

Faculty Notes

Each issue of the Memorandum will report on recent activities of selected faculty members

James H. Backman

Jim Backman returned in 1984 from a two-year leave as European Area Legal Counsel for the LDS Church, working often with local counsel on real estate, labor, banking, tax, and immigration problems. He spent a good deal of his time on property and physical facilities matters, including legal and policy supervision work on three temple construction projects.

Reflecting his international experience, Professor Backman has initiated review by the Law School and the university of a proposal to create a master's of comparative law program. If approved, the new program would invite lawyers from foreign countries to spend a year on campus, sitting in on selected courses and taking some special instruction designed to familiarize them with the American system in a comparative perspective.

Matthew Bender Company has invited Mr. Backman to become part of the team of experts who will prepare periodic updates on the multivolume real-property treatise, *Powell on Real Property*.

Jim also served recently as faculty advisor to the *BYU Journal of Legal Studies*, one of the Law School's student cocurricular programs. The journal has published a series of book-length, practitioner-oriented topical summaries of Utah law, the latest volume dealing with probate law. Beginning fall 1986, the journal will change to a quarterly format.

Ray Jay Davis

During the 1984-85 academic year, Professor Ray Davis published an article in the *Journal of Weather Modification* entitled "Federal Liability for Negligent Maintenance of Weather Modification Equipment." He also prepared a series of four videotapes for Video Audio Educational Leasing Corporation on weather-modification law.

Mr. Davis' most recent publications include a chapter on "International Law of Weather Modification," in Max Planck Institute for Comparative Public Law and International Law, *Encyclopedia of Public International Law*; "The 1985 Utah Lake and Jordan River Operating Procedure Compromise Agreement," in "Proceedings of Conference on Climate and Water Management;" and "A

Legal History of Weather Resources Development" in "Proceedings of the Tenth Conference on Planned and Inadvertent Weather Modification."

Professor Davis has also completed a high school textbook for government classes that is ready for publication, and he is completing a draft of a text on Utah workers' compensation. The Rocky Mountain Center for Occupational and Environmental Health, College of Medicine, at the University of Utah asked him to make a presentation on Utah workers' compensation law.

BYU Law School cohosted the summer 1985 Rocky Mountain and Southwest Regional Institute of the Council on Legal Education Opportunity (CLEO) under Ray's direction.

In addition to his Law

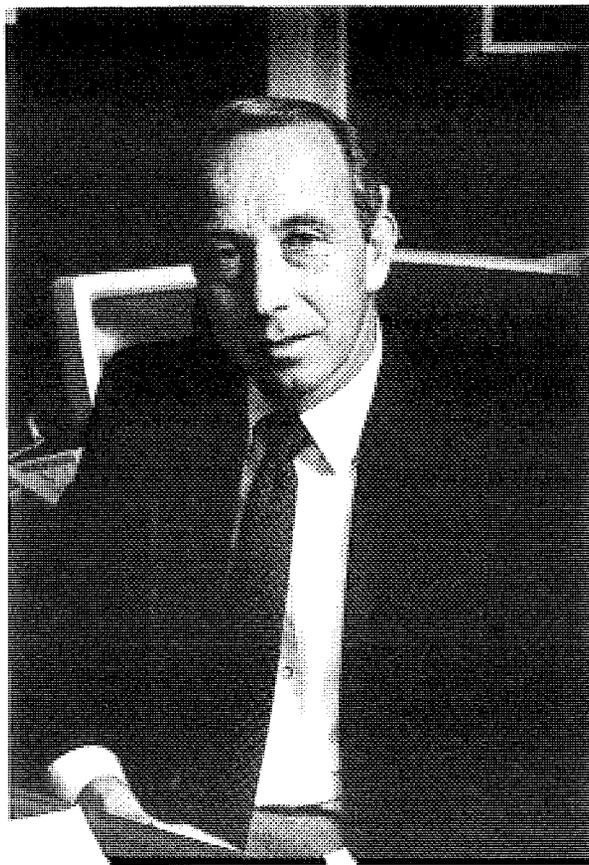
School activities, Mr. Davis served as a member of the Citizens Advisory Committee to the Utah Center for Water Resources Research, as a trustee and member of the law teaching committee of the Rocky Mountain Mineral Law Institute, as a committee and task group member of the Irrigation and Drainage Division of the American Society of Civil Engineers, and as a director and secretary/treasurer of the Consortium for Atmospheric Resources Development. He also served as a trustee and member of the executive, legislation, awards, and planning and goals committees of the Weather Modification Association and as a member of the legislation committee of the North American Interstate Weather Modification Council.

<H. Reese Hansen

Professor H. Reese Hansen continues in his service to the Law School as associate dean. His long-term interest and activity in law school admissions policies is reflected in his continuing association with the Law School Admissions Council. He is a member of the board of trustees of the council and serves as chair of the External Affairs Committee.

The Association of American Law Schools has also tapped his admissions expertise and has selected him to serve as chair and executive committee member of the Section of Pre-legal Education and Admission to Law School.

Reese has also served the Utah community as a member of the Utah Commission for Law and Education, as a



member of the Board of Directors of Utah County Boys Club, and as a director of Utah Legal Services.

Because trusts has not been taught at the Law School since Professor Oaks was appointed to the Utah Supreme Court, Professor Hansen has agreed to assume the teaching responsibility for this course. Preparation for this new teaching assignment consumes much of his research time.

Carl S. Hawkins

Having resumed a position as full-time professor after a stint as dean of the Law School, Professor Hawkins continues to be involved in a number of projects. He is completing a revision of the torts casebook he coauthored and is doing research on several law-review articles in the torts field.

In 1985 he prepared a revised edition of *Professional Seminar: Becoming a Lawyer*, an intramural publication used as course material for a professional seminar.

He served as a member of the American Association of Law Schools Committee on Law Libraries, was a member of the ABA/AALS Reinspection Team for the Albany Law School, was an ex officio member of the Utah State Bar Commission and served on the advisory council for Lawyers' Assistants Program at Utah Technical College, Provo-Orem.

Professor Hawkins also serves as chairman of the Utah Administrative Law Advisory Committee. This committee is working on a draft of the Administrative Procedures Act for the State of Utah. The Utah Supreme Court has invited him to



< Douglas H. Parker

During the past year Professor Parker participated in the establishment of the Utah Section of the International Association of Jewish Lawyers and Jurists. The members of the section honored Mr. Parker by electing him section chairman.

His major research interest currently is the completion of a survey of recent literature for inclusion in the *Jewish Law Annual*. Professor Parker continues work on his long-term project to prepare an encyclopedic dictionary of Jewish law, patterned after Berger's *Encyclopedic Dictionary of Roman Law*.

Professor Parker, along with Professor Sam Thurman, has served on a special subcommittee of the Ethics Advisory Opinion Committee of the Utah State Bar. The subcommittee reviewed approximately eighty written ethics opinions and prepared them for publication.

Doug spent six weeks this summer in New Mexico as a professor for the Council on Legal Education Opportunity (CLEO) Program.

Professor Parker was recently selected to receive the Karl G. Maeser Distinguished Teaching Award. This award, presented by President Jeffrey R. Holland on behalf of the Brigham Young University community and alumni, recognizes members of the BYU faculty who have demonstrated superior teaching skills. In making the presentation, President Holland emphasized Doug's efforts in developing new courses at the Law School in American Indian law and Jewish law.

Professor Parker is the first member of the Law School faculty to receive this prestigious award.

serve on two committees: the Utah Supreme Court Advisory Committee on Rules of Civil Procedure, and the Utah Supreme Court Ad Hoc Committee on Lawyer Discipline Procedure. Mr. Hawkins also serves on the Drafting Committee for a Proposed Multistate Essay Exam for the National Conference of Bar Examiners.

Edward L. Kimball

"Of Crime and Punishment," published in *BYU Today*, and "Utah Rules of Evidence 1983, part I," published in the *Utah Law Review*, were two of Professor Edward L. Kimball's research efforts over the past year. He also continued his work of documenting the life of his parents by preparing a videotape on Spencer and Camilla Kimball for a BYU Women's Conference

and writing an article entitled "Remembering Mother," published in *This People*.

Other pieces Kimball prepared include *The Story of Spencer W. Kimball. A Short Man, A Long Stride*, published by Bookcraft, a chapter on Spencer W. Kimball for the Deseret Book publication, *The Presidents of the Church*, and an article on Spencer W. Kimball for *BYU Studies*. Following his father's death he prepared an article of remembrance for *Dialogue*.

He also developed a substantial part of a computer-assisted instruction package on evidence.

Professor Kimball served on a test-development committee for the National Conference of Bar Examiners and has served as a member of the Utah Board of Pardons.

Robert E. Riggs

Professor Riggs has completed a chapter, coauthored by Dean Hafen, to be included in the Matthew Bender Treatise on the Constitutional Law of Privacy.

The *Arizona Law Review* published Professor Riggs' article: "Indecency on the Cable: Can It Be Regulated?" Additionally, the *Florida Bar Journal* published his article on the regulation of Indecency on Cable Television.

Professor Riggs also prepared six short articles for "The Guide to American Law," a ten-volume reference work published by West Publishing Co. in 1984.

The *BYU Law Review* has published "The United Nations and International Law." Duke University Press will include a chapter by Professor Riggs entitled "The United Nations and the Politics of Law" in its book *Politics of the United Nations at Forty*, and *Dialogue* has published Professor Riggs' article on government-sponsored prayer in the classroom.

Professor Riggs' book *The United Nations: The Politics of International Organization*, coauthored by Jack C. Plano, will be published by Dorsey Press in early 1987.

He is now beginning a study of judicial protection of civil rights in Britain in preparation for taking professional development leave in London, England, during the 1987 winter semester. He will be affiliated with the Law Department of the London School of Economics.

David Thomas

Professor David Thomas continues his law-library development efforts in addition to producing a prolific amount of scholarly material.

During the past academic year he prepared a 250-page supplement to his treatise on Utah Civil Procedure. His publication list included: "Peaceful Partnerships: Suggestions for Law School Libraries Sharing Local Computer Systems," published in the *Law Library Journal*; "The Disappearance of Roman Law from Dark Age Britain," published in the *BYU Law Review*, and "The American Law School and its Library: A Unique Relationship," published in the *Law Library Journal*. The *BYU Law Review* recently published Mr. Thomas' articles "Anglo-Saxon Antecedents of the Common Law," and "Common Law Under the Early Normans." His most recent publication was "The Paperless Law Library in the United States," published in *Law Librarian*.

In addition to his solo scholarly efforts, Professor Thomas contributed to or provided editorial assistance to *Real Property, Probate and Trust Journal*; *Manual of Procedures for Private Law Libraries*, and *Legal Research for Law Students*. He has also prepared revisions of three chapters in *Powell on Real Property*.

His other activities include membership in the accreditation site inspection team of the American Bar Association to Gonzaga University School of Law and the Constitution and By-laws Committee of the American Association of Law Libraries. He was appointed director of the 1986 Institute on British Legal History, Legal Bibliography and Law Librarianship, sponsored by the American Association of Law Libraries.

Lynn D. Wardle

Professor Lynn Wardle continues his extensive research in family law. He is completing the manuscript he is coauthoring for a multivolume treatise on family law which will be published by Callahan and Company in 1987.

Professor Wardle's testimony and statement, *The Impact of the Equal Rights Amendment: Hearings on S.J. 10 before the Subcommittee on the Constitution of the Committee on the Judiciary, United States Senate*, has been published. The *Journal of Family Law* has also published a related article by him entitled "The Impact of the Proposed Equal Rights Amendment upon Family Law." *BYU Law Review* has published another of his articles, "Rethinking *Roe v. Wade*."

In addition to his research interests in family issues, Professor Wardle serves on the board of directors of three nonprofit organizations: Hospice of Utah County, Utah Valley Family Support Center, and the Americans United for Life Legal Defense Fund. He is also a member of the Pro-Life Advisory Committee to the General Counsel, U.S. Catholic Conference.

John W. Welch

For the past several years Professor John W. Welch, together with Professor Ed Firmage of the University of Utah School of Law, has been preparing a consolidated work on Ancient Near Eastern and Biblical Law in relation to the Book of Mormon. An extensive bibliography of ancient legal materials has been prepared and a book, *Law and Religion: Middle East-*

ern Influences on the West, has been submitted for publication. Additionally, he is serving as general editor of the *Collected Works of Hugh Nibley*. This effort should result in a fifteen to seventeen volume series. Volume one has recently appeared, and volume two is prepared for release in the near future.

Professor Welch pursued his long-term interest in the Book of Mormon and other Church topics through other avenues as well. He is coauthoring with Stephen D. Ricks a book on King Benjamin's speech. He also is writing a script for the BYU Motion Picture Studio on ancient temples.

During the 1986-87 school year, Professor Welch has, in addition to his faculty responsibilities at the Law School, accepted a half-time appointment as a director of the BYU Religious Studies Center in charge of special projects.

Professor Welch published a number of articles in Church publications. He also wrote several articles for publications of the Foundation for Ancient Research and Mormon Studies (F.A.R.M.S.). For example, one paper deals with theft and robbery in ancient near-eastern law and in the Book of Mormon. He serves as president of F.A.R.M.S.

With his wife, Jeannie Welch, he wrote a book entitled *The Doctrine and Covenants by Themes*. He also edited and introduced John L. Sorenson's book *An Ancient American Setting for the Book of Mormon*.

Class Notes

Jon D. Anderson '77

Jon Anderson became a partner at Latham & Watkins in February, 1985. He specializes in litigation and labor law and has been in the firm's Newport Beach office since 1978. Jon and his wife, Leanne, have five boys, ages eleven, nine, six, four, and seven months. Little League and soccer seasons keep their family very busy. They attended seventy-five Little-League games this year. Jon is the gospel doctrine teacher in their ward.

Steven G. Forsyth '77

Steven Forsyth has moved from Houston, Texas, to Kuala Lumpur, Malaysia. He is employed by Esso Production Malaysia, Inc., an affiliate of Exxon Corporation.

Lee G. Caldwell '78

Lee Caldwell passed the Texas Bar in the spring of 1978 and began working as a title officer for Stewart Title Corporation in Houston, Texas. In the summer of 1978 he accepted a position with Gulf States Utilities in the real estate department. In the fall of 1979 he was appointed an assistant professor of business law at Sam Houston State University. He also commenced work on a Ph.D. in management policy and strategy from Texas A&M University. He completed the degree in 1982 and accepted a position at the University of Utah as assistant professor of management. In addition to his professorial duties, Lee manages academic and research computing for seven colleges at the "U" and serves as assistant dean for computer education

in the College of Business. He is serving as stake financial clerk and has two children, Alicia, age five, and Lee David, age two. Lee also plays the trombone in the Salt Lake Opera Theater Orchestra.

Randall S. Feil '78

Randall Feil has been with Fox, Edwards, Gardiner & Brown in Salt Lake City since graduation. He became a partner in the firm on July 1, 1983. Randall has specialized in general civil litigation. He served as a bishop and is now on the activities committee in his ward. He and his wife have five boys and have completed a new home in Bountiful.

Jeffrey A. Dahl '79

Jeffrey Dahl is a partner in the law firm of Lamb, Metzgar & Lines, P.A., in Albuquerque, New Mexico. He practices general civil litigation with emphasis on defense work, bankruptcy, and business litigation. In his spare time he still enjoys running and outdoor activities such as backpacking, cross-country and alpine skiing, and hiking. Jeff has four beautiful blonde daughters. He recently completed a new home in Albuquerque with room to grow.

Bruce E. Babcock '80

Bruce Babcock moved from Ohio to Salt Lake City and is a shareholder in the law firm of Jones, Waldo, Holbrook & McDonough. His practice specializes in tax and ERISA matters. Bruce, his wife, Susan, and their three children are enjoying their new home in Utah, which is closer to the mountains and family. He serves as elders quorum president in his ward

Forrest Fountain '80

Forrest Fountain joined the Legal Department of Security Pacific National Bank in November of 1983. There are thirty attorneys in the Los Angeles office. Security Pacific is the seventh largest bank in the country and is second only to the Bank of America in number of branch offices. Forrest's wife, Marla, passed away in November of 1985.

Kevin B. Christensen '81

Kevin Christensen is a partner in the Las Vegas, Nevada, firm of Sabbath & Christensen, Chartered. His portion of the practice involves a great deal of labor-union representation and Taft-Hartley Trust Fund collection work. He has served as chairman of the Nevada State Apprenticeship Council for nearly two years by appointment through the State Labor Commissioner. He and his wife have two girls and one boy, with one on the way. He serves as a high counselor in his stake. Kevin takes full advantage of the warm southern Nevada weather and enjoys a great deal of tennis, golf, and other warm weather sports.

Brent D. Ellsworth '81

Brent Ellsworth accepted a position after graduation with the Phoenix law firm of Snell & Wilmer, where he spent four years practicing law with special emphasis in estate planning. He recently left the firm and opened the law office of Jackson & Ellsworth in Mesa with Eric M. Jackson, a 1978 BYU law graduate. Brent's education continues as he is about to complete a two-year course to become a Certified Financial Planner. Richard White '81 recently

joined the firm that is now called Jackson, Ellsworth & White. Brent and his wife, Linda, are the parents of three daughters and a son. Brent is the stake executive secretary and his wife is in the ward Relief Society presidency.

Erven T. Nelson '83

Erven Nelson served a clerkship for a federal district judge in Las Vegas, Nevada, for one year following graduation. He is now living in Glendale, California, and works for Spensley, Horn, Jobas & Lubitz, an intellectual-property firm. Erven indicates that his employment with the firm does not indicate that he is an intellectual or that he has an engineering background. The firm needed a Japanese-speaking lawyer to deal with their burgeoning Japanese clientele who keep getting sued for patent infringement. He and his wife, Lisa, have two sons, Joel and Derek. Erven is second counselor in his ward bishopric and his wife is the primary president and a seminary teacher.

Robert C. Martin '83

Robert Martin recently published "A Comparison of the Pennsylvania and Delaware Corporation Statutes" in the *Dickinson Law Review*. Dickinson is located in Carlisle, Pennsylvania.

George D. Menden '85, Craig R. Pett '85, Richard A. Russell '84

George Menden, Craig Pett, and Richard Russell have all joined the Alston & Bird law firm in Atlanta, Georgia.