Staff News from DES

NEW STAFF
Alan Ramirez - Admission

STAFF LEAVING
Josh Ruiz - Student Financial Services is moving to the SMU Controller's Office

PROMOTIONS
Cindy Castro - Assistant Director of SF Technology
Stephany Coleman - Assistant Director of Perkins and Institutional Loans

Birthdays
Hilary McIlvan - Oct. 7th
Lori Atkinson - Oct. 9th
Barbara Waters - Oct. 10th
Stan Eddy - Oct. 15th
Nicole Cotton - Oct. 24th
Sharla Corsey - Oct. 26th
Joe Davis - Oct. 30th
Colleen Franklin - Oct. 30th
Marc Peterson - Oct. 31st

Anniversaries
Laura Del Rio - 15 years!

VIPS - Very Important Ponies

Some of our VIPS this month are:

Irma Herrera and the ER Team - many, many thanks to the ER team for their help in contacting the faculty who had not submitted their Mid-term grades. The ER team is an incredible resource to have available. E-mails are fine. E-Blasts are good. Post cards work okay. But there is nothing as effective as a phone call from a real person. Please tell the team THANKS. John Hall

Laura Del Rio - Thanks Laura that will really help [to enable us to go on retreat]. Looking at the call reports over the last several months, Thursday seems to be our slowest day so we are hoping this will hold true. Thanks again for your support of ER. Irma Herrera

E-mail disclaimer doesn't do the job

Do you protect your e-mails with a disclaimer at the bottom stating that your messages contain confidential information meant only for the intended recipient? Those disclaimers usually threaten - nicely, of course - that to spread any of the information is "prohibited" and "may be unlawful." Well, think again, warns Peter Vogel, a partner with Gardere Wynne Sewell LLP who teaches Internet law. Slapping disclaimers on every e-mail may dilute their legal effectiveness. "The prophylactic view of the world is that if you put a disclaimer on everything, then when you actually need it, it's there," says Mr. Vogel, who teaches law of electronic commerce at Southern Methodist University’s Dedman School of Law. "Actually, the opposite is true. If you put it on everything, what you're really saying is nothing is important or protected.

DON'T FORGET
Division Meeting
November 7

Important Dates
Oct. 29 - Enrollment begins Spring 2008
Nov. 5 - Last day to drop a class
Nov. 9-10 - Homecoming
Nov. 19-20 - Fall Break
Nov. 21 - No classes
Nov. 22-23 - Thanksgiving Holiday
Nov. 28 - Last day to withdraw
Dec. 6 - Last day of instruction
Dec. 7-8 - Reading Days
Dec. 10-15 - Examinations
Dec. 15 - Graduation
Dec. 24-28 - Winter Break

Quotation of the Month
If at first you don't succeed, destroy all evidence that you tried.
Author Unknown

SMU Trivia

Question
What event begun in 2000 is holding its 7th presentation on Tuesday, October 23, 2007

Answer
The Seventh Annual Staff Recognition Ceremony is being held in the Hughes-Trigg Theatre on October 23rd. A reception will be at 10am and the ceremony will begin promptly at 10:30am. Staff who have served SMU for 25 years will be inducted into the 25+ Club. In addition recipients of the Loretta Hawkins and Presidential Awards will be announced.

President Gerald Turner will recognize
Peggy Boykin Retires after 22 years

Brod Carter, the chief Marshal for the University, calls her "the Den Mother of Ceremonies." New staff are amazed that everyone knows Peggy -- from Dr. Turner to Shorty in CPPO. During these 22 years, Peggy Boykin has touched almost every aspect of the Registrar's Office but her heart has been with Ceremonies and Academic Records. For several years, it was Peggy Boykin who decided who "dressed out" in SMU's athletic teams. Peggy has done the academic certification of athletic teams for a number of years.

Peggy came to SMU in 1984 with little idea what was head. The football scandal was breaking, enrollment was growing, and the Decade Ahead was unveiled to move SMU towards academic prominence. The Registrar's office was implementing more computer based systems and preparing for PeopleSoft. These changes were not always smooth, but Peggy would persist until the system provided the support it was designed to provide.

Peggy has a university family. Her husband Hubert has taught Real Estate at the University of Texas at Arlington for a number of years. Her son Steve works at SMU and Hubert regularly travel I-35 south to Austin to visit their daughter and family including their granddaughter. School activities, horse shows, and family gatherings are always on the agenda.

We wish Peggy well in her retirement and thank her for her 22 years of services to Southern Methodist University. The shoes on her tiny feet will be hard to fill.

University Registrar launches comprehensive search

Faculty think nothing of moving across the campus. They think little of driving three hours to be there. The shoes are tough to fill as well.

I get e-mails all the time warning me that if I was supposed to get the message, I shouldn’t share the information. And if I got it by accident, I should forget I ever saw it. That’s quite an assumption, given that I’m a newspaper columnist. My most ludicrous experience was when one of the world’s largest corporations attached a for-your-eyes-only warning to an official statement that it knew I was going to publish. That got me to thinking about what legal ramifications these disclaimers actually have.

Darn few, says Mr. Vogel. Most of the time, you can dismiss them as meaningless. "You can only be ‘prohibited’ by contractual agreement, if one exists, or some statute, but you have to be told which statute applies. Otherwise there is no means to enforce."

So how did these things become so prevalent? Mr. Vogel asks me to remember the dawn of the Fax Machine Age - knowing I was around back in the '70s. When lawyers started faxing documents used as courtroom evidence, they added a generic disclaimer to protect attorney-client privilege. E-mail started showing up as trial evidence in the 1980s but became the way of the world in the mid-1990s. The problem of protecting attorney-client privilege resurfaced.

'Magic words'

“So the American Bar Association came up with recommendations for lawyers' use to protect privilege and confidentiality," he says. The judge would say the privilege was intact if you had used the magic words. Many lawyers - if not most - add disclaimers at the bottom of every e-mail, he says. But not Mr. Vogel: "I selectively add them only to things that truly have attorney-client privilege."

Why? "If I send an e-mail with a disclaimer to an opponent in a lawsuit, there’s obviously no privilege or confidentiality associated with the correspondence," he says. "Doing this pulls into question the privilege protection of every related communication. "If I were representing you and trying to get privileged denied, I’d say, 'This has no meaning because they attach it to everything.'" Then it becomes a judge’s call.

"Judges are not trained in this stuff. So they use their best judgment to decide"
country to join a department that presents new challenges or is in need of their expertise. In Student Affairs, young professionals know they will move several times in order to gain expertise and promotion. But in the Registrar’s area people do not routinely move from campus to campus. So how do you recapture the knowledge and sense of history when someone like Peggy Boykin retires? John Hall, University Registrar, is faced with that challenge. He is launching a comprehensive search for an Associate Registrar for Academic Record Services in the hope he can attract someone to SMU.

The position soon will be posted on Careers @ SMU and will be listed on the bulletin boards of the state, regional, and national professional organization for Registrars. In addition advertisements will appear in local as well as national publications.

Person’s interested should keep an eye on www.smu.edu/hr/recruit/. 

whether someone intended to protect a trade secret or attorney-client privilege— or whether it’s public information that might just as well be on the front page of The Dallas Morning News as anywhere else.

One sound use of disclaimers is to protect trade secrets, Mr. Vogel says. But make sure that you spell out the statutes you intend to enforce and that you really are protecting intellectual property.

But there’s an even more critical point about e-mails that attorneys and businesspeople should consider, he says. Often the wisest protection is not to send your message as an e-mail in the first place. “You have to assume that every e-mail that you send might wind up in litigation.”

Pick up the phone. Mr. Vogel says, using Bill Gates as a classic example. “In the U.S. antitrust case against Microsoft, David Boies took Gates apart because of his e-mail that said the competition needed to be destroyed,” Mr. Vogel says. “Gates didn’t need to say that in an e-mail. He could have picked up the phone and told that to whomever he wanted.” You should assume that anything you put in an e-mail is going to be seen by a jury, Mr. Vogel says. “If a jury hears something once, they may or may not believe it. If they hear it a second time, they start believing it’s possible. “But if they see an e-mail that’s the size of a wall in a courtroom, they absolutely believe it’s true.”

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