



D. Gordon Smith



John Borrows



Margaret C. Tarkington



D. Carolina Núñez

New Faculty at the Law School

D. Gordon Smith

Professor Smith comes to the Law School from the University of Wisconsin Law School, where he was a professor of law and the associate director of the Initiative for Studies in Technology Entrepreneurship from 2004 to 2007. From 1994 to 2002 he was a professor at Lewis & Clark Law School in Portland, Oregon.

He has been a Fulbright scholar in the Fulbright German Studies Seminar, Brussels, Belgium, and Berlin, and has taught in international law programs in Sweden, Germany, China, India, France, Australia, and Finland. Smith practiced law with Skadden, Arps, Slate, Meagher & Flom in Wilmington, Delaware, and he clerked for Judge W. Eugene Davis of the Fifth Circuit Court of Appeals.

Professor Smith came to BYU as a non-Mormon undergraduate and was baptized while an undergraduate. He attended the University of Chicago Law School and is married and has six children. He says:

BYU is a uniquely important place to me, and it continues to play a central role in my life. I came here

as an undergraduate in 1980, leaving a small dairy community in northern Wisconsin. I was not a member of the Church at the time, but I was so impressed by the friendliness and goodness of the people that I read the Book of Mormon and heard the missionary discussions. I was baptized in 1981. Because of my feelings for BYU, over the past five years, I have received many calls from other law schools, and I have declined to interview with any of them, except BYU.

John Borrows

A visiting professor at the Law School for the 2007–2008 academic year, Professor Borrows comes from the faculty of law at the University of Victoria in Canada, where he is the Law Foundation Chair in Aboriginal Justice. He is widely regarded as the leading Aboriginal legal academic in Canada and is a recipient of a National Aboriginal Achievement Award for his work in law and justice and a Fellow of the Trudeau Foundation. He holds five academic degrees and is a prolific scholar. His “Recovering Canada: The Resurgence of Indigenous Law” was awarded the Donald Smiley Prize by the Canadian Political Science

Association in 2002. His *Aboriginal Legal Issues: Cases, Materials and Commentary* is used in almost every law school in Canada, and his articles are frequently cited by the Supreme Court and other courts. He works tirelessly with the Department of Justice, treaty and mediation negotiators, and Aboriginal organizations to promote dialogue among Aboriginal and non-Aboriginal peoples in Canada and internationally.

This year Professor Borrows was elected a Fellow to the Academies of Arts, Humanities and Sciences of Canada, the country’s oldest and most prestigious scholarly organization. The award is the highest honor that can be attained by scholars, artists, and scientists in Canada.

Professor Borrows is married, with two daughters. He will be teaching international human rights and federal Indian law at the J. Reuben Clark Law School.

Margaret C. Tarkington

Professor Tarkington returns to BYU Law School as a visiting assistant professor of law after teaching professional responsibility and torts during the 2006–2007 academic year. She will be teaching

civil procedure for 2007–2008.

After completing her law degree at the J. Reuben Clark Law School, she clerked for Chief Justice Christine M. Durham of the Utah Supreme Court, Judge Randall R. Rader of the United States Court of Appeals for the Federal Circuit in Washington, D.C., and Judge Kenneth F. Ripple of the United States Court of Appeals for the Seventh Circuit. She worked at Paul, Weiss, Rikkind, Wharton & Garrison and Cravath, Swaine & Moore in New York, and Wood Crapo in Salt Lake City.

Professor Tarkington is married, with a second son due in October 2007. She relates:

When I learned in 2005 that the Law School was looking for professors, I became very interested in applying. At that time I was practicing part-time and had not thought about being a law professor anywhere else, nor was I applying to other law schools. But the idea of teaching at J. Reuben Clark Law School was very appealing to me. I had wonderful experiences as a student, and I was intrigued by the opportunity at BYU to combine a spiritual outlook with the rigors of the study of law. Indeed, teaching profes-

sional responsibility this last year provided numerous opportunities to study the laws of men in light of the laws of God—not only to encourage students to be diligent, competent, hardworking, intelligent attorneys, but also to be true and faithful, honest and upright attorneys.

D. Carolina Núñez

Professor Núñez returns to BYU Law School in January 2008 as a visiting assistant professor of law. Originally from Venezuela, she received her undergraduate degree in international law and diplomacy and her law degree from the J. Reuben Clark Law School. She clerked for Chief Justice Christine M. Durham of the Utah Supreme Court and Judge Fortunato P. Benavides of the United States Court of Appeals for the Fifth Circuit. She joined Stoel Rives LLP as a litigation associate in her private practice of law.

Professor Núñez is married and has one child. She says:

I loved my law school experience at BYU, and I think it was due, in large part, to my professors. They projected an enthusiasm for the study of law that was contagious. I looked forward to class discussions—many of these discussions did not end at the close of that day's session. We students continued these discussions in the halls and in the library—we were genuinely curious about the law. I hope I can project this same enthusiasm and curiosity toward the law both in class and in my research and writing. I hope to help students take an inquisitive approach to the study of law, which, in turn, will help them enjoy their law school experience and maximize their learning. Likewise, by applying that same enthusiasm for the law in my research and writing, I will be able to focus on important and interesting legal issues and innovative and useful approaches to those issues.



LAW SOCIETY CONFERENCE HELD IN AUSTRALIA

The second Australian conference of the J. Reuben Clark Law Society was held in Melbourne on June 8–11, 2006. The 40 society members in attendance represented the Australian and New Zealand chapters. In addition, two members of the society attended from Singapore.

International board members Bill Atkin (Salt Lake City) and Neville Rochow (Adelaide, South Australia) were also in attendance and participated in the conference. Elder Paul K. Sybrowsky, Area President, spoke at the concluding fireside on Sunday night, which was attended by more than 200 people.

Law Society members and others attending the conference include:

BACK ROW Mark Bender, Steven Spencer, Russell Leneham, Kitione Vuataki, Bill Duval, Mathew Pawson, Mark Rice, Anthony Thompson, Karl Sorensen, Alan Grincer.

MIDDLE ROW Harrison Bender, Robert Menzie, Titilia Vuataki, Caroline Stirling, Keith Thompson, Walnetta McCall, Michael Stokes, Helen Black, Neville Rochow, Jessica Rancie, Andrew LaTerra.

FRONT ROW Barbara Ann Smith, Bill Atkin, Robert Bakes, Dineen Wells, Chris McCappin, Marie Davies, Monique Robb, Candice Evans, Holger Sorensen.

N. Randy Smith Appointed to the Ninth Circuit Court of Appeals

In late 2006 President George W. Bush appointed N. Randy Smith, '77, to the Ninth Circuit Court of Appeals, a move enjoying strong bipartisan support. || Following his graduation from the J. Reuben Clark Law School, Judge Smith practiced law with the J. R. Simplot Company, specializing in corporate business and tax law. He moved to the law firm of Merrill & Merrill as a civil litigator in corporate matters and insurance defense. An adjunct professor in the management and business political science departments at Idaho State University teaching business law, legal environment, and judicial process classes, he also has taught accounting classes at Boise State University and Brigham Young University. || In 1995 Judge Smith was appointed as a district judge for Idaho's Sixth Judicial District and served there until 2005, presiding over more than 6,000 civil and criminal cases. In 2004 he was named that court's administrative judge. || Honored for his efforts in reducing crime and preventing recidivism, he received the 2005 Statesman of the Year Award from Idaho State University. In 2004–2005 Judge Smith was the first adjunct faculty member to be selected as Outstanding Teacher by the Idaho State University College of Business. In 2003 he received the Idaho court system's George G. Granada Jr. Award for professionalism as a trial judge.





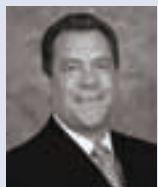
Paul M. Belnap



Ralph L. Dewsnap



Stanley E. Everett



Mark A. Ferrin



Joseph S. Martineau



Lynn C. McMurray



H. E. Scruggs Jr.



Terry L. Wade



David R. Clark

Law School Alumni Called as Mission Presidents

Nine graduates of the Law School and their wives have begun service as mission presidents. The following presidents left for their assignments this past summer.

Paul M. Belnap, '78, and his wife, Elizabeth, serve over the Washington Kennewick Mission. From Kaysville, Utah, President Belnap is an attorney and partner at Strong and Hanni. He and his wife have six children.

Ralph L. Dewsnap, '77, of Salt Lake City, presides over the Puerto Rico San Juan East Mission with his wife, Mary. He is an attorney at Dewsnap, King & Olsen. President Dewsnap and his wife have five children.

Stanley E. Everett, '80, is the new mission president of the Russia Vladivostok Mission. From

Kirtland, Ohio, he and his wife, Virginia, have eight children. President Everett is an attorney at Brouse McDowell.

Mark A. Ferrin, '76, is accompanied by his wife, Cheryl, as he presides over the Philippines Naga Mission. An attorney in Huntsville, Utah, he and his wife have five children.

Joseph S. Martineau, '76, an attorney in Gilbert, Arizona, is the new mission president of the Puerto Rico San Juan West Mission. He and his wife, Susan, are the parents of 10 children.

Lynn C. McMurray, '80, and his wife, Charlene, have left their home in Salt Lake City to serve in the Tonga Nuku'alofa Mission. President McMurray is an attorney at Kirton and McConkie. He and his wife have 11 children.



Wilford W. Andersen



David L. Cook



Stephen L. Fluckiger

Law Alumni Are New Area Seventies

Three BYU Law School alumni were sustained as Area Seventies at general conference this past April: Wilford W. Andersen, '76; David L. Cook, '86; and Stephen L. Fluckiger, '80.

Wilford W. Andersen, of Mesa, Arizona, is a partner at Andersen Investments, specializing in real estate and property.

David L. Cook, of Pittsford, New York, is a partner at Nixon Peabody LLP in Rochester. Among his areas of practice are construc-

tion, litigation and dispute resolution, and real estate.

Stephen L. Fluckiger, a partner at Jones Day in Dallas, lives in Sunnyvale, Texas. His areas of expertise include private equity, mergers and acquisitions, and life sciences and biotech.

Steve E. Snow Called to Presidency of the Seventy



Steven E. Snow, '77, of the Seventy has been called by the First Presidency of the Church as

one of three new members of the Presidency of the Seventy.

Elder Snow was a senior partner in a law firm in St. George, Utah, when he was called as a General Authority. Sustained to the First Quorum of the Seventy in 2001, he served as second counselor in the Africa Southeast Area in 2001, first counselor in that Area Presidency in 2002, and Area President from 2003 to 2004. He served as an associate director of the Priesthood Department in 2005 and has been the executive director for the past year. Before being called as a General Authority, he was called as an Area Authority Seventy in April 1999. He previously served as president of the California San Fernando Mission.

Elder Snow and his wife, Phyllis, have four sons.



Cheryl Preston Receives Award

Law Professor Cheryl Preston, '79, has received BYU's Women's Research Institute 2007 Distinguished Research Award, given annually to those who have contributed substantially to the scholarly study of women.



Galen Fletcher Honored

Galen L. Fletcher, faculty services librarian at the Howard W. Hunter Law Library, is the 2007 recipient of the American Association of Law Libraries' Joseph L. Andrews Bibliographical Award. The award was presented during the AALL annual meeting held in New Orleans this past July.

He is a contributing author of *Prestathood Legal Materials: A Fifty-State Research Guide, Including New York City and the District of Columbia*.



C. Douglas Floyd Honored with Karl G. Maeser Teaching Award

A favorite professor at the Law School since 1980, C. Douglas Floyd has received the Karl G. Maeser Excellence in Teaching Award. The prestigious honor, recognized at the 2007 annual university conference, follows Professor Floyd's many teaching awards and superior evaluations from his students at the Law School.

Professor Floyd's gift for making some of the most challenging courses clear and intriguing for law students is matched by his important contributions as a thoughtful and productive scholar.



Law School Professorship Awarded

Larry C. Farmer became the Glen L. Farr Professor of Law in August 2006. Professor Farmer joined the J. Reuben Clark Law School faculty in 1974. He obtained a doctor of philosophy degree in clinical psychology from BYU in 1975.

The professorship is part of the Farr family and the Union Pacific Railroad's endowment to honor Glen Farr by supporting legal education.



Clark Memorandum Shines in Publication Competitions

As an award-winning university publication, the *Clark Memorandum* is in good company.

The Council for Advancement and Support of Education (CASE) presented the magazine with a bronze medal in the Special Interest Magazines category. Among the five other medal winners in that category—including Harvard Medical School, Stanford University Medical School, and the Johns Hopkins Bloomberg School

of Public Health—BYU was the only law school to win an award.

In the CASE Visual Design in Print category, the magazine also received a silver medal for the entry "Lifting Others" in the spring 2006 issue and a bronze medal for "Grief and Hope: A Prosecutor Looks at the Rwanda Tragedy" in the fall 2006 issue.

"Lifting Others" also won a Merit Award from the Salt Lake City Chapter of AIGA and an Award of Excellence in the 47th Annual Design Exhibition of *Communication Arts* magazine.

Senator and Chief Justice of United States to Speak This Fall

Harry Reid, U.S. Senator of Nevada for 20 years and Senate Majority Leader following the 2006 elections, will speak on October 9.

John G. Roberts Jr., chief justice of the U.S. Supreme Court since September 2005, will speak at a BYU forum at the Marriott Center on October 23, 2007.

Howard W. Hunter

100 Years Since His Birth | 1907–2007

Howard W. Hunter Law Library

10 Years Since Its Dedication | March 21, 1997

THE FOLLOWING EXCERPTS ARE TAKEN FROM SPEECHES
PRESENTED BY THE FIRST PRESIDENCY AND FROM THE DEDICATORY
PRAYER AT THE LAW LIBRARY'S DEDICATION:

President Gordon B. Hinckley

I sat next to [President Hunter] for twenty years in the Council of the Twelve. I was on his left hand as we went around the circle. That circle is a rather sacred thing in the Council of the Twelve—very carefully observed. What a great soul he was: a student, yes; a scholar, yes; a hard worker, yes. But above all [he was] a man of great kindness and love and respect and care and thoughtfulness and consideration. It was not his brilliance in the law that came through as you knew him. It was his love for humanity which made the big difference in his life. He was a man who loved and respected people. He did a great deal of pro bono work as a lawyer, a vast amount of pro bono work to help those in need and in distress, the poor and the struggling among us who needed help. He observed the great dictum of the Master that we go about doing good. I am so grateful for my acquaintance with him and for what he did for me, for the contribution which he made to my life of being careful of what you do, what you say, how you do it, nothing that was not deliberate and careful and proper. God bless his memory to our great good, each of us.

President James E. Faust

A great law library is a fitting way to memorialize President Howard W. Hunter. His was such a far-reaching and astute mind. His aptitude and wisdom were extraordinary. He was so capable of everything. . . . President Hunter's life epitomizes the words of Micah: "And what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?" (Micah 6:8). We loved and admired him so very much and are grateful that this great library has been built to carry the name of Howard W. Hunter.

President Thomas S. Monson

One day in a moment of quiet reflection, President Hunter shared with me his personal philosophy: "I feel ours is the mission to serve and to save, to build and to exalt." That all who come into this library may carry the virtues of Howard W. Hunter and "seek . . . out of the best books words of wisdom; seek learning, even by study and also by faith" (D&C 88:118) is my prayer.

Excerpts from the Dedicatory Prayer by President Gordon B. Hinckley

May these very facilities become an inspiration to all who will use them.

May those who have given generously to make this structure possible have satisfaction in the knowledge that it will fill a need, and that it will add immeasurably to the stature of this school.

May it contribute to the strength of scholarship and the attitude of those who are graduating from this institution. May they go forth into the world of work as defenders of the law and of the precious Constitution of this nation.

May the plaque which adorns the hall of this library and which contains words on the law and government from the Doctrine and Covenants prove an inspiration to all who shall pause to read it.

May the graduates of this institution bring dignity and integrity to the profession of which they will become a part.

The Clark Memorandum welcomes the submission of short essays and anecdotes from its readers. Send your short article (750 words or less) for "Life in the Law" to wisej@lawgate.byu.edu.