

Two join faculty

In 1995 the Law School welcomes two new assistant professors who bring a broad range of experience and skills to the faculty.

Sherman Clark comes to the Law School by way of Harvard University Law School and a litigation practice at Kirkland and Ellis in Washington, D.C. **Peter Hammer**, a graduate of the University of Michigan's law and economics joint degree program, practiced for two years at O'Melveny and Myers in Los Angeles. He focused on antitrust and health care law and assisted with expert economic analysis of cases. Both have interests that range

well beyond their recent caseloads.

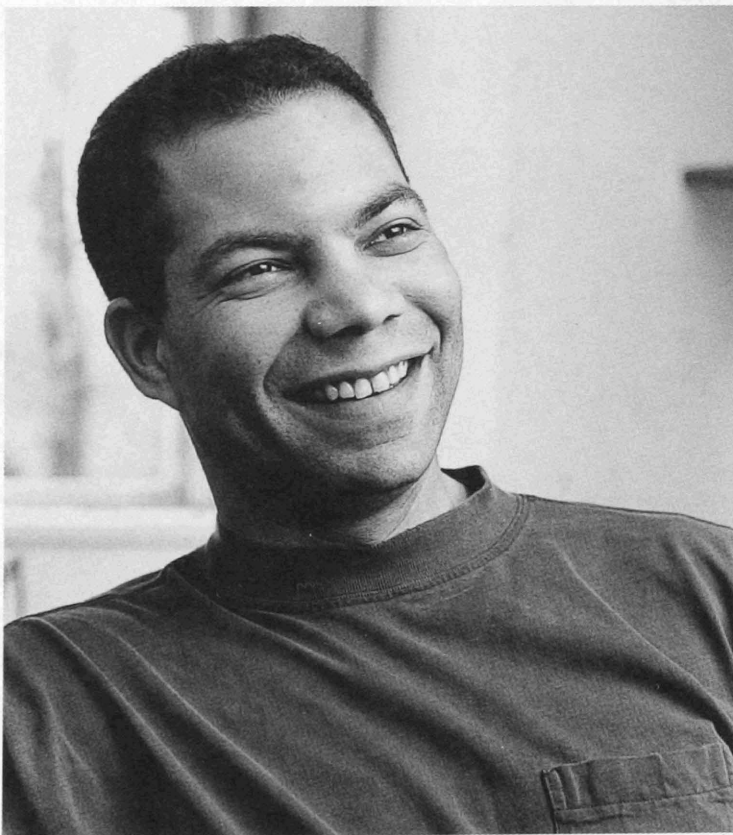
Clark is interested in democratic theory and political philosophy. He said he left a stimulating practice in product liability and contract litigation because the legal lifestyle was incompatible with both family life and intellectual life. "It was difficult to read de Tocqueville on the subway on the way home at midnight," said the father of three girls.

Clark's unusual academic career covers nine years and three schools, which is one reason why he now values time to read and think. He left home and family in Baltimore

at 16 and enrolled at the University of Dallas, trying to work his way through school. He did well academically but not financially, so he left college and enlisted in the army for four years, serving in

the Honor Guard at the Tomb of the Unknowns.

After the Army, Clark completed a bachelor's degree in English at Towson State University. Inspired by his mother, who earned a law



Sherman Clark



Peter Hammer

degree after raising four sons, he won admission to Harvard. "I loved it. I could not believe I was there, not too many years after mopping floors at the Radisson," he said. He soon noticed that he hadn't read or learned things his classmates mentioned, so he enthusiastically set out to fill in the gaps in his education, while working at a law firm to support his wife and daughters. Despite a nightmarish schedule, he did well in school; he credits that to his engagement with and love of the study of law.

Clark is spending the quiet summer months at the Law School researching an article, reading broadly in political theory, and preparing for his fall courses. He will teach Torts in the fall term and Evidence in the winter.

Peter Hammer holds a bachelor of science degree in mathematics and bachelor of arts degrees in economics and in speech communication from Gonzaga University in Spokane, where he was raised. An excellent math professor who was a strong role model inspired him to teach. "It's a wonderful way to devote your energy and make an impact on people's lives," he said. "You can't change people, but you can guide them to places of strength inside themselves."

With such broad background and interests, the hard part for Hammer was deciding what field to teach in. He considered graduate study in math and other fields before he opted for Michigan's combined law and economics program. He earned his law degree in 1990 and his doctorate in economics in 1993. While completing his dissertation, he clerked for the Hon. Alfred T. Goodwin at the U.S. Court of Appeals for the Ninth Circuit.

When he joined O'Melveny and Myers in 1993, he also joined the legal team defending Exxon in the civil trials resulting from the 1989 Valdez oil spill. "In two years of practice I lost a \$5 billion verdict for my client, more than most people lose in a career," he joked.

Jokes aside, Hammer said he found the Exxon case intellectually satisfying in many ways. For him, it was an opportunity to work with top-notch attorneys on both sides of the case and to devote his time to a case where important issues were at stake.

"For most clients, your job is to tell them what the law is. It's not that often that you get to push the boundaries, to ask how strong a precedent is, can it be changed, and is it right — the same questions you ask in academics. The Exxon case involved such high stakes that nobody was taking the ground rules as given, and as a result, both sides made a lot of new law."

Even more rewarding than the Exxon trial was establishing a public defender program in Cambodia. Hammer helped win funding, establish comprehensive classroom training, and recruit a series of pro bono American attorneys who have gone to Cambodia to staff the project. Now a year and a half old, the program has offices in Phnom Penh and three provinces.

Hammer explains that Cambodia's legal system is a patchwork of remnants from former regimes that really form no system at all. Precisely because the legal process is so fluid, the project has been able to import and adapt some American defense techniques and put them to creative, effective use. Clients there are eager to have an advocate in an adversarial setting. "It's been incredibly rewarding because we really have had a significant impact," he said.

Hammer will teach Health Law, Antitrust Law, and Contracts. His research interest combines his expertise in law and economics: "My focus is on how health care markets work, how they should function and how they actually do function. Surprisingly, there are disturbing gaps in our knowledge of how different kinds of health care structures affect outcomes such as access to care and quality of care."

Faculty achievements

Professor Frank Kennedy has contributed an oral history to the Second Circuit History Project on Bankruptcy.

Kennedy, now the Thomas M. Cooley Professor Emeritus, has studied, influenced, and taught bankruptcy law for more than fifty-five years. He was executive director of the National Commission on Bankruptcy Laws appointed in 1970; his work helped shape the Bankruptcy Reform Act of 1978.

Harvey R. Miller, a leading bankruptcy practitioner and member of the National Bankruptcy Conference, decided that Kennedy's perspective should be part of a historical exhibit sponsored by the Second Circuit Committee on Historical and Commemorative Events and by the Federal Bar Council. Miller interviewed Kennedy in July 1994 about his life and career. The interview was published as "The Origins and Growth of Bankruptcy and Reorganization Laws in the 20th Century — An Oral History Perspective."

In the introduction to the oral history, Miller writes of Kennedy, "Bankruptcy jurisprudence would be all the poorer but for his efforts in revising and developing the bankruptcy law and improving the bankruptcy court."

Professor Mathias Reimann has been elected to the Académie Internationale de Droit Comparé of Paris. The academy honors the