liana aw eview



Volume 35 No. 3 2002

TRIBUTE

Tribute to Edward P. Archer William Marsh

NATIONAL SYMPOSIUM ON JUDICIAL CAMPAIGN CONDUCT AND THE FIRST AMENDMENT

CONTRIBUTORS

Jan Witold Baran Robert F. Bauer Lillian R. BeVier Richard Briffault Anthony Champagne Erwin Chemerinsky Stephen Gillers Deborah Goldberg Shanto Iyengar Mark Kozlowski Steven Lubet Robert M. O'Neil Barbara Reed Roy A. Schotland

ARTICLES

Responding to the Perversion of *In Loco Parentis*: Using a Nonprofit Organization to Support Student-Athletes

W. Burlette Carter

Quieting the Guilty and Acquitting the Innocent: A Close Look at a New Twist on the Right to Silence

Gordon Van Kessel

BOOK REVIEWS

Moral Principles and Legal Practice
Leslie Pickering Francis

A Democracy for the Pursuit of Happiness

David Ray Papke

NOTES

The Development of the Undue Burden Standard in Stenberg v. Carhart: Will Proposed RU-486 Legislation Survive?

Hilary Guenther

Restoring Civility—the Civil Asset Forfeiture Reform Act of 2000: Baby Steps Towards a More Civilized Civil Forfeiture System

Barclay Thomas Johnson

The Emergence of Divergence: The Federal Court's Struggle to Apply Heck v. Humphrey to § 1983 Claims for Illegal Searches Paul D. Vink

Family In Law.

In 1933, BNA first published *The United States Law Week*. With that first issue, BNA set a new standard for high-quality legal reporting and research. Following *Law Week*'s precedent, BNA has since launched a family of information services for legal professionals.

BNA's notification services cover key areas of the legal field. They include: BNA's Family Law Reporter.
BNA's Bankruptcy Law Reporter. BNA's Securities
Regulation & Law Report. BNA's Banking Report.
BNA's Federal Contracts Report. BNA's Patent, Trademark & Copyright Journal. BNA's Criminal Law Reporter.
And BNA's Electronic Information Policy & Law Report.

Whichever publication you choose, you'll notice the family resemblance — comprehensive, accurate,

THE STATES THE STATES

in-depth coverage.

Ask your professor for details on low student rates for BNA information services.



The Bureau of National Affairs, Inc.

1231 25th Street, NW Washington, DC 20037

Customer Relations: 1-800-372-1033

email: lw@bna.com http://www.bna.com Volume 35 2001-2002



Editor-in-Chief
Peter J. Young

Executive Managing Editor
Mary Margaret Giannini

Senior Executive Editor
Matthew W. Conrad

Symposium Editor
Paul Jefferson

Articles Editors

Kathryn E. Bunnell
Thomas R. Ewick
Timothy A. Hammons
Daniel J. Hancock
Carl Hayes
Preston B. Ray
Tiffany A. Rider
Peter Siddiqui

Michael G. Stites

Executive Notes Editor
Andrew R. Falk

Executive Articles Editors
Barclay Thomas Johnson
Sarah Snoeberger

Note Development Editors

Jill M. Acklin
Lucy R. Dollens
Hilary Guenther
Whitney L. Hinkle
Andrew S. Kosegi
Paul D. Vink

Associate Editors

Jay Adams
John S. Bjerke
Robyn S. Crosson
Caren Geppert
Paul M. Jones, Jr.
Kelly A. Lewis

Dana L. Luetzelschwab Michael T. McNally Rodney L. Michael Justin F. Roebel Lauren Toppen

Members

Dawn M. Adams
David R. Brimm
Gregory A. Cox
Jeffrey M. Cromer
Monica S. Doerr
Jennifer L. Dolak
Homer W. Faucett
Amy S. Ford
Adam Assad Gaha
Janet A. Gongola
Kellye M. Gordon

Brian K. Groemminger
Elaine L. Guidroz
Brett J. Henry
Lucy A. Khairy
Polly J. Kubesch
Kirby W. Lee
Scott Linneweber
Katherine E. McCanna
Michael P. O'Bryan
Joseph E. Parrish
Bonnie B. Phillips

Julianna M. Plawecki Kevin S. Price David E. Roberts Cara L. Schaefer Amy L. Schoettle John J. Schroeder Shannon M. Shaw Andrij B. Susla Terry Thomson Laura E. Trulock

Editorial Specialist
Chris Paynter

Faculty Advisors
Andrew R. Klein
George Wright

INDIANA LAW REVIEW

(ISSN 0090-4198)

Published four times a year by Indiana University. Editorial and Business Offices are located at:

Indiana Law Review Lawrence W. Inlow Hall 530 W. New York Street Indianapolis, IN 46202-3225 (317) 274-4440

Subscriptions. Current subscription rates for an academic year are \$30.00 (domestic mailing) and \$35.00 (foreign mailing) for four issues. Unless the Business Office receives notice to the contrary, all subscriptions will be renewed automatically. Address changes must be received at least one month prior to publication to ensure prompt delivery and must include old and new address and the proper zip code.

Single and Back Issues. Current single regular issues may be obtained from the Indiana Law Review Business Office for \$10.00. Current Survey issues may be purchased for \$20.00. The Symposium Issue may be purchased for \$15.00. Please enclose payment with order. Claims for nonreceipt of current year's issues must be made within six months of the mailing date. Back issues may be ordered from: William S. Hein & Co., Inc., 1285 Main St., Buffalo, NY 14209-1987, (800) 828-7571, (716) 883-8100 fax, mail@wshein.com (e-mail for orders).

Manuscripts. The Indiana Law Review invites submission of unsolicited manuscripts. All citations should conform to The Bluebook A Uniform System of Citation (17th ed. 2000). Manuscripts should be double-spaced with standard one-inch margins. The *Indiana Law Review*, as a matter of policy, promotes the use of gender-neutral language, and alternate use of the female or male pronoun is intended to refer to both female and male.

Copyright: Copyright 2002. The Trustees of Indiana University. Except as may be expressly provided elsewhere in this publication, permission is hereby granted to produce and distribute copies of individual works from this publication for nonprofit education purposes, provided that copies are distributed at or below cost, and that the author, source, and copyright notice are included on each copy. This permission is in addition to rights of reproduction granted under Sections 107, 108, and other provisions of the U.S. Copyright Act.

The INDIANA LAW REVIEW (ISSN 0090-4198) is the property of Indiana University and is published quarterly by the Indiana University School of Law-Indianapolis, which assumes complete editorial responsibility thereof. Current subscription rates for an academic year are: one year domestic \$30.00; foreign \$35.00. Send all correspondence to Editorial Specialist, *Indiana Law* Review, Indiana University School of Law—Indianapolis, Lawrence W. Inlow Hall, 530 W. New York Street, Indianapolis, Indiana 46202-3225. Publication office: 530 W. New York Street, Indianapolis, Indiana 46202-3225. Periodicals postage paid at Indianapolis, Indiana 46201.

POSTMASTER: Send address changes to INDIANA LAW REVIEW, Lawrence W. Inlow Hall, 530 W. New York Street, Indianapolis, Indiana 46202-3225.



The entire text of this Law Review is printed on recycled paper.

Indiana International & Comparative Law Review

The Indiana International & Comparative Law Review, published by the Indiana University School of Law—Indianapolis since 1991, is a student-edited law journal which provides a forum for the discussion and analysis of contemporary issues in public and private international law. The Review publishes articles by prominent legal scholars, practitioners, and policy makers from around the world, as well as student-written notes and comments.

The Review is published twice annually, with a periodic third issue devoted to a specific topic in international or comparative law. In 1994, in conjunction with the Italian Academy for Advanced Studies in America at Columbia University, the Review published a special issue on the political and social aspects of Italian law. In 1996, the Review published an issue addressing various aspects of Chinese law.

			Visa	Mastercard
Name School/Firm/Business			-	
		Credit Card Number		
	Address		Exp	iration Date
**************************************	City, State, Zip Co	ode	Signat	ure (Required)
I enclose \$	for	subscriptions to the Indian	na Internation	nal and Comparative
Law Review (S	ubscriptions \$18.	00 per year within the U.S./\$21	.00 per year o	outside the U.S.).
Please make yo	our check payable	to Indiana International & Co	mparative La	w Review.
	Mail to:	Executive Production Edition Indiana International & Co.		Law Review

Lawrence W. Inlow Hall 530 W. New York Street

Indianapolis, Indiana 46202-3225

Digitized by the Internet Archive in 2011 with funding from LYRASIS Members and Sloan Foundation



Please enter my subscription to the INDIANA LAW REVIEW

	Enclosed is \$	for	subscription(s)	
ADDRESS:				
NAME				

Mail to: ATTN: Law Review Specialist

at

INDIANA LAW REVIEW
INDIANA UNIVERSITY SCHOOL OF LAW—INDIANAPOLIS

Lawrence W. Inlow Hall 530 West New York Street Indianapolis, Indiana 46202-3225

For an academic year, the subscription rate for four issues is:

Domestic, \$30; Foreign, \$35; Student, \$20

Single Issue, \$10; Survey Issue, \$20

Symposium Issue, \$15



Indiana University School of Law-Indianapolis

2001-2002 ADMINISTRATIVE OFFICERS AND FACULTY

Administrative Officers

- MYLES BRAND, President of the University. Ph.D. in Philosophy, University of Rochester (New York).
- GERALD L. BEPKO, Vice-President for Long-Range Planning, Indiana University; Chancellor, Indiana University-Purdue University at Indianapolis and Professor of Law. B.S., Northern Illinois University; J.D., ITT/Chicago-Kent College of Law; LL.M., Yale University.
- NORMAN LEFSTEIN, Dean and Professor of Law. LL.B., University of Illinois; LL.M., Georgetown University.
- THOMAS B. ALLINGTON, Associate Dean and Professor of Law. B.S., J.D., University of Nebraska; LL.M., New York University.
- JEFFREY W. GROVE, Associate Dean, Professor of Law, and Director, China Summer Program.
 A.B., Juniata College; J.D., George Washington University.
- SUSANAH M. MEAD, Associate Dean for Academic Affairs and Professor of Law. B.A., Smith College; J.D., Indiana University—Indianapolis.
- CYNTHIA BAKER, Director, Program on Law and State Government. B.A., J.D., Valparaiso University.
- ELIZABETH L. DECOUX, Assistant Dean for Student Affairs. J.D., Mississippi College School of Law.
- ANGELA M. ESPADA, Assistant Dean for Admissions. J.D., Indiana University—Bloomington.
- JONNA M. KANE, Assistant Dean for External Affairs. J.D., Indiana University—Indianapolis.
- SHANNON L. WILLIAMS, Director of Career Services. B.S., Indiana University—Indianapolis.

Faculty

- CYNTHIA M. ADAMS, Lecturer in Law. B.A., Kentucky Wesleyan College; J.D., Indiana University—Indianapolis.
- THOMAS B. ALLINGTON, Associate Dean and Professor of Law. B.S., J.D., University of Nebraska; LL.M., New York University.
- JAMES F. BAILEY, III, Professor of Law and Director of Law Library. A.B., J.D., M.A.L.S., University of Michigan.
- GERALDL. BEPKO, Vice President for Long-Range Planning. Chancellor and Professor of Law. B.S., Northern Illinois University; J.D., ITT/Chicago-Kent College of Law; LL.M., Yale University.
- FRANK BOWMAN, Associate Professor of Law. B.A., Colorado College; J.D., Harvard Law School.
- ROBERT BROOKINS, *Professor of Law.* B.S., University of South Florida; J.D., Ph.D., Cornell University.
- DANIEL H. COLE, M. Dale Palmer Professor of Law. A.B., Occidental College; A.M., University of Chicago; J.D., Lewis and Clark College; J.S.M., J.S.D., Stanford Law School.
- JEFFREY O. COOPER, Assistant Professor of Law. A.B., Harvard University; J.D., University of Pennsylvania.
- PAUL N. COX, Centennial Professor of Law. B.S., Utah State University; J.D., University of Utah; LL.M., University of Virginia.
- KENNETH D. CREWS, Associate Dean of the Faculties for Copyright Management and Professor of Law and Library and Information Science. B.A., Northwestern University; J.D., Washington University; M.L.S., University of California, Los Angeles; Ph.D., University of California, Los Angeles.
- JAMES D. DIMITRI, Lecturer in Law. B.S., Indiana University; J.D., Valparaiso University School of Law.
- JENNIFER ANN DROBAC, Associate Professor of Law. B.A., M.A., Stanford University; J.D., J.S.D., Stanford Law School.
- GEORGE E. EDWARDS, Associate Professor of Law and Director, Program in International Human Rights Law. B.A., North Carolina State University; J.D., Harvard Law School.
- PAUL J. GALANTI, Professor of Law. A.B., Bowdoin College; J.D., University of Chicago.
- HAROLD GREENBERG, *Professor of Law.* A.B., Temple University; J.D., University of Pennsylvania.

- JEFFREY W. GROVE, Associate Dean, Professor of Law, and Director, China Summer Program.
 A.B., Juniata College; J.D., George Washington University.
- FRANCES WATSON HARDY, Clinical Associate Professor of Law. B.S., Ball State University; J.D., Indiana University—Indianapolis.
- LAWRENCE A. JEGEN, III, Thomas F. Sheehan Professor of Tax Law and Policy. A.B., Beloit College; J.D., M.B.A., The University of Michigan; LL.M., New York University.
- HENRY C. KARLSON, Professor of Law. A.B., J.D., LL.M., University of Illinois.
- ROBERT A. KATZ, Associate Professor of Law. A.B., Harvard College; J.D., University of Chicago Law School.
- ELEANOR D. KINNEY, Samuel R. Rosen Professor of Law and Co-Director of the Center for Law and Health. B.A., Duke University; M.A., University of Chicago; J.D., Duke University; M.P.H., University of North Carolina.
- ANDREW R. KLEIN, *Professor of Law*. B.A., University of Wisconsin; J.D., Emory University School of Law.
- ROBERT E. LANCASTER, Clinical Associate Professor of Law. B.A., Millsaps College; J.D., Tulane Law School.
- NORMAN LEFSTEIN, Dean and Professor of Law. LL.B., University of Illinois; LL.M., Georgetown University.
- GERARD N. MAGLIOCCA, Assistant Professor of Law. B.A., Stanford University; J.D., Yale Law School.
- LYNN A. McDowell, Clinical Associate Professor of Law. B.S., Indiana University; J.D., Indiana University—Indianapolis.
- DEBORAH MCGREGOR, Lecturer in Law and Assistant Director of Legal Analysis, Research and Communication. B.A., University of Evansville; J.D., Georgetown University.
- SUSANAH M. MEAD, Associate Dean and Professor of Law. B.A., Smith College; J.D., Indiana University—Indianapolis.
- MARY H. MITCHELL, Professor of Law. A.B., Butler University; J.D., Cornell Law School.
- JAMES P. NEHF, Cleon H. Foust Fellow, Professor of Law, and Director, European Law Program. B.A., Knox College; J.D., University of North Carolina.
- DAVID ORENTLICHER, Samuel R. Rosen Professor of Law and Co-Director of the Center for Law and Health. A.B., Brandeis University; J.D., M.D., Harvard College.
- JOANNE ORR, Clinical Associate Professor of Law. B.S., Indiana State University; J.D., California Western.
- H. KATHLEEN PATCHEL, Associate Professor of Law. A.B., Huntington College; J.D., University of North Carolina; LL.M., Yale University.
- FLORENCE WAGMAN ROISMAN, Paul Beam Fellow and Professor of Law. B.A., University of Connecticut; LL.B., Harvard Law School.
- JOAN M. RUHTENBERG, Clinical Professor of Law and Director of Legal Analysis, Research and Communication. B.A., Mississippi University for Women; J.D., Indiana University—Indianapolis.
- JOEL M. SCHUMM, Lecturer in Law. B.A., Ohio Wesleyan University; M.A., University of Cincinnati; J.D., Indiana University School of Law—Indianapolis.
- E. GARY SPITKO, Associate Professor of Law. A.B., Cornell University; J.D., Duke University Law School.
- JAMES W. TORKE, Carl M. Gray Professor of Law. B.S., J.D., University of Wisconsin.
- JAMES PATRICK WHITE, *Professor of Law*. A.B., University of Iowa; J.D., LL.M., George Washington University.
- LAWRENCE P. WILKINS, *Professor of Law.* B.A., The Ohio State University; J.D., Capital University Law School; LL.M., University of Texas.
- LLOYD T. WILSON, JR., Lecturer in Law. B.A., Wabash College; M.A., Duke University; J.D., Indiana University—Bloomington.
- MARY T. WOLF, Clinical Professor of Law and Director of Clinical Programs. B.A., Saint Xavier College; J.D., University of Iowa.
- R. GEORGE WRIGHT, *Professor of Law*. A.B., University of Virginia; Ph.D., Indiana University; J.D., Indiana University School of Law—Indianapolis.

Emeriti

- EDWARD P. ARCHER, *Professor of Law Emeritus*. B.M.E., Renesselaer Polytechnic Institute; J.D., LL.M., Georgetown University.
- AGNES P. BARRETT, Associate Professor of Law Emerita. B.S., J.D., Indiana University.

- CLYDE HARRISON CROCKETT, *Professor of Law Emeritus*. A.B., J.D., University of Texas; LL.M., University of London (The London School of Economics and Political Science).
- DEBRA A. FALENDER, *Professor of Law Emerita*. A.B., Mount Holyoke College; J.D., Indiana University—Indianapolis.
- CLEON H. FOUST, *Professor of Law Emeritus*. A.B., Wabash College; J.D., University of Arizona.
- DAVID A. FUNK, *Professor of Law Emeritus*. A.B., College of Wooster; J.D., Case Western Reserve University; M.A., The Ohio State University; LL.M., Case Western Reserve University; LL.M., Columbia University.
- HELEN P. GARFIELD, *Professor of Law Emerita*. B.S.J., Northwestern University; J.D., University of Colorado.
- WILLIAM F. HARVEY, Carl M. Gray Professor of Law & Advocacy Emeritus. A.B., University of Missouri; J.D., LL.M., Georgetown University.
- W. WILLIAM HODES, Professor of Law Emeritus, A.B., Harvard College; J.D., Rutgers, Newark.
- WILLIAM ANDREW KERR, *Professor of Law Emeritus*. A.B., West University; J.D., LL.M., Harvard University; B.S., Duke University.
- WILLIAM E. MARSH, Professor of Law Emeritus. B.S., J.D., University of Nebraska.
- MELVIN C. POLAND, Cleon H. Foust Professor of Law Emeritus. B.S., Kansas State University; LL.B., Washburn University; LL.M., University of Michigan.
- RONALD W. POLSTON, *Professor of Law Emeritus*. B.S., Eastern Illinois University; LL.B., University of Illinois.
- KENNETH M. STROUD, Professor of Law Emeritus. A.B., J.D., Indiana University—Bloomington.

Law Library Faculty

- JAMES F. BAILEY, III, Professor and Director of Law Library. A.B., J.D., M.A.L.S., University of Michigan.
- RICHARD HUMPHREY, Reference Librarian. A.A., Brewton-Parker Junior College; B.A., Georgia Southwestern College; M.L.S., University of Kentucky.
- WENDELL E. JOHNTING, Assistant Director for Technical Services. A.B., Taylor University; M.L.S., Indiana University.
- BRUCE KLEINSCHMIDT, Reference Librarian. B.A., Furman University; J.D., University of Louisville; M.L.S., University of North Texas.
- CHRIS E. LONG, Catalog Librarian. B.A., Indiana University; M.A., Indiana University; M.L.S., Indiana University.
- MAHNAZ K. MOSHFEGH, Acquisition/Serials Librarian. B.A., National University of Iran; M.S., Tehran University; M.A., Ball State University; M.L.S., Ph.D., Indiana University.
- MIRIAM A. MURPHY, Associate Director of Law Library. B.A., Purdue University; J.D., M.L.S., Indiana University—Bloomington.
- KIYOSHI OTSU, Computer System Specialist. A.A., Parkland College; A.B., M.S., C.A.S., University of Illinois.



Indiana Law Review

Volume 35 2002 Number 3

Copyright © 2002 by the Trustees of Indiana University

TABLE OF CONTENTS

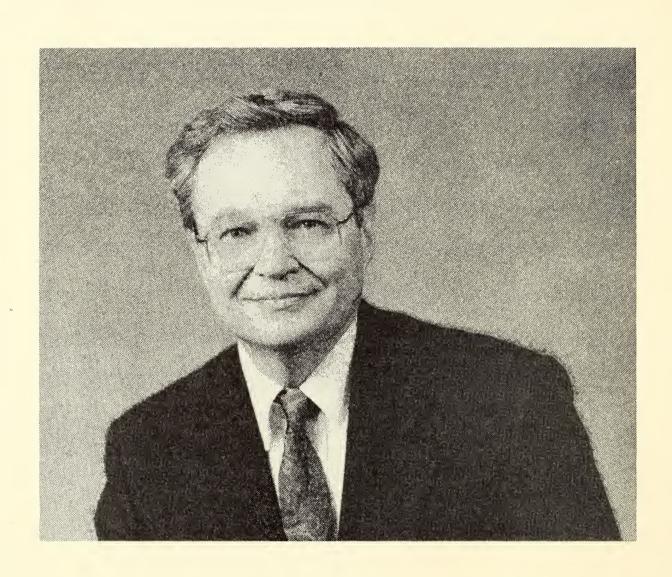
TRIBUTE

Tribute to Edward P. Archer	i
NATIONAL SYMPOSIUM ON JUDICIAL CAMPAIGN CONDUCT AND THE FIRST AMENDMENT	
The Way Forward: Lessons from the National Symposium on Judicial Campaign Conduct and the First Amendment	. 649
Myth, Reality Past and Present, and Judicial Elections	659
Television Ads in Judicial Campaigns Anthony Champagne	669
The Effects of Media-Based Campaigns on Candidate and Voter Behavior: Implications for Judicial Elections	691
The Canons in the Courts: Recent First Amendment Rulings	701
"If Elected, I Promise []"—What Should Judicial Candidates Be Allowed to Say? Stephen Gillers	725
Restrictions on the Speech of Judicial Candidates Are Unconstitutional Erwin Chemerinsky	735
Thoughts on the Democratic Basis for Restrictions on Judicial Campaign Speech	747
Constitutional Issues in Disclosure of Interest Group Activities	755
Compelled Disclosure of Independent Political Speech and Constitutional Limitations Jan Witold Baran	769
Judicial Campaign Conduct Committees Barbara Reed Roy A. Schotland	781

Judicial Campaign Conduct Committees: Some Reservations About an Elegant Solution Steven Lubet	807					
Public Funds and the Regulation of	0.1.0					
Judicial Campaigns	819					
A Commentary on Public Funds or Publicly Funded Benefits and the Regulation of						
Judicial Campaigns Lillian R. BeVier	845					
ARTICLES						
Responding to the Perversion of In Loco Parentis:						
Using a Nonprofit Organization						
to Support Student-Athletes	851					
Quieting the Guilty and Acquitting the						
Innocent: A Close Look at a New						
Twist on the Right to Silence Gordon Van Kessel	925					
BOOK REVIEWS						
Moral Principles and Legal Practice Leslie Pickering Francis	989					
A Democracy for the Pursuit of Happiness David Ray Papke	1005					
NOTES						
The Development of the Undue Burden Standard						
in Stenberg v. Carhart: Will Proposed						
RU-486 Legislation Survive? Hilary Guenther	1021					
Restoring Civility—the Civil Asset Forfeiture						
Reform Act of 2000: Baby Steps						
Towards a More Civilized Civil						
Forfeiture System	1045					
The Emergence of Divergence: The Federal						
Court's Struggle to Apply Heck v. Humphrey						
to § 1983 Claims for Illegal Searches Paul D. Vink	1085					

Volume 35 Number 3





TRIBUTE TO EDWARD P. ARCHER

WILLIAM MARSH*

Professor Ed Archer has been a leading figure in labor education in the Midwest for a generation. As a classroom teacher at Indiana University School of Law—Indianapolis, a labor arbitrator for nearly as long, and the co-chair and moving force behind the Annual Labor/Management Relations Seminar cosponsored by the law school and the National Labor Relations Board for twenty years, Ed Archer strongly influenced labor relations and labor law in Indiana and the region. Professor Archer joined the faculty of the law school in 1968 after serving as a legal assistant to a member of the National Labor Relations Board, practicing labor law at Foley & Lardner in Milwaukee, Wisconsin, and teaching legal writing at the University of Michigan Law School.

During his career, Professor Archer was first and foremost a teacher. For most of his tenure at the law school, Professor Archer was the only member of the faculty who taught labor law. An Indianapolis labor lawyer said, "Ed was a skilled teacher who intertwined the legal and practical aspects of labor law which made his courses very interesting."

Professor Archer's classes and his enthusiasm for labor law led many of his students to pursue a career in labor law, and, when they did, he "championed his students in the job market." Law students recognized his outstanding teaching by awarding him the Black Cane Award as the most outstanding professor. Some former students, now labor lawyers, recently honored him by designating their \$1000 per semester labor law award as the "Edward P. Archer Labor Law Award." In retirement, Professor Archer continues to teach fifth grade students whom he tutors in math at Indianapolis Public School No. 43.

The Annual Labor/Management Relations Seminar has brought the law school and the labor relations community together for the past twenty years. Each year approximately 600 lawyers, union leaders, business executives, and government officials meet for a day-long seminar in Indianapolis. In addition to helping participants keep abreast of developments in labor law and providing an opportunity for these diverse groups to meet and discuss topics of mutual interest, the seminar was a free educational opportunity for law students and raised money for law school scholarships for disadvantaged law students. Professor Archer was instrumental in beginning the seminar and organized it each year with yeoman support from his long-time assistant, Joyce Sanders.

Ed Archer is widely recognized as one of the leading arbitrators in the Midwest; his work respected by litigants and lawyers on both sides of the labor law divide. "His even-keeled temperament at arbitration hearings and thoughtful approach in his decisions cause him to be sought out," according to a former student of Professor Archer's who has been a labor lawyer in Indianapolis for twenty-five years. Professor Archer has been a member of the National Academy of Arbitrators since 1979; he is a charter member of the Society of Professionals

^{*} Professor Emeritus, Indiana University School of Law—Indianapolis; former federal defender for the U.S. District Court for the Southern District of Indiana. B.S., 1965; J.D., 1968, University of Nebraska.

in Dispute Resolution; and he is a member of the Federal Mediation and Conciliation Service Arbitrators Panel.

Professor Archer, a native of Baltimore, Maryland, was awarded a bachelor's degree of mechanical engineering from Renssealaer Polytechnic Institute in 1958, and received J.D. (1962) and LL.M. (1964) degrees from the Georgetown Law Center. He and his wife, Judith, were married in 1958; they have three children and six grandchildren.

"If I had to sum Ed up in one sentence," a senior labor lawyer said, "it would be: an exceptional teacher and wonderful person who left his imprint on many a law student who became a successful lawyer."