

**General Assembly**Distr.: General
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Fifty-third session**Agenda item 166****Election of judges of the International Tribunal for the Prosecution of
Persons Responsible for Serious Violations of International
Humanitarian Law Committed in the Territory of the Former
Yugoslavia since 1991****Letter dated 29 June 1999 from the Secretary-General addressed to the
President of the General Assembly**

I have the honour to refer to your letter dated 23 June 1999 concurring with my proposal to appoint Patricia McGowan Wald as a Judge of the International Tribunal for the Former Yugoslavia (see annex I). I have now received a corresponding letter from the President of the Security Council. Accordingly, I have appointed Ms. Wald as a Judge of the International Tribunal, effective 17 November 1999, for the remainder of the term of office of Judge McDonald, which term will expire on 16 November 2001.

(Signed) Kofi A. Annan



Annex I

Letter dated 23 June 1999 from the President of the General Assembly to the Secretary-General

I have the honour to refer to your letter dated 21 June 1999 concerning the candidature of Patricia McGowan Wald for the remainder of the term of office of Gabrielle Kirk McDonald, member of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, whose resignation is effective 17 November 1999 (see annex II).

In accordance with article 13, paragraph 3, of the statute of the International Tribunal, I have reviewed the qualifications of Ms. Wald and am pleased to inform you that I concur with the proposed appointment.

(Signed) Didier Opertti

Annex II

Letter dated 21 June 1999 from the Secretary-General to the President of the General Assembly

I have the honour to refer to article 13, paragraph 3, of the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, which reads as follows:

“In the event of a vacancy in the Chambers, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of paragraph 1 above, for the remainder of the term of office concerned.”

In this connection, I should like to recall that Judge Gabrielle Kirk McDonald, a national of the United States of America, has resigned as a Judge of the Chambers of the International Tribunal effective 17 November 1999. (She will, however, continue to sit, until their completion, on any cases to which she has been assigned whose hearing has not been completed by that date.)

The Government of the United States of America has presented the candidacy of Patricia McGowan Wald to replace Judge McDonald. Please find her curriculum vitae attached (see appendix).

It is my view that Ms. Wald meets the qualifications which are prescribed in article 13, paragraph 1 of the statute of the International Tribunal. I also consider that her appointment would be well calculated to ensure adequate representation on the Tribunal of the principal legal systems of the world, as contemplated in article 13, paragraph 2 (c), of the Tribunal's statute.

I should therefore like to proceed to consultation with you on the appointment of Ms. Wald, in accordance with article 13, paragraph 3, of the statute of the International Tribunal. I look forward to receiving your views on the matter.

(Signed) Kofi A. Annan

Appendix**Curriculum vitae for Patricia McGowan Wald**

- Born:** Torrington, Connecticut, 1928
- Residence:** 2101 Connecticut Avenue, N.W.
Washington, D.C. 20008
- Husband:** Robert L. Wald
Baach, Robinson & Lewis, Washington, D.C.
- Children:** Sarah, Douglas, Johanna, Frederica, Thomas
- Education:** B.A., Connecticut College for Women (Phi Beta Kappa;
Winthrop Scholar) 1948

LL.B., Yale Law School (Order of Coif; Case Editor,
Yale Law Journal) 1951
- Member:** District of Columbia Bar; United States Supreme Court Bar
- Present Position:** Circuit Judge, United States Court of Appeals for the
District of Columbia Circuit

EXPERIENCE**Principal Legal Positions:**

- 1986-91 Chief Judge, United States Court of Appeals for the
District of Columbia Circuit
- 1979- Circuit Judge, United States Court of Appeals for the
District of Columbia Circuit
- 1977-79 Assistant Attorney General for Legislative Affairs,
Department of Justice
- 1972-77 Attorney, Mental Health Law Project
(Litigation Director 1975-77)
- 1972 Director of Office of Policy & Issues,
Sargent Shriver Vice Presidential Campaign
- 1971-72 Attorney, Center for Law and Social Policy
- 1970 Co-Director, Ford Foundation Drug Abuse Research Project
- 1969 Consultant, National Commission on the Causes and
Prevention of Violence
- 1968 Consultant, National Advisory Committee on Civil Disorder

1968-70 Attorney, Neighborhood Legal Services Program
 1967-68 Attorney, Office of Criminal Justice, Department of Justice
 1966-67 Consultant, President's Commission on Law Enforcement
 and Administration of Criminal Justice
 1965-66 Member, President's Commission on Crime in the
 District of Columbia
 1965 Consultant, National Conference on Law and Poverty
 1963-64 Member, National Conference on Bail and Criminal Justice
 1952-53 Associate, Arnold, Fortas & Porter, Washington, D.C.
 1951-52 Law Clerk to Judge Jerome Frank, United States Court of
 Appeals for the Second Circuit

Other Legal Activities:

American Law Institute, 1972-; Council, 1978-; Executive Committee,
 1984-; Program Committee, 1985-88; Chair, 1985-88; Nomination
 Committee, 1980-; Committee on Institute Size, 1992-94;
 Second Vice President, 1988-93; First Vice President, 1993-1998
 American Bar Association Council of Section on Administrative Law and
 Business Regulation, 1991-94
 American Bar Association, Criminal Justice Section Special Committee
 on ABA Standards for Criminal Justice, 1986-93
 American Bar Association-Institute of Judicial Administration Joint
 Commission on Juvenile Justice Standards, 1973-77;
 Executive Committee, 1974-77
 American Bar Association Commission to Reduce Court Costs
 and Delay, 1978-84; Editorial Committee, 1983-84
 Advisory Board, ABA Juvenile Justice Standards
 Project Implementation, 1982-86
 American Bar Association Commission on the
 Mentally Disabled, 1984-86
 Board of Editors, American Bar Association Journal, 1978-84
 Vice Chairman, Drug Abuse Committee, Criminal Justice Section,
 American Bar Association, 1970-73
 Judicial Administration Division, Committee on Federal-State Relations,
 American Bar Association, 1985-88
 Fellow, American Bar Association Foundation, 1984-
 Fellow, Institute of Judicial Administration, 1983-92
 Board of Governors, D.C. Bar, 1974-77; Executive Committee, 1975-76
 Committee on Admissions and Grievances, United States Court of Appeals
 for the District of Columbia Circuit, 1973-77

D.C. Pretrial Services Agency, Executive Committee, 1982-94
District of Columbia Judicial Conference Committee on the Administration
of Justice Under Emergency Conditions, 1972-73
District of Columbia Judicial Conference Committee on the Operation
of the Bail Reform Act, 1968-69
Legal Services Corporation, Panel on Support Center Study, 1975-76
Advisory Panel on Criminal Justice, Edna McConnell Clark
Foundation, 1981-84
Board of Trustees, Vera Institute of Justice, 1965-72
Editorial Board, Crime and Justice Annual Review of Research, 1979-90
Advisory Board, Yale Law & Policy Review, 1982-
Advisory Board, Environmental Law Reporter, 1984-86
Advisory Board, University of Maryland Law School, 1985-92
National Science Foundation-National Research Council-Committee on
Law Enforcement and Administration of Justice, 1985-90
Advisory Board, Constitution, 1988-95
Advisory Board, University of Chicago Law School, 1989-91
Task Force on Technology and Courts (Carnegie Foundation), 1989-92
Board of Editors, Judicial Writing Project
(Federal Judicial Center), 1989-90
Faculty, Law & Justice, Aspen Institute, July 1995
Member, Task Force of D.C. Circuit on Gender and
Racial Bias, 1993-96
United States Judicial Conference Committee on Codes of Conduct,
1987-92
United States Judicial Conference Committee on Case Management,
1996-
Advisory Committee, Project for the Future of Equal Justice, 1998-

Other Activities:

Hauser Global Scholar Selection Committee, New York University
Law School, 1995-97
Open Society Institute, Individual Fellowship Selection Committee, 1996-
American Academy of Arts and Sciences Fellow, 1991-
Institute of Medicine, National Science Foundation, 1978-86;
Board of Disease Prevention and Health Care, 1984-86
Board of Trustees, Meyer Foundation, 1976-77
Board of Trustees, Connecticut College, 1976-77
Board of Trustees, Phillips Exeter Academy, 1975-77
Carnegie Council on Children, 1973-77

Board of Trustees, Ford Foundation, 1972-77;
 Executive Committee, 1975-77
 Member, Sloan Commission on Cable Communications, 1970-71

Honors:

DISTINGUISHED ALUMNAE AWARD, Connecticut College, 1972
 AUGUST VOELMER AWARD, American Society of Criminology, 1976
 LAW SCHOOL HONORARY FELLOW, U. Pa. Law School, 1979
 DOCTOR HUMANITIES, Mt. Vernon Junior College, 1980
 DOCTOR LAWS, George Washington University Law School, 1983
 WOMAN LAWYER OF THE YEAR (Women's Bar Assoc. of D.C.), 1984
 DOCTOR LAWS, John Jay School of Criminal Justice, 1985
 DOCTOR LAWS, Mount Holyoke College, 1985
 DOCTOR LAWS, Notre Dame University, 1986
 DOCTOR LAWS, CUNY-Queens Law School, 1986
 ANNUAL MERIT AWARD, National Association of Women Judges
 (Division 4), 1986
 ANNUAL AWARD, New York Women's Bar Association, 1987
 MERIT AWARD, Yale Law School, 1987
 DOCTOR LAWS, Georgetown University Law School, 1987
 DOCTOR LAWS, Villanova Law School, 1988
 DOCTOR LAWS, Amherst College, 1988
 DOCTOR LAWS, New York Law School, 1988
 DOCTOR LAWS, Colgate University, 1989
 DOCTOR LAWS, Washington College of Law, American University, 1989
 DOCTOR LAWS, Ohio State University Law School, 1991
 DOCTOR LAWS, New England College, 1991
 DOCTOR LAWS, Hofstra University School of Law, 1991
 HONORARY ORDER OF THE COIF, University of Maryland
 Law School, 1991
 DOCTOR LAWS, Suffolk University Law School, 1991
 HONOREE, Women's Bar Association's 75th Anniversary, 1992
 SANDRA DAY O'CONNOR MEDAL OF HONOR, Seton Hall Law School,
 1993
 MARGARET BRENT WOMEN LAWYERS OF ACHIEVEMENT AWARD
 (American Bar Association Commission on Women in the Profession), 1994
 NATIONAL ASSOCIATION OF WOMEN JUDGES ANNUAL AWARD, 1994
 DOCTOR LAWS, Vermont Law School, 1995
 JUVENILE LAW CENTER AWARD, 1995

TRIAL LAWYERS ASSOCIATION OF METROPOLITAN WASHINGTON
AWARD FOR JUDICIAL EXCELLENCE, 1998
THE DISTRICT OF COLUMBIA BAR THURGOOD MARSHALL AWARD,
1998

Publications:

I. Criminal Justice

- BAIL IN THE UNITED STATES** (with Daniel J. Freed 1964)
Pretrial Release and Ultimate Freedom: A Statistical Study - Foreword,
39 N.Y.U. L. REV. (1964)
The Bail Reform Act of 1966, 52 A.B.A. J. 940
(with Daniel J. Freed 1966)
Bail Reform: A Decade of Promise Without Fulfillment, in
RIGHTS OF THE ACCUSED (1972)
*Poverty and Criminal Justice, Task Force on the Courts, President's
Committee on Law and the Administration of Justice* (1967),
reprinted in **THE SOCIOLOGY OF PUNISHMENT AND CORRECTION**
(Johnson, Savitz, Wolfgang, 2d ed.)
Alcohol, Drugs and Criminal Responsibility, 63 GEO. L. J. 69 (1974)
Corrections: The Unequal Partner (Keynote Address to the American
Correctional Association, 1980), reprinted in **CORRECTIONS TODAY**
(Sept./Oct. 1980)
Book Review, 64 JUDICATURE 292 (Dec.-Jan. 1981)
(reviewing **KAMISAR, POLICE INTERROGATION AND CONFESSIONS**)
The Unreasonable Reasonableness Test for Fourth Amendment Searches,
4 CRIM. JUST. ETHICS 2 (1985)
A Report From the Front in the War on Drugs (The Henry J. Miller
Distinguished Lecture Series), 7 GA. STATE U. L. REV. 1 (Fall 1990)
Violence Under the Law: A Judge's Perspective, in **LAW'S VIOLENCE**
(Sarat & Kearns ed., Amherst Series, 1992)
Guilty Beyond a Reasonable Doubt: A Norm Gives Way to the Numbers,
1993 U. CHI. LEGAL F. 101
A Retrospective on the Thirty-Year War Against Crime (Keynote Address
to Symposium on 30th Anniversary of President's Commission on Law
Enforcement and Administration of Justice), reprinted in **U.S. DEPT. OF
JUSTICE, THE CHALLENGE OF CRIME IN A FREE SOCIETY: LOOKING
BACK LOOKING FORWARD** (June 1997)

II. Juvenile Law

- New Vistas for the Juvenile Court*, 37 **PITTSBURGH B.A.Q.** 37 (1968)
- Trying a Juvenile Right to Treatment Case: Pointers and Pitfalls for Plaintiffs*, 12 **CRIM. L. REV.** 125 (Summer 1974)
(with Lawrence Schwartz)
- Making Sense Out of the Rights of Youth*, **HUM. RTS.** (Winter 1974),
reprinted in 40 **CHILD WELFARE** (June 1976)
- Juvenile Detention*, in **PURSuing JUSTICE FOR THE CHILD** (1977)
- Contributor to **ALL OUR CHILDREN** (Report of Carnegie Council on Children, Harcourt Brace 1977)
- A Right to Counsel for School Psychologists?*,
6 **SCH. PSYCHOLOGY DIG.** (1977)
- The Rights of Children and the Rites of Passage*, in **CHILD PSYCHIATRY AND THE LAW** (Schetsky-Benedek ed. Brunner-Nagel 1980)
- Book Review, **AM. J. PSYCHIATRY** (July 1977) (reviewing **CHILDREN'S RIGHTS AND THE MENTAL HEALTH PROFESSION**)
- Book Review, 248 **J. AM. MED. A.** 1110 (1982) (reviewing **ZIMRING, A JURISPRUDENCE FOR ADOLESCENTS**)
- Book Review, *The Kindness of Strangers*, 97 **YALE L. J.** 1477 (1988)
reviewing **GOLDSTEIN, FREUD, SOLNIT, IN THE BEST INTERESTS OF THE CHILD**)
- Doing Right by Our Kids: A Case Study in the Perils of Making Policy on Television Violence* (Publication by Division of General Pediatrics and Adolescent Health, University of Minnesota) (1994), reprinted in 23 **U. BALT. L. REV.** 297 (1994)
- Foreword, **JUVENILE JUSTICE STANDARDS ANNOTATED (ABA)** (1996)
- Goss v. Lopez: Not the Devil, Nor the Panacea*, Federalist Society Symposium: The Rights Revolution, 1 **MICH. L. & POL'Y REV.** 331 (1996)

III. Mental Disability Law

- The Right to Education*, and other articles in **LEGAL RIGHTS OF THE MENTALLY HANDICAPPED** (Practicing Law Institute 1974)
- Basic Personal and Civil Rights of the Mentally Retarded* in **THE MENTALLY RETARDED CITIZEN AND THE LAW** (President's Council on Mental Retardation, Free Press 1976)
- Advocacy for the Mentally Retarded Offender*, Working Papers from Charleston, South Carolina, Symposium on the Mentally Retarded Citizens and the Criminal Justice System (1975)

- The Politics of Mental Health Advocacy in the United States* (with Paul Friedman) in **LAW AND PSYCHIATRY** (Proceedings of the Second International Symposium, Toronto, Canada) (1978)
Dealing With Drug Abuse - A Report to the Ford Foundation (with Peter Barton Hutt) (Praeger Press 1972)
The Organized Bar and Drug Abuse, **SAN FRANCISCO B. J.** (Dec. 1972)
The Right to Refuse Treatment, **ADDICTIONS** (Spring 1974)

IV. Poverty and Public Interest Law

- Law and Poverty* (Report to the National Conference on Law and Poverty) (1965)
Law and the Grievances of the Poor, in **LAW AND ORDER RECONSIDERED, STAFF REPORT #10 OF THE TASK FORCE ON LAW AND LAW ENFORCEMENT TO THE NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE** (1969)
Ten Admonitions for Legal Services Advocates Contemplating Federal Litigation, 27 **CLEARINGHOUSE REV.** No. 1 (May 1993)
Legal Services in the '90s, 1 **HYBRID 1** (1993); 7 **MAN. INFO. EXCHANGE 3** (1993)
Whose Public Interest Is It Anyway?: Advice for Altruistic Young Lawyers, 47 **ME. L. REV.** 4 (1995)
"For the United States": Government Lawyers in Court, 61 **LAW & CONTEMP. PROBS.** 107 (1998)

V. Administrative Law

- Making "Informed Decisions in the District of Columbia Circuit*, 50 **GEO. W. L. REV.** 135 (1982)
Judicial Review of Complex Administrative Agency Decisions, in **THE ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE** (July 1982)
Judicial Review of Economic Analyses, 1 **YALE J. REG.** 43 (1983)
The Freedom of Information Act: A Short Case Study of the Perils and Paybacks of Legislating Democratic Values, 33 **EMORY L.J.** 649 (1984), reprinted in Sargentich, **ADMINISTRATIVE LAW ANTHOLOGY** (1994)
ACUS, Colloquium on Regulatory Design & Practice (1983) (Lecture Summary #12 - "Why We Reverse")
Deregulation in the Courts, in **THE IMPACT OF DEREGULATION AND MARKET FORCES ON PUBLIC UTILITIES: THE FUTURE ROLE OF REGULATION** (1985)

- Judicial Review of Transportation Deregulation*,
Eastern Transportation Law Seminar Papers & Proceedings (1984)
- Environmental Negotiation: A New Role for the Courts*,
10 COL. J. ENVT'L L. 1 (1985)
- The Realpolitik of Judicial Review in a Deregulation Era*,
5 J. POL'Y ANALYSIS & MGT. 535 (1986)
- Administrative Law As Seen From the D.C. Circuit*
(Interview) F.B.J. (Jan. 1987)
- Interview With Patricia Wald*, 3 NAT. RES. & ENV. 32 (1988)
- The Contribution of the D.C. Circuit to Administrative Law*,
40 ADMIN. LAW REV. 507 (1988)
- Some Thoughts on Beginnings and Ends: Court of Appeals Review of
Administrative Law Judges' Findings and Opinions*,
67 WASH. UNIV. LAW QUARTERLY 661 (1989)
- The "New Administrative Law" - With the Same Old Judges In It?*,
1991 DUKE L.J. 647
- ABA Symposium on FOIA's 25th Anniversary, GOVT INFO. Q. (1991)
- The Role of the Judiciary in Environmental Protection*,
191 B.C. ENVTL. AFF. L. REV. 519 (1992)
- The Cinematic Supreme Court: 1991-92 Term* (ACUS Conference),
7 ADMIN. L.J. AM. U. 238 (1993)
- Colloquium, The Fifth Annual Robert C. Byrd Conference on the
Administrative Process*, 8 ADMIN. L. J. AM. U. 23 (1994)
- Regulation at Risk: Are Courts Part of the Solution or
Most of the Problem?*, 67 S. CAL. L. REV. 621 (1994)
- Environmental Postcards From the Edge*, XXVI ENVTL. L. REP.
No. 4 (April 1996)
- Judicial Review - Fiftieth Anniversary of the Administrative
Procedure Act*, 48 ADMIN. L. REV. 350 (1996)
- Judicial Review in Midpassage: The Uneasy Partnership Between
Courts and Agencies Plays On*, 32 TULSA L.J. 221 (1996)
- Thirty Years of Administrative Law in the D.C. Circuit*,
11 ADLAW BULLETIN No. 13 (Pike & Fischer) (July 22, 1997)
- Judicial Review in the Time of Cholera*, 49 ADMIN. L. REV. 659 (1997)
- ADR and the Courts: An Update*, 46 DUKE L.J. 1445 (1997)

VI. Statutory Interpretation

- Some Observations on the Use of Legislative History in the 1981-82 Supreme Court Term*, 68 IOWA L. REV. 195 (Jan. 1983)
The Sizzling Sleeper: The Use of Legislative History in Construing Statutes in the 1988-89 Term of the United States Supreme Court, 39 AM. U. L. REV. 277 (1990)
 Testimony Before Subcommittee on Courts, H. Rep. Comm. on the Judiciary, 101st Cong., 2d Sess. (1990), "Statutory Interpretation and the Uses of Legislative History" 3-20
 Testimony Before Joint Committee on the Operation of Congress, 103d Cong., 1st Sess. (1993) on "Interbranch Relations" 75-101

VII. Constitutional Law

- Judicial Review and Constitutional Limitations* (Panel Presentation)
 14 GOLDEN GATE U. L. REV. 645 (1984)
Life on the D.C. Circuit, 72 MINN. L. REV. 1 (1987)
Two Unsolved Constitutional Problems, 49 PITTSBURGH L. REV. 753 (1988)
Governmental Benefits: A New Look at an Old Gifthouse, 65 N.Y.U. L. REV. (1990)
Constitutional Comundrums, 61 U. COL. L. REV. 727 (1990)
"One Nation Indivisible, With Liberty and Justice for All": Lessons From the American Experience for New Democracies, 39 FORD. L. REV. 283 (1990)
Upstairs/Downstairs at the Supreme Court: Implications of the 1991 Term for the Constitutional Work of the Lower Courts, 61 U. CIN. L. REV. 771 (1993)
A Tale of Four Clauses: Constitutional Protection Against Excessive Regulation in the United States (Forum for U.S.-EC Legal-Economic Affairs Publication, 1993)
 Symposium, *Constitutional 'Refolution' in the Ex-Communist World: The Rule of Law*, 12 AM. U. J. INT'L L. & POL'Y 116 (1996)
Looking Forward to the Next Millennium: Social Previews to Legal Change, 70 TEMPLE L. REV. 1085 (1997)
Justice Hugo Black, the First Amendment, and Campaign Reform (Halpert Lecture at Wesleyan University, Nov. 1997)

VIII. Judicial Process and Administration

- Friends of the Court*, in *APA MONITOR* (Feb. 1982)
- The Problem With the Courts: Black-Robed Bureaucracy or Collegiality Under Challenge*, 42 *U. MD. L. REV.* 501 (1983), reprinted in *TRIAL (ATLA)* (June 1984)
- Litigation in America: Introduction*, 31 *UCLA L. REV.* 1 (1983)
- Bureaucracy and the Courts*, 92 *YALE L.J.* 1478 (1983)
- Inside the D.C. Circuit: Address to Annual Meeting of District of Columbia Bar*, reprinted in *DISTRICT LAWYER* (July-Aug. 1983)
- Thoughts on Decisionmaking*, 87 *W. VA. L. REV.* 1 (1984)
- Interview: **THE THIRD BRANCH**, Vol. 18, No. 7 (July 1986)
- The Court of Appeals: Address to Administrative Law and Agency Practice and Environment, Energy and Natural Resources Division of the District of Columbia Bar*, reprinted in *DISTRICT LAWYER* (July-Aug. 1986)
- Some Thoughts on Judging*, 100 *HARV. L. REV.* 887 (Hundredth Anniversary Issue) (1987)
- Administering Justice*, St. John's University Third Annual Joseph Belsky Memorial Lecture (February 1987)
- Changing Course: The Use of Precedent in the District of Columbia Circuit*, 34 *CLEV. ST. L. REV.* 477 (1985-86)
- The D.C. Circuit: Here and Now*, 55 *GEO. WASH. L. REV.* (1987)
- Book Review, 7 *J. POL'Y ANALYSIS & MGM'T.* 373 (Winter 1988) (reviewing *STORM CENTER: THE SUPREME COURT IN AMERICAN POLITICS*)
- Technology and the Courts*, in *SCIENCE & TECHNOLOGY ADVICE TO THE PRESIDENT, CONGRESS, AND JUDICIARY* (Golden ed. 1988)
- Limits on the Use of Economic Analysis in Judicial Decisionmaking*, 50 *LAW AND CONTEMPORARY PROBLEMS* 225 (1988)
- "Some Exceptional Condition"—*The Anatomy of a Decision Under Federal Rule of Civil Procedure 53(b)*, 62 *ST. JOHN'S L. REV.* 405 (1988)
- Colloquy: Human Voice in Legal Discourse - Disembodied Voices - An Appellate Judge's Response*, 66 *TEX. L. REV.* 623 (1988)
- Three Challenges to the Legal Profession*, 36 *FED. B. NEWS & J.* 227 (June 1989)
- Random Thoughts on a Random Process: Selecting Appellate Judges*, 6 *THE JOURNAL OF LAW & POLITICS* 15 (1989)
- Calendars, Collegiality, and Other Intangibles on the Court of Appeals*, in **THE FEDERAL APPELLATE JUDICIARY IN THE 21ST CENTURY** (Federal Judicial Center, 1990)
- Selecting Law Clerks*, 89 *MICH. L. REV.* 152 (1990)
- The Conscience of a Judge*, 25 *SUFFOLK U. L. REV.* 619 (1992)

- Some Real-Life Observations About Judging*, 26 **IND. L. REV.** 173 (1992)
- "... *Doctor, Lawyer, Merchant, Chief*", 60 **GEO. WASH. L. REV.** 1127 (1992)
- Communicating With Juries* (Panel Two: Innovations for Improving Communications and Views from Appellate Courts), 68 **IND. L. J.** 1061 (1993)
- Collegiality on a Court*, 40 **FED. B. NEWS & J.** 521 (Sept. 1993)
- Law Clerks: The Transformation of the Judiciary, The Long-Term View*, Vol. 3, No. 1 (1995) (Interview)
- The Rhetoric of Results and the Results of Rhetoric: Judicial Writings*, 62 **U. CHI. L. REV.** 1371 (1995)
- 17 Tips From 17 Years on the Appellate Bench*, *The Appellate Advocate* (AAAL) (Fall, 1996)
- Hans Linde and the Elusive Art of Judging: Intellect and Craft Are Never Enough*, 75 **TEX. L. REV.** 215 (1996)
- Summary Judgment at Sixty*, 76 **TEX. L. REV.** 1897 (1998)
- A Twenty-Year Retrospective on Life and Law in the D.C. Circuit*
Cosmos Club Speech (excerpted in **COSMOS CLUB BULLETIN**) (1998)
- 19 Tips From 19 Years on the Appellate Bench*, 1 **J. APP. PRAC. & PROCESS** 7 (U. ARK. LITTLE ROCK SCHOOL OF LAW) (1999)
- A Response to Tiller and Cross* (A Modest Proposal for Improving American Justice), 94 **COLUM. L. REV.** 701 (1999)

IX. Women in the Law

- The Role of Morality in Judging: A Woman Judge's Perspective*, in **LAW AND EQUALITY** 3 (May 1986)
- Women in the Law: Stage Two*, 52 **UMKC L. REV.** 45 (1983)
- Building Bridges Not Walls*, 71 **WOMEN'S L.J.** 25 (1985)
- Remarks at 1985 Conference on Women and the Law
- Women in the Law*, 16 **HUMAN RIGHTS** 40 (1989)
- Some Unsolicited Advice to My Women Friends in Eastern Europe*, 46 **SMU L. REV.** 557 (1993)
- Civilization's Unfinished Business: Violence Against Women* (Keynote Speaker to International Women Judges Rome Conference on Domestic Violence), *excerpted in* **COUNTERBALANCE INTERNATIONAL** (Newsletter of International Association of Women Judges), Vol. 3, No. 1 (Summer 1994)
- "*What About the Kids?*", 8 **FED. SENT. REP.** #3 (Dec. 1995)
(Gender and Sentencing Symposium), *reprinted in* **HIGHLIGHTS FROM A DECADE OF GUIDELINES SENTENCING**, 10 **FED. SENT. REP.** #1 (1997)

Presentation to Pennsylvania Judicial Conference on Treatment of Women Offenders, July, 1996 (Part I in NAWJ Training Materials)
Glass Ceilings and Open Doors: A Reaction,
 65 **FORDHAM L.REV.** 603 (1996)

X. General

Justice in the 95th Congress: An Overview, 64 **A.B.A. J.** 1854 (Dec. 1978)
 Graduation Address, 1979, University of Pennsylvania Law School,
reprinted in 14 **U. PA. ALUMNI J.** 13 (Summer 1979)
 Commencement Address, 1982, 32 **CATH. U. L. REV.** (1983)
 Commencement Address, 1983, George Washington University
 Law School, *reprinted in* **LEGAL TIMES**, Vol. 6, No. 9 (Aug. 1, 1983)
 Senior Day Address, 1984, University of Michigan Law School, *reprinted*
in 29 **LAW QUADRANGLE NOTES** 37 (Fall 1984)
Teaching the Trade: An Appellate Judge's View of Practice-Oriented Legal
Education, 36 **J. LEGAL EDUC.** 35 (1986)
On the Cusp, Commencement Address, 1987, Georgetown University Law
 Center, *reprinted in* **RES IPSA LOQUITER** (Fall, 1987)
 Commencement Address, Washington College of Law, *reprinted in*
THE ADVOCATE (Fall, 1989)
Becoming a Player: A Credo for Young Lawyers,
 51 **MD. L. REV.** 422 (1992)
 Remarks at *The 1993 Sandra Day O'Connor Medal of Honor Recipient*,
 24 **SETON HALL L. REV.** 552 (1993)
How I Write, 4 **SCRIBES J. OF LEGAL WRITING** 55 (1993)

XI. Tributes

Tribute to Judge Rita C. Davidson, 44 **MD. L. REV.** 249 (1985)
 Remarks at Presentation of Portrait of Judge Carl McGowan,
 761 **F.2d LXXXI** (1985)
Thomas I. Emerson: A Dedication, 38 **CASE WEST. RES. L. REV.** 40 (1988)
In Memoriam: Carl McGowan, 82 **N.W. LAW REV.** 215,
 852 **F.2d LXXXIX** (1988)
In Memoriam: J. Skelly Wright, 102 **HARV. L. REV.** 363 (1988)
 Remarks at *Thurman Arnold Remembered: A Centennial Celebration*
 (Special Printing) (Oct. 30, 1991)
 Remarks at Presentation of Portrait of Judge Harold Leventhal,
 958 **F.2d LXXXVI** (1992)

Remarks at Memorial Service for Judge David L. Bazelon, *reprinted in*
CONG. REC. Feb. 23, 1993, at H729; **LEGAL TIMES**, March 1, 1993
Judge Arnold and Individual Rights, 78 **MINN. L. REV.** 35 (1993)
 Tribute to Judge Bazelon, 82 **GEO. L. J.** 19 (1993)
Ghosts of Judges Past, 62 **GEO. WASH. L. REV.** 675 (1994)
A Tribute to Dean Robert A. Stein, 80 **MINN. L. REV.** 21 (1995)
"To Feel the Great Forces": The Times of Burke Marshall,
 105 **YALE L.J.** 611 (1995)
 Remarks at Presentation of Portrait of Judge Harold H. Greene,
 967 **F. Supp.** LXVII (1997)

International Activities

1973-77	International Committee, Ford Foundation
July 1987	American Jurist at Canadian Federal Judicial Council Education Seminars, Vancouver; B.C.
Aug. 1987	Member, First Canadian-American Legal Exchange
July 1989	Salzburg Seminar Faculty (American Law and Legal Institutions)
June 1990	Observer for Bulgarian Elections, National Democratic Institute for International Affairs (NDI)
March 1991	Faculty Judicial Workshop for Czechoslovakian Judges (Prague), Central and Eastern European Law Initiative (CEELI)
April 1991	Panel Presentation, "Constitutional Changes in Eastern Europe," American Society of International Law Proceedings (85 th Annual Meeting, April 1991) 326
July 1991	Faculty for Canadian Institute for Advanced Legal Studies, Cambridge
Aug. 1991	Bellagio, Italy Seminar on United States-Russian Implementation of Environmental Policy (American Academy of Arts and Sciences)
Aug. 1991	Faculty, Judicial Workshop for Romanian Judges (USIA/State Dept.), Poine-Brasov, Romania
Dec. 1991	Faculty, Workshop for Bulgarian Parliament (Congressional Research Service), Sofia
Dec. 1991	Faculty, Governance in a Time of Crisis (NDI), Moscow
1993-96	Lecturer on Judicial Ethics to Visiting Foreign Judges at Federal Judicial Center

- 1993-1994 Advisory Committee, American Bar Association (CEELI)
- 1994-97, 1998-1990-1999 Executive Board, CEELI
Critiques (approx. 25) of Russian, Romanian, Czechoslovakian, Belarusian and Bosnian Constitutions and Various Judicial Restructuring and Advocates Laws for CEELI
- 1992-1994 Member, CEELI Workshop on Lithuanian Constitution (critiqued Lithuanian Constitutional Draft; planned agenda for U.S. delegation to Lithuania; ran Washington, D.C. workshop on Judiciary portions for Lithuanian delegates to United States)
- May 1992 Lithuanian-American Congress of Lawyers, Vilnius (two panel presentations on Constitution and Courts) (*reprinted in CONGRESS PROCEEDINGS, Vilnius 1993*)
- June 1992 Distinguished Public Delegate to Helsinki Accord Meetings, CSCE
- July 1992 Faculty Member in Legal Seminar for CIS (Russian) Officials (U.S. Department of State/Federal Judicial Center) (wrote papers on Constitution and Courts used as curriculum materials)
- Jan. 1993 CEELI Workshop on Governing Russia: Developing a Constitution for a Democratic Society (participant in Judiciary Panel)
- Jan. 1993 USIA Teleconference with Women's Advisory Council for Western Australia in Perth
- May 17-19, 1993 CEELI Workshop on Developing a Criminal Code for Kazakstan (participant)
- Aug. 10-22 1993 Delegate to ACUS Symposium on Administrative Law for Chinese officials, in Beijing, China
- Aug. 31-Sept. 3, 1993 Mentor Group, Forum for US.-EC Legal and Economic Issues, Second Plenary Session, Edinburgh, Scotland (presentation)
- Nov. 14-18, 1993 CEELI Workshop on Judicial Independence for Slovakian Judges in Bratislava and Brno (Czech Republic) (presentation)
- Apr. 26-29, 1994 Constitutional Symposium on Poland Constitution (NDI), Warsaw, Poland (presentation)
- May 27-29, 1994 Keynote Speaker, Conference of International Association of Women Judges on Domestic Violence, Rome, Italy
- Summer, 1994-95 Member, United States and Egypt Judicial Exchange Team (Federal Judicial Center/George Washington University)

- Apr. 1995 American Jurist at Canadian Judicial Council Training Institute, Quebec City, Quebec
- Nov. 16, 1995 CHECCI Briefing of Ukrainian Supreme Court on Draft Judicial Law
- Nov. 18, 1995 Keynote Speaker at Canadian Judicial Conference on Aspects of Equality: Rendering Justice, Ottawa, Quebec (address *reprinted in Conference Papers*)
- Feb. 1996 CEELI Bosnian Federation Workshop, Lecturer on Judicial Ethics, Sarajevo
- Mar. 10-17, 1996 Leader, American Delegation of Judges to Egypt for Exchange Team; Lecture at University of Cairo Law School
- Apr. 1996 Slovakian Constitutional Court Visit to United States (CEELI) (Briefing)
- Apr. 1996 Belarus Constitutional Court Visit to United States (CEELI) (Briefing)
- Sept. 1996 Symposium: Constitutional 'Refolution' in the Ex-Communist World: The Rule of Law (Washington College of Law - Speaker)
- Dec. 16-19, 1996 "Problems Facing New Constitutional Courts" - Budapest, Hungary (ARD/CHECCHI/CSSE/SOROS) (Presenter to Panels on Separation of Powers and Relations With Press to Georgian, Armenian and Bulgarian Courts)
- Mar. 10-13, 1996 Constitutional Tribunal Workshop (CHECCHI/SOROS) Paris, France (Presenter to Panels on Judicial Independence for Kazakstan, Kyrgyzstan, and Mongolian Courts)
- Mar. 1998 CEELI Workshop on Separation of Powers and Judicial Independence, Belgrade, Serbia (various presentations)
- Nov. 3, 1998 CEELI - Uzbekian Judiciary Workshop on Ethics (presentation)
- Nov. 9, 1998 American University Workshop for Argentine Judges (presentation of Judicial Administration)
- Oct. 20, 1998 Speech on Judicial Independence in Eastern Europe to Women's Foreign Policy Forum Breakfast (Washington, D.C.)