

Spring 1983

## Alumni Forum, Spring 1983 (V.8#2)

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# ALUMNI FORUM

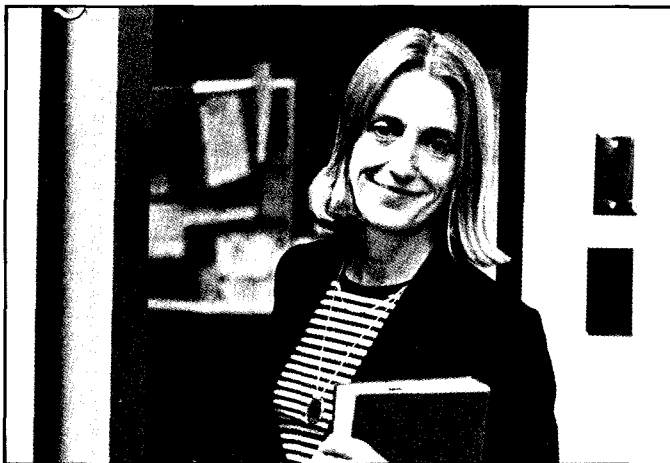
Vol. 8, No. 2

Spring 1983

## McKelvey Elected Next San Francisco Bar Association President

Former dean Judy McKelvey has taken on a new administrative post, President-Elect of the San Francisco Bar Association. The Association of nearly 7,000 members chose McKelvey as its next President. She will take the office in December. McKelvey first became active in the Bar while Dean of the Law School. She thought, "it was extremely important to get involved with the Bar at that time because Golden Gate was not well known in the community."

McKelvey thinks the relationship fostered between the Bar and Golden Gate had a big impact on the Law School: "It has resulted in getting our students better known and in bringing a number of events to the Law School." The President-Elect opines, "Pro bono work should be done by the Law School as much as by the private bar. This type of involvement has a healthy impact internally for a law school. It can provide students with insights into how lawyers function, how quality law is practiced and what kinds of things lawyers can do for their communities."



Judy McKelvey

"The San Francisco Bar Association is concerned with making justice available to the broadest number of people," says McKelvey, who describes it as a "liberal organization imbued with a strong social consciousness." A leading bar association, it was instrumental in lobbying for the retention of Legal Services on a national level, according to McKelvey, and locally was primarily responsible for the creation of the new San Francisco Office of Citizen Complaints (an independent board which hears complaints about police practices).

In a similar vein, the Bar operates a voluntary legal services clinic and a mandatory fee arbitration program (for handling fee disputes between attorneys and clients). The Amicus Committee of the Bar submits briefs on important issues like the death penalty.

Certain aspects of the organization are uniquely pertinent to attorneys. Some examples McKelvey points to are the Lawyer Referral Service and the Barristers Club. McKelvey is very enthusiastic about the Barristers Club which runs inexpensive educational programs for young attorneys (under 37) and those new to the bar, in practice less than 5 years.

The San Francisco Bar is comprised of attorneys from a variety of different firms and practices among whom women and minorities are well represented, according to Professor McKelvey.

McKelvey, who returned this year from a sabbatical, reports she is looking forward to the challenge of her new position and is enjoying her return to teaching. ■

## Dean's Message to Alumni

John P. Wilson, Dean

I am optimistic about the Law School. With the excellent human resources at its disposal, it will continue to improve academically. Concomitantly, despite a reduction in external funding sources, I hope that members of the School community will maintain our record of public service to the bar and society.

Our graduates taking the Fall 1982 California Bar Examination improved the performance of the School in the face of a statewide decline. The most credit, of course, must go to our graduates who took the examination. Credit must be given also to the faculty for the measures it adopted to achieve this result.

My expectation is that the performance of our graduates will continue to improve. The faculty is totally dedicated to this goal. It is vital that we do so, not simply for those involved but also to maintain the reputation of Golden Gate. We are vitally concerned with the placement of our students in a market in which jobs are increasingly difficult to find, and it is important that we demonstrate high competence on the part of our graduates. Maggie Taylor, the Director of Placement, has been working very hard to institute a professional placement operation at the School. A great deal must be done, and to a significant extent she must build her own foundation. She and her assistant, Don Weingarten, have been working long hours this year to provide students with counseling and placement opportunities.

At the same time that efforts are proceeding in the placement area, we are also attempting to develop alumni support for the



## Dean Wilson

(Continued from Page 1)

School. Hitherto, Golden Gate has not had a full-time Alumni Director. Gary Wishniewsky has now been hired and will devote a significant portion of his time to the Law School. It is my hope that we can have more frequent meetings of alumni and develop alumni support and involvement in the life of the School.

This support is critically necessary, because we need to enhance alumni giving in order to develop our financial aid resources. The cost of a legal education is growing every year. At Golden Gate we now charge \$196.00 per unit, and there will be inevitable increases. For full-time day division students in the second or third year, the cost is now more than \$5,000 per year. Many of our students cannot afford this payment without part-time employment, and such employment naturally compromises the quality of their education. More financial aid would assist them in their studies, and that in turn would affect performance on the bar and the placement opportunities available to the graduates of this school.

Everything works together. In the Dean's office priorities must be established, but in the final analysis all operations of the School are interrelated. The curriculum and rigorous teaching affect the quality of our "product", and the quality of our students in turn stimulates placement, loyalty to the institution, greater giving from alumni, more financial aid to attract strong students, and so on. It is a circle that, ultimately, can expand only by pushing at many points on the circumference. This we are trying to do, and we need the active support of our alumni to accomplish it. ■

## Seattle Alumni Prosper

by Linda Ackley



Steve Goldblatt, '77

within the University of Washington's College of Architecture and Urban Planning.

Babette Jones returned to Seattle to live and work after several years of commuting between the Pacific Northwest and the Bay Area on behalf of a San Francisco client. She was working for attorney C. Dan Lange in the City at the time. Jones lived in Seattle ten years before, while finishing her undergraduate degree in Art at the University of Washington. Her earlier years were spent in Michigan and New Jersey. Jones' return to Seattle led her from her general practice/business litigation roots, to the field of construction bond litigation, which she soon grew to love. "I can be an expert in a narrower field of law. It is less harried."

The hiking and skiing to be found in the beautiful Pacific Northwest are another major attraction, says Jones. The others agree. Harry McCarthy says he looks forward to periodic cross-country skiing and hiking trips in the Mount Baker area. The three alums find Seattle a nice compromise: small, but still somewhat cosmopolitan. McCarthy says, "It's great to live and work here. . . especially as a lawyer. There is a very active legal community, and the city is culturally very interesting." Goldblatt

"What's a little rain, a little fog?" Apparently not enough to deter three GGU Law School alumni from searching for—and finding—professional fulfillment in wet and foggy Seattle. They say the dampness reminds them of San Francisco, and makes them feel very much at home.

The three are Babette Jones ('75), now with the Gaines Law Firm; Harry McCarthy ('69), Assistant United States Attorney in Seattle; and Steve Goldblatt ('77), Chairman of the Department of Building Construction

adds, "If it weren't for the depressed Seattle economy, everyone in the country would move here."

McCarthy, who grew up in the Bay Area, was introduced to Seattle when he spent a couple of weeks there on vacation in 1971. He chose to return to Seattle after five years in Washington, D.C., where he worked for Naval Intelligence and later for the U.S. Attorney's Office. McCarthy does white collar fraud and corruption prosecution, as one of three Assistant U.S. Attorneys in the Economic Crime Enforcement Unit. He says that after spending a couple of years working in the Civil Division and doing criminal trial cases, he finds fraud the most fascinating of all, particularly in these economic times. "There are lots of cases now you wouldn't have seen before the economic climate got so difficult. People are taking risks due to money worries, and others are profiting by it."

Meanwhile, Steve Goldblatt says that although he is not a practicing attorney, he feels the teaching opportunity at the University of Washington gives him the best of both worlds. "The university setting is the ultimate, it turns out, with immediate contribution and immediate feedback." Sacramento-born Goldblatt came to Seattle after a couple of years of teaching at Purdue University in Indiana. He now teaches courses such as Contracts, Labor Relations, and Construction Law to students working toward undergraduate degrees in Building Construction. Goldblatt's own undergraduate degree is in Electrical Engineering, from U.C. Berkeley, and his combination technical and legal background is expected to be of considerable assistance in the development of the upcoming GGU Law School Building Codes Conference.

Steve Goldblatt adds that in his spare time he is serving as King County Chairman of Senator Cranston's presidential campaign. ■

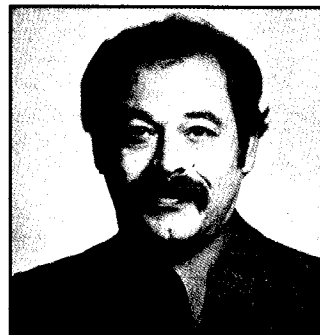
## Wishniewsky Heads Alumni Relations

"Networking" is a vital concept at GGU these days, with the hiring of the University's first full-time Director of Alumni Relations. Gary Wishniewsky came on board in the fall, and has not lost any time in trying to reach out to the law school's 2500 graduates.

Wishniewsky comes to GGU with a management training and marketing background, most recently employed as Assistant Director of the non-profit CARE organization in San Francisco.

The new Alumni Relations Director also expects to complete his M.B.A. degree, with a possible Marketing emphasis, in December of 1984 at GGU. Wishniewsky, first attracted to GGU, as a student, views the University as somewhat in the tradition that fostered experimental programs at Antioch College, where he received a B.A. in Philosophy and Media in 1969. Wishniewsky says he has always wanted to work in higher education, and he feels he has the opportunity to help guide GGU through some very exciting times. "Our programs are accelerating all over the United States, in Korea, and Saudi Arabia. We have a very desirable product."

Wishniewsky has his sights on an active, growing law school alumni association, but he anticipates a two-year long building process before the GGU Law School network becomes a reality. "The momentum is developing," says Wishniewsky. "It's in the self-interest of alumni to become involved—in terms of business contacts, continuing education and general professional development. The degree is just the beginning." ■



Gary Wishniewsky

## The Built Environment: A Proposal for Discussion

by Professor Arnold Sternberg

For at least the past two decades law schools have devoted considerable time and effort to the study of legal protections for the *natural* environment. The regulation of air, water, scenic beauty, the wilderness, endangered species, and open space have been topics of great interest.

At the same time, law schools have also expended considerable resources on researching the legal problems of the urban poor.

Few institutions, however, have concerned themselves with the quality of the *built* environment: its problems of high density urbanization, older cities and their aging infrastructure (water, sewer, traffic and transportation systems) and its impact on the life of city dwellers.

This seeming lack of interest continues to this day despite clear mandates from the courts and the Council of Environmental Quality that the National Environmental Policy Act must be construed to include protection of the quality of urban life.

For those accustomed to thinking about environmental concerns in terms of the "natural" environment, a brief review of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §4321, 4331-4335, 4341-4347 (1976) as it concerns urban or "built" environments is instructive.

At the outset, NEPA requires all federal agencies to anticipate the "environmental" consequences of their actions. See generally, *Kleppe v. Sierra Club*, 427 U.S. 390, 398 (1976).

According to guidelines set a decade ago by the Council on Environmental Quality and the Department of Housing and Urban Development (HUD), the quality of the built environment is one factor to be considered by federal agencies when assessing the environmental impact of their projects.

The courts have interpreted NEPA's scope to be "as broad as the mind can conceive" and to necessarily include "concerns for the quality of urban life." *Nucleus of Chicago Homeowners Assn. v. Lynn*, 524 F.2d 225, 229 (9th Cir., 1975).

NEPA "must be construed to include protection of the quality of life of city residents" as impacted by "profound influences of . . . high density urbanization and industrial expansion." See *Hanly v. Mitchell*, 460 F.2d 640 (2d Cir. 1972); *Hanly v. Kleindienst*, 471 F.2d 823 (2d Cir. 1972).

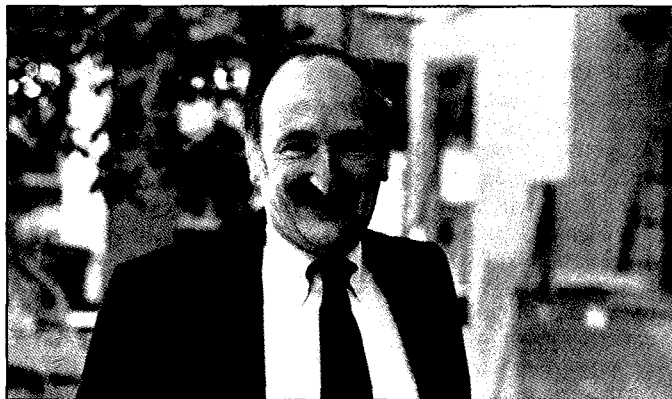
While environmental problems may be particularly difficult to identify in urban areas, at least one federal agency, HUD, the agency most concerned with urban America, has identified factors to be taken into account in assessing the quality of the human environment in its Environmental Impact Statement regulations. These include: noise levels, open space availability, traffic congestion, impact on schools, displacement, geological and other factors. 24 C.F.R. §50.21 (1981). HUD interprets the phrase "human environment" to encompass the impact of the environment on people and their activities in their physical, social, cultural and aesthetic dimensions. 24 C.F.R. §50.3 (1981). If we further refine HUD's interpretation of the human environment so as to focus solely on its physical dimensions, a work program for the proposed Center for the Study of the Built Environment emerges.

Among the legal problems to be addressed by such a Center, the following are offered for consideration:

- Urban growth within a city's political and geographic boundaries; the comparative advantages and disadvantages of building up (high-rise construction) rather than out (urban sprawl).

The special problems of older cities, their physical and financial needs and the fiscal constraints imposed by local, as well as state and federal legislation.

- The problems of controlling or restricting traffic flow within residential neighborhoods.



Arnold Sternberg

- The mitigation measures that might be undertaken by expanding or immigrating commercial, financial and industrial institutions to improve the quality of the built environment.
- The way in which we add to and change the built environment, the impact of building codes and standards on urban life.

Golden Gate's physical location and social characteristics suit it most admirably to the purposes of such a center. In addition, some programs, activities and classes concerning the "built" environment are already under way at the Law School, which has hosted the Land Use Conference for the past three years and this year will host its first Building Codes Conference. (See article on conference, p.3). A permanent policy center would add focus and continuity to the ongoing work in this area and would allow the Law School to emerge as a leader in this area of legal expertise. ■

### Editor's Note:

If you have thoughts or ideas on these or other legal aspects of the physical problems of the built environment, Professor Arnold Sternberg would like to hear from you. Write him at the Law School or call him at 442-7000 ext. 7627.

# Faculty Notes

Professor Bob Calhoun coauthored an amicus curiae brief for the ACLU before the California Supreme Court on the right to privacy in an unlisted phone number and the effect of Proposition 8 on California's exclusionary rule.

In October he spoke at a symposium sponsored by the National Lawyers' Guild on Criminal Law Practice under Proposition 8. The focus of his presentation was the effect of Propositions 8 and 4 on the right to bail.

Professor Rosezella Canty-Letsome was recently appointed BAR/BRI Bar Review lecturer on Community Property.

Professor Mike DeVito is on the board of advisors for an educational television project on pornography. He was recently elected trustee of the Law School Admissions Council.

Professors Michael M. Golden and Neil M. Levy will serve as two of the three editors of a seven volume, 3500-page treatise on California tort law for the Matthew Bender publishing company. Each will continue to serve as an editor of the "California Tort Reporter". The two publications are expected to complement each other, the Reporter serving to update the treatise on a monthly basis.

Professor Myron Moskowitz has been invited to speak on landlord-tenant law at California Municipal Court Judges statewide conference in March and the State Bar Real Property Law Section Conference in April.

Associate Dean Jon Pevna-Manhan has been appointed as an arbitrator for the American Arbitration Association's commercial arbitration panel and has been serving as a volunteer consultant for the State Bar of California developing evaluation tools and procedures for the State Bar's Voluntary Legal Services Program.

He has also been appointed special advisory member to the board of directors of the California League of Alternative Services Programs, a statewide organization that coordinates the community service sentencing programs in California. He is their representative to the Council for a Cleaner California of the State Solid Waste Management Board, a new group being formed by the State to "be an active force in litter clean-up and implementation of projects related to litter awareness."

Professor Drucilla Ramey, a Commissioner for the San Francisco Commission on the Status of Women, is chairing that organization's employment committee which focuses on sexual harassment in the San Francisco workplace, childcare, and the increasing feminization of poverty. She is currently writing a law review article on the use of wrongful discharge tort in employment discrimination cases.

Professor Marc Stickgold presented a paper entitled "A National View of Field Work Programs in Law Schools: A Look Ahead," at the annual conference of clinical and skills training teachers held at the University of San Diego Law School. He was selected as co-chair of the Annual Clinical Conference to plan the 1983 conference.

Professor William Weiner is a referee for the State Bar Courts Hearing Department and a member of the ethics committee of the San Francisco Bar Association. ■

### Editor's Note:

We apologize for the number of typographical errors in the last edition and extend special apologies to faculty members: Dru (not Sue!) Ramey and Marc Stickgold (not Stichgold!), whose names appeared spelled incorrectly in a photo caption.

# Garcia Fundraiser Great Success



Rosa Garcia, wife of the late Judge Louis Garcia, is pictured above between Mayling Low and Justice Harry Low at the very successful dinner held in Judge Garcia's honor last October. The Law School is especially grateful to Mrs. Garcia for organizing the fundraiser.

## Dean Announces Development Objective for 1983

Dean John P. Wilson has announced that the Law School will seek to raise \$200,000 during 1983.

Approximately \$150,000 of this amount will be divided between scholarships and a revolving loan fund, \$40,000 will be utilized for the Law School Library and \$10,000 for equipment. In addition, there will be secondary fund raising priorities to pay for a number of other Law School needs.

This is the most ambitious fund raising program yet launched at the Law School. The largest amount previously raised was last year's \$122,000 total.

Dean Wilson said that the first step is to recruit from the alumni strong chairpersons in both Northern and Southern California. A finance committee will then be formed and asked to commit itself to raising the \$200,000 prior to year end. At that time, or whenever \$200,000 has been raised, the committee will be reorganized and those who wish will be relieved of their duties.

Jack Carter, Fund Raising Director for the Law School, will provide the necessary backup. He has developed a list of top prospects, including alumni, corporations, foundations and friends of the Law School. His office will work closely with the committee to determine direction and strategy, prepare the literature, type letters and arrange solicitations and follow-ups.

Alumni who are interested in contributing or working on the committee, or who might know of a good prospect, are urged to phone Jack Carter at (415) 442-7000, Extension 7554. ■

## To All GGU Law School Alumni!

Under the direction of the Alumni Relations office, the Law School plans to publish an updated Alumni Directory sometime this year. We urgently need your present business address, as well as your area of specialization. Please complete this coupon and return to Alumni Relations, Golden Gate University, 536 Mission St., San Francisco, CA 94105.

NAME \_\_\_\_\_ CLASS YEAR \_\_\_\_\_

FIRM \_\_\_\_\_ PHONE ( ) \_\_\_\_\_

POSITION \_\_\_\_\_ SPECIALTY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

## Professional Association Awards Scholarship to GGU Librarian



Scott B. Pagel, Public Services Librarian at Golden Gate University Law Library, has been selected to receive one of the national scholarships to be awarded by the American Association of Law Libraries (AALL) in 1982-83.

AALL annually awards a limited number of scholarships to individuals planning careers in law librarianship. Recipients are selected on the basis of their academic record and potential

for making contributions to the law library profession.

Mr. Pagel holds an M.L.S. from the University of Michigan and is a second year student in the evening program of Golden Gate's School of Law. He has been employed at the Law Library for two years. ■

## Upcoming Events

May 23, 25, 27 "The Performance Skills Review Course", a three day course will be offered at 9:30 am - 4:30 pm in the GGU Auditorium. Specifically designed to address the new performance section of the July 1983 Bar Exam it will be taught by Peter Honigsberg and co-sponsored by the Law School. Sample performance tests prepared by the Committee of Bar Examiners are available in the assistance dean's office, regardless of course enrollment. Golden Gate grads will receive a discount depending on enrollment. For information and to register contact: Assistant Dean Vivian Walker at (415) 442-7000, ext. 7452.

## Save The Dates

### Alumni Luncheon

There will be an alumni luncheon at the annual conference of the State Bar of California, hosted by former dean Judy McKelvey and present Dean John Wilson. Mark your calendar for September 13, 1983, 12:00 - 1:30 PM, at the Disneyland Hotel in Anaheim.

### Class of '74

The Class of 1974 will hold a CLASS REUNION on Saturday, May 21, 4:00 - 7:00 pm, at Golden Gate University. Approximate cost will be \$15.00 per person; food and beverages will be served. For more information, or to update your address, call the Alumni Office at 415/442-7203. ■

## Alumni Get CEB Discounts

A spring series of CEB video programs will be offered by the San Francisco Lawyer's Club. Through a cooperative arrangement with GGU's Law Library, discount admission will be offered to holders of GGU Alumni Law Library cards and to members of the Alumni Association. The first programs will be shown in March. Watch *The Recorder* for program details. ■

## Alumni Notes

### Class of 1982

*Steven R. Rhoads* has been named an associate in the San Rafael, CA firm of Schaefer, Walker & Murphy.

### Class of 1981

*Gary D. Goerz* has been named manager, risk control/insurance, for Crown Zellerbach in San Francisco, which is one of North America's largest forest products and paper companies.

*Charles A. Pernice, III* has joined the law offices of Arthur J. Jaffee, Los Angeles, a general civil practice, as an associate. He started there in December, 1981.

### Class of 1980

*Maxine Salzman* has become an associate with the New York firm of O'Donnell, Fox, Gartner & Sobolewski.

### Class of 1979

*Ellen M. Singer* is an associate in the law offices of Melvin M. Belli, Sr., San Francisco.

### Class of 1978

*Larry D. Johnson* is an associate with the law offices of Melvin R. Stidham in San Rafael. Their practice is limited to patent, trademark and copyright matters.

### Class of 1977

*Steven M. Goldblatt*, formerly assistant professor at Purdue University, has been appointed Associate Professor and Chairman of the Department of Building Construction at the University of Washington.

*Andrew J. Wiegel* opened his new office as a solo practitioner in San Francisco. He was formerly a senior associate of Kaplan, Levy, Samrick & Bernard. Wiegel is co-editor of the *San Francisco Barrister* and a member of the Barrister's Club elections committee.

*Alan J. Silver* has joined the firm of Blum, Kay, Merkle & Kauftheil as an associate.

### Class of 1979

*Frederick J. Amorose* opened a new office in Redwood City where he will continue his general practice with special emphasis on family law, personal injury, probate and estate planning and real estate law.

*Robert S. Baker* has formed the firm of Adler & Baker in Beckley, West Virginia with alumnus Lee Adler.

### Class of 1975

*W. Bruce Bercovich* has joined the firm of Blum, Kay, Merkle & Kauftheil in Oakland.

*Lee H. Adler* has formed the firm of Adler & Baker in Beckley, West Virginia with alumnus Robert Baker.

### Class of 1974

*Alfons G. Wagner* has become a partner of the firm Munck, Styles, Benson & Skinner in Oakland.

### Class of 1969

*C. Ronald Hyde* of Pleasanton, CA was named by Governor Brown as Municipal Court Judge in Alameda County in November. He was formerly an attorney in Dublin, CA.

### Class of 1959

*Leo Himmelsbach* was elected District Attorney of Santa Clara County in the November elections. He took office in January, 1983. Prior to assuming the position, he had been Assistant D.A. for 10 years. He joined the Santa Clara County D.A.'s office in 1961 as a Deputy District Attorney. ■

## What's Happenin'?

Have we heard from you lately? We'd like to find out about your new job, appointment, promotion, or any articles or presentations you've given. Or, perhaps you'd like to let other alumni know of the events in your private life — marriages, children, whatever. We'll publish it. Send your news to Law School ALUMNI FORUM, Golden Gate University, Second Floor, 536 Mission Street, San Francisco, CA 94105. ■

# Law School Will Host Building Codes Conference

A symposium on Building Codes—the standards to which developers of new homes, apartments and commercial structures must adhere—will be convened at Golden Gate by the Law School on June 10 and 11.

Recent events and legal developments affecting code law have sparked new interest in this often neglected area of the law, according to Professor Arnold Sternberg, who will chair the two-day meeting. Among these are:

- The U.S. Supreme Court decision last October in the "Levelflow" case holding that federal anti-trust laws are applicable to voluntary, code-consensus formulating bodies such as professional engineering and other associations.
- The Kansas City Hyatt-Regency Hotel disaster, the Las Vegas and Reno hotel fires and the collapse of a number of dome-like roof structures such as Hartford's sports arena, all of which have called into question the adequacy of various building codes to provide the health and safety protections they were designed to assure.
- At the federal level, interest in promulgation of a national code, although efforts aimed at creating such a code by both the Federal Trade Commission and the National Institute of Building Sciences have thus far been unproductive.
- The fire prevention codes study being undertaken by the National Fire Protection Association working with the Federal Emergency Management Agency and the ABA's Special Commission on Housing and Urban Development.
- In California, a major issue concerning the use of plastic pipe has been developing over the last three or four years, involving the state building standards commission, industry officials, fire

prevention people and Golden Gate Professor I. n Moskovitz, formerly chair of the state's housing commission (a code-writing body), who is now serving as state hearing officer in the environmental impact process required by state law as part of this products approval process.

- Also on the agenda are discussions of a new housing technology conference convened by HUD and the National Institute of Building Standards last April and HUD-Home Builders demonstration project aimed at reducing and eliminating unnecessary building regulations.

Among the national figures expected to participate in the Conference are: David Dalo, Director of Codes, Standards and Energy Affairs for the National Association of Home Builders; Joseph Sherman, Chief of the Building Technology Division of the U.S. Department of Housing and Urban Development; and Richard Stevens, Vice President for Standards of the National Fire Protection Association.

Working closely with Professor Sternberg in developing the Conference is Golden Gate University Law alumnus Steven M. Goldblatt, now Associate Professor and Chair of the Department of Building Construction, College of Architecture and Urban Planning at the University of Washington in Seattle.

Student assistants include Tim Callahan, P.E. ('84), a fire protection engineer and consultant, and Carla Caratto ('83), formerly assistant field office manager with the federal General Services Administration. ■



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The ALUMNI FORUM is published three times each year by Golden Gate University School of Law for graduates of the school and for all others interested in the school and its affairs.

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