

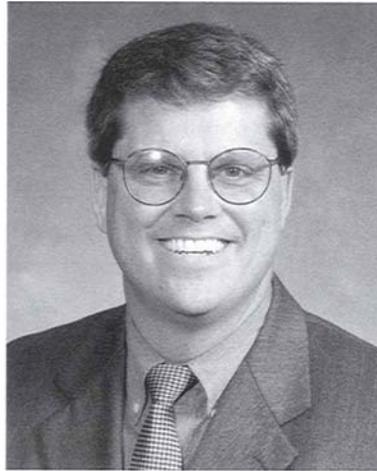
New Professor Gordon Smith Brings Expertise in Entrepreneurship

PROFESSOR Gordon Smith joined the UW Law School faculty in Fall 2002, bringing expertise in the field of entrepreneurship. He is the author of numerous articles relating to corporate and securities law, with special emphasis on entrepreneurial businesses and venture capital. He has presented papers on these subjects at conferences and universities throughout the world, and is currently co-authoring an innovative casebook on Business Associations as well as the first law school casebook on *The Law of Entrepreneurial Finance*.

Smith is one of the principal faculty of INSITE-the Initiative for Studies in Technology Entrepreneurship, an interdisciplinary group within the University of Wisconsin whose mission entails developing innovative and competitive research programs to expand the contributions of entrepreneurship and technology into the wealth of related research already present on the UW-Madison campus. Smith currently teaches Business Organizations, Contracts, and the Law & Entrepreneurship Seminar in the Law School and is developing courses to be offered in cooperation with the School of Business.

Prior to joining the University of Wisconsin's law faculty, Smith taught for six years at Northwestern School of Law of Lewis & Clark College in Portland, Oregon. While there, he participated in the creation of *The Journal of Small and Emerging Business Law*-the first scholarly journal focusing exclusively on legal issues of importance to entrepreneurial businesses-and organized the Law & Entrepreneurship Research Conference in October 2000.

Smith earned a J.D. from the University of Chicago Law School in 1990 and a B.S. from Brigham Young University in 1986. After graduating from law school and before entering academia, Smith clerked for Judge W Eugene Davis



D. Gordon Smith

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in the United States Court of Appeals for the Fifth Circuit and was an associate in the Delaware office of the international law firm Skadden,Arps, Slate, Meagher & Flom, where he specialized in corporate and securities transactions.

An avid traveler, Smith is a member of the International Faculty in Corporate, Securities & Finance Law at the University of Sydney in Australia. He has also been a visiting professor at Vanderbilt University Law School,Arizona State University, and Washington University School of Law in St. Louis. He has taught short courses at the University of Sydney (Australia), the Helsinki University of Technology (Finland), and the University of San Diego's Paris Institute (France).

When he is not teaching or writing about law, Smith is usually spending time with his wife and five children. •

When a Job Becomes an Adventure: Legal Research in Russia



Kathryn Hendley published by the University of Michigan Press in 1996.

About the author: Professor Kathryn Hendley, who came to the University of Wisconsin in 1993, holds a joint appointment in the Law School and the Political Science Department. During the current academic year, she is in Washington, D.C. as a fellow at the Woodrow Wilson International Center for Scholars.

Hendley holds a Ph.D. from the University of California-Berkeley, an M.A. from Georgetown University, and a J.D. from UCLA. She has served as an adviser on Russian legal reform to the World Bank, the MacArthur Foundation, the U.S. Agency for International Development, the Free Trade Union Institute, and the Central and East European Law Initiative of the ABA.

Hendley is a prolific author, whose research has been funded by the National Science Foundation, the International Research and Exchanges Board, the World Bank, and the National Council for Eurasian and East European Research. Her book *Trying to Make Law Matter: Labor Law and Legal Reform in Russia* was

by Professor Kathryn Hendley

WHEN I TELL PEOPLE that I study Russian law, their reaction is usually polite skepticism. Often they ask, "what's the point?" or "is there law in Russia?" or "aren't the courts completely corrupt?" These reactions are understandable given the portrayal of Russia by the Western media. A vision of Russia as the "Wild East" where gangsters rule and brute force routinely trumps law has taken hold. The impossibility of doing business in Russia legally is a constant theme in the press. Like most popular myths, this view has some merit but tells only part of the story. Journalists tend to seek out the sensational. In the case of Russia, this has led to a fascination with the so-called "oligarchs." How these men accumulated and now maintain their fabulous wealth has been tracked assiduously. The story that emerges is one of deals made in smokefilled rooms bolstered by shadowy affiliations with organized crime networks. Their close connections with the Kremlin have allowed the oligarchs to manipulate the law to serve their interests. Whether this incestuous relationship will persist under Putin remains to be seen.

My research looks past the oligarchs—who number less than 10—to the operation of the multitude of ordinary Russian firms trying to find their way in the new not-quite-market

environment. Unlike the natural resource empires captured by the oligarchs (e.g., Gazprom, Lukoil, Sibneft, etc.), these firms offered no bonanza of undervalued assets to be looted for personal gain. Instead, the goal was the survival of the firm in order to preserve the jobs of managers and workers. These firms are typically overlooked by the media, but represent the key to the success or failure of the ongoing transition. I am interested in understanding the role of law in their day-to-day operations. Common sense suggests that the stereotypical view that Russian managers disregard law is unlikely to be true. If it were, then chaos would be the order of the day within the Russian economy and that is most decidedly not the case. My task in recent years has been to begin to unravel how and when Russian managers use (or ignore) law.

Carrying out this sort of research presents certain challenges absent from the library-based research done by most practicing lawyers. For one thing, I had to figure out how to study a moving target. Russia is embroiled in an unprecedented transition from state socialism to some form of market democracy. As a result, the legal infrastructure was shifting under my feet. At various points during my research, the basic codes governing contractual relations were rewritten

as were the procedural rules for the courts that heard contractual disputes. Needless to say, the firms and courts I was studying adapted themselves to these new institutional constraints. This somewhat turbulent environment made multiple research trips with extended periods of observation essential. But the suspicion directed toward foreigners, especially Americans, that persists from the Cold War made getting access problematic. The sort of access I needed only deepened their natural suspicions. I was not satisfied with reading distilled accounts of how law was supposed to work in the Russian law journals. Instead, I wanted to talk with the actors myself. I wanted to spend time in firms talking with the sales director and others concerned with inter-firm trading relationships. I also wanted to observe how the courts handled contractual disputes and then talk with judges and review case files.

This "law in action" approach was viewed as bizarre. The Soviet Union, with its strict controls over information, had discouraged scholars from looking behind the official line of the Communist Party. Soviet legal research tended to be doctrinal and little has changed since the break-up of the USSR. My commitment to getting past the law on the books and to studying how law was actually implemented has always created problems for me. My difficulties with access have ridden the waves of US-Russia relations. In the heady days of the early 1990s, when Clinton was making grand promises to Yeltsin about forthcoming assistance, managers and judges were less reticent. As relations soured in the mid- and late 1990s, the Russians' traditional distrust of Americans reasserted itself and many doors were slammed in my face.

My first experience with doing research in this part of the world was in the late 1980s. I was working on my doctoral dissertation in political science at the University of California, Berkeley, which I hoped was going to be a study of how labor law was implemented in firms. At that time, the only way to get to the Soviet Union was through a government-sponsored scholarly exchange program. When applying for a grant, I was advised to play down the need for access to factories and courts. The consensus among the faculty members advising me was that the

UW LAW FACULTY *mt estones*

This selected list of the UW Law Faculty's achievements from April through October 2002 serves to give an idea of the varied spheres in which our faculty are working and receiving recognition.

FACULTY AWARDS, HONORS AND APPOINTMENTS

R. Alta Charo has been appointed to the National Institute of Medicine's Smallpox Vaccination Program Implementation Committee, which will monitor legal, ethical and safety issues during the rollout of the national smallpox vaccine program.

Meg Gaines, Director of the Center for Patient Partnerships, reports that in August the Wisconsin Department of Justice awarded an additional grant of more than \$50,000 to the Center, calling Gaines to tell her the DOJ is "more than impressed" by the work the Center is doing in teaching future doctors, lawyers, nurses, social workers and pharmacists to work together to become better advocates for their patients.

Leonard Kaplan was honored by the International Academy of Law and Mental Health at its 23rd annual conference, in Amsterdam in July. Kaplan received a plaque commending his "distinction in pursuit of scholarship, pedagogy, and human rights initiatives in the field of mental health."

Marygold Melli was elected to a three-year term as one of the vice-presidents of the International Society of Family Law at the meeting of the Society in Oslo, Norway in August.

Law Librarian **Bonnie Shucha** received the award for best paper in the 2002 AALL (American Association of Law Libraries) Lexis Nexis Call for Papers competition, in the Newer Members division. Shucha's paper, "The Circle of Life: Managing a Law Library Web Site Redesign Project," has been accepted for publication in the *Law Library Journal*.

Cliff Thompson received USAID approval for the first annual plan in the new ELIPS (Economic Law, Institutional and Professional Strengthening) Project in Indonesia, scheduled for 2002 through 2003.

David Trubek has been named a Visiting Scholar at Harvard Law School and the Center for European Studies at Harvard University for the 2002-03 academic year. In May, Trubek was awarded the Harry Kalven Prize from the Law and Society Association (see News of the School section for article).

Louise Trubek has been named a Visiting Professor at Harvard Law School from September 2002 to June 2003. She is teaching "Lawyering in the Public Interest" this fall, and "Advocacy for Health Care Quality and Access" in the spring.

GRANTS RECEIVED

Stephen Melli received a Tinker-Nave Travel Grant from the Latin American, Caribbean and Iberian Studies program to conduct research on public interest law in Argentina this past summer.

selection committee would reject my plan to get behind these closed doors as fanciful. Once I got to Moscow, however, I was determined to get out of the library. It was not easy. When I submitted my "scientific plan" (as required by my host institution), I found that all references to doing research at factories or courts were summarily deleted. Recognizing that access through these official channels was not going to be forthcoming, I became annoyingly aggressive with other Russian friends and colleagues, pressing them to think of anyone they might know who could get me inside. Eventually my persistence paid off, though only after some dark days (both literally and figuratively) in the cold Russian winter when I thought I would have to abandon my topic and settle for something more do-able. During my year in Moscow, I got into five factories and two courts. Nowhere was my access unrestricted, but I was able to piece together a coherent story of how labor law worked in theory and practice that evolved into my book, *Trying to Make Law Matter*.

Eventually my persistence paid off, though only after some dark days (both literally and figuratively) in the cold Russian winter

The lessons I learned from this initial experience have served me well in the years since. The most important of these was persistence. Stonewalling foreign researchers was raised to an art form during the decades of Soviet rule. I learned that a combination of patience and obnoxiousness would sometimes (though not always) soften bureaucrats and managers. I grew adept at finding a way around those who would not relent. I also learned not to take the condescension of Russian academics toward the "law in action" approach to heart. When working on my dissertation, conversations with legal scholars tended to degenerate into a harangue on why my project was a waste of time and why I should be taking a doctrinal approach. There were exceptions and these scholars became trusted sounding boards. Scholars from other disciplines were rarely more supportive. I remember sitting in the office of the director of a prestigious economics institute in Moscow in the summer of 1996, trying to convince him and his colleagues to

participate in a planned survey of Russian firms designed to explore the role of law. He spoke to me as if I were a small and stupid child and told me that if I wanted to know whether law was relevant to these firms, there was no need for all this rigmarole. He assured me that managers had no use for law and sent me packing.

Once I got my foot in the door, the research itself was exhilarating, although it was arduous and even disheartening at times. The Soviet penchant for secrecy meant that little was known about the day-to-day activities of firms or courts. Almost every day I would be taken by surprise by something I learned through conversations, observations, or the review of documents. It was a kind of excitement that I never experienced in library-based research. I was determined to continue this investigation of how Russian firms used law. As reform efforts in the area of labor law got bogged down in the Russian parliament [a new labor code was passed this year after more than a decade of false starts], I turned my attention to the role of law in business transactions.

I was blessed by a stroke of good luck as I embarked on this new project. While on a post-doctoral fellowship at the Center for International Security and Arms Control at Stanford University, I became involved in their work on defense conversion. The general director of a plant making the transition from military to civilian production visited Stanford and we struck up a friendship. I visited his factory—the Saratov Aviation Plant along with a team from Stanford for several weeks in early 1992. He agreed to let me return on my own for three months in 1993. For the first time, I had official permission to be inside a Russian firm. This particular firm, which manufactured passenger airliners, had privatized through a special deal with Moscow and I was able to study how its various parts were adjusting to life as a market actor. These amounted to nested case studies. Some of the production shops within the Aviation Plant were seeking to establish an independent identity. The incentive for large plants to be self-sufficient facilitated this. For example, the Aviation Plant controlled several collective farms as well as a consumer goods factory that made pots and pans. Top management was conflicted over what sort of relationship ought to exist with these subordinate units. They

wanted to share in any profits but also to be assured that the production needs for their aircraft would not be neglected. It was a time of great internal turmoil and I felt fortunate to be present. By simply hanging around and watching who was treated with respect and who was not, I learned a great deal about the pecking order in Russian firms and the low place of the in-house counsel within it. I also saw how law was both respected and ignored, depending on the circumstances.

I was not always a welcome observer. Oddly enough, being a woman turned out to be more of a stumbling block than being an American. No one bothered to hide their gender bias. When denying my request to sit in on a regular meeting of mid-level managers, one manager told me that his colleagues would be uncomfortable with a woman in the room. Others confirmed that they would have to censor their language if women were present. When I asked the general director why none of the top managers were women, he explained that he had thought about promoting one woman to be the vice-president of human resources but that this plan went by the wayside when her husband refused to give his approval. Interestingly, the women at the plant saw nothing wrong with this practice or with keeping women out of the top echelons of management.

I have returned to the Saratov plant many times over the past decade. The aviation industry has come on hard times in Russia, and this plant has suffered greatly. At times, its very survival has been in question. To what extent the managers are to blame is difficult to assess. Perhaps they could have made better choices, but it is hard to see how they could have succeeded given Russia's precipitous economic decline during the 1990s. It took them some time to appreciate their dilemma. For example, at a meeting of managers in the spring of 1993, when their troubles were just beginning, the chief operating officer downplayed them, reassuring the workers that, "we have no problem with production, only a problem with sales." Though it sounds absurd, it made perfect sense to anyone who came of age in the Soviet-era shortage economy. Then the challenge was always getting hold of scarce raw materials and other inputs, not selling the end product. But postSoviet Russia was edging toward the market, and sales were no longer a sure thing—the market for

MEDIA APPEARANCES QUOTED IN THE NEWS

Nina Emerson, Director of the Resource Center on Impaired Driving, appeared as a guest along with Scott Stenger, lobbyist for the Wisconsin Tavern League, on the Wisconsin Public Television *Weekend Magazine* edition of April 26, discussing "Blood Money: Blood-Alcohol Levels and Federal Dollars."

Gary Milhollin, emeritus professor who continues to direct the Wisconsin Project in Washington, D.C., was co-author of two articles in the *New York Times* on nuclear weapons inspections in Iraq (Sept. 15 and 16).

Gerald Thain was quoted in the *Capital Times* front-page story Sept. 21 on legal issues involved in efforts to sue fast-food companies, and on the distinction between those cases and tobacco lawsuits.

Bernard Trujillo was interviewed on WORT radio in August about bankruptcy reform legislation, and was quoted in an August article in the *Wisconsin State Journal* on using local law enforcement officials to enforce federal immigration laws.

Frank Tuerkheimer was quoted in a front-page story Sept. 17 in *USA Today* about legal issues in holding terrorist suspects.

PRESENTATIONS

Ann Althouse: "The Supreme Court's Approach to the Anti-Terrorism & Effective Death Penalty Act of 1996 in *Williams v. Taylor*," in September to the Midwest Regional Conference, Federal Habeas Corpus Practice in Non-Capital Cases, sponsored by the Wisconsin Department of Justice.

Gordon Baldwin and Bernard Trujillo participated in a panel on Sept. 11, 2002 at the Downtown Rotary Club to discuss the impact of the 9/11/01 terrorist attacks on civil liberties in the U.S. They were joined by Brady Williamson, partner at La Follette, Godfrey & Kahn and a Law School lecturer.

Peter Carstensen, "Controlling Misuse of Packer Market Power: A Step toward Greater Fairness, Efficiency and Equity in the Marketplace," statement for Senate Judiciary Committee hearing on "Ensuring Competitive and Open Agricultural Markets: Are Meat Packers Abusing Market Power?," in August in Sioux Falls, S.D.

R. Alta Charo, "Biotechnology and Biological Warfare: Some Thoughts on Prospects and Perils" at the Renaissance Weekend in Beaver Creek, Colorado, in August; "Federal Regulatory Authority over Genetic and Reproductive Technologies" at a joint meeting organized by FDA and NIH in September; "Political and Legal Obstacles to Tissue Regeneration Research" for the United Network on Organ Sharing; "Ethical Issues in Preimplantation Genetic Diagnosis," Obstetrics and Gynecology Grand Rounds, Stanford Medical School, October 7; and "Kinship Theory and Embryo Transfer," to the Bay Area Reproductive Endocrinology Society, October 7.

Nina Emerson, "Prosecuting Alcohol and Drug-Impaired Driving Cases," 2002 Alaska Peace Officers Association Crime Conference, in Fairbanks, Alaska in May.

Meg Gaines, "Can Healing Happen Here?" to the Wisconsin Medical Society's sub-group for women doctors. The session was a mutual exploration of the role

Russian-made planes had almost disappeared with the fall of the Berlin Wall. The regional political authorities attempted to hold the general director responsible and ordered his removal. This would have worked in the old days when top managers had to be vetted by the Communist Party. Because it is a private company, however, the politicians would seem to have no authority over who runs the show at the Aviation Plant. Although he was ostensibly protected by law, it never occurred to the general director to take the legal route. He hung onto his job, but only because he turned out to be a craftier politician and to have more power than the regional governor. None of this was ever reported by the press-reaffirming the importance



The Saratov Aviation Plant, where Hendley visited often to observe "how and when Russian managers use (or ignore) law."

of just being there and of establishing relationships of trust with a wide variety of people.

My work at the Aviation Plant gave me a deep understanding of how it operated and responded to crises. What was less clear was the representativeness of this particular firm. Getting access to additional plants proved impossible on my own. I teamed up with several economists and put together a survey. We received funding from the World Bank and, with the assistance of the Institute of Sociology in Moscow, fielded it among 328 industrial enterprises in 6 cities across Russia in the spring of 1997. We explored how these enterprises interacted with each other, focusing on their use of law. Contrary to common wisdom and to what I expected

to find based on my earlier case study—we found that law was not entirely irrelevant. The surveyed enterprises routinely used contracts to memorialize their agreements and, more surprisingly, used the courts to go after delinquent customers. In fact, more than 60 percent of our sample initiated lawsuits in the year preceding the survey. This would be a high incidence of use for a country that was reputed to have a functional legal system, but is truly extraordinary for Russia. Other surveys after ours have produced similar results. It seems to represent a disconnect between attitudes and behavior. In interviews, managers uniformly told us that going to court would be a waste of time due to the

incompetence and inherent biases of judges as well as their inability to enforce their judgments. This same sort of attitude is reflected in the Russian media's treatment of litigation. Yet when the question was reframed to ask about what they had actually done, litigation comes through as a viable option. I was able to follow up on the survey through a series of 6 in-depth case studies of firms that had participated in the survey. I spent about a month in each firm during the first half of 1998. During that time, I began to map the factors that affected litigation strategies, including the fungibility of customers, access to cash, and the nature of relationships with trading partners.

The question that nagged at me was why Russian firms bothered to go to court. I knew from conversations with lawyers and judges that it was difficult—some said impossible—to collect on judgments. In order to get a handle on this question, I had to come at the problem from a different

To learn more about Russia:

Kathryn Hendley recommends further reading--

- Rose Brady, *Kapitalizm: Russia's Struggle to Free its Economy* (1999). The best of the journalistic accounts of privatization and its aftermath. Written by the former Moscow bureau chief for *Business Week*.
- George Breslauer, *Gorbachev and Yeltsin as Leaders* (2002). A scholarly yet readable analysis of the politics of the past decades.
- Stephen Handelman, *Comrade Criminal: Russia's New Mafiya* (1995). A somewhat sensationalistic account of organized crime in Russia by the former Moscow bureau chief for *The Toronto Star*.
- Stephen Kotkin, *Armageddon Averted: The Soviet Collapse, 1970-2000* (2001). A concise but compelling analysis of recent reform efforts.
- Fen Montaigne, *Reeling in Russia* (1999). An account by the former Moscow bureau chief for the *Philadelphia Inquirer* of his fly-fishing journey across Russia. Provides compelling portraits of everyday life in remote areas of Russia.
- Kathleen Smith, *Mythmaking in the New Russia: Politics and Memory During the Yeltsin Era* (2002). An intriguing study of how Russians have dealt with the cultural legacy from the Soviet era.

direction. Rather than starting with enterprises, I began with court cases. During the spring of 2001, I was able to get into the records of 3 economic courts in Russia and put together a database of 100 cases. Then I followed up on the cases, contacting the parties to find out whether the judgment had been satisfied. Although

I am still processing the data, a few results stand out. First, all of my plaintiffs won. Second, only 6 of the losing defendants paid voluntarily. This suggests that the societal norm is to wait to be forced to pay and reflects what I heard when doing the case studies. Most of the plaintiffs made a stab at getting their money-whether it was by taking a court order to the defendant's bank or by seeking help from bailiffs-but with little success. Most (about 80 percent) of those who go after defendants' bank accounts find them to be insufficient to satisfy the judgments. The odds are slightly better once bailiffs are involved. About a third of those who go through the bailiffs recover at least some portion of their judgment. But the bottom line is rather grim. The vast majority of the putative winners never see any money.

This brings us back to the "why bother" question. I have come to wonder whether I have been asking the wrong question. Perhaps the question should be flipped. Rather than asking "why," maybe we should be asking "why not." If we take into account the low costs (which must eventually be shouldered by the loser), the speed of the process (almost all cases are resolved within 2 months of filing, most with only one hearing) and the spartan nature of the procedural rules (all claims must be proved with documentary evidence, leaving a limited role for lawyers), perhaps creditors think the courts are worth a shot. But my research also indicates that they are not terribly discouraged when judgments are not paid. Most of them-including those who ended up with nothing-told me that they would go to court again under similar circumstances.

Through these brief glimpses into my research in Russia, I hope to have conveyed the sense of discovery that I feel when doing this work. The twists and turns of the legal reform process over the past 15 years in Russia have been unpredictable. I feel privileged to have been able to document some aspects of the transition, and look forward to more surprises in the future. •

women doctors play in transforming their environments-the people they collaborate with and the places where they work-to create places where healing can happen.

David Schwartz, "The Constitutionality of Military Tribunals" to the National Association of Women Judges, District 9 Regional Meeting, in April 2002.

Bernard Trujillo organized and moderated the UW-Madison panel on "Legal Issues and Public Policy" as part of the University's commemoration of Sept. 11, 2001.

PUBLICATIONS

R. Alta Charo, "Do no harm: Cloning moratorium is political hay at science's expense," *Madison Magazine*, October 2002; "Children by Choice:

Reproductive Technologies and the Boundaries of Personal Autonomy," 4 (SI) *Nature Cell Biology* S23 (2002).

Keith Findley, "New Laws Reflect the Power and Potential of DNA," *Wisconsin Lawyer* (May 2002); "Learning from Our Mistakes: A Criminal Justice Commission to Study Wrongful Convictions," 38 *Cal western L. Rev.* 333 (2002).

Heinz King, "Straining the Law: Conflicting Legal Premises and the Governance of Aquatic Resources," 15 *Society and Natural Resources* 693 (2002); "Hybrid(ity) Rules: Creating Local Law in a Globalized World" in *Global Prescriptions: The Production, Exportation, and Importation of a New Legal Orthodoxy*, (eds. Garth and Dezalay), U. of Michigan Press (2002).

Stephen Melli, "Consumer Law" in *Legal Systems of the World: A Political, Social and Cultural Encyclopedia*, Vol. 1 (ed. Herbert M. Kritzer), Santa Barbara, CAABC-CLIO, 2002.

Marygold Melli, co-author of "Children's Living Arrangements in Divorced Wisconsin Families with Shared Placement," published by the Institute for Research on Poverty as *IRP Special Report* 83 (September 2002). Melli's co-authors are Margaret L. Krecker, Patricia Brown, and Lynn Wuner.

David Schwartz, "When is Sex Because of Sex? The Causation Problem in Sexual Harassment Law," 150 *U. Penn. L. Rev.* 1697 (2002).

David Trubek, *Governing Work and welfare in a New Economy: European and American Experiments* (co-editor with J. Zeitlin), Oxford University Press, forthcoming 2003. "New Governance, Employment Policy, and the European Social Model", with J. Mosher (in Zeitlin & Trubek eds., op cit).

Louise Trubek, "Public Interest Lawyers and New Governance: Advocating for Health Care," *Wisconsin Law Review*, 2002, 575; "Health Care and Low-Wage Work: Linking Local Action" in *Reconfiguring Work and welfare in the New Economy* (ed, Jonathan Zeitlin and David M. Trubek), Oxford U. Press, 2003.

Gary Young, "Malpractice Risks of Collaborative Divorce," subtitled "A malpractice lawyer's view: The contract between the collaborative divorce lawyer and the other spouse creates malpractice risks," *Wisconsin Lawyer* (May 2002). •