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LAW SCHOOLS

By Cynthia Scanlon

Arizona State Finds Trouble After Hiring a Professor With a Record

ARIZONA STATE UNIVERSITY, inundated with angry calls and criticism from the public, has reversed its decision to allow convicted murderer James Hamm to teach at its School of Justice Studies after having graduated from its law school.

ASU contracted to pay Mr. Hamm \$6,000 for the spring semester for teaching two courses, Substantive Criminal Law and Individual Rights and Public Law. Total enrollment for the two undergraduate classes was expected to reach 165.

But public outrage reached a pitch that got the attention of ASU's top brass. Milton Glick, ASU's provost and senior vice president, says that the decision to renege on the offer to Mr. Hamm centered on the "recognition that this appointment would offend a great number of our constituents....We had someone just out of law school that did not have credentials that were sufficiently outstanding [for us to] be willing to put our finger in the eye of so many people.

"I thought we would need a compelling case about why we selected this person, given the affront to so many of our citizens, but I did not find a compelling case," Mr. Glick adds. ASU has, however, agreed to honor its contract with Mr. Hamm by allowing him to work in research. Just what his future role will be has not yet been decided.

Mr. Hamm was paroled in 1992 after serving 17 years for the murder of Willard Morley in a drug deal gone bad in Tucson, Ariz. He earned his bachelor's degree from Northern Arizona University in Flagstaff and entered ASU's law program in 1993, again under a firestorm of public criticism and outrage. Mr. Hamm

graduated in 1997 and since then has failed the bar exam. He did not return several phone calls seeking comment.

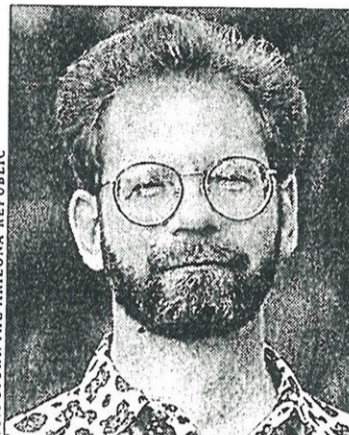
Mr. Hamm was offered the part-time position in November by regents' professor Dennis J. Palumbo, interim director of the School of Justice Studies. Mr. Glick points out that "unit leaders," such as Prof. Palumbo, can appoint part-time faculty without seeking other approval. This contrasts with full-time appointments, which require the approval of the faculty, unit director, dean and provost.

Prof. Palumbo insists that Mr. Hamm is qualified to teach. He said in a Dec. 10 Arizona Republic editorial that Mr. Hamm could be a "role model for the concept of rehabilitation and for the thousands of offenders in prison....[H]e could be a symbol of hope that they too could be accepted back into society if they better themselves."

Prof. Palumbo says that he hired Mr. Hamm because the school was on the verge of canceling the two classes for lack of an instructor. Whether the classes will be taught

by someone else or canceled is now uncertain.

Despite the controversy, Mr. Glick is hoping that a serious, intellectual dialogue will emerge. "We need to step back and look at how did we get to where we were and how do we do what's best for the university and state." ■



James Hamm: His job offer was rescinded after a public outcry over his murder conviction.

Erratum

IN THE DEC. 21 edition of this column, we ran the wrong photograph, mistakenly identifying the subject as Howard A. Glickstein, dean of Touro College Jacob D. Fuchsberg Law Center. We regret the error. ■

WORTH READING

CRIMINAL PRACTICE

ROGERS, AUDREY, *Accomplice Liability for Unintentional Crimes: Remaining Within the Constraints of Intent*, Loyola of Los Angeles Law Review: April 1998, Vol. 31, No. 3, pgs. 1351-1386.

DEBTOR AND CREDITOR

WARREN, ELIZABETH, *The Bankruptcy Crisis*, Indiana Law Journal: Fall 1998, Vol. 73, No. 4, pgs. 1079-1110.

EMPLOYMENT LAW

ROSS, JASON, *After-Acquired Evidence in Texas Employment Law: The Trico Technologies Decision*, Baylor Law Review: 1998, pgs. 519-546.

FAMILY LAW

SPILLANE, LESLIE HERNDON, *Spousal Support: The Other Ohio Lottery*, Ohio Northern University Law Review: 1998, Vol. 24, No. 2, pgs. 281-356.

INSURANCE LAW

MARTINSON, NICOLE, *Inequality Between Disabilities: The Different Treatment of Mental Versus Physical Disabilities in Long-Term Disability Benefit Plans*, Baylor Law Review: 1998, pgs. 361-380.

This legal bibliography is prepared by Jerome Leone.

■ Denotes books.

JUDICIAL LEGISLATION

NOTES, *The Forgotten Lesson in Quill v. Vacco: A Perspective on the Modern Judicial Role as the Calabresian Remedy to the Problem of Statutory Obsolescence*, The Wayne Law Review: Winter 1998, Vol. 44, No. 1, pgs. 343-366.

LEGAL PROFESSION

BARNABAN, CYNTHIA LOSURE, *Inspiring Global Professionalism: Challenges and Opportunities for American Lawyers in China*, Indiana Law Journal: Fall 1998, Vol. 73, pgs. 1247-1276.

MILITARY LAW

GAUL, MATTHEW J., *Regulating the New Privateers: Private Military Service Contracting and the Modern Marque and Reprisal Clause*, Loyola of Los Angeles Law Review: April 1998, Vol. 31, No. 3, pgs. 1489-1527.

RETIREMENT LAW

VISOCAN, KAREN, *Recent Changes in Medicare Managed Care: A Step Backwards for Consumers?* The Elder Law Journal: 1998, Vol. 6, No. 1, pgs. 31-48.

SECURITIES LAW

RAPP, ROBERT N., *Rethinking Risky Investments for That Little Old Lady*, Ohio Northern Law Review: 1998, Vol. 24, No. 2, pgs. 189-280.

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