradition of more than three decades, the College of Law faculty awarded its annual Legal Merit Award for outstanding contributions to the legal profession, the administration of justice, and philanthropic causes. The 2011 award was bestowed upon J. Ford Elsaesser ’78, senior partner in the Sandpoint-Coeur d'Alene law firm of Elsaesser Jarzabek Anderson Elliott & Macdonald. A bankruptcy law practitioner of national renown, Mr. Elsaesser has served as president and board chairman of the American Bankruptcy Institute and as an adjunct instructor in the bankruptcy LL.M. program at St. John’s University in New York. He also has served as an adjunct law instructor at the University of Idaho and as the adviser for the College’s bankruptcy moot court competition teams (including a team that won the national championship). He has devoted much time as well to public service in his own community, serving on the boards of the Bonner County School District, Bonner County Hospital, Bonner County Airport, and the Pend Oreille Basin Commission.
Sheldon A. Vincenti Award for Exemplary Service to the University of Idaho College of Law

HON. LINDA COPPLE TROUT ’77
The Sheldon A. Vincenti Award was begun in 2011 to honor former dean and professor emeritus, Sheldon A. Vincenti who passed away in 2010. This award recognizes individuals who have given exceptional service to the College of Law.

The faculty awarded its inaugural Sheldon A. Vincenti Award for Exemplary Service to the Hon. Linda Copple Trout ’77. Justice Trout, who retired from the Idaho Supreme Court in 2008, was Idaho’s first woman to serve on the court and the only woman to serve as chief justice. She began her judicial career in Lewiston, where she had also practiced law, eventually becoming the acting trial court administrator for Idaho’s second Judicial District, and then being elected as district judge. She was appointed to the Supreme Court in 1992 and was elected by Idaho voters to two additional terms. She has served as an adjunct instructor in family law at the University of Idaho and as chair of the College’s Law Advisory Council. She currently serves as the legal profession’s member of the College’s Accreditation Self-Study Committee for continuing accreditation by the American Bar Association and continuing membership in the Association of American Law Schools.

Peter E. Heiser Award for Excellence in Teaching

PROFESSOR RICHARD SEAMON
This award is determined by a vote of the graduating class and recognizes outstanding dedication to students at the University of Idaho College of Law.

Faculty Award of Legal Achievement

BEN P. MCGREEVY
This award is presented to the graduating student with the highest cumulative grade point average. It honors outstanding dedication and success in the pursuit of academic excellence during legal study at the College of Law.

Pro Bono Service Recognition

The University of Idaho College of Law is committed to providing law students opportunities that emphasize the value and tradition of service to the community. All members of the graduating class completed at least 40 hours of pro bono service, a law school requirement. The College recognizes the graduates who have completed 80 or more hours of service with a certificate signed by the Chief Justice of the Idaho Supreme Court and the Dean of the College of Law, and with a purple cord to be worn with their commencement regalia.

PRO BONO SERVICE WITH DISTINCTION (120+ HOURS)
Kathleen R. Arnold
Jordan Dale Beck
Robert Mark Bleazard
Shawn Daniel Boyle
Jason Michael Brown
Jennifer Lynn Brozik
Sally Ruth Butts
William D. Charters
Ruth Coose
Jason Crume
Nita Clare Day
Sandy Flores
Bradley Giles
Gavin J. Giraud
Mary R. Grant
Isaac Hardman
Vincent Humphrey II
Gregory Russell Hurn

Jacob Paul Kent
Laura Kathleen Keys
Jaime McNaughton
Megan Marshall
John Reilly McDevitt
Evan Alexander Muir
Eugenia Ojeda-Martinez
Christine Olcott
Christi Louise Phillips
Saundra Dawn Richartz
Lindsey Marie Rogers
Leon J. Samuels
Robert Thurston Steiner
Kimberli Ann Stretch
Jeffery Lynn Thomason
Jonathan K. Wayne
Jennifer Pleasy Wayas
Ashley N. White

EXTRAORDINARY PRO BONO SERVICE (80+ HOURS)
Mistie Bauscher
Joanna Eide
Andrew Jorgensen
Luke Malek

Amanda Montalvo
Lisa Schoettger
Michael Whittaker

PRO BONO: ABOVE AND BEYOND AWARD
Ruth Coose

SPIRIT OF THE CLINIC AWARD
Jason Crume

SPIRIT OF THE CLASS AWARD
Leon Samuels

OUTSTANDING STUDENT SERVICES AWARD
Laura Keys
The Law Advisory Council consists of professionals who are graduates and friends of the University of Idaho’s College of Law. Established in 1996, members assist and advise the dean and help with development efforts.

Specifically, the Council:
• Promotes the college to various constituency groups
• Identifies and acquires additional financial support and other resources
• Serves as an advocate
• Provides advice on college programs
• Fosters working relationships with other colleges in the University
• Assists with student recruiting and graduate career placement

MEMBERS ARE:
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Every effort is made to ensure the accuracy of this list. If your or your spouse’s name is not listed or has been listed incorrectly, please contact Terri Muse, development director (208-364-4044, tmuse@uidaho.edu) so that we may make the correction.
John A. Church, Pro Bono Cowboy

From rangeland to courtroom, he fought for the public good

By Paula M. Davenport

John A. Church, a Lewiston native, said he happily chucked his suits and ties for golf shirts, khaki slacks and sneakers when he retired from law practice three years ago. He and his wife Cyndee are enjoying the casual freedom of retirement, but in the days when he was practicing law, he was one persistent, steely son of a gun. Proud of it, too.
He was the kind of lawyer you wanted on your side if you were going to court, as evidenced by his track record. Of the estimated 2,332 cases he took during his 21-year career, he prevailed in a majority of them. Of course, not all of these cases were litigated.

Church always stuck to his guns. For instance, during the Vietnam War era, he refused J. Edgar Hoover’s offer to join the Federal Bureau of Investigation. Why? “The field agent who’d interviewed me insinuated that I’d applied because I was dodging the military,” Church said.

Church called the bureau’s bluff. Before receiving Hoover’s letter, he enlisted in the Idaho National Guard, where he served with the 148th Field Artillery and 116th Engineers Co. from 1966 to 1972.

“I’m an intentional maverick,” he said with a hearty laugh. “You’ll never find me following a herd of sheep.”

In legal practice, he channeled the same brand of tenacity. “About 55 percent of the cases I took were criminal and 45 percent were civil, mostly family law – so yes, a lot of divorces and child custody conflicts. What I really cared about was the placement of children,” said Church, 70.

“I wouldn’t let go of a case until the children were safely placed where they belonged. I just hung on until it happened, which was most of the time,” he said. “I spent an awful lot of late nights, from 10 p.m. to 3 in the morning, prepping cases for court.

“I’d call and wake my legal secretary Diana Von Bargen from a sound sleep. She’d come right in and spend hours helping me prepare court documents. I couldn’t have done it without her,” he said with a smile.

He fought just as diligently defending suspected lawbreakers. Most of the time, they were decent people who didn’t have long rap sheets but who’d gotten into some sort of legal scrape. They certainly weren’t hardened criminals who deserved to go to prison, Church said.

His summer experiences as a boy in the rugged North Idaho backcountry stoked a kind of doggedness that served him well in the courtroom.

Summers were spent at his family’s summer home, high in the remote mountain country where the Lochsa and Selway rivers converge to form the middle fork of the Clearwater River at Lowell, Idaho.

“I broke a lot of horses, usually wild mustangs rounded up by the Bureau of Land Management,” Church said. “We usually had a herd of 24 horses and eight mules. I hunted, I fished, I went everywhere on horseback.

“I’m a cowboy,” he said with a grin. “And I always championed the underdog. Our Constitution says we’re all created equal and we all have the same rights. But in practice that just isn’t true. You’ve got the Donald Trumps of the world and the people on Skid Row.

“The people on Skid Row should have the same rights as Trump does. And I believe you have to step in to help these people whether you get paid or not. If they had a really good case, I took it; and I don’t regret one pro bono case I’ve ever done.

“My pro bono clients were wonderful people. They followed counsel and they showed up on time. When people were paying you, they thought they were running the show,” he said.

The fact that Church chose to open his own law practice is a testament to his self-determination. After obtaining his bachelor’s degree at University of Oregon, he went on to earn his J.D. degree in 1966 from the University of Idaho College of Law; he was 23. He passed the bar shortly after. But he didn’t hang out his shingle until 23 years later.

Instead, he put his career goals on hold to do his family duty as a third-generation owner/operator of Nez Perce Tractor Co., the Lewiston-based Caterpillar and John Deere dealership that served eastern Washington and north central Idaho to the Montana border.
Although he wasn’t practicing during two-plus decades at the dealership, he annually took continuing legal education courses to maintain his license.

When he was finally free to pursue his legal career, one of his then-teenage sons sat him down and asked: “Dad, are you sure you know what you’re doing?” he said with a laugh.

In fact, he was itching to get into the courtroom. Growing up, the young Church was so fascinated by the law that every chance he had, he’d tag behind the dealership’s corporate attorney and hang out in law offices run by his friends’ fathers.

Three years of law school filled in the rest. “When we got our diplomas, my 20 other fellow law students and I knew everything there was to know about the law. The words: ‘I don’t know’ where not in our vernacular. About two months into practice, we didn’t know anything. Our 500-point IQs dropped to zero,” he joked.

“That’s because in those days they taught you everything you needed to know about the law in law school. But they didn’t teach you where the court was, much less what to do when you got there,” Church said.

So he took pro bono cases in addition to those he was hired to try. Mixed in were requests for jobs such as drawing up wills, setting up trusts, reviewing business contracts and the like.

Over the years, he accepted about 100 cases on a pro bono basis because he wanted to broaden his legal experience. “I was able to try cases before district, magistrate, and appellate courts including the Idaho Supreme Court,” Church said. “It was worth a lot more to me than the money because I could then better represent the next guy who was paying me.”

Church swore by his personal code of ethics. His moral compass tilted toward justice.

“If a client was guilty, I always told them: ‘I will not in any way, shape or form represent to any judge or jury that you are innocent, only that the government’s case leaves room for reasonable doubt. If you want another lawyer, there’s the door,’” he said.

Church stood up for those whose cases he believed in. Frequently they involved women unsure of how to escape abusive relationships. “I don’t know how many women I’ve gotten out of those situations,” Church said.

“When you get your degree, you’re allowed to be an attorney, an advocate and a counselor. I probably had more titles than I deserved,” he said.

Drawing on the lessons he lived by, Church offered up some counsel for freshly minted attorneys.

“When you make a decision to take a case, the only way to prevail is to be persistent. It’s easy to get discouraged. But you can’t quit. Don’t be a lawyer if you’re in it for the money. Forget that. If you love it and can’t wait to get up in the morning to go to work, then do it as long as you can,” he said.

“I loved it from the day I walked in, until the day I walked out -- and every day in between,” he said.
Retired Lewiston Attorney Inspires Law Students’ Philanthropy

By Paula M. Davenport

Retired Lewiston Attorney John A. Church said when he was in law school at the University of Idaho back in the mid-1960s, attorneys didn’t talk about doing pro bono work. “It was a secret,” he said. But now, thanks to Church’s support, pro bono work at his alma mater is a graduation requirement.

Church got Idaho students fired up about the experiential learning opportunity during a campus lecture five years ago. Don Burnett, dean of Idaho’s College of Law, fully supported adoption of mandatory pro bono work at Idaho.

Church stepped up with a $45,000 donation to launch and pay for the first year of the College of Law’s Pro Bono Program, established in 2006.

But he didn’t stop there. Church -- who during a 21-year career worked on about 100 cases on a pro bono basis -- recently pledged another $55,000 to underwrite an additional year’s worth of operating expenses for the pro bono program.

“I believe every lawyer should do some pro bono work, he said. So many Americans with legitimate cases would benefit from legal representation but can’t afford attorneys’ fees,” said Church, 2006 recipient of the Idaho State Bar’s Denise O’Donnell Day Pro Bono Award.

For attorneys just starting out, pro bono work provides highly effective and practical legal know-how, he said.

Idaho is the only law school in the Northwest or Intermountain West, and one of only three in the western United States requiring students to do pre-approved, law-related work on a pro bono basis, under the supervision of a lawyer or judge, in order to graduate.

“The purpose of the pro bono requirement is to instill in students a commitment to their responsibility as lawyers to give back to the community and promote justice by assisting the underserved and underrepresented” said Trapper Stewart, director of the program. Students are given the opportunity to fulfill their mandatory pro bono requirements in a wide range of legal settings, including select service organizations, government agencies, private firms representing clients through a pro bono agreement, nonprofits and legislative offices.

Stewart said the Class of 2011 logged a total 11,795 hours of pro bono work. A breakdown shows that students in the cohort performed more than twice the 40-hour pro bono requirement, averaging more than 100 hours each.

“Now that’s commitment to me,” Church said.

Dean Burnett said the College is grateful for Church’s support. He also praised the many, generous volunteer attorneys who take students under their wings.

Church said it’s that sort of collaboration that makes the University such a great place to earn a law degree.
Welcome New Faculty for 2011 – 2012 Academic Year

The College of Law welcomed a trio of new, tenure-track professors to the faculty this fall semester. Each expands the breadth of our educational programs and brings an exemplary academic and professional dossier.

Please join me in welcoming them to the University of Idaho.

—DEAN DON BURNETT

SHAAKRRAH SANDERS

B.A. Trinity College; J.D. Loyola University of New Orleans

Courses taught: Constitutional Law and Criminal Procedure

Joined the College of Law: 2011

WHAT EXCITES YOU ABOUT THE LAW?
American law is essentially a study of our nation’s social and economic progression. It excites me to learn about our past, observe our present, and contemplate our future. My legal training allows me to balance my emotional response to current social and economic events that are important to the continued development of this country.

WHAT ADVICE DO YOU OFFER STUDENTS ABOUT THEIR FUTURE?
Always look ahead and feed your curiosity. Also, stay true to your goals, but remain flexible with regards to the path you take to achieve those goals. For example, if you are unable to obtain your “perfect” legal job immediately after law school, seek other jobs that can help get you to the place you want to be. Finally, lawyers tend to be perfectionists. However, the legal profession demands a lot of on-the-job training, so forgive yourself for the mistakes you are sure to make as a young lawyer.

WHY DID YOU PURSUE A CAREER IN THE LAW?
Like many law students, I was unaware of why I wanted to be a lawyer at the time I entered law school. However, after the first day of classes, I enjoyed the intellectual challenge of my legal studies, as well as sharing ideas with my classmates. After law school, I realized that the profession was very much a service industry. My clients’ gratitude was humbling, especially when the desired result was not achieved. I eventually came to understand that the most important part of this profession was the service I gave to the client.
STEPHEN R. MILLER
A.B. Brown University (magna cum laude); M.C.P. University of California, Berkeley; J.D. University of California, Hastings College of the Law
Courses taught: Local Economic Development clinic in Boise
Joined the College of Law: 2011

WHAT ADVICE DO YOU OFFER STUDENTS ABOUT THEIR FUTURE?
Find a focus area in the law that will be your passion. The happiest lawyers I know are those who have found a niche in the law – tax, intellectual property, land use, or what have you – and have pursued that passion over time.

WHAT IS YOUR TEACHING PHILOSOPHY?
In “Moby Dick,” the narrator, Ishmael, says “a whale-ship was my Yale College and my Harvard.” Metaphorically speaking, I want my classroom to be both part whale-ship and part ivory tower: a place to work hard and a place for ideas.

WAS THERE A PARTICULAR PROFESSOR IN LAW SCHOOL YOU ADMIRE AND WHY?
I was a research assistant for a constitutional law scholar, Joel Paul, for three years, and I also had the chance to work on his book, “Unlikely Allies,” about diplomacy during the American Revolution. He has been a steadfast mentor and confidante over the years; I can only hope to offer the same support to my students.

JOHN RUMEL
B.A. University of California, Santa Cruz; J.D. University of California, Hastings College of the Law
Courses taught: Civil Procedure and Evidence
Joined the College of Law: 2011

WHY DID YOU PURSUE A CAREER IN THE LAW?
I pursued a career in the law as a way to engage in service in an intellectually stimulating profession. As a federal law clerk, I was able to serve the judges for whom I worked. As an attorney, I was able to serve my clients – often, clients who did not have substantial individual resources and who were in disputes with powerful institutional (governmental and corporate) forces. As a law professor, I have in the past served, and will hopefully in the future serve, my students, colleagues and the profession through teaching and scholarship.

WHAT IS YOUR TEACHING PHILOSOPHY?
I believe teaching is a collaborative effort between myself and my students. Although my prior students are probably the best judge of this, I would like to think that I seek and achieve rigorous thinking in a comfortable learning environment and strike a fair balance between practical and policy considerations in the courses I teach. After many years in the profession, I remain fascinated by the law – both by its promises and limitations. Hopefully, this fascination translates to enthusiasm which, in turn, comes through in my teaching.

WAS THERE A PARTICULAR PROFESSOR IN LAW SCHOOL YOU ADMIRE AND WHY?
Professor Ray Forrester, my constitutional law professor at Hastings, was a great role model. His grasp of the subject matter and ability to convey his knowledge in an understandable manner to students was awe inspiring. Even more, Professor Forrester’s occasional, but never heavy-handed, reminders to his students that we were fortunate to have the opportunity to study and practice law and that there were many individuals in society who were not so fortunate and who could benefit from our assistance left a lasting impression on me.
Faculty with 20 years or more at the College of Law

The College of Law faculty includes seven professors who have been teaching and inspiring our students for two or more decades. Each is an expert in his/her field and rounds out the spectrum of educational opportunities available to our students. Please join me in honoring their continuing service to the University of Idaho.

— DEAN DON BURNETT

D. BENJAMIN BEARD

B.A. University of Cincinnati (magna cum laude); J.D. Case Western Reserve University

Courses taught: Guaranty and Suretyship, Negotiable Instruments, Property, Sales, Legislation and Regulation

Joined the College of Law: 1987

WHAT EXCITES YOU ABOUT THE LAW?

The College has an excellent program that allows students the full benefits of a large research University together with opportunities in a major urban environment. The third-year program is an excellent complement to the Moscow program for those students who are interested. The complementary opportunities for students will only increase as the College expands to a full, three-year program in both Moscow and Boise.

WHAT ADVICE DO YOU OFFER STUDENTS ABOUT THEIR FUTURE?

It is critical for students to obtain the skill set that will prepare them for a rapidly changing world and practice. Substantive areas of expertise should certainly dovetail with the students’ interests, but in the long run are far less important than the ability to be flexible and develop the problem-solving skills essential to be an excellent lawyer.

WHAT IS YOUR TEACHING PHILOSOPHY?

I seek to develop the legal skills of careful, critical reading; focused analysis; and creative, competent problem-solving. The substantive law is only a tool in helping students develop those skills, which are the bedrock needed by all attorneys. In addition, I hope to inculcate in my students respect for the rule of law and the legal system, and a commitment to improve the law.
DALE D. GOBLE
A.B. Columbia College; J.D. University of Oregon
Courses taught: Legal History, Natural Resources, Public Lands, Torts
Joined the College of Law: 1982

WHAT EXCITES YOU ABOUT THE LAW?
Law is both very old and continuously new. A decision by the King’s Bench in 1592 is the basis for Idaho’s claim of authority over wolves – and the argument also turns on cases that have reshaped the Endangered Species Act over the past two years.

WHAT BROUGHT YOU TO THE COLLEGE OF LAW?
It was coming home. My grandfather graduated from University of Idaho in 1908; my father did so in 1939.

WAS THERE A PARTICULAR PROFESSOR IN LAW SCHOOL YOU ADMIRE AND WHY?
Charles Wilkinson brought passionate ethical beliefs and an analytical rigor to the defense of both Native Americans and natural resources that I have sought to emulate.

MAUREEN E. LAFLIN
B.S. University of Dayton (cum laude); J.D. St. Louis University
Courses taught: Alternative Dispute Resolution, Appellate Clinic, Mediation Clinic, Trial Advocacy, Negotiation and Conflict Resolution
Joined the College of Law: 1991

WHY DID YOU PURSUE A CAREER IN THE LAW?
After graduating from college with degrees in Spanish and social work, I worked full time as a community organizer focusing on women’s employment issues. I also began working on a master’s in social work. I soon realized that in order to be more effective and to have more credibility that I needed a law degree. My degree has served me well.

Also of interest – both of my parents went to law school. My father never practiced law but found it extremely helpful in business. My mother practiced for several years before having children – she also died when I was very young. The message growing up was that a law degree was versatile and trained you for a variety of careers.

WHAT IS YOUR TEACHING PHILOSOPHY?
My goal is to encourage students to stretch themselves both professionally and personally. I want students to prepare themselves to enter the profession of law in the fullest sense. They should not only be skilled analytically and practically but should also care about and understand the values of the profession, their responsibility to their clients, society, the profession, and themselves.

WAS THERE A PARTICULAR PROFESSOR IN LAW SCHOOL YOU ADMIRE AND WHY?
Professor Roger Goldman because he cared about students, worked to keep students engaged, and was passionate about his work both in the classroom and outside. He and I have maintained contact since I graduated in 1982.
MONIQUE C. LILLARD
B.A. Stanford University; J.D. University of California, Los Angeles
Courses taught: Remedies, Torts, Workplace Law
Joined the College of Law: 1987

WHAT IS YOUR TEACHING PHILOSOPHY?
My teaching philosophy is that I want my students to be intellectually curious, to keep asking why. To do that, I try not to provide them with “the answers,” and try to disabuse them of the idea that there is “One Right Answer.” I try to hold open discussions, thereby reminding them that they can learn from many sources, including each other.

WAS THERE A PARTICULAR PROFESSOR IN LAW SCHOOL YOU ADMIRE AND WHY?
The teacher who had the most influence over me in law school was Alison Grey Anderson at UCLA. She retired, but has been recalled to teach. She taught me torts and business associations. She is calm and logical. She has a low-key but profound sense of humor. She has always been willing to try new teaching strategies and new ideas, and has been willing to admit when her experiments failed. She is kind. There were 100 people in our first-year section, but she managed to look each of us in the eye and listen to what we had to say.

WHAT BROUGHT YOU TO THE COLLEGE OF LAW?
What brought me to the College of Law was the beauty of Moscow, Idaho, and the intelligent, collegial warmth of the faculty.

MARK D. ANDERSON
B.A. Macalester College; J.D. University of Chicago
Courses taught: Antitrust, Business Associations, Criminal Law, Intellectual Property: Trademarks
Joined the College of Law: 1982

WHAT ADVICE DO YOU OFFER STUDENTS ABOUT THEIR FUTURE?
Students are often concerned that the future of the law, law practice, and other law-related career paths are all uncertain. I explain that the skills of analytical thinking, attention to detail and organized thought and effort will serve them well in any future career track.

WHAT IS YOUR TEACHING PHILOSOPHY?
I do what lawyers do in communicating with clients, judges, juries and opponents. I try to understand what the student knows or understands walking into the classroom. I then try to take them from where they are to where I want them to be.

WHY DID YOU PURSUE A CAREER IN THE LAW?
I was attracted to the combination of ideas and personal interactions required for success in the law.
ELIZABETH BARKER BRANDT
B.A. The College of Wooster; J.D. Case Western Reserve University
Courses taught: Children and the Law, Community Property, Domestic Violence and the Law, Family Law, Wills, Estates and Trusts
Joined the College of Law: 1988

WHAT EXCITES YOU ABOUT THE LAW?
I believe law is the foundation of a functional society. And I see in the law the possibility for helping people. In the end it is that helping philosophy that most motivates me. In the area of family law, lawyers can help bring order and resolution to people during very difficult times in their lives.

WHAT ADVICE DO YOU OFFER STUDENTS ABOUT THEIR FUTURE?
I tell them not to let go of those reasons they came to law school. I try to help them find ways to pursue their passions. It's easy to get on the moving walkway in law school and begin to re-define success according to the values of the majority of students or faculty. It can be difficult to hold on to pre-law school goals and plans. Of course sometimes, law school open up new worlds that a student didn’t even know existed. Revising and changing isn’t always a bad thing. But I try to help students through this growth process.

WHY DID YOU PURSUE A CAREER IN THE LAW?
My law career was a bit of an accident! I tell students that my little secret is that I was a Speech & Theater major in college! I walked in and took the LSAT cold in April of my senior year of College. I applied late to only three schools and got into only one. At the time, I was doing a reality check and realized I likely would not be the next great Broadway costume designer. My debate coach in college encouraged me to try law school. Since I wasn’t sure what else to do I thought, why not?

JOHN A. MILLER
B.A. University of Kentucky; J.D. University of Kentucky; LL.M. University of Florida
Courses taught: Basic Income Tax, Business Entities Tax, Elder Law, Estate Planning
Joined the College of Law: 1988

WHAT ADVICE DO YOU OFFER STUDENTS ABOUT THEIR FUTURE?
I advise students to cast their nets widely while looking for that first job and to be willing to adapt to the situation while working toward the ideal job. The law is a profession as wide as society itself, and there is room for every sort of person somewhere within it. Conversely, some good advice I once heard is: “Figure out what you are good at and learn to enjoy it.”

WHY DID YOU PURSUE A CAREER IN THE LAW?
I sometimes think I was too lazy to become a doctor and not brave enough to be a novelist. Still, the law appeals to the problem solver in my nature. I like the intellectual challenges the law continues to offer even after many years of study and practice.

WHAT IS YOUR TEACHING PHILOSOPHY?
Be clear, be organized and remind students that life is neither. Help them understand that, in the end, whatever clarity and order they find in the law arises primarily from their own efforts. I am like a trainer in a gym. I can show them how to use the equipment and critique their technique. I can’t do the exercises or lift the weights for them because, if I did, only I would get stronger.
DAVID GRAY ADLER


MARK D. ANDERSON

D. BEN BEARD

ELIZABETH BARKER BRANDT


ANNEMARIE BRIDY


Annemarie Bridy, Graduated Response and the Turn to Private Ordering in Online Copyright Enforcement, 89 OR. L. REV. 81 (2010).

DONALD L. BURNETT


BARBARA COSENS


PATRICK D. COSTELLO

WENDY GERWICK COUTURE


ANGELIQUE EAGLEWOMAN
Angelique EagleWoman, Cultural and Economic Self-Determination for Tribal Peoples in the United States Supported by the UN Declaration on the Rights of Indigenous Peoples, 28 Pace Envtl. L. Rev. 357 (2010) (Published address from Symposium of May 13, 2010).


DALE D. GOBLE

J. Michael Scott & Dale D. Goble, ed.s, **Topics in Endangered Species** (University of California Press, 2010).


Dale D. Goble, A Fish Tale: A Small Fish, the ESA, and Our Shared Future, 40 **Environmental Law** 339-362 (2010).


Dale D. Goble, Rewilding the West: Restoration in a Prairie Landscape by Richard Manning, 15 **Environmental History** 783-84 (2010).

JOHN J. HASKO


MAUREEN E. LAFLIN


Jerrold A. Long, Sustainability Starts Locally: Untying the Hands of Local Governments to Create Sustainable Communities, 10 **Wyo. L. Rev.** 1-34 (2010).


JOHN A. MILLER


John A. Miller, TEACHER’S MANUAL THE FUNDAMENTALS OF FEDERAL TAXATION (2d ed. 2010) with Jeffrey Maine.

John A. Miller, Taxation and the Sabbatical: Doctrine, Planning and Policy, 63 **The Tax Lawyer** 375 (Spring 2010) with Robert Pikowsky.

STEPHEN R. MILLER


JOHN RUMMEL

John Rummel, Federal Disability Discrimination Law and the Toxic Workplace: A Critique of ADA and Section 504 Case Law Addressing Impairments Caused or Exacerbated by the Work Environment, **SANTA CLARA LAW REVIEW** 515 (2011).

MIKE A. SATZ


RICHARD H. SEAMON


ANASTASIA TELESETSKY


ALAN F. WILLIAMS

Faculty–Staff Outreach and Engagement Activities 2010-11

HELEN ALBERTSON
Admissions and Financial Aid Committee, Chair
Boise Strategic Planning & Coordination Committee
Curriculum Committee, Co-Chair
Self-Study Committee
Student Engagement and Climate, Chair
Tenure and Promotion, Regular Faculty, Non-Tenured – Expires 2011-12
UI, Associate Deans’ Group
UI, Enrollment Management Review & Advisory Board
UI, Scholarship Review Task Force
UI, Summer Enrollment Committee

MARK D. ANDERSON
Diversity Committee
Faculty Appointments Committee, Team 1
Tenure and Promotion, Regular Faculty, Alternate, Expires 2010-11

KATIE BALL
Honor Court, (dean’s designee for Boise Cases)

D. BEN BEARD
ABA, Section of Business Law, Cyberspace Committee
ABA, Section of Business Law, Task Force on Radio Frequency Identification, Co-Chair
ABA, Section of Business Law, UCC Committee
Curriculum Committee, Co-Chair
Admissions and Financial Aid Committee
National Conference of Commissioners on Uniform State Laws, Committee on Implementation of the UN E-Commerce Convention, Reporter to Committee
Pro Bono Program
Self-Study Committee, Co-Chair
UI, Ad Hoc Intellectual Property Dispute Committee
UI, College of Law, Board of Student Advocates Co-advisor
UI, College of Law, Idaho Law Review Co-advisor

ANNEMARIE BRIDY
Association of American Law Schools, Internet & Computer Law Section
Career Development
Executive Committee
Honor Code Review and Revision, Chair
Honor Court
UI, College of Law, American Constitution Society Advisor
UI, College of Law, Golf Club Advisor
UI, College of Law, Intellectual Property Law Club Advisor

ELIZABETH BARKER BRANDT
ABA, Family Law Quarterly (editorial board)
Association of American Law Schools, Juvenile and Family Law Section
Association of American Law Schools, Juvenile and Family Law Section Listserv Manager
Boise Strategic Planning & Coordination Committee
Curriculum Committee
Executive Committee
Faculty Appointments Committee, Chair and Team 1
Idaho State Bar, Family Law Council of the Family Law Section
Idaho State Bar, Second Judicial District, Family Court Serviced Advisory Committee
Idaho Supreme Court, Child Protection Committee
Idahoans for Openness in Government, Board of Directors
McNichols Inn of Court
Technology Committee
UI, College of Law, ACLU of Idaho Student Chapter Advisors
UI, College of Law, Women’s Law Caucus Advisor

DONALD L. BURNETT
American Judicature Society, National Advisory Board
Idaho Law Foundation, Board of Directors
Idaho Law Foundation, IOLTA Comparable Rates Task Force
Idaho State Bar, Indian Law Section, Governing Council
McNichols Inn of Court
UI, Chair, Ethical Guidance & Oversight Committee
UI, Coordinating Dean, University-Wide Programs: Environmental Science & Natural Resources
UI, Development Council
UI, Distinguished Professor Advisory Committee
UI, Provost’s Council (Academic Deans)

BARBARA COSENS
ABA, Section on Environment, Energy and Resources, Water Committee
Lapwai Watershed Faculty/Student Research Team Leader
Palouse Basin Faculty/Student Research Team

D. BEN BEARD
UI College of Law, Natural Resources and Environmental Law Programs Coordinator
UI College of Law, Water Resources concurrent Degree Admissions/Coordination
UI, College of Law, Environmental and Natural Resources Journal Club
UI, College of Law, Environmental Science Concurrent Degree Admissions/Coordination
UI, College of Law, Natural Resources and Environmental Law Emphasis Advisor
UI, College of Law, Natural Resources and Environmental Law Symposium
UI, Environmental Science Program, Faculty
UI, Graduate Program Candidate Committees/Major Advisors
UI, Research Council
UI, Water of the West Program Steering Committee, Curriculum Committee
UI, Water of the West Program, Faculty

PATRICK D. COSTELLO
American Civil Liberties Union Idaho Chapter, Board Development Committee, Chair
American Civil Liberties Union Idaho Chapter, Legal Committee
Friends of Idaho Public Television, Board of Directors
Honor Court
Idaho Coordinated Response to Domestic/Sexual Violence, Board of Directors
Idaho State Bar, Delivery of Legal Services Advisory Committee
Idaho State Bar, Volunteer Lawyers Program, Institutional Representative
International Opportunities
McNichols Inn of Court
Pro Bono Program
UI, Academic Hearing Board
UI, Classified Position Appeal Board
UI, College of Law, Law Students for Appropriate Dispute Resolution Advisor
UI, College of Law, ABA Mediation Advocacy Competition Advisor
UI, College of Law, ACLU of Idaho Student Chapter Advisor’s

WENDY GERWICK COUTURE
ABA, Book Development & Publishing, Engaging the Expert Witness, Co-Editor
ABA, Section of Litigation, Expert Witnesses Annual Review, Co-Editor
Business Law Gems (www.businesslawgems.com), Founder and Editor In Chief
Idaho State Bar, Business & Corporate Law Section, CLE Presenter, “Is My LLC Interest A Security?”
Idaho State Bar, Business & Corporate Law Section, Governing Council Member
Idaho Women Lawyers, Board of Directors Member & Mentoring Committee Chair
UI, College of Law, Curriculum Committee
UI, College of Law, Technology Committee
Lee B. Dillon
Boise Strategic Planning & Coordination Committee, Chair
Idaho Law Foundation, CLE Committee, Chair
Idaho Supreme Court, Judicial Education Committee
Pro Bono Program Committee
Self-Study Committee
UI Boise, Academic Council, Member and Past Co-Chair
UI, College of Law, ABA Negotiation Competition Regional Competition Coordinators
UI, College of Law, Business Law Association Advisor
UI, Integrated Leadership Council
UI, Outreach & Engagement Council

Angelique Eaglewoman
Association of American Law Schools, Indian Nations and Indigenous Peoples Section, Chair 2009-2010, Secretary 2010-2011
Diversity Committee, Co-Chair
Faculty Appointments Committee, Team 1 2010-2011
Federal Bar Association, Development of Federal Indian Law Subcommitte, Chair 2010, 2011
Idaho State Bar - Indian Law Section, Advisory Member
Northwest Indian Bar Association Governing Board, Secretary 2010, 2011
Tenure and Promotion, Regular Faculty, Non-Tenured, Expires 2010-11
UI, American Indian Studies Program, Faculty
UI, College of Law, Annual Native American Law Conference, Coordinator
UI, College of Law, Multi-Cultural Law Caucus Advisor
UI, College of Law, Native American Law Conference Coordinator
UI, College of Law, Native American Law Emphasis, Advisor
UI, College of Law, Native American Law Student Association, Advisor
UI, College of Law, Native American Moot Court Advisor
UI, College of Law, Natural Resources and Environmental Law Emphasis Advisor
UI, Native STEM Planning Board
UI, Water of the West Program, Faculty

Ruth Funabiki
Association of American Law Libraries, Cataloging & Classification Committee
Association of American Law Libraries, TS/OBSIS Joint Research Grant Committee
Ex Libris Users of North America, Voyager Law Special Interest Group, Co-Chair
Idaho Commission For Libraries, Broadband Technology Opportunities Program Advisory Council
Idaho Commission For Libraries, Library Services and Technology Act Advisory Council
Idaho Commission for Libraries, Special Projects Librarians Action Team
Idaho Library Association, Idaho Book Award Committee, Chair
UI - Faculty Affairs Committee
UI, College of Law, International Opportunities Committee.

Dale D. Goble
American Bar Association, Section of Environment, Energy, and Resources, Committee on Endangered Species, Vice Chair for Programs
Center for Progressive Reform, Member Scholar
Conservation Biology Editorial Board Member
Environmental and Natural Resources Journal Club
Excellence in Interdisciplinary or Collaborative Efforts Award Committee
Idaho State Reporter, Administrative and Regulatory Law News Idaho State Reporter
Natural Resources and Environmental Law Emphasis Advisor
Resources and Environmental Law Symposium
Rocky Mountain Mineral Law Foundation, Trustee
Scientific Misconduct Committee
UI, Bioregional Planning
UI, College of Law, Career Development, Chair
UI, College of Law, Curriculum Committee Member
UI, College of Law, Standing Committee on Tenure and Promotion, Chair
UI, Environmental Science Program
UI, Philosophy Department
UI, Water of the West Program
Western Legal History (Ninth Circuit Historical Society publication) Editorial Advisory Board Member

Michael J. Greenlee
Diversity Committee
Idaho Library Association, Intellectual Freedom Committee
Library Committee, Chair
UI, Borah Foundation Committee, Co-Chair
UI, College of Law, Inter-American Human Rights Moot Court Competition, Advisor

John J. Hasko
Idaho Supreme Court, State Library Facilities Planning Group
Self-Study Committee
Technology Committee, Chair
Tenure and Promotion, Regular Faculty, Tenured, Expires 2010-11
UI, Campus Planning Advisory Committee, Chair.
UI, Faculty Senate, Representative
UI, President’s Athletic Advisory Council, Member

Maureen E. Laflin
ABA, Advisory Panel
ABA, Section on Dispute Resolution Mediator’s Ethical Guidance Committee
Boise Strategic Planning & Coordination Committee
Federal Defenders Services of Idaho, Inc., Board of Directors
Idaho State Bar, Alternative Dispute Resolution Section Governing Council
Idaho Supreme Court, Criminal Mediation Committee
Idaho Volunteers Lawyers Program Policy Council
McNichols Inn of Court
Pro Bono Program, Chair
Tenure and Promotion, Regular Faculty, Alternate, Expires 2012-13
The Grill, Personnel Committee
UI, Administrative Hearing Board
UI, College of Law, ABA Negotiation Competition Advisor
UI, College of Law, ABA Negotiation Competition Regional Competition Coordinator
UI, College of Law, Litigation & Appropriate Dispute Resolution Emphasis Advisor
UI, College of Law, Northwest Institute for Dispute Resolution, Director
UI, Faculty Appeals Hearing Board, Alternate
UI, Women in Higher Education Roundtable

Monique C. Lillard
Association of Law Schools Employment Discrimination Section Executive Committee, Member
Association of Law Schools Labor and Employment Law Section Executive Committee, Member
Catholic Charities of Idaho Board of Directors, Secretary
Catholic Charities of Idaho Social Action Committee, Chair
Faculty Appointments Committee, Team 3 Leader
Student Engagement and Climate
Tenure and Promotion, Regular Faculty, Tenured, Expires 2011-12
UI, College of Law, American Constitution Society Advisor
UI, College of Law, J. Reuben Clark Society Co-Advisor
UI, College of Law, Women’s Law Caucus Co-Advisor
UI, Native American Graduate Student Association, Faculty Advisor

Barbara Lock
Library Committee
Student Engagement and Climate

Jerrold A. Long
Faculty Appointments Committee, Team 2
Student Engagement and Climate
Tenure and Promotion, Regular Faculty, Non-Alternate, Expires 2011-12
UI, College of Law, Environmental Law Moot Court Competition Advisor
UI, College of Law, Natural Resources and Environmental Law Emphasis Advisor
UI, College of Law, Natural Resources and Environmental Law Symposium
UI, Environmental Science Program, Faculty
UI, Graduate Program Candidate Committees/Major Advisors
UI, Water of the West Program, Faculty
Practitioners Collaborate with College of Law in Hosting ABA Mediation Competition

This past March, the College of Law hosted teams from four other law schools participating in the American Bar Association regional Representation in Mediation Competition. The College received collaborative help from 23 attorneys and mediators from Ashton, Boise, Grangeville, Coeur d’Alene, Lewiston, and Moscow as well as Pullman and Wenatchee, Wash.—all of whom gave up their weekends to serve as mediators and judges for the competition. Boise attorney-mediator W. Anthony Park ’63 generously underwrote the College’s costs for hosting the competition and served as mediator for the final round.

Judges for the final round were Boise attorney-mediator Merlyn Clark ’64, University of Idaho Professor of Business and Economics Jan Rauk and College of Law Professor Richard Seamon. Other competition judges and mediators included Ed Litteneker ’78, Scott Olds ’91, Melanie Baillie, Frances Thompson ’81, Nance Ceccarelli ’07, Randy Fife, Deborah McCormick ’05, Lynn Hossner, Jolene Halladay, Jay Johnson ’77, Romney Hogaboam ’05, Mike Curley, Jennifer Douglass ’02, Greg Dickison ’91, John Sahlin ’84, Dan Lebeau ’06, Nancy Greenwell, Laurene Sorensen, and Dorothy Wiley ’80.

Schools competing included: the University of California, Hastings College of the Law, the University of Utah, the University of Montana, Seattle University, the University of Oregon, and the University of Idaho.

College of Law students Don Gamble, Lauren McConnell, Aaron Tribble and Jessica Kinslow ably represented the College of Law in the competition. They were coached by Professor and Clinical Programs Director Maureen Laflin. Clinical Professor Pat Costello served as competition director. Further information about the ABA competition is available from Professor Costello at costello@uidaho.edu.

Moot Court Team Earns National “Best Brief” Honor

Students Brian Dickson and Andrew Jorgenson received the Best Practitioner Brief Award at the 2011 John J. Gibbons National Criminal Procedure Moot Court Competition at Seton Hall University. Dickson, who received his undergraduate education at Carroll College of Montana, and Jorgensen, a graduate of Idaho State University, also advanced to the Sweet 16 round in the oral argument phase of the national competition. Forty law schools sent teams to the 2011 Gibbons Competition, now in its 18th year of specializing in advocacy on issues of criminal law and criminal procedure. The Idaho students were coached by College of Law Professor Alan Williams, who teaches criminal procedure, evidence, and litigation courses. For more information about the team, contact Professor Williams at afwilliams@uidaho.edu.
Crossroads:  
Law and Public Policy Intersect at the College of Law

IDAHO LAW REVIEW SYMPOSIUM ON “CONJUNCTIVE” MANAGEMENT OF GROUND AND SURFACE WATER

The student editors of the *Idaho Law Review* received accolades for the quality of the Review’s recent symposium on water resources, held in Boise on April 15. The symposium, linked to the symposium issue (Volume 47, No. 1) of the Law Review, attracted a wide audience of judges, practitioners, scholars, and policymakers. Colorado Supreme Court Justice Gregory J. Hobbs, Jr., described the symposium as an outstanding gathering. He asked, “How come professional journals cannot publish on time, and your students got this edition out in time for this gathering? Impressive.” Professor Judith V. Royster of the Tulsa University College of Law characterized the gathering as fantastic and noted Idaho’s “impressive natural resource programs.” Rachael Paschal Osborn, executive director of the Center for Environmental Law & Policy, and adjunct instructor at Gonzaga University School of Law in Spokane, noted, “the University of Idaho natural resource programs and its law students are truly impressive.” University of Colorado Law Dean, David Getches, praised the “excellent program” and environmental scientist Daniel F. Luecke commended the students on their “level of professionalism.”

With the help of faculty adviser Barbara Cosens, the editors – Emmi Blades, Dylan Hedden-Nicely, Michael Whittaker, Ben McGreevy, Allison Blackman, Andy Jorgensen, Amanda Herndon, Renee Karel and Akatie Bilodeau – assembled speakers and scholarly articles on the evolution of “one source” perspectives on water resource policy; water law and policy issues in Idaho, Colorado, Washington, and Wyoming; tribal water resource issues; and the use of hydrologic models in the courtroom. The resultant volume appears destined to be a standard reference in the future. For more information about the symposium, contact Professor Cosens at bcosens@uidaho.edu.

NATIVE AMERICAN LAW CONFERENCE ON ECONOMIC DEVELOPMENT

On March 25, 2011, the College of Law held its annual Native American Law Conference, addressing issues of economic development in Indian country. The conference, titled “Reconnecting Economies: Indigenous Networks and Commerce,” was held at the Menard Law Building in Moscow. Organized by Professor Angelique EagleWoman, the conference featured speakers from Idaho’s principle tribes as well as: Debora Juarez, partner and chair of the tribal practice group at the Williams Kastner law firm in Seattle; Carl Ullman, director of the Water Adjudication Project for the Klamath Tribes of Oregon; and Tonya Gonnella Frichner, North American Regional Representative to the United Nations Permanent Forum on Indigenous Issues. For additional information about the conference, contact Professor EagleWoman at eaglewoman@uidaho.edu.

CROSSING GOVERNANCE GAPS TO PROTECT THE ENVIRONMENT

ROUNDTABLE ON INTERNATIONAL ENVIRONMENTAL GOVERNANCE

From April 29 through the 30th, Professor Anatasia Telesetsky organized a roundtable symposium on International Environmental Governance in Coeur d’Alene. The purpose of the roundtable was to discuss the challenges faced by contemporary international environmental governance agencies. Law professors and experts on this topic from around the country, including College of Law faculty members Dan Goble, Jerry Long, Barbara Cosens and Anatasia Telesetsky, participated in panel discussions. Topics included the gaps between the practice of science and the creation of environmental policy, international policymaking and domestic implementation, state actors and non-state actors in the field of international environmental governance, and International Environmental Governance Reform: Reforming UNEP. For more information about the roundtable, contact from Professor Telesetsky at ateleseisky@uidaho.edu.
Idaho State Bar Recognizes College of Law Alumni

College of Law alumni who have been members of the Idaho State Bar for 50, 60 or 65 years were honored at the Idaho State Bar Annual Meeting held in Sun Valley, Idaho in July, 2011.

This year, all such honorees were University of Idaho College of Law graduates. Several of the attorneys were able to attend. The ceremony recognized: M. Neal Newhouse ‘59, James Blanton ‘51, Judge H. Reynold George ‘51, Judge Gilbert Norris ‘46, Judge Craig Kosonen ‘61, James Givens ‘43, Judge Richard Magnuson ‘51, Kenneth Bergquist ‘50, Judge William Morgan Smith ‘51, Richard McFadden ‘51, and Judge J. Ray Durtschi ‘51.

Also honored at the Idaho State Bar meeting were attorneys receiving Distinguished Lawyer Awards and Idaho State Bar/Idaho Law Foundation Service Awards. Three of four Distinguished Lawyer honorees are College of Law alumni. Those recognized as Distinguished Lawyers for 2011 are: John Evan Robertson ‘75, L. Lamont Jones ‘58, Judge Larry M. Boyle ‘72, and Richard Wayne Sweeney, who graduated from the University of Maryland.

The College of Law alumni who received ISB/ILF service awards included: Sharon McQuade Grisham ‘86, M. Jay Meyers ‘74, Gary Cooper ‘75, Lee L. James ‘93, Paula Landholm Kluksdal ‘97, and John Lezamiz ‘77.

During the fall District State Bar Roadshow meetings, lawyers receiving the Idaho State Bar Professionalism Award and Pro Bono Service Awards will be honored. Again, College of Law alumni are well represented among those who exemplify the best in the profession.

College of alumni receiving the ISB Professionalism Award are: Marc A. Lyons ‘83 (First Judicial District), Doug Muschlitz ’85 (Second Judicial District), Phil Peterson ‘79 (Third Judicial District), Judge D. Duff McKee ‘64 (Fourth Judicial District), David H. Maguire ’77 (Sixth Judicial District) and Katherine S. Moriarty ’91 (Seventh Judicial District).

The College of Law alumni receiving the Pro Bono Award include Chip Giles ’11, Danielle Scarlett ’99, Taylor Mossman ’06, M. Lynn Dunlap ’84, and Robert Harris ’04.
College of Law Launches “Business Law Gems”

Under the guidance of Professor Wendy Gerwick Couture, students at the College of Law have launched a website, www.business-lawgems.com, containing summaries of business law opinions issued by the federal and state courts of the gem state. The mission of the website is to provide a service to Idaho lawyers and business leaders by informing them of newly issued business law opinions affecting their practices or enterprises. The website also serves to enhance the education of University of Idaho business law students on the importance of staying abreast of relevant case law and how to summarize opinions concisely and clearly.

Topics covered by the initial postings to the website include contracts, employment, insurance, real estate, property security, statutes relating to business and commerce, and business-related torts. The cases are synopsized and searchable by subject or author.

Couture, a former business law practitioner in Dallas who joined our full-time law faculty at Boise in 2010, will serve as the website’s editor-in-chief. She teaches Securities Regulation, Property Security, Negotiable Instruments, and Business Associations. She received her B.A. degree summa cum laude at Duke University, and her J.D. degree summa cum laude at Southern Methodist University. The 2L and 3L students who will serve as the founding board of contributing editors in 2011-12 are Jeff Butler, Jane Gordon, Aaron Hooper, Luke Howarth, Renee Karel, Scott Lindstrom, Van Lityouvong, Ky M. Papke, Brian Schlect, Nolan Sorensen, Jeff Street, and Brad Sweat. The Business & Corporate Law Section of the Idaho State Bar has donated funds for a law student to assist Couture in her editing duties. Couture herself donated start-up funds for the project.
Two College of Law Graduates Sworn in as Las Vegas Court Justices

Two University of Idaho law school graduates marked their investitures as justices of the peace for the Las Vegas Township Justice Court on Feb. 4, 2011 in Las Vegas. Judges Suzan Baucum and Conrad Hafen took a ceremonial oath of office and received their judicial robes. The judges have already taken the bench and have been handling cases since Jan. 3.

Judge Baucum received her law degree from the University of Idaho College of Law in 1988, where she served as the Notes and Comments editor of the Idaho Law Review. “Being sworn in as a judge is the culmination of my years of work in law and my education, which was a very important step along the way to this accomplishment,” she said.

Judge Hafen also graduated in 1988. While attending law school, he made Law Review and was also the Notes and Comments editor of the Idaho Law Review. “I am proud to represent my alma mater as a judge. What I learned in law school helped launch what has been an extremely fulfilling career for me,” he said.
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With an average enrollment of just 350 students, Idaho provides personal attention and a wide range of practical experiences. Our alumni serve the State of Idaho and the region in law, business and public service.