WHERE THEORY, PRACTICE AND SYSTEMS INTERSECT
Louisiana’s Children and Our Efforts to Protect Them

A FEDERAL OR STATE RESPONSIBILITY?
Law Professors Analyze Response to Hurricane Katrina—Who’s to Blame?

PEPPERCORNS AND POETRY
A Conversation with LSU Law Center Icon, Professor Saúl Litvinoff
On the front of the 1936 LSU Law Building above the frieze, are three sculpted life-sized figures: a laborer symbolizing the role of the masses in support of the law, a lawyer, and a soldier representing those who have fought to safeguard rule by law.
The Paul M. Hebert Law Center is accredited by the American Bar Association and is a member of the Association of American Law Schools. The Center is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.
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AT NOON on September 25, 2006, students, faculty, and staff of the LSU Law Center gathered on the steps of the 1936 building to join in a toast to the first day of the second 100 years of scholarship, teaching, and service.
HE APPEARANCE of this inaugural issue of LSU Law chronicles three significant events: the Law Center’s Centennial Year, Hurricanes Katrina and Rita, and the changing of the guard as I prepare to return to full-time teaching in July 2007.

Planning an issue that catches the sweep of these events has called upon us to ask fundamental questions about the Law Center’s past, present, and future.

The Law Center’s September 2006 Centennial milestone is featured in a photographic essay and commentary. [The first 100 years of the Law Center’s history is available to all alumni in DVD format.] Featured as well is a portrait of Professor Saul Litvinskoff, a Law Center icon whose intellectual rogery and professional lifetime span eight decades. Katrina and Rita make their appearance in Professor Edward Richards’ photographic essay as well as in commentary offered by Richards and Professors John Baker and Kenneth Murchison on the federal and state response to these epic disasters.

The Law Center’s present is framed largely through the lens of faculty and alumni achievement. Chron-ictized is Professor Lucy McGough’s shaping of reforms in state and national juvenile justice programs in an account that stresses her remarkable ability to meld scholarship and social action. The melding of the two reappears in an interview with Professor...
Darlene Goring who discusses the gradual recognition extended to African American marriages in the post-Reconstruction South. Alumni distinction is the theme of the magazine’s portraits of Patrick Juneau, ’65, the 2006 Distinguished Law Center Alumnus, and Hugh Vass, ’85, head of the oil and gas division of Scotland’s largest law firm.

In a more programmatic vein, separate essays depict “bijuralism,” the Law Center’s distinctive signature, and milestones in the Center’s progress during my term as Chancellor. Despite the unfamiliarity of the term, bijuralism has defined the Law Center’s intellectual core since its earliest days. LSU has been unique among United States law schools because it trains its students in two traditions—the Common Law, the province of all United States law schools, and the Civil Law of Louisiana and, more broadly, Europe and South America.

Wherein lies the Law Center’s future?

Implicit in many of the following features, this question receives express attention, first, in the magazine’s introduction of Professor Olivier Moréteau, newly arrived from the University of Lyon, France, and, second, in its Duly Noted column. Professor Moréteau speaks to the future as the Law Center’s first chairholder and as Professor Saúl Litvinoff’s successor as Director of the Center of Civil Law Studies, the crucible of the Law Center’s bijural initiatives. The Duly Noted column is likewise attentive to the future in its account of the values that the Law Center Alumni Board of Trustees has endorsed as central to the school’s continued progress.

I hope that you will experience the same pride and excitement in these cross-cutting accounts of the Law Center’s past, present, and future as we have in presenting them in this inaugural issue of LSU LAW.

Chancellor, LSU Law Center
WHERE

Theory, Practice, & Systems INTERSECT

Louisiana's Children and Our Efforts to Protect Them
HEN IT WAS CLEAR that Katrina would make land-fall along the Louisiana coast, my first thought was that we would lose the MacArthur grant. (Strange, but true.) Just weeks earlier, juvenile advocates had learned that Louisiana had been named one of four states to be recognized as “Models for Change” by the John D. and Catherine T. MacArthur Foundation which had pledged $7.5 million over the next five years to underwrite the continued reform of the Louisiana juvenile justice system. That’s a lot of money for a poor state that ranks near the bottom of every list of social well-being. The MacArthur grant resulted from a juvenile justice revolutionary movement that began here in 2001, nearly a century after the first Louisiana juvenile court was authorized for Orleans Parish, and the LSU Law Center played a part in the second century movement.

Although certainly the Law Center’s primary mission is to prepare its law students for the profession of law, a less heralded but only slightly less important role is to contribute to the improvement of law and legal systems here in the state, in the nation, or abroad. At the state level, several members of the LSU law faculty serve as members of the Council of the Louisiana State Law Institute, a decision-making arm of the state legislature, or as reporters/chairs of the several permanent or ad hoc committees of the Institute. It has been my honor to serve as the Reporter for the Children’s Code Advisory Committee to the Institute for the past 15 years. Our committee is responsible for making recommendations for legislative changes to the laws administered by the juvenile courts, from adoption to delinquency proceedings. This has been exciting work, especially in these times of great social upheaval. Indeed, when we go on faculty recruiting ventures, we always tout the opportunities for applied as well as theoretical scholarly endeavors to prospective colleagues. Some faculty prospects are eager to put theory to work. As an example, I get to teach the interrelated areas of family law, juvenile law, and criminal justice, pursue my own scholarly research, and supervise students writing scholarly papers in the Juvenile Law Seminar (as well as students practicing before the East Baton Rouge Juvenile Court in the Juvenile Representation Workshop). At the same time, I develop legislation to improve legal processes or most recently, rethinking the state’s entire juvenile justice system. There is an undeniable synergy that comes from these disparate enterprises which, in turn, enables a teacher to engage students and be engaged by them in broadly ranging policy debate.

Although all law schools assume some degree of civic oversight for the machinery of local, state, national, or international law, the longstanding collaboration of the LSU Law Center and the Law Institute is rare if not unique. The Law Institute was founded in 1938 and chartered to provide research and support for the improvement of the laws of Louisiana. The Institute has maintained the Civil Code and added many important reform concepts, including the Louisiana Trust Code, the Evidence Code and in 1991, the Children’s Code. Since then, thanks to the continuing oversight and imprimatur of the Institute, the legislature has enacted Children’s Code legislation covering a broad spectrum of issues including heightening due process protections for fathers of nonmarital children in adoption proceedings, authorizing early mediative intervention in families with troubled children, and ensuring the safety and security of abused and neglected children who have been placed in public foster care.

The challenge of 2001 arose from the ashes of a bitter prison conditions lawsuit exposing the

A scholarly account of the reform movement briefly described in this piece can be found in an article by the author and Lauren Cangelosi, Lost Causes, 65 Louisiana Law Review 1125 (2005). Because of that publication, citations have been omitted from this account. There are dozens of persons who should be credited with the success of the reform movement, and my narration is simply that.
more likely to be mentally disabled than had been previously documented. Using the constitutional test for competency, 30% of eleven- to thirteen-year olds, 19% of fourteen- to fifteen-year-olds and 12% of sixteen- to seventeen-year-olds were found to be incompetent to stand trial. Even more troubling findings of juvenile mental illness and mental retardation were reported by Louisiana researchers at the LSU Health Sciences Center, School of Public Health. One-third of all adjudicated juvenile offenders committed to the state for placement in facilities like Tallulah were diagnosed with a serious mental illness and an additional six percent were classified as suffering from mental retardation.

How could this happen? How were these horrifically disabled children able to ghost through the judicial system? Where were their lawyers? Part of the answer was disclosed by an investigative survey of Louisiana juvenile cases conducted by the ABA Juvenile Justice Center: in an extraordinarily high percentage of cases, no lawyer represented the child because the child and his family had waived counsel. Since the federal and state constitutions and the Children's Code require that a waiver of counsel be knowing and voluntary, this frequency of waiver study cast strong doubt on the adequacy of the courts' processes in many parts of the state. These data were supported by the hundreds of family members who related their family's stories of ignorance, uncertainty, official overreaching and fear to the Juvenile Justice Commission in its public hearings.

After 18 months' work by the Commission, the credibility of the Louisiana reform effort was established and reached the attention of national foundations. Among others, the Annie E. Casey Foundation provided critical, strategic assistance during the formulation of the Commission's recommendations. Significantly, the first executive act of the new Governor Kathleen Babineaux Blanco was to separate administrative responsibility for juvenile prisons from those who administered the adult prison system, a pivotal recommendation articulated by the Commission. Thereafter, the Commission and the Children's Code Advisory Committee to the Law Institute brought legislative reform proposals to the 2004 legislative session. The legislature endorsed many urgent reforms, including a completely revised process for determining the competency of accused delinquents facing trials in the juvenile courts and the prohibition of the waiver of counsel in most juvenile delinquency cases.
Professor Lucy McGough

Professor Lucy McGough is the Vinson and Elkins Professor at the LSU Law Center. Her primary research focus centers on legal issues involving children. As Reporter of the Louisiana Children’s Code Advisory Committee since its creation in 1991, Professor McGough has presented several major revisions of the delinquency title that were enacted, and has written more than 40 different articles and books on the issue. She and her husband, Professor James W. Bowers, joined the Law Center faculty in 1982. Born in Vincennes, Indiana, Professor McGough earned her B.A. at Agnes Scott College in Decatur, Georgia in 1962. She went on to earn her J.D. at Emory University in 1966 and her LL.M. from Harvard University in 1971. It was during her time studying at Emory University that Professor McGough served as a social worker, and later a casework supervisor at the Fulton County Department of Family and Children’s Services in Atlanta, Georgia. There she counseled casework staff and went on to establish the first Court Services Section. Later, as the Candler Professor of Law, Professor McGough became the first woman at Emory University to hold a University Chair, teaching there on the faculty for ten years. Co-author of the Louisiana Children’s Code Handbook, Professor McGough co-teaches the innovative Juvenile Representation Workshop that admits third-year students to practice before the East Baton Rouge Parish Juvenile Court, allowing them the opportunity to represent accused delinquents. A recent sabbatical gave Professor McGough the time to research the evolution of the parens patriae doctrine—the fount of the state’s responsibility to protect children.
And what of Katrina and the MacArthur grant? In mid-December 2005, the MacArthur Foundation officially notified us that it would stand by its commitment to the continued improvement of the Louisiana juvenile justice system. Reform will necessarily be retooled because among other broken pieces of infrastructure, children once safe in foster care in sea coast communities are now scattered over many other states. So, too, the indigent defender system is so starved for funding that it has been sued for inadequacy of representation. The course ahead is by no means clear, and juvenile justice reform will now compete more desperately with other pressing state priorities in the years ahead. The state’s premier law school should be a part of helping the state thread through natural as well as man-made disasters.

A Georgia Supreme Court justice rather indig-nantly once said to me in a different reform context, “Of course, we’ll endorse that change. My father translated that “seed corn” was that portion that a wise farmer held back and protected against all pre-dations because with it he could sow future crops and ensure his family’s survival. Without it, they would last the winter and no longer. Helping to restore the rights and dignity of children and families who pass through the juvenile courts is hus-banding the seed corn for Louisiana.”

"Whatever you learn with a chuckle stays with you the rest of your life, but what you learn with a yawn you forget the next day."
FOR ONE HUNDRED YEARS, LSU’s legal education has combined the finest of the French and Spanish civilian legal traditions with the breadth of the Anglo-American common law. The result is a unique bijural legal heritage that fuses the best of both worlds. It is an education as unique as Louisiana itself. As the Law Center closed its historic 2006 Centennial Year, bijural education still permeates the LSU Law curriculum. At its educational core is the knowledge that learning both legal systems ensures access to national and international markets for our graduates. As the state’s leading law school, the Law Center’s history reflects the extraordinary talents of the faculty, administrators, staff, and students who have graced the campus since its beginnings. More than 8,000 alumni are distinguished in their accomplishments and successful in the practice of law as judges, politicians, and entrepreneurs. It is a 100-year history steeped in a tradition of scholarship, teaching, and service.
LSU Law School opens with 19 full-time law students and one faculty member, Joseph Kelly, who also served as dean. Classes were held in Hill Memorial Library on what is the present site of the state capital grounds.

Requirement of three years of study for the Bachelor of Law degree put into place.

The first woman admitted to LSU Law, Clift Martin, graduates.

The Law School moves to the University's present campus and is housed in Thomas D. Boyd Hall. Harriet "Ma" Daggett, the first woman in the country to become a full professor at an accredited law school, joins the faculty.

Law School faculty consists of four professors, plus one associate and one adjunct. Student enrollment is 86. The law library contains 10,000 volumes.

Master of Civil Law program established.

The Law School moves into its own building on Highland Road, modeled after the U.S. Supreme Court building.

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"...BEGIN THEN, TO INSTRUCT...YOUR SCHOLARS IN THE SCIENCE OF THE LAW, AND GUIDE THEM IN THE WAY WE HAVE OPENED, TO THE END THAT THEY MAY BE MADE WORTHY MINISTERS OF JUSTICE AND OF THE REPUBLIC."

Justinian, as excerpted from "The Mission of a Louisiana Law School"

by Dean Robert L. Tullis, The Alumnus, October 1908
Student enrollment is 150 and there are nine full-time regular faculty and four part-time special lecturers. The library contains 35,000 volumes.

1938
- Louisiana State Law Institute established and the Louisiana Law Review begins publication.

1941–42
- Large numbers of students and faculty enter armed forces including Dean Paul M. Hebert.
- Law School obtains a chapter of the Order of the Coif.
- Law School switches to a trimester schedule.

1945–46
- Veterans comprise 47 percent of returning student body.

1947–48
- Dean Paul M. Hebert serves as judge at Nuremberg Trials.

1950
- Roy S. Wilson is first African American to enroll in LSU Law.

1951
- LSU Law Alumni Association organized.

1954
- Ernest N. Morial becomes first African American to graduate from LSU Law.

1956
- Law School celebrates 50th anniversary.

1960
- Applicants take the Law School Admission Test as a requirement for admission.
Colonel John M. Tucker of Shreveport, 1920 LSU Law graduate, donates his Civil Law Collection.

Instituted Civil Law Studies is established, later known as the Center of Civil Law Studies.

LSU Law begins awarding the Juris Doctor as the first degree in law, rather than the L.L.B.

The school expands into a new building.

Student body and faculty double in size.

The Black American Law Students Association (BALSA) and Women in Law established.

The LSU Law School becomes the LSU Law Center, an independent campus with a chancellor at the helm; diversity in faculty and student body increases.

The LSU Law Center is named the Paul M. Hebert Law Center.

LSU Law Center Fellows program established, creating first LSU Law endowment fund.

Louisiana Law Review included in the first group of law journals published by Louisiana.

50th Anniversary of the Law Review.

A Milestone for Paul M. Hebert—Nuremberg Military Trials

The LSU Law Library is proud to hold unique files from the Trials of War Criminals before the Nuremberg Military Tribunals. In all, 12 trials were held before U.S. military courts and took place in the same rooms as the International Military Tribunal of the major criminals of World War II.

Trial six, USA v. Carl Krauch et al, also known as the I.G. Farben Trial, is of particular significance for LSU Law as it was presided over by Paul M. Hebert, dean of the law school from 1937-1977.

Hebert took a break from his LSU Law responsibilities when he served as one of three judges for the trial. The year-long Farben trial was related to the conduct of German industrialists under the Nazi regime. The Farben defendants were directors of a chemical conglomerate whose subsidiary manufactured Zyklon B, the poison used in the gas chambers of concentration camps.

The Law Center’s holdings include transcripts of the proceedings, prosecution and defense exhibits, and photographs. The materials consist of papers collected by Hebert, his notes from the trial, particularly those on points of law raised during the proceedings, and many documents involving the day-to-day activities of the tribunal. Much of the information is only available through the LSU Law Center.

Paul M. Hebert (1907-1977) was the longest serving Dean of the LSU Law School, as it was called before becoming an autonomous campus with its own chancellor 30 years ago.
John J. Costonis named Chancellor; Chancellor establishes 14 point Operational Plan for renewal of LSU Law Center.

Louisiana Governor pledges continuing support for Law Center’s transformation into a national leader. Louisiana Legislature authorizes increase in the Law Center tuition and adds substantial supplemental appropriations to operational budget.

The Law Center becomes the sole U.S. law school to award both the Juris Doctor and Bachelor of Civil Law degrees to its graduates. The summer program in France becomes the second largest of law school summer programs abroad. Law Center moves to second tier in rankings among ABA law schools.

The $16 million renovation to the Law Center’s physical plant is dedicated. The Program in Law, Science, and Public Health is established. Program in Hemispheric Trade is inaugurated.

The Law Center’s graduate program is rated as second best in the nation among public law schools and 14th among all law schools.

LSU Law Center rededication marks completion of renovations and improvements to physical plant and infrastructure.

LSU Law Center hosts Hemispheric Trade Conference.

LSU Law marks its 100th year. Centennial Plaza and Russell B. Long Memorial Fountain dedicated. Enrollment at 575 students with 38 full-time faculty.
The Law Center marked its Centennial Year with a celebration in keeping with the institution’s core mission and values of teaching, scholarship, and public service. The activities reflected the Center’s sense of moral and civic responsibility to a state still reeling from the epic hurricanes and floods of 2005. While 2006 was a year to celebrate the hundred-year milestone, our faculty, staff, and students are keenly aware of the daunting rebuilding process that still lies ahead for Louisiana.

Surrounding the debate over rebuilding are critical questions: Are levees that are designed to a standard of “once in a hundred years” enough to protect our citizens and cities? Should flood prone areas be rebuilt? What is the role of the federal government in disasters of this magnitude? Should the state allow federalization of its national guard?

The Centennial Luncheon and afternoon Stanford Centennial Speakers’ Series directly addressed the issues surrounding Louisiana’s long-term recovery efforts. Luncheon speaker John Barry described Hurricane Katrina as, “the perfect storm of bad policy and engineering. The design of the New Orleans flood walls is probably the single worst design flaw in the history of civilization,” said Barry. “Government . . . has a moral responsibility to rebuild New Orleans . . . It’s in the national interest to protect New Orleans at Category 5 level.”

While Barry looked at historical parallels, other speakers focused on today’s efforts to rebuild Louisiana. Sean Reilly, Chair of the Louisiana Recovery Authority, discussed the state’s Road Home program, while Ann Mathias and Gregory Valliere of the Stanford Washington Research Group, led discussions on the political and economic outlook for the state.

As we move forward with recovery, we feel it is important to keep the August 2005 images in our minds. The photo spread in the following pages captures the overwhelming devastation wrought by the storms and flooding, while essays on the Federal and State Response bring political and legal issues to the forefront of the disaster response dialogue.
Edward P. Richards is the Harvey A. Peltier Professor of Law and Director of the Program in Law, Science, and Public Health at the LSU Law Center. Professor Richards has specialized in health and public health law for more than 25 years. He has acted as a consultant to the Centers for Disease Control and Prevention and other federal agencies, and has authored more than 100 articles and books on medical and public health law.

These images represent the fusion of my hobby of large format fine art photography with my academic research in public health and disaster management. I have tried to capture the power of the storm and the complete devastation left in its wake. Understanding the power of these storms is critical for the sound rebuilding of New Orleans and the Gulf Coast.

To view Professor Richards’ complete collection of Images of Destruction, visit www.epr-art.com
The refrigerator is more than 12 feet off the ground, showing the level of the floodwater in St. Bernard Parish, Louisiana.

These bicycles are part of the debris of life in the Ninth Ward in New Orleans, Louisiana.

This house in east Plaquemines Parish, Louisiana, was floated from its foundation and caught in the tree before it could be swept to the top of the river levee.
The granite grave markers in this Biloxi, Mississippi churchyard were scattered like dominos by the storm surge.

This Gulfport, Mississippi miniature golf course is only a few hundred yards from the Gulf and took the full force of the storm surge.

Dozens of small churches in the Ninth Ward in New Orleans, Louisiana were flooded to the roof and filled with mud when the Industrial Canal levee broke.
A Federal or State Responsibility?

At 3 A.M. on Monday, August 29, 2005, the dark fury swirling at the mouth of the Mississippi was a stranger to Louisiana. But by 9 a.m., the jagged hole in the roof of the mighty Superdome signaled Hurricane Katrina was hell-bent on her historic visit to New Orleans. Water was already covering eight feet of the lower Ninth Ward, and it was becoming clear that the greatest of nightmares for any true New Orleanian— the breaching of the levees— had come to pass.
Soon the water would be 12 feet high—rising a foot an hour. Forty-eight hours later, the flooding had reached 20 feet in some neighborhoods. The City that Care Forgot would be in chaos—forgotten. Mayor Ray Nagin would yell in frustration during a radio interview as tens of thousands of people sat stranded in suffocating heat on their own rooftops and in the city’s downtown Convention Center.

It would be six days before television screens across America would show live images of camouflaged armored vehicles and military-escorted buses rolling up in front of the Convention Center where at least 19,000 people were stranded for days. But it would be months later that television pundits and legal scholars would still be debating who was to blame for the abysmal response to Katrina, and asking which level of government—the beleaguered city, the overwhelmed state, or the seemingly uncoordinated federal government—was responsible to make sure it never happened again.

That question goes back to the legal constitutional debate over when the federal government can step in and take care of what are traditionally the responsibilities of the state.

John Baker is the Dale E. Bennett Professor at the Law Center. He teaches a Constitutional Law seminar and has team-taught a course on “Separation of Powers” with U.S. Supreme Court Justice

The imagery is the old “cowboy and Indian” scene: when you’re under attack, yes, you’re waiting for the cavalry, but you can’t give up before it gets there.
The mistake was not making an initial request for the National Guard even before the levees broke. It would have been difficult for the New Orleans Police Department and the Sheriff’s Office to maintain order, even if the levees had never broken.

Antonin Scalia. "In our country, the first response, not only constitutionally, but practically, has to be the local government," he says. "The imagery is the old ‘cowboy and Indian’ scene when you’re under attack, yes, you’re waiting for the cavalry, but you can’t give up before it gets there." Baker points to the U.S. Constitution, Article 4, Section 4: where the federal government is tasked with protecting against invasion. The federal government will protect against domestic violence in a state only if asked by the state’s legislature or executive. In Louisiana’s case, Governor Kathleen Blanco. That section of the Constitution, along with Title 10 of the United States Code, is generally interpreted to mean that the federal government and its military has the power to enforce federal law, protect against outside invasions, and quell political insurrections—a important distinction, Baker says, from domestic violence like the looting the world saw in New Orleans.

“I think that one might look again at the Posse Comitatus Act,” Professor Ken Murchison suggests. Murchison is the James E. and Betty M. Phillips Professor at the Law Center, teaching both Constitutional History and Constitutional Law. He served four years as a judge advocate in the United States Air Force, and has been a visiting professor at the United States Military Academy. “That statute was passed to guarantee that the army would never again enforce civil law on behalf of the federal government. It seems to me we don’t necessarily have those conditions [in Katrina]. It’s a good concept to allow the army to respond quickly.” But the Posse Comitatus Act applies only to the U.S. Army, Navy, Air Force, and Marines—not to the National Guard—whether it is the National Guard Bureau overseeing National Guard troops under federal control, or each state’s National Guard. During the days following Katrina, President George Bush asked Louisiana Governor Kathleen Blanco for permission to take over command of Louisiana National Guard in order to mobilize more effectively. Federalizing a state’s National Guard puts that National Guard under the command of the United States, making it a component of the U.S. Army. In Katrina’s case, that would have effectively rendered control of the rescue and recovery efforts away from the state and into the hands of the feds. After mulling it over for 24 hours, Governor Blanco declined to hand off her authority. Legal scholars and even rival politicians have praised Blanco for that decision. “There have been circumstances where the president can federalize...
the National Guard," Murchison says, explaining that calling for help from the federal military is very different from turning over the relief effort to the military. "But I do think the state needed to make the decision about whether or not this was an emergency that exceeded our capabilities. The state should be responsible for calling on federal assets. The mistake was not making an initial request for the National Guard even before the levees broke. It would have been difficult for the New Orleans Police Department and the Sheriff's Office to maintain order, even if the levees had never broken."

Professor Ed Richards, too, lays much of the blame for the inept response to Katrina at the feet of the state. "It's the primary responsibility of the state government to prevent 20,000 people from sheltering in the Superdome." Richards is the Law Center's Harvey A. Peltier Professor, and directs the Law Center's Program in Law, Science, and Public Health. "Federalism needs permission," he explains. "You have to invite in the federal troops. The feds can't be everywhere. Disasters grow out of long-term political problems. FEMA can't respond in a matter of days in a way that makes up for 40 or 50 years of poor planning."

Referring to FEMA, Professor Baker points out that some of the confusion in people's evaluation of the response to Katrina comes from a fundamental confusion about the difference between the military and a federal agency. "People say the military was effective—why can't FEMA be that way? Because the military is organized in a way that we can't and don't want to organize federal agencies." Baker argues that members of the military give up a lot of their rights, and the military, by nature of existing to fight wars, has an austere discipline because it simply cannot fail. Those are the kinds of things, he explains, that are not found in a bureaucracy.

Pointing to the comparison between the Mississippi and Louisiana response to Katrina, Baker suggests that each state was free to organize as it wanted and that Louisiana's plans—like its Hurricane Pam exercise carried out just a year before Katrina—simply were not real plans.

Both Richards and Murchison agree that the answer for the next disaster—be it another natural disaster or the terrorist attack to which so many fear Katrina has exposed vulnerability—is not more federalization. "It doesn't make sense for the federal government to make a plan for every major city," Murchison insists. "Because for the first 24 hours, regardless of how many military forces you bring in, you're going to have to use local assets because those are the only people who can get there."

No is the answer more laws, Richards points out. "There are too many emergency preparation laws. The law is almost irrelevant in an emergency. We have more than enough laws—we have no political implementation."

The professors agree there is the practical and political challenge of locally enforcing repeated evacuations as part of sufficient emergency preparedness, when three or four such evacuations where an unpredictable storm does no damage could begin to frighten homeowners, and make businesses question their location.

Professor Ed Richards

www.law.lsu.edu
Peppercorns & Poetry: A Conversation with Professor Saúl Litvinoff

By Julie Baxter

And the beginning of this class is no different than the beginning of the first class Professor Litvinoff teaches the first day of each semester. As the story goes, by that opening day of the semester, he already knows his students' names, and likely he's either written the textbook or knows the book by heart before that first lecture. That, and that he speaks six languages. Or was it seven? Sitting before his students in a light sky blue dress shirt and grey and white striped tie, framed in an impeccable steel grey blazer, Litvinoff gestures easily with one hand, pounding out the Peppercorn Theory of Consideration with short questions, punctuated with his own staccato Latin lilt, often lingering over the last syllable of a word. "You see, a little suede sack of 40 peppercorns is of great historic value because that was given in exchange by the Dutch settlers for the island of Manhattan." As his students' eyebrows raise interested in this new bit of Americana, Litvinoff smiles, hand raised. Freshmen are his favorite students, he tells me later. "You see, peppercorns must have had value at that time," he phrases slowly to his students, going on to explain in his characteristic dry humor that Native Americans didn't care about condiments then, but that preserving their meat, as a single peppercorn would, was extremely important to their survival.

As the legal concept of consideration begins to dawn on these students, Litvinoff can only be reliving what it is that took him out of the shiny halls of private practice in Argentina years earlier, and into the classroom for what would be more than 40 years. Litvinoff's life is clearly people-centered. He and his wife Anna of 30 years, whom he says he gave up trying to replace, had one daughter together. That daughter, Anna, still lives in Baton Rouge near her father, where he claims he lives in the most beautiful subdivision in the city. Walnut Hills is dotted with centenary oaks. The Litvinoffs adopted two American sons, one of whom lives in New Orleans, the other in Lake Charles, Louisiana. All three children are attorneys.

On March 15, 1925 in the sprawling Argentine capital of Buenos Aires, a city of 12 million, Saúl Litvinoff was born to a Ukrainian father and a Romanian mother. Raising Saúl, and his only brother David, Saul's parents communicated in German. "To this day, I think in German," Litvinoff
tells me. But a French governess for Saúl and an English governess for David helped Saúl assimilate yet two more languages. Today he has added Italian and Portuguese to the repertoire of languages he speaks fluently, along with the ability to read Latin and Greek. But he admits to having developed a preference for English. “English is a straight language. You can express things directly without having to go around things.”

Saúl’s father was an exporter, one his son describes as making several fortunes and “spending them merrily” on educations for his sons. His brother David would become an engineer, a professor of mathematics and a historian. “Papa always taught me that it doesn’t matter how long you live. The only thing that matters is how you live.” His father lived until diabetes stole him away at the age of 64. But Saúl had already begun in earnest his own personal quest to find how this ‘living’ should work.

In 1949, Litvinoff started as an associate in general commercial practice in the large firm of Ibero Berenguer and Associates in downtown Buenos Aires. Like many big firm successful lawyers, this is not the way he advises students today to begin life as a lawyer.

“Today,” he says, “I tell them: find yourself a hick town. Go there. Hang a shingle. You’ll starve the first year. By the fifth year, you’ll make enough money to spend three months in Europe,” he smiles. “So many times, the good ones become a small screw or a nut in huge machines. That’s frustrating to them, and painful for me. In order to help people, you have to start by understanding them. In a large firm, all you get is a memo, not even a photo of a client.”

Back in 1954 though, a 29-year-old Litvinoff made partner at Ibero Berenguer, specializing in administrative and corporate law. It would be five years before he would strike out on his own to become the senior partner in the firm of Litvinoff, Merlino, and Rodriguez. He was an

Human beings are precious jewels, each one,” he says. Whatever I can do for a human being to contribute a few strokes to that work of art, I do.

I love to sculpt in human souls.
off-called-upon resource for the Argentine Supreme Court in cases involving foreign investments and international transactions with a constitutional tinge,’ as he describes them.

But by 1962, he says the 6 a.m. drive every morning to the subway station to take a 40-minute subway ride into the city’s center had turned two hours of every day into commuting time, and it was beginning to wear on his health. Litvinoff says a family doctor expressed concerns about his physical well-being to his wife Anna. “And she decided we should accept an invitation from the Yale Law School,” he says. And with that, the Litvinoffs were coming to America.

Back on the first floor of the Law Center, a first-year student stammers as she struggles with her question on consideration. Litvinoff lets her finish, then smiles. “Yes, my dear,” he says, his eyes twinkling. “Even though you do not know how to word your question, I fully understand. I read minds.” A ripple of laughter rolls through the classroom. His students are beginning to think they will survive this semester after all.

Turning to the next case, one decided in 1951, the professor—hands clasped, holding his coat lapels together—takes his students back to that era with talk of how large the cars were back then. It’s not always obvious in the classroom that Litvinoff feels so innately connected to his students. But he tells me that he stopped traveling during the semester when he realized it complicated students’ lives too much to have to reschedule classes.

“M y best friends are my students, especially former students,” he emphasizes, saying that he tries not to bestow personal favors to any of his students. But yes, he admits he remembers many of the nearly 5,000 students he has taught over the years. How does he want his students to remember him? “I hope,” he tells me later, “that they say he had a good sense of humor and that he made us love the law.” He pauses before pointing out, “Whatever you learn with a chuckle stays with you the rest of your life. But, what you learn with a yawn, you forget the next day.”

Whatever you learn with a chuckle stays with you the rest of your life. But, what you learn with a yawn, you forget the next day.”

Professor Saul Litvinoff

The four degrees he earned at the University of Buenos Aires, in 1964 Litvinoff added an LL.M. from Yale Law School, teaching while he was earning that degree as a Visiting Professor of Law at the University of Puerto Rico.

It was in Chicago at a law professors’ convention that Litvinoff remembers meeting for the first time LSU’s Dean Paul M. Hebert, the namesake of the LSU Law Center. “He was looking for someone who could teach at least Introduction to Civil Law—the required freshman class then called Legal Traditions,” Litvinoff remembers. “The school was looking to add a section of freshmen.” At that time there was only one freshman section. By the 1970s, LSU Law would have as many as five freshman sections, cutting back with stricter admissions standards to its current three sections.

And the Civil Code would be Litvinoff’s chief endeavor in the years that would follow at LSU. He would become the reporter for the Revision of Titles III and IV of Book III of the Louisiana Civil Code, seeing that enacted as Louisiana’s new Law of Obligations in 1984. He would further be named the reporter for revising titles of Louisiana’s Law of Sales, Transaction and Compromise, and go on to advise the committees in charge of revising the titles of Louisiana’s Law on Deposit and Sequestration, and Quasi-Contract and Enrichment Without Cause.

When he speaks of those devoted to preserving the vitality of the civil code, Litvinoff talks of being ‘of the blood.’ He points to his civilian predecessors at LSU as being Canadian professor Joseph Dainow, and the world-renowned civil law professor Thanassi Yiannopoulos. But there were
not many 'of the blood,' as he puts it—and he means raised under a civilian regime—back in 1965 when the Litvinoffs were moving to Baton Rouge: "If there was no doctrine, no treatise," Litvinoff remembers. "And without doctrine, it's difficult to teach and learn a subject."

So in 1970, just as he was asked to be only the second professor to teach Obligations at LSU, Litvinoff not only began writing a treatise on obligations, but would also begin revising the Louisiana Civil Code section on Obligations. That process took him 15 years. Those new articles were enacted into law in Louisiana in 1984. As for his Obligations treatise, in 2005, he was still in the midst of writing his fifth volume of that treatise. In 1985, he would be appointed reporter to revise the civil code title of Sales—a task he completed 10 years later. By 1986, he had already published the first edition of his textbook: Sale and Lease in Louisiana Jurisprudence.

By the end of 2005, Litvinoff had published at least 17 books, covering everything from Louisiana civil law on Obligations and Sales, to the banking laws of Honduras, El Salvador, Nicaragua and Mexico. He has published more than 22 articles in law reviews from Canada to Nicaragua and Mexico. He has published at least 17 books, covering everything from Louisiana's civil law on Obligations and Sales, to the banking laws of Honduras, El Salvador, Nicaragua and Mexico. He has published more than 22 articles in law reviews from Canada to Nicaragua and Mexico.

Admitted to the Argentine, Costa Rican and Honduran Bars, for 20 years Litvinoff was the Dean of the Central American Banking School, operating under the auspices of LSU. He serves as a consultant to the United States State Department, the Louisiana Department of State and the Central Bank of Honduras. He still reads every Louisiana decision in the Southern Reporter. He hopes to finish the fifth volume of his treatise on the Louisiana law of obligations before he dies.

It is a topic that at the age of 82 he brings up often and with no trepidation—death. "Death is a fascinating part of life," he says with deep conviction. "It is perhaps the greatest education Providence allows to everybody." The professor's mother lived a long life, so Providence seems to have implanted the ingredients for a long prelude to that education for the professor. But this quiet gentleman is not afraid to look frankly forward or back upon a life in which he learned to steer his energy always outward—whether it be to his beloved Anna, remembered at LSU, he reminds me, for her creation of the Rare Book Room—or into his students' lives and futures.

When asked what he is most proud of in his long, legendary legal career, he doesn't rush, but he doesn't waver in answering: "I'm proud of being a kind person," he says. "If I had a coat of arms, the script in the coat of arms would read 'Comprehension, Compassion, Cooperation.'" Although he is a man who has devoted many years to expounding the minutia of the law in successive volumes of academic and legislative work, he will not force scholarship on you. I ask him whether he believes that law is the best profession. "No," he says firmly. He explains that he appreciates many professions, as he appreciates many subjects. Telling me that he watches only two hours of television a week (one on Thursday, one on Sunday, both on public television), he says he devotes the rest of his spare time to reading psychology, medicine, and listening to music. "I write poetry, you know."

"Are you a romantic?" I ask, curious. Quickly, earnestly, he leans forward. "By all means!" Then he talks wistfully about how in conversation with today's students, he has come to regret that their general education and even their entertainment, is becoming more one-sided to him. He believes they are more business-oriented and seek immediate gratification, rather than experiencing the joy of discovering one another and the world unfolding around them.

"Law is a good profession, though," he stresses to me, coming back to the topic of his livelihood. "Physicians deal with health. Attorneys deal with ambition, great, creation, love. If you understand these things you can be very happy practicing."

A few minutes before the end of the hour, Litvinoff has just heard a student answer the last question he posed. "Certainly!" he answers quickly—a favorite response of his, stopping to elongate the 'C' as he frames the word. With a quick look toward the back wall at a clock signaling class is nearly over, Litvinoff winds up his explanation and explains tomorrow's assignment. As he dismisses his students, two or three make their way to the front, tentatively trying to clear up those remaining bits of confusion over the concept of consideration. The professor is in no hurry to leave. These conversations, like the running Socratic dialogue he holds during his lectures, are the work of his life.

"Human beings are precious jewels, each one," he says. "Whatever I can do for a human being to contribute a few strokes to that work of art, I do. I love to sculpt in human souls." And this sculptor clearly is not done with his work.
A Most UNCOMMON Law School
THIRTY YEARS OF SERVICE as a professor and dean at various American law schools persuaded me that the similarities in their programs were far greater than their differences. Some schools emphasize certain dimensions of their programs over others, of course, typically through such vehicles as specialized institutes, degrees, or pedagogical style. Some focus on local law issues more prominently than others that stress their national orientation. Overall, however, I came to believe that law schools differ principally on the basis of the breadth, depth, and quality of their pursuit of essentially a common mission.

Then I came to the LSU Law Center in 1998. And, I have been puzzling over the accuracy of this perception ever since.

WHAT IS DIFFERENT AT THE LSU LAW CENTER?

From its founding a century ago, the Law Center has faced the challenge of teaching its students to become effective practitioners under two of the world’s dominant legal systems, the Civil and the Common Law. Meeting the challenge of bijural (Civil and Common Law) education presents issues that shape many of the key components of the Law Center’s program in ways that set it apart from the programs of other United States law schools.

Perhaps the best way to detail this point is to put the readers of this article in the chair of the LSU Law Center Chancellor, and ask how they would respond to the following questions, all of which bear on the school’s distinctive character. In varying ways the questions below confronted the Law Center in 1906, confront it in 2007, and, absent a basic restructuring of Louisiana’s dual system, will confront it into the indefinite future.

How should faculty positions be allocated as between the school’s Civil and Common Law curriculums?

How should the school address the problem of generating the additional resources required to function bijurally (Civil and Common Law), particularly in light of American Bar Association and American Association of Law School accreditation standards, which are premised on a monojural (Common Law) program? To accommodate its bijural program, the Law Center requires a considerably larger faculty than those of monojural law schools with similarly sized student bodies.

How should the school’s faculty recruiting program for its many Louisiana and Civil Law slots be conducted? Should it basically hire its own graduates or Civilian-trained instructors from other Louisiana law schools? Should it look instead to foreign (Civilian) jurisdictions or perhaps to Comparative Law generalists from other United States law schools? Should it pursue some mix of these approaches?

How should the school’s library/electronic resources program be designed in an environment in which foreign legal materials costs sharply exceed the ever-increasing bill for domestic legal materials? All ABA-approved law schools must provide for some foreign materials in their library collections, of course. But this challenge is decidedly more complex in Louisiana’s bijural context which requires comprehensive coverage of a variety of foreign Civilian jurisdictions.

How should faculty research be divided as between conventional domestic topics and the Civil Law of Louisiana and of foreign Civilian jurisdictions generally?

How should teaching and research in the Civil and Common Law Fields be compartmentalized? Or, should they instead be linked on the basis of what has been termed a “trans-systemic” approach that identifies and evaluates the two legal systems on the basis of efficiency or cultural criteria that are extrinsic to both?

How should the Law Center respond to the opportunities the increasingly global character of economic and, hence, legal relationships create for a school whose bijuralism engages two of the globe’s dominant legal systems?

Should the school offer a bijural program for students who will remain in-state, and a monojural program for nonresident students or for Louisiana students who will go abroad for their legal education?
residents who intend to practice elsewhere in the United States, even if the second two groups are more likely to enjoy greater opportunities for global legal practice?

How should the Law Center’s bijural environment impact the school’s obligations for public service to the Louisiana legal community and to Civil Law jurisdictions generally? What, for example, should be the scope of the Law Center’s contributions to the legislatively established Louisiana Law Institute that, among other functions, drafts legislation introducing Common Law concepts and institutions into the state’s Civil Law Code?

To what extent should the demands of Louisiana’s unique bar examination—nine of whose 12 essay sections are devoted to Civil Law subjects—govern both the content of the Law Center’s curriculum and the number and character of its mandatory offerings?

How should the Law Center’s bijural orientation be linked to the various international components of its program? Among the latter are a Center of Civil Law Studies, a graduate program for foreign postgraduate students, a summer program abroad for its J.D. students, and a Distinguished Global Visitors program that annually engages six to eight distinguished academics, judges, and practitioners from foreign Civilian jurisdictions. Many other United States law schools offer a home for one or more of these components, of course. Unlike these law schools, however, the Law Center and its students share a well-grounded awareness of the Civil Law tradition with students, law schools, and visitors from foreign Civilian jurisdictions.

Perhaps the greatest link between the Law Center and the national legal academy is the Law Center’s devotion of the lion’s share of its program to the Common Law.

How should the LSU Law Center present itself to the nation’s other law schools as well as to a national audience of judges, employers, and other observers? The Law Center occupies the unusual position of being well known locally and internationally while being largely opaque to a national audience for whom Civil Law and bijuralism are quite literally foreign concerns. Little is known elsewhere about Louisiana’s bijuralism beyond Stanley Kowalski’s less-than-accurate comment concerning the Napoleonic Code1 in A Streetcar Named Desire, or the comment often heard in American law school classrooms that 49 states do it one way but Louisiana does it another.

My purpose in posing these questions is not to respond to them in an article of this brief compass. Nothing less than a review of the Law Center’s entire program or various recent Annual Reports to the LSU System President would be sufficient to describe how they are being addressed as we move into the school’s second century. My purpose instead is to stress the infrequency with which these questions have arisen in exchanges I have had with fellow deans over the last two decades. With the exception, perhaps, of Louisiana’s other law schools, it is fair to note that most have not arisen at all.

WHAT IS THE SAME AT THE LSU LAW CENTER?

Certainly then, Louisiana’s bijural law school is unique.

But it would be a mistake to slight the many respects in which the Law Center also shares the culture of its sister law schools throughout the nation. Ignoring this reality, in fact, threatens to convert the window of the world offered by the school’s bijuralism into a wall sealing the school within a space both isolated and parochial.

Like these schools, the Law Center must satisfy detailed accreditation standards of the American Association of Law Schools and the American Bar Association, which govern matters as varied as programs of study, legal skills instruction, finances and

1Stanley’s statement, as immortalized by Marlon Brando in the movie of the same name, was that “[i]n the state of Louisiana we have the Napoleonic Code according to what belongs to the wife belongs to the husband and vice versa.” The Louisiana Civil Code not only differs in material respects from its French predecessor, but the Code’s origins reflect distinctive Spanish influences as well.
student/faculty ratios, library administration and collections, faculty governance, faculty and student body diversity, and physical facilities.

Similarly, the Law Center must impart the intellectual, ethical and craft tools its students require for a lifetime of engagement as respected lawyers or law-related professionals, whether in Louisiana or elsewhere.

It must also compete with its law school peers in the demanding competition for outstanding students, faculty, and administrators, as well as for student placement opportunities with local and national law firms and in state and federal judicial dockets.

Despite or perhaps even because of its privileged position astride both the Common and the Civil Law, the Law Center must encourage faculty scholarship in both systems that measures up to the scope and quality expected of an outstanding law school.

Perhaps the greatest link between the Law Center and the national legal academy is the Law Center's devotion of the lion's share of its program to the Common Law. The latter phrase encompasses federal constitutional, statute, regulatory and case law as well as many private law subjects that, although state-based, have been substantially melded to facilitate interstate economic and social exchanges. Also qualifying for the Common Law label is the entire corpus of Louisiana public law, including its civil and criminal procedure. Whether the topic is federal taxation, federal constitutional law, civil or criminal procedure or torts, therefore, what occurs in the Law Center's classrooms, library or research program differs little, if at all, from what takes place at the nation's other law schools.

NATIONAL FLAGSHIP STATUS: BALANCING THE LAW CENTER’S CIVIL AND COMMON LAW DIMENSIONS

Change, it has often been noted, is the only constant in the life of an organization. Change comes to law schools as the law and legal systems change around them, compelling them to restructure courses, teaching formats, and research perspectives.

But change for the Law Center has also been triggered by the LSU Board of Supervisors' current charge that it, along with the LSU A&M and LSU Agriculture Center campuses, achieve national flagship status.

For monojural law schools, developing a strategy to achieve this status is straightforward. They largely agree both on the benchmarks that measure national excellence and on the compatibility of these benchmarks with their essentially common mission.

For the Law Center, however, a strategy for and perhaps even the desirability of achieving national flagship status is a more complex question. Does the school’s unique mission and identity evade measurement by these same national benchmarks? Is there a danger that mission and identity may even be compromised by their pursuit?

A proper basis for responding to these questions, I believe, is to remain alert to the precise ways in which the Law Center’s program is both the same as and different from the programs of monojural law schools.

The simpler side of the issue relates to those aspects and values of the program that the Law Center shares with these schools. Most salient, of course, is the two-thirds of the Law Center’s curriculum that is largely identical to the curriculums of law schools nationally. The Law Center must address the same challenges as these schools, therefore, in securing excellence in the teaching of and recruitment of outstanding faculty for this component of its curriculum.

The more problematic side arises with respect to the bijural dimensions of the Law Center’s program, which clearly are unique. These dimensions speak to core Law Center values that merit continued support and development in the Law Center’s effort to meet its obligations to address both Louisiana law and the latter’s linkage to the Civilian tradition generally. But national benchmarks tailored to their unique character do not exist. Nor does transposing benchmarks associated with the practices of Civilian law schools abroad afford a promising alternative.

The sound course, I believe, is to celebrate the Law Center’s bijural dimensions precisely because they afford it a comparative advantage in addressing the local and international facets of its overall program in ways denied to American law schools generally. With its century-long experience in bijuralism, the Law Center is in an enviable position to formulate its own criteria of excellence...
Achieving National Flagship Status

The willingness of key state and university leaders to endorse the plan and its strategies convinced Costonis that Baton Rouge should be his home.

Dr. Joseph Kelly inaugurated the LSU Law School before 19 eager young law students on September 24, 1906 in the basement of the Hill Memorial Library where the Louisiana's State Capitol stands today. He could hardly have known that 100 years later, LSU's Paul M. Hebert Law Center would stand not as a college, but as its own separate Law Center—its architectural signature façade a stately replica of the United States Supreme Court, proudly facing Louisiana State University's parade grounds.

In 1997, more than 90 years into its history, John Costonis, formerly dean of the Vanderbilt Law School, was pondering an offer to become the Law Center's fourth chancellor. The institution's fortunes were floundering. With the pool of applicants to the school once at 1,500 and then down to 900, an undemanding admissions policy had led to two out of three applicants admitted to the Law Center. That resulted in the Law Center's laying claim to one of the most severe attrition rates in the country at nearly 40 percent, as compared to the American Bar Association law schools' norm of approximately 10 percent. With that near-Darwinian atmosphere pervading the campus, even though some 7,000 Law Center alumni were practicing law around the world, Costonis soon realized that alumni relations were deeply troubled in the late 90s.

The Law Center was also facing a severe budget challenge. In 1997, while the Southern Regional Educational Board average law school tuition was $5,330 a year, the LSU Law Center was charging $4,000 a year. That same year, despite a 97-credit-hour requirement to graduate, as opposed to the ABA standard 81 hours, the Law Center's expenditure per full-time student was $11,922. Compared even to its closest neighbors, with Southern University right across town spending $18,792 per full-time student, Tulane spending $17,234 and Loyola $15,130, the LSU Law Center ranked in the bottom eighth—at 145 among 180 American law schools—in expenditure per full-time student.

Beyond that, with dwindling support from the state legislature and only a $3 million capital budget, the school's physical facilities were quickly deteriorating. A 1994 ABA accreditation report had gone beyond noting the threat of a student body so large in relation to faculty size that adequate legal instruction could not be sustained. The report found the Law Center in violation of ABA minimum standards for adequate physical facilities. The ABA also found that the Law Center failed to meet the minimum fiscal resources required for an adequate legal education and, most prominently, lacked adequate library resources, practices, and staffing. Subscriptions to some 3,000 serials had been cut from the law library. Only 2,415 serial titles were active, and spending on electronic databases stood at $57,924.

Chancellor Costonis remembers he first seriously considered tackling these challenges out of respect for a cherished mentor, Bill Hawkland, who had served as the Law Center's first full chancellor from 1979–1989. Hawkland taught at the University of Illinois in the 1970s, during the time Costonis himself taught there. In 1978, Hawkland left Illinois to come to Baton Rouge, his wife Rosemary's hometown. Although Costonis had grown up in Boston, he too, had a personal connection to Louisiana: his first wife and in-laws had been residents of New Orleans' Garden Dis-

The very first thing John Joseph Costonis did as the Chancellor at the LSU Law Center was to install a window in his office's then solid panel wall.

"That's perhaps the most prophetic I could have been as the new Chancellor," Costonis says. "I wanted to open the school up."

Today, the view from the windows of his relocated office looks out over the LSU Lakes to the east, and toward the Honors College and the main LSU campus Student Union to the west. A $17 million physical plant remodeling is reality now. For Costonis, the last nine years have capped a century of preparation for attaining National Flagship status. The Paul M. Hebert Law Center is facing the future now, truly poised for greatness.
POISED FOR GREATNESS

Chancellor Costonis is proud of the efforts that have come together through the generous commitment of a growing number of alumni with newfound pride in their school, the devotion of a respected faculty now increasingly recognized for outstanding scholarship and research, and the enthusiasm of a more diverse, more selectively chosen student body.

In 2003, the Law Center became only one of two law schools in the Western Hemisphere to award its graduates the joint degree of Juris Doctor and Bachelor of Civil Law to honor the school’s rigorous 97-credit-hour program of training in both the Common and Civil Law. With eight new faculty positions added since Costonis’ arrival, 38 faculty members now teach full-time at the Law Center, which today offers 90 different course titles. The Legal Writing program added six new faculty positions, now titled Professor of the Practice of Law, that were selected from a national field. Compared to 33 part-time professors in 1995, 61 adjunct professors now teach at the Law Center—28 of those professors teaching legal skills courses, and 33 teaching academic classes. Seven new instructors teach common law or international courses. Four new faculty members are women. A committed faculty has reinvigorated important centers, including the Center of Civil Law Studies, the George W. and Jean H. Pugh Institute for Justice, with its focus on criminal law studies, and the Mineral Law Institute.

Strong faculty research support programs are in place, annually distributing over $390,000 supporting not only routine stipends for summer research but awarding premiums for articles and books published by the top national and international law reviews and university presses. Evidence of the program’s impact appears in the following totals from its inception; during the period 1999–2000 through 2000–2005, the Law Center faculty published 111 books or book supplements, 195 articles and reported serving on the editorial boards of 20 publications.

On the information technology front, the Law Center moved from lacking a single computer network in 1997, to investing millions of dollars to provide staff and equipment appropriate for a great research institution. The Law Center’s library, where the ABA focused its sharpest criticisms in 1994, benefited greatly from this development. From less than $50,000 spent on electronic databases in 1998, the library now spends nearly five times as much—$289,633 in 2005—on electronic...
resources for students. Serial titles have been restored to more than four times their 1998 amount—up to 11,438 active serial titles. The library now holds more than 448,000 volumes in its physical plant, spending nearly double what it did in 1998 on library materials, at nearly $1.1 million a year.

As a result, the Law Center's student body benefits from an increased focus on quality graduates expected to meet and succeed in the challenges presented by a mixed tradition global legal society. From 362 freshman students admitted in Costonis’ first year as Chancellor, the incoming class has been reduced to approximately 210 students, while the size of the applicant pool is up to an average of 1,600. The Law Center no longer manages an admissions program on the basis of a sterile GPA-LSAT formula. Today, the Admissions staff—up from one to a five-person team—works with a five-person Faculty Admissions Committee to consider an array of academic and work experience indicators, including letters of recommendation to decide which students will be accepted into an increasingly diverse law school.

“We did something that never happens in law schools: we decreased the class size, yet doubled the budget,” Costonis says. We went from just under $12,000 spent per student each year, to more than $20,000 a year on each full-time or equivalent student this year. Despite a lower attrition rate, the LSU Law Center’s proudest tradition—leading the state in passage rates on the Louisiana Bar Exam—continues. In the July 2006 Bar Exam, the LSU Law Center posted a 91% bar passage rate, as 183 of its 201 applicants passed the bar exam, topping Tulane’s 84% and Loyola’s 77% passage rate. Only 6% of the 2003 entering students failed to reach their second year.

With five new faculty members teaching civil courses, former University of Lyon (France) Professor Olivier Moréteau holds the LSU Law Center’s Russell B. Long Eminent Scholars Academic Chair. The Law Center’s international student graduate program was selected in 2004–2005 as the second best among American public law schools, and fourteenth best among all ABA approved law schools. This progress allied with Costonis’ outreach to alumni to inspire them to give back to what some have termed the “best priced legal education in America.” With six new staff members devoted to Alumni Relations and Communications, the LSU Law Center’s Annual Fund participation increased from 3% to 11% over the last seven years. Unrestricted annual giving is up by more than ten times its 1998 total giving.

Four floors below the Chancellor’s office windows, stretches a brand new courtyard, graced by landscaped flower beds and umbrella-shaded tables, where students congregate near a seated statue of Louisiana’s beloved Senator Russell Long. Perhaps they are collaborating over that next assignment, or anticipating the excitement of Saturday’s upcoming game in Tiger Stadium. Chancellor Costonis cherishes the truly spectacular Centennial Gala that lit up the night in the Pete Maravich Assembly Center in September 2006. James Carville and former U.S. Senator John Breaux, both LSU Law Center graduates, led over 650 Law Center alumni and friends—including the most prominent lawyers in the state—in a celebration of a law school that began so inauspiciously on the banks of the Mississippi a century ago.

“Life has its cycles,” Costonis points out. “Now is the time for someone else to carry on.” Building on a century of commitment from those who passed through the Law Center, the near decade investment Costonis has made in Baton Rouge has been rewarding. As he moves on, there sits under the oaks on Highland Road, in the middle of the thriving LSU campus, a Law Center uniquely poised between tradition and the future, quietly educating graduates fully prepared to take the lead around the world in the next century of global legal challenges.
WHAT IS THE QUESTION Professor Olivier Moréteau says he was most frequently asked by the students he taught during his first semester at the LSU Law Center? “Legal Traditions? What’s the point?”

According to Moréteau, his mission is to increase LSU Law’s standing worldwide as a beacon of biartial legal training. “Louisiana is a civil law island in a common law ocean,” he says. But Moréteau is quick to point out that the common law ocean, otherwise known as the United States, is surrounded by continents that operate largely under civil law legal systems. That leaves Louisiana poised to make its unique mark on global legal training in the twenty-first century.

Moréteau barely beat Hurricane Katrina to Louisiana the summer of 2005. The container carrying his family’s belongings and much of his precious research across the Atlantic from Lyon, France, was sitting in New Orleans when Katrina devastated the city. It was flooded, Moréteau tells me, pointing to the half-empty shelves lining his new office at LSU, where he directs the Center of Civil Law Studies. Most of his old collection of books and research are gone. But Moréteau is surprisingly good-natured about his uncommon landing here in Louisiana. Perhaps that’s because he is very clear about the mission that brought him to the LSU Law Center. “I’m here to continue to keep the unique Louisiana tradition alive,” he says, “but at the same time, that tradition has to be known elsewhere. It can be useful to the rest of the world and we should exchange.”

Born and educated in France, before Moréteau turned 30, he was appointed Associate Director of the Institute for Comparative Law at the Université Jean Moulin Lyon 3. In 2004, the World Bank issued a report criticizing the civil law tradition, saying it was not as favorable to business as the common law. Moréteau says the report’s analysis from a scientific point of view was dubious, mostly concentrating in African and Caribbean countries. But nevertheless, France began to search for ways to prove the advantages of its civil law system, and the European Union financed many research programs. That’s when the Université in Lyon looked to Moréteau to initiate comparative programs that would attract pupils and professors from abroad and send Lyon’s students abroad for the fourth of their five-year master’s program. Moréteau developed an exchange student network that included some 15 countries across Europe and the rest of the world— one of those contacts was the LSU Law Center and its summer abroad program that sends LSU students to Lyon for a semester of study.

Through all of this, Moréteau says he realized that Louisiana was uniquely suited to answer one of Europe’s civil law system’s greatest challenges. As the European Union tries to harmonize vast sectors of law, working perhaps eventually towards a synthesized European civil code, an inherent language barrier constantly arises.

“A French company and an American company may be discussing the terms of a contract, and may both be speaking English, but they may not use the same meaning of words,” Moréteau says. “How do we convey purely civil law in English? Even in a transnational transaction in Europe, Europeans are unable to do that because English is inherently a common law language to them. But in Louisiana, that is done.”

And so arises the unique Louisiana advantage in the legal ‘global village’ that Moréteau believes many here in Louisiana still don’t recognize. “Do you realize the advantages in the global world exchange everywhere?” he asks, excited. “You’re getting educated to be lawyers in a global world. To advise as a lawyer, you must understand the systems of other people. That puts a biurally-trained LSU Law Center graduate in the position to advise operations in import/export trade and between the U.S. and other states in Latin America, Asia, and Europe.”
In 2006, Moréteau began his revitalization of the LSU Law graduate program. Beginning with nine international graduate students, he hoped to attract students from Europe, Latin America, and Asia, and increase enrollment to 15 within a few years. Meanwhile, he hopes that LSU will achieve the same success he found at the Université of Lyon by creating a one-year exchange program that will send LSU students abroad for a year, and receive students at LSU Law. A Distinguished Global Visitors Program also brings in visiting international professors to the Law Center. In 2006, eight visiting professors taught at the Law Center—all prominent names from countries including France, Belgium, Italy, Canada, and Colombia.

The exchange of ideas and people brings challenges to both continents, Moréteau admits. In Europe, he explains, law firms recommend that students study in America and England to discover 'the common law', "It's difficult for people to understand the advantages of being in a place where you naturally develop the comparative approach, and the ability to master the terminology of both legal systems," he says. However, in Louisiana, Moréteau has found a strong civilian tradition fearful of a global dimension robbing it of its heritage. "My task is to show that the comparative setting allows you to be very local and inventive—to help my colleagues feel confident that in introducing the global connection, nothing civil is being taken away from Louisiana. Change doesn't necessarily destroy what you are—you may benefit from it, flourish and become better at what you are."

Besides building the graduate program, Moréteau is working on the creation of a civil law journal to document the benefits of the LSU Law Center experience. He has initiated civil law workshops that will introduce papers on the comparative legal challenges arising from current social issues. Since the basic person vs. thing distinction in civil law plays out in the biomedical world of embryos, he suggests, Moréteau hopes to have one paper presented each month. He envisions forming a scientific committee with members from Louisiana and abroad that will oversee the publication of the papers in a civil law journal to be released twice a year. Meanwhile, Moréteau wants to revive translation work on a treatise of French civil law, already underway by research associates in partnership with the Louisiana Law Institute housed in the Law Center. As a result, Moréteau is in need of multilingual LL.M. students.

Professor Olivier Moréteau

Professor Moréteau is the former Director of the Edouard Lambert Institute of Comparative Law at the Université Jean Moulin Lyon 3, France, where he has been Assistant Professor (1982-1990), Associate Professor (1990-1998) and then Professeur Agrégé. He also served as Director and Vice President for international relations (1993-1999). He earned his Ph.D. summa cum laude (also winning prestigious prizes), at the Université Jean Moulin, 1990, after research conducted in Cambridge with a British Council scholarship. He has been visiting professor at the University of Minnesota (1992), Boston University (1993-1997 and 1999-2000, and 2002-2004) and the University of Melbourne (2002, 2004). He has published books in French on English business law and the structure of legal systems as well as a number of articles in French and in English in international periodicals or books on English law, comparative law, law and languages, tort law, and the law of obligations. He is a member of the International Academy of Comparative Law, the European Group on Tort Law, the European Centre of Tort and Insurance Law and the Société de Législation Comparée. Professor Moréteau was named the first holder of the Russell Long Chair of Excellence in the summer of 2005. He is the Director of the Center of Civil Law Studies and teaches Legal Traditions and the Law of Obligations.
Jumping the Broom:
Parallels of Freedom to Marry

Sitting in Darlene Goring’s office that day, it was clear that this professor is loved by her students. It is her birthday, and between one student popping in to see if an appointment was still scheduled, and two students bringing flowers, balloons, and a small cake, one didn’t have to guess what it is that keeps Professor Goring in teaching.

And perhaps it is that affinity for personal interaction that sparked this Northwestern and magna cum laude Howard University alumna to begin researching how the American legal system legalized marriages and relationships between slaves in the 1800s. It’s a topic that had never been fully addressed before and one that has since received five offers to publish.

“I went to Howard University with a girl who wrote a book called Jumping the Broom, talking about Afrocentric marriage ceremonies, and I started thinking about the origin of “jumping the broom.” So that got me thinking: why did slaves have to get married that way? Why couldn’t they just get married the traditional way like everyone else?”

Her curiosity led her to the heart of the Middleton Library on LSU’s campus, where she scrutinized microfiche records of old slave codes and slave statutes from the 1800s for hours on end. “So much that I got locked in the library one Friday afternoon,” she laughs. Through those pictorial records, and picking up dusty books on slavery that are otherwise seldom read, Goring managed to piece together a picture of slaves’ slow ride towards personhood in the law.

“Historically, slaves were considered property and not persons,” Goring explains. “So a piece of chattel—a piece of property—couldn’t marry. They could have relationships, but that could be dissolved at the will of the master at any time. People and children would be sold or transferred so that concept of the family unit didn’t really exist.”

Consequently, for many years there was no functional way to legitimize slave relationships, or to legally recognize slave children. However, in her research, Goring says she found surprisingly good records of the lineage of slaves in places like slave family Bibles, or even property records of the slave owners themselves. As owners would keep a listing of their property, so slave owners would include in their inventory the names of their slaves and their offspring.

After the Emancipation Proclamation in 1865, various states, especially the northern states, gave slaves the right to marry—some by statute, some by common law. “In my article, I looked at some of the southern states and how the southern states treated the African American slave experience.”

In pursuing her article, Goring saw the close parallel between African Americans’ fight for civil rights and the gay community’s fight for recognition of same sex marriage.

“Both groups are fighting for civil rights, but the rights are different and the history is different,” Goring explains. “As human beings— notwithstanding your sexuality—you have a right to marry. Traditionally, African Americans as slaves had no human rights whatsoever, so from a fundamental standpoint the two fights come from different places. But in terms of seeking legitimacy and status as complete members of society, one may draw a legitimate parallel. I tried to trace how African Americans obtained the right to marry.
through the court system, through common law, and through legislation. I tried to make parallels in terms of the way gay and lesbian couples are trying to obtain the right to marry."

Just as the next student comes in to wish her a happy birthday, I learn that the professor is a first-generation American, her father having emigrated here from Cuba. Her interest in the slave experience, she says, comes from the intrigue of history. "I like doing historic research. I like tracing the origin of statutes. It’s like a puzzle—how did it start? How do the pieces get together?" These are questions Goring hopes to try to answer both in her writing and for those students with whom she’s grown so close.

It is not just about academics and research. It’s also about community. Professor Goring shares her personal time with her children and their friends by volunteering at Trinity Episcopal Day School in Baton Rouge.

Professor Darlene Goring

Professor Darlene Goring is a first-generation American who was born and raised in Miami, Florida. She graduated from Howard University in 1983, where she earned her B.B.A. magna cum laude in Business Management. Professor Goring went on to complete her J.D. and LL.M. at Northwestern University School of Law. While there, she served as the Note and Comments Editor of the Journal of Criminal Law and Criminology. After eight years teaching at the University of Kentucky College of Law in Lexington, Kentucky, Goring joined the LSU Law Center faculty in 2002 as the Sam D’Amico Endowed Associate Professor of Law. She teaches Legal Methods, Common Law Property, Real Estate Transactions, and Immigration Law. With a heart for community service, Goring worked as Administrative Director of the Dr. Leo S. Butler Legal Clinic to develop partnerships between the clinic and the Law Center, the Baton Rouge Bar Association Pro Bono Committee, and Capital Area Legal Services Corporation. Those partnerships are helping to provide free legal assistance to residents of Old South Baton Rouge.

Goring has also coached the Frederick Douglass Moot Court Team sponsored by the Black Law Students Association—and accompanied the team to its regional competition in Ft. Lauderdale, Florida. Serving as advisor to the Legal Association of Women, Goring also provides mentoring, academic support, and exam preparation workshops to many first-year students. Currently, she volunteers at the Lakewood Quarters Retirement Community. Most of all, she loves spending time with her two children, Trey and Morgan.
Sitting in the 'Catbird Seat'

PAT JUNEAU has come a long way since he pulled up to the married students' apartments, just inside the gates of LSU, at the end of a Louisiana summer. His wife and two sons were with him in his two-door, stick shift Dodge that had no air conditioning.

For the past 15 years, he has been appointed and served as Special Master in federal court cases all across the country. Many of these major class action cases included hundreds of thousands of people.

Sitting in the noisy LSU Law Center student lounge, against the familiar stained glass wall, the silver-haired 68-year-old trial lawyer laughs, as he drinks a latte, and remembers what it felt like to be admitted to the LSU Law Center.

"You knew if you could make it through that law school, you had really put forth the maximum effort. It was like going to the Marine Corps," he says. "People who graduate from West Point feel the same thing."

And Juneau knows a little something about the military. Recently named the 2006 Distinguished Alumnus of the LSU Law Center, it was 41 years earlier that he drove onto the LSU campus fresh out of serving active duty during the Berlin crisis. As a child in the 1940s, Juneau grew up helping in his father's campaign for state senator. "I've been to every grocery store," he laughs, "hung signs, done it all. I remember Earl Long calling the house, asking for my father—they were personal friends."

Juneau knew LSU Law was tough. "When you're young, you feel like you're bullet proof." Out of 165 admitted in his freshman law school class, Juneau says 37 graduated with him. Nine of those went on to become judges.

In 1965, Juneau graduated and went to work right away as a trial lawyer. Many years later, that's what he is still doing. "I'm proud to be a trial lawyer," he says quickly. "The one great thing this country has had is the right for the rich person or poor person to assert his/her rights. I'll defend anybody; rich or poor, doesn't matter to me." Juneau has tried more than 100 civil jury cases, and mediated more than 2,000 cases. For the past 15 years, he has been appointed and served as Special Master in federal court cases all across the country. Many of these major class action cases sometimes including hundreds of thousands of people. "I guess I've done as much of that as just about anybody from all over the country, and I'm just a boy from Lafayette, Louisiana—an LSU grad," he smiles.

That unique scope of experience has given Juneau what he calls 'the catbird seat' when it comes to comparing the LSU Law Center's quality of education with the best in the country. "The talent level of the LSU lawyer is incredible. What I've found is that LSU puts out people who are in the trenches practicing law."

Juneau says he's never considered leaving Louisiana to practice elsewhere. He believes that while some of Louisiana's leaders have been shortsighted in using this state's rich resources, still Louisiana's professional community works against the odds to produce some remarkable achievements. "Louisiana has been burdened through history by the plight of poverty and you have to pull that wagon when you're pulling government organizations. It's easy for some other state that doesn't have that dynamic to say, 'Y'all aren't doing that well,'" he points out. "But I say: how many wagons are you pulling? It's a real challenge to pull that wagon, take advantage of what you can take advantage of and make government work."

And Juneau has not shied away from leadership in Louisiana. In 1973, he ran and won election as one of the 132 delegates in the 1973 Louisiana Constitutional Convention. For a year and a half, he took part in those heated sessions at the State
LSU Law graduates should recognize that they are uniquely situated due to their civilian background. You can get an outstanding law degree for a lot less money than you could achieve anywhere else in this country.

Patrick Juneau
Capitol, steered under the leadership of legendary Louisiana Governor Edwin Edwards. Juneau voted on every line of the proposed new constitution, and then joined another colleague to travel the state and explain the new constitution to the voters. “Passing that was extremely difficult,” he remembers. “You’re talking about voting on everything—homestead exemption, taxes, legislature or no legislature, secretary of state, or no secretary of state.”

As past president of the Louisiana Association of Defense Counsel, Juneau was inducted into the LSU Law Center Hall of Fame in 1987. He’s been recognized in all the editions of the ‘Best Lawyers in America,’ published by Woodward and White. As a member of the LSU Law Center’s Alumni Board of Trustees, Juneau sees the alumni as bearing responsibility to give back to the school.

“LSU Law graduates should recognize that they are uniquely situated due to their civilian background. You can get an outstanding law degree for a lot less money than you could achieve anywhere else in this country.”

Juneau agrees with the recent move to substantially increase admission requirements to the LSU Law Center. “You don’t have that big weed-out period,” he says. But he admits the 37 people who graduated from his class have continued to maintain a close bond, like so many LSU Law Center graduates. Even so, Juneau’s not ready to lay down his law books.

“I love what I’m doing,” he bursts out. His enthusiasm for his craft is infectious. “I’m meeting new people and challenges every day. The electricity that I get from handling huge state and national and complex problems charges my battery.” Juneau believes that being a lawyer gives him a longevity factor. With his three sons all practicing in Lafayette where he lives—two as attorneys in the family practice, one as a neurosurgeon—Juneau says the best optimism for Louisiana opportunities after Katrina and Rita. “The jury’s out right now on how we’ll react to those challenges. Will we react constructively or will we squander that opportunity?”

If it were up to Juneau, there would be no question which way Louisiana would answer that call. “It’s a good challenge. It’s a good place to live.” Juneau says his test of success comes every night when he lays his head down on the pillow. “Have I really tried my best? Have I stayed true to my word? Am I content with how I’ve treated other people? If I can feel good about all three of those questions, my personal feeling is that I have gained a high degree of success.”

As much as Juneau believes in the LSU Law Center, he also believes in living life to the brim. As he finishes up his coffee in the student lounge, Juneau smiles as he quotes Robert Frost: “The woods are lovely, dark and deep, but I have promises to keep and miles and miles to go before I sleep.”
ALUMNI PROFILES

Growing up around traditional Celtic music and strong beer in a crafting township high in the hills of northern Scotland, Uisdean Vass says his name is really “north Highland for Hugh.” He asks that we call him simply “Hugh.” And simple is certainly where Hugh’s story begins. When his mother came home from teaching school each evening, Hugh doesn’t recall the family talking much about law. But they did talk about something else. “My father talked a lot about the United States,” Hugh remembers. “He was there during World War II.” And those stories made a deep impression on the 18-year-old who would head into classes at the University of Innsboro School of Law. “They

AGPIPES AND ZYDECO

probably go together about as well as oil and water. But one of the LSU Law Center’s 1985 graduates seems to have harmonized those two cultures into a score that for him has played out as a fascinating career on the international stage. Today, as advisor to the LSU Law Center’s Hemispheric Trade program, Uisdean Vass is playing a key role in mentoring tomorrow’s bijurally-trained international lawyers.

Harmonizing Two Cultures
And it’s that kind of global intimacy sparked in the fires of bijural learning from international professors and noted civil law experts on LSU’s faculty that puts LSU in a unique vantage point in an international economy.

Hugh Vass

inspired me to visit the U.S., myself — and I figured the best way to do that was to get a graduate degree.”

And that’s where LSU enters this young Scot’s story—a story that winds from northern Scotland to the French Quarter to Caracas, Venezuela, and to the top of the oil and gas division of the largest firm in Scotland today. Pretty impressive for a young man who said his interest in oil and gas sparked when he watched one of those iconic American television shows with proven international appeal: “Dallas.” Hugh Vass applied to 15 different law schools because he needed the scholarship support. Accepted at almost all the schools where he applied, Hugh says it was the scholarship and LSU’s civilian tradition that drew him here.

Louisiana, Scotland, Quebec, and South Africa are noted as the world’s principal mixed jurisdictions—jurisdictions with a Civil Law base that incorporate major exposure to the Common Law. But that is not all that links Louisiana and Scotland. Scotland is a country with a rich cultural tradition that even has a “people apart,” as Hugh fondly compares “the Highlanders” to Cajuns.

Beyond the cultural tie, there is the bijural tradition combining a richly developed civil law with the sea of common law surrounding the small states of both Scotland and Louisiana. And then there is the critical maritime oil and gas tradition so integrally bound to states like Louisiana and Scotland where commercial waters and the open seas lap trade upon the doorstep of these economies.

But Hugh’s journey to becoming a top international oil and gas lawyer would first pluck this 23-year-old young man from his beloved Scottish mountains and put him on a flight from London to Amsterdam to New York—a New York that was pretty uncomfortable at the end of July when you were wearing a heavy wool kilt. “There I stood, drenched in the sun at JFK,” Hugh laughs.

Following the heat south, during the course of his LL.M. studies in Baton Rouge in the mid-1980s, Hugh would come to write his thesis on oil leasing in the United States and the United Kingdom during the Reagan and Thatcher administrations. He remembers those classes that shaped what would become a global career for him: Mineral Rights, Corporations, International Law, Advanced Mineral Law, Oil and Gas Law, Marine Resources Law. “The courses were massively intellectual,” Hugh says. “The program was challenging. My five years in law helped me deal with it. The Edinburgh course was challenging. But I actually learned the British oil and gas law system here at LSU.”

Those long nights in the library and burning the midnight oil in Kirby Smith Hall—a familiar LSU residence hall—would pay off. Hugh’s thesis on oil leasing would win the National Energy Law Policy Institute award that year, and it was published in the University of Tulsa Law Review. From there, it was off to New Orleans for Hugh, where he would spend his formative years in the practice of law at Stone Pigman. Then he would head south once again—this time to Caracas, Venezuela for the Canadian-based international law firm of Macleod Dixon.

“It was 1997,” Hugh remembers, “and we were the first Canadian law firm to go into Latin America—a familiar LSU residence hall—would pay off. Hugh’s thesis on oil leasing would win the National Energy Law Policy Institute award that year, and it was published in the University of Tulsa Law Review. From there, it was off to New Orleans for Hugh, where he would spend his formative years in the practice of law at Stone Pigman. Then he would head south once again—this time to Caracas, Venezuela for the Canadian-based international law firm of Macleod Dixon.”

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In South America, Hugh would learn Spanish, spending eight years in Venezuela, four months in Argentina, and two years in Brazil. Ultimately, he would open Macleod Dixon’s second South American office in Rio de Janeiro. But it would be 20 years after that hot summer when Hugh began at LSU before he would finally return home to Scotland. As he tells it, he was going to a colder form of Lafayette, Louisiana—Aberdeen.
“Aberdeen is Europe’s oil capital,” Hugh says. Mcalay, Murray & Spens is Scotland’s largest firm. Founded in 1871, the firm is internationally strong in corporate finance, commercial litigation, intellectual property, and competition law. But it would be Hugh Vass, chosen by the Mcalay, Murray & Spens CEO who had been a classmate of Hugh’s back in Edinburgh, who would grow Mcalay’s oil-and-gas-centered Aberdeen office from the ground up.

It’s a long way from Professor Martin’s Advanced Mineral Law class back in the early eighties, but Hugh Vass is quick to point out that his first impression stepping back onto the remodeled LSU Law Center’s campus is nevertheless a feeling of homecoming. “When you meet quality people,” he says, “when you’ve been through a quality institution, you never really leave the institution.” And it’s that kind of global intimacy sparked in the fires of biural learning from international professors and noted civil law experts on LSU’s faculty that puts LSU in a unique vantage point in an international economy. “I’m impressed with Chancellor Costonis—with his strength and energy,” Hugh points out. “LSU is acting as mediator between North America and Latin America, situated at a unique geographic location, with the port city of New Orleans nearby, and a rich maritime tradition.

“If you take away the weather and the cooking, Scotland looks a lot like Louisiana,” he says. “That’s a unique geographic location, with the port city of New Orleans nearby, and a rich maritime tradition.

“But when you meet quality people, when you’ve been through a quality institution, you never really leave the institution.”

In Scotland, Hugh returns home from the office now to his country home, surrounded by woods and an orchard he says he’s trying to cultivate, just as he is his outside interest in politics and history. “Just hardy fruits,” he cautions, “some raspberries, black currants—nothing that needs warmth.” And he urges young people looking to succeed in the often-cold legal world to soak up as much of the kind of substance he learned at LSU as possible. “Be challenged,” he urges. “Seek out good training. Look for your own niche. And remember, success is not only measured in cash.”

It’s a philosophy Hugh Vass will help impart to the young minds under his tutelage as he helps bolster the LSU Law Center’s graduate program that sent him on his way, and helps to build up other intermediate programs for LSU allied with universities in countries around the world.

In reality, Hugh doesn’t have to go far to conjure up the good memories of his days at LSU. He smiles warmly when he tells the story of how his neighbor in Scotland—an American who married an Argentine, sprinted across the way to the Vass home, gleefully calling out, “Hey! We won the national football championship!”

And from the love affair with the LSU Tigers, to the Capitol-City-yet-friendly air about Baton Rouge that distinguishes it from its bawdier sister city of New Orleans, Hugh Vass says he’s never lost his taste for a visit to LSU. “My mother has always preferred Baton Rouge to New Orleans,” he grins. And she seems to have passed that love onto her son. A long way from his boyhood village in the northern mountains of Scotland, and the strains of the bagpipes curling around the quiet streets where he grew up, Hugh Vass doesn’t deny Baton Rouge has found a permanent place in his heart as well.

The LSU Law Center’s Hemispheric Trade Conference focused on the differences between common law and civil law approaches to commercial law and the impact on hemispheric trade. The 2006 conference engaged dignitaries from throughout the United States and Latin America.
IN THE PUBLIC INTEREST:
LSU LAW GIVES BACK TO THE COMMUNITY

“It’s a calling,” according to Liza Ortego, president of the LSU Law Center’s Public Interest Law Society, or PILS, for short. “A degree in law is not just about earning a living. It’s about answering the call and using our legal skills to serve the public interest.” Ortego is one of several dozen students actively engaged in the newly organized public interest organization, and she’s recruiting others to join her.

It’s this renewed grass roots effort by the students that has the Law Center administration especially pleased. PILS was formed in the 2005-2006 school year, and the organization is already making its mark on the Law Center. New initiatives have offered more opportunities for students to engage with the community, while also honing their legal skills. “PILS helps LSU Law to advance public interest through one-time projects, semester-long efforts, and public interest careers while increasing the number of public interest opportunities available to law students in the Baton Rouge community and nationwide,” according to Annie LeBlanc, a 2002 LSU Law graduate now working at the Law Center. LeBlanc serves as an advisor to PILS.

One such initiative is the new Equal Justice Works—Katrina Initiative. Susan Saba and co-worker Kathleen McNelis, a 2006 LSU Law graduate, were hired to direct the Equal Justice Works non-profit grant program administered in collaboration with the Louisiana Bar Foundation. Saba is a member of the 2005–2006 Pro Bono Legal Corps, an AmeriCorps-funded project provided to the Foundation. They are two of 35 attorneys working throughout the United States to address legal problems of the undererved by engaging law students in pro bono work. Their work involves both the LSU Law Center and Southern University Law Center. The Louisiana grant provides for direct legal services to Gulf Coast residents.

Beyond meeting immediate, hurricane-related legal needs, Saba says the Equal Justice Works—Katrina Initiative fosters the development of long-term pro bono and legal aid infrastructures. In addition to doing intake work, students work the Louisiana State Bar Association Disaster Legal Hotline and volunteer with such organizations as the Capital Area Legal Services and Court-Appointed Special Advocates Program.

A visit to Renaissance Village—one of the largest FEMA trailer parks in the Baton Rouge area—has also brought stark realities into focus for LSU Law student volunteers and faculty advisors.

Members of PILS volunteer at the St. Vincent dePaul soup kitchen.

LSU Law students volunteer their time and energy in the Thirst for Justice Program designed to help residents in blighted neighborhoods.

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A S T I O N

rative — a Social Security Assistance Program. Under the supervision of local attorney Eric Miller ('90), students assist in handling social security appeals, gaining firsthand experience in tasks like filing the appeal, handling the pre-hearing brief, and appearing at an administrative hearing.

And then, there's The Thirst for Justice Program, a pro bono program that was started several years ago to help residents in blighted neighborhoods close to the LSU campus. In addition to helping those in need, students get to see up-close the common legal issues facing the poor in the community.

Regardless of the service venue, whether building houses, handling social security appeals, serving in the soup line at the St. Vincent de Paul shelter, or reading to students in the Volunteers in Public Schools initiative, LSU Law students are creating change.

CREATING A CULTURE OF SUCCESS:

LSU LAW CLAIMS
STATE'S HIGHEST BAR PASSAGE RATE;
ATTRITION RATE AT HISTORIC LOW

How does one measure institutional success?

When it comes to law school, many would suggest that simple bar passage rates are the measure by which we should judge legal education. For all but two of the last forty or more years, LSU Law Center students have achieved the highest passage rate among all examinees on the bar exam. And, the results released in September 2006 by the Committee on Bar Admissions for the Supreme Court of Louisiana confirmed that LSU Law retained still again its usual first-place ranking among all public and private law schools in the July 2006 examination.

But, reducing the educational experience to a number, i.e. passing rate on the bar exam, negates the importance of the professional school environ-

ment overall and its impact on individual students and the institution. The real story behind the simple metric of the recent 91% passage rate is that students achieved this success at the same time that the attrition rate for first-year students was at an all-time low. Only 6% of the freshman class failed to progress, an historic low, especially compared to the 40% to 50% attrition rate that was experienced in earlier years. Of the 201 LSU Law Center students who took the exam in July 2006, 183 students, or 91%, successfully passed the bar.

Creating a culture of success requires an environment in which students may thrive in personal and academic pursuits. While bar passage is viewed as essential, it's certainly not the "end all, do all," as one student said. Having access to faculty members who excel in scholarship, personal relationships with faculty members, and meaningful experiences through clubs, organizations, and social groups are all expected in today's competitive educational environment. As LSU Law and other law schools compete nationally and internationally for top recruits, it's more important than ever that law school be a "total package," not simply an exercise in passing the bar.
2005-2006 MOOT COURT TEAMS WIN THREE NATIONAL CHAMPIONSHIPS

For the first time in its history, three LSU Law moot court teams emerged as National Champions in 2005-2006 competitions that tested students’ knowledge and legal skills. Taking first place honors in diverse competitions throughout the year were the International Criminal Court Team, the National Environmental Law Team, and the American Bar Association Law Student Tax Challenge Team. In winning, LSU defeated teams from more than 100 law schools, including those from traditional top-tier schools throughout the country.

The LSU Law Center salutes its national championship teams, its faculty, alumni, and friends who generously give time and expertise in coaching and mentoring our students. “Success for LSU Law Center is success for Louisiana,” said the Chancellor.

LEARNING BY DOING: A LOOK AT LSU LAW’S TRIAL ADVOCACY PROGRAM

Each year, LSU Law students have an opportunity to practice their trial advocacy skills during a unique program involving mentors from throughout the nation. From cross-examination to voir dire jury selection, third-year students role-play and receive critiques from some of the nation’s leading experts in courtroom practices.
CLASS ACTION

Teams Placed in National Competitions—left to right: the National Moot Court team of Angela Joyce, Billy Davis, and Laranda Moffett. Professors John Devlin and Todd Bruno, faculty advisors.

National Tax Moot Court Team—left to right: Ryan Richmond, Laura Balhoff, and Jonathan M.Cartney. Advising the team were Professors Susan Kalinka, Chris Pietruszkiewicz, faculty advisor, and attorneys Todd Rose and Mark Marionneaux, advisors.

Second and Third Place in 2006 National Moot Court Competitions—from left: Professor John Devlin, faculty advisor, with Laranda Moffett, David Geerken, and Wyndi Guillory, who won third place at the National Moot Court Region VII competition. The team also placed second in the Best Brief category.

International Criminal Court Moot Competition—from left: Leila Parvizian, Clarence Cooper, and Emily Couvillon, who won second place at the competition. Clarence Cooper won first place in the Best Individual Advocate category. Emily Couvillon was also recognized as one of the top six advocates in the preliminary rounds. Professors Alberto Zuppi, Catherine Rogers, and Todd Bruno served as faculty advisors.

This year, more than 180 third-year law students participated in the program. “Few law schools in the United States include this type of program in their curriculum, and probably none have presented a program with such outstanding trial advocacy teachers,” said Chancellor John Costonis. Dominic J. Gianna, a nationally acclaimed trial lawyer and National Institute for Trial Advocacy (NITA) team leader, founded the LSU Law program in 1992 and serves as the program director. Gianna is regarded as one of the best advocacy teachers in America.

And it’s not just Gianna that makes the experience so valuable. The seminar faculty includes more than 70 of the best trial lawyers, trial judges, and advocacy teachers in the United States and Canada. “The LSU Trial Ad Program is one of only six of its kind in the U.S. Having taught NITA programs throughout the world, I can say that the LSU program ranks at the top,” according to Gianna.

The Trial Advocacy Program involves three days of intensive “learning by doing.” Participants act as trial counsel and simulate actual trial skills while under the experienced eyes of the select seminar faculty. The program follows the methods pioneered by the National Institute for Trial Advocacy and includes role-playing, critique, videotaping of performances, videotape critique, lectures, and demonstrations by the faculty.

The program is made possible in part by a grant from the Houston Law firm of Vinson & Elkins.
PRO BONO FELLOWS GRAPPLE WITH ISSUES OF PUBLIC POLICY

"I'm beginning to see the real value my law school education provides as it seeks to make me a better citizen," said William Sentell III, a recipient of one of seven LSU Law Center Public Policy Fellowships during summer 2006. Sentell, a second-year law student, spent the summer working with the Center for Planning Excellence, a Baton Rouge non-profit. The agency works with residents of the Old South Baton Rouge neighborhood to achieve its goal to implement a broad, grassroots urban renewal. The fellowship provided Sentell with a rare opportunity to glimpse the challenges of the legal system and public policy issues.

The summer stipends, funded by the Law Center administration, allow students to gain firsthand experiences in legal aid services, public defenders offices, and with advocacy lawyers. Students work within non-profit organizations and government agencies in summer jobs.

The Pro Bono Fellows have put the pursuit of pro bono activities and public service at center stage in their educational experiences—and it's not just a "feel good thing." The American Bar Association has recently amended its standards to include a similar focus as a condition of accreditation of law schools.

As one of the pro bono fellows, Kim Guillot spent her summer at the Mental Health Advocacy Service providing legal services to those suffering from mental illness. "I did things ranging from legal research on forced medication to research on who has the authority to have someone involuntarily committed," says Guillot. "I was also able to help many foster children scattered by Katrina by writing a grant and creating a website."

Some recipients, like current third-year student Adia Moore, pursued non-profit work in other states. As a worker in the Community Legal Services in Philadelphia, she helped to represent parents whose children are in the welfare system. Moore was actually certified by the State of Pennsylvania to represent clients in court. "This has been a very rewarding experience in which I have received a lot of hands-on learning."

Trisha Ward was able to work with the Gulf Region Advocacy Center (GRACE) in Houston, Texas as her summer fellowship. GRACE is a non-profit organization that represents both capitaly charged indigent clients and individuals who have already received death sentences and are in the post-conviction stage of proceedings. "It was a remarkable experience," says Ward.

Pascal Belzore, another third-year student who worked as a Court Appointed Special Advocate (CASA) in Toledo, Ohio, echoed that sentiment. "My role in the hearings was to let the parents know that CASA is charged with doing an independent investigation of the case and that we are there to represent the best interests of the child/children.

Fellow classmate Clarence Cooper recalled his experiences at the EEOC in Washington, D.C. "I wrote appellate decisions for the Office of Federal Operations in the Appellate Division." He had the opportunity to experience first-hand the voluminous discrimination claims filed each month against employers.

Working in the Texas Civil Rights Project (TCRP), Betsy Franke was able to experience everything from police and border patrol misconduct to sex discrimination, disability rights, infringements on civil liberties, Title IX cases, and issues related to voting rights. "These are important experiences," said Chancellor Costonis. "Through the pro bono fellowships, we are uniquely positioned to help our students and our community. We all have a common goal—finding new ways of fulfilling the promise of justice and working together for the common good."
CORBETT CO-AUTHORS FIRST OF ITS KIND CASEBOOK

Professor William R. Corbett, the Frank L. Maraist Professor of Law and member of the LSU Law faculty since 1991, has co-authored the first English-language international and comparative employment law casebook, The Global Workplace: International and Comparative Employment Law—Cases and Materials. This new casebook covers employment laws of the United States, Canada, Mexico, the United Kingdom, Germany, France, China, Japan, and India and examines the variety of laws governing issues such as individual and collective employment, antidiscrimination, privacy, and dispute resolution systems. The laws of individual countries are discussed against the backdrop of globalization and how they relate to the principles of regional trade agreements such as the North American Free Trade Agreement, the laws of the European Union and international labor standards set forth by the International Labor Organization.

Corbett first taught a course in international and comparative labor law at Aix en Provence, France (LSU Law’s Summer Study Abroad Program) and developed his initial set of materials at that time. At present, the course is offered by only a handful of schools, but Corbett believes that will change as globalization continues to affect more and more businesses and individuals. “We believe it will be taught, and taught a lot.” The Global Workplace stands ready with instructor resources that include an extensive teacher’s manual, a slide presentation, and a website providing updates for this important and fast-moving subject.

Published by Cambridge University Press, the groundbreaking casebook is a joint effort of Corbett; Roger Blanpain, University of Tilburg, the Netherlands and Katholieke Universiteit Leuven, Belgium; Susan Sisom-Rapp, Thomas Jefferson School of Law; Hilary K. Josephs, Syracuse University College of Law; and Michael J. Zimmer, Seton Hall University School of Law.

PIETRUSZKIEWICZ CLOSES OUT YEAR AS PRESIDENT OF SEALS

Tax law expert Christopher Pietruszkiewicz, the Law Center’s J.Y. Sanders Associate Professor of Law, recently completed his term as President of the Southeastern Association of Law Schools (SEALS) and has the distinction of being the first...
Professor Patrick Martin

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untenured president of the association. Further, its annual meeting had the highest attendance since SEALs inception in the 1950s, with more than 350 law professors participating from 70 law schools in the United States, Canada, and Australia. The event offered expanded coverage of the Supreme Court via panels on governmental powers, individual rights, and economic rights and regulations in addition to panels on international law, law and economics, terrorism, the Patriot Act, eavesdropping and wiretaps, foreign precedent, judicial campaign speech, and corporate fiduciary responsibilities.

Under Pietruszkiewicz’s leadership, SEALs expanded its ongoing commitment to new scholars by adding several New Scholars Workshops and establishing a mentor program. The workshops and mentor program are designed to give new faculty members an opportunity to make scholarly presentations early in their academic career so that they may gain experience and receive feedback from their peers.

Discarded Deference: Judicial Independence in Informal Agency Guidance is the most recent article from Pietruszkiewicz and he is the co-author of a treatise on Taxation of Corporation Reorganizations. He has also participated on a number of panels in recent months, most recently, the ABA Section of Taxation's Mid-Year Meeting: The Effect of Murphy on Section 104 Deductions (Ethical Considerations) and Fifth Amendment Claims in Civil Litigation. In addition, he was a panelist of the U.S. Supreme Court and Legislative Preview: Economic Rights and Regulations, a recap of Supreme Court cases and discussion of tax legislation enacted by Congress, particularly the changing of over 200 code provisions as part of Gulf Opportunity Zone Act. Pietruszkiewicz also participated as a panelist of It’s Not Easy Being Green: Consumer Tax Incentives from the 2005 Energy Policy Act at the ABA Section of Taxation Annual Meeting.

Pietruszkiewicz received his B.S. in Accounting from the University of Scranton, his J.D. from Loyola University in New Orleans, and his LL.M (with distinction) from the Georgetown Law Center. He teaches Corporate Tax, Income Tax, Comparative Tax, Tax Practice and Procedure, and Accounting for Lawyers. He is Chair of the Faculty Committee on Admissions, the Faculty Scholarship Committee, and an elected member of the Executive Committee. He currently supervises externships with the United States Department of Justice, the Internal Revenue Service, Office of Chief Counsel, and the Louisiana Department of Revenue. Pietruszkiewicz is a former trial attorney for the United States Department of Justice, Tax Division.

Law-Making in a Global World

LSU Law, the Louisiana Law Review, and the Center of Civil Law Studies recently hosted a two-day symposium, Law-Making in a Global World. Local, national, and international experts with experience in comparative law discussed global law-making topics such as: How much does globalization affect the way laws are created? Is there a universal concept of justice? What about the legitimacy of lawmakers? Can the diversity of cultures be ignored? Can a pluralistic approach be used in mass societies? Can new and old models be reconciled?

These topic areas will be summarized in the publication of papers in a special issue of the Louisiana Law Review.
MARTIN NAMED DIRECTOR OF LOUISIANA MINERAL LAW INSTITUTE

Patrick Martin, Campanile Professor of Mineral Law, was recently named director of the Law Center’s Louisiana Mineral Law Institute. Created in 1953, the Institute has provided leadership to the state’s oil and gas attorneys and petroleum landmen and its proceedings have served as the definitive resource on mineral law for the state. An annual continuing legal education program, the Institute is charged with promoting an understanding of Louisiana mineral law and facilitating its development through educational activities.

In addition to consideration of important developments in the law of oil and gas at the annual program, the Mineral Law Institute sponsors other continuing education programs at the Law Center and cooperates with energy related research and educational programs at Louisiana State University. Projects of the Mineral Law Institute presently being implemented include a collaborative Louisiana Mineral Law Treatise, publication of a periodic Louisiana Mineral Law newsletter, publication of the proceedings of recent Mineral Law Institute programs, and sponsorship of student scholarships for mineral law studies.

Martin has taught at the Law Center since 1977. From 1982–1984, he served as the Commissioner of Conservation for the State of Louisiana. Prior to joining the Law Center faculty, Martin taught at the University of Tulsa Law School. He holds B.A., M.A., and Ph. D. degrees from Louisiana State University and obtained his J. D. from Duke University Law School.

Martin has co-authored several treatises and casebooks, including Pooling and Unitization; Williams & Meyers Oil and Gas Law; Jurisprudence: Text and Readings on the Philosophy of Law; Oil and Gas Cases and Materials; and Energy, Transportation and Utilities, as well as numerous articles on oil and gas law and energy regulation.

ZUPPI HONORED BY ARGENTINE MINISTRY

Professor Alberto Zuppi was honored by the Argentine Ministry of Foreign Affairs as an expert for integrating the Argentine delegation participating in the International Criminal Courts Assembly of States Parties Special Working Group on the Crime of Aggression. The ICC Assembly of States Parties recently met at the U.N. headquarters in New York and will continue to meet twice a year until 2009 when its normative text of Crime of Aggression will be presented to the ICC.

The International Criminal Court is an independent, permanent court that tries people accused of the most serious crimes of international concern. It is a court of last resort and is based on a treaty currently supported by 104 countries. The Assembly of States Parties is the management oversight and legislative body of the ICC, and decides on various items, including the adoption of normative texts.

Zuppi is LSU Law’s Robert and Pamela Martin Associate Professor of Law and an expert in international criminal law, international human rights, international law, and international sale of goods. He received his J. D. from Universidad de Buenos Aires, Argentina and his Ph. D., magna cum laude, from Universität des Saarlandes, Germany.

ROGERS TAPPED BY SMIT’S GUIDES AND OTHERS

Catherine Rogers, the Law Center’s Richard C. Cadwallader Professor of Law, has had exciting professional developments during the past year. She has two contracts for new books, one with Oxford University Press, and another from the prestigious series, Smit’s Guide to International Arbitration (now Smit, Carbonau and Mestil).
Guides to International Arbitration). The two projects are scheduled for publication in 2008 and titled, respectively, Global Ethics in International Arbitration and International Arbiterators: Ethics, Conduct and Challenges. Additionally, Jose Alvarez, Columbia Law professor and president of the American Society of International Law (ASIL), invited Rogers to join its taskforce on professional responsibility for global legal practitioners. Delev Vagts of Harvard Law School heads the ASIL taskforce, which also includes several other nationally acclaimed scholars and practitioners. As part of her role on the Academic Council of the Institute of Transnational Arbitration (ITA), Rogers is also co-chairing the 4th Annual ITA-ASIL Conference in Washington D.C., titled The Future of Arbitration Involving States, which will bring together top scholars and practitioners from all over the world.

Rogers also has several forthcoming scholarly projects in 2007: A casebook titled Complex Litigation: Litigating for Social Change, which she is co-authoring with U.C. Davis law professor Kevin Johnson and fellow Law Center professor, John V. White; an article titled Contests for Control: Arbitrating Antitrust Claims in the United States and Europe, co-authored with Italian attorney Niccolò Landi; and another article titled The Have-Not's Arrival in International Arbitration, which was presented at a symposium on arbitration in January at the University of Nevada, Las Vegas and will be published in the UNLV Law Review.

Professor Stuart Green's pioneering book, Lying, Cheating, and Stealing: A Moral Theory of White Collar Crime is now available in a paperback version from Oxford University Press. Just a year old, the book is the first in-depth study of its kind and examines the moral foundations of white-collar criminal offenses such as fraud, insider trading, bribery, and tax evasion. Green exposes the ambiguities and uncertainties that encompass today's white-collar crime and weaves together disparate threads of the criminal code to reveal a complex and fascinating web of moral insights about the nature of guilt and innocence. He argues that white-collar crime is best understood through a framework of everyday moral concepts that include not only lying, cheating, and stealing, but also coercion, exploitation, disloyalty, promise breaking, disobedience, and other forms of deception. To give emphasis to his text, Green examines several high profile contemporary cases. Green uses the book as part of the curriculum in teaching a White Collar Crime Seminar at LSU Law.

According to a review in the Wall Street Journal, "Mr. Green's book admirably clears away much of the conceptual underbrush surrounding the idea of white-collar crime." The book was also nominated for an award by Scribes, the American Society of Legal Writers and will soon be translated into Italian.

Green's current work in progress is tentatively titled Property, Crime, and Morals: Theft Law in the Information Age and is under contract with Harvard University Press.


Stuart Green is the Law Center's L.B. Porterie Professor of Law. A graduate of Yale Law, he has practiced law in Washington, D.C., served as a Fulbright Distinguished Scholar at the University of Glasgow, as a Visiting Professor at the University of Michigan Law School and has lectured throughout the U.S. and Europe. 
There has been much discussion about the pursuit of National Flagship Status by the LSU Board of Supervisors and indeed, the LSU Alumni Board of Trustees. So just what does that mean for the LSU Law Center?

The flagship, according to Merriam-Webster, is: the ship that carries the commander of a fleet and flies his flag. It is the finest, the largest or the most important one of a series. Quite simply, achieving National Flagship Status means that the LSU Law Center seeks to be the finest ship in the fleet. While seeking a new commander with the scheduled departure of Chancellor John Costonis on June 30, 2007, the LSU System appointed a search committee to identify a new leader. With this transition, it is important to note the accomplishments that will launch this ship into the new century, surely setting in some part the course of this new journey.

The LSU Law Alumni Board of Trustees recently addressed this topic in one of its semi-annual meetings. Beginning in 1999, the Law Center inaugurated and implemented a Law Center Operating and Capital Budget Plan, premised on increased funding from state sources, student tuition revenue, alumni donations, and Congressional appropriations. That plan, the Board of
Trustees believes, afforded the capital and operating funds to establish and strengthen some outstanding features at the Law Center. Perhaps most tangible, the Law Center’s physical plant has grown from a facility that did not meet the American Bar Association minimum accreditation standards to one of the finest law facilities in the country. Doubling its budget since 2000, the Law Center continued to strengthen its nationally accredited Common Law curriculum, while maintaining its bural roots. With a vibrant international and Civil Law component, the Law Center is one of only two Western Hemisphere law schools to award its students both the Juris Doctor and the Bachelor of Civil Law degrees. Meanwhile, the Law Center continued to maintain the highest bar passage rate in Louisiana, still attracting 85 percent of its student body from Louisiana and offering the most comprehensive program of instruction in Louisiana substantive law and skills training in the Law Center’s history.

The Board of Trustees recognizes that this flagship school offers superior assistance to students through Library and Information Technology, Career Services, Legal Writing, and a vibrant Alumni Relations, Development, and Communications Division. Looking to expand the M.C.L and L.L.M. Graduate Program to 30 students with its approved tuition-waiver support program, the Law Center is integrating those programs with its Center of Civil Law Studies. In addition, the Distinguished Global Visitors Program annually brings six to eight European and Latin American scholars, deans and practitioners to Baton Rouge to offer 15-hour, one-credit courses in comparative Civil Law/Common Law topics. Each year, students show great interest in the Summer Program in Lyon, France, conducted in partnership with the Jean Moulin Law faculty there at the University of Lyon. In 2005, it was the second largest United States law school program abroad. Also in 2005, the Law Center established the Russell B. Long Eminent Scholars Academic Chair, the Law Center’s first chair, and appointed the former Director of the University of Lyon’s Edouard Lambert Institute of Comparative Law, Professor Olivier Monteau.

Beginning in 2007, the Law Center will conduct a summer program in Argentina at the School of Law in Austral University in Buenos Aires. Also in 2007, Professor Patrick Martin was named Director of the Mineral Law Institute, succeeding Professor-Emeritus Thomas Harrell in leading an array of programs addressing critical issues in Louisiana, national, and international energy law. The Board also praised the work of the George W. and Jean H. Pugh Institute for Justice.

Setting sail with these accomplishments already behind it, the LSU Law Center confidently faces its upcoming challenges. Chief among these is the need to fill a high percentage of faculty vacancies over the coming decade. But for the flagship institution, that responsibility is just one of the many that come with the grandeur and the gravity of leading her state’s legal education. Charting the course for the future of the Law Center presents an array of possibilities that are as unlimited as the hopes and abilities of the school’s students.
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