DEAN TO RETIRE
Wolfman To Return
After Sabbatical

LAW ALUMNI DAY
April 18th
The Dean's column in this issue of the Journal takes the form of an address which he delivered on December 20, 1974 to the Young Lawyer's Section of the Philadelphia Bar Association.

Watergate and its aftermath have made all of us and all of thinking America look inward and reflect. I would like us today to be a bit reflective, and although my theme will not be one I am voicing for the first time today, I think it is worthy because it does not point to scapegoats nor to easy answers, and because all of you have to help find the hard answers.

Very often when we speak with each other about society and its structures we talk about "the system", its viability and its endurance. We do so as though there were a single, unitary system, and that that single system either fails or succeeds. In my view, the conception of a single system oversimplifies both our problems and our possibilities, and it understates the greatness and the potential which we call America. We do not have but a single system. We are rather dependent upon a complex of at least three major systems which are independent of each other while each sometimes feeds upon, sometimes nourishes, sometimes attacks the others. The extraordinary strength of our society shows in its resilience, in its ability to endure and recover from tragedy when one of the three major systems lets us down and, indeed, when even a second system fails to perform at optimal level, as long as the third system remains functional, dependable and credible.

We have a system of morality. It is the one which speaks to our fundamental values, to our concept of equality and to the rights of our fellows, the system which speaks to human decency and universal brotherhood. The political system is the one which we rely upon for implementation of our day-to-day objectives, the system we depend upon to implement the ideals expressed in our moral system, and to provide us with a hospitable environment in which each person can seek fulfillment and peace. The legal system is corollary to both the moral and political systems and without which neither of the others would have substantial continuity, stability and opportunity for development. The legal system assures us, or should assure us, that the reasonable expectations that grow out of our moral system and are given societal sanction in the political system, will be fulfilled. It guarantees that a remedy exists for the breach of the duties imposed on people by the politically selected government, one which should be seeking to achieve the ideals of the moral system. It guarantees that the law will prevail.

It was very easy after the early post-Watergate exposures, the impeachment hearing, and more recently during the trial of the Big Watergate Five for many people to lay the blame on the law and lawyers and the legal system. Indeed, many people found it easy and self-satisfying to accept the notion that but for the defalcations of the lawyers whom they always knew were not to be trusted, everything would be right and rosy.

I do not for a moment contend that the ethical level of every member of our profession is exemplary. It is not. The ethical standards of many of those lawyers who held high political office in Washington is deplorable. But is it the legal system that failed, that produced the malaise, the lack of confidence in government, the pangs of conscience, and the growing worry which we all feel for America as we knew it and, more important, as we want it to be? I think not. Indeed, I think that the failure of our political system has been so great and the impairment of our moral system so severe that it is only because of the success of our legal system, its independence, its dependability and its credibility, that our society endures today, and that without revolution, without major upheaval, we may see our way through to the rebuilding of our political system and to the redevelopment and articulation, and perhaps even to the implementation of the values of our moral tradition.

Needless to say, I do not wish to appear partisan or narrowly political. But I think it is only partisan and political to ignore the fact that the failures in Washington, the loss of confidence in our leadership, the corruption, are all a product of the failure of our political system.

We had come to expect our elected President and Congress to act lawfully, to create a government that would set about to satisfy the yearnings of the nation. But we the people, lawyers and non-lawyers, seem to have made a mistake, a political mistake, in providing (Continued on page 16)
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All communications should be addressed to the Editor, Law Alumni Journal, 3400 Chestnut Street, Philadelphia, Penna. 19174.
Bernard Wolfman, '48:
Resigning as Law School Dean.

Martin Meyerson, President of the University, has announced the resignation of Bernard Wolfman as Dean of the Law School, effective June 30, 1975. Dean Wolfman will remain on the Law School faculty in the Kenneth W. Gemmill Professorship of Tax Law and Tax Policy.

“Dean Wolfman has served his students, his faculty, his University, and his profession with the greatest distinction. Provost Stellar and I accept his resignation only with the deepest regret, knowing the importance of those personal demands which now require a greater share of his time and secure in the knowledge that his teaching and scholarship will continue to enrich our University,” Meyerson said in making the announcement.

Wolfman plans to spend the 1975-76 academic year on sabbatical leave as a Fellow at the Center for Advanced Study in the Behavioral Sciences in Palo Alto, California, where he will work on a proposed revision of the corporation/shareholder provisions of the Internal Revenue Code.

In a statement to faculty and students of the Law School, Wolfman said: “I have found my work as Dean very satisfying and stimulating. It is a rare opportunity that I have enjoyed in serving a faculty and student body that are second to none. This school makes an enormous impact on the world of legal education and the law, and I have been specially privileged to be its Dean. I will continue to feel privileged when I return to full-time teaching and scholarship in your colleagueship.”

Wolfman has been a professor on the Law School faculty since 1962 and was appointed Dean of the Law School in 1970. While serving as Dean, he has continued his teaching and scholarship in the field of taxation. Before joining the faculty, he had been a member of the Philadelphia law firm of Wolf, Block, Schorr and Solis-Cohen since 1948. He served as visiting professor of law at Harvard University in 1964-65 and at Stanford University in 1966.

While a member of the Law School faculty, Wolfman served as general counsel of the American Association of University Professors from 1966 to 1968 and was a consultant on tax policy to the U.S. Treasury Department from 1963 to 1968. He was a member of the advisory group to the U.S. Commissioner of Internal Revenue in 1966-67. He is author of the book, Federal Income Taxation of Business Enterprise, and has published numerous articles in the field of tax law and tax policy.

He serves as chairman of the Committee on Taxation and its Relation to Human Rights of the American Bar Association’s Section on Individual Rights and Responsibilities. Wolfman is also vice-chairman of the International Legal Education Section of the World Peace Through Law Center. He serves as a member of the Philadelphia Regional Planning Council of the Governor’s Justice Commission and on the advisory council of the newly created National Commission on Philanthropy. He was a consultant on the negative income tax for Mathematica, Inc., from 1967 to 1971 and for the Stanford Research Institute in 1970-71. He is a Trustee of The Foundation Center, a member of the editorial board of the law book division of Little, Brown and Co., publishers, and a member of the American Law Institute. He is also a consultant on the American Law Institute’s Tax Project and is a member of the Legal Activities Board of Tax Analysts and Advocates.

Wolfman was elected President of the Greater Philadelphia Branch of the American Civil Liberties Union in 1972. He had been a member of its board of directors since 1965 and now serves on the national A.C.L.U. Board as well. He is also a member of the boards of the Philadelphia Lawyers Committee for Civil Rights Under Law and of the Federation of Jewish Agencies of Greater Philadelphia. He is also a member of the board of directors of the Philadelphia chapter of the American Jewish Committee.

At the University of Pennsylvania, Wolfman served (Continued on page 17)

LAW ALUMNI JOURNAL
Dean Wolfman:
With former Dean Jefferson Fordham.

1974 Roberts Lecturer:
Archibald Cox with the Dean.

Alumni Day:
the Dean's Annual Report.

A Point Is Made: The Dean and Judge Joseph S. Lord, III.
Former Vice Dean James Strazzella:
With the Dean.
The Commission on Revision of the Federal Court Appellate System is currently preparing a wide range of recommendations designed to assure the capability of the Federal judicial system to respond to the needs of the country in the decades ahead.

Tentative proposals include creation of a National Court of Appeals, subject to Supreme Court review, but with the power to bind all other Federal courts; a new role for the bar in the development of rules of practice within each circuit; contingency plans for managing courts of appeals with 25 and 30 judges; and limitations on the right of an appellate court to decide cases without some statement of reasoning or citation of authority.

All this—and more—is being done pursuant to the Act of Congress which created the Commission. The Congressional mandate was broad. First, was the obligation to study the geographical boundaries of the various circuits and to recommend realignment, if realignment were deemed necessary. This was to be accomplished within 180 days. Thereafter, the Commission was to study the “structure and internal procedures of the Federal courts of appeal system” and to recommend such change “as may be appropriate for the expeditious and effective disposition of the caseload,” consistent always “with fundamental concepts of fairness and due process.”

The Congress, in deciding to create a Commission to undertake these tasks acted in response to a felt need. For more than a decade the United States Courts of Appeals—courts of last resort to all but a handful of federal cases—had been a source of continuing concern. During this period they experienced an increase in caseloads unprecedented in magnitude. In Fiscal Year 1960 there were less than 4,000 cases in all the courts of appeal combined; the average filings per judgeship was only 57. By Fiscal Year 1973 there were close to 16,000 cases in these courts and the average filings per judgeship had virtually tripled. Moreover, the caseload continues to grow apace.

This flood tide of appellate filings gave rise to changes in the internal procedures. Opportunity for oral argument was drastically curtailed in a number of circuits. At the same time, the use of judgment orders and per curiam opinions increased dramatically. The cry from the bar was not necessarily for greater judicial productivity, but rather for the courts to take more time with individual cases. The Congress reacted by charging the Commission with careful study both of process and of structure and asked for recommendations concerning the direction in which the federal appellate court system should move.

The Commission consists of 16 members: four from the Senate, four from the House, four appointed by the President and four by the Chief Justice. Senator Roman L. Hruska of Nebraska was elected chairman and Judge J. Edward Lumbard of the Second Circuit, vice chairman. Other members include Bernard G. Segal of Philadelphia, Congressman Jack Brooks, Senator Quentin Burdick, Honorable Emanuel Celler, Dean Roger Cramton, Congressman Walter Flowers, Senator Hiram Fong, Congressman Edward Hutchinson, Francis Kirkham, Senator John McClellan, Judge Roger Robb, Judge Alfred T. Sulmonetti, Professor Herbert Wechsler and Congressman Charles Wiggins. It reports to the Congress, the President and the Chief Justice. The Commission filed its report on realignment last December, recommending creation of two new circuits. One would be established by dividing the Ninth, which today extends from the Arctic Circle to the Mexican border, from Hawaii and Guam to Montana and Idaho. The second new circuit was to be fashioned from the

(Continued on page 18)
New Development Drive
Chairman: Robert M. Landis, '47.

The Law School has passed the two million dollar mark in its drive to raise $7.5 million in new endowment funds. The $2,196,844 received to date represents more than two-thirds of the Capital Development Program's Phase I goal of $3 million. The campaign is on schedule.

The start of the Law School Capital Development Program was announced in November, 1973, with $1,069,311 already in hand. The more than one million dollars that has been added during the past year is a result of the continuing response to the campaign by Philadelphia law firms, members of the Board of Law, the Development Steering Committee, the Faculty, and many individual alumni. Their generosity has enabled the Law School to raise more endowment funding in two years than it had received in its 120 year prior history.

A major gift has established the Kenneth W. Gemmill Professorship in Tax Law and Tax Policy, to which Dean Bernard Wolfman has been named as the first incumbent. A number of special funds and programs have resulted from or been enhanced by the campaign's high level of support. They include: The Morris Wolf Law Review Fund; The Owen J. Roberts Memorial Lecture Fund; The Arthur Littleton for Legal Writing; The Ernest Scott Law Student Financial Aid Fund; The Environmental Law Collections Fund; The Daniel Lowenthal Student Aid Fund; The Ida Russell Cades Memorial Fund; The Thomas A. O'Boyle Visiting Practitionership Fund; and The Frank Fogel Law Student Financial Aid Fund.

Commitments aggregating more than a million dollars have been received from fourteen law firms: Ballard, Spahr, Andrews & Ingersoll; Blank, Rome, Klaus & Comisky; Cohen, Shapiro, Polisher, Shiekman & Cohen; Dechert, Price & Rhoads; Drinker, Biddle & Reath; Fox, Rothschild, O'Brien & Frankel; Montgomery, McCracken, Walker & Rhoads; Morgan, Lewis & Bockius; Saul, Ewing, Remick & Saul; Schnader, Harrison, Segal & Lewis; Shearman & Sterling; Townsend, Elliott & Munson; Wisler, Pearlstine, Talone, Craig & Garrity; and Wolf, Block, Schorr & Solis-Cohen.

Substantial support from alumni and other individuals in the Philadelphia, Washington and New York areas (the only areas solicited to date) has also contributed very significantly to the Development Program's initial success.

The new endowment from the campaign will provide a secure fiscal foundation for the academic gains the Law School has achieved and for those it plans. The funds will be applied in several ways.

An augmented allocation for faculty support will make it possible to increase the size of the Law School's strong and distinguished faculty. Income will also be used for guest practitionerships, guest lecturerships and faculty assistantships.

Research and publication efforts will be bolstered. In the past the primary source of funding and faculty research has been Alumni Annual Giving, and this must be shared with other ongoing programs.

The Biddle Law Library, described as "very good though inadequately supported" by the ABA-AALS, will gain from new endowment. The Law Library's 250,000 volume collection must grow if it is to continue serving the needs and the interests of the faculty and students.

Additional student financial aid is essential. If the Law School is to continue to enroll exceptionally well qualified students, it must be able to offer the financial aid required by almost 50% of the student body.

Finally, the Development Program will offer the Dean a "Turnaround Fund" to permit the exercise of his judgment in meeting (Continued on page 19)
Clyde W. Summers has been appointed the first Jefferson B. Fordham Professor of Law, effective July 1, 1975. Summers is Garver Professor of Law at Yale University, where he has served since 1956.

Summers received his Bachelor of Science degree in 1939 and his Juris Doctor in 1942, both from the University of Illinois. In 1952, he received the Doctor of Juridical Science degree from Columbia University. The University of Louvain (Belgium) awarded him the LL. D. (honoris causa) in 1956.

During the academic year 1945-46, Summers served as a University Fellow at Columbia. He was on the University of Toledo Law Faculty from 1942-49 and on the University of Buffalo Law Faculty from 1949 until he joined the Yale Law Faculty in 1956. He was the recipient of a Guggenheim Fellowship in 1955 and a Ford Faculty Fellowship in 1963.

Over the years Summers’ principal field has been Labor Law. “His contributions to that field through teaching, scholarship, and governmental participation have been outstanding. He has been in the forefront of newly emerging fields such as public employment and the legal problems arising out of the internal affairs of unions. In addition, he has emerged as an intellectual and academic force in the field of Local Government Law. Prof. Summers is the leading active labor law scholar in the U.S. today,” Dean Bernard Wolfman said on announcing his appointment. His publications include numerous articles and several books, including Cases and Materials on Labor Law (co-authored with H. Wellington).

The Jefferson B. Fordham Professorship of Law was created by the Trustees of the University in 1973 in recognition of Jefferson B. Fordham who served as Professor of Law and Dean of the Law School from 1952 to 1970. "It is particularly appropriate that Clyde Summers, with an emerging interest in Local Government Law, be the first Fordham Professor since Jefferson B. Fordham's great scholarly and teaching contributions have been in the field of Local Government Law," Wolfman said. Mr. Fordham, Dean Emeritus of the Law School, is currently Distinguished Professor of Law at the University of Utah College of Law.

Summers is a member of the International Society of Labor Law and Social Legislation, the Order of the Coif, and the National Academy of Arbitrators. He served as an Alternate Member of the Connecticut State Board of Labor Relations from 1967-71; as Chairman of the Connecticut Advisory Council on Unemployment Insurance, 1962-71; as an Alternate Member of the Connecticut Board of Mediation, 1964-68; and has been a Hearing Officer for the Connecticut Civil Rights Commission since 1962. From 1957-59, he served as Chairman of the New York Governor's Commission on Improper Union Management Practices.

Winter 1975
Editors
Audit
Adams
Seminar

The Law School has had some visitors during the current academic year whose usual haunts are considered by most to be a far cry from legal academe. They are the editors of two of Philadelphia's leading daily newspapers—Rolfe Neill of the Daily News and George Packard of the Bulletin. Both men are auditing the seminar given by Judge Arlin Adams, '47, on the First Amendment Freedoms.

The Journal asked Neill for his reaction to the course and he replied:

"I wanted to learn more about the 1st Amendment because I consider it my charter. The press is the most regulation-free utility of which I know and its constraints are virtually limited to those self-imposed. Yet, we have been passing through a period—beginning with the Vietnam war and continuing through President Nixon's resignation—when the press itself is more critically examined than ever before. While its performance is better than ever—and we had a long way to go and still are far short—there is a substantial feeling in our country that we have too much freedom of the press. I want to learn more about the history of thought and writing in our nation. So armed, I hope to better defend those rights.

"I was attracted by the professor. Judge Arlin Adams is a man worthy to give instruction. Since attending the class I have been struck by his Socratic method: He does the steering but the kids do the driving. No one can study our Constitution without an overpowering awe. Nor can you inhale its freedom without a feeling of inadequate gratitude toward those who have defended it, not only on the military battlefield, but in the courtrooms. I am learning as a newspaperman. As a citizen, I feel baptismally refreshed."

Neill, 43, is a native of Mt. Airy, North Carolina. He attended public schools in North Carolina, Mississippi and Georgia, graduating from Columbus High School in Columbus, Georgia in 1949. He graduated from the University of North Carolina in 1954 with an A.B. degree in history. At the University he was the editor of the student newspaper, The Daily Tar Heel, and received the University's outstanding award for journalism his senior year.

Neill served in the United States Army from 1954 to 1956 and was stationed in this country and in Korea and Japan.

On his return he went to work for a weekly newspaper in the mountains of North Carolina and successively worked on newspapers in North Carolina and

(Continued on page 19)

Alumni Events

Are you looking for a way to spend a Sunday afternoon with the kids? Or perhaps you would like to recharge your intellectual batteries by taking a course on an interesting topic. Or maybe you are trying to find a new way to spend an interesting evening at the theater or at a sports event. If any of the above is the case, you will be interested in the new series of wide-ranging activities sponsored by the General Alumni Society. The Society now offers programs geared to the entire family, conducts courses on timely topics, and takes advantage of campus activities such as productions at the new Annenberg Center for the Performing Arts and Big Five basketball.

Alumni who would like to be on the mailing list for

(Continued on page 21)
With interests in business fields such as accounting, foreign trade and taxation, it was only natural that Patricia Ann Metzer, a cum laude graduate of the Law School's class of 1966, would become a tax and pension specialist.

Miss Metzer, a partner in the Boston law firm of Mintz, Levin, Cohn, Glovsky and Popeo, traces her interests in the business side of law back to her undergraduate days at the University of Pennsylvania.

"As an undergraduate, my favorite courses were accounting and foreign trade. I had always been interested in business—I almost went to Wharton."

"I was interested in foreign service, but didn't want to get an advanced degree in that. Law seemed the best field to enter."

"I acquired my interest in tax while I was in law school," she said.

"I started in private practice at this firm doing pensions. I'm now well-known in this city as an expert in the pension field."

Some typical assignments for Miss Metzer include drafting pension plans for corporations; structuring deals like estate planning, stock redemption and the acquisition of businesses; planning how a company acquiring another business can mesh together several pension programs; working out bank financing transactions, and dealing with unemployment compensation cases.

Within the past year, she has been a panelist for the Federal Tax Institute of New England, and a speaker on pensions to the Boston Estate and Business Planning Council, Massachusetts Bankers Association, and West-East Bag.

Last spring, she developed and taught a course on "Tax Questions in General Practice" for Boston College Law School's Program for Continuing Legal Education. The course was so successful that it probably will be given again this year.

She also is a lecturer for Northeastern University's Course on Deferred Compensation for C.L.U.'s.

Miss Metzer was admitted to the Massachusetts bar in 1966 and the District of Columbia bar in 1972.

She is a member of the American Bar Association (Employee Benefits Committee, Section on Taxation); Massachusetts Bar Association; Boston Bar Association (Committee on Legislation and Regulations, Taxation Section), and the American Pension Conference.

A member of the Board of Managers of the Law Alumni Society, Miss Metzer was instrumental in setting up a northeast regional association.

"Thirty attended the first dinner meeting we held in Boston—we had representatives from nearly every state in the region."

"We ran another last year, and again had about 30 people from a good cross-section."

"There is a sense of loyalty to the University of Pennsylvania, and a keen realization that our rival here is Harvard. We have to stick together!"

One thing that she likes about being a member in her law firm is that it is small enough that she handles more than just tax and pension matters.

"You can't be a good tax lawyer, in my opinion, unless you know the ins and outs of general practice. You can't work in a vacuum."

Miss Metzer says her days often run from 9 a.m. to 9 p.m., but "there just aren't enough hours."

Despite her heavy schedule of working, teaching, speaking and writing, she still finds time for some of her wide-ranging interests.

"I'm an opera singer," she says. "I began taking lessons in high school. I'm a member of the Handel and Haydn Society, one of the leading groups in the area."

She has advanced to the point that she is occasionally doing solos.

The walls of her office reflect two other interests—she paints watercolors and is an amateur photographer.

Miss Metzer is also the author of a number of articles that have appeared in such journals as Tax Law Review, University of Pennsylvania Law Review, Taxation and Taxes.

Winter 1975
In many ways, Faith Ryan Whittlesey '63 is an exception. She is a female in politics, one of only a handful of women who have served in the Pennsylvania House of Representatives. She is a Republican from Delaware County, home of the infamous War Board, that rusting monument to the suburban Philadelphia county's century-long submission to GOP rule which has recently come under increasing attack from all sides. Yet the broadsides have failed to touch her. From press and public alike she has received high grades for her dedication and independence. And, despite the freckled face and the soft voice, she is a tough-talking conservative who enjoys nothing more than a good fight.

One such fight came toward the end of the 1973-1974 legislative term. Minority Leader Herbert Fineeman (now Speaker) introduced a bill abolishing all forms of electronic eavesdropping by state and local law enforcement officials. Observers watching Fineeman twist arms felt it was obvious that the Philadelphia Democrat very much wanted that bill passed. Those same observers say that it is one of the few immutable rules of the Pennsylvania Legislature that when Herb Fineeman wants something, he gets it. He fights and, almost invariably, he wins. Those few brave souls who have attempted to block his path reportedly feel the full fury of his wrath. In short, Fineeman epitomizes one of the oldest political axioms, according to Harrisburg watchers. He never forgets his friends and he never, but never, forgets his enemies.

Unimpressed, Faith plunged in. On at least four occasions she took the floor to attack the bill, arguing that its passage would severely cripple law enforcement efforts to deal with drug pushers and corrupt public officials. While others clung to the safety of their seats, or avoided the chambers completely, the freshman rep went toe-to-toe with the Minority Leader. When it was over, Fineeman had won. But the struggle had taken its toll. The Governor hesitated before signing the bill into law and when he did, he was attacked by his hand-picked Attorney General and Special Prosecutor.

Faith refuses to take any bows for her action. “It was no big deal,” she said. “It was simply a bad bill that had to be opposed. When it comes to law enforcement, I'm very conservative. There's no doubt in my mind that this law will handcuff and frustrate the efforts of our police.”

Faith Whittlesey was not always a conservative. She once was, as she puts it, a “knee-jerk liberal.” A native New Yorker, she attended Wells College on a full scholarship, graduating cum laude. At the Law School, which she also attended on scholarship, she was awarded a Ford Foundation grant to attend The Academy of International Law at The Hague.

Her first job was a teaching stint at Bok Vocational High School in Philadelphia, duty which ranks somewhere between a tour in Viet Nam and crashing a Roofers Union picket line. After a year's clerkship for a federal district judge, she served as a Special Assistant Attorney General assigned to the Department of Welfare and an Assistant United States Attorney for the Eastern District of Pennsylvania.

The 1972 Republican primary in the 166th Legislative District was one of the most unusual in the history of Delaware County. For the first time in anyone's memory, the county GOP leadership, known as the War Board, did not endorse a candidate, declaring an open primary. Six candidates entered the lists. Only one was a woman. The woman won, garnering almost fifty per cent of the vote. The November election was easy and anticlimatic. With party support and the Nixon landslide, Faith went to Harrisburg in a walk.

From the day she took her seat for the first time, Faith has displayed little reluctance in speaking out. “One of the things I enjoy about the House is the unstilted atmosphere,” she said. “There are no club rules and a freshman has as much chance to participate as anyone else.”

Another reason for Faith's willingness to participate (Continued on page 20)
Forty-eight graduates of the Law School are serving as law clerks in the current academic year. They include:

**UNITED STATES SUPREME COURT:**

Associate Justice Byron R. White
John W. Nields, Jr.

**UNITED STATES COURTS OF APPEALS:**

*District of Columbia*
Judge David L. Bazelon
Jonathan Z. Cannon

*Third Circuit*
Judge Arlin M. Adams
Thomas A. Donovan
Nina Segre
Judge John Biggs, Jr.
Joel M. Hamme
Judge Max Rosenn
Myron H. Selter

*Fifth Circuit*
Judge Irving L. Goldberg
Christopher R. Lipsett
Judge John Minor Wisdom
David O. Lehman

**UNITED STATES DISTRICT COURTS:**

*California*
Judge William B. Enright (Southern)
Melanie R. Aronson
Judge Oliver J. Carter (Northern)
Robert H. Aronson

*Delaware*
Judge Caleb R. Layton, III
Robert S. Schwartz

*Maryland*
Judge Frank A. Kaufman
Donald B. Lewis

*New York*
Judge Edward Weinfeld (Southern)
Kevin T. Baine

*North Carolina*
Judge Franklin T. Dupree (Eastern)
Robert G. Nath

*Pennsylvania*
Judge Edward R. Becker (Eastern)
Louis E. Bricklin
Judge Herbert A. Fogel (Eastern)
Carl R. Roberts
Judge Joseph S. Lord, III (Eastern)
Donald S. Bronstein
Judge Alfred L. Luongo (Eastern)
Ian M. Comisky
Judge Clarence C. Newcomer (Eastern)
Joseph F. Roda
Judge A. Leon Higginbotham, Jr. (Eastern)
Edward Dennis

*United States Tax Court:*
Judge C. Moxley Featherston
Jack M. Feder
Judge Charles Simpson
Jeanne E. Gorrisen
Judge Theodore Tannenwald, Jr.
Alan T. Cathcart

*United States Court of Claims:*
Judge Robert L. Kunzig
W. Robert Kemp

**STATE COURTS:**

*Chancery Court of Delaware*
Jane S. Kimball

*Court of Appeals of Maryland*
Justice John C. Eldridge
Michael R. Malloy

*Supreme Court of New Jersey*
Justice Lawrence Bilder
Daniel P. Reynolds
Justice John F. Gerry
Richard S. Weiner
Justice Nathan L. Jacobs
Stephen H. Fried

*Superior Court of New Jersey*
Judge Arthur Dwyer
Stephen P. Deitsch
Judge Samuel A. Larner
Robert W. Kaufman

*Court of Appeals of Oregon*
Judge Jacob B. Tanzer
Steven G. Scott

*Supreme Court of Pennsylvania*
Justice Michael J. Eagen
Gerald J. Butler
Gary A. Korn
Justice Robert N. C. Nix
Frederica A. Massiah

(Continued on page 22)
Bradway
'Dean' Of Teachers

Over 80 graduates of the Law School are now engaged in full-time teaching according to a recent survey.
The dean of this ever-growing corps of legal educator-scholars is John Saeger Bradway, ’14.

Professor Bradway has long been the Law School’s oldest alumnus in full-time law teaching. Now, at age 84, he has become emeritus at California Western whose Law Review has dedicated an issue (Winter, 1974) in his honor.

Bradway’s career of service, publication and teaching is rather remarkable with an impressive tribute, factually detailed, appearing at 10 Calif. West. L. Rev. 219.

In the formative years of “legal aid,” he was in the forefront, taking bitter attack from his faculty colleagues and accusation of disbarable conduct by the Secretary of the Pennsylvania Bar Association.


Other Law School graduates engaged in full-time teaching include:

LL.B./J.D.

Alexander, George J., Univ. of Santa Clara School of Law (Dean)
Amsterdam, Anthony G., Stanford Law School
Aronstein, Martin J., Univ. of Pennsylvania Law School
Bachmann, William A., University of Akron School of Law
Becker, Lewis, Villanova University School of Law
Becker, Loftus E., Jr., Univ. of Minnesota Law School
Breger, Marshall J., University of Texas School of Law
Burke, D. Barlow, Jr., American University
Champlin, Linda K., Ohio State University College of Law
Choper, Jesse H., Univ. of California School of Law, Berkeley
Cogan, Neil, Southern Methodist University School of Law
Cohen, Arnold B., Villanova University School of Law
Cohen, William, Stanford Law School
Cole, John O., Mercer University Law School
Conard, Alfred F., University of Michigan Law School
Cowan, Thomas A., Rutgers Univ. School of Law, Newark
Deaktor, Darryl, University of Florida Law School
Eldredge, Laurence H., Univ. of California School of Law, Hastings
First, Harry, Univ. of Toledo College of Law
Fisfis, Nick S., Duquesne University School of Law
Foote, Caleb, Univ. of California School of Law, Berkeley
Glenn, Peter G., University of North Carolina Law School
Goldberg, Carole G., UCLA School of Law
Goldberg, Ira, Rutgers Univ. School of Law, Camden
Goldberg, Pamela P., Rutgers Univ. School of Law, Camden
Goldman, Roger L., St. Louis University School of Law
Goldstein, Gersham, University of Cincinnati College of Law
Goldstein, Stephen R., Univ. of Pennsylvania Law School
Goodman, Lois, Syracuse University College of Law
Hachenburg, Robert, Temple University School of Law
Ingram, Germaine, Temple University School of Law
King, Joseph J., Jr., University of Tennessee College of Law
Laub, Burton R., Dickinson School of Law
Leech, Noyes E., Univ. of Pennsylvania Law School
Levin, A. Leo, Univ. of Pennsylvania Law School
Levin, Leonard, Villanova University School of Law
Levy, Robert J., Univ. of Minnesota Law School
Liaacouras, Peter J., Temple University School of Law (Dean)
Lombard, Frederick K., Wayne State Univ. Law School
Lovitch, Fred, University of Kansas Law School
Mandel, Jack K., Western State University College of Law
Orcell, Leonard, University of Connecticut School of Law
Owen, David G., University of South Carolina School of Law
Paul, James C. N., Rutgers University School of Law, Newark
Posel, Sidney, Rutgers Univ. School of Law, Newark
Reitz, Curtis R., Univ. of Pennsylvania Law School
Ruben, Alan Miles, Cleveland-Marshall College of Law
Saltzburg, Stephen A., University of Virginia Law School
Schwartz, Louis B., Univ. of Pennsylvania Law School
Schwartz, Murray L., UCLA (Dean)
Sharlot, M. Michael, Univ. of Texas School of Law
Shiekman, Laurence Z., Florida State Univ. College of Law

(Continued on page 22)
Following his graduation from the Law School and admission to the District of Columbia Bar in 1949, Jim Hyde joined the staff of the Legislative Reference Division of the Bureau of the Budget, an element of the Executive Office of the President.

He has served continuously and with distinction with that agency and its successor organization, the Office of Management and Budget (OMB). From an initial assignment as a legislative analyst, he has risen to the second highest position in the division—that of Deputy Assistant Director for Legislative Reference as well as Chief of the branch responsible for defense, international, natural resources, environmental, and energy legislative affairs.

One of the principal policy-making functions of the President is the formulation of recommended legislation to the Congress and the development of Administration positions on the hundreds of bills introduced each session by members of the Congress. Under Presidential directives that have been in force since President Franklin D. Roosevelt's administration, the Executive Agencies when proposing legislation to the Congress or when preparing positions on Congressionally-sponsored bills, must first obtain clearance of their proposals or positions from OMB acting on behalf of the President and the administration. Within OMB, the Legislative Reference Division has staff responsibility for these functions.

In carrying out his responsibilities as Deputy and Branch Chief, Jim Hyde supervises the OMB staff in reviewing Executive Agency legislative proposals and positions, obtains the view of other interested agencies, and makes recommendations to the Director of OMB and to senior White House staff members. Since the Truman Administration, he has worked closely with members of the White House staff as well as with Cabinet officials and other agency officials at the Secretarial level and below.

During his 25 years with the Bureau of the Budget and the OMB, Jim Hyde has had staff responsibility for review and clearance of the annual Defense Department Legislative Program as well as for the Defense Department positions on the many bills considered during each session of Congress by the Armed Services Committees. For most of this period, he has served as the staff officer for obtaining White House and Presidential decisions on major departmental proposals, frequently developing and negotiating key compromises to solve the basic issues. For example, during the Eisenhower Administration, he worked regularly with General A. J. Goodpastor, White House Staff Secretary and Military Liaison Officer with the Defense Department, in determining the compatibility of the many Defense Department proposals with the President's overall legislative program. He has chaired scores of meetings involving senior civilian and military officials of the Defense and Military departments to work out problems and develop bills which the President could approve. This has sometimes involved trips to the field, such as his visit to the then Superintendent of the Military Academy, General W. C. Westmoreland, in connection with the preparation of legislation to expand the size of the academy.

A few of the more important Defense proposals where he performed the above-indicated functions include:

— A series of bills over many years designed to increase military pay, allowances, and benefits
— Establishment of the Air Force Academy and later authorization for the expansion of that Academy and the Military Academy
— The Armed Forces Reserve Act
— The Dependent Medical Care Act
— Omnibus revisions of the ROTC laws and programs
— Proposed omnibus revisions of the Officer Personnel Act (the so-called Bolte bill)
— Various changes in the Selective Service laws
— The Retired Servicemen's Family Protection Plan and the successor Survivors Benefit Plan
—A series of bills to alleviate the World War II officers’ “hump: in the Army, Navy, and Air Force
—A series of revisions to the Uniform Code of Military Justice

Basically, Jim Hyde has played a key Presidential staff role in the formulation of much of the major legislation the Defense Department has submitted to the Congress in the past quarter-of-a-century.

While he is still responsible for Defense legislation as well as the lesser volume in the international field, Jim Hyde has assumed increased responsibility in recent years for domestic legislation, primarily that affecting the Interior and Agriculture Departments and more recently the Environmental Protection Agency and the Federal Energy Office. Some of the principal bills he has handled in this area, in much the same role as with Defense proposals, include:

—The Clean Air Act
—The National Land Use proposals
—Revision of laws governing leasing of minerals on Federal lands
—The Noise Control Act
—Pesticide regulating legislation
—Numerous National Park proposals
—Numerous bills authorizing river and harbor and irrigation projects
—The Alaska Native Claims Act
—Legislation implementing international conventions on oil spills
—The Alaska Pipeline Act
—Power plant siting proposals

In recognition of his role in the legislative field, Jim Hyde has received letters of appreciation from several Presidents, most recently from President Nixon for work on the administration’s environmental legislation.

In 1958 he was nominated for receipt of the Arthur S. Fleming Award. This year he has been nominated for the third time to receive the highly prestigious Rockefeller Public Service Award in the field of International Operations. In 1959 he received the Blinded Veterans Association Award and in 1968 he was presented the U.S. Civil Service Award for Exceptional Service. In acknowledgement of his key role in the formulation of defense and international legislation, Jim Hyde was sent to the National War College in 1955-1956.

In March, Hyde will be presented with the “Castle Award” by the Washington, D.C. West Point Society. The award will be presented on the anniversary of the founding of West Point by Sylvanus Thayer.

Hyde received his B.S. from West Point in 1942 and his M.A. in International Affairs from George Washington in 1967.

He was a field artillery officer with service overseas during World War II as a member of the 6th Armored Artillery Group (Separate). He was severely wounded at Anzio, Italy in 1944, suffering total blindness, loss of hearing in one ear and grave leg injuries. He retired with the rank of Major in 1947.

Born in Cleveland in 1919, he was a member of the Board of Editors of the Law Review and is a past president of the Law School’s alumni club in Washington, D.C.


**Dean’s Desk**

(Continued from page 2)

ourselves with an Executive Branch that placed itself above the law.

When the country first observed that the Executive Branch had let us down, where did it turn? Congress, a branch of our political system, was unable by its nature to take decisive action, even if it had been clear as to what that action should be. But a Senate committee, composed of lawyers, demanded that the officials of government be made to account to the law for their behavior, and the independent special prosecutor came to office almost entirely because of the Committee’s insistent demand that the legal system perform, a system that had not been handmaiden to the Watergate perpetrators and concealers because a lawyer, John Sirica, serving as judge, would not sit by and allow the court to be used as a legal cover-up of illegal action, of political and moral betrayals. And so, while many were unwilling to accept their own responsibility for the political and moral failures of our Executive Branch, they were excoriating lawyers in general because of the Deans, the Mitchells, the Agnews, the Ehrlichmans, the Strachans, the Kalmbacks, and the others. Yet at the same time the nation was putting all of its faith, all of its hope for stability and for an opportunity at self-correction, in the legal system and in lawyers, in Sirica, in Gesell, in Ervin, in Dash, in Richardson, in Ruckleshaus, in Ruth, in Cox, in Jaworski, and in the lawyers of the House Judiciary Committee. And today we have time to reassess, we have time for dialogue, we have time for hope and for rebuilding because one of our three fundamental systems has not failed, because the legal system, peopled by lawyers with the respect and confidence of the nation, is doing its job. This is possible only because the legal system has maintained an independence and a sense of purpose, because most people want it to work, and because most lawyers are honest and determined to have it work.

And so where do we go from here? Do I suggest that we just sit back and say, “The lawyers are great; America is fine, there are no worries for the future”? Quite the opposite is true; quite the opposite is my message. The legal system is a stabilizing force. Occasionally it provides forward movement and leadership. Occasionally, it is a drag. In the early 1930’s it was the political system that saved our nation after the moral decay of the 20’s and the economic collapse. The legal system,
however, and the Supreme Court in particular, was doing everything it could to impede the effective implementation of the objectives which the people were seeking to express in a vital political process that was led by a group of idealistic and pragmatic leaders. But the political system was effective enough, clean enough, determined enough to win out.

Today the legal system cannot sustain the nation for long, by itself. That is not its role, and it cannot bear that burden. Our political and moral systems require regeneration. Hopefully, the legal system will give us the time to do the work which must be done. And it is only the people who can decide whether the time will be used effectively.

The country began coming apart at the seams in the 60's when the political leadership in both major parties determined to engage us in a war which lacked a moral base and popular support. The internal divisions widened when our extremes of wealth and income began to look to many as intolerable as they were and when the promises of racial equality were abandoned.

And yet, when we Americans saw that inequality, frustration, hopelessness, segregation, ghettos, and starvation produced violence at worst and unease and guilt at best, our reactions were not to do what we could, faster and more effectively than before, to achieve the ideals of our Constitution, but rather to use the political system to elect leaders who would dignify repression and maintain the status quo, who would assure privilege for some and deprivation for many.

We will have fewer Watergates, in my judgment, when we seek political leaders who will not solve our consciences but will prick them, who will come up with hairbrained ideas perhaps, but whose objectives will be humanity and decency. We will ourselves be more comfortable in dealing with our own failures in Watergate, of the United States Supreme Court in particular, was comprised of all faculty members with the rank of assistant professor or higher.

Now in all of this, might there be a particular message for lawyers? I think so. But I do not think it lies alone in their urging that the law schools require courses in legal ethics, as important as such courses may be. It is doubtful that a course in ethics was necessary to tell Mr. Morgan that back-dating legal documents was wrong, or to tell Mr. Kleindienst that lying under oath is wrong, or to tell John Dean and Spiro Agnew the difference between right and wrong, or to tell Richard Nixon anything. And Ruckleshaus, Cox and Ruth are not what they are because of any course they had or did not have. Character is formed long before law school. And it is character, direction, and the needs of society that lawyers are able to discern, if they wish to, and it is to them that society so often looks for guidance. The condemnation of lawyers as a group, if it is justified at all, is justified by the massive failure of lawyers to speak out, to be courageous and bold, to be the conscience that their positions of leadership and trust call for. And this means a conscience in political and moral issues, in business and community issues. It means that we must set a tone; we must set goals; we must point out inequalities and the way to correct them; we must expose privilege and deprivations, vindicate liberty; we must represent clients with fidelity, but we must not identify with the narrow interests of client groups in derogation of the broader interests of society. Failing this, we fail our calling. Failing this, we will not maintain the unique positions of leadership which have been the lawyers'. But we need not fail if we take the time and the trouble to speak out, if we show courage, if we support those who need help, and if we again come to symbolize, and be seen as the symbols of, the principles of liberty and equality that the Declaration of Independence and our Constitution embody.

Resignation

(Continued from page 4)

as chairman of the University's Task Force on Government, a group comprised of faculty, students, administrative officers and Trustees. The Task Force, which functioned from 1968 to 1970, developed a detailed set of recommendations which are the basis for many improvements in the organization and administration of the University. He also served as chairman of the Faculty Senate during the 1969-70 academic year. The Senate is comprised of all University faculty members with the rank of assistant professor or higher.

He holds both the bachelor of arts (1946) and doc-
tor of law (1948) degrees from the University of Pennsylvania. He was awarded an honorary doctor of laws degree by the Jewish Theological Seminary of America in 1971.

In a letter to the Law Board, the Officers and Managers of the Law Alumni Society and the Development Steering Committee Wolfman wrote:

"As you know, I will have been dean of the Law School for five years at the end of the current academic year. For the reasons set out in the enclosed announcement, I have decided to resign as dean on June 30, 1975. The decision was a difficult one to reach, made the more so because of the warm and close relationships I have developed with each of you.

"The Law School has never been in better condition and spirit than it is now. Your participation in its work and its growth are a major reason for this. I look forward to working with you for the balance of this year without let up, and I know you will continue your efforts now and with the new dean, whoever that may be, next year and beyond.

"As you will see . . . I want to return to full-time teaching and scholarship as the Gemmill Professor of Tax Law and Tax Policy. In that role and as your friend and your fellow alumnus I look forward to years and years of continued close association with each of you. And to each of you, my gratitude and my best wishes."

On October 21 the faculty adopted the following resolution in response to the Dean’s announced resignation:

"Considering that:
1. Efforts to convince our colleague Bernard Wolfman that he should continue as Dean have not prospered when confronted with his determination to return full-time to teaching and scholarship, and our disinclination to exert undue influence on one who has given so much of his time, energy and skills to matters of university governance;
2. Bernard Wolfman has served us with distinction, effectiveness, wisdom and friendship as Dean,
3. Bernard Wolfman will continue as a colleague and as a member of the law school community;

Now, therefore, be it resolved by the faculty of the Law School of the University of Pennsylvania that:
1. With a deep sense of loss, but with understanding and gratitude, we acquiesce in our colleague’s decision;
2. The minutes of this meeting shall carry this resolution; and
3. We plan on an appropriate occasion to symbolize and express formally the sentiments and convictions expressed herein."

In a similar vein the Student Academic Committee wrote to the Dean on October 17th:

"As members of the Law School community and of the Student Academic Committee, we are mindful of your years of dedicated service to the university and to the legal community. Although we have not always found ourselves in agreement, we wish to register our appreciation for your service.

"We wish you well in your year of sabbatical and in your future years of teaching here at Penn. And, of course, we look forward to working closely with you for the remainder of this year."

The Consultative Committee engaged in the search for a new dean is composed of the following members:

Louis Pollak, Co-Chairman
140 Law School
Martin Aronstein, Co-Chairman
157 Law School
Frederic L. Ballard, Esquire, Alumni Representative
1035 Land Title Building
Philadelphia, Pa. 19110
Alan Beller, Class of 1976
Martha Field
139 Law School
Vartan Gregorian
116 College Hall
Howard Lesnick
137 Law School
Stephen Shapiro, Class of 1976
Henry W. Riecken
151 Medical Laboratories
Oliver Williamson
522 McNeil Building

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Fifth which has the largest caseload in the country, the largest number of judgeships (15) and which extends from the Florida Keys to the New Mexico border.

No subject has attracted more interest in the work of the Commission than that relating to the need for, and the design of, a new national appellate court. At its hearings last spring, the Commission heard from Mr. Justice Arthur Goldberg, Mr. Justice Tom C. Clark, Judges Henry Friendly, Clement Haynsworth, Shirley Hufstedler and Floyd Gibson, Erwin Griswold, and ABA President Chesterfield Smith. The academic community was also well represented with Law School Dean Bernard Wolfman and Professors Paul Freund, Maurice Rosenberg, and Paul Carrington among those testifying.

The hearings were lively, what with probing questions...
from such interrogators as Bernie Segal, Congressman Wiggins, Dean Cramton, Judges Lumbard and Robb, and in rather subdued fashion, the present author.

The Commission has tentatively decided to issue a preliminary report proposing a seven-man court appointed by the President, with life tenure. It would receive cases by reference from the United States Supreme Court or by way of transfer from any of the regional courts of appeals. Transfer would be particularly appropriate where there already existed a conflict between the circuits, or where it was important promptly to provide a nationally-binding decision on a question of federal, e.g., in the field of environmental law. The Commission was particularly concerned by evidence of repetitive litigation by the government, despite losses in as many as five circuits, in the effort to create an inter-circuit conflict. Hopefully, the new tribunal would make possible effective and efficient resolution of such issues without six to ten years of doubt and indecision, thus contributing significantly to the clarity and stability of the national law. All decisions of the new tribunal would be subject to Supreme Court review, although expedited procedures would be appropriate in cases referred to the National Court by the Supreme Court itself.

Cases decided in the Courts of Appeals without oral argument, with no conference between the judges, without citation of authority or an indication of the reasoning of the court, have become a source of concern to the bar. Hundreds of such cases are decided each year in the Fifth Circuit alone, burdened as it is with the largest caseload in the country. The Commission undertook a survey of the opinion of 3,000 lawyers, each with experience in one of three courts of appeal, to gain the benefit of their views on the use of truncated procedures as a remedy for court congestion and delay. Despite the fact that the questionnaire was detailed and complicated, the rate of return was excellent: well over 60%. In addition, the comments were thoughtful and valuable. Recognizing the diversity in conditions in various circuits and aware that the practicing bar had much to contribute, the Commission is prepared to recommend that each circuit be required to create an advisory committee which would participate in rule-making for that circuit.

Some national standards would nevertheless, be appropriate: oral argument should be viewed as in the norm, although it would not be inappropriate for a court to dispense with it in accordance with local rules. The Commission was more stringent in its view of the need for a court to provide some indication of the reasoning behind its decision in each and every case. If the citation of a single precedent is all that a case requires, at the least this much should be provided the litigants and the bar.

Arlene Fickler, a 1974 graduate of the law school currently serves as a member of the Commission staff.

The Commission plans to issue a preliminary report at the end of February and to hold hearings in Washington and St. Louis during the spring. Thereafter, in compliance with the deadline mandated by the Congress, it expects to file its final report in June, 1975.

Development

(Continued from page 8)

needs and opportunities that are most compelling.

For the accomplishment of these goals the University of Pennsylvania Law School will be dependent upon the generosity of a variety of sources. These include alumni, friends, law firms and all those who believe that the men and women who will be the future leaders of the legal profession must be afforded with an education of unquestioned excellence.

Trustee

(Continued from page 9)

the election to three-year terms, by the members of the three most recently graduated classes, of one member of those classes who received an undergraduate degree and one who received a graduate or professional degree. Alumni in the classes of 1972, 1973 and 1974 were invited to suggest names of possible candidates. A nominating committee of the General Alumni Society selected a slate of six candidates from undergraduate alumni nominees and another slate of six candidates from the graduate-professional alumni nominees. The election by the alumni in these respective groups was concluded on January 7.

In May 1971, the Trustees had authorized the election of Young Alumni Trustees on a trial basis. Elected through that provision to a three-year term which just ended was Arthur M. Larrabee, a 1970 graduate of the Law School. Larrabee is associated with the Philadelphia law firm of Goodis, Greenfield, Henry, Shaiman and Levin. While an undergraduate at Pennsylvania, Burrell was co-captain of the varsity football team and a member of the track team as well as of the Sphinx Senior Honor Society. He received the Bowl Award for his outstanding achievements as an undergraduate student, at the 1969 Hey Day ceremonies.

Editors

(Continued from page 10)

Florida. He left Miami in 1965 to become the Assistant to the Publisher at the New York News, the country's largest newspaper. He was there until 1970 when he rejoined Knight Newspapers, Inc. at the time they purchased the Philadelphia Daily News and The Philadelphia Inquirer from Walter Annenberg. He has been
editor of the Daily News since the beginning of 1970. He is also a vice-president and director of Philadelphia Newspapers, Inc., publishers of the News and Inquirer.

All three daily newspapers in Philadelphia had been losing circulation for some years at the time the Knights bought The Inquirer and Daily News in 1970.

During that time, the Daily News has reversed the trend. "The People Paper," as the Daily News is frequently called, has won numerous awards since the new ownership took over. In 1973 its editorial page was chosen as the best in Pennsylvania. It received the same honor last year when judged by the Philadelphia Press Association.

Whittlesey

(Continued from page 12)

is confidence in her preparation. "I feel that my background as a prosecutor, with the Welfare Department and as a teacher has given me an insight into the problems of our society and our government."

She constantly adds to this background with research, the majority of which she does herself, by choice as well as necessity. "If I am going to fulfill my responsibilities as a representative, it's absolutely essential that I'm prepared," she says. "When I vote on a bill, I want to be familiar with it."

Such preparation has not gone unnoticed. The Philadelphia Inquirer has called her "... one of the best prepared lawmakers in Harrisburg."

Faith views legislative oversight as the main responsibility of a representative. "On both the federal and state level, the legislative branch of government has increasingly yielded its powers and responsibilities to the executive. And it's in this area where I guess I'm most conservative. All too frequently money is appropriated by the legislature to executive agencies to administer programs that have overbroad guidelines. The end result is that these agencies and the executive branch are in effect, making the law—a power that is constitutionally placed exclusively in the hands of the legislature."

As a prime example, she cites the Department of Welfare. It is Faith's opinion that policy decisions made by state Welfare officials are often arbitrary and totally fail to reflect the intent of the legislature.

"Right now there are over 21,000 pending cases concerning welfare fraud, backlogged over a two year period. The law demands that in cases where information is received that a working husband is actually living with a wife who is receiving welfare, an investigation be instituted. Yet the cases are allowed to drag on interminably while the situation continues. In effect, we are surrendering the law to bureaucracy."

Because of her dissatisfaction with the performance of the Welfare Department, Faith was one of the prime movers in calling in Robert Carlson, United States Commissioner of Welfare to review the performance of the department. Carlson's report roundly criticized the department, leading to a controversy which still rages.

One of Faith's proudest accomplishments during her freshman term was in the field of consumer protection, fighting for more stringent regulations regarding the allowable shelf life of milk. Although she sponsored a bill calling for the reduction of the shelf life, she realized that it would be routed to the House Agriculture Committee and allowed to die. Because of this, Faith took the floor and argued for rerouting of the bill to avoid the Agriculture Committee. The bill died, but the publicity raised was instrumental in the Secretary of Agriculture's decision to voluntarily reduce the shelf life.

Serving in the House is not, however, without its frustrations. For Faith, the main one is time. Ideally, she would like to devote all her time and effort to what she considers her main responsibilities: overseeing the functioning of government and dealing with the problems of society on both an immediate and long range basis. Unfortunately, this is impossible.

Faith estimates that most legislators spend two-thirds to four-fifths of their time dealing with constituent requests such as birth certificates and drivers licenses. There are also the required ceremonial functions: presiding at scouting awards, dedications and other similar matters. And, of course, there are the political meetings. Since a legislator is elected every two years, he is virtually always running for office.

She is able to devote more time to what she considers the important issues than most, since Faith is one of the few full-time legislators with no other outside means of employment. Surprisingly, however, she does not advocate requiring a legislator to devote full time to his duties.

"Limiting the outside activities of legislators is not the answer. I feel that diversity of employment of our legislators is an asset, giving a needed balance to the House. Barring outside employment would result in the loss of many competent legislators and open the doors for the political hacks."

Neither does she favor increasing a legislator's term from two years.

"A public official must be accountable to his constituents. If he has to run every two years, he's less likely to forget the needs of the people who chose him to serve."

Faith was candid when questioned concerning her philosophy of voting: whether her vote should reflect her conscience or the views of her constituents. She answered with a story about Abraham Lincoln. While he was serving as a Congressman, Lincoln was asked about his voting philosophy. He responded that he voted his conscience ninety per cent of the time. The other ten per cent of the time he voted according to the wishes of his constituents so that they would return him to Congress, where he would be able to vote his conscience ninety per cent of the time.

"If I favor a certain bill, which I know the voters in my district oppose, I'll try to educate them to my way of thinking. If I'm successful, fine. If not, I have to
decide whether the issue is worth a fight.

Knowing when to fight is crucial to her, and she attempts to avoid the extremes of the always combative crusader, who quickly comes to be written off as a crank, and the political "hack", whose vote is always a matter of political expediency.

Her performance over the past two years has drawn praise from her fellow legislators as well as the press. Republican Floor Leader Robert Butera sees her as a key member of the House and a force in state government for years to come.

"Faith Whittlesey embodies all the qualities of an excellent public servant," Butera said. "She's honest, independent and hard working. If women are going to take a more active part in politics and public life, they could do no better than emulate Faith."

Despite the emergence of the power of women, Faith sees no special significance attached to her sex. Nor does she feel any particular responsibility to the cause of women in general.

"I consider myself a legislator, who happens to be a woman. If I'm going to be judged, it should be on my performance, not my sex. By the very fact that I ran for office, I feel that women should be treated on an equal basis. Naturally, I'm aware that if I perform well, it will reflect favorably on the cause of women, but in no way do I consider myself a militant crusader for women's rights."

The death of her husband, Roger, last March, left Faith a widow at 35 with three small children. The responsibility of raising a family alone, coupled with the constant commuting to Harrisburg and her sixty to eighty-hour work weeks has taken its toll.

"I've had to reduce my life to the bare essentials, my family and my job. There's no time left over for any type of social life, like having a cup of coffee with a neighbor or skiing, which I used to love."

And what does the future hold for Faith Whittlesey? Rocked by unprecedented losses in last November's elections, and faced with the prospect of losing the County Courthouse for the first time in history, the War Board has been searching desperately for new, attractive candidates. Faith has been prominently mentioned as their choice for heading the ticket as a Commissioner candidate.

She may be the local GOP's only hope. As one observer put it, "The War Board has the image of old, corrupt, cigar-smoking men. There's no way that image could be transferred to a young, independent woman. They're crazy if they don't run her."

So far, Faith has remained non-committal. She admits to discussions about her running, but tends to shrug off the idea. "It would require a tremendous amount of time which I might not be able to give. With my children and my job in Harrisburg, a county campaign would probably be too much."

She sounds like she has convinced herself, until the eyes twinkle and she grins. "Of course, it would be one heck of a fight..."
Clerks

(Continued from page 13)

Justice Samuel J. Roberts
David W. Dykhouse
Jeffrey S. Horowitz
Superior Court of Pennsylvania
Judge J. Sydney Hoffman
Wilbur L. Kipnes
Michael Vitiello
Judge Edmund B. Spaeth, Jr.
Kell M. Damsgaard
Raymond W. McKee
Common Pleas of Pennsylvania
Judge Edward J. Bradley (Philadelphia)
Jeffrey L. Staniels
Judge Paul M. Chalfin (Philadelphia)
Miles A. Jellinek
Judge Michael V. Franciosa (Northampton)
Donald W. Miles
Judge David E. Groshens (Northampton)
Barbara K. Foster Moore
Judge Charles A. Lord (Philadelphia)
Marshall J. Jacobson
Judge Clinton Budd Palmer (Northampton)
John A. Makdisi
Supreme Court of Rhode Island
Justice Thomas Kelleher
Jean A. Musiker

Teachers

(Continued from page 14)

Shuchman, Philip, Univ. of Connecticut School of Law
Silver, Jonathan F. L., Columbia Law School
Skilton, Robert H., Univ. of Wisconsin Law School
Sloviter, Dolores Korman, Temple University School of Law
Spivak, Susan, Arizona State University College of Law
Strazzella, James A., Temple University School of Law
TeSelle, John, Univ. of Oklahoma College of Law
Thompson, Samuel C., Jr., Northwestern Law School
Valente, William D., Villanova University School of Law
Van Baalen, Jack, University of Wyoming College of Law
Vetri, Dominick, Univ. of Oregon School of Law
Weisman, Peter, Howard University School of Law
White, Thomas R., 3rd, Univ. of Virginia School of Law
White, Welsh S., Univ. of Pittsburgh School of Law
Winoku, James L., Univ. of Denver College of Law
Wolfman, Bernard, Univ. of Pennsylvania Law School
(Dean)
Yudof, Mark G., University of Texas School of Law

LL.M.
Alexander, Ronald E., University of Akron School of Law
Angel, Marina, Hofstra University School of Law
Bross, James L., Lewis & Clark College, Northwestern Law School
Flackett, John M., Boston College Law School
Freeman, John P., University of South Carolina College of Law
Jacobson, Peter M., McGill University
Johnson, David C., University of Oklahoma School of Law
Knowlton, Robert E., Rutgers Univ. School of Law, Newark
Lorensen, Willard D., West Virginia University College of Law
Mills, Stephen J., University of Michigan Law School
Stern, Donald K., Boston College Law School
Yablonski, Stephen, University of Pittsburgh School of Law

S.J.D.
Kimball, Edward L., Brigham Young University College of Law

* One year at Penn, degree from U.C.L.A.
** Two years at Penn, degree from Stanford.

News Notes

The 1975 Owen J. Roberts Lecture will be held on April 3, 1975. Judge Henry J. Friendly will deliver the lecture on “Some Kind of Hearing.”

The firm of Wolf, Block, Schorr and Solis-Cohen in which the late Esther Brandschain's husband, Joseph Brandschain, L’28, is a partner, has made a gift to the Law School in Mrs. Brandschain’s memory. The gift is designated for the benefit of the Women’s Law Group, a female student group concerned with legal and professional issues affecting women.

As a law student Mrs. Brandschain, '28, was active in the John Marshall Law Club, the then student group for women.

An address entitled “Competition, Regulation and Self-Regulation in the Securities Markets” was delivered by Milton H. Cohen at the Center for the Study of Financial Institutions at the Law School on November 18.

Cohen is a partner in Schiff Hardin & Waite, Chi-
cago, as well as counsel to the Midwest Stock Exchange, Inc. and the Chicago Board Options Exchange, Inc. He was formerly director of the Securities and Exchange Commission's Special Study of Securities Markets, 1963.

William D. Banks, a third-year student at the Law School, died on October 23. His unexpected death shocked and saddened those who knew him. His fellow students and teachers, and his family and other friends have established the William D. Banks Memorial Fund “to keep alive the memory of Bill Banks, a black man, dedicated, sensitive, and committed to the law and its processes as both a foundation for and tools to achieve a humane society.” The assets of the Fund will be used by the Dean to make short-term emergency loans to students of the Law School. The fund has been begun by Wendella P. Fox, Toni Lawson, Robert Lipman, Alan I. Reich, William P. Scott, Anne M. Whatley, Lawrence White and Dean Wolfman.

John E. FitzGerald III, a member of our third-year class has won the Student Essay Contest in Administrative Law sponsored by the Administrative Law Section of the A.B.A. His article, the best of those submitted, has been published in the current issue of the Administrative Law Review at 287: “Mobil Oil Corp. v. Federal Power Commission and the Flexibility of the Administrative Procedure Act.”

The second annual dinner meeting honoring recent graduates and summer law clerks from the Law School was held at Casey’s in Los Angeles on July 11. Those attending included Marshall Rutter, ’59; Harold Beck, ’73; Phyllis Gordon, ’75; Richard Simon, ’69; Arne Holland, ’74; Paul Walker, ’69; Fredric J. Freed, ’61; John Murdick, ’70; Douglas Conroy, ’68; Sandor Mayuga, ’74; Jack Hamilton, ’74; James H. Lyons, ’47; M. J. Snyder, ’66; Dan Clement, ’74; and G. William Shea, ’36.

The Los Angeles branch of the Law Alumni Society also sponsored a party on December 20, this to honor the six graduates of the class of 1974 who were admitted to the State Bar of California that day. The six graduates are Sandor Mayuga, Jackson D. Hamilton, William A. Davis, Daniel Clement, William Thornton, III, and Arnold Holland. Also at the party were Joel Bennett, ’47; Alan Rennett, ’73; Morris Pfaelzer, ’38; Alan Cassman, ’49; G. William Shea, ’36; Harold Becks, ’73, and parent and alumnus William H. Thornton, ’43, who was visiting from New Jersey with his wife, Dorothy.

The first of the Law Alumni Society’s three student parties was held in the Student Lounge of the Law School on November 26, honoring the First Year Class. The reception for third year law students, alumni and faculty was held on January 7 and the reception for second year students was held on February 13.

Winter 1975

Faculty Notes

Professor JAN Z. KRASNOWIECKI was a lecturer in a symposium on the real estate developer/builder in Dallas, Texas on November 11-12. He spoke on land use regulation.

Assistant professor ALEX CAPRON served as co-chairman of a conference on fetal experimentation sponsored by the Genetic Research Group, Institute of Society, Ethics and the Life Sciences January 24-25 in Tarrytown, N.Y. On January 31, he participated in a panel on “Medical Research and the Rights of Subjects and Captive Populations” at the annual meeting of the American Association for the Advancement of Science in New York City.

On February 18-19, he was a discussant in a program sponsored by the National Academy of Sciences in Washington, D.C., and February 24-27 at an international conference on the regulation and control into recombinant DNA in Asilomar, California, also sponsored by the National Academy of Sciences.

Visiting associate professor of law ALVIN C. WARREN, JR. will become professor of law on July 1. A graduate of Yale College and the University of Chicago Law School, professor Warren has taught taxation at the University of Connecticut Law School and Duke University Law School.
Professor GEORGE L. HASKINS, a permanent member of the Judicial Conference of the Third Circuit, attended its annual meeting at Hershey, Pa. in October. On November 2, he presided over the session relating to "Courts in Times of Revolt" at the annual meeting of the American Society for Legal History in Washington, D.C.

In November, Haskins was one of the guests at the special reception at the U.S. Supreme Court honoring the publication of the first volume of the legal papers on John Marshall. As an elected delegate to the American Council of Learned Societies, he attended the annual meeting in New York in January, and was also present at the mid-winter meeting of the Maine Bar Association held in Portland.

Professor ROBERT H. MUNDHEIM spoke on The Expanded Annual Report to Shareholders at the University of California Institute on Securities Regulations in San Diego in January. He is a member of the Board
of Advisors of the Institute. He was elected to the Board of Directors of the Investors Responsibility Research Center at its November meeting. The Center provides information to institutional investors about shareholder proposals submitted to major U.S. corporations.

Professor COVEY T. OLIVER will teach International Public Law at the summer session of Tulane Law School at Grenoble, France in July and August.

Professor RALPH S. SPRITZER notes that in two cases recently decided by the United States Court of Appeals for the Fourth Circuit, which he and professor HOWARD LESNICK argued on behalf of prisoners from the states of North and South Carolina, the court ruled that the due process clause of the 14th Amendment applies to State procedures for determining whether a prisoner shall be granted parole. Bradford et al. v. Weinstein et al.; Jenkins et al. v. Tyler et al. (4th Cir., Nov. 22, 1974). The decision was the first holding to that effect by an appellate court. The cases were prepared with the assistance of students from the Law School's Litigation Seminar.

Dean BERNARD WOLFMAN has been appointed first chairman of the new American Bar Association committee on Taxation and Its Relation to Human Rights. He has also been appointed to the steering committee for the Administrative Conference of the United States' study of the structure and operation of the Internal Revenue Service.

MARTA TARNAWSKY, Foreign Law Librarian in Biddle Law Library, had her bibliography "German Treatises on American Law" published in the International Journal of Law Libraries (November, 1974).

Alumni Notes

1932
HON. ALEXANDER F. BARBIERI, of Philadelphia, a member of the Philadelphia Court of Common Pleas, has been named administrator for all trial and appellate courts in Pennsylvania by the State Supreme Court.

1936
JAMES L. PRICE, of Philadelphia, has been elected president of the Board of Commissioners of Cheltenham Township, Pa. At the annual meeting of the Pennsylvania State Association of Township Commissioners held in June, he was awarded a plaque "in recognition of over 20 years of loyal and devoted services as a Township Commissioner."

1937
EDWARD I. CUTLER, of Tampa, Fla., has been appointed by the Governor of Florida to the National Conference of Commissioners on Uniform State Laws. ERNEST R. VON STARCK, ’37, has been a commissioner since 1968.

BENJAMIN S. LOEWENSTEIN, of Philadelphia, has been appointed a member of the Pennsylvania Human Relations Commission.

1943
BERNARD M. BORISH, of Philadelphia, is chairman of the Public Interest Law Center of Philadelphia, the public interest law firm organized by the Philadelphia Bar Association. He was recently elected Vice Chancellor of the Association, and will become Chancellor in 1977.

1945
JANE MAHADY McIntyre, of Silver Spring, Md., has been appointed chief, Claims Research and Analysis Branch, Directorate of Real Estate, Office, Chief of Engineers, Washington, D.C.

1947
ROBERT M. LANDIS, of Philadelphia, has been chosen president-elect of the National Conference of Bar Presidents, an affiliate of the American Bar Association.

1948
HON. JOHN J. McNEILLY, of Delaware, Judge of the Superior Court of the State of Delaware, has been appointed and confirmed as an Associate Justice of the Delaware Supreme Court.
1949

EDWARD W. MULLINIX, of Philadelphia, has been inducted as a fellow of the American College of Trial Lawyers.

1950

HON. FRANCIS I. BIUNNO, of Philadelphia, was elected to the Philadelphia Court of Common Pleas for a ten year term in November of 1973 and has been serving as a member of the Trial Division.

1951

WALLACE W. ROCK, of San Diego, Calif., has been appointed senior referee, C.V.I.A.B.

1952

J. SCOTT CALKINS, of Harrisburg, Pa., was recently elected president of the Pennsylvania School Boards Association. He was also ranked #1 in senior men’s tennis in both singles and doubles for the Middle States Lawn Tennis Association (Pennsylvania, New Jersey and Delaware) for 1974.

1954

MORTON S. GORELICK, of Melrose Park, Pa., has been appointed a member of the Cheltenham Township School Board.

1958

JOHN W. ROBERTS, of Greenwich, Conn., has formed a new law firm, Roberts & Stewart, P.C., with offices at One Landmark Square in Stamford, and at 19 West Elm Street in Greenwich.

1959

THOMAS B. MOORHEAD, of New Canaan, Conn., has been elected vice president-administration for Beker Industries Corp., of Greenwich.

1961

STEWART M. DUFF, of Swarthmore, Pa., has been elected secretary of Rorer-Amchem, Inc., a pharmaceutical manufacturer.

BERNARD BEITCH, of Philadelphia, and RICHARD R. BLOCK, of Philadelphia, have formed a law partnership to be known as Beitch and Block, with offices in the Robinson Building in Philadelphia. Block notes that he has been selected by Philadelphia Magazine as one of the 75 people to watch in '75.

ARTHUR J. ENGLAND, JR., of Miami, Fla., has been elected a Justice of the Florida Supreme Court. He was formerly with the New York firm of Dewey, Ballantine.

1963

THOMAS E. QUAY, of Bala Cynwyd, Pa., has been elected secretary and a director of William H. Rorer, Inc.

1965

LITA INDZEL COHEN, of Merion, Pa., has been appointed to the Governor’s Task Force for Energy Conservation in Pennsylvania because of her work in preparing the Lower Merion energy conservation program. She was the first woman ever appointed to the Lower Merion Township Planning Commission.

J. JOSEPH FRANKEL, of Eatontown, N.J., was elected mayor of that municipality in the November election. He had previously served as fire commissioner and president of the borough council. He is assistant general counsel of Prudential Insurance Company of America.

LOUIS R. SERNOFF, of Washington, D.C., has joined the Washington, D.C. firm of Baker, Hostetler, Frost & Towers. He had been attorney-advisor to Federal Trade Commissioner Stephen Nye.

MARK E. WINSLOW, of Houston, Texas, has become a partner in the Houston firm of Baker & Botts.

1966

MORTON GOLDFEIN, of Trenton, N.J., has been appointed chief of the Environmental Protection Section of the New Jersey Attorney General’s Office.

GERALD KOBELL, of Potomac, Md., has been appointed deputy assistant general counsel of the National Labor Relations Board. He and his wife Helen have three daughters, Deena, 3, Rona, 2, and Aliza, 1.

GEOFFREY DE Q. WALKER, of Canberra, Australia, has joined the Trade Practices Commission (Australia’s new antitrust enforcement agency) as assistant commissioner, policy and planning.

1967

HARRY D. MERCER, of Cleveland, Ohio, has become a partner in the Cleveland firm of Hahn, Loeser, Freedheim, Dean and Wellman.

MELVYN L. CANTOR and ROBERT L. FRIED-
MAN, of New York, N.Y., have become members of the New York firm of Simpson, Thacher & Bartlett.

ROBERT C. OZER, of Philadelphia, has resumed service as a departmental attorney with the Organized Crime and Racketeering Section of the United States Department of Justice.

1968

MARK G. YUDOF, of Austin, Texas, has been promoted to professor of law at the University of Texas Law School. He is also co-author of *Educational Policy and the Law* (1974).

1969

DENNIS BRABELLE, of Arlington, Va., has become counsel to the Assistant Secretary of the Interior for Fish, Wildlife and Parks.

DOUGLAS A. ELDRIDGE, of Syracuse, N.Y., has been appointed executive director of the Onondaga Neighborhood Legal Services, Inc.

LYNN S. MOORE, of Tuscon, Arizona, announces that she has formed the firm of Moore & Tyson in Tuscon, the first all-woman firm in Tuscon.

1970

HOWARD L. DALE, of Jacksonville, Fla., has become a member of the Jacksonville firm of Mahoney, Hadlow, Chambers & Adams.

1971

WILLIAM J. MOSES, of Philadelphia, has been named to the Board of Directors of the Philadelphia Housing Development Corporation.

1972

KEITH S. ARMOUR, of Rockford, Illinois, has become associated with the Rockford firm of Shultz, Fahy & Street.

BARRY C. KLIKGSTEIN, of Boston, Mass., has joined the Boston firm of Backman and Katz.

1973

SIDNEY A. SAYOVITZ, of Forrest Hills, N.Y., is serving as assistant regional attorney, Office of General Counsel, Department of Health, Education and Welfare in New York City.

1974

FREDERICA MASSIAH, of Philadelphia, has been married to Thomas H. Jackson.

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Roberts Lecture—April 3rd

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Necrology

1902
HON. EDWIN O. LEWIS, Philadelphia, September 18

1903
FANNIE B. WILSON, Rock Hill, S.C., November 8

1906
ROBERT J. EBY, Redington Beach, Fla., August 17

1911
DAVID E. RATTIN, Philadelphia, August 13

1912
HARRY N. BRENNER, Ventnor, N.J., December 10

1913
J. FRANKLIN NUSBAUM, Philadelphia, November 17

1914
CHARLES C. SAVAGE, JR., Havertford, Pa., September 20

1916
JOSEPH L. EHRENREICH, Philadelphia, August 30

1917
GEORGE P. WILLIAMS, JR., Philadelphia, September 2

1920
DONALD H. WILLIAMS, Fort Washington, Pa., September 23

1922
MILLARD K. GOE, Somers Point, N.J., December 22

1928
FRANK BECHTEL, JR., Philadelphia, August 10

1929
HERBERT W. HAHN, Johnstown, Pa., December 17

1930
ESTHER G. BRANDSFAIN, Philadelphia, August 13

1931
CLIFFORD M. BOWDEN, Glen Head, Long Island, July 13

1932
LEONARD F. TURNER, Longport, N.J., September 27

1933
JOHN C. KELLEY, Camp Hill, Pa., Summer, 1974

1939
B. NATHANIEL RICHTER, Philadelphia, November 25

1943
W. LLOYD SNYDER, JR., Lancaster, Pa., November 13

1959
THOMAS A. MATTHEWS, Philadelphia, January 14

1963
R. NEAL RISLEY, Philadelphia, October 3

Winter 1975 27
Don’t Forget!

LAW ALUMNI DAY is

APRIL 18TH

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RETURN REQUESTED