



Boyd Briefs: March 18, 2016

## From Dean Dan

In this year's *U.S. News & World Report* rankings of specialty programs, the [Lawyering Process Program](#) at the UNLV Boyd School of Law was ranked second in the nation—the highest it has ever placed—for its legal writing program. Our program has ranked in the top five for the past 10 years. Congratulations to our esteemed Lawyering Process faculty for their commitment to teaching and to their students. Our curriculum, which emphasizes professionalism and prepares students to begin their legal careers with the skills they need for practice, includes instruction in legal analysis, research, writing, and lawyering skills by one of the best legal writing faculty in the nation.



**From left, Lawyering Process Professors Rebecca Scharf, Terrill Pollman, Lori Johnson, Linda Berger, Peter Bayer, Linda Edwards, and Sara Gordon**

In addition, our [Saltman Center for Conflict Resolution](#) held at ninth in the nation among dispute resolution programs ranked in *U.S. News*. It has ranked in the top 12 for the past 10 years. We are grateful for the leadership of Director Jean Sternlight and Associate Director Lydia Nussbaum, as well as to founders Mike and Sonja Saltman and the Board of the Saltman Center for their continued support.



**From left, Saltman Center Associate Director Lydia Nussbaum, founders Michael and Sonja Saltman, Director Jean Sternlight, and Boyd School of Law Dean Daniel Hamilton**

As part of its ongoing mission to offer quality continuing education programs on topics in conflict resolution that are of interest to the legal and larger community, we are excited to announce the center will host the following training:

**Advanced Mediation Training: Maintaining Dialogue and Overcoming Impasse**

March 21-23, 2016

An interactive course that will include a mix of hands-on, skills practice, along with group discussion, intellectual analysis, and problem solving.

Trainer: [Kenneth Cloke](#)

Please click [here](#) for more information.

Dan

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## FACULTY SPOTLIGHT: Thomas Main

*Professor [Thom Main](#) is an award-winning teacher and one of Boyd's most respected scholars, specializing in the history of procedure.*

**What's the most important thing you are working on right now?** There were more civil trials in federal courts in 1940 than in 2015. The typical federal judge now presides over a civil jury only once every three months. To be sure, trials can be expensive and time-consuming. But trials are also the highest and best use of judges. Contemporary reforms assign judges a managerial role: trials are a "mistake" and cases should be settled or otherwise disposed of prior to trial. But these reforms weed out meritorious cases and increase the expense of all litigation. One might take comfort in the fact that the vast majority of



most cases today voluntarily settle. But that was equally true in the 1940s - 1970s when judges tried cases, rather than managed them. The important difference is that, today, cases settle not in the shadow of a trial, but rather in the shadow of a sword of Damocles.

**If you could pick one of your recent publications to recommend, what would it be?** In *The Fourth Era of American Civil Procedure*, 162 U. Pa L. Rev. 1839 (2014), my co-author and I detail the emergence of a new, fourth era of procedure. Although the formal rules of the third era are largely intact, a number of judicial decisions have undermined the core values of those rules. In *Procedural Constants: How Delay Aversion Shapes Reform*, 15 Nev. L.J. 1597 (2015), I explain that the fourth era was predictable in light of certain prevailing norms of the district courts. These norms, which are not mandated by rule or statute, are phenomena that can be measured statistically and have remained constant for decades amid otherwise remarkably dynamic circumstances.

**What are you listening to?** This year I stumbled upon podcasts, and have been wearing my headphones ever since. Some of my favorites include 99% Invisible, Radiolab, Love+Radio, Hardcore History, The Partially Examined Life, Reply All, and Waking Up with Sam Harris. I enjoy immensely Slate's politics, sports, and culture podcasts, and I regularly listen to podcasts from NPR and The New Yorker. On every run, on every commute, and every night as I fall asleep, these podcasts (and others) enrich and entertain me. If anyone has a podcast that they'd like me to try, I'm all ear(bud)s.



## STUDENT SPOTLIGHT: Vincent Godinho

**Any good stories from your time as a Resident Advisor in the dorms at UNR?** At the end of each semester, after the students have moved out, the RAs were supposed to go into each room on their floor and inspect it for damage. My floor partner and I went into one of the rooms and started looking for damage. She walked into the bathroom and screamed as she ran out of the bathroom. I quickly moved to see what was in the bathroom that made her scream. It was a life-sized Dog the Bounty Hunter cardboard cutout.

**Who has been the most influential person in your life?** There have been many influential people in my life, but I want to give a shout out to my Senior Naval Science Instructor from my days in NJROTC at Centennial High School, Captain Edward Hardeman, U.S. Navy (ret.). Thank you, Captain, for teaching me everything I know about leadership.

**How about the most influential faculty member during your time at Boyd?** Professor Main has been the most influential faculty member during my time at Boyd. He was my civ pro professor. Most attorneys I talk to did not like their civ pro class. It was easily one of my favorite classes in law school. I still repeat several mantras from his class that all of his civ pro students will remember forever. When I am taking the bar exam in July I will probably ask myself, "Have I tickled those facts?"

**Graduation in May, bar exam in July... what's next?** After the bar exam, I hope to take a long overdue vacation with my wife before beginning my clerkship with Judge Carolyn Ellsworth.



## ALUMNI SPOTLIGHT: Liane Wakavama '08



Liane K. Wakayama is a shareholder with Marquis Aurbach Coffing in Las Vegas. Her practice focuses on probate, trust litigation, estate planning, and commercial litigation.

**When did you know being an attorney or working in the legal field was for you?** Growing up, my parents taught me to not take for granted that I am an American citizen and that I had an obligation to make a meaningful contribution to society. My dad, Junro Edgar Wakayama, was born in Manzanar, one of 10 concentration camps where more than 110,000 Japanese Americans were incarcerated during World War II. My grandparents were among those American citizens ordered to get their affairs in order in a mere 72 hours -- which meant either abandoning their property and possessions, or selling it for next to nothing. They were only allowed to bring to the "camp" what they could carry.

With the help of an ACLU attorney, my grandfather was the very first to file a writ of habeas corpus to challenge the constitutionality of interning U.S. citizens without a criminal charge or due process. The target of multiple death threats, he eventually withdrew his lawsuit in order to protect my grandmother, who was pregnant at the time. Subsequent lawsuits would vindicate his convictions, including the landmark U.S. Supreme Court decision, *Korematsu v. U.S.*, 323 U.S. 214 (1944). My grandfather was eventually forced at gunpoint to renounce his citizenship -- scribbling beneath his signature "under duress." My family was expatriated from the U.S., and left to Hiroshima, Japan, only to learn their relatives had been killed by the atomic bomb.

When my father turned 18, he returned to the U.S. to serve in the Army during the Vietnam War. In the spring of 2001, the Pentagon asked him to return to active duty. On Sept. 11, 2001, American Airlines Flight 77 hit the Pentagon. After exiting the building, my father (a trained medic) returned to the burning building twice, leading people out to safety and administering intravenous fluids to those in need late into the evening. In December 2001, he was awarded the Army's highest decoration for noncombatant valor, the Soldier's Medal.

September 11 was my 21st birthday and, for that entire day, I grieved for my father, as we did not hear from him until the next day. It was then that I truly realized the import of my parents extolling me to not take anything for granted. I became an attorney to make a difference in people's lives; and be their advocate and voice in our legal system.

**What drew you to Marquis Aurbach Coffing (MAC), and what do you like most about your work there?** Given its excellent reputation in the community, I joined MAC as a summer associate after my second year at Boyd. The experience greatly exceeded my expectations, with the opportunity to dive into new cases; handle extensive legal research; draft pleadings; attend client meetings; and observe depositions, court hearings, arbitrations, and mediations. Attorneys with 30+ years of experience valued my input on their cases. I knew I had found the right fit. So, for the past seven years, I have been privileged to learn from and work alongside some of the best legal minds in town.

**What is the best business advice you have received and who did it come from?** A former U.S. Magistrate Judge and President of the Nevada State Bar once commented, "Nerves show that you are invested and that you care. The day you are not nervous, is the day you are no longer my lawyer." When that nervousness arises, I know I am on the right track and I embrace it.



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