

Photo by Matt Cashore.



## Nell Jessup Newton

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### Dear Alumni and Friends of Notre Dame Law School,

There is much to be grateful for as the fall semester draws to a close. Thanks to your generosity we were able to offer a large percentage of this year's entering class some form of fellowship aid, and enroll a great class that will make you proud. Our median undergraduate GPA increased to a record high of 3.73 and we maintained last year's impressive 164 median LSAT score. Eighty-nine (45 percent) of the new class are women and minority students comprise 27 percent of the class—the largest percentage since fall 2011. Our 198 1L students come from 116 colleges and 37 states and bring to us diverse interests and experience. Notably, 58 percent of our 1Ls have been out of undergraduate school for one or more years, working or volunteering, before coming to law school.

Because our international students make such an important contribution to the NDLS student culture I am delighted to be able to report that our LL.M. programs are thriving as well. This fall the human rights LL.M. program welcomed 24 experienced lawyers and human rights activists from 17 countries while our new general LL.M. program enrolled 18 lawyers from 10 countries. Through the generosity of **Jim Aviles**, '82 B.A., and his wife, **Milena de Goes**, who are passionate about strengthening the rule of law in Brazil, we have been able to offer the Aviles-Brazil Fellowship to qualified Brazil residents interested in obtaining an LL.M. in U.S. legal studies. The availability of this fellowship has been a factor in the dramatic growth in applications from Brazil.

The 2017–2018 Aviles-Brazil Fellow, **Marcelo Pontes Vianna**, illustrates the caliber of student that the Aviles Fellowship attracts to NDLS. Since 2006 Pontes has served as Federal Auditor of the Ministry of Transparency of Brazil, where he was appointed to successive high-ranking positions within the Ministry. Most recently, he was appointed deputy head of the National Disciplinary Board and was directly involved with the implementation of the Brazilian Clean Companies Act.

### Students

It is difficult to put in words all the factors that create our Law School community. Of its many enduring aspects, perhaps the most touching is the way, year after year, classmates who were strangers in August become fast (and often lifelong) friends and allies during their time here. They look after each other, work together for the common good, and salute each other when things go well. Students welcome and support efforts to launch new initiatives and show leadership. To take just one example, over the past year a group of students resolved on their own to reactivate the Innocence Project Club. They approached Professor **Jimmy Gurulé**, a former federal and state prosecutor, who agreed to serve as their faculty advisor, and they elected Lardy Award winner **Tia B. Paulette** of the Class of 2018 as their first president. Today the newly named Notre Dame Exoneration Project Club is actively working with the Chicago Exoneration Project to represent inmates who were wrongfully convicted, and it was students who led the way. A story in *The Observer* has led to alumni interest in supporting the effort as well.

It was also a team of law students who created Impowerus, an online platform connecting young immigrants with pro bono legal aid, the goal being “to help youths successfully navigate the complex naturalization process while helping lawyers maximize efficiency.” The law student founders—2L **Erika Gustin**, 3L **Veronica Canton**, and 2L **Katelyn Ringrose**—went on to partner with Notre Dame undergrad and business students and win several awards, including the FISH Social Venture R&D Award from the McCloskey Business Plan Competition. The roll-out of the Beta platform for Impowerus is set for Spring 2018.

This supportive and collaborative student culture at NDLS is beginning to get national attention. *Princeton Review's* latest "Best Law Schools" rankings listed NDLS in the Top 10 for both "Best Classroom Experience" and "Best Professors," with excerpted quotes from NDLS students who participated in their survey. Students reported, for example, that NDLS is "a more cooperative school than most," where "people are kind to each other" and "students compete mostly against themselves." Classmates are happy to share notes or outlines: "If I were to miss a class, at least two people would offer their notes to me," says a student. The size of the school makes it "easy to get to know most people in your [1L] class and in the 2/3L classes," and Notre Dame "admits a well-rounded class with a wide range of experiences which makes learning more interesting."

Student initiative was also responsible for what may be the year's standout NDLS public program. The Intellectual Property Law Society and the Asian Law Students Association co-sponsored a concert that was followed by a question-and-answer session with The Slants, the dance-rock band from Portland, Ore., whose name was at the heart of the Supreme Court's landmark trademark opinion last June in *Matal v. Tam*. Lead singer **Simon Tam's** presentation of the litigation history, legal arguments, and principles involved in the case was first-rate.

NDLS students also played key roles in the arguments presented to the U.S. Court of Appeals for the Armed Forces in the Patrick F. McCartan Courtroom last April in *United States v. Edward Mitchell*, a case that considered issues of self-incrimination and the use of evidence obtained from a defendant's smartphone. Under the supervision of Professors **Jimmy Gurulé**, **Marah Stith McLeod**, and **Stephen F. Smith**, NDLS students submitted amicus briefs and participated in oral arguments on both sides of the case.

This year's Law Review Symposium focused on administrative lawmaking and featured Judge **Tom Hardiman** of the U.S. Court of Appeals for the Third Circuit. (Judge Hardiman is a great supporter of our students and has hired clerks from NDLS.) Harvard Law Professor **Cass Sunstein** delivered the November 21 Clynes Chair Lecture, and Professor **John Inazu** of Washington University Law School spoke on November 30 on "Confident Pluralism and the University: Surviving and Thriving Through Deep Difference."

In addition to the annual Moot Court Showcase, NDLS now also hosts an annual National Appellate Advocacy Tournament for Religious Freedom. Begun last year by **Matthew Ciulla**, '17 J.D., and **Christina Dines**, '17 J.D., the tournament is co-sponsored by the Moot Court Board and the Program on Church, State, & Society. This year's tournament featured 10 moot court teams from across the country.

Students also participated in several events sponsored by the Law School. The Dean's second annual Lecture on Race, Law, & Society was delivered by **Martha Jones**, a legal history scholar at Johns Hopkins University, on "Birthright Citizens: Winners and Losers in the Long History of the 14th Amendment."

Other events held over the past year include a panel discussion on the potential policy changes surrounding the Guantanamo Bay detention center, a Native American Law Students-sponsored presentation by **Norm Matteoni**, '63 J.D., on the Lakota's efforts to regain title to the Black Hills in South Dakota, the *Journal of International & Comparative Law's* symposium on the impact of

international sports, the *Journal of Law, Ethics, and Public Policy's* symposium on the Legal and Ethical Implications of Psychology and Mental Health, and the Research Program on Law and Market Behavior's fourth annual Corporate Governance Symposium.

All is not always serious at NDLS, however. As is traditional, the Law School's sports teams continue to thrive. Just this fall the 3L Floor Hockey Team was declared the 2017 All-Campus Tournament champion, the 2L class won the annual SBA Powderpuff Flag Football Tournament, and an all-NDLS team won the All-Campus Men's Flag Football Championship played in Notre Dame Stadium.

**Fr. Pat Reidy**, the Law School's new chaplain (and the nephew of NDLS alumna **Maureen Reidy Witt**, '80), is another major force for good at NDLS. Fr. Pat serves all of our students, without regard for their religious commitments. He can often be seen having coffee with them in the Law School commons, and they are clearly comfortable treating him as a friend and confidante. He is pastoral, affirming, inclusive, and caring, and the first to call a student when a parent or family member dies. The law student community has benefited greatly from his service.

Social events also bring the classes together. The Fall Ball seems to just get better every year, and last spring the Father Mike Show set a new attendance record. One of the auctioned items is "Dean for the Day" (which you can read about by entering the search term "Dean for the Day" on the NDLS website). Last spring's dean, **Anthony Kroese**, may have set a new standard for the job by including students, faculty, and staff in his short deanship and making a memorable YouTube video (search YouTube for "Dean Anthony Kroese"). More recently, on the Monday before Thanksgiving, the SBA hosted a potluck Thanksgiving dinner for students who would be remaining on campus during the holiday—and they made a point of inviting all faculty and staff to join them. This kind of camaraderie is a wonderful thing, and I feel privileged to have been a part of it during my time as Dean.

This has been a very good year for NDLS in just about every respect, but for a school dedicated to providing students with the skills they need to find a job after graduation, the continued annual improvement in our employment figures may be the best news of all. Once again, and despite being a bigger class (with 207 graduates), the law-related employment rate for the Class of 2017 continues to run ahead of last year's pace, and once again next year's class is on track to match or do better still.

## Faculty

Last month Professor **Amy Coney Barrett** was sworn in as a judge on the U.S. Court of Appeals for the Seventh Circuit. Given the divisions in our country, it is a remarkable testament to both Judge Barrett and this Law School that every full-time member of the NDLS faculty voluntarily signed a strong letter of endorsement supporting Amy's nomination. Of course, Amy's ability to command respect among her peers has a long history as evidenced by the fact that every law clerk who was serving a Supreme Court justice during the term that she clerked for Justice Antonin Scalia also endorsed her nomination. Our students love her as well, and twice selected her as the teacher of the year. We are therefore all the more delighted that Judge Barrett has graciously accepted our invitation to maintain an office at the Law School and to continue to teach here on a part-time basis along with Senior Judge **Kenneth Ripple**, also of the Seventh Circuit. Notre

Dame is now one of the few law schools in the country to have two federal appellate judges serving as members of its faculty.

Congratulations are also due Professor **Bruce Huber** (environmental law, natural resources law, property law, and energy law) who had a very good year indeed: named Teacher of the Year by the Class of 2017, granted tenure, and promoted to full professor!

Also this year, Professor **Jay Tidmarsh**, one of the nation's leading scholars in the areas of civil procedure and complex civil litigation, was named the Judge James J. Clynes, Jr., Professor of Law.

In other news, Professor **Randy Kozel** was named Associate Dean at the end of Professor **Mark McKenna's** term in that position. Professor **Roger Alford**, dean of graduate and international programs, is on leave this year to serve as the Deputy Assistant Attorney General for international affairs with the Antitrust Division of the U.S. Department of Justice.

Several faculty were singled out by the university and others for awards. **Robert L. Jones**, a clinical professor of law and associate dean for experiential programs, received this year's Rev. William A. Toohey, C.S.C., Award for Social Justice. The university presents the award each year to a faculty member who has shown dedication to teaching and research that emphasize the social-justice dimension of the Gospel in an exemplary way.

Professor **Douglass Cassel** received the university's 2017 Grenville Clark Award (awarded annually to a faculty member or administrator whose voluntary activities serve to advance the cause of peace and human rights).

Professor **Mark P. McKenna**, who teaches and writes in the area of intellectual property, was brought onto the field during the Notre Dame-USC football game and honored as a member of the university's 2017 All-Faculty Team.

Recently, Georgetown Law School's law journal held a conference on international law in the U.S. system that focused on the scholarship of Professor **A.J. Bellia** and his co-author, Professor **Bradley Clark** of George Washington University. Their book, *The Law of Nations and the United States Constitution*, provided a framework for much of the discussion. The Program on Constitutional Structure co-sponsored the event. One of the most notable panels featured five distinguished federal judges, including Justice **Samuel Alito** and four appellate judges. You can find our full November 28 news story about this event in the news section of our website ([law.nd.edu/news](http://law.nd.edu/news)).

Finally, Pázmány Péter Catholic University awarded an honorary doctorate to Professor **Paolo Carozza** in recognition of his "excellent and tireless service to the community and the Church, especially in the area of human rights," and last May, Professor **Veronica Root** was selected to participate as a New Voices Scholar at Vanderbilt's annual Civil Justice Scholarship Workshop.

I also bring the happy news of new faculty hires. Professor **Paul B. Miller** joined NDLS this fall. Paul brings a special expertise in the areas of equity, fiduciary law, trust law, and corporate law. He comes to us from Canada, where he taught at McGill University in Montreal and Queen's University in Kingston, Ontario, and will be teaching Jurisprudence in the spring.

Professor **Samuel L. Bray** will be leaving UCLA Law School to join us next fall. Before UCLA he served as executive director of the Constitutional Law Center at Stanford Law School, practiced law at Mayer, Brown LLP, and clerked for then-Judge Michael W.

McConnell on the U.S. Court of Appeals for the Tenth Circuit. During 2016–2017 he was a visiting professor at the University of Texas-Austin for the 2016–2017 school year. Professor Bray will teach civil procedure, remedies, and a seminar on restitution and unjust enrichment.

Professor **Michael Addo** is our new director of the London Global Gateway Law Program. He brings more than 25 years of experience in international law and human rights research, teaching, and policy from his years as a professor at the University of Exeter and service at the United Nations. He plans to increase UK externship opportunities and arrange study tours to The Hague and Geneva. During the fourth week of October 2018 we will be celebrating the 50th Anniversary of the London Program in London. London alumni, please mark the week on your calendars in anticipation of specific dates to follow.

I am also pleased to report a successful conclusion to our nationwide search for a new director of the Kresge Law Library to succeed Professor **Ed Edmonds**, who took emeritus status last December. Our new director, Professor **Thomas Mills**, comes to us from Cornell Law School, where he was a dynamic and highly regarded associate director for collections and faculty services, rare book curator, lecturer in law, and research librarian.

## Alumni

Although our Career Development staff deserves major credit for the continual improvement in our students' success in finding good post-graduate jobs, we all recognize that much of our success is owed to you, the alumni who do so much to support their work. Our students evidently agree. As one of them volunteered to the *Princeton Review*, "The alumni network is something [that is] heavily promoted, but the hype is true. I have never met so many people willing to go out of their way to take care of their own." Our Law Advisory Council members, members of the board of the Notre Dame Law Association, Notre Dame lawyers, and NDLS grads have a record of responding to student requests for help in making contacts in their geographic area or area of expertise and in discerning what career choices might best fit their talents.

Last summer, for example, more than 350 of you in 59 cities helped our students hone their interviewing skills. Thanks to you we also now have a mentorship program that matches students with alumni mentors in their markets of interest. This year 185 alumni in 37 cities volunteered for this innovative and rewarding program. Our alumni ambassador program, which coordinates student networking events with NDLS alumni, is now active in 30 cities, and networking events took place in 15 cities during last year's winter break alone. New Notre Dame Lawyer Committees have been formed in Portland, Tampa, Charlotte, Oklahoma City, and Tulsa.

Much more news about alumni, students, programs, and faculty can be found in the new *Notre Dame Lawyer* magazine. After a too-long hiatus, we have resumed publication with a new editor, Director of Marketing Communications **Kevin Allen**. His cover story illustrates why NDLS is a national school, with recent graduates more widely dispersed across more areas of the country than their counterparts from any other law school in the nation. The entire issue is lively, well-written, and packed with useful information. I commend it to your attention.

Finally, thanks to all of you who returned to campus September 29–30 to meet up with your classmates and make our inaugural

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## The Law School

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## Educating a Different Kind of Lawyer

Clockwise from upper left: Robert F. and Fran Biolchini; Judge Amy Coney Barrett; and Dean Nell Jessup Newton with 3L Tia B. Paulette, Lardy Award winner and Innocence Project Club president.

NDLS Homecoming Weekend such a resounding success. Nearly 300 of you visited the Law School tailgate on the DeBartolo Quad ahead of the Miami of Ohio game for great conversation, laughter, craft beers, wine, and a delicious buffet. Please save the weekend of September 15, 2018, for Homecoming 2018, when the tailgate will take place before the ND vs. Vanderbilt game. As the new year progresses you will be getting more information about the weekend from Law Alumni Program Manager **Tammye Raster**.

### Law School Losses

I am sorry, however, to report that the NDLS community has been hit hard by the loss of some of its most distinguished colleagues.

On March 4 we lost **Tom Singer**, a superb trial lawyer, colleague, and instructor in Notre Dame's trial advocacy program. Tom's wife, **Carmen Piasecki**, is a 1973 NDLS grad and his daughter, **Kate Singer**, is a 1997 grad who has been an adjunct professor here since 2000. During his 40 years as an NDLS adjunct professor, Tom mentored generations of trial lawyers, many of whom credit him for their professional success.

Professor **Regis Campfield**, who founded the Notre Dame Tax and Estate Planning Institute and served on our faculty from 1970–1977, passed away on October 27 in Dallas, Texas. Today the Institute that he nurtured continues to thrive under the watchful eyes of NDLS Professor **Michael Kirsch** and director **Jerry Hesch**.

**Robert F. Biolchini** also passed away November 8. Bob served on both the Notre Dame Board of Trustees and the Law

School Advisory Council. He and his beloved wife, **Fran**, created the Biolchini Family Chair in Law, now held by Professor **John M. Finnis**, and the **Erma V. Biolchini** Endowed Scholarship Fund, named in honor of Bob's mother. In addition, their transformative gift was a linchpin in the renovation of our original law building, now renamed Biolchini Hall of Law. Today Bob's son, **Thomas Biolchini**, '00 B.A., '06 J.D., '06 M.B.A., carries on the family tradition of service and is a member of our law advisory council.

It was a privilege to know each of these men. You can read my remembrances in the News section of our website at [law.nd.edu/news](http://law.nd.edu/news).

Inaugurating a new tradition, the Law School community came together on November 27 in a mass of remembrance held in the St. Thomas More Chapel to pray for all the members of our Law School staff, faculty, students, and their families who had died in the past year. Fr. Pat officiated.

On behalf of the faculty, staff, and especially the students, thank you for supporting your Law School, and may you have a blessed Christmas and happy New Year.

Sincerely,



Nell Jessup Newton  
*Joseph A. Matson Dean and Professor of Law*