Winter 1986

Alumni Forum, Winter 1986
GGU Student’s Bill in State Senate

It isn’t every day that a second year law student’s classwork is introduced as a bill in the State Senate. But in late January, Senator Nicholas Petris (Dem., Alameda-Contra Costa) introduced the Responsible Server Training Act (SB 1595), a measure which would create a training program for all managers, owners and employees of alcohol retail establishments. The author of the bill is Deborah Kleinman, a full-time student at Golden Gate University who wrote the bill for her seminar in legislation.

The introduction of the bill is a career fantasy come true for Kleinman, who entered Golden Gate to pursue her interest in public interest legislation. The year-long seminar, taught by Professor Arnold Sternberg, requires each student to draft a piece of legislation and prepare a strategy for seeking its legislative approval. Kleinman received assistance in researching and drafting the bill from the Alcohol Policy Initiative Project in San Francisco, which researches alcohol-related problems and policy implementation for prevention programs. Kleinman works part-time as a work-study intern for the project.

Once the legislation was drafted, finding a sponsor in the Legislature was easy, Kleinman says. “We just took it around to several potentially sympathetic legislators. Senator Petris picked it up as soon as we brought it in.”

The bill provides for a sliding scale of mandatory training for bartenders, waiters, store clerks, owners and managers of liquor stores, bars and restaurants where alcohol is sold or served. The length of training will vary, from as little as four hours for a store clerk to 12 hours for managers.

The training will create an awareness of civil and criminal liabilities for serving alcohol in violation of the Alcohol and Beverage Control Act, and will teach servers of alcohol how to detect signs of intoxication among customers, methods of monitoring customer consumption, mixology principles and management techniques.

A main purpose of the bill is to reduce the number of people leaving a drinking establishment with high blood alcohol, a problem most visible when the drinkers drive.

“This is not an alcohol industry bill nor a prohibitionist effort,” Kleinman explains. “The bill recognizes that alcohol is a reality in our lives, and that there is a responsible way to handle it. People can go to a bar, have a good time and leave safely. The training will create an awareness among servers of alcohol that there are, for example, ways to pace a customer’s drinking.”

When asked for specific examples, Kleinman suggests methods as simple as serving non-salty foods with drinks, ending two-for-one sales techniques and encouraging bars to serve non-alcoholic specialty drinks.

Kleinman, who is also a vice-president of the Law School’s Student Bar Association, has a background in health care and women’s issues. She worked for four years as a blood bank drive recruiter before entering Golden Gate. She says that Golden Gate was her first choice in law schools because of its reputation for encouraging re-entry women.

She expects the bill to meet opposition from the liquor industry
and others and she knows better than to expect passage after only the first introduction. As Professor Sternberg explains it, the first introduction is for practice, the second introduction is to let them know it's a serious matter and the third introduction is for passage. But that doesn't deter Deborah Kleinman. She looks forward to learning the nuts and bolts of the process as the bill moves forward through the Legislature and she moves forward through law school.

Letter to Editor

Dear Alumni Forum,

The article "Important Torts Treatise Out" on page 2 of Alumni Forum, Vol. II, No. 1 (Fall 1985) omitted the name of my husband, Christopher M. Mazzia, as a Golden Gate contributor to California Torts.

Chris (Class of 1980) wrote the chapter on malicious prosecution and abuse of process, which will appear as chapter 43 in volume four of the treatise.

Chris also continues as index editor of the California Tort Reporter. He is an associate attorney in the law office of William G. Luckhardt, Santa Rosa, CA; the firm specializes in insurance defense litigation.

Thank you for your attention to this matter.

Sincerely,
Carol Mazzia
Santa Rosa, CA

Caveat Wins Award

The Law School's student newspaper, The Caveat, recently won first place in the ABA's Law Student Division Newspaper Competition for Best Written Editorial on Broader Aspects of the Law. The editorial, entitled "Ethics and the State Bar of California," was written by Joseph Hession.

The newspaper also won an honorable mention in the competition for Best Written Editorial on Internal Law School Affairs, for the column entitled "Survey? What Survey?" also written by Joseph Hession.

GGU Professor Launches New Journal

For the practitioner who litigates in federal courts, there is nothing so time consuming as keeping abreast of the many developments in the enormous maze called federal procedure. But now there is the Federal Litigator, a new publication which briefs the major federal procedural decisions, providing a manageable means to keep an eye on the twists and turns in federal courts throughout the nation.

Of special interest to Golden Gate alumni is that the Federal Litigator is published by Professor Neil Levy, and includes Professor Michael Golden as an editor. Levy is also known as co-publisher of the California Tort Reporter and co-editor, with Golden, of Matthew-Bender's new six volume treatise on California torts.

The Federal Litigator, which began publication in January, briefs cases dealing primarily with the federal Rules of Procedure and Evidence, and appellate practice.

Contrasting the Federal Litigator to materials such as Moore's and Wright and Miller, which do comprehensive updates on federal cases, Professor Levy suggests that those are "research tools which the practitioner doesn't look at regularly. The goal of the Federal Litigator is to provide a way whereby, in an hour or two per month, the practitioner can keep up with the newest developments in federal procedure and leave more time to deal with substantive matters."

The Federal Litigator will come out ten times a year, and is available by subscription for $195 a year. Subscriptions may be ordered from: Federal Litigator, P.O. Box 7038, Berkeley, CA 94707, or by calling: (415) 843-1147.

"Would like to hire retired alum and/or spouse to provide assistance to the Law School Development Office in maintaining contact with alumni and enhancing their support. Please phone Jack Carter, Development Director, at 442-1260 if you are interested or want more information."
"Consider GGU in wills," says Jordan

There is an old saying, "Wills are a lawyer's old age insurance." To qualify for that insurance, two conditions must be met: 1) A lawyer must draw many wills during the active days of his practice; and 2) He must outline the clients for whom those wills are drawn.

During preliminary interviews with clients in connection with the preparation of wills, a lawyer is occasionally asked about charitable gifts and the tax advantages in making them. The client may wish to make one or more such gifts but is uncertain as to what charity or educational institution should be selected. In such a case, the lawyer is often asked to make a recommendation, and the recommendation may well be followed by the client in his or her new will.

Golden Gate University is a private, non-profit educational institution, and testamentary gifts made to it are deductible for death tax purposes. Lifetime gifts are also deductible for income tax purposes. Golden Gate University is not heavily endowed and relies largely on tuition paid by students and on annual gifts from corporations and individuals for its support. Gifts are also from time to time received from the estates of people who have provided for the University in their wills. These gifts are often earmarked for a particular purpose, such as for the granting of scholarships to needy and deserving students or for the creating of student loan funds. Gifts of this nature are usually added to the University's endowment funds.

It is reasonable to believe that practicing attorneys who have graduated from the School of Law have a high regard for the School and are willing to give it and the University a helping hand. Many of these former students personally make annual contributions to Golden Gate. With this in mind, I now come to the thrust of this appeal, which is directed to all law school graduates now actively practicing law.

If in preparing wills for clients you are given an opportunity to suggest a tax-exempt charity or educational institution which is deserving of a testamentary gift, please remember to suggest Golden Gate University, in general, and its Law School, in particular, for such a gift. Any gift, whether large or small, will be most helpful and gratefully received.

The Golden Gate story, if properly presented, can be very appealing to a person inclined to make a gift to a deserving private, non-profit educational institution. Since its founding in 1901, Golden Gate has afforded many students an opportunity to obtain an education that would not otherwise have been available to them. Golden Gate, with an over-all day and evening enrollment of more than 11,000 students, is the third largest of California's independent accredited colleges and universities. It is one of the very few non-profit educational institutions in the country and possibly the only one, whose principal support comes from tuition paid by students.

Promoting Golden Gate in wills is only one approach to a long-range development program now under way, through which the University can benefit financially. It is not a program that will produce immediate results. However, if through the years enough wills are drawn in which a gift to the University is provided for, it can eventually pay off handsomely.

I have over a long period of years drawn quite a few wills in which Golden Gate has been named as a beneficiary and through which it has received many thousands of dollars. Some of those gifts have been unrestricted and others have been earmarked for a particular purpose, such as the creation of scholarship and loan funds for deserving law students. If any Golden Gate law school graduate has in the future an opportunity to make Golden Gate a beneficiary under a will drawn for a client, I hope that a strong recommendation will be made to that effect. Gifts of this kind can mean a great deal to the University's law school, and our law school alumni can take pride in providing them.

One final word. It is suggested that any Golden Gate law school graduate now actively practicing law and who hereafter draws a will in which Golden Gate is named as a beneficiary report to David Devincenzi, the University's Director of Development, that such a will has been executed. Obviously, the name of the client cannot properly be disclosed to the University. However, the fact that such a will has been executed, when noted in the Development Office records, will over a period of time tell whether this proposed program is producing the desired result.

—Paul S. Jordan
Dean Emeritus,
Golden Gate University
School of Law

Reunion Reminder

The Classes of '61, '66 and '71 will hold their Class Reunions on Saturday, May 10.

The Classes of '76 and '81 will celebrate their Class Reunions Saturday, May 31.

Members of each of the Reunion Classes will receive invitations in the mail.
Spotlight on Sue Hestor

When Sue Hestor speaks, the high rise walls of San Francisco tremble. Armed with vision, tenacity and a JD from Golden Gate University Law School (Class of 1976), Hestor has made a career of taking on the city’s powerful real estate developers and political moguls, and occasionally convincing them to see things her way. If they don’t, she sues.

Urban critic Hestor, and the group she helped found, San Franciscans for Reasonable Growth, have played major roles in these recent downtown development events:
- Requiring highrise developers to pay fees for child care, mass transit and housing;
- Qualifying for the ballot and campaigning for four anti-highrise development initiatives;
- Convincing the developers of the Yerba Buena Center buildings to contribute $5 million to affordable housing;
- Forcing the Redevelopment Agency to publish agendas of meetings in advance.

These and other achievements haven’t made Hestor the darling of the powers that be in San Francisco, but they have insured that she must be contend with. A cover story on Hestor in a recent edition of the San Francisco Examiner’s Sunday Image magazine (“Portrait of a Professional Pain in the Neck”) quoted one development attorney this way: “If she’s guilty of extortion, then we all are.”

The article also quoted a fan, columnist Herb Caen, saying, “We need a dozen Sue Hestors. There’s not enough opposition to overbuilding in this city.”

Hestor was a professional political activist long before she became involved in land use and planning issues. In the early 1960s, Hestor attended Wheaton College in Illinois, and promptly was ousted from the Republican Party for leading an anti-Goldwater campaign. She soon became involved in anti-Vietnam War activities, and, while working for the National Student Association in 1967, helped organize the Dump President Johnson movement. She then moved to Washington to assist Eugene McCarthy in his quest for the 1968 Democratic presidential nomination.

In 1970, Hestor arrived in San Francisco, and soon helped coordinate the Vietnam Moratorium in the Bay Area, as well as a massive anti-war voter registration drive. It was in the early 1970s when Hestor became involved in her first anti-development activities, organizing a signature campaign to put an anti-highrise initiative on the San Francisco ballot. The initiative lost, but Hestor discovered her new career, and began to attend Planning Commission meetings.

She decided to attend law school in order “to be able to sue the Planning Commission.” She explains that in the course of working with citizens groups, she was always looking for an attorney to represent them in challenging an environmental impact report or defending an initiative. “I wanted to go to law school so I could do it myself. We’d no longer have to find a lawyer to do the work for us.”

But she was lax in getting started. Although she had taken the LSAT in 1970, by 1973 she still wasn’t in law school. “I always blew the admission deadlines,” she says. One day, however, while in Professor Roger Bernhardt’s office, working on an initiative, she mentioned that she had yet to apply to law school.

“Bernhardt called my bluff. He sent down to Admissions for an application, and forced me to fill it out while in his office. Then he called the Admissions Office and told them the application was on its way. Roger forced me into law school.”

Raising tuition money was a problem, however, and despite efforts by friends to raise the funds (they organized a series of fund raisers called “Let’s get Sue Hestor Off the Streets and Into Law School”), Hestor still worked full-time while attending law school as a day student.

She worked for summer youth programs, organized land use conferences, and typed as a temporary secretary. She also spent her law school days working on litigation, mostly around land use and district Supervisor elections. During school she also worked on the successful 1975 mayoral campaign of George Moscone; after the election she worked on Moscone’s transition team at City Hall.

After graduation, Hestor found herself short of funds to pay for a bar review course and the bar exam. She planned to defer taking the bar, but Moscone would hear of no such thing. He personally raised the money for her.

After passing the bar, Hestor worked for three years as a staff attorney for the San Francisco Unified School District. She kept up her community activism by working on development issues during her spare time and vacations.

In 1979, San Franciscans for Reasonable Growth was formed, an outgrowth of anti-development initiatives that year. Hestor became a staff member and, as she put it, “started suing in 1982.” She’s been at it since, earning a reputation as a feisty fighter from GGU whom no developer can afford to ignore.
Law Review Available to Alums

Law School graduates who served as writers and editors on the Law Review gathered together for the first time at a February luncheon to celebrate the Review's fifteen consecutive years of publication. The get-together was hosted by the Law Review staff, the School of Law and the Alumni Relations Office. Julie Rogers, Managing Editor, and Sheila Brutoco, Editor-in-Chief, both Class of '86, initiated the luncheon in order to form a support group for future staff members. From year to year and class to class, significant information-sharing already takes place between past and present editors. Julie and Sheila hope that an informal group of past staff members will help enhance this process.

The GGU Law Review was founded in 1971 with two objectives: (1) identify, analyze and propose solutions to community problems through small project groups; and (2) publish the solutions with flawless academic presentation. One of the more successful undertakings was the High School Legal Education Project. After GGU students taught law in the classroom, the Volume Three staff wrote a textbook for high school application based on the experience of classroom, the Volume Three staff project members.

Originally a publication with two issues per year, the Review expanded to three issues in 1975. That year the first Ninth Circuit Survey was produced, dedicated to retiring Supreme Court Justice William O. Douglas. In 1979, the third addition developed into the Women's Law Forum, exploring legal issues of significance to women. Today the three issues consist of: the Ninth Circuit Survey; Notes and Comments; and the Women's Law Forum.

Many Law School graduates are unaware of the annual opportunity to subscribe to the Law Review at a discount rate. Recent publications have treated issues of significance for the attorney in the large firm, as well as for the sole practitioner. In the Spring 1985 issue, for example, the Constitutional Law section contained an article by James Gasparich, Class of 1985, on the issue of "The Right to a Fair Trial Without Prior Restraint Upon the Media," an analysis of the experiences of John Z. DeLorean. In the Antitrust Law section, Marlis McAllister, Class of 1986, discussed the issue of "Market Power and Software Copyright," based on the "Digidyne v. Data General" decision.


GGU law students and guest authors are producing well-written and well-researched articles that address contemporary issues affecting the practicing attorney and the private citizen. You are encouraged to subscribe.

Job Seminar

Graduates interested in finding or changing jobs in government and public interest are invited to attend the second annual event co-sponsored by eight Northern California law schools and the Public Interest Clearinghouse on Friday, February 21. The keynote speaker will be Eva Paterson of Public Advocates and there will be opportunities to meet various attorneys at individual information tables. A panel discussion on "Career Choices and Options" will also be part of the program. The event runs from 1-5pm (registration at 12:30) at Hastings College of the Law, 198 McAllister St., San Francisco. Donation is $3 at the door.

Alumni NOTES

Class of 1985

Karen Lipney has accepted an associate position in the business department of Knapp, Petersen & Clark in Universal City, CA.

Delphine Szynrowski has been appointed treasurer of San Francisco Alumni PAD.

Roxanne Gartrell has opened a general civil practice at Bethel Island, CA.

Joshua West is now associated with DeMoe & DeMoe in Santa Rosa.

Ansel Kinney is an associate with Hothen & Sampson in San Francisco.

John Rooney has been awarded a L.B.J. Internship with the Honorable Peter Visclosky of Indiana.

Enter my subscription for three issues of the Law Review now.

Bill me later at the alumni rate of $15.00.

NAME ________________________________ YEAR _______ DAY PHONE ________________________________

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Send this form to:

Law Review
Golden Gate University
536 Mission Street
San Francisco, CA 94105

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Class of 1984

Hrair Balian has formed the firm of Ourfalian & Balian in San Francisco, specializing in immigration law and personal injury.

Debra Argenbright is a ERISA attorney with Coopers & Lybrand.

Pam Kemp and Carol King are practicing law with the Law Office of Martin Guarjardo in San Francisco.

Robert Kelleher is an associate with Herzstein, Garofalo & Fortune in San Francisco.

Peter Fowler has become associated with the Law Office of Bruce W. Lilienthal in San Francisco.

Louis A. Saballa will be an associate at Graham and James following her clerkship with the 9th Circuit Court.

Class of 1983

Rita Beckner is now corporate counsel with Bakewell and Company.

Robert Lowney has accepted a position at San Francisco Law School where he will be teaching Remedies.

Carlos Alejandro Fernandez is now associated with the Law Offices of Nathan Cohen in San Francisco.

Caroline Valentino is associated with Himes, Johnson in Oakland.

Julia Velson has joined the Worker's Compensation Appeals Board in San Francisco.

M. Lynn Haggerty has become an associate with Sedwick, Detert, Moran & Arnold in San Francisco.

Class of 1982

The house counsel for Insurance Company of North America, F. Ross Adkins of San Francisco, recently hired Joseph Long.

Robinson Ng practices immigration law and operates a solo practice in San Jose.

Cheryl Merrick was recently appointed a PAD Deputy-International Justice and will represent the Bay Area at the International convention in Baltimore, Maryland, in August. She continues as president of San Francisco Alumni.

Steve Rhoads has joined the San Francisco firm of Herron & Herron where he focuses on plaintiff's civil litigation. The editor of the Barrister Club's law journal, Steve was recently honored with a BASF award for his efforts in getting the new publication off the ground.

Regina Marchione has joined Pelletreau, Moses, Larson in San Pablo where she is working on worker's compensation and civil litigation cases.

Robert Collins is an associate with Greve, Clifford, Diepenbrock & Paras in Sacramento where he specializes in insurance defense and construction litigation.

Ronald G. Bachrach is the associate director of Advance Underwriting— The Equitable Financial Services/Western Region Headquarters in Larkspur.

Milton Yoshimoto is operations officer with the Oakland-based...
Technical Leasing Corporation.

James Thomas has joined the Supplements Department of Bancroft Whitney in San Francisco.

Class of 1981

Loesje de Kock is with the Palo Alto real estate company of Hare, Brewer & Kelley. She is a partnership administrator in the area of real estate limited partnerships.

Class of 1980

Bernard Galitz has moved his office to 303 Water St., Suite 14, Santa Cruz, 95060.

Sandra Moreno (formerly Kirkpatrick) is now with the Environmental Protection Agency in the Water Law Section, Region VII—Denver, CO.

Thomas R. Jones recently joined the San Francisco firm of Cartwright, Sucherman & Slobodin.

Victor D. Abrunzo, Jr. has just been sworn in as Assistant U.S. Trustee for the Southern District of New York.

Class of 1979

Ellen M. Singer has opened her own practice with an emphasis on plaintiff personal injury cases.

Merridith A. Schneider has recently relocated her office to 2566 MacDonald Ave., Richmond, CA 94804-1833. In her solo practice she continues to specialize in bankruptcy law, creditor/debtor relations and the problems of small businesses. She is happy to answer questions of other alumni in her area of specialty.

Stephen S. Siegel is joining the Law Offices of Biggam, Christensen & Minsloff in Santa Cruz.

President of California Women Lawyers Pamela Jester was seated in the California State Bar Association conference in San Diego. She is a research attorney at the Continuing Education of the Bar in Berkeley.

Ely, Guess & Rudd of Juneau, Alaska has announced that Patrick J. Coughlin has been made a partner. His wife, Julienne Bryant, is with Faulkner, Banfield in Juneau.

Class of 1978

Jeffrey Shapiro has opened the firm of Shapiro & Yankowitz in Manhattan, specializing in plaintiff’s personal injury law.

Class of 1977

Daniel V. Burke has opened his own office in Carlsbad, CA in San Diego County. He will continue a litigation-oriented practice with emphasis in family law, personal injury and appellate advocacy.

Class of 1974

Duane Heffelbower has closed his law firm, Kings River Law Center in Reddley, CA, and left the private practice of law. He is currently working for the West Coast Mennonite Central Committee as coordinator of their Development Disabilities Ser-

Alumnae Profile

A profile in the January 1986 issue of the ABA Journal prominently features two GGU Law School alumnae. Pam Pierson, Class of 1975, is a partner in the five women, family law firm of Schapiro and Thorn while Melissa Toben, Class of 1982, is an associate with the San Francisco firm. The firm is notable for having successfully represented the plaintiff in Kulko v. Superior Court 436 US 84 (1978), a personal jurisdiction case now required reading for all first year civil procedure classes.

The article also features David Fink, the firm’s financial officer, who is currently a student at GGU.
continued

services and has begun studies at Mennonite Brethren Biblical Seminary in Fresno. He intends to move to Elkhart, Indiana, in the summer of 1986 to begin full-time studies at Mennonite Biblical Seminary.

Class of 1971

David Larson is now living in Commugny, Switzerland.

Class of 1970

Ruth Miller received her LL.M. (Tax) in May of 1985 and specializes in family law with an emphasis in family law taxation.

In Memorium

Rose M. McClintock, Class of 1980, passed away unexpectedly on October 25, 1985. She was corporate counsel for Industrial Indemnity Company in San Francisco.

Faculty NEWS

Professor Bernard Segal delivered a series of lectures on trial advocacy techniques in London during the Fall semester break. The lectures were delivered at Holborn College, where many of the students are from nations in Africa, Asia and the Caribbean, which were once British colonies, as well as from England.

Professor Segal shared the lecture platform with His Lordship Peter Mason, Senior Judge of the Central Criminal Court of London, better known as the Old Bailey. In previous appearances at Holborn College, Professor Segal has introduced the Workshop Method of Teaching Trial Advocacy, which has proven popular in the various litigation courses at Golden Gate University Law School.

In November 1985, Myron Moskovitz was appointed by the State Bar Board of Governor's to the State Bar's committee on Appellate Courts. This body will review legislative proposals to change statutes and rules affecting California's appellate courts. In January, Continuing Education of the Bar published California Residential Landlord-Tenant Practice for which Professor Moskovitz was lead author and consultant.

Edward G. Tom, director of admissions at Golden Gate University School of Law, has been elected to the Board of Trustees of the Law School Admission Council for a two year term. The 17 member Board manages the property, business and affairs of the Council, whose membership consists of all 174 accredited law schools in the country. The Board also oversees the affairs of the Law School Admission Services, Inc., which is responsible for the development and administration of the Law School Admission Test (LSAT).

Mr. Tom has been the director of admissions at Golden Gate since 1980, and was a member of the Council's Minority Affairs Committee from 1982 to 1985. Before joining Golden Gate, he was the assistant director of admissions at the University of California's Law School, Boalt Hall.

Marc Stickgold is currently a special consultant to BARBRI on the performance test portion of the California bar exam. Also, he is one of approximately 40 law professors from around the nation who was invited to participate in a national conference with Nicaraguan judges, legislators and scholars to assist in drafting the new Nicaraguan constitution.

Nancy Carol Carter was one of the GGU faculty attending the Association of American Law Schools' annual meeting held this year in New Orleans in January. She was a panelist in the workshop for new directors of law libraries and discussed personnel issues in the "Dialog with the Experts."

Robert Calhoun has taken a two year leave of absence from the Law School to become the executive director of the new First District Court of Appeals Appellate Project. The Project consists of nine attorneys who will supervise the 500 private attorneys handling indigent criminal appeals on appointment by the First Appellate District.