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About the Authors and Contributors

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ABOUT THE AUTHORS AND CONTRIBUTORS

The Honorable Anthony M. Kennedy became an Associate Justice of the United States Supreme Court in 1988 after being nominated by President Reagan. Prior to his appointment on the Supreme Court, he had been a judge on the United States Court of Appeals for the Ninth Circuit. Justice Kennedy is admitted to the California Bar and the United States Tax Court Bar. From 1961-63 he was an associate with the San Francisco law firm of Thelen, Marrin, John & Bridges. He practiced law as a sole practitioner from 1963-67 and was partner at the law firm of Evans, Jackson & Kennedy from 1967-75.

Justice Kennedy taught constitutional law for twenty-two years at the McGeorge School of Law, University of the Pacific, in California. Every summer he continues to teach a course entitled, "Fundamental Rights in Europe and the United States," in Austria at the University of Salzburg, under the auspices of the McGeorge School of Law.

Justice Kennedy received a B.A. from Stanford University and a J.D. from Harvard Law School.

Raymond M. Brown is a partner with his father in the law firm of Brown and Brown, an anchor at the Courtroom Television Network and host of the Emmy Award winning New Jersey Network Program "Due Process." Mr. Brown is a member of the New Jersey Bar (1974), the New York Bar (1983) and a certified criminal trial lawyer in New Jersey. He has handled a wide variety of criminal and civil matters including participation in the nine-month trial of former Labor Secretary Raymond J. Donovan. In support of his trial activities he has conducted investigations throughout the United States and in Kenya, El Salvador, Cayman Islands, Switzerland, Bahamas, and the United Kingdom.

Mr. Brown is a Fellow of the American College of Trial Lawyers and was appointed by the late Chief Justice of the New Jersey Supreme Court to serve on several Supreme Court Committees.

As an anchor of Court TV since January 1996 he has participated in coverage of numerous trials and appellate arguments. He played a significant role in Court TV's coverage of the proceedings of the International Criminal Tribunal for the Former Yugoslavia.

Mr. Brown is the Host of NJN's "Due Process" which has examined a wide variety of legal issues affecting New Jersey, including domestic

violence (a Telly Award Finalist program), the death penalty, Megan's Law, race and class in the justice system and adoption. The program has received many awards. Mr. Brown has authored articles in law reviews, newspapers, journals and periodicals on trial advocacy, legal and social policy and racial issues. He has also written several book reviews. He has participated as a lecturer, speaker and panelist at forums, conventions and symposia on over 200 occasions, throughout New Jersey and in 25 other states. He has frequently lectured at continuing legal education events for criminal defense lawyers, civil lawyers, law enforcement personnel and judges on topics such as trial advocacy, ethics, problems of race and the criminal justice system, issues of human rights and international law, the art of persuasion, social, educational and drug policy. Mr. Brown has also appeared as a guest on numerous television and radio programs.

The Honorable Denny Chin is a United States District Judge for the Southern District of New York. He was sworn in on September 13, 1994. Judge Chin graduated *magna cum laude* from Princeton University in 1975 and from the Fordham University School of Law in 1978, where he was managing editor of the law review.

Judge Chin clerked for the Honorable Henry F. Werker, United States District Judge for the Southern District of New York, from 1978 to 1980. He was associated with the law firm Davis Polk & Wardwell from 1980 to 1982. In 1982 Judge Chin was appointed an Assistant United States Attorney for the Southern District of New York and served in that position for approximately four years. In 1986, he started a law firm, Campbell, Patrick & Chin, with two colleagues from the U.S. Attorney's Office. In 1990, he joined the law firm Vladeck, Waldman, Elias & Engelhard, P.C., where he specialized in labor and employment law representing employees and unions.

Judge Chin has taught legal writing at Fordham Law School since 1986. While in private practice, he provided *pro bono* representation to the Asian American Legal Defense and Education Fund. He served as President of the Asian American Bar Association of New York from January 1992 through January 1994. He has served on the boards of numerous non-profit organizations, including the Asian American Bar Association of New York, Hartley House, Care for the Homeless, the Clinton Housing Association, the National Employment Lawyers Association (New York chapter) and the Prospect Park Environmental Center.

Kathleen Clark is an Associate Professor of Law at Washington University in St. Louis, Missouri, where she teaches courses on lawyers as fiduciary, the ethics of lawyering in government and secrecy and whistleblowing. She writes in the fields of government ethics and legal ethics. Her recent publications include an article in the *STANFORD LAW REVIEW* about how government officials finance their legal expenses, an essay proposing an Inspector General for the White House, and an essay on Congressional lawyers' ethics. In the last year, she has presented papers at the annual meetings of the Association for Professional and Practical Ethics and the American Society for Public Administration, and she has spoken at Stanford, Yale and Emory University law schools.

Professor Clark has served on the Executive Committee of the Professional Responsibility Section of the Association of American Law Schools and is currently vice-chair of the ABA Administrative Law Section's Committee on Government Operations. Before entering law teaching in 1993, she served as counsel to the Senate Judiciary Committee and clerked for Federal District Court Judge Harold H. Greene in Washington, D.C. At Yale Law School, Professor Clark was a senior editor of the *YALE LAW JOURNAL*, received the Harlan Fiske Stone Prize for appellate advocacy and was a Coker Fellow (a teaching assistant).

Roger C. Cramton is the Robert S. Stevens Professor of Law at Cornell Law School. He began his legal career as a law clerk to the Honorable Sterry R. Waterman of the United States Court of Appeals for the Second Circuit and then to Justice Harold H. Burton of the United States Supreme Court. Professor Cramton began teaching law in 1957 at the University of Chicago Law School and then at the University of Michigan Law School. His teaching and scholarship have been primarily in the fields of administrative law, conflict of laws, legal ethics and torts.

With co-authors, Professor Cramton has published two leading teaching books: *THE LAW AND ETHICS OF LAWYERING* (2d ed. 1993) and *CONFLICT OF LAWS* (5th ed. 1993). He serves as an adviser on three current projects of the American Law Institute: the proposed *Restatement of the Law Governing Lawyers*; *Restatement (Third) of Torts: Products Liability*; and *Principles of Family Dissolution*. He served as chairman of the Administrative Conference of the United States, an independent federal agency concerned with the improvement of federal administrative procedures, from 1970-72, and then as Assistant Attorney General in charge of the Office of Legal Counsel of the Department of Justice from 1972-73.

Professor Cramton served as Dean of the Cornell Law School from 1973 to 1980. He has been a visiting professor at numerous law schools and is a member of many professional organizations including the American Bar Association and the American Law Institute (council member). He received his A.B. degree *magna cum laude* from Harvard University and a law degree from the University of Chicago Law School where he served on the law review and was elected to the Order of the Coif.

Mary C. Daly is the James H. Quinn Professor of Legal Ethics at Fordham University School of Law. She serves as the director of the law school's Stein Institute of Law and Ethics and has published numerous articles on legal ethics, especially in the area of cross-border practice. She is one of the editors of *RIGHTS, LIABILITY, AND ETHICS IN INTERNATIONAL LEGAL PRACTICE* (Transnational Juris Publications 1995) and the editor of *THE NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY: OPINIONS, COMMENTARY, AND CASELAW* (Oceana Publications 1997). Professor Daly is the chair of the Committee on Professional and Judicial Ethics of the Association of the Bar of the City of New York and a past chair of the Professional Responsibility Section of the Association of American Law Schools and the Editorial Board of the ABA/BNA Lawyers' Manual on Professional Conduct. She served as a member of the Departmental Disciplinary Committee for the Appellate Division, First Department from 1990-96 and as the reporter to the New York State Bar Association Task Force on the Profession in 1994-95.

Professor Daly is a graduate of Fordham Law School where she served as an editor of the law review. After graduating from Fordham Law School she was a Zichkla fellow at the University of Paris Law School. From 1973 through 1975, she was an associate at the firm of Rogers & Wells. From 1975 to 1983, she was an Assistant United States Attorney for the Southern District of New York and served as the Deputy Chief and Chief of that Office's Civil Division. She has an LL.M. degree from New York University.

Anthony E. Davis is a partner at the New York law firm of Fox Horan & Camerini LLP, and practices law advising lawyers and firms in matters involving issues of the legal profession and legal ethics generally, and in the area of law firm risk management and loss control. He is the author of *SURVIVAL TOOLS FOR LAW FIRMS* published by the American Bar Association, as well as numerous articles in law reviews and other legal publications. He is an Adjunct Professor of Law, teaching "Legal Profession" at Brooklyn Law School and "Professional Responsi-

bility” at Benjamin Cardozo Law School. In addition to his book on risk management, he has written and lectured widely on a variety of professional and ethical issues. He is the chair of the Professional Discipline Committee of the Association of the Bar of the City of New York, the president of the newly-formed Lawyers’ Risk Management Association and a director of the Association of Professional Responsibility Lawyers. He received his law degree from Cambridge University and an LL.M. from New York University School of Law. He is admitted as a lawyer in New York and as a solicitor in England.

Lawrence J. Fox is a managing partner of Drinker Biddle & Reath. From 1990 to 1997 he was a member of the American Bar Association Standing Committee on Ethics and Professional Responsibility and was chair of the Committee during the 1996-1997 year. He is now a member of Ethics 2000, a new commission established by the ABA to review the Model Rules of Professional Conduct. He is a past chair of the Section of Litigation and is chair of the ABA’s Section Officers Conference. He has lectured extensively in the area of ethics and professionalism, and is the author of *LEGAL TENDER: A LAWYER’S GUIDE TO PROFESSIONAL DILEMMAS* (ABA 1995) as well as numerous articles and short stories addressed to the ethical issues confronting the Bar. He has lectured at numerous law schools and was the Robert Anderson Fellow of the Yale Law School in 1996-97. He served as a course instructor at the International Law Development Institute in Rome in March, 1997, and was a State Department United States Speaker and Specialist in Argentina in August, 1997

Monroe H. Freedman is the Howard Lichtenstein Distinguished Professor of Legal Ethics at Hofstra University School of Law. Professor Freedman’s first book, *LAWYERS’ ETHICS IN AN ADVERSARY SYSTEM* (1975), received the American Bar Association Gavel Award Certificate of Merit. Reviews have called it “brilliant,” a “classic,” and one of the few “monumental contributions to legal education in the past generation.”

His most recent book, *UNDERSTANDING LAWYERS’ ETHICS* (1990), substantially expands and updates the earlier treatise. *THE PROFESSIONAL LAWYER*, published by the ABA Center for Professional Responsibility, calls *UNDERSTANDING LAWYERS’ ETHICS* “idealistic in the best sense of the word, pragmatic, but not cynical, and rich with practical examples.” An article in *THE JOURNAL OF THE LEGAL PROFESSION* reviewed Professor Freedman’s work and concluded: “It is no exaggera-

tion to say that [Monroe Freedman's] thinking, writing and lectures . . . have been the primary creative force in legal ethics today, both in the practice of law and in legal education."

Stephen Gillers has been Professor of Law at New York University School of Law since 1978. He does most of his research and writing on the regulation of the legal profession. His courses include regulation of lawyers, evidence, and law and literature. Professor Gillers has written widely on legal and judicial ethics, including articles in law reviews and the legal and popular press. He has taught legal ethics as a visitor at Harvard Law School and at Cardozo Law School and has spoken on lawyer regulatory issues at federal and state judicial conferences, ABA conventions, state bar meetings nationwide, before Congress and in law school lectureships. Professor Gillers is the author of *REGULATION OF LAWYERS: PROBLEMS OF LAW AND ETHICS*, a widely used law school casebook whose fifth edition was published in 1998. Following a clerkship with Chief Judge Gus J. Solomon in Federal District Court in Portland, Oregon, Professor Gillers practiced law for nine years in New York City before joining the faculty at New York University. He is often quoted in the national and legal press.

Jeanne P. Gray is the Director of the American Bar Association Center for Professional Responsibility. She received her J.D. (*cum laude*) in 1976 from the New England School of Law. She served as regulation counsel for the American Bar Association and from 1980-1983 as the reporter for the ABA Evaluation of Lawyer Discipline Systems. Ms. Gray is the founding member of the Association of Professional Responsibility Lawyers. Prior to service with the American Bar Association, Ms. Gray served as assistant bar counsel for the Supreme Judicial Court of Massachusetts prosecuting lawyer disciplinary matters in the state and federal systems. Ms. Gray has served on numerous committees of the ABA, the Massachusetts Bar Association and the Chicago Bar Association in the professional responsibility arena. Ms. Gray is the executive editor of the *ABA/BNA LAWYERS' MANUAL ON PROFESSIONAL CONDUCT*, the *ANNOTATED MODEL RULES OF PROFESSIONAL CONDUCT*, and the co-author of an article entitled *Standards for Lawyer Discipline and Disability Proceedings and the Evaluation of Lawyer Discipline Systems*. Ms. Gray has written and lectured extensively on issues relating to legal ethics, professional responsibility and professional regulation.

Geoffrey C. Hazard, Jr., is Trustee Professor of Law at the University of Pennsylvania Law School where he teaches civil procedure, legal ethics and federal jurisdiction. He is also director of the American Law Institute. He received a B.A., Phi Beta Kappa, from Swarthmore College and an LL.B. from Columbia University where he was on the law review. He has been a member of the American Bar Association Resource Team for High Profile Trials since 1996 and a member of the Standing Committee on Rules of Procedure of the Judicial Conference of the United States since 1994. Previously he taught at Yale Law School, the University of California, Berkeley and served as a visiting professor at the University of Michigan, Stanford University, Universite d'Aix-Marseille and Harvard University. Professor Hazard is on the Board of Trustees of the Supreme Court Historical Society and on the Board of Directors of Avatar Holding, Inc. and Smyth Sanford & Gerard Professional Liability, L.L.C. Professor Hazard is a member of numerous professional organizations including the American Bar Association Commission on Ethics 2000. He has also received numerous honorary degrees. His recent publications include *AMERICAN CIVIL PROCEDURE: AN INTRODUCTION* and *THE LAW AND ETHICS OF LAWYERING*.

Michael J. Horowitz is Senior Fellow at the Hudson Institute in Washington, D.C., and director of the Hudson Institute's Projects for Civil Justice Reform and International Religious Liberty. Mr. Horowitz served as the general counsel for the Office of Management and Budget (OBM) between 1981-1985, and as an associate professor of law at the University of Mississippi (1965-1967). Mr. Horowitz has also maintained a private law practice since 1967. He earned his LL.B from Yale Law School in 1964.

Mr. Horowitz has been an adjunct professor at Georgetown Law School, special counsel for the Committee on the Judicial Branch of the Judicial Conference of the United States and special counsel to the National Council of Young Israel. He served as chairman of President Reagan's Domestic Policy Council on Federalism, and was co-chairman of the Cabinet Council's Working Group on Legal/Tort Policy.

In addition to his domestic credentials, Mr. Horowitz also served as an adviser to the Czech, Slovak and Bulgarian Academies of Science, was Vice President of the Bulgarian-American Friendship Society, Counsel and Trustee of Save Cambodia, Inc. and a National Advisory Board Member of the Institute for Democracy in Vietnam.

Mr. Horowitz is often quoted in the national press and is the author of many articles on the subjects of legal reform, religious persecution,

the future of the American welfare system, federalism and the U.S. Congress.

Patricia M. Hynes is a trial lawyer and senior partner in Milberg Weiss Bershad Hynes & Lerach LLP where she specializes in complex securities and commercial litigation. She received her law degree from Fordham Law School where she was a member of the law review. Ms. Hynes served as law clerk to Joseph C. Zavatt, Chief Judge of the United States District Court for the Eastern District of New York and was an Assistant United States Attorney in the Southern District of New York from 1967 to 1982 where she held several executive positions, including Executive Assistant U.S. Attorney.

A fellow of the American College of Trial Lawyers, Ms. Hynes has taught trial advocacy at Harvard Law School, Fordham Law School and the National Institute of Trial Advocacy. Ms. Hynes is a member of the American Law Institute and is presently serving on the Advisory Committee to the Federal Judicial Code Revision project. She has been a lecturer for the Practising Law Institute since 1980 and was chair of its Civil RICO Program from 1984 to 1991. Ms. Hynes has been included in the list of Best Lawyers in America since 1993 and more recently has been included in the Euromoney Guide to the World's Leading Litigation Lawyers.

Since 1995, Ms. Hynes has been the Second Circuit representative on the American Bar Association's Standing Committee on Federal Judiciary. Ms. Hynes has also served as a member of the ABA's Litigation Section Council (1989-1992), as the chair of the Litigation Section's Securities Litigation Committee (1987-1989), as co-chair of its Pre-Trial Practice and Discovery Committee (1992-1994), and more recently as a member of the Litigation Section's Task Force on Civil Trial Practice Standards. Ms. Hynes is also a fellow of the American Bar Foundation.

An active member of the Association of the Bar of the City of New York, Ms. Hynes served as chair of its Federal Courts Committee from 1992 to 1995 and was a member of its Executive Committee from 1984 to 1988. From 1982 to 1984, Ms. Hynes served as secretary of that organization.

Presently, Ms. Hynes is a vice president of the Federal Bar Council, having previously served on its Board of Trustees from 1983 to 1991. In addition, Ms. Hynes serves on the Second Circuit Court of Appeals Rules Committee, the Merit Selection Panel for Magistrate Judges for the Southern District of New York and Mayor Giuliani's Advisory Committee on the Judiciary.

Anthony T. Kronman is the sixteenth dean of the Yale Law School and the Edward J. Phelps Professor of Law. Prior to joining the Yale faculty in 1978, Dean Kronman taught for two years at the University of Chicago Law School and for one year at the University of Minnesota Law School. His teaching areas include contracts, bankruptcy, jurisprudence and the legal profession. Dean Kronman is the author or co-author of four books and many articles on various scholarly subjects. His most recent book, *THE LOST LAWYER*, deals with the contemporary state of the American legal profession and analyzes the movement away from what he calls the "lawyer-statesman" ideal of responsible law practice.

Dean Kronman is a member of the American Bar Association, the ABA Committee on Research about the Future of the Legal Profession and many other professional societies. He received a B.A. from Williams College, a J.D. from Yale Law School and a Ph.D. from Yale University.

Carol M. Langford is a partner in the law firm of Langford & Taylor, LLP in California. She received a J.D. from the University of San Francisco School of Law where she was a member of the McAuliffe Honor Society. Ms. Langford teaches a seminar on legal ethics and the practice of law as an adjunct professor of law at the University of San Francisco. She is a past chair and special adviser to the California State Bar Committee on Professional Responsibility and Conduct and a member of numerous legal organizations including the Section Executive Committee of the Law Practice Management Committee; the Bar Association of San Francisco Legal Ethics Committee; and the ABA Committee on Ethics and Professionalism. She was selected to serve on the Judicial Committee to draft ethics rules for court. She is co-author of a textbook entitled *Legal Ethics in the Practice of Law*, and a book on ethics for the public entitled *The Moral Compass of the American Lawyer* (Random House).

Her recent articles on ethics include *Ethics Issues in Representing Partnerships* (1996) and *Practicing Law on the 'Right' Side of the Bay* (1996). Ms. Langford is a frequent speaker on the subject of legal ethics and has received awards for her *pro bono* work.

David Luban is the Frederick Haas Professor of Law and Philosophy at the Georgetown University Law Center. He received a Ph.D., M.Phil. and an M.A. from Yale University and a B.A. from the University of Chicago. Professor Luban is also a research scholar at the Institute for Philosophy and Public Policy at the University of Maryland.

Previously he taught at the University of Maryland School of Law, Kent State University and Yale University. Professor Luban has also been a visiting professor at numerous universities. He has received many honors including the Keck Foundation Award and Lectureship for distinguished scholarship on legal ethics and professional responsibility from the American Bar Foundation Fellows (1998) and was a Fellow of the Woodrow Wilson International Center for Scholars in 1996-97.

Professor Luban has published numerous books and articles. He was editor of *THE ETHICS OF LAWYERS* (Dartmouth Publishing [UK]/NYU [US] Press, 1994), author of *LEGAL MODERNISM* (University of Michigan Press, 1994), co-author with Deborah L. Rhode of *LEGAL ETHICS* (Foundation Press, 1992), and author of numerous articles on legal ethics. He has delivered lectures at the Texas Center for Legal Ethics and Professionalism, the Australian Law Reform Commission conference and the Morris A. Gross Memorial Lecture at the University of Toronto School of Law among others.

Professor Luban's many professional activities include advisory board member at the Open Society Institute Project on the Legal Profession, member of the AALS Task Force on *pro bono* and Public Service Opportunities and advisory board member for the Lawyers' Oral History Project at the University of North Carolina School of Law.

Amy R. Mashburn is a Professor of Law at the University of Florida College of Law where she teaches legal ethics, professional responsibility, civil procedure and administrative law. She graduated from Eckerd College in 1977 and from the University of Florida College of Law in 1987. Prior to teaching, Professor Mashburn practiced law in Orlando, Florida, where she was an associate with the firm of Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A. She is a member of The Florida Bar and has been active at the state and national level in matters pertaining to attorney governance. Professor Mashburn's scholarship focuses on analysis of ethical rules and professional norms as systems of attorney regulation.

Some of her recent publications include Mashburn and Ware, *The Burden of Truth: Reconciling Literary Reality With Professional Mythology*, 26 U. MEMPHIS L. REV. 1257 (1996); Mashburn and Nolan, *The Lawyer-Client Relationship*, in *FLORIDA LEGAL ETHICS*; Mashburn, *A Clockwork Orange Approach to Legal Ethics: A Conflicts Perspective on the Regulation of Lawyers by Federal Courts*, 8 *GEORGETOWN JOURNAL OF LEGAL ETHICS* 473 (Spring, 1995).

Ralph Nader has been called one of America's most effective social critics. He also has been called everything from Muckraker to Consumer Crusader to Public Defender. His documented criticism of government and industry has had widespread affect on public awareness and bureaucratic power. He is the "U.S.'s toughest customer" as *TIME* magazine noted. His inspiration and example have galvanized a whole population of consumer advocates, citizen activists and public interest lawyers who in turn have established their own organizations throughout the country.

The crusading attorney first made headlines in 1965 with his book *UNSAFE AT ANY SPEED*, a scathing indictment that lambasted the auto industry for producing unsafe vehicles. The book led to congressional hearings and a series of automobile safety laws passed in 1966.

Since 1966, Nader has been responsible for at least eight major federal consumer protection laws such as the motor vehicle safety laws and the Safe Drinking Water Act; the launching of federal regulatory agencies such as the Occupational Safety and Health Administration (OSHA), Environment Protection Agency (EPA), and Consumer Product Safety Administration; the recall of millions of defective motor vehicles; access to government through the Freedom of Information Act of 1974; and for many lives saved.

It is hard to keep up with Nader. Long ago his concerns went beyond simply seat belts and hot dogs. He built an effective national network of citizen groups that have had a major impact in areas ranging from tax reform to nuclear energy to health and safety programs. The ultimate goal of this movement is to give all citizens more rights and remedies for resolving their grievances and for achieving a better society. As the *NEW YORK TIMES* said, "What sets Nader apart is that he has moved beyond social criticism to effective political action."

Nader's original research organization is the Washington, D.C.-based Center for the Study of Responsive Law. Since 1969 the Center has produced innumerable reports on wide-ranging subjects such as the Interstate Commerce Commission, food safety, pensions, corporate welfare and government procurement.

Other Nader-inspired groups include the Aviation Consumer Action Project, Center for Auto Safety, Clean Water Action Project, Disability Rights Center, Pension Rights Center, Freedom of Information Clearinghouse and the Congressional Accountability Project. Nader also helped establish the PIRGs — Public Interest Research Groups — the student-funded and controlled organizations which function on college campuses in 23 states, publish hundreds of ground-breaking reports and guides,

lobby for laws in their state legislatures, and call the media's attention to environmental and energy problems. Finally, in 1971 Nader founded Public Citizen, a federation of advocacy groups.

Stephen L. Pepper is Professor of Law at the University of Denver College of Law. He graduated from Stanford University "with great distinction" and with honors in the program in social thought and institutions. His law degree is from the Yale Law School, where he won the Thurman Arnold Prize for appellate advocacy and was a finalist in the Cardozo brief writing competition.

Following law school he practiced law for four years in the Denver law firm of Holland & Hart. He began teaching in 1977 at the University of Arkansas Law School, and in 1981 he returned to Denver to teach at the College of Law. During the 1987-88 school year, he was visiting professor of law at Cornell Law School.

Professor Pepper has published well-known law review articles on lawyers' ethics and on the subject of freedom of religion under the First Amendment. His essay on the underlying theory of the ethical relation between lawyer and client won the Association of American Law Schools' 1985 Scholarly Papers competition, and his most recent article on lawyers' ethics was published in the May 1995 issue of the *YALE LAW JOURNAL*. He has been invited to give presentations on lawyers' ethics and on the religion clauses at numerous academic conferences and for meetings of practicing lawyers.

Professor Pepper regularly teaches the first-year torts course and a seminar on either professional ethics or the religion clauses of the First Amendment. He has also taught constitutional law and family law. The students at the College of Law have selected him "Professor of the Year" four times.

Burnele V. Powell is Dean and Professor of Law at the University of Missouri—Kansas City School of Law. Prior to 1996, he was Professor of Law at the University of North Carolina at Chapel Hill, where he taught legal ethics and administrative law. Dean Powell was a graduate law teaching fellow at Harvard Law School where he received his LL.M. degree, and holds a J.D. from the University of Wisconsin Law School and a B.A. from the University of Missouri at Kansas City. Before entering Harvard, Dean Powell was associate regional counsel at the Department of Housing & Urban Development in Boston. He is a member of the Wisconsin and Massachusetts State Bars and has taught as a visiting

professor of law at the University of Oregon and Washington University in St. Louis.

Currently, Dean Powell's professional activities include membership on the ABA Standing Committee on Professionalism, the ABA High-Profile Crimes Committee, the ABA Committee on the Future and the American Law Institute. He is an at-large fellow of the American Bar Foundation and a member of the National Bar Association, the Kansas City Metropolitan Bar Association, the Kansas Bar Association and the Kansas City Lawyers Association. He is also a member of the Conflict of Interest Committee of the Board of Directors of Consumers Union.

Dean Powell has also served as chair of the ABA Standing Committee on Professional Discipline, as a member of the North Carolina State Bar Ethics Committee, as chair of the UNC-CH Faculty Hearings Committee, and on various university and civic committees and organizations.

His most recent article, "Diagnosis and Prescription: Illusory Lawyer Disciplinary Reform and the Need for a Moratorium," published in Hofstra's first volume of *THE JOURNAL FOR THE INSTITUTE FOR THE STUDY OF LEGAL ETHICS* (1996), asserts a growing tendency by lawyer disciplinary authorities to promote procedures that give the illusion of serving the public interest, but in fact have no (or negative) impact on controlling lawyer conduct.

Frank Rosiny is a partner in the New York law firm of Rosiny & Rosiny. Previously, he was a partner in the New York law firm of Rosenman & Colin, LLP. In the area of professional responsibility, he has served as chair of a number of important committees of the New York State Bar Association including the Committee on Professional Ethics, the committee on Professional Discipline and the Special Committee to Review the American Bar Association Draft Model Rules of Professional Conduct. He is currently chair of the New York State Bar Association Special Committee on Unauthorized Practice of Law and the General Practice Section Committee on Professional Issues and Standards. Mr. Rosiny has taught as an adjunct professor of law at New York Law School and currently teaches at Brooklyn Law School. He received an A.B. from the University of North Carolina and a J.D. from Columbia University School of Law. He is admitted to the Bar in New York, Florida, New Jersey, District of Columbia, the United States Supreme Court and various other courts.

Ronald D. Rotunda has been teaching at the University of Illinois College of Law since 1974 and is currently the Albert E. Jenner, Jr. Professor of Law. He has been a visiting professor of law at the European University Institute in Florence, Italy, a Fulbright Research Scholar in Italy and a Fulbright Professor in Venezuela. Prior to teaching at the University of Illinois, Professor Rotunda was assistant counsel for the United States Select Committee on Presidential Campaign Activities (Senate Watergate Committee), an associate in the Washington, D.C., law firm of Wilmer, Cutler & Pickering and law clerk to Judge Walter R. Mansfield of the Second Circuit in New York. He is a member of numerous professional organizations including the American Law Institute, the American Bar Foundation (Life Fellow), the Illinois Bar Foundation (Life Fellow), The Corporation Law Review (Board of Editors), the New York Bar, the Washington, D.C. Bar, the Illinois Bar and many other professional organizations. Professor Rotunda is on the National Board of Contributors of American Lawyer Media, L.P., has served as chair of the Association of American Law Schools Section on Professional Responsibility and as a member of the Multistate Professional Responsibility Examination Committee of the National Conference of Bar Examiners. He received an A.B., *magna cum laude*, from Harvard University and a J.D., *magna cum laude*, from Harvard University Law School.

Roy D. Simon is a Professor of Law at Hofstra University School of Law. He earned a B.A. degree from Williams College in 1973 and received a J.D. in 1977 from New York University School of Law, where he was editor-in-chief of the New York University Law Review. After law school Professor Simon clerked for the Honorable Robert R. Merhige, Jr., United States District Judge for the Eastern District of Virginia in Richmond. He then returned to Chicago to join the firm of Jenner & Block as a litigator.

Professor Simon taught at Washington University School of Law in St. Louis for nine years, from 1983 to 1992. In 1992 Professor Simon came to Hofstra, where he teaches lawyers' ethics and civil procedure and is the Director of Hofstra's Institute for the Study of Legal Ethics (ISLE).

Professor Simon's scholarship and consulting work focus on professional responsibility. In 1994 he and Murray Schwartz of UCLA published the third edition of *LAWYERS AND THE LEGAL PROFESSION* (Michie/Butterworth). Professor Simon and Stephen Gillers of NYU School of Law annually publish *REGULATION OF LAWYERS: STATUTES*

AND STANDARDS (Aspen Law & Business). In 1998 Professor Simon published the second edition of *SIMON'S NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY ANNOTATED* (West).

Professor Simon is the chair of the Nassau County Bar Committee on Professional Ethics, a member of the New York State Bar Association Committee on Professional Ethics and a member of the New York City Bar's Committee on Professional Discipline.

Robert L. Spangenberg, President of The Spangenberg Group, has devoted more than 30 years of his professional life to the study and improvement of the delivery of legal services to poor people in the United States.

Mr. Spangenberg began his career as a trial lawyer in state and federal court before becoming assistant dean at Boston University School of Law where he taught and developed a series of new clinical law programs as director of the school's Legal Studies Institute. Later he began the Boston Legal Assistance Project, a neighborhood civil legal services program, which he headed for nine years. He then undertook a two-year foundation study of civil legal services to the poor in Boston and indigent defense on a statewide basis in Massachusetts. In 1976, he became the deputy area manager of the Law and Justice Division of Abt Associates in Cambridge, Massachusetts, where for nine years he conducted national and local studies of indigent defense systems across the nation. In July 1985, he formed The Spangenberg Group to continue the efforts he had undertaken for over 20 years.

In the past 15 years, Mr. Spangenberg has visited all 50 states and worked with civil legal services programs, indigent defense programs, bar associations, state and county officials and legislative bodies concerned about improving the American justice system. In Wisconsin, Mr. Spangenberg directed a statewide case-weighting study for the Wisconsin State Public Defender, which led to the development of the program's current caseload/workload standards.

In 1996, building on the firm's expertise in the delivery of legal services to poor people in the United States, The Spangenberg Group became part of a consortium of U.S. firms awarded a contract by the U.S. Agency for International Development to support the transition to, and consolidation of, the rule of law in countries eligible for USAID assistance. In other international work, Mr. Spangenberg has conferred with members of the Ministries of Justice, academicians and law societies in the United Kingdom, China and Japan about the delivery of legal services to low-income people.

Kim Taylor-Thompson is currently an Associate Professor of Clinical Law at New York University School of Law. Prior to joining NYU in January 1997, she was an associate professor of law at Stanford University. When she joined Stanford's faculty in 1991, she was the first woman of color hired on the tenure track. Professor Taylor-Thompson has taught courses in criminal law and ethics in the criminal justice system, and currently co-teaches criminal litigation and the juvenile rights clinic.

While at Stanford, Professor Taylor-Thompson received the John Hurlburt Award for Excellence in Teaching. Her published articles include *Invisible Woman: Reflections on the Clarence Thomas Confirmation Hearing* and *Individual Actor v. Institutional Player: Alternating Visions of the Public Defender*. She is currently working on an article addressing the implications that a "majority rule" system of jury decision-making may have for the voting power of women and people of color who serve on a jury in a criminal case. Professor Taylor-Thompson is a frequent moderator of Socratic dialogues on various topics in business and social policy. Most recently, she served as moderator for a panel sponsored by WNET-TV addressing ethical challenges facing teenagers. She has also moderated panels focused on saving our cities, the media's treatment of women, and values in children's television.

Before Professor Taylor-Thompson entered academia, she worked in the Public Defender Service for the District of Columbia for ten years. While there, she held various supervisory positions, including training director. Ultimately, she rose to the position of director at the age of thirty-two. For three years, she ran the office of 75 lawyers and 75 staff. Ms. Taylor-Thompson earned her J.D. from Yale Law School in 1980.

Michael E. Tigar holds the Joseph D. Jamail Chair in Law at the University of Texas School of Law, where he has been a member of the faculty since 1983. He is also of counsel to Haddon, Morgan & Forman, a litigation law firm in Denver, Colorado. Mr. Tigar has argued appeals in almost every U.S. Court of Appeals and in the United States Supreme Court. He has tried cases in all parts of the country, representing a broad array of clients. His individual clients have included Senator Kay Bailey Hutchison, John Connally, Angela Davis, H. Rap Brown, the Seattle 7, the Chicago 8, Fernando Chavez, Rosalio Munoz, Major Debra Meeks and Francisco Martinez. Among his corporate clients have been Mobil, BRFI, Fantasy Films, MCA and Tenneco. He is court-appointed counsel to Terry Lynn Nichols. Many of his cases have attracted media attention.

Mr. Tigar is past chair (1989-90) of the 60,000-member Section of Litigation of the American Bar Association. As chair, he was active in furthering ABA and Section involvement in *pro bono* representation, and helped found the Litigation Assistance Partnership Project (LAPP).

He received his law degree from the University of California at Berkeley, where he was editor-in-chief of the CALIFORNIA LAW REVIEW. He has taught and lectured at dozens of law schools in the United States, Latin America, Europe and Africa, and at judicial conferences and continuing legal education programs. Since 1994 he has been an associate member of the faculty at the Faculté de Droit et de Science Politique, Aix-en-Provence. He has made several trips to South Africa, working with organizations of African lawyers engaged in the struggle to end apartheid. After the release of Nelson Mandela from prison he advised the African National Congress on human rights issues and on the drafting of a new constitution.

Mr. Tigar has written several books, including EXAMINING WITNESSES (1993) and FEDERAL APPEALS: JURISDICTION AND PRACTICE (2d ed. 1993) (third edition in progress) and scores of articles, essays and other works.

At the University of Texas, Professor Tigar has introduced courses in which students receive credit for participation in significant *pro bono* cases, including those of John Demjanjuk and Terry Lynn Nichols.

The Honorable John M. Walker, Jr., has been a Circuit Judge on the United States Court of Appeals for the Second Circuit since 1989. From 1985 to 1989, Judge Walker was a United States District Judge for the Southern District of New York.

From 1981 to 1985, Judge Walker was Assistant Secretary of the Treasury (enforcement and operations). In this capacity Judge Walker was responsible for Treasury policy in law enforcement, regulatory and trade matters and for the management, funding and operations of the Treasury's law enforcement bureaus: U.S. Customs Service, U.S. Secret Service, Bureau of Alcohol, Tobacco and Firearms, Federal Law Enforcement Training Center and Office of Foreign Assets Control.

Judge Walker received a B.A. from Yale in 1962, and a J.D. from the University of Michigan Law School in 1966. In 1963 he enlisted in the Marine Corps Reserves. Following law school, he was awarded a two-year Africa-Asia Public Service Fellowship, under which he served in the Attorney General's Chambers in Botswana.

From 1970 to 1975, after a period of private practice of law in New York City, Judge Walker served as an Assistant United States Attorney

for the Southern District of New York in the Criminal Division. From 1975 to 1981, Judge Walker was at the law firm of Carter, Ledyard & Milburn in New York City, where he became partner.

Judge Walker is a member of the federal and state bars of New York, of the District of Columbia and of the United States Supreme Court. He is a member of the American Law Institute as well as the American Bar Association and the Bar Associations of New York City and the District of Columbia. Judge Walker served from 1987 to 1992 as special counsel to the Administrative Conference of the United States. Judge Walker was the president of the Federal Judges Association from 1993-1995. He currently serves on the Budget Committee of the Judicial Conference of the United States and as a director of the Institute of Judicial Administration and on the faculty of its Appellate Judges Seminar. He is a director of the U.S. Association of Constitutional Law and is an adjunct professor at New York University School of Law.

Lloyd L. Weinreb has been a professor at Harvard University Law School since 1965 and is currently the Dane Professor of Law. Previously he was the United States Commissioner for the District of Massachusetts, an attorney in the criminal division of the United States Department of Justice, and law clerk to Justice John M. Harlan of the Supreme Court of the United States, and Chief Judge J. Edward Lumbard of the United States Court of Appeals for the Second Circuit. Professor Weinreb has published more than 30 articles and books in the areas of criminal law, copyright, and legal and political philosophy. Recently, he published *The Moral Point of View*, in R. George, ed., *NATURAL LAW, LIBERALISM, AND MORALITY* (Oxford: Oxford University Press, 1996), *OEDIPUS AT FENWAY PARK: WHAT RIGHTS ARE AND WHY THERE ARE ANY* (Cambridge, Massachusetts: Harvard University Press, 1994), and forthcoming in 1998, *Copyright for Functional Expression*, 111 *HARVARD LAW REVIEW*.

The Honorable Jack B. Weinstein, Judge for the United States District Court for the Eastern District of New York, was appointed to the federal bench in 1967 by President Johnson. He was Chief Judge of the Eastern District of New York from 1980 to 1988. Prior to his appointment, he served as County Attorney of Nassau County, New York, taught at Columbia University Law School, and served as a law clerk to Judge Stanley Fuld of the New York Court of Appeals. Judge Weinstein was the chief drafter of the New York Civil Practice Law and Rules, and

was a member of the Advisory Committee that drafted the Federal Rules of Evidence.

In recent years, Judge Weinstein has influenced substantive and procedural aspects of the law of mass tort litigation. He has helped create efficient yet compassionate solutions to problems created by Vietnam veterans' exposure to Agent Orange and to the health hazards associated with asbestos, DES, ergonomics problems, breast implants, and other such matters.

Judge Weinstein is active in many professional and charitable organizations. He has been the recipient of numerous honors including honorary doctorate degrees from numerous universities including Hofstra University, a Distinguished Service Medallion Award from the Bar Association of Nassau County, The William J. Brennan Award and many others.

Judge Weinstein has authored numerous articles and books. Among his publications are multivolume treatises and casebooks on evidence and procedure and books on mass torts, New York State constitutional law and federal revision of practice by rulemaking.

Jonathan A. Weiss has been the Director of Legal Services for the Elderly Poor in New York City since 1969. He has served as a consultant to the President's Commission on Civil Disorder, the Administrative Conference of the United States, the National Institute for Mental Health of Children, the National Institute for Education in Law and Poverty, the Office of Economic Opportunity, the Senate Committee on Aging, the Dick Cavett Television Show and numerous other organizations. Mr. Weiss has spoken on many occasions at lectures and conferences on the topic of the law and the elderly and has spoken frequently on television and radio talk shows. Mr. Weiss received a B.A. from Yale University and an LL.B. from the Yale Law School.

David B. Wilkins is the Kirkland & Ellis Professor of Law at Harvard University Law School where he has been a member of the faculty since 1986. He serves as director of the Program on the Legal Profession and is a faculty associate of The Program in Ethics and The Profession. Since 1997 he has been a senior researcher at the American Bar Foundation. Previously, Professor Wilkins was an associate at the Washington, D.C., law firm of Nussbaum, Owen & Webster and clerked for the Honorable Thurgood Marshall of the Supreme Court of the United States. His book chapter, "Everyday Practice Is the Troubling Case: Confronting Context in Legal Ethics," is forthcoming in EVERY-

DAY PRACTICE AND TROUBLE CASES (Northwestern University Press). He has written a number of law review articles on the subject of legal ethics. Professor Wilkins received a J.D. from Harvard University Law School, where he was on the law review, and a B.A. with honors from Harvard College. His professional associations include the Law and Society Association Board of Directors and the American Association of Law Schools where he served on the Professional Responsibility Section Executive Committee (1991-92) and on the Civil Procedure Section Executive Committee (1991-93), among others.

Charles W. Wolfram is the Charles Frank Reavis, Sr. Professor at Cornell Law School in Ithaca, New York. Professor Wolfram is the author of the West Publishing treatise *MODERN LEGAL ETHICS* (Practitioners and Student Editions, 1986) and is the chief reporter for the American Law Institute's Restatement of the Law Governing Lawyers. He is the author of many monographs, book chapters, and articles and has spoken widely before lawyer, judicial, and non-professional audiences on the ethics of lawyers and judges. Professor Wolfram consults and appears as an expert witness in cases involving legal malpractice, lawyer disqualification, lawyer discipline, legal fees, and similar issues, and he is often quoted in the American professional and general media commenting on such issues.

David M. Young is President for Litigation Affairs of the Washington Legal Foundation (WLF), a public interest law and policy center in Washington, D.C.. Mr Young is one of three WLF attorneys responsible for implementing and coordinating WLF's litigation agenda. He has participated in cases before the United States Supreme Court and many other federal and state courts. Mr. Young is also an adjunct professor of law at the George Mason University School of Law in Arlington, Virginia. Prior to joining WLF, he was a litigator with the law firm of McGuire, Woods, Battle & Boothe, LLP. He received his J.D. from the George Mason University School of Law, where he was on the editorial board of the *GEORGE MASON LAW JOURNALS ASSOCIATION*, and the *GEORGE MASON INDEPENDENT LAW REVIEW*. Mr. Young clerked for the Honorable Henry Coke Morgan, Jr., on the United States District Court for the Eastern District of Virginia, worked for the U.S. Department of Justice Organized Crime and Racketeering Section, and served as a legislative aide in the U.S. House of Representatives for Representatives Patricia F. Saiki and Robert S. Walker. Mr. Young received his B.A. from Westminster College in New Wilmington, Pennsylvania. He has

appeared as a legal commentator on CNN, C-SPAN, MSNBC, Court TV, FOX 24 Hour News, and numerous radio shows.

Richard A. Zitrin is a partner in the San Francisco firm of Zitrin & Mastromonaco, LLP. Since 1977, Mr. Zitrin has been adjunct professor of law at the University of San Francisco where he serves as coordinator of the school's legal ethics seminar curriculum and teaches a seminar in legal ethics and the practice of law. He also teaches trial practice at the University of San Francisco, and teaches legal ethics at the University of California, Hastings College of Law. His principal practice is advising attorneys on issues of legal ethics, attorney practice, and malpractice avoidance. He also has extensive experience as a trial lawyer and as a mediator. He currently serves as a consultant to lawyers on litigation matters, and is a member of the American Arbitration Association's mediation panel. He has co-authored with Carol M. Langford a textbook which emphasizes a practical approach to teaching ethics, *LEGAL ETHICS IN THE PRACTICE OF LAW* (Michie, 1995), and he is writing a book on lawyers and the American legal system with the working title *TRUTH, JUSTICE, AND THE AMERICAN LAWYER*, to be published in fall 1998 by Ballentine.

Mr. Zitrin has published approximately 15 ethics articles in the past several years, including a series of articles for *CALIFORNIA LAWYER*, and articles for the *CALIFORNIA BAR JOURNAL*, the *LEGAL TIMES* and other legal periodicals. He speaks frequently on ethics and malpractice issues to bar associations, law societies, specialized practice bars, insurance companies and individual firms. He is the principal of his own continuing education provider, The Ethics Group. Mr. Zitrin served as legal technical adviser to the 1991 film *Class Action*, in which he had a speaking role opposite Gene Hackman as a "bad guy" lawyer. He is a member of several state, local, and ABA organizations which address legal ethics and legal services issues. He served on the State Bar of California's Committee on Professional Responsibility and Conduct from 1990 to 1996, as chair in 1994-95, and as special adviser in 1995-96.

