



**PRO BONO PUBLICO**  
**J. Gregory Bishop '86**  
**Serves the**  
**Homeless of D.C.**

In a society that often gauges success by the money in a person's checkbook or the size of his car, it is refreshing to find someone like J. Gregory Bishop, a 1986 Law School graduate who would rather have his success measured by those he has helped. His efforts with the Coalition for the Homeless, Inc., a Washington, D.C., nonprofit organization, have lifted myriads who have been tossed into the poverty mire.

After arriving in D.C., Bishop was touched by his frequent encounters with the homeless in the subways. "I would give them change, but it didn't seem to be enough. It was a very helpless feeling," he said. Bishop discussed the problem with other attorneys, and they concluded that they did not know enough about the problem to even start helping.

So Bishop began investigating the various organizations running homeless shelters and was soon impressed with the Coalition for the Homeless. The coalition seemed to work well within the system, which fit into Bishop's

personal style—not just warehousing people, but helping them rise above their surroundings.

Bishop started working with the coalition by involving his elders quorum in Sheetrocking a home. Soon after the coalition asked him to serve on its public relations committee and, later, its legal committee.

Eventually, he was named vice-chair of the board of directors, and in 1990 he was elected chair.

The coalition, formed in 1979 as an advocacy group for D.C.'s growing homeless population, is now the second largest shelter provider in Washington, D.C., with a \$4.5 million annual budget. There are three basic programs run by the coalition. Two emergency shelters service up to 250 people per night—people show up in front of the shelter and each is given a bed and a meal. The program is open to all, first come, first served.

The next step is the transitional program for men. There are four transitional facilities that help people become self-sufficient. This six-month program is not open to everyone; the coalition works carefully to select those who are motivated to change their lives. Participants must be drug and alcohol free and must either have a job or be looking for one. The coalition also provides assistance to those looking for jobs. Some of the money earned by the residents while in the program is put in a trust and returned when they complete the program. This ensures that residents have sufficient funds for their

first month's rent and security deposits. To keep the participants drug and alcohol free, Alcoholics Anonymous and Narcotics Anonymous also play a part in the transitional program.

Because of the area's high rental costs, the coalition also designed the single-room occupancy program to help people who cannot initially afford housing. The rent is partially subsidized until they are able to get back on their feet.

One of Bishop's favorite programs is one they've developed for families. Though this is the fastest growing segment of the region's homeless population, the service-delivery system is typically not set up to deal with families, especially with the trauma that occurs when families are separated. Their program helps solve that problem.

Bishop is particularly happy with how their program has helped the children stay in school, an impossible task when families move around the city from shelter to shelter. Also, the schools are successful in bringing in the children without the stigma of homelessness. The family program has been popular among the volunteers, with people taking the children to the zoo or to other activities.

The day-to-day business of the coalition is handled by the executive director. However, the ultimate responsibility for the coalition rests with the board of directors, which has 25 members of varying backgrounds—from social workers to bankers. As chair, Bishop's responsibilities are similar to that of a chair of any corporation. He meets weekly with the executive director and monthly with the board to assure that the coalition is operating smoothly.

Funding for the coalition comes from several different sources, including the District of Columbia government, the U.S. Department of Housing and Urban Development, and numerous private fundraising activities. Due to the recession, funding has dropped considerably, and recently the coalition was in serious danger of going out of business. It now appears that they have weathered the storm, but they had to make tough decisions, including discharging dedicated employees.

The demands on Bishop's time, especially in dealing with the organization's financial crisis, have been heavy. Bishop averages approximately 30 hours a month working for the



coalition; however one month he worked 150 hours in addition to his law firm work. According to Bishop, sometimes it can feel like working two full-time jobs

Since being in Washington, Bishop has worked with three different law firms, and they have each encouraged his pro bono efforts and have even given financial support. His first firm continues to give substantial support to the coalition (one partner serves as general counsel), and his current firm of Verner, Liipfert, Bernhard, McPherson & Hand does much, not only with the coalition, but also with the Legal Clinic for the Homeless. Bishop feels law firms generally like to help the community. The work often gives the firms good exposure and occasionally brings in legal work.

Despite his heavy schedule, Bishop says his wife, Michelle, and their five children have been very supportive. According to Bishop, the Washington, D.C., lifestyle is fast paced, which, when combined with a busy professional life and a commitment to pro bono work can make things tough on the family, a constant challenge. Bishop tries his best to manage. His family views their support as a chance to give service, too.

In his role as chair, Bishop may meet a variety of individuals in any given week. He may be dealing with influential people such as Democratic Party Chair Ron Brown or Canadian Ambassador to the United States Derek H. Burney and soon after be working

with the people society tends to shun.

Bishop feels his time at J. Reuben Clark helped instill a sense of wanting to give something back. He feels service to the needy and poor can be a great spiritual benefit to those practicing law. "In litigation you spend the whole day in an adversary role trying to get the best result for your client. You are frequently tearing things apart, and somewhere along the way you might lose touch with things that matter most. Service gives you the opportunity to put things in perspective."

Also, Bishop feels that practicing law may not lend itself to tangible achievements, whereas working for the coalition has been tangible—a bed for someone to sleep in, a meal to sustain someone for another day, a life that gets turned around.

The coalition work has been humbling to Bishop. "All it takes is being in the wrong place at the wrong time and you're out on the streets," he says. His commitment remains strong even though his job as chair sometimes becomes tedious and seems removed from the day-to-day exhilaration of serving others directly. "These people are already at the end of their rope. I can't just walk away."

Another reason Bishop gives for getting involved is that a little effort can go a long way. "By volunteering you not only involve yourself, but you also give others a chance to help. People generally want to help; they just don't know how. Becoming involved has a catalytic effect. It allows friends and acquaintances

to learn of ways in which they can also help."

Since he joined it, more than 20 of Bishop's friends and colleagues have also helped the coalition. For example, one lawyer had a sister involved with a foundation; after receiving her helpful introduction, the coalition received an \$18,000 grant. Also, a contractor in Bishop's ward donated hundreds of dollars worth of Sheetrock. "Many people giving a little can make a big difference," says Bishop.

Bishop's term as chair ended in September, but he remains active on the executive committee. Looking back on his tenure as chair, he makes the analogy between his work at the coalition and his role as an early-morning seminary teacher or a missionary. "You're making an impact on people at a point in their lives when it is critical. You give a little, but you are getting so much more back."

—Todd Hallock

#### REFLECTIONS ON THE ABA AND ABORTION RIGHTS by J. Clifton Fleming, Jr.

At its August 1992 annual meeting, the American Bar Association reversed its policy of neutrality in the prochoice v. prolife controversy and formally declared itself as favoring women's free access to abortion at any time before fetal viability. The merits of this dispute have been movingly and exhaustively argued by others and I can add nothing to the substance of this debate. Instead, I suggest that regardless of one's

views concerning which side is right on the prochoice v. prolife issue, the ABA's new position should be considered a mistake.

The ABA's action, which was taken by a conscientious majority with respect to the most excruciatingly difficult issue of our time, places the association in substantial agreement with the weight of public opinion. Had this occurred in the conventional political process, those on the losing side, even those suffering the most painful crises of conscience, could fairly be told to accept the fact that debating value questions, resolving those debates through casting votes, and sometimes suffering defeat in the process are what democracy is all about and that the losers' appropriate remedy is to continue the debate and hope to win the next vote. However, this action did not happen as an incident of choosing candidates for public office or carrying out the business of a public legislative body. Instead, it occurred within a nongovernmental organization that presents itself to the public as an expert group focused on nonpartisan efforts to improve law, the legal system, law practice, and the delivery of legal services. I believe these facts indicate that, whatever one's position on the merits of the prochoice v. prolife debate may be, endorsement by the ABA of fetal viability as the jurisdictional event after which government can regulate abortions should be seen as an improvident step.

The proponents of the ABA action characterized the issue as "a simple one: who decides—the politicians of the 50 states, or the

individual woman and her physician?" In my judgment, this misstates the controlling question. No one in the mainstream of the abortion debate seriously argues that an individual woman should have an unfettered right to abort a fetus regardless of how late in her pregnancy she decides to do so. Instead, the controversy is over when the pregnancy has progressed to a point justifying significant governmental restrictions on the termination decision. The mainstream of prochoice advocates has selected viability as the proper event and is willing to allow extensive government regulation thereafter so long as abortion continues to be available where necessary to protect a woman's life or health. This is the position that the ABA has now adopted. But there are other credible possibilities that could be chosen as the event after which government can act—conception, the fetus' development of a detectable pulse, quickening, the onset of labor, and various other medically identifiable moments. Plausible and sincerely held arguments can be made both for and against each of these events as the proper moment to recognize a governmental role in the abortion decision, and none of them can be proven superior to the others by objective methods. Legal training and possession of a license to practice law cannot be seriously viewed as giving special insight with regard to the difficult question of which of these alternatives is best. The ABA's decision to select time of viability in prefer-

ence to the remaining items on the menu has the same tragicomic tone that would exist if the American Medical Association adopted an official position on whether the farm subsidy program should get more, less, or the same amount of money. In such a case, the AMA would have made a choice on a complex issue that its members may hold strong views on but on which they can claim neither expertise nor authority. This is what the ABA has done in the case of abortion. The ABA's action was certainly valid as a measure of its members' subjective preferences, but thoughtful people will give its position little credence when seeking expert guidance in this painful controversy.

The proponents of the ABA's new position pointed out that selecting the correct approach to abortion regulation is a legal question and argued that surely it is appropriate for a body of lawyers to adopt a policy on an important legal issue. Granted, choosing the time at which to apply abortion restrictions is a legal question in the sense that the chosen moment is expressed in law. However, it is not a legal question with respect to which the ABA can claim expert perception because of its lawyer membership. Selection from among the competing alternatives of the proper time for permitting government abortion restrictions is simply not an issue, like school desegregation, where the right answer is clearly revealed by fundamental principles of constitutional law and only those who are uninformed or have base motives are in opposi-

tion. Instead, even if one characterizes choosing the right moment for permitting government to regulate abortion as a legal question, it is clear that this issue involves a difficult selection among plausible alternatives about which numerous Americans hold strong and conflicting beliefs and about which lawyers can claim no exceptional understanding. It is, in other words, a classic dispute over partisan preferences that should be resolved through the processes of American government, not by asserting a claim of legal expertise.

When participating in governmental processes, the proponents of the prochoice position have every right to fully and freely engage in overtly political action. However, I believe that it was a serious mistake for these proponents to enlist the prestige of the American Bar Association in their struggle because the ABA's overtly subjective, non-expert action in the abortion arena cannot help but damage the association's credibility when it furnishes advice to the public and government on matters where it clearly has expertise and authority. The next time the ABA gives a Supreme Court nominee a less than sterling rating, its abortion action will lend much credibility to the already loud allegations by disappointed supporters that the association's judicial evaluations should be dismissed as driven by partisanship. Attacks of this nature on the ABA's judicial evaluations will not likely be blunted by the fact that its abortion position is largely consistent with public

opinion—the public is able to recognize a partisan position whether it agrees with it or not. And whenever the ABA appropriately adopts legislative recommendations that are based on its members' technical skills in constructing legal arrangements and on their experience regarding what does and does not work in the practical world, holders of threatened economic interests will be able to use the association's abortion policy to argue that the legislative position in question is based on partisanship rather than disinterested expertise.

Sadly, the prochoice advocates did not need to impose these costs on the ABA in order to further their sincerely held objectives. Although the proponents argued that the ABA's action was necessary to prevent the U.S. from becoming checkerboarded with disparate state abortion regulations, their argument fails close scrutiny. The ABA could have come out against lack of uniformity simply by advocating the *principle* of a federal abortion statute. Taking a position on the issue of uniform laws v. chaotic diversity seems comfortably within the ABA's expertise, and the ABA could do this without the additional step of endorsing time of viability as the approach the uniform law should employ.

More important, the ABA's abortion action probably comes too late to meaningfully aid the prochoice movement. In spite of prochoice complaints about the recent *Casey* opinion, that case insures that a woman's abortion decision will be substantially unfettered.

prior to viability; and in the current political climate, it is inconceivable that the Supreme Court could be packed with justices who would move in another direction. Furthermore, the polls indicate that the prochoice position has largely won the battle for the mind of the American voter. That fact plus the imminence of a prochoice president means that federal prochoice legislation and public funding of abortions for poor women are overwhelmingly probable. It is unfortunate that the prochoice proponents have compromised the ABA for so small a gain.

The ABA can either function as a body that provides government and the public with principled expert leadership on matters pertaining to our legal system or it can become one more voice in the cacophony of American special interest groups—it cannot do both. In my judgment, the greater good lies in choosing the principled expert role; we already have an ample and growing supply of political action organizations.

Obviously I am disappointed and embarrassed by my association's decision to declare a cut-and-dried answer to a complex and painful partisan issue that is beyond its expertise and that harms its capacity to accomplish many good things. Nevertheless, I find the ABA's work overwhelmingly admirable, particularly its efforts in behalf of women, minorities, and poor people. So I will remain in the association and try to explain to friends and students that an organization can be good even if it occasionally goes

wrong and that a good organization can be supported even if it loses its head in the heat of the most painful struggle of our time.

#### **STEPHEN MIKITA '82 RECEIVES PRESTIGIOUS AWARD**

Jerry Lewis wound up his 27th consecutive Labor Day Telethon to raise money for the fight against muscular dystrophy by honoring Stephen Mikita, an advocate for the disabled, with a special award.

Mikita, a Utah assistant attorney general and recognized expert on the Americans with Disabilities Act, received the Muscular Dystrophy Association's first national Personal Achievement Award from Lewis. Mikita has Werdnig-Hoffmann disease, one of 40 neuromuscular disorders covered by MDA's programs.

Mikita was chosen to receive the award from among 50 state MDA Personal Achievement Award recipients nationwide. The five finalists for the award, including Mikita, were presented live and in taped segments to the Telethon's more than 80 million viewers.

Beginning his successful law career 10 years ago, Mikita is presently assistant attorney general for the state, representing the Department of Health. Mikita clerked for Senator Orrin Hatch while attending the Law School.

Mikita has conducted extensive training on the provisions of the American with Disabilities Act for businesses, educational institutions, and the State of Utah.



*Stephen Mikita*

Mikita also works closely with Utah business leaders to make services accessible to everyone, operating with the philosophy that individuals and businesses can work together in a positive, nonconfrontational manner.

He has spoken frequently for MDA, educating people about neuromuscular disorders.

Involved in many professional and community groups, Mikita is president of Utah's Mental Health Association and serves as a member of the Utah Department of Health's AIDS Advisory Committee. He is chair of the Lawyers Helping Lawyers Committee of the Utah Bar Association.

In 1989 Mikita was named "Utah Outstanding Young Lawyer of the Year" by the Utah Bar Association.

#### **ALUM COMPLETES BOOK**

James Baker '77 has just completed his book *Women's*

*Rights in Old Testament Times*, published by Signature Books. As the title suggests, the book reviews the narratives of the Old Testament from the woman's point of view against the background of ancient law. The stories of 23 women are reviewed, covering such subjects as marriage, divorce, levirate marriage, metonymic marriage, rights to property, inheritance rights, rights of chief wives versus concubines and slave wives, etc. Women are shown to have been responsible, self-possessed, and assertive. They used the law to their advantage and were not the downtrodden property of men as some authors suggest. It is the first book to show, for instance, that Tamar was using customary law to her advantage when she played the harlot and tricked Judah into performing his legal marital duty to her.

Jim developed his interest in ancient law while a student at the Law School. When classes were held at St. Francis, Jim submitted a list of 50 religious books to

library acquisitions and, to his surprise, all were ordered. Since then, the Law School has accumulated a notable religious law library, due in part to Professor Doug Parker's continued interest.

After graduation, Baker took his wife and five children to Israel. There he enrolled in the Hebrew University Law School to study Jewish law.

Baker currently lives in Salt Lake City with his wife and those of his family still at home. He has a solo practice in ERISA, corporate law, and estate planning.

His book is available from Signature Books or from Baker, 300 IBM Plaza, 420 E. South Temple, Salt Lake City, Utah 84111. Those ordering through the mail should send \$17.95, which includes shipping and handling.

#### **WALDRIP DESIGNATED AS FELLOW**

Stuart T. Waldrip has become a fellow of the American College of Trial Lawyers. Membership, which is a position of honor, is by invitation of the board of regents. The college is a national association of 4,500 fellows in the United States and Canada. Its purpose is to improve the standards of trial practice, the administration of justice, and the ethics of the profession. The induction ceremony took place during the recent Annual Meeting of the American College of Trial Lawyers. More than 1,000 persons were in attendance at this meeting of the fellows in Boston, Massachusetts. There are 27 fellows in Orange County, California, among some 8,500 lawyers.

Waldrip is the owner of the Law Offices of Stuart T. Waldrip, APC, and has been practicing in this area for 24 years. The newly inducted fellow is an alumnus of the University of Utah College of Law and Stanford University. He has been president and a director of the Orange County Bar Association and serves as a member of the J. Reuben Clark Law Society National Advisory Board and chair of the Orange County chapter of the society.

#### **RYAN TIBBITS '84 JOINS CONFERENCES TEAM**

Ryan Tibbits, a shareholder in the Salt Lake City firm of Snow, Christensen & Martineau, has been selected by the ABA to be a member of the Conferences Team for the Young Lawyers Division. In this position, he will oversee two public service conferences. Tibbits was treasurer of the Utah Young Lawyers Section in 1987-88 and has cochaired the Special Projects Committee.

#### **JERRY FENN '83 APPOINTED VICE-CHAIR**

Jerry Fenn, a shareholder in Snow, Christensen & Martineau, is the vice-chair of the National Bar Leadership Committee for the Young Lawyers. This new ABA committee will train young lawyers to be leaders in the legal profession and professional organizations. They sponsored a national bar leadership conference last February.

Fenn served as president of the Utah Young Lawyers Section in 1989 and has

been active in the ABA, serving on several national committees. This year, he is chair of the ABA Affiliated Assistance Program. He also chaired the Utah State Bar's Annual Meeting Committee this year.

#### **BRUCE SNOW RETURNS AS LAW SCHOOL DEVELOPMENT OFFICER**

Bruce M. Snow has returned from a three-year assignment as president of the Korea Scout West Mission to reassume his position as assistant to the dean for development at the J. Reuben Clark Law School.

Snow is replacing Lothaire Bluth, who filled this assignment for the past three years. Bluth, now as major gifts director, supervises several development officers.

Snow first came to the Law School as development officer in 1987, after serving for 11 years as a regional and area director for LDS Foundation.

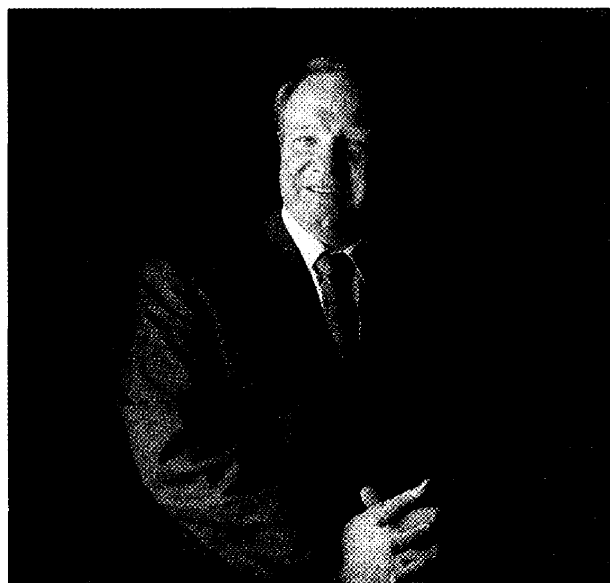
*Bruce M. Snow*

As assistant to the dean for development, Snow is responsible for dealing with major donors and helping promote the J. Reuben Clark Law Society. He is also working on gifts to establish scholarships, chairs, and professorships in the Law School and to augment the law library's collection and facilities.

"I'm excited to be working with the Law School again," said Snow. "It's important for the school to continue to have an impact nationally on the issues that face contemporary society."

The financial support alumni and friends provide the Law School is significant, according to Snow, because these contributions will help the school in fulfilling its mission of providing a solid, values-based legal education.

A 1976 graduate of Western State College of Law in Fullerton, California, Snow clerked for two years for U.S. Federal Judge Marion Callister before coming to work for LDS Foundation. Born in Ogden, Utah, he was raised



in St. Anthony, Idaho. He is a graduate of Brigham Young University.

He and his wife, Cindy, also a BYU graduate, are the parents of four children.



#### IN MEMORIAM

*Margaret R. Nelson '76*  
1952-1992

Diagnosed with cancer more than a year and a half ago, Margaret Rose Nelson fought a valiant and dignified battle for life that ended with her passing on Saturday, September 26, 1992, in Salt Lake City. A 1976 graduate in the charter class of the J. Reuben Clark Law School and one of only six women in that class, Margaret distinguished herself in professional, educational, political, and civic pursuits. Margaret was admitted to the bars of the Utah Federal District Court, United States Court of Appeals for the Tenth Circuit, District of Columbia Bar, and the Bar of the Supreme Court of the United States. Margaret practiced for 10 years in Utah County in a private practice and later as a deputy Utah County attorney. For the last six years, she served as an assistant United States attorney

for the District of Utah. She served on numerous professional committees and organizations, including the Utah Legal Services Board, Utah Statewide Association of Prosecutors, National District Attorney's Association, and Trial Lawyers of America.

Margaret also dedicated her time outside the office to the betterment of the community. Involved in many educational pursuits, she was elected twice as a member of the Utah State Board of Education. She also served with the Education Commission of the States and the Far West Laboratory Board. Taking particular interest in Utah Valley Community College, she served as president of its alumni association, as a member of the institutional council, and as vice-president of the foundation board.

Margaret also served the community as vice-president of the Provo/Orem Chamber of Commerce, chair of the Mountain Land Headstart Board in Utah County, and as a member of the Utah State Land Board, the Utah State Community Impact Board/Disaster Relief Board, and the Provo School District Vocational Advisory Committee.

In addition to her deep and continuous dedication to public service, Margaret loved her association with the Church. She had assumed many responsible positions both in stakes and wards, and at the time of her death, she was in a Relief Society presidency.

Margaret was loved for her quick wit and her use of language. She had an unsurpassed reservoir of energy

and industry and exhibited enormous individuality.

Her work in the law was not only a job but provided her with intellectual stimulation and a forum in which to serve others. Even when gravely ill, Margaret would still report to work, bringing her IV apparatus with her. She derived great joy from her many friends at the bar.

The last months of Margaret's life were characterized with enormous pain and physical deterioration. Still, she remained intellectually charged and positive. A visit with Margaret always meant some good-natured laughter and a positive dose of spiritual insight. Notwithstanding the burden of bad health that afflicted Margaret in those last months and years, she spoke often, and with great conviction, of her blessings of family, friends, and testimony. Even in her extremity, Margaret spoke of the gifts God had given to her.

—D. Miles Holman

#### FACULTY UPDATE

*Jean Wegman Burns*

Professor Jean Burns has been doing research on vertical restraints under the antitrust laws. In her most recent article, "The New Role of Coercion in Antitrust," 60 *Fordham L. Rev.* 379 (1991), Burns explores the role of coercion evidence in vertical restraint analysis before and after the ascendancy of the economic efficiency approach in antitrust. Burns feels that coercion evidence plays a significant but changed role in

analyzing vertical restraints and tie-ins.

Currently Burns is writing another article about using the economic efficiency approach to analyze vertical restraints and tie-ins under the antitrust laws. In this article she examines the demise of vertical restraint law in antitrust and the explosion of vertical restraint cases in areas outside of antitrust, such as state franchise and unfair competition laws and common law theories. She also examines the growing evidence that consumers do not believe some of the basic tenets of the economic efficiency approach. Burns then analyzes how these developments affect the continued viability of the economic efficiency approach to vertical restraints and antitrust jurisprudence in general. In addition to her research, writing, and teaching, Burns has served for the past year on the admissions and faculty appointments committees.

*Ray Jay Davis*

As chair of the task committee on the Model State Water Code, Professor Ray Jay Davis is drafting a proposal for the American Society of Civil Engineers to present to state legislators as the organization lobbies for the water code. Davis will also chair an engineering standards committee that the society will set up to review the code periodically and to lobby for legislation. Davis points out that the Law School has supported this generously and should be commended for their involvement.

Davis recently completed coediting the *Arizona Workers Compensation Handbook*, which is a complete rewrite of his 1980 *Arizona workers compensation* textbook. The new handbook, which has been published by the State Bar of Arizona, is a reference book and was introduced at a meeting of the workers compensation section of the Arizona Bar. The book is all-encompassing, dealing with all facets of workers compensation, including forms, benefits, and procedure. Davis wrote several portions of the book: the preface, an introductory chapter, a chapter on conflict of laws and coordination of benefits, and introductions to each part of the book.

Besides participating in six conferences, of which proceedings have been published, Davis has authored several articles addressing flood law, weather modification law, workers compensation, climate change, water rights transfer, and antipolygamy legislation. Using his expertise on the model water code, he has organized a workshop for a national irrigation conference being held in Park City next July and organized a conference session at the meetings of the Water Resources Division of the American Society of Civil Engineers planned for Seattle in May.

Davis served until recently on the advisory council on workers compensation of the Industrial Commission of Utah and is vice-chair of the advisory committee of the Utah Water Resources Research

Center. He recently completed a term as president of the Provo Rotary Club.

#### *Larry C. Farmer*

Currently Professor Larry Farmer's pet project, as in recent years, is the celebrated Computer-Assisted Practice Systems (CAPS). Since 1979 Farmer has worked with Stan Neeleman and Marshall Morrise to develop the software that helps lawyers program their computers to support their particular practices. The Legal Services Clinic at Harvard has used CAPS since 1987. Farmer hopes that in the future his CAPS research will make legal services less expensive and of higher quality.

Farmer is also investigating the impact of the use of practice systems in teaching clinics. He hopes to discover whether the educational experience of students using CAPS differs from those who don't. Farmer has also used CAPS to produce several automated jury instructions for Matthew Bender.

Recently Farmer has collaborated with, among others, BYU professor Gerald Williams on an article concerning gender-related distinctions in attorney negotiating style and with Lisa Hawkins on the effect of the legal writing clinic on first-year performance.

#### *C. Douglas Floyd*

Returning from several years of San Francisco appellate litigation, Professor Douglas Floyd

resumes full-time teaching this year. Floyd first taught at the J. Reuben Clark Law School from 1980 through 1985 and last year began the transition back to full-time teaching by splitting his time between San Francisco and Provo. This year he will teach courses in civil procedure, federal courts, and civil rights.

His current academic focus is a four-volume antitrust treatise. This major project, which Floyd will coauthor with Dean E. Thomas Sullivan of the University of Arizona, will deal with procedure, immunities, remedies, jurisdiction, and other structural issues in the antitrust field. He and Sullivan hope to have the treatise, to be published by Little, Brown & Company, completed by fall 1994.

#### *Michael Goldsmith*

An in-demand lecturer among attorneys, judges, and legislators, Professor Michael Goldsmith has been traveling across the country speaking on white collar crime issues such as asset forfeiture, money laundering, RICO, and electronic surveillance. Recently he also spoke at the Tenth Circuit Judicial Conference on criminal law and procedure.

His numerous publishing projects include a new book on money laundering, an article on electronic surveillance and the attorney-client privilege in the *University of Southern California Law Review*, a second edition of his casebook on evidence, and an article on RICO in the

forthcoming *Harvard Journal of Legislation*.

Professor Goldsmith serves on the board of editors for two leading publications on RICO and money laundering. He consults regularly for the National Association for the Attorneys General and for law firms throughout the country.

#### *Heidi K. Hubbard*

Visiting professor Heidi Hubbard has taken a leave of absence from litigation firm Williams & Connolly, Washington, D.C., to spend the academic year teaching BYU law students. For the past five and a half years, she devoted approximately half her litigation work to white collar criminal defense, with an emphasis on securities fraud, and the other half to general civil litigation. "The most exhilarating part of law practice," she says, "is going to court; the most rewarding part is getting a good result for a client." Drawing upon her expertise, Hubbard teaches a large section on torts and a seminar on criminal trial practice at the J. Reuben Clark Law School.

Since earning a JD from Stanford Law School in 1986, Hubbard has retained her love for the classroom, an interest that complements her legal experience. She enjoys returning to BYU, her undergraduate alma mater, to participate in the learning experience. Hubbard observes, "It's nice to have a chance [at the Law School] to think of the big picture, to think of issues not dictated by the needs of a client."