

GEORGETOWN LAW

Res Ipsa Loquitur Fall/Winter 2012

Savannah Guthrie (L'02)

New Co-Anchor
of NBC's
"Today" Show

*Plus: Teaching
Innovations,
Faculty Scholarship,
Health Care Case*





GEORGETOWN LAW

Fall/Winter 2012

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Letter from the Dean



The last few months have been remarkable ones here at Georgetown Law. Our spring “speaker season” was one of the busiest ever, as we hosted Solicitor General Donald Verrilli Jr., former Solicitor General Paul Clement and Attorney General Eric Holder all on the same day. Three days later Supreme Court Justice Sonia Sotomayor came here to speak to 1L students, and three weeks after that, Deputy Chief Justice Dikgang Moseneke of the South African Supreme Court provided a fascinating inside view of South

Africa’s developing constitutional culture when he delivered the Hart Lecture.

But it is the way our faculty engage the issues and shape the major debates of the day that is the biggest story here. And there is no better illustration of it than the health care case that has riveted the nation. Professor Randy Barnett played a central role in conceptualizing the challenge to the Affordable Care Act by arguing that the Commerce Clause does not allow Congress to regulate inactivity. Professor Neal Katyal was acting solicitor general last year and argued the case in the lower courts. Neal has written and spoken about it frequently since then. Two of our adjunct faculty, Paul Clement and Robert Long, argued the case before the Supreme Court. And a day after the ruling was announced, Professors M. Gregg Bloche and Mike Seidman and Visiting Professor Tim Westmoreland appeared on C-SPAN in a discussion that has shaped public debate about the opinion. As you know, the law was upheld — and so, according to Chief Justice Roberts’ opinion, was Randy’s commerce clause challenge.

Imagine the energy and enthusiasm such faculty engagement brings back to the classroom. You can get a taste of it in our articles on innovative teaching that begin on page 26. Students in our National Security Law class were part of a bioterrorism simulation that tested their understanding of criminal law, counterterrorism and wartime powers. And students in the new experiential learning seminar Technology, Innovation and Law Practice designed computer applications to solve such practice problems as immigration or copyright — then showcased them in an “Iron Tech Lawyer” competition here. (For a complete list of faculty scholarship, see page 44.)

You need look no further than these pages to see what active and engaged alumni such teachers — and such teaching — produces. Take White House Counsel Kathryn Ruemmler (L’96), for example, who appeared at the law school (see page 12) with former counsel Beth Nolan (L’80) and Jack Quinn (L’75). Our alumni work at all the most important federal agencies and play critical roles in each of the three branches of government. But as the cover of this magazine shows, they engage with the world in all sorts of other creative ways, too. Our 2002 magna cum laude graduate, Savannah Guthrie, turned down a federal clerkship to pursue a television career. She just became co-anchor of NBC’s “Today” Show.

I hope you enjoy all the stories in this issue of *Georgetown Law*, and I encourage you to explore our newly redesigned website at law.georgetown.edu for more events and happenings. I look forward to seeing you at Reunion Weekend October 19-21!

Sincerely,

William M. Treanor
Dean of the Law Center
Executive Vice President, Law Center Affairs

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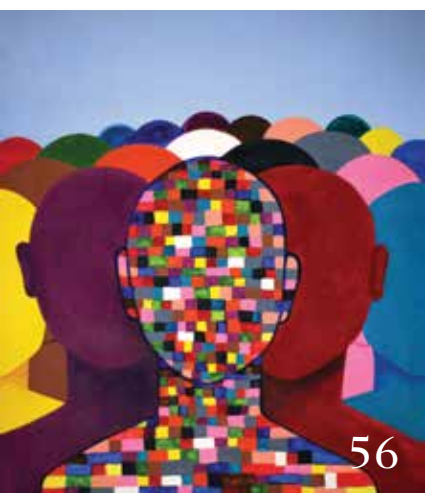
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FACULTY NOTES



New Faculty Join the Law Center



SAMI HOLLENSHEAD

PAUL BUTLER

B.A. 1982
Yale

J.D. 1986
Harvard

EXPERIENCE AND AFFILIATIONS

Carville Dickinson Benson Research Professor of Law,
Associate Dean for Research and Faculty Development,
George Washington University Law School

Soros Justice Fellow

Trial Attorney, U.S. Department of Justice, Public Integrity Section
Attorney, Williams and Connolly

Law Clerk for the Hon. Mary Johnson Lowe, U.S. District Court,
Southern District of New York

COURSES

Criminal Law
Criminal Justice
Gender, Race and Criminal Law

REPRESENTATIVE PUBLICATIONS

Let's Get Free: A Hip-Hop Theory of Justice (New York:
New Press, 2009)

"Stop and Frisk: Sex, Torture, Control" in *Law as Punishment/Law
as Regulation* (Austin Sarat et al. eds., Palo Alto, Calif.: Stanford
University Press 2011)

"Should Good People Be Prosecutors?" in *Blind Goddess: A
Reader on Race and Justice* (Alexander Papachristou ed., New
York: New Press 2011)

In his groundbreaking book *Let's Get Free: A Hip-Hop Theory of Criminal Justice*, former federal prosecutor Paul Butler claims he is "still a prosecutor at heart." But his heart must have taken a beating because he likes to introduce himself to audiences as a "recovering prosecutor." This often generates an uneasy laugh. Some don't know what to make of this former high-flying, successful prosecutor — he prosecuted a U.S. senator, he won most of his tri-

als — who dares to question the role that prosecutors play in the current law enforcement regime.

Butler has always been concerned about justice and fair play. But he has come to believe the American criminal justice system has lost its way. He calls the United States "incarceration nation," because we define too many acts as crimes, harshly punish too many people and rely way too much on incarceration, all of which threatens our identity as a free country. He is deeply troubled by the disproportionate impact of our policies on African Americans. He is a leading critic of the American criminal justice system and an increasingly important public intellectual.

Butler comes to Georgetown from George Washington University Law School, where he was the Carville Dickinson Benson Research Professor and former associate dean for research

and faculty development. A creative scholar, award-winning teacher (he was voted professor of the year three times by the GW graduating class) and captivating speaker, Professor Butler researches and teaches in the areas of criminal law, race relations law and critical theory. His scholarship has been published in leading law journals, and he provides legal commentary for NPR, MSNBC and the Fox News Network.

Born and raised on Chicago's South Side, Butler attended the prestigious St. Ignatius College Prep, followed by Yale College and Harvard Law School. After law school, he clerked for Judge Mary Johnson Lowe of the U.S. District Court for the Southern District of New York. Before joining the Justice Department, he was an associate at Williams and Connolly.

Butler claims he was picked on as a skinny kid — which is one of the reasons he became a prosecutor. But it's hard to picture this six-foot-three, broad-shouldered law professor bullied by anyone. Nowadays he happily takes on the fiercest opponents and more than holds his own. He was featured in a "60 Minutes" segment in which he spars with his former professor Randall Kennedy of Harvard Law School on jury nullification in drug cases. There's no question Butler won that debate!

Professor Butler is delighted to be at Georgetown, which he says is a "natural intellectual home" because of the "serious engagement in both scholarship and the real world." As Butler notes, "I am a black man who gets paid to think. That's an opportunity and a responsibility."

By Abbe Smith



SAM HOLLENHEAD

J. MARIA GLOVER

B.A. 2003
University of Tennessee

J.D. 2007
Vanderbilt

EXPERIENCE AND AFFILIATIONS

Climenko Fellow and Lecturer on Law, Harvard Law School

Law Clerk for the Hon. J. Harvie Wilkinson III, U.S. Court of Appeals for the 4th Circuit

Associate, Supreme Court and Appellate Practice Group, Mayer Brown, Washington, D.C.

Vanderbilt Law Review, senior articles editor

COURSES

Civil Procedure
Complex Litigation

REPRESENTATIVE PUBLICATIONS

"The Federal Rules of Civil Settlement," 87 N.Y.U. Law Rev. (forthcoming 2012)

"The Structural Role of Private Enforcement Mechanisms in Public Law," 53 Wm. & Mary Law Rev. (2012)

"Beyond Unconscionability: Class Action Waivers & Mandatory Arbitration Agreements," 59 Vand. L. Rev. 1735 (2006) (note)

"I love Civil Procedure." This is one of the first sentences I heard Professor Maria Glover speak. Since getting to know her better, I've learned she not only talks the talk, but she also walks the walk.

Inspired by Professor Richard Nagareda's work on civil procedure and complex litigation, Maria has carved out an exciting niche in the literature. In her writing on private enforcement mecha-

nisms, she illuminates the doctrinal hurdles that not only leave various categories of wrongdoing unregulated, but also limit the ability of legitimate claimants to access the civil justice system. After making a strong case for the role of private law as a congressionally intended regulator of behavior, she presents a framework for assessing the role private law plays in our larger decentralized regulatory structure. She explains how policymakers and judges can improve the system by accounting for this specific role, particularly in matters of procedure. And in a recent article being published in the *NYU Law Review*, she considers the private law system from another perspective, arguing that the Federal Rules of Civil Procedure distort case outcomes relative to the underlying merits, given the demise of the trial and the rise of settlement as the ubiquitous end stage in the dispute resolution game. She argues that the Federal Rules of Civil Procedure ought to be reoriented expressly toward the goal of aligning settlement outcomes with the merits of underlying claims. In so doing, her article lays the groundwork for the design of a new Federal Rules of Civil Settlement.

Before joining our faculty, Maria spent two years teaching as a Climenko Fellow at Harvard Law School. Prior to teaching at Harvard, she clerked for Judge J. Harvie Wilkinson III and worked as an associate for Mayer Brown. In addition to graduating at the top of her class at Vanderbilt Law, she served as senior articles editor of the *Vanderbilt Law Review* and won both the Cecil D. Branstetter Litigation and Dispute Resolution Program Award and the Morgan Prize for the most outstanding piece of student

writing published by the *Vanderbilt Law Review*. On Maria's time at Vanderbilt, Professor Nagareda remarked, "Never before in my experience has a student so firmly stamped her intellectual charisma on the Vanderbilt faculty." We feel lucky to be among the current beneficiaries.

When Maria isn't pounding away on her great academic love, she likes to spend time with her husband, Derek Ho, who is a partner in the Washington, D.C., firm Kellogg, Huber, Hansen, Todd, Evans, & Figel. While he might not have the same wild enthusiasm for civil procedure as his wife, he is known to be more than willing to debate her ideas over Sunday brunch with her and her colleagues. We are thrilled to welcome them both to the Georgetown Law family.

By Kathryn Zeiler



SAM HOLLENSHEAD

ALLEGRA M. MCLEOD

B.A. 2000
Scripps College of the Claremont Consortium

J.D. 2006
Yale

PH.D. 2009
Stanford

EXPERIENCE AND AFFILIATIONS
Georgetown Law Research Fellow

Arthur Liman Public Interest Fellow and Staff Attorney,
ABA Immigration Justice Project

Consulting attorney, Stanford Immigrants' Rights and Criminal Defense Clinics

Postdoctoral fellow and instructor, Political Theory and Global Justice, at the Center on Democracy, Development and the Rule of Law, Stanford University

Law Clerk, the Hon. Margaret McKeown, U.S. Court of Appeals, 9th Circuit

COURSES
Criminal Justice

REPRESENTATIVE PUBLICATIONS

"Decarceration Courts: Possibilities and Perils of a Shifting Criminal Law," 100 *Geo. L.J.* (2012)

"The U.S. Criminal-Immigration Convergence and Its Possible Undoing," 49 *Amer. Crim. L. Rev.* (2011)

"Exporting U.S. Criminal Justice," 29 *Yale Law & Pol'y Rev.* 83 (2010-2011)

"Criminal aliens" and sex offenders are among the most despised people in our society. Perhaps for that reason, the laws and enforcement strategies that address them are often draconian, irrational and counterproductive. Reforming our treatment of such groups won't get a member of Congress re-elected. The problem, at bottom, is that no one cares.

Allegra McLeod does care. In her work as a young scholar and lawyer, she has focused on those without a voice in the American democratic system and has paid close attention to what most of us would just as soon ignore. She has examined the perverse and unintended consequences of an immigration policy that is driven by concerns about criminal offending and the far-reaching and often indefinite restrictions imposed on those labeled "sex offenders." In both areas, her interest is in exploring the perverse institutional dynamics that these laws generate, and the social pathologies that underlie them, in hopes that clearer thinking about the problems can drive a more rational response. For example, she argues that while most sexual abuse occurs in intimate relationships among

people who know each other, and not at the hands of strangers, the sex offender laws are focused on the stranger — severely restricting the areas in which convicted sex offenders may live and publicizing their identities. At the same time, she argues that the criteria for a sex offense have grown so broad — including things like public urination and sex between young people where one is still legally a minor — that the designation no longer serves much purpose.

Allegra's commitment to the concerns of the vulnerable and the despised can be traced back at least to her grandmother, who was a prisoners' rights activist and created a program that promoted opportunities for prisoners to see their children in a supportive environment. Allegra grew up on Chicago's South Side, and from an early age was aware of the race and class tensions that plague our cities. She majored in philosophy at Scripps College, received her J.D. from Yale and earned a Ph.D. in Modern Thought and Literature at Stanford, where her dissertation focused on the United States' efforts to export its criminal law models to developing countries, an effort that she identifies as serving U.S. interests as much or more than those of the countries it was purporting to assist.

Allegra is a careful and engaging thinker, with an uncanny ability to identify controversial emerging issues to which other scholars have not yet given sufficient attention. But her commitments and interests are anything but purely academic. In law school and again as a postdoctoral fellow in political theory at Stanford, Allegra worked with both criminal defense and immigration law clinics. After clerking with Judge Marga-

ret McKeown on the U.S. Court of Appeals for the 9th Circuit, she worked on a new project that she helped to create, the ABA Immigration Justice Project, in San Diego. The project seeks to improve immigrants' access to competent legal assistance by representing indigent clients, conducting trainings and recruiting and supervising pro bono attorneys to work on immigration cases. Allegra continues to consult with the organization.

Allegra explains that she is especially excited to be at Georgetown because of its Jesuit commitment to social justice and its record of supporting engaged scholarship that seeks to make a difference in the world beyond the academy. Few scholars better exemplify Georgetown's commitment to law in the service of those most in need.

By David Cole



SAM HOLLENSHEAD

VICTORIA F. NOURSE

B.A. 1980
Stanford

J.D. 1984
University of California, Berkeley (Boalt Hall)

EXPERIENCE AND AFFILIATIONS
Burrus-Bascom Professor of Law, University of Wisconsin
LQC Lamar Professor of Law, Emory University
Appellate Attorney, Department of Justice, Civil Division
Senior Counsel, Senate Judiciary Committee
Associate, Paul, Weiss, Rifkind, Wharton & Garrison

Romnes Fellow, University of Wisconsin

Law Clerk, the Hon. Edward Weinfeld, Southern District of New York

COURSES
Legislation and Administration
Congressional Procedure
Constitutional History

REPRESENTATIVE PUBLICATIONS
In Reckless Hands: Skinner v. Oklahoma and the Near-Triumph of Eugenics (New York: W.W. Norton 2008)

"Misunderstanding Congress: Statutory Interpretation, the Supermajoritarian Difficulty, and the Separation of Powers," 99 Geo. L.J. (March 2011)

"A Decision Theory of Statutory Interpretation," 122 Yale L.J. (2012)

Maybe it's because Victoria (Vic) Nourse played Dred Scott's lawyer in a sixth grade play. Whatever the cause, Nourse has been passionate her whole life about undertaking projects others might have found daunting, whether discovering histories long forgotten or basic principles of how our government works.

As a Phi Beta Kappa graduate of Stanford University in 1980, Nourse considered pursuing graduate studies in history or engineering. She ultimately decided on law school and discovered she loved it. She found it "highly conceptual — like science — but about real life." She put herself through Berkeley Law school, clerked for Judge Edward Weinfeld of the Southern District of New York and worked as an associate at Paul, Weiss, Rifkind, Wharton & Garrison in New York City.

After one year at the firm, Nourse was invited by the late trial lawyer Arthur Liman to be one of the special counsels to the Senate Iran-Contra committee. Bitten with "Potomac fever," Nourse became an appellate attorney in the Justice Department, arguing cases in the D.C. Circuit and other courts of appeal. In 1990, she became a senior counsel to the Senate Judiciary Committee under the

chairmanship of then Sen. Joe Biden and was the lead lawyer drafting and negotiating the Violence Against Women Act.

Nourse had known since law school that she wanted to teach, and after several years in appellate litigation and then on the Hill, it was time to move on. She began teaching at the University of Wisconsin in 1994, ultimately becoming the Burrus-Bascom Professor of Law in 2005. She visited at Yale Law School and NYU Law School, was the LQC Lamar Professor of Law at Emory Law School, and was ultimately enticed to come to Georgetown Law in 2012. Georgetown only narrowly beat out the 7th Circuit Court of Appeals. In 2010, Nourse was nominated by President Obama to sit on that court, but she chose to withdraw her nomination because of a blue-slip objection.

Throughout her academic career, Nourse has pursued two tracks — digging into criminal law and into a constellation of legislative process, constitutional separation of powers and statutory interpretation. In a convergence of the two, Nourse wrote an award-winning book in 2008 called *In Reckless Hands: Skinner v. Oklahoma and the Near-Triumph of Eugenics* (W.W. Norton, 2008). The book drew on Nourse's understanding of science, politics and law to present a previously untold story about the eugenics movement.

Nourse's prolific scholarship on statutory interpretation and constitutional law has earned her accolades as one of the leading and most creative scholars in the field. Her 2012 article in the *Yale Law Journal*, "A Decision Theory of Statutory Interpretation," has become almost required reading among judges. In Nourse's

skillful hands, Congress's own rules are explained as a method of statutory interpretation. The article is part of Nourse's larger project of educating law students, lawyers and judges about how Congress actually works. As Nourse puts it: "Call this a prolegomena to a new form of legal process theory, a minor Copernican revolution in which legal education no longer views courts as the center of the universe, but recognizes that each of our Constitution's institutions has different rules, incentives and even rationalities."

As director of Georgetown Law's newly inaugurated Center for Congressional Studies, Nourse will have plenty of avenues to put her creativity and talent to work in bringing this needed "Copernican revolution" to the legal academy and the legal world more generally. And all of us will benefit from the passion and verve with which she will do it.

By Chai R. Feldblum



BILL PETROS

ALICIA PLERHOPLES

A.B. 2001
Harvard

M.P.A. 2005
Princeton University, Woodrow Wilson School of Public & International Affairs

J.D. 2005
Yale

EXPERIENCE AND AFFILIATIONS

Visiting Assistant Professor, University of California Hastings College of Law

Orrick, Herrington & Sutcliffe Clinical Teaching Fellow, Stanford Law

Teaching Fellow in African American Studies, Yale College
Associate, DLA Piper

COURSES

Transactional Law Clinic
Business and Transactional Law Skills

REPRESENTATIVE PUBLICATIONS

"Can an Old Dog Learn New Tricks? Applying Traditional Corporate Law Principles to New Social Enterprise Legislation," 13 Transactions: Tenn. J. Bus. L. 221 (2012)

"The Legal Needs of Social Entrepreneurs" (work in progress)

"Assessing Drafting Skills in a Transactional Clinic: A Pilot Study" (work in progress)

When Georgetown began a search for a faculty member to create what will be our newest clinic, in transactional law, Alicia Plerhoples immediately attracted attention. She brings an extensive expertise in finance, real estate and transactional lawyering, drawn from her years in Big Law at DLA Piper and Cooley — and her clinic students and colleagues at both Stanford and U.C. Hastings adore her. This impressive background, combined with Alicia's passionate enthusiasm, creativity and dynamism, made her the perfect addition to our clinical faculty.

Alicia knows that students with a strong sense of civic commitment tend to shy away from business law classes like Corporations or Secured Transactions. But she hopes to expand the horizons of Georgetown's public interest community beyond the traditional focus on litigation by helping students understand that society needs business lawyers committed to creating social and environmental value along with profits.

Alicia sees economic justice as a fundamental component of both individual and community welfare. Her students learn vivid lessons about how a corner store or other small business can provide not only income for a family but stability for a neighborhood. On a larger scale, they learn that social justice means holding corporations and businesses accountable for the externalities that they create — and students learn how to make that happen.

Alicia's career as a clinical teacher combines her commitment to creating a rich learning environment for students as they transition into their role as professionals, with a dedication to meeting the transactional and business needs of the long-underserved social enterprise and nonprofit communities. She is convinced that students can "own all aspects" of the clinic's often complex legal work; she will expect them to take primary responsibility for fact development, project planning and management, legal research, drafting and presentation, and client communication. But these intensive demands are balanced by Alicia's patient, supportive style and by her evident commitment to the success of each of her students. The Law Center faculty is thrilled to have her join us; her students will be incredibly fortunate to work with her.

At home, Alicia and her husband are raising their two young girls; she calls them "little delights." The family is looking forward to its move to D.C. and the opportunity to learn about American history and politics by visiting the area's many important historic and government sites.

By Deborah Epstein

Faculty Book

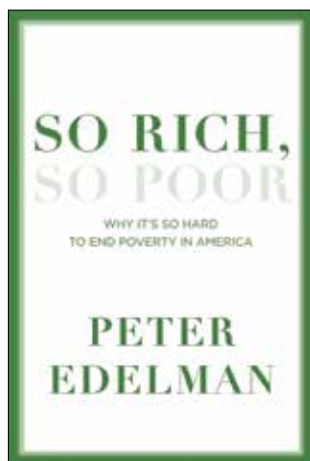
So Rich, So Poor: Why It's So Hard to End Poverty in America By Professor Peter Edelman

Why is it so hard to end poverty in this country? And why has poverty in America grown steadily worse over the last decade? Is America headed in the wrong direction in this ongoing struggle?

A longtime champion in the fight against poverty, Professor Peter Edelman asks these difficult questions and more in his new book, *So Rich, So Poor: Why It's So Hard to End Poverty in America* (New Press, 2012). Edelman explores why, despite the achievements of the New Deal, the Great Society and other social programs, there is still so much poverty in this country. He maintains that three largely unforeseen forces in the late 1960s — fundamental economic changes, a substantial increase in the number of single-parent families and the politics of race and gender — account for the course of American poverty, over the past 40 years.

While public policy, including President Obama's stimulus legislation, has done a great deal to help poor people in this country, these gains have been nullified by economic trends that benefit the wealthiest Americans while sending an ever-increasing number of people into poverty — in some cases extreme poverty, Edelman says.

The professor views the ascendancy of the wealthy as not only a political and economic issue but also a moral one, and he addresses the dichotomy between Americans' generosity and volunteerism and the challenges of galvanizing support for public policy that reduces poverty. He warns that Americans are digging themselves into a deeper hole if middle-income voters continue to identify with those at the top instead of those at the bottom.



Edelman fears we are heading in the wrong direction and argues that bold public policy and civic action are critical if we are to make progress on poverty. He recommends a roll back of the Bush tax cuts for the wealthiest Americans and a more intense focus on those who live in deep poverty, especially the six million Americans who have no income other than food stamps. If these measures aren't enacted, Edelman says, it's not inevitable that America will bounce back.

Edelman has an extensive public interest background and is an expert in poverty, welfare, juvenile justice and constitutional law. In 1982, he came to Georgetown Law, where he teaches constitutional law, federal legislation, public interest lawyering and social welfare law and policy. Edelman took leave from the Law Center during President Clinton's first term to serve as counselor to Health and Human Services Secretary Donna Shalala and as assistant secretary for planning and evaluation.

Edelman served as director of the New York State Division of Youth and as vice president of the University of Massachusetts. He was a legislative assistant

to Sen. Robert F. Kennedy and issues director for Sen. Edward Kennedy's presidential campaign in 1980. He was also a law clerk for Supreme Court Justice Arthur J. Goldberg and Judge Henry J. Friendly of the U.S. Court of Appeals for the 2nd Circuit, and worked in the U.S. Justice Department as special assistant to Attorney General John Douglas.

He is the author of *Searching for America's Heart: RFK and the Renewal of Hope* (Houghton Mifflin, 2001) and the co-author of *Reconnecting Disadvantaged Young Men* (Urban Institute Press, 2006). He has written numerous articles on poverty, constitutional law, children and youth, and has received numerous honors and awards for his work. His *Atlantic Monthly* article "The Worst Thing That Bill Clinton Has Done" earned him the Harry Chapin Media Award in 1997.

Edelman has received extensive media coverage of his new book. Ethel Kennedy says, "Much has changed in 45 years, but as Peter eloquently reminds us, far too many Americans remain trapped in the web of economic injustice. His compassionate and singular voice awakens our conscience and calls us to action." And former *New York Times* columnist Bob Herbert says, "If there is one essential book on the great tragedy of poverty and inequality in America, this is it. Peter Edelman is masterful on the issue. With a real-world grasp of politics and the economy, Edelman makes a brilliantly compelling case for what can and must be done."

Look for more coverage of Edelman's book, including an event held this fall at the Law Center, in the next issue of *Georgetown Law magazine*.

Faculty Awards and Recognition



The *National Law Journal* has selected **Dean William M. Treanor** for its 2012 list of “Champions and Visionaries” in the “Champions” category. He is one of 20 legal luminaries to be so honored. According to the *National Law Journal*, the “Champions” and “Visionaries” are “heavy hitters whose influence often extends far beyond the Beltway.” They are selected by *Journal* editors and based on nominations from the legal community and their own reporting and research. “What we’re about is educating the whole person,” Treanor said in the *National Law Journal* article that announced his selection. “It’s not just about educating a technically skilled lawyer; it’s educating people for justice.” Visiting Professor **Seth Waxman** was also selected, in the “Visionaries” category.



In recognition of their efforts to raise mental health awareness among law students, **Dean William M. Treanor** and **Dean of Students Mitchell Bailin** received the 2012 David S. Stoner Uncommon Counselor Award from the Dave Nee Foundation.

The Stoner Award is given annually to members of the legal profession who exhibit extraordinary compassion and concern for their co-workers, family, friends and community. It was established in memory of David S. Stoner, vice president and founder of the Dave Nee Foundation, who died in 2010.

In the wake of the 2005 suicide of Fordham Law student Dave Nee, Treanor, who was then dean of Fordham

Law School, led the law school community, providing support and comfort and prioritizing mental health awareness and suicide prevention programs. He also played an important role in the creation of the Dave Nee Foundation and has remained a strong advocate of the organization since its inception.

Bailin was instrumental in the founding of Georgetown Law’s nationally recognized programs Lawyers in Balance, which teaches law students stress reduction, resilience and mind-body wellness techniques, and Search Before the Search, which emphasizes reflective, values-driven decision-making among first-year J.D. students. He also provides academic and personal counseling to more than 200 J.D. students annually.

The Dave Nee Foundation’s mission is to educate young people, their families and friends about the disease of depression, to promote the treatment and diagnosis of depression among young adults and to eliminate the stigma associated with depression and suicide.



“Power 100” list of the most influential black attorneys working in government, academics and the public and private sectors in the United States. Established in 2008, On Being a Black Lawyer is a media company that produces a blog and e-newsletter read by law firm partners and associates, law professors and deans, lawyers and law students.

Everett Bellamy, former senior assistant dean for the J.D. program, was named to the On Being a Black Lawyer’s inaugural



Professor **Susan Low Bloch** has been elected to a three-year term on the Board of Governors of the District of Columbia Bar, the second largest unified state bar in the country. As one of the board’s 23 members, she will help oversee management of the organization’s diverse program offerings and its \$31.5 million annual budget. Bloch says that she ran to help promote better access to justice for D.C. residents. “Both my children are public defenders — Rebecca in Colorado and Michael in the Bronx, New York — so I know how desperately poor people need good lawyers,” she says.



Professor **Lisa Heinzerling** is the recipient of the 2012 David Brower Lifetime Achievement Award. The honor was presented at the Public Interest Environmental Law Conference at the University of Oregon School of Law in March. Established in 1997 by Land Air Water, a student environmental law group at the University of Oregon, the David Brower Lifetime Achievement Award is given annually to an activist or attorney who exemplifies Brower’s spirit and accomplishments.



Professor **David Koplow** has been awarded the Office of the Secretary of Defense Medal for Exceptional Public Service for his two

years of work as special counsel for arms control at the Pentagon. Koplow worked on a full array of arms control issues, including the new START Treaty between the United States and Russia.



An article written by Professor **Donald Langevoort** has been selected as one of the 10 “Best Corporate and Securities Ar-

ticles of 2011.” The winners were chosen by corporate and securities law professors from a field of 580 articles, and results will be published in an upcoming issue of the *Corporate Practice Commentator*.



Professor **James Oldham** is the new president-elect of the National Academy of Arbitrators. He will become president next June

at the 2013 annual meeting in Vancouver, Canada. The NAA is a nonprofit honorary and professional organization of labor and employment arbitrators in the United States and Canada.



Professor **Nicholas Quinn Rosenkranz** has been named a senior fellow of the Cato Institute. Rosenkranz teaches

constitutional law and federal jurisdiction, and he writes articles for the *Harvard Law Review* and the *Stanford Law Review*.



Professor **Howard Shelanski** is the new director of the Federal Trade Commission’s Bureau of Econom-

ics, a position that entails supervising economic analysis and advising the commission on economic policy matters. Shelanski is no stranger to government service. From 2009 to 2011, he was deputy director of the FTC’s Bureau of Economics. He served as chief economist of the Federal Communications Commission from 1999 to 2000 and as a senior economist for the President’s Council on Economic Advisers at the White House from 1998 to 1999.



Professor **Jay Thomas** has been named the first Thomas Alva Edison Visiting Profes-

sional at the United States Patent and Trademark Office. The newly established Thomas Alva Edison Visiting Professionals Program is designed to enlist the expertise of academic and intellectual property industry leaders who can devote up to six months of service to the USPTO on a full-time basis.



Professor **Edith Brown Weiss** has been appointed to a four-year term as a judge on the Administrative Tribunal of the International

Monetary Fund. Formally established in 1994, the Tribunal is an independent judicial forum of five judges who decide on employment disputes between the IMF and its staff members.

Marcia Pennington Shannon is the new assistant dean for career services. Shannon has been involved in the field of lawyer career strategy and professional development for more than 20 years.

Georgetown Law professors addressed graduates at law schools from Charlottesville, Virginia, to Los Angeles and beyond. Professor **Neal Katyal** spoke to law graduates at the Lewis and Clark Law School in Portland, Oregon, on May 19 and at the University of Virginia School of Law May 20. Professor **Chai Feldblum** took to the podium at UCLA Law on May 11. Feldblum is currently a commissioner of the U.S. Equal Employment Opportunity Commission. The Linda D. and Timothy J. O’Neill Professor of Global Health Law **Lawrence Gostin** delivered the commencement address to law graduates at the University of Sydney (Australia) on May 25. Gostin, who also serves as faculty director of Georgetown’s O’Neill Institute for National and Global Health Law, received an honorary doctorate of law from the University of Sydney.

IN MEMORIAM

The Law Center mourns the passing of Special Collections Librarian Laura A. Bedard, who died May 7 after a long illness. In her almost 29 years with the Edward Bennett Williams Law Library, Bedard built a unique and rich collection of rare books. She was also an integral part of *The First 125 Years: An Illustrated History of the Georgetown University Law Center*. “For years she has preserved the Law Center’s records and supported research into its history with great professionalism and not a little passion,” wrote Professor Dan Ernst, author of *The First 125 Years*, in the book’s acknowledgments. These words could just as easily be applied to Bedard’s dedicated work at the library. A memorial service celebrating Bedard’s life and accomplishments was held here on June 5.



LECTURES AND EVENTS



SAM KARP

At the Heart of the Health Care Case

It was a case that riveted the nation, and the Law Center was right in the middle of it. As the Supreme Court heard three days of oral arguments on the constitutionality of the Affordable Care Act, Georgetown Law professors played a major role. Adjunct Professor Paul Clement, who represented the 26 states that brought suit against the government, went up against Solicitor General Donald Verrilli Jr., a former adjunct professor who argued to uphold the law. Another adjunct, Robert Long, argued one specific aspect of the case — that a 19th-century law meant the Court should not hear arguments until the

ACA completely takes effect in 2014. Professor Neal Katyal, former acting solicitor general, defended the health care act in the lower courts.

The chief architect of the constitutional challenge to the law was Professor Randy Barnett, who argued that the Commerce Clause of the Constitution does not allow Congress to regulate inactivity (in this case, citizens choosing to be uninsured) as commerce. After the announcement of the verdict — which found the mandate unconstitutional under the Commerce Clause but constitutional as a tax — Barnett said on NPR, “It is weird to win and

lose at the same time. It is bizarre to win on the major legal claim ... but still lose on the outcome.”

Barnett was not the only Georgetown Law professor to comment on the ruling. Katyal opined in the *New York Times*, Professor David Cole in *The Nation* and Professor Lawrence Gostin discussed the health policy aspects of the case in the *Journal of the American Medical Association*. Professor Robin West wrote about the decision in the e-journal *Jurist*, and other faculty members are also penning articles about the case. Barnett’s commentary appeared in the *Washington Post*, the *New*



BRADLEY N. KEHR

Opposite: Signs outside the Supreme Court and Professor Randy Barnett at the April 2 post-argument panel discussion. Above from top left: Professor Lawrence Gostin; Professor Neal Katyal; Visiting Professor Tim Westmoreland and Professor Mike Seidman; David B. Rivkin Jr. (F'80, G'84), George Washington University Professor Sara Rosenbaum and Professor M. Gregg Bloche.

York Times and other outlets. He and other professors were interviewed on CNN, CBS and NPR, among others. And C-SPAN broadcast a panel discussion held here the day after the historic decision.

In fact, the Law Center played host to a number of events that previewed and reviewed this historic case. Clement discussed the Affordable Care Act with Verrilli at the Law Center's Corporate Counsel Institute on March 9 (see next page). Earlier events included a mock moot and a panel sponsored by the O'Neill Institute, which analyzed the legal issues of health reform in a series of influential papers both before and after the bill became law.

Georgetown's Supreme Court Institute, which moots most Supreme Court cases, mooted four for the Affordable Care Act. SCI and the Georgetown Federalist Society sponsored a post-argument panel discussion on April 2. At the panel held June 29, the day after the Supreme Court issued its decision, a group of law professors and

health experts came to Georgetown Law to dissect the opinion and what it means for Americans.

"I thought it was barely possible that the Court would uphold the [individual] mandate, and if you wanted to bet that they would do so with the chief justice casting the deciding vote on tax clause grounds, I would have given you a thousand-to-one odds," said Professor Mike Seidman.

Visiting Professor Tim Westmoreland thought that the Roberts opinion did "no real harm to the Medicaid provisions of the Affordable Care Act," because the enforcement tool that was struck down — i.e., the threat to withhold all Medicaid funding from states that don't comply with the new law — would never have been carried out. But Westmoreland did object to what he saw as the majority's mischaracterization of Medicaid and its conclusion that the act creates a new program rather than modifies an existing one.

Professor M. Gregg Bloche, M.D., who organized the panel, said that Americans face steep medical bills because of skyrocketing medical costs overall. "The real cost problem is the long-term trajectory of our health care spending, our fiscal equivalent of global warming," said Bloche, author of *The Hippocratic Myth* (Palgrave Macmillan, 2011). "It's a challenge that our politics has hardly begun to take up."

For more on the health care case, visit www.law.georgetown.edu/about/dc/ and see the Fall/Winter 2011 Georgetown Law Magazine article "Can the Government Make You Eat Broccoli?"



White House Counsel Kathryn Ruemmler (L'96) with Professor Neal Katyal.

A GATHERING OF COUNSEL

On April 10, White House Counsel Kathryn Ruemmler (L'96) and five former counsel gathered at Georgetown Law to reflect on their role as legal adviser to the president.

"It's adviser, negotiator, mediator, arbitrator, enforcer, cajoler..." said Ruemmler, who was joined by Robert Bauer, former counsel for Obama; Beth Nolan (L'80) and Jack Quinn (L'75), both counsel for President Bill Clinton; C. Boyden Gray, counsel for President George H.W. Bush, and Arthur Culvahouse, counsel for President Ronald Reagan. The conversation was moderated by Professor Neal Katyal, former acting solicitor general.

Quinn said that one remarkable thing about the position was having to field questions that no one has ever asked — such as, in a government shutdown, must the Grand Canyon be closed to visitors? (The answer was yes.)

Nolan remarked that when a president leaves office, the work of the White House counsel does too — making incoming counsel turn to their predecessors, at least for a time. "We would call Boyden [and ask,] what did you do?" she said. "You want to know how other White Houses did this."



Paul D. Clement



Donald B. Verrilli Jr.

Clement and Verrilli at Corporate Counsel Institute

U.S. Solicitor General Donald B. Verrilli Jr. and former Solicitor General Paul D. Clement (F'88) had more than business on their minds when they appeared at Georgetown Law for the 16th annual Corporate Counsel Institute (CCI) on March 9. But these two distinguished advocates — who two weeks later would argue on opposing sides of the Affordable Care Act case in the Supreme Court — took time to sit down with Professor Steven Goldblatt (L'70) for a "Supreme Court Review."

It was more than a review, as the pair could not fail to mention what Clement called the "800-pound gorilla in the room" — the health care case. Clement, who argued on behalf of the state petitioners, walked CCI participants through the four major issues: the Anti-Injunction Act question, the Medicaid issue, the constitutionality of the individual mandate, and the severability question if the mandate is struck down.

Verrilli did not try to persuade the audience, which included corporate counsel and law firm partners, of the U.S. government's position. But in a discussion on the individual mandate/minimum coverage provision, he was careful to assure listeners that the matter was being "given the serious attention it deserves by the Court,

by the United States and by all litigants." (The amicus briefs alone, he said, required several carts.)

While it won't be a term remembered for blockbuster business cases, both Verrilli and Clement soon turned to matters of interest to in-house attorneys — including *Kiobel v. Royal Dutch Petroleum*, involving corporate liability for human rights abuses overseas under the Alien Tort Statute. The Court heard *Kiobel* February 28 but ordered a rehearing March 5 to explore to what extent the courts can recognize a cause of action under the statute for abuses occurring overseas in the first place.

Goldblatt noted that if you polled the Supreme Court bar on whom the lawyers would most like to see discussing the current Court term, the answer would likely be Clement and Verrilli, hailed as "two of the finest appellate advocates in the country." Both have also served as Law Center adjunct professors. Verrilli taught constitutional law here for more than 15 years. Clement, who co-teaches a separation of powers seminar, has also been a visiting professor and senior fellow at the Supreme Court Institute. "However [the health care case] comes out," Goldblatt said, "we're fortunate that these two are involved in it."



Supreme Court Justice Sonia Sotomayor chats with Dean William M. Treanor and Professor Emma Coleman Jordan in Hart Auditorium on March 13. (Left) Edward Williams (L'14) questions Justice Sotomayor on how the Court keeps pace with technology.

Justice Sotomayor Speaks at Law Center

“The law is service to people ... if you view your role in that way, you can do anything,” said Supreme Court Justice Sonia Sotomayor on March 13, her first speaking engagement at the Law Center since she joined the High Court. Sotomayor urged the first-year law students gathered in Hart Auditorium to have a broad vision of how they can serve as advocate, judge — or in whatever career they choose.

Dean William M. Treanor, who accompanied Sotomayor onstage along with Professor Emma Coleman Jordan, described the justice as “knowledgeable not just about the law but about people.”

When Sotomayor was a young child with juvenile diabetes and a penchant for Nancy Drew mysteries, she was told

there were some careers that she would not be able to pursue. Though lawyer was on the “approved” list, detective was not. Fortunately, Sotomayor discovered TV lawyer Perry Mason, who made witnesses confess that they, and not the defendant, had committed a particular crime.

“Having a witness break down at trial is an unlikely event, but I didn’t know it then,” she said. “I decided [that being a lawyer] is what I should do.”

By law school, Sotomayor had discovered that lawyers help people outside of the courtroom, too — and she carried that knowledge to varied roles in the Manhattan District Attorney’s office; to Ferrari, Fendi and other corporations she represented as a private attorney; and to the bench. She made it a priority to love her

job, whether it was facing the “organized chaos” of the U.S. District Court, bringing new perspectives to a problem on the 2nd Circuit or collaborating with eight other legal minds on the Supreme Court, as she does now.

Five 1L students, including Dan Ashby (L’14) and Edward Williams (L’14), got to quiz the justice on such topics as judicial selection and technology in the courtroom. Sotomayor declined to say whether judicial elections are better or worse than judicial appointments, though she noted that some systems may discourage diversity in different localities. “It really depends on the good will of the people doing the process,” she said.

“THERE’S NO OTHER COURSE LIKE THIS...”

It’s a given that Georgetown Law professors are experts in their fields. Students in the Global Revolutions, Social Change and NGOs seminar have extra proof of that fact. Their teacher, Adjunct Professor Doug Rutzen, learned last semester that the International Center for Not-for-Profit Law, which he heads, won a \$1 million MacArthur Foundation Grant. Called the MacArthur Award for Creative and Effective Institutions, the honor is similar to the MacArthur “genius” award for individuals; only 15 organizations received it.

The seminar is based on ICNL’s (and Rutzen’s) ground-breaking work in global NGO law. Students in previous classes have spoken with a former FBI agent who went undercover to infiltrate terrorist organizations, a human rights professor in Iran, NGO leaders seeking to preserve civic space in Venezuela and the vice president of the European Court of Human Rights. Students are encouraged to intern at ICNL.

“The seminar is directly based on the ICNL’s pioneering work in global NGO law,” says Adam Kolker, assistant dean and executive director of Georgetown Law’s Office of Transnational Programs, who co-teaches the seminar with Rutzen. “There’s no other course like this in the U.S.”



SAMI KARP

Supreme Court Justice Ruth Bader Ginsburg was honored — and serenaded — at the Supreme Court Institute’s year-end reception. Right: Justice Antonin Scalia and singers from the Washington National Opera.

Four Justices & a Barcarolle

This year’s Supreme Court Institute year-end reception, held April 26 in the lobby of the Hotung International Law Building, honored Supreme Court Justice Ruth Bader Ginsburg.

“We’re particularly proud to recognize a justice who’s one of our own,” said Dean William M. Treanor, noting the justice’s special connection to the Law Center — her late husband, Martin Ginsburg, was a longtime professor here. Justices Samuel Alito and Elena Kagan attended the reception, as did Justice Antonin Scalia, who called Ginsburg “my best friend on the Court.”

Scalia said he had two functions at the reception — to support the activities of the Institute, which mooted 64 of the 69 cases held this year and because of which, he said, “the quality of the arguments has improved enormously,” and the second was to praise Ginsburg, whom he called “a wonderful judge.”

“Her questions from the bench are short and to the point,” Scalia added. “She focuses on the important issues.”

James Feldman, president of the Washington National Opera and frequent

Supreme Court advocate, presented Ginsburg with a signed poster of an opera in which she and Scalia were supernumeraries — and also arranged for two singers from the Opera to serenade her with the Barcarolle from Jacques Offenbach’s “The Tales of Hoffman.”

Ginsburg said she was touched by the tributes, and she praised the Supreme Court Institute, saying its moot court program provides “a tremendous service to the Court.”

Supreme Court Institute Executive Director Irv Gornstein thanked the Institute’s many volunteer judges. “The 200 of you ... gave 1400 students a chance to see a moot court,” he said. This year all 1L students attended a moot court session as part of their Legal Research and Writing class.

Also in attendance at the event were Solicitor General Donald Verrilli; Professor Neal Katyal, former acting solicitor general; and Paul Clement, former solicitor general. “Paul did five moots this year,” said Gornstein, “and he agreed to stick around and answer [students’] questions after each and every one.”



Georgetown President John J. DeGioia, Professor and Mrs. Robert Pitofsky and Georgetown Law Dean William M. Treanor.

Honoring Dean Emeritus Robert Pitofsky

A Renaissance man. An influential antitrust scholar. The perfect public servant. Professor and Dean Emeritus Robert Pitofsky, counsel at Arnold & Porter and former chairman of the Federal Trade Commission, is all these and more, said a wide array of distinguished speakers at a May 30 symposium in his honor.

"Bob is a mentor, a guide and a friend," said Dean William M. Treanor, opening the symposium, which was held in the Law Center's Hart Auditorium and sponsored by Georgetown Law and Arnold & Porter.

During Pitofsky's six-year term as executive vice president and dean of the Law Center from 1983 to 1989, he enlarged and strengthened the faculty and built the Edward Bennett Williams Law Library.

"What unites all he does is the faithful pursuit of justice," said Georgetown President John J. DeGioia in his welcoming remarks. "He is a role model for me and for countless others."

The symposium was designed to highlight the many facets of Pitofsky's career. Christine Varney (L'86), former assistant

attorney general of the Department of Justice's antitrust division, discussed Pitofsky's framing of an alternative approach to the Chicago School of Economics — an approach so thorough and respected "that it might be called the Georgetown School," she said.

In a panel on "Bob as Scholar," Columbia Law Professor Harvey Goldschmid, former commissioner of the U.S. Securities and Exchange Commission, called Pitofsky "a living legend in antitrust."

"Everything about being dean I learned from Bob," said Professor and Dean Emerita Judy Areen, who moderated a panel on Pitofsky's legacy at Georgetown.

"Bob is what the revolving door is supposed to be all about," said Professor Steven Salop, coauthor with Pitofsky of *How the Chicago School Overshot the Mark*. "He always sees both sides."

At a luncheon in Pitofsky's honor, Adjunct Professor Kenneth Feinberg, former special master of the federal September 11 Victim Compensation Fund of 2001, called his friend "a model public servant." Also at

the luncheon, Dean Treanor announced a new scholarship fund that has been created in Pitofsky's name.

The symposium concluded with two more panels, one moderated by William J. Baer of Arnold & Porter — who, along with Professor Howard Shelanski, planned the event — and remarks by another of Pitofsky's good friends, Supreme Court Justice Stephen Breyer.

"[Bob] has the intellectual virtues; he's intelligent, knowledgeable, articulate," Breyer said. "He has the public virtues; he's practical, politic, public-spirited. His heart is in the right place. And he has the human virtues. He's decent, he's humane, he has a sense of humor ... he likes the movies ... and, he has good friends, of which Ken [Feinberg] and I are two."

For more information on the Robert Pitofsky Scholarship Fund, contact Director of Donor Relations Christine M. Hammer at 202-662-9506 or chs42@law.georgetown.edu.



LYNN ADAMS

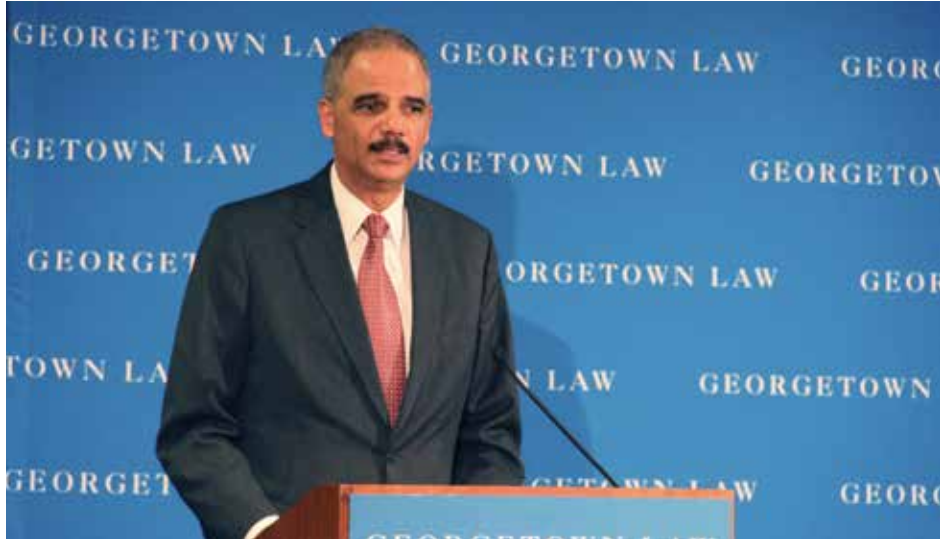
THE LATEST RESEARCH ON PROPERTY LAW

The Association for Law, Property and Society held its third annual meeting at Georgetown Law on March 2-3, with approximately 100 scholars from six continents and dozens of law schools around the world gathering to present their latest research. With panels on virtual and intellectual property, historic preservation, the mortgage crisis and even literature, there was something for everyone.

"It was very open — by design," said Professor Michael Diamond, director of the Harrison Institute for Housing and Community Development, the association's former president. "We had cultural property, intellectual property, art, more traditional ideas of property."

The two-day event, which was sponsored by Georgetown Law and Syracuse University College of Law, was a veritable property smorgasbord. Harrison Institute Fellow Alina Ball and moderator Diamond led off a diverse panel that included lawyering skills in the affordable housing realm, long-term effects of the housing crisis and how to advise a hypothetical client wanting to buy coastal property in a world of climate change.

Legal historians also found lots to talk about. In a panel on historic preservation law in urban development, Professor Peter Byrne (pictured above, right, during a conference luncheon) offered a critique of Harvard Professor Edward Glaeser's book *Triumph of the City* (Penguin, 2011) and showed photos of modern buildings existing in harmony with historic structures. Byrne also led a panel featuring Dean William M. Treanor and University of Florida's Michael Wolf on the history of the Takings Clause.



Attorney General Eric Holder

SAM KARP

Holder Opens Consumer Protection Summit

One month after U.S. Attorney General Eric Holder announced the creation of a Consumer Protection Working Group dedicated to prosecuting and preventing fraud, the nation's chief lawyer appeared at Georgetown Law to raise awareness of this problem and to identify solutions.

"For me, and for today's Department of Justice, protecting American consumers is a top priority," Holder told members of the working group as he opened the Consumer Protection Summit on March 9. "We cannot simply prosecute our way out of this problem. ... We need your talents, we need your determination. And that's precisely what this day is all about."

Representatives of the Department of Justice, consumer groups and more than 20 federal, state and local law enforcement agencies and offices attended the summit. It was a fitting wrap-up for National Consumer Protection Week — and a banner day for the Law Center, which also hosted Solicitor General Donald B. Verrilli Jr. and former Solicitor General Paul Clement as part of its Corporate Counsel Institute.

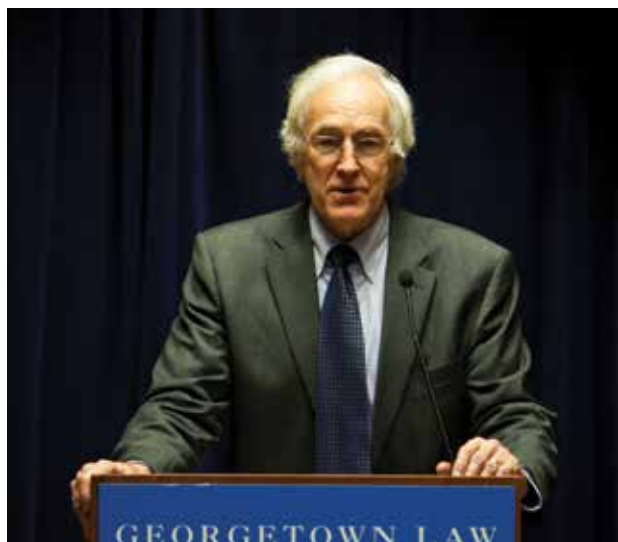
Holder cited some of the many successes over the past year — including a 95-per-

cent conviction rate by the Justice Department's Consumer Protection branch, more than \$900 million recovered in fines and more than 125 years of jail time for perpetrators. There has been groundbreaking work to combat health care fraud. And the task force has been working to seek justice for those affected by the financial crisis.

"I think we have made great strides in holding individuals and institutions accountable for the reckless, inappropriate and oftentimes unlawful conduct that helped contribute to the ... crisis," Holder said.

The working group's five co-chairs include Professor David Vladeck, now serving as director of the Bureau of Consumer Protection at the U.S. Federal Trade Commission. Vladeck, who also served on a panel on elder fraud, discussed the FTC's enforcement cases regarding loan and debt settlement scams, mortgage servicing and other types of fraud. "We finally have the resources to play offense," he said, "not just defense."

BRADLEY N. KEHR



Left: Professor Rick Roe at Street Law's 40th anniversary dinner at the Law Center on April 21. Right: Roe (center) with De'Erica Aiken (L'13), Shaniya Davis (Ballou High School), Mary Ann Kelly (C'88, L'91) and Deshawn Matthews (Ballou High School).

40 Years of Street Law: “A Natural Incubator for Dreams”

Forty years ago, Georgetown Law began an innovative new clinic that would change the lives of thousands of high school students in Washington, D.C., and around the world. That clinic was Street Law, which sends future lawyers into area schools each year to teach the law and the critical thinking, judgment and leadership skills that accompany it.

On April 21, some of Georgetown Street Law's 1300 alumni returned to the Law Center for the clinic's annual high school mock trial championship, followed by a dinner in honor of the anniversary.

“The Street Law clinic was a natural incubator for dreams of high purpose,” said Josh Kern (L'01), who built on his experience in Street Law to found the Thurgood Marshall Academy Public Charter High School more than a decade ago. “Nearly every day in my second year we sat with Rick [Professor Rick Roe, Street Law's director of 25 years] and his fellow Lee McGoldrick

(L'99), both of whom truly believe that the law is but a means and justice is its end. TMA was born of the idealism that is captured by that motto, and more importantly, by Rick's life's work.”

Professor Jane Aiken, associate dean of clinical education, noted that Street Law is now in all 50 states and many nations. Street Law Inc., which grew out of the Georgetown program, has developed projects ranging from teaching civics to high schoolers in Haiti to training educators in Europe and Asia in interactive teaching methods. “When I traveled around the world ... and [people would] hear I was a legal educator, the first thing they would ask me is, do you know Rick Roe?”

This year's mock trial competition, involving 250 students in 24 teams from 11 local high schools, culminated in a win by students from School Without Walls, who successfully argued a case before “Judge” Johnny Barnes (L'73, LL.M.'76). Barnes,

the executive director of the Washington, D.C., ACLU, was one of the original four students in the Street Law program.

Roe noted at the dinner that Street Law gives students a human rights education, a voice and a better life. “Street Law has enormous potential, because it teaches us to think and express profound ideas that will take us into a new place, into a new century,” Roe said.

And high schoolers are already seeing the benefits. “Without education, where would you be in life?” said a Ballou student, who described his desire to become a police officer as a result of Street Law. “Every day, I walk to [school] and see people just hanging around doing nothing ... now I can give back to my family, my community and the world.”



Moderator Sneha Barot of the Guttmacher Institute leads a panel on “Maternal Health at Home and Abroad: Barriers to Care” at the 2012 Samuel Dash Conference on Human Rights. Ann M. Starrs of Family Care International, Sarah Craven of the United Nations Population Fund, Debra Bingham of the Association of Women’s Health, Obstetrics, and Neonatal Nurses, and Susannah Sirkin of Physicians for Human Rights rounded out the panel.

Dash Conference

“Maternal Mortality is a Human Rights Issue”

A woman dies of pregnancy-related causes every 90 seconds around the globe. The United States has fallen from 41st to 50th in preventing maternal mortality, behind South Korea and Kuwait. African American women are three to four times more likely to die during pregnancy and childbirth than white Americans, regardless of income or education.

And the most shocking statistic? The majority of these deaths are preventable.

“Maternal mortality is a human rights issue ... we’re not waiting for a medical breakthrough here. We know how to solve this problem,” said Amnesty International’s Cristina Finch, who cited the grim statistics at the 2012 Samuel Dash Conference on Human Rights on April 3.

The conference, co-sponsored by the Human Rights Institute and the O’Neill Institute for National and Global Health Law, among others, looked at maternal

mortality not as an issue but as a crisis. Experts examined barriers to care both in developing countries and in the District of Columbia, looking at the challenges faced by a birthing center less than a mile away from Georgetown Law.

A panel moderated by Professor Susan Deller Ross of Georgetown Law’s International Women’s Human Rights Clinic looked at laws and policies that promote or hinder maternal health; the panel also included Aram Schvey (L’01, LL.M.’13) of the Center for Reproductive Rights. And keynote speaker Mary Ellen Stanton of the U.S. Agency for International Development described some of the challenges in her decades of nursing and midwifery around the globe.

In some countries, the experts noted, pregnant women are expelled from high school and college, kept ignorant of family planning options, must walk miles to seek

help during labor or are treated so inhumanely during delivery that other women in that community do not seek out medical care.

Even in more developed countries, the experts noted that more interventions, C-sections, drugs and machines are not always the answer, as in the case of a U.S. woman who bled to death after labor was induced. (The United States spends the most on health care, with some of the worst outcomes, according to Finch.)

“The kneejerk response is, we need more technology,” said Debra Bingham of the Association of Women’s Health, Obstetrics, and Neonatal Nurses, who noted that a review of the case histories does not bear this out. “It would be like us not being willing to look into a plane crash; you learn a lot from what went wrong.”



BILL PETROS

Deputy Chief Justice Dikgang Moseneke

Hart Lecture

“A Journey from the Heart of Apartheid”

At the age of 15, Dikgang Moseneke was jailed for opposing apartheid in the Republic of South Africa. Undaunted, he earned his undergraduate and law degrees in prison and 30 years later would help draft an interim constitution that would seek to eradicate discrimination forever. In 2005, Moseneke was appointed deputy chief justice of his nation’s highest court, where he would help to invalidate laws that did not square with the new constitution’s values.

How in a single lifetime did a nation move from a legal system of segregation to one with a constitution that is considered one of the more influential in the world? Moseneke shared some of the story at Georgetown Law’s 32nd annual Philip A. Hart Memorial Lecture on April 4, entitled “A Journey from the Heart of Apartheid Darkness Toward a Just Society.”

“As we look back, [those of us] who lived through this fight, like the protagonist Marlowe in Joseph Conrad’s *Heart of Darkness*, all we can say is, ‘the horror, the horror,’” Moseneke said, referring to the 1903 novel about an Englishman’s journey into the Belgian Congo. “Happily, the horror has ended.”

South Africa, he noted, suffered through Dutch occupation and then British colonial rule for more than 250 years. The country was given home rule in 1910, but many rights and opportunities were denied

to all except white men, and judges implemented racially discriminatory laws.

By the second half of the 20th century, though, people like Moseneke and Nelson Mandela were envisioning a better world. “[People] like Archbishop Desmond Tutu would attribute this remarkable transition to a miracle brought about by divine intervention,” he said. “It matters not how you characterize [it].”

Moseneke outlined features of the new constitutionalism and jurisprudence of South Africa, as well as some of the challenges. The 1994 interim constitution “retains from the past only the good and defensible,” Moseneke said, and “turns its back firmly on the rest.” The good includes a focus on constitutional supremacy modeled after the United States, an affirmation of diversity in a country with 11 official and eight nonofficial languages and a new generation of judges committed to carrying out these ideals.

“Our jurisprudence has paid remarkable homage to the newly formed high values of our constitutional democracy...,” Moseneke said. “Courts have promoted access to justice for the poor and protected the sick, the poor, the homeless and the vulnerable when it matters most.”

To watch the lecture online, visit scholarship.law.georgetown.edu/hartlecture/1/

EXECUTIVE EDUCATION

“Modern law practice requires not only proficiency in legal analysis, but the ability to work effectively with others, draw on their talents and coordinate their efforts,” said Dean William M. Treanor announcing Georgetown Law’s new Executive Education program for lawyers — only the second of its kind affiliated with a law school in the United States.

The program includes courses on leadership, management, decision-making, communications and collaborative problem-solving for members of law firms and legal departments. Future plans include extending course offerings to lawyers in government and nonprofit organizations.

The Executive Education program is led by James Jones, senior fellow at Georgetown Law’s Center for the Study of the Legal Profession; Lisa Rohrer, director of executive education and research fellow; Heather Bock, executive director; and Professor Mitt Regan, co-director. A distinguished advisory board of law firm and legal department leaders offers guidance on program design and development.

The program opened with “Partnering for Value: Achieving Effective Collaboration between In-House Counsel and Law Firms” in June. It will be repeated in January. Other programs in the works include “Partner Compensation: Smart Practices and Costly Mistakes” and “Law Firm Leadership: Developing Effective Skills for Leading and Managing Lawyers.”

The Executive Education initiative is a joint undertaking of Georgetown Law’s Center for the Study of the Legal Profession and Office of Academic Conferences and Continuing Legal Education. For more information contact Lisa Rohrer at lr590@law.georgetown.edu.



Time's Joe Klein, Georgetown Professor E.J. Dionne of the *Washington Post*, NPR's Mara Liasson, commentator Charles Krauthammer, CNN Chief Political Analyst Gloria Borger and Henry Olsen of the American Enterprise Institute spoke here on March 27.

RICK REINHARD

Forum Examines Election 2012

In a week of historic oral arguments that helped decide the fate of President Obama's Affordable Care Act in the Supreme Court, a group of political experts convened at Georgetown Law on March 27 to discuss the impact of the health care challenge on the 2012 presidential election.

"Today is an astonishing day to have this panel," said CNN Chief Political Analyst Gloria Borger, referring to the arguments by Solicitor General Donald Verrilli Jr. and Adjunct Professor Paul Clement on the individual mandate earlier in the day. "No matter who wins or loses in this case, it's going to have a huge political impact."

To explore just what that impact might be, Borger — acting as moderator — gleaned the thoughts of Professor E.J. Dionne of Georgetown's Public Policy Institute; Pulitzer Prize-winning political commentator Charles Krauthammer; Mara Liasson, national political correspondent

for NPR; Joe Klein, political columnist for *Time*; and Henry Olsen, director of American Enterprise Institute's National Research Initiative.

"Lee Atwater ... the former chair of the Republican National Committee, once said that if David had lost to Goliath, we wouldn't talk about David very much," observed Dionne, who agreed with Klein that it would be a significant loss to the president if the law were struck down by the court.

Krauthammer also agreed that it would be a blow to the prestige of the president if the law were overturned. "[The critique would be] he spent a year and a half on this when he should have been doing the economy and other stuff," he said.

The health care challenge wasn't the only issue on the table; the forum also dissected the Republican primary campaign. "This election so far has been marked by an

extreme gap between the size of the problems and the size of the solutions that are being offered," Liasson said. "Big problems and tiny little solutions — or none at all."

The Georgetown Law Forum was sponsored by the Office of Admissions and the Georgetown Law student ambassadors. In attendance were admitted students who — to paraphrase the introductory remarks of Dean William M. Treanor and Dean of Admissions Andy Cornblatt — got a taste of the exciting legal and political atmosphere awaiting them at the Law Center.

"This is the place where law and government are connected in a way that no other law school can offer," Treanor said.

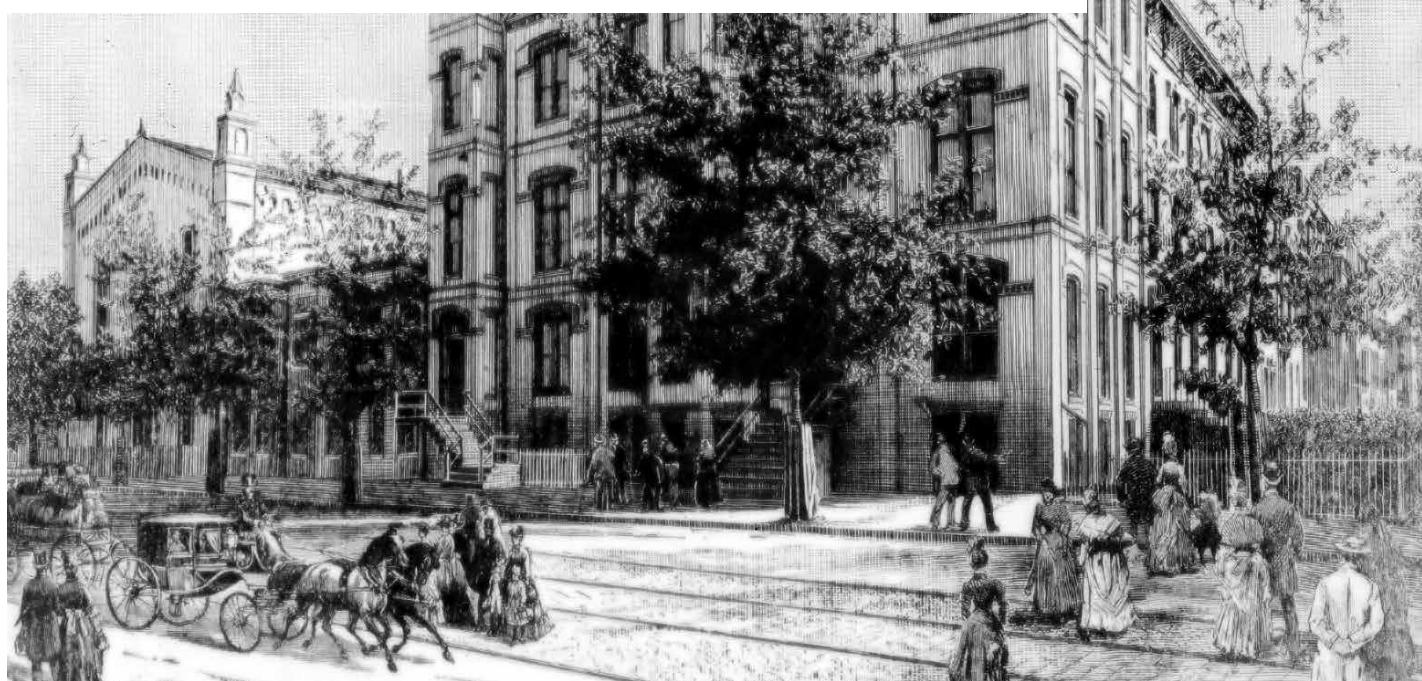


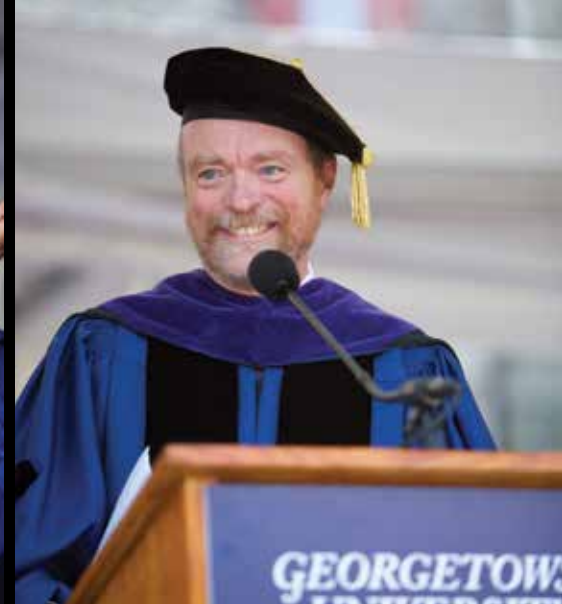
From the Files of
Res Ipsa Loquitur



One hundred twenty-five years ago...

In 1887, the Georgetown Law Library was founded. From 1870 to 1887, law students used the Law Library of Congress. The first library was housed at 6th and F Street, N.W. (below), the first building entirely occupied by the law school. The library shared quarters with the law school through its 80 years at 506 E Street (when, after a 1939 addition that nearly doubled its capacity, the new stacks could only be accessed through a second-story passageway) and into its McDonough years as well. In 1987, then Dean Robert Pitofsky and then Georgetown University President Timothy S. Healy, S.J., (above, left) broke ground for the Edward Bennett Williams Law Library (above, right.) It opened in 1989. The John Wolff International and Comparative Law Library followed in 2004.





GRADUATION 2012

“What is the responsibility of lawyers in an unjust society?” Gay J. McDougall (H’06) asked Georgetown Law Center’s 140th graduating class, which included 628 J.D.s and 464 LL.M.s. It was Sunday, May 20, 2012, and McDougall, a former U.N. independent expert on minority issues and the Robert F. Drinan, S.J., Visiting Professor of Human Rights, spoke on her own behalf as well as that of her late husband John Payton — the famed civil rights attorney who served as president and director-counsel of the NAACP’s Legal Defense and Educational Fund. McDougall accepted an honorary degree on Payton’s behalf, the first such posthumous award made by the Law Center in more than a quarter century. Judge Arthur J. Gajarsa (L’67) of the U.S. Court of Appeals for the Federal Circuit also received an honorary degree.

Excerpts from McDougall’s speech follow:

John would be deeply honored to be receiving this degree today. He was a man of great intelligence, integrity, commitment and character. And he was very focused on the role that lawyers can and must play to make our society (here at home and globally) one of justice and equality for all people. That commitment was a central part of the bond between the two of us — it was very much at the core of our partnership.

Today in my remarks, I will attempt to channel John. I want to reiterate the messages that were important to him, but I also speak for myself as well.

We shared a deep concern about how issues of race and ethnicity have impacted the lives of people perceived through that lens. We shared an understanding that problems of race and ethnicity are global, not just local.

We also shared the view that lawyers are uniquely placed and have a responsibility to maintain for their societies a direct connection between justice and the rule of law. Our sense of purpose, John’s and my own, were forged in the era when the question that was being asked was, what should be the role of lawyers in fundamentally unjust societies, like apartheid South

Africa or the Jim Crow regime that existed then in the southern states of this country? Lawyers in those times and in those societies faced soul-searching questions of moral and professional responsibility. The questions that we face today are no less compelling.

Three years ago, in the afterglow of the election and the inauguration of our first African American president, there was a strange notion that somehow we had entered a post-racial era. Today that question feels so premature that we often mock it.

That is not to say that we have not made progress on these issues. John’s

Commencement speaker Gay J. McDougall (H’06), top left, and Judge Arthur J. Gajarsa (L’67) of the U.S. Court of Appeals for the Federal Circuit, pictured (middle left) receiving his honorary degree from Georgetown University President John J. DeGioia, with Dean William M. Treanor (top right) and members of Georgetown Law’s 140th graduating class.

life, and the life that I have been fortunate to have, are exemplars of that progress. We have made tremendous, significant progress. There is much to be proud of. But much remains to be done. Divisions based on race remain among our most significant social issues.

The reality is that notions of race and ethnicity have persistent salience both here and in countries around the world. As I have traveled around the world for the United Nations over the past six years, I have seen an entire world of minorities who are living on the margins of their societies. Racial biases diminish the life opportunities of hundreds of millions of children worldwide and relegate whole communities to persistent poverty. As compared with the general population, they have higher levels of poverty; less access to education, health care and basic services; and are denied most employment opportunities. And one of the things that astounds me is how similar racial discrimination looks no matter what country you are in, no matter what region of the world you are in.

So when I go to countries to evaluate how they are doing in regard to issues of equality I use a set of criteria that is remarkably apposite wherever I go: I look at policing and the criminal justice system. I look at issues relating to equal access to quality education. I look at discrimination in employment and net worth issues. I look at political participation issues. And, where relevant, I look at discrimination in the areas of religion and language rights. This gives me a pretty good feel for how minority groups are faring in the society, whether it is about Afro-Brazilians, or the immigrant populations in France, or the Dalits or untouchables in India or the much-maligned Roma throughout Europe.

And those indicators that I use to measure discrimination in other parts of

the world also reflect the reality here in the most developed country in the world. Today in America, our public schools, our economy, our criminal justice system — all remain structurally disfigured by race and ethnicity. African American and Latino children have the highest food insecurity rate in the country. According to all of the implicit bias tests, there is a subconscious equation made in the minds of many ordinary people between African American teenage boys and danger. The U.S. has the highest rate of incarceration in the world and a grossly disproportionate percentage is African American and Latino. How does this happen?

To illustrate, let me use the example of illegal drug use. Black people and white people have almost the same rate of drug use, but black people are arrested and incarcerated at nine times the rate of white people for illegal drug use. That data point comes from an excellent book by William Stuntz, the recently deceased Harvard Law professor, *The Collapse of American Criminal Justice*.

Our prisons have become warehouses for the failures of our public education system. In most large cities K-12 schools have become more racially concentrated than before the *Brown v. Board of Education* Supreme Court decision. More than half of the students in inner-city high schools drop out. For black kids, the numbers are even worse. Let me repeat that point: Less than half of the African American children finish high school and have the skills needed to thrive in our economy. For them, there are no jobs.

And when the schools fail our kids, their limited prospects lead mainly to prison. Some may have engaged in criminal activities, but many did not. They were just standing around. Caught in New York's "Stop and Frisk" policy. Subjected to racial

or ethnic profiling. For the generation of black men born between 1965 and 1969 — some of the parents of students here today — for that generation, for those black men, if they did not finish high school, 58.7 percent of them landed in jail by age 35.

In many circumstances having an arrest record, even with no conviction, disqualifies someone from being considered for employment. That has been the case with New York City government. Being arrested even when the charges are bogus and later dismissed can exile you from the economy. And if you end up in prison, even your vote may be taken away.

Black unemployment is twice white unemployment and effective black unemployment is close to 30 percent. The housing crisis is dramatically worse in black neighborhoods and because black wealth is virtually all in home ownership, it is destroying a significant percentage of black wealth.

Voting rights? There are efforts all across the country to restrict the vote, particularly of Black and Latino citizens. This is a coordinated effort that is far-reaching and alarming. It's an effort to prevent eligible voters from exercising their democratic rights. And the targets are people of color. There are court challenges in process all over the country on voting rights. The Voting Rights Act itself is again under constitutional challenge. The Legal Defense Fund successfully defended it in the Supreme Court two years ago, and they expect that it will be back before the Supreme Court again this year.

Education, criminal justice, employment, housing, health care, voting rights. All very interrelated. All scarred with significant racial disparities.

John and those he worked with at the NAACP Legal Defense Fund viewed these racial justice disparities as not just prob-

lems for those denied equality, but rather as a fundamental problem for the quality of American democracy. While uniquely dynamic, today the American system of democracy is also fractured and at times dysfunctional. There is an extraordinary level of distrust that is expressed in partisan politics, very evident in the present campaign rhetoric, but it extends far beyond partisan politics to infect the very fabric of our society. Race, ethnicity, religion, wealth disparities, gender and sexual identity are all used to pull us apart.

Race has been continually used to prevent us from seeing each other as peers — as equal constituent members of what our Constitution refers to as “We the People.”

John said often that for our democracy to be legitimate, “We the People” must be a concept that embraces each and every one of us. If you are excluded from power, banned from political participation or unable to participate in the economic life of the country, you are not a peer in that sense. Justice Sandra Day O’Connor in her opinion in *Grutter v. University of Michigan*, which John argued before the Court, validated the university’s efforts to build a diverse student body by saying, “Effective participation by members of all racial and ethnic groups in the civic life of our nation is essential if the dream of one nation, indivisible, is to be realized.”

Of course for much of our history, African Americans were categorically excluded from “we the people” by law.

It took the Civil War and the 13th Amendment to end slavery and the 14th Amendment to affirm the equal status of all individuals born in the United States — “all persons.” It made no difference whether parents were enslaved or free, rich or poor, white or black, Latino or Asian — all children born in the United States were citizens. Notably, it did not matter if

the parents had come to the United States unlawfully, such as African slaves brought to this country after 1808 when the slave trade was outlawed. The only factor was birth in the United States and with that came the promise of an equal footing to make the most of all that America had to offer. Regrettably, there are some among us today who deny this clear and transformative meaning of the 14th Amendment and American democracy.

But the promises contained in the 14th Amendment went unfulfilled. It took many decades more for a new generation of courageous and creative people in the profession that you are about to enter — lawyers — to ask the question, “What is the responsibility of lawyers in an unjust society?” What is the responsibility of lawyers to make this democracy real?

For lawyers such as Charles Hamilton Houston, Thurgood Marshall, Constance Baker Motley, Robert Carter and others who eventually became the NAACP Legal Defense Fund, the answer was that they must use their legal skills and the special powers of their profession to confront injustice, to invoke the judicial power of the state and to make real the promises of the Constitution. The result was a groundbreaking series of cases that confronted the systems of racial segregation and oppression that existed in their era. You know many of those cases: *Missouri v. Gaines*, *Smith v. Allwright*, *Shelly v. Kramer*, *Sweatt v. Painter*.

This was the road that led to *Brown v. Board of Education* and well beyond, to the 1964 Civil Rights Act, the 1965 Voting Rights Act and the 1968 Fair Housing Act. And while the Legal Defense Fund started out alone in this struggle, it was eventually joined by the mainstream legal profession. Those cases fueled a new sense of racial justice and equality. And democracy. And

those efforts had the additional effect of generating change in our legal profession. They led for example to the defeat of the American Bar Association rule banning black lawyers and women lawyers from its ranks. The spirit and focus of those cases have led our profession to embrace a commitment to justice and a sense of social responsibility that is reflected in today’s expectation that all lawyers serve the larger society pro bono.

John Payton, who has been honored here today, is a wonderful example. For over 25 years of his career he practiced at a private commercial law firm where nearly 50 percent of his time was given pro bono to racial justice and public interest cases. I hope many of you pursue careers focused on justice. Racial justice, social justice, economic justice. But I am speaking today to all of you, not just to those of you who will have careers in social justice.

All of you. Black and white, Latino, Asian American and Native American. Men and women, straight and gay. Rich and poor. All of us. I believe we must play a role in transforming our society into the inclusive democracy it must become.

So I urge you as new members of our profession to be creative and courageous. Consider it your duty to challenge injustice, to address the racial disparities that impair our democracy, to change the tenor of the public debate about diversity, and to usher in a new era of social inclusion in America. Whether you are in the public sector or in private practice, I hope you will see it as your moral and professional responsibility to confront these problems.

Now get to work!

Congratulations. And welcome to our profession.

As the legal world changes, teaching methods do, too. In the last two years, Georgetown Law has doubled its number of practicum courses, offering classes — and approaches — that might not have been possible a few years ago. Students still write detailed outlines, but now they turn them into computer applications that others can use. Students still stay up until 4 a.m. to work on a project, but now it might be part of a simulated national security crisis exercise. Students still write formal legal memos, but they also craft condensed versions of these into quick legal e-mails. And finally, students still seek help from librarians — but the librarians are as likely to be conducting a seminar as sitting behind a reference desk. It's all preparation for 21st-century legal practice. To learn more, turn to:

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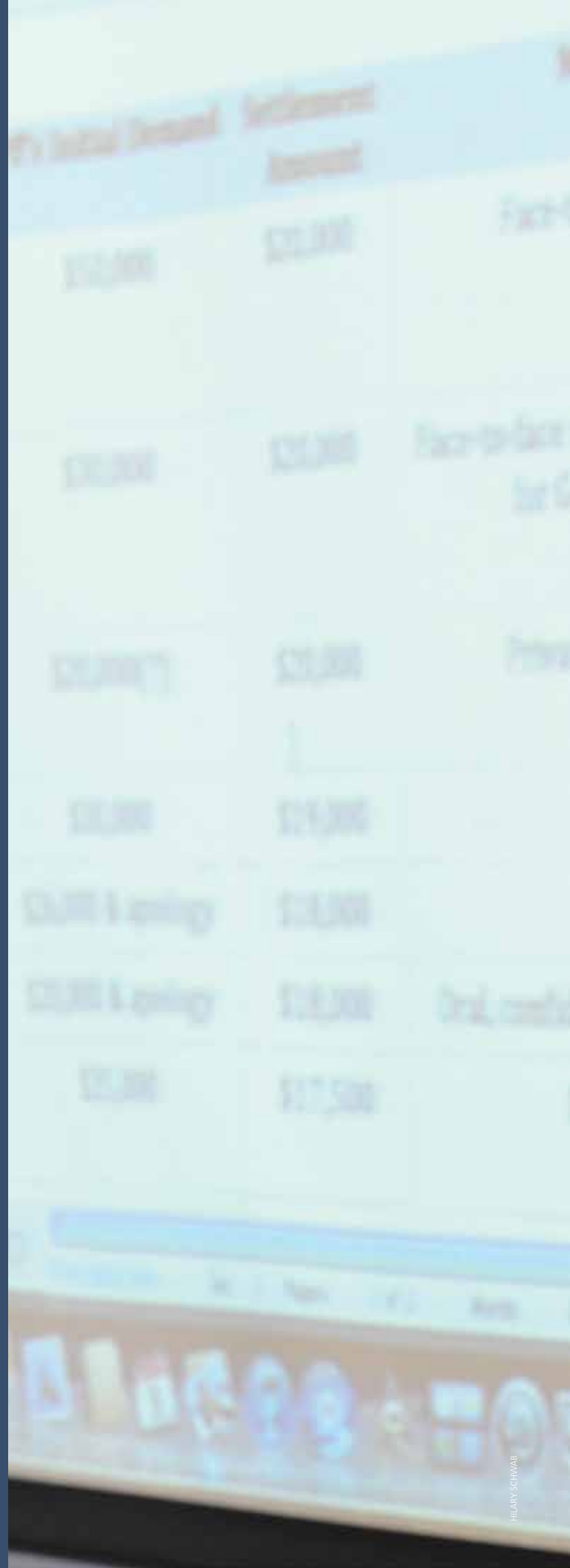
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The Library's New Frame of Reference



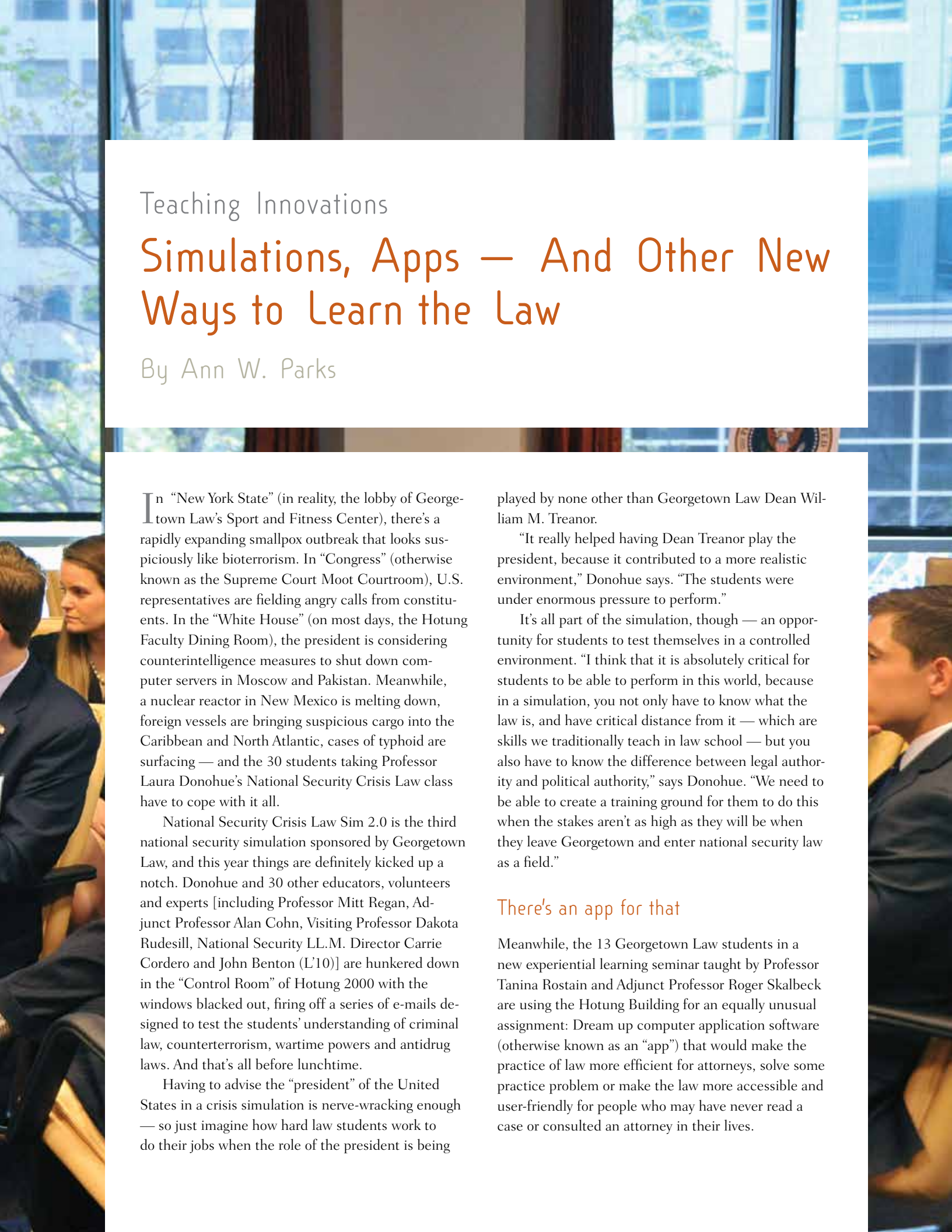
A photograph of Professor Diana Donahoe, a woman with long, curly brown hair, wearing a light-colored blazer over a dark top. She is shown in profile, looking to the left, with her hand near her mouth as if speaking or gesturing. The background is a blurred presentation slide with text related to legal writing and apologies.

Teaching Innovations

Professor Diana Donahoe (L'90, LL.M. '94), pictured here at the Capital Area Legal Writing Conference, wrote the interactive e-book *TeachingLaw.com*, the first electronic book for legal research and writing.



BILL PETROS



Teaching Innovations

Simulations, Apps — And Other New Ways to Learn the Law

By Ann W. Parks

In “New York State” (in reality, the lobby of Georgetown Law’s Sport and Fitness Center), there’s a rapidly expanding smallpox outbreak that looks suspiciously like bioterrorism. In “Congress” (otherwise known as the Supreme Court Moot Courtroom), U.S. representatives are fielding angry calls from constituents. In the “White House” (on most days, the Hotung Faculty Dining Room), the president is considering counterintelligence measures to shut down computer servers in Moscow and Pakistan. Meanwhile, a nuclear reactor in New Mexico is melting down, foreign vessels are bringing suspicious cargo into the Caribbean and North Atlantic, cases of typhoid are surfacing — and the 30 students taking Professor Laura Donohue’s National Security Crisis Law class have to cope with it all.

National Security Crisis Law Sim 2.0 is the third national security simulation sponsored by Georgetown Law, and this year things are definitely kicked up a notch. Donohue and 30 other educators, volunteers and experts [including Professor Mitt Regan, Adjunct Professor Alan Cohn, Visiting Professor Dakota Rudesill, National Security LL.M. Director Carrie Cordero and John Benton (L’10)] are hunkered down in the “Control Room” of Hotung 2000 with the windows blacked out, firing off a series of e-mails designed to test the students’ understanding of criminal law, counterterrorism, wartime powers and antidrug laws. And that’s all before lunchtime.

Having to advise the “president” of the United States in a crisis simulation is nerve-racking enough — so just imagine how hard law students work to do their jobs when the role of the president is being

played by none other than Georgetown Law Dean William M. Treanor.

“It really helped having Dean Treanor play the president, because it contributed to a more realistic environment,” Donohue says. “The students were under enormous pressure to perform.”

It’s all part of the simulation, though — an opportunity for students to test themselves in a controlled environment. “I think that it is absolutely critical for students to be able to perform in this world, because in a simulation, you not only have to know what the law is, and have critical distance from it — which are skills we traditionally teach in law school — but you also have to know the difference between legal authority and political authority,” says Donohue. “We need to be able to create a training ground for them to do this when the stakes aren’t as high as they will be when they leave Georgetown and enter national security law as a field.”

There’s an app for that

Meanwhile, the 13 Georgetown Law students in a new experiential learning seminar taught by Professor Tanina Rostain and Adjunct Professor Roger Skalbeck are using the Hotung Building for an equally unusual assignment: Dream up computer application software (otherwise known as an “app”) that would make the practice of law more efficient for attorneys, solve some practice problem or make the law more accessible and user-friendly for people who may have never read a case or consulted an attorney in their lives.



Students in Professor Laura Donohue's National Security Crisis Law class advise the "president of the United States" — yes, that's Dean William M. Treanor — during a simulated cyber attack. The national security simulation took place at the Law Center on April 14.

BILL PETROS

It didn't take long before Bill Cheng (L'13) was brainstorming ideas related to trademark law, while classmate Stacey David (L'12) suggested something related to fair use. In the age of YouTube and websites, they figured, copyright law has become relevant to everyone — yet not everyone is likely to call in a lawyer before "borrowing" a song from the Internet.

So from the class Technology, Innovation and Law Practice, Cheng and David's "Copyright Navigator" was born — along with "Citizen Adviser," "Automobile Search Warrant Adviser," "Same-Sex Marriage Adviser" and other apps created by their classmates. These computer programs first ask the user preliminary questions, kind of like tax return software: Was your child born abroad after a certain date? Do you live in Washington, D.C.? The application then generates a report that helps the user answer an ultimate question: Is my child a U.S. citizen? Can I marry a same-sex partner where I live?

These projects have significant pedagogic value, Rostain says. In addition to learning the law of copyrights, marriage, immigration or any subject they might choose, students have to anticipate a variety of real-world possibilities, weigh choices and communicate the law effectively to the user. "It forces them to think through the kind of logic that underlies a particular legal regime," Rostain says of the app-building process. "When we teach it to a class, sometimes we make this explicit, sometimes we don't."

This process also pushes students to communicate their own legal knowledge into plain English — not as easy as it sounds. "Non-lawyers have to be able to use and understand [the app] ...," Rostain notes. "You can't say respondent, you can't say filing an action. There are lots of things you can't say, and that's really good for communication skills."

Learning by doing

What the simulation and the seminar have in common is the practical edge they provide. Even before the digital revolution, law schools were ideal places for hands-on learning; students could test their trial advocacy skills in mock trials, take an appellate argument for a test run in moot court or assist real clients in the supervised setting of clinical legal education — an area in which Georgetown Law broke new ground in the 1960s and continues to excel today.

"All of the literature on experiential education notes that its highest and best form — in terms of both preparing students to become lawyers and forcing them to think critically about the law in action — is clinical education," says Professor Philip Schrag, director of the Center for Applied Legal Studies.

This year, 33 practicum courses (seminar courses with a field component) will provide more than 375 students with additional real-world learning opportunities. And this is in addition to the 14 clinics offered at the Law Center. "My vision is that we will get to a point where there won't be a polarity between clinic and non-clinic — that there will be a range of experiential education that runs the gamut from fully theoretical to fully practical," says Professor Jane Aiken, who just took the reins as associate dean of clinical education. Her predecessor, Professor Deborah Epstein, has played a key role in the enormous expansion of the practicum curriculum in recent years.

Georgetown Law professors are constantly looking for ways to improve the classroom experience, brainstorming new ideas and ensuring that students demonstrate an ability to work with the law and the particular facts as opposed to just memorizing the law. One such teaching method, "backward design" — used



Professor Laura Donohue in the “Control Room,” as she tests her students on criminal law, counterterrorism, wartime powers and more.

in undergraduate as well as graduate programs — begins with educators working back from specific goals and identifying evidence that the student has indeed learned the material.

In Aiken’s Community Justice Project Clinic, for instance, one goal is to learn to deal with the chaos that comes with a real law case. “When a ‘noisy’ case comes into the clinic, I know I have met my goal when students can articulate what facts are material and what facts are not and tell me why,” Aiken says. “And students can encounter that chaos with a degree of calmness because they have a notion that they have the ability to sort it out.”

But with new and ever-improving technologies, students can also learn in ways (virtually) unheard of a generation ago. And these innovations have taken clinics, experiential learning and classroom work to a new level. It’s not just PowerPoint and videos versus blackboard and chalk (although that’s part of it). Students might research a problem collectively in class with Professor Diana Donahoe’s interactive casebook, *TeachingLaw.com* [see page 36] or collaborate on projects with course management software. Professors might use a tablet computer to comment electronically on a student’s work or take an instant (and anonymous) online survey of what students think about a difficult legal or political issue.

Students still write detailed outlines of immigration, family or Fourth Amendment law. They still analyze the legal aspects of environmental, health care and other issues. Acting out a bioterrorism exercise adds another dimension to their study, one that enriches and enhances the theoretical.

Writing the book on simulations

Georgetown students had to display “an incredible amount of adaptation and creativity” as they prepared for the three-day bioterrorism simulation, says Donohue. The student playing the National Security staff legal adviser, for instance — name withheld for confidentiality purposes — counseled a mock National Security Council and Homeland Security Council, coordinated information among other “federal agencies,” mapped out the scenarios likely to arise in a fast-moving terrorism situation and shared the information with classmates playing other roles.

So when the assistant to the president for national security affairs (that would be Visiting Professor Dakota Rudesill) called to ask her to prepare agendas for an 8 a.m. meeting with the president the next day, our “legal adviser” didn’t blink — although she should have. It was 10:30 p.m.

“[The student] contacted the ‘National Security Council’ and ‘Homeland Security Council’ members after the call and they had the agendas ready on time,” Rudesill said. “Clearly, there was a good amount of middle-of-the-night work.”

Simulations in legal education are nothing new. Schrag literally wrote the first book on the subject in the 1970s — with colleague Michael Meltsner — after he and Meltsner made two classes of students play the role of attorneys in law firms on either side of a case as a way to teach litigation. “We taught the course by being the clients,” Schrag says.

For the past three semesters, Rudesill’s Federal Legislation and Administrative Clinic has done a two-week simulation that results in two mock congressional committee markup sessions — which Rudesill sees as the legislative equivalent of motion practice in a trial court. Earlier this year, 12 students played



Professor Tanina Rostain opens Georgetown Law's first "Iron Tech Lawyer" competition at the Law Center on April 18. Thirteen students in her "Technology, Innovation and Law Practice" course demonstrated their new legal apps.

senators drafting a bill to revise the War Powers Resolution: Jonathan Miller (L'12), for example, role-played the character of the ranking member, the most senior Republican, working from a dossier that described the politics and personality of his character; Nik Nartowicz (L'12) played the Senate Foreign Relations Committee chairman. Rebecca Givner Forbes (F'04, L'12) took on the part of the most junior and most liberal Democrat, figuring out ways to be highly influential by making good arguments, Rudesill says.

Before creating the simulation, "my student lawyers were not getting inside the heads of the senators and House members to whom they were advocating and who are going to be their clients, principals and audience when they do legislative work after law school," Rudesill says. "I wanted to create an opportunity for them to be Congress, to stand in their shoes."

And when technology is added to the mix, teaching can be done in novel ways. Donohue's simulation uses a closed computer network created just for the event, a "control room" where it all unfolds, mock media for up-to-the-minute news releases and a real journalist/videographer, Justin Schardin, who hauls participants in front of a camera for instant, in-character interviews.

During the smallpox outbreak, an angry New Yorker played by Marc Sorel (L'11) burst into the "U.S. Congress" to complain to his representatives, played by the students. Moments later, Sorel entered the "TV studio" (the alumni lounge) to complain to the mayor and governor of New York as they prepared to do a joint press conference announcing their quarantine plans. The "press conference" aired on the "Video News Network," and the students quickly sent e-mails to their classmates playing public officials in "New York."

"What she's doing is really cutting edge in terms of having multiple parties interacting pretty simultane-

ously through cyberspace," Schrag says of Donohue. "It is, I think, a stepping stone to what we may see happening in a few years — people in law schools on different continents interacting in simulated litigation, trade agreements, treaty negotiations and other international events."

Technology + law = innovation

Students in Rostain's class were given a different but no less rigorous task — to anticipate what kinds of questions future clients might have and what they care about. Are they focused on tax benefits? Saving money? Being sued? The apps would address some of those issues and more.

"It was a great challenge," says Cheng of building the Copyright Navigator. "I had to find the law and distill everything down to a plan, which is a very useful endeavor for law school in general. And then I had to translate it into something that works."

Students were not required to have computer programming experience to take the class; most used Neota Logic and A2J software "platforms" to create their projects. Skalbeck, the associate law librarian for electronic resources, and Neota Logic's Kevin Mulcahy spent hours assisting the students, so they didn't have to learn code. Instead, students focused on the ultimate goal: creating something to help attorneys practice law or non-attorneys access the law.

Bob Nichols (L'12) and Seth Shich (L'12) invented "Kalagora," an online marketplace designed specifically for law firms and companies where vendors can post bids for, say, a document review project. "The basic idea of building an app like this is to make the legal process more efficient," Shich says.



Georgetown Law Professors Julie Cohen and Gerry Spann (right), New York Law School Professor David Johnson (left) and Ed Walters, founder and CEO of Fastcase (not pictured), judged the computer applications Rostain's students created.

While they can't replace sophisticated legal advice, some of the apps designed for individual users could also revolutionize the practice of law. A "Citizen Adviser App" created by Konstantinos Rokas (L'12) and Maryam Tabatabai (L'12), for example, is able to collect a lot of preliminary information that a lawyer would need in determining whether someone born abroad is a U.S. citizen. "It saves a lot of time, so lawyers' fees will go down, but then they'll be able to represent more people," Rostain says.

This same application could also help users without access to U.S. immigration lawyers, where there aren't lawyers available to do the work or where the user would never contact an attorney at all.

"Like many Americans in this country, Konstantinos and I were both born abroad and became citizens later on in life," explained Tabatabai. "We decided to create an app that we thought would help to address a complicated issue for millions of individuals around the world."

Training for the future

The benefits of such teaching innovations are many and far-reaching. Next year, Donohue's National Security Simulation will be going national when Georgetown Law hosts its first invitational in national security law. Student teams from other schools will compete with Georgetown students and with each other in an inter-school national security simulation along the lines of a moot court or mock trial competition.

"I have never seen a pedagogical exercise as exciting and innovative and effective in teaching as what you've done here today," University of Virginia Professor John Norton Moore, who helped judge the students' performance in the national security simulation, pronounced afterward. (Judge James Baker of the United States

Court of Appeals for the Armed Forces, also a Law Center adjunct, and Chief Judge John D. Bates of the U.S. District Court for the District of Columbia and a member of the Foreign Intelligence Surveillance Court, also judged the simulation, providing students with feedback about their performance.) "All of you teaching this course ...this is phenomenal," Moore said. "There's no other law school, there's no national security center, that's this advanced in doing what you are doing."

Rostain's students got to showcase their work with an "Iron Tech Lawyer" competition, demonstrating their finished applications before a panel of judges: three professors and the CEO of the legal research company Fastcase. The judges considered the students' presentations as well as the usefulness, creativity, design and completeness of their apps.

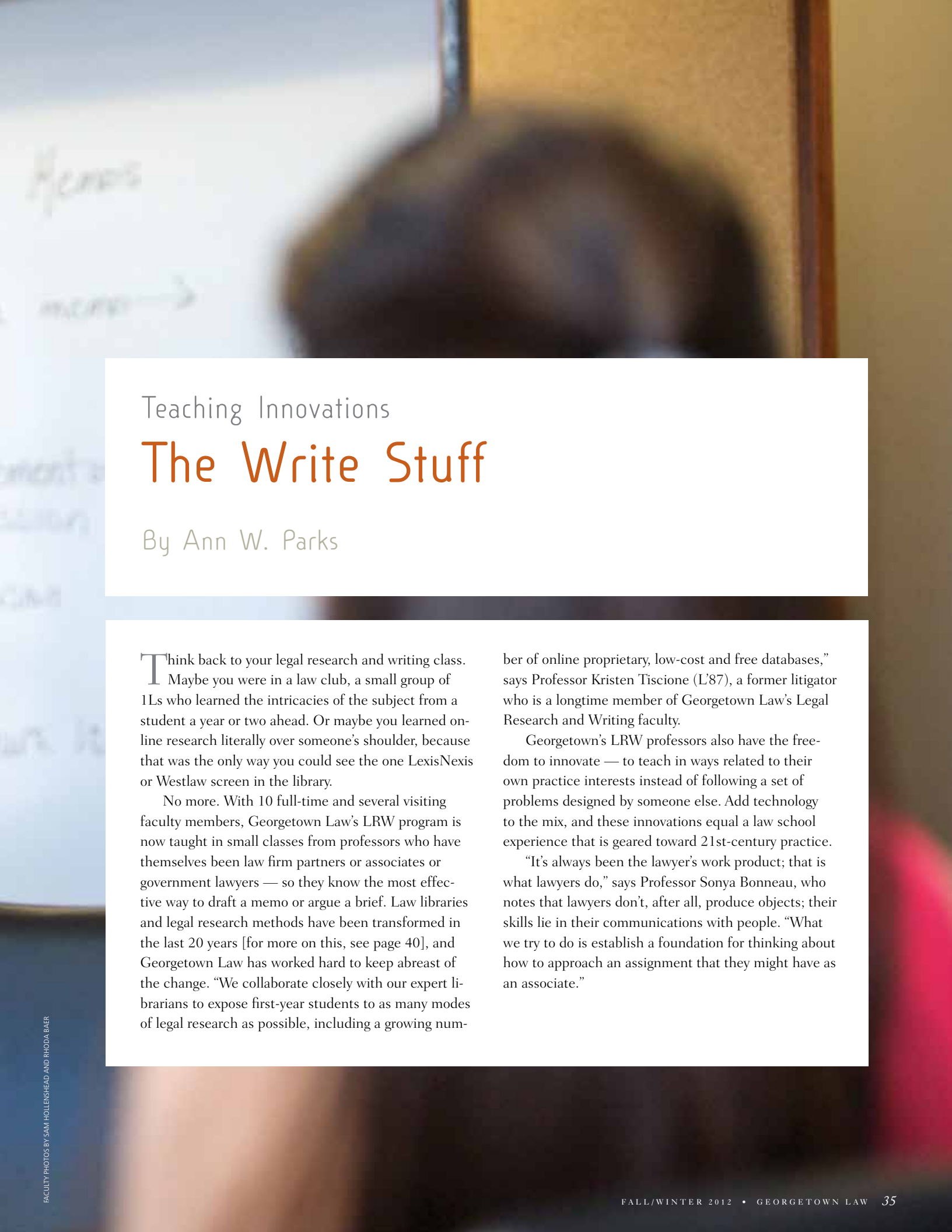
Rokas and Tabatabai's "Citizen Adviser App" received raves from the judges, as did Cheng and David's "Copyright Navigator" and the "Same-Sex Marriage Adviser" created by Brittany Clement (L'12), Hallie Sears (L'12) and Lisa Umans (L'12).

"We'd like [our app] to be available for free to anyone who wants to access it," says Sears of her team's product. What the systems will not do, the students say, is replace good lawyers. "Humans and technology have different strengths," Cheng says. "[The apps] are going to save a lot of time for attorneys and their clients, leaving the attorneys to do more of the higher analytical work."

And the apps may even create some jobs. Rostain says she was contacted by a technology company interested in hiring students to work on legal expert systems. "We are training students not for practice today but for practice 10 years from now," she says. And while she's speaking here about her own creative approach, it could just as easily apply to all the innovative teaching methods employed at Georgetown Law.



Professor Kristen Tiscione



Teaching Innovations

The Write Stuff

By Ann W. Parks

Think back to your legal research and writing class. Maybe you were in a law club, a small group of 1Ls who learned the intricacies of the subject from a student a year or two ahead. Or maybe you learned online research literally over someone's shoulder, because that was the only way you could see the one LexisNexis or Westlaw screen in the library.

No more. With 10 full-time and several visiting faculty members, Georgetown Law's LRW program is now taught in small classes from professors who have themselves been law firm partners or associates or government lawyers — so they know the most effective way to draft a memo or argue a brief. Law libraries and legal research methods have been transformed in the last 20 years [for more on this, see page 40], and Georgetown Law has worked hard to keep abreast of the change. “We collaborate closely with our expert librarians to expose first-year students to as many modes of legal research as possible, including a growing num-

ber of online proprietary, low-cost and free databases,” says Professor Kristen Tiscione (L'87), a former litigator who is a longtime member of Georgetown Law's Legal Research and Writing faculty.

Georgetown's LRW professors also have the freedom to innovate — to teach in ways related to their own practice interests instead of following a set of problems designed by someone else. Add technology to the mix, and these innovations equal a law school experience that is geared toward 21st-century practice.

“It's always been the lawyer's work product; that is what lawyers do,” says Professor Sonya Bonneau, who notes that lawyers don't, after all, produce objects; their skills lie in their communications with people. “What we try to do is establish a foundation for thinking about how to approach an assignment that they might have as an associate.”



Sonya Bonneau

It's not the "law club" anymore

To the professors who teach it, LRW has always been an important step on the road to becoming a lawyer. And if they didn't know it before, practicing attorneys, summer associates and first-year students alike are now realizing just how critical it is.

Professor Vicki Girard (L'87) says that legal writing has become a "common theme" in her conversations with practitioners. "There used to be a sense that law firms and other employers understood that there was going to be a 'ramp-up' time, or mentoring, that was going to be required over a number of years ... to create effective communicators," she says.

But in the current economy, Girard notes, the tolerance level for poor legal writing is extremely low — to the point where a summer associate may not get an offer if there's one questionable piece of work produced. "It used to just

be a small and extremely demanding group ... now almost everyone says, you get one chance to turn in a work product that people are satisfied with."

Professor Michael Golden (L'98) says that the employers who call him to recommend students for jobs are actually reading the writing sample the students submit. And ideally, those employers want a piece of work exactly as the student completed it, with no outside input — an LRW exam, for example. "The person is looking at that writing sample as indicative of something important ... before, the writing sample was kind of just a throwaway," he says.

Bonneau knows of at least one hiring partner who looks closely at the grade a student receives in LRW — a class that was "pass/fail" a little more than a decade ago. A former law firm partner herself, Bonneau recalls that it was not uncommon in practice for attorneys to ask for "the good writer" among the crop of summer associates. "Partners will notice," she says.

It's not just a matter of grammar and punctuation (although in a well-known case in 2006, a million Canadian dollars in a contract dispute hinged on the placement of a

single comma). Behind every piece of a law student's writing are skills ranging from effective (and cost-effective) research to Bluebooking to organization, substance, reasoning, understanding and application of the law, communication and clarity, just to name a few. Professionalism and punctuality are just as important; Golden tells his students the story of a company that lost the opportunity to recover a million dollars in attorneys' fees in 2008 because a document was filed one minute late.

Fortunately for the 1L students, their LRW professors know all this. All have practice experience — some as law firm partners — that they bring to the classroom in new and exciting ways. "We have a lot of academic freedom, which is great for our students," Tiscione says. "When you are encouraged to innovate, you and your class are going to be much more invested in the material."

LRW: "Legal Research and..."

First-year students still learn how to research, but not the way they used to. Instead of a fact pattern with a page or two of written information, students might get something more closely resembling practice: an online criminal case file containing a video of a mock client interview created for the occasion, a witness statement, police report and links to relevant news reports or pictures of what might be introduced into evidence. And then they have to figure out what to do with it all.

"I try to give them realistic materials that might have been typical of what I had as a lawyer looking through a file, so I use the technology to do that," says Professor Diana Donahoe (L'90, LL.M.'94), a former Prettyman fellow who joined the LRW faculty in 1993, after doing criminal defense work.

For Donahoe, innovation has meant bringing the LRW classroom into the digital age, harnessing the energy of those students who might be checking Facebook or Twitter in class. When laptops began popping up in her classes seemingly overnight, Donahoe decided to meet her students "on their side of the laptops" rather than shutting them down. To that end, she wrote an article in 2000 discussing the way in which digital students think and learn and advocating the creation of online, interactive e-books. When none was forthcoming, she created one of her own. *TeachingLaw.com*, the first electronic book for legal research and writing, was piloted at Georgetown in 2006.

"The students come into class at a higher level because they've actually engaged with the material, they've done something with it, and then we can do collaborative and in-



Michael Cedrone



Frances DeLaurentis

teractive exercises in class,” Donahoe says. “I’m trying to get the information out of them instead of lecturing and pouring information into them, so it’s much more discovery-based learning.”

Students of Professor Julie Ross also get a more realistic learning experience — because they are doing real work. In place of a made up assignment, Ross has her students do a service project, such as compiling legal information for attorney volunteers of the Washington Legal Clinic for the Homeless.

“I tell them, I don’t know if you are going to find an answer in five minutes, or whether you’re going to spend five hours and not come up with anything,” she says. “Either way, it’s going to be helpful, because this is what it’s like when you get out there and practice.”

While they don’t do any analysis (because 1Ls can’t yet give legal advice), the research efforts of the students can translate into hundreds of hours of service for the non-profit. And it’s a terrific pedagogical tool, she says, since the students are more diligent if they know that someone will be using what they produce. If they get stuck, they will reach out to Ross or to the organization for help.

“It’s a nice sort of transition between the first year of law school and going out to do their summer job, where they are going to have to be doing this in many cases without a whole lot of supervision,” she says.

Snakes on a plane

Ross’s students also reap the benefit of her professional practice experience; she was a litigator for a Los Angeles law firm, representing clients in the entertainment industry before joining the LRW faculty.

This comes in handy when designing problems for those LRW exams; Ross and Professor Rima Sirota are among those who are trying to make the experience fun as well as practical. “I’ve liked drawing from movie and television characters for the problems the students write about, both because it helps make the ‘client’ more three-dimensional for the students and provides a richer context for the problem,” Ross says.

Sirota’s students, meanwhile, get to learn from her experience as a former ethics adviser at the Department of Justice. So after they’ve turned in the final version of their spring semester moot court brief, Sirota might have them, for example, research the obligations of lawyers with respect to client confidentiality. “It makes them engage with what I think is likely to be the first rule of professional conduct that’s going to take them by surprise in practice,” Sirota says.

While some of their ideas have ended up on the cutting room floor — Ross was unable to get studio permission to use a film clip from the prom scene in “Footloose” for last fall’s midterm exam — Ross and Sirota usually work together to make their own videos for exams or they use something that the copyright owner has made available on the web, such as a trailer or preview.

“We based last fall’s exam problem on the ‘Glee’ television show, having the characters do a surprise flash mob performance to a Beyoncé song,” said Sirota (referring to those quick public assemblies often organized through social media). “Our characters’ performance was based on an actual flash mob that took place in a Target store last year; we embedded YouTube links to that event in the exam itself — so the students had something to visualize. The legal question was whether the ‘Glee’ gang had violated trespass laws by performing the number in a privately owned stadium.”

Including TV and movie references can also make the exam experience more interesting — as Ross’s students found out last April when they tackled a Fourth Amendment problem raising the question of whether a federal agent properly detained a train passenger’s pet carrier on suspicion that it might contain illegal drugs. The carrier actually contained 25 snakes. “The exam,” Ross says, “is based on [the movie] ‘Snakes on a Plane’.” (Fortunately, there was no film clip.)

Moot court

First-year students now have plenty of opportunities for observation — whether they are arguing their spring appellate briefs or learning how to negotiate a settlement. For starters, upper-class students on one of Georgetown Law’s Moot Court teams now give an annual demonstration to first-year students on conducting oral argument at the appellate level. “Not only does it help first-years prepare for their



Diana Donahoe



Vicki Girard



Michael Golden



Julie Ross



Jeffrey Shulman



Rima Sirota



Kristen Tiscione

oral argument, it also piques their interest in participating on a moot court team,” says Tiscione. [Girard and Joseph Gallagher (L’08) are credited with the idea.]

And if that’s not enough, first-year LRW students also get to watch some of the top lawyers in the country prepare for their Supreme Court oral arguments — through a new collaboration with the Supreme Court Institute’s Moot Court program. Each first-year student, under a promise of confidentiality, now sits in on one of the practice rounds of the many High Court cases mooted at Georgetown Law each year — hearing the attorneys’ arguments even before the nine justices do.

To hone their own skills, students are now getting plenty of experiential learning exercises, too: mock mediations, negotiations, administrative hearings and the like. While mediating damages for a tort may bring out a student’s competitive side, it also teaches him or her that winning may not always be the most important thing. “They really have to think about the client’s desires, not just what the student wants,” said Donahoe, who did a tort mediation exercise this year.

But the students stay engaged. In one LRW class last March, Tiscione’s 1Ls spent the better part of the afternoon arguing to

a fictitious board why a particular child should — or should not — receive special services under the Individuals with Disabilities Education Act. The students acting as board members were especially into it, firing off questions faster than Supreme Court justices: Is the school neglecting its responsibility to the child by not providing these services? Is the school obligated to test bilingual children in both their languages to get accurate results?

Tiscione leans over. “They just got this assignment last week,” she informs the observer from *Georgetown Law*. “They seem to like it.”

LRW: Don't forget the "writing"

In law school in general, “writing” tends to be preceded by “research and” — as if the three words get blended into one the minute you take the LSAT. Yet Georgetown Law is placing a strong emphasis on legal writing itself. On March 9 and 10, the Law Center sponsored the second annual Capital Area Legal Writing Conference, which, for the LRW professors, was “a huge success. We’ve never had a legal writing conference here,” Tiscione says. “Dean Treanor has been very supportive of the program.”

At a session on “What Do Millennial Law Students Need to Know When They Graduate?” — moderated by Tiscione — Simpson Thacher’s Kerry Konrad, Mark Blumberg from the Department of Justice and Magistrate Judge Joan Goldfrank of the D.C. Superior Court shared stories about the fast pace of practice in today’s world and stressed that law students need strong research and writing skills in a competitive job market.

And then there’s the legal e-mail.

At a panel on experimental learning techniques, Visiting Professor Susan McMahon told how her students got a crash course in legal writing when, tired and a bit grumpy from staying up to complete a big LRW memo, they turned in their assignments online and came to class thinking they could relax. But then came an unexpected twist — McMahon informed them that while a fictitious “law firm partner” liked their memos, she wanted an e-mail briefly summarizing the main points. It was due the next day, and they were to spend no more than an hour drafting it.

“There was some pushback, definitely,” says McMahon. “But ultimately they were glad they did it while the material from the memo was fresh in their minds.”

It was Tiscione, in fact, who wrote the first published article on e-mail replacing traditional legal memoranda in practice, and most legal writing textbooks now incorporate some reference to e-mail. “Clients no longer want to pay for advice that takes 30 hours to research and 30 more to write up in memo format when they are paying upwards of \$500 an hour,” Tiscione says. “First-year students need to know that these memoranda are not commonplace anymore ... we still teach them primarily to teach analysis.”

Which is why, in addition to the traditional legal memo, LRW professors are now teaching shortened versions of it to mimic what students might see in practice. Tiscione and Girard, for example, assign what they call a “90-minute memo” — researched, written and e-mailed to the professors within the same class period, as if they were submitting it to a partner; Golden does a mock partner meeting after the written memo assignment, in which students have 15 minutes

to explain to a law firm supervisor what their formal memo is about. "It's like the elevator talk on your research," Golden says. "Being able to boil all that work that you've done for two weeks down and have an intelligent conversation for 15 minutes."

Aiming high

Rest assured that lawyers of the future will not get to crank out 140-character tweets in lieu of the legal memo that you struggled with in law school. While professors do admit to receiving startlingly casual communications from first-years — like the one addressed to Professor Frances DeLaurentis [see box] this year beginning "Hey prof" — students soon learn that professionalism is still important in the legal world and at Georgetown Law. "I think we always aim higher," DeLaurentis says. "I think that it is something that differentiates us."

LRW professors must also teach students the ethics of communicating in newer media. "There's a whole new set of ethical issues that come up around what you should say in an e-mail and what shouldn't you say in an e-mail," says Professor Michael Cedrone (L'03), who once practiced legal malpractice defense. "That issue is only going to get worse as communication shifts from e-mail to instant message to Twitter to Facebook and all the ways that our students are now informally communicating with each other."

The goal, after all, is to imitate real practice, which the LRW professors are doing admirably. "The research and writing are obviously our main focus, but we weave in as much other experiential skill-based learning as we can and make it as realistic as possible," Donahoe says.

And there's plenty of room for innovation, for professors and students alike. "It's the balance between teaching people to do things as a lawyer would but also teaching people that they didn't check their creativity at the door [when they entered LRW]," Cedrone says. "That can sometimes get lost in law school — but I work awfully hard not to let it."

Getting it in writing

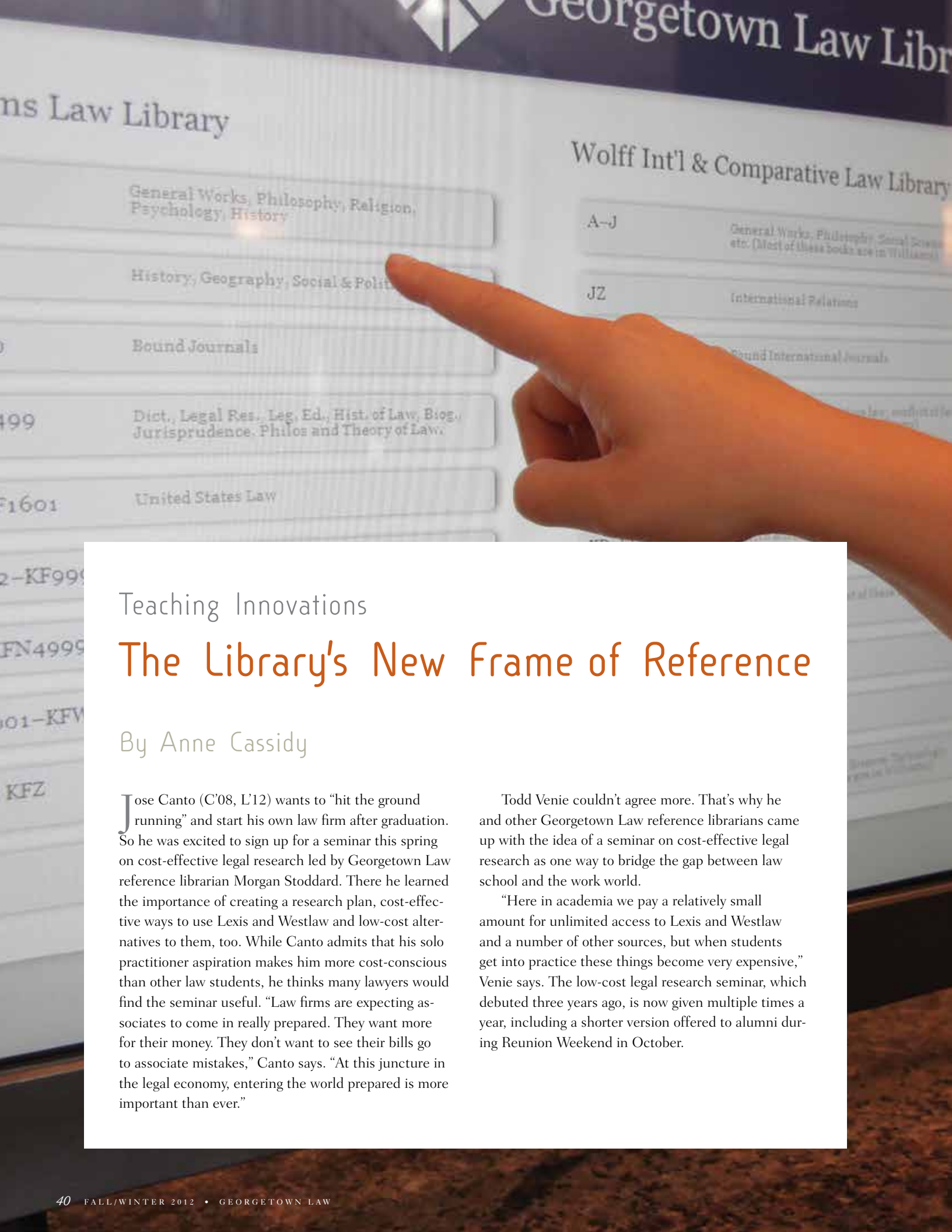
"What separates our legal research and writing program from a lot of other programs is the amount of feedback the students get and the level of feedback," says Professor Frances DeLaurentis, herself a partner with a Washington, D.C., firm before joining the LRW faculty in the 1990s.

In the Georgetown program, law fellows (usually 2L students) help the LRW professors comment on 1L student papers; all the papers and all the law fellow remarks are subsequently reviewed and commented on by the faculty. "The assignments will vary but generally it's all practice based ... these are the types of documents and assignments that you'll get in practice," DeLaurentis says.

While LRW law fellows have been taken out of the classroom in terms of actual teaching, the program still provides 1L students with a terrific mentor, and upper-class students with a terrific opportunity to learn.

"This experience will be useful in any sort of work environment," says Katharine Thompson (C'10, L'13), who served as DeLaurentis's law fellow during 2011-12. "It helped me improve my communication skills, my ability to give constructive feedback, as well as my own legal writing and practice skills."

This year, Thompson will also serve as one of 10 to 12 senior writing fellows at Georgetown Law's Writing Center, directed by DeLaurentis since 2007. (LL.M. students have their own Graduate Writing Center, run by Professor Craig Hoffman.) "We're one of the few law schools in the country that has our own," DeLaurentis says.



Teaching Innovations

The Library's New Frame of Reference

By Anne Cassidy

Jose Canto (C'08, L'12) wants to "hit the ground running" and start his own law firm after graduation. So he was excited to sign up for a seminar this spring on cost-effective legal research led by Georgetown Law reference librarian Morgan Stoddard. There he learned the importance of creating a research plan, cost-effective ways to use Lexis and Westlaw and low-cost alternatives to them, too. While Canto admits that his solo practitioner aspiration makes him more cost-conscious than other law students, he thinks many lawyers would find the seminar useful. "Law firms are expecting associates to come in really prepared. They want more for their money. They don't want to see their bills go to associate mistakes," Canto says. "At this juncture in the legal economy, entering the world prepared is more important than ever."

Todd Venie couldn't agree more. That's why he and other Georgetown Law reference librarians came up with the idea of a seminar on cost-effective legal research as one way to bridge the gap between law school and the work world.

"Here in academia we pay a relatively small amount for unlimited access to Lexis and Westlaw and a number of other sources, but when students get into practice these things become very expensive," Venie says. The low-cost legal research seminar, which debuted three years ago, is now given multiple times a year, including a shorter version offered to alumni during Reunion Weekend in October.

Partners in knowledge retrieval

The seminar is just one of the innovations at the Georgetown Law Library, and it's proof of the sea change affecting reference services not just at the Law Center but at academic libraries across the country. Now that computers provide access to worlds of information, libraries' roles have shifted. As repositories of knowledge, libraries still store information, but their methods of storage have evolved. Reference librarians have become more partners in knowledge retrieval than custodians of physical collections.

"Today's Georgetown Law reference librarians are really teacher-librarians, and current students are nearly as likely to interact with a reference librarian in the classroom or during a scheduled, one-on-one research consultation as they are at the reference desk," says Sarah Rhodes, Georgetown Law's digital collections librarian. "The model of the librarian waiting at the reference desk for questions is starting to become secondary to that of the librarian proactively finding opportunities to educate patrons." In the last five years, one-on-one research consultations have increased by more than 250 percent, Rhodes says, and reference librarians now teach as many classes as there are workdays in the year. In fact, legal research classes taught by librarians are filled to capacity — with a demand for more.

In addition to conducting the seminar Canto attended, reference librarian Morgan Stoddard offers programs on administrative law and legislative history research as part of a Legal Research and Writing class, and she provides training to journal students whose duties include checking citations. She and other Georgetown Law reference librarians have law degrees and work with faculty members on their projects (which are increasingly international and interdisciplinary), compile or add to the library's highly respected research guides, and give presentations to classes or clinics. "There's a lot of instruction in my job, which I really like. I enjoy teaching; that's one of the reasons I became a librarian," Stoddard says.

Virtual reference room

In addition to helping patrons who approach the desk, reference librarians also answer questions in real time through live e-chat over a computer. This service began in 2005 and becomes more popular every year, says Sara Sampson, deputy director of the University of North Carolina Law Library and formerly head of reference at the Georgetown Law Library. Sampson and her co-author, Yasmin Morais, reviewed the transcripts from a year's worth of Law Library chat sessions and published their findings in "A Content Analysis of Chat Transcripts in the Georgetown Law Library" (29 *Legal Reference Services Quarterly* 165-178, 2010). They found that e-chat meets the information needs of its patrons.

"E-chat is a very popular program. Students love it," Sampson says. While some students use e-chat even when they're in the library ("this generation thinks virtual interaction is the norm," she notes), e-chat opens up reference services to patrons across the country and around the world.

But there are more substantive changes afoot than just the means of information delivery. "Today the reference questions we get are likely to be more sophisticated, and they take more time to answer," Venie says. "Not that long ago it was very common to have what we called a ready reference question, something that a librarian could pull a book off a shelf and answer in a relatively short period of time, like 'What is the GNP of Bolivia?'"

Since it's not difficult to Google the GNP of Bolivia these days, Venie is more likely to spend his time on a project like one that he's been working on recently: the internment of German-Americans and Italian-Americans during World War II. "A student is interested in the legal issues and the legal procedures that were afforded to German- and Italian-Americans — were they given access to the courts and when and how and under what circumstances? — and trying to compare those two situations."

The idea is not just to present ready-made answers, but to lead the patron through the research process



LOOKING FOR A
RESERVE BOOK?
CHECK HERE FIRST.

and provide an education in knowledge retrieval. Here again, the reference librarian acts as teacher.

"Our role with these big projects is not to find answers for students ... but to teach students how to tackle these projects from a research perspective," Venie says. "We get to those big picture questions, such as how do I approach this and what are the sources I need to consult in order to competently and efficiently do this research."

Human-driven searching

Sampson says that the availability of vast amounts of information online has actually made research more difficult and reference librarians more necessary.

"People get frustrated when they can't find the right answer right away, and that's a role that reference in general can step into. At Georgetown they've done that." Sampson, who now views the Georgetown Law Library from the outside, praises it as "cutting edge."

In a paper called "Supporting Scholarship: Thoughts on the Role of the Academic Law Librarian," Richard A. Danner, Ruffy Research Professor of Law and senior associate dean for information services at Duke Law School, discusses the "continuing importance of the law library as a place for students to work and study [and] the value of the instruction that law librarians offer to students faced with an increasingly complex and perhaps bewildering legal information environment." (39 *Journal of Law & Education* 365-386, 2010)

Consider two of the lessons emphasized in the low-cost legal research seminar. One is the need to consult

a secondary source — an actual book, which in the past was often what students turned to first (see photo above). To which students often say, "Why do I have to mess around with books when I can find everything I need on Google," says Georgetown Law reference librarian Andrew Christensen.

Venie has about given up on cajoling students to start with a secondary source. "Assuming that if you can't beat them, join them, I say, 'If you're going to start this way [with an electronic search], start with something that's free. ... [such as] Google Scholar. ... Find a couple of good cases, take them into Lexis and Westlaw ... and use more sophisticated tools like the topic and key-number system.'"

And speaking of "key number system," the second major lesson reference librarians try to impart to students in the seminar is the difficulty of relying on key word searches.

"It's not as easy as typing words into a box and getting the right answer," Sampson says. Which means convincing patrons "there's a big difference between computer searching and human-driven searching, where there's a person between you and the computer search."

Information services

If this is beginning to make today's reference librarians sound a little like IT professionals, that's not altogether a mistaken impression. Taking the e-chat program as an example, Christensen says, "It's a collaboration between our reference department ... and the library's electronic resources and services department." In general, reference librarians must know their way around



numerous databases and be able to provide technical troubleshooting. On desk shifts, they're often presented (and successfully answer) questions about Macs, PCs, access outages, printers, PDF downloading, scanners and USB drives — and they keep a log where they share these issues and track their resolution.

This change in job focus is reflected in the name of the degree, which is increasingly “Master of Library and Information Science” rather than “Master of Library Science.”

“As a recent graduate, I know most of us still call it ‘library school,’ but I think there’s going to be a point where it will be referred to more commonly as information school,” says Christensen, who notes that he received his MLIS degree from the University of Washington Information (not Library) School.

This get-your-hands-dirty approach in many ways matches the new respect for experiential learning and practical knowledge valued in law schools and law firms alike. “I’ll meet with a student about a project they’re working on in a clinic or one of the institutes, a job they have with a government agency or a nonprofit ... and that fits hand in hand with low-cost and cost-effective research. It’s looking at the practical realities of the market now and what students and employers are more concerned about than they would have been in previous times and economies,” Christensen says.

Helping near and far

However it’s named and framed, the reference librarian’s role is still primarily one of helping others find what they’re looking for. While the “other” may be in

Los Angeles, Paris or Tokyo, he or she will be just as thankful for the assistance.

One recent (and in-person) beneficiary of the low-cost legal research class was Fred Wolgel (L’76), an in-house counsel for Texas United Corporation, a family-owned salt, brine and hydrocarbon storage business. When at the Law Center for Reunion last October, Wolgel took the seminar and said it was “perfect.”

“We talked about all the alternatives where you can get cases and statutes and CFR and the regs,” Wolgel says. “We’re a small legal department, just two lawyers. Typically, we refer litigation to outside counsel, and so we just need basic access, not all the bells and whistles of the subscription services.” For him, learning more about Google Scholar and Fastcase was very useful. His company now saves \$7,500 a year on fees for premium research sites thanks, in part, to what he learned from the reference librarians of his alma mater. It’s a long way from the GNP of Bolivia. But it’s reference, just the same.

Georgetown Law Library offers all Law Center graduates lifetime access to its collections and reference services free of charge. Alumni are welcome to visit both the Edward Bennett Williams Law Library and the John Wolff International and Comparative Law Library to use print and online materials and seek reference assistance. Outside the library, alumni may contact the reference desk at 202-662-9141 or log on at www.ll.georgetown.edu to chat with a librarian online.



FACULTY SCHOLARSHIP



Professor **Randy E. Barnett**'s recent articles include "Contract Is Not Promise; Contract Is Consent," *Suffolk U. L. Rev.* (forthcoming); "Does the Constitution Protect Economic Liberty?" 35 *Harv. J.L. & Pub. Pol'y* 5-12 (2012); "Jack Balkin's Interaction Theory of 'Commerce,'" 2012 *U. Ill. L. Rev.* 623 (2012); "Turning Citizens into Subjects: Why the Health Insurance Mandate is Unconstitutional," 62 *Mercer L. Rev.* 608 (2011); "Judicial Engagement Through the Lens of *Lee Optical*," 19 *Geo. Mason L. Rev.* 845 (2012); "Interpretation and Construction," 34 *Harv. J.L. & Pub. Pol'y* 65-72 (2011); "The Case for the Repeal Amendment," 78 *Tenn. L. Rev.* 813-822 (2011); "The Tea Party, the Constitution, and the Repeal Amendment," 105 *Nw. U. L. Rev. (Colloquy)* 281-287 (2011); and "Whence Comes Section One? The Abolitionist Origins of the Fourteenth Amendment," 3 *J. Legal Analysis* 165-263 (2011). He also testified against the constitutionality of the Affordable Care Act before the Senate and House Judiciary Committees on February 2, 2011 (CIS-No. pending) and February 16, 2011 (CIS-No.: 2011-H521-95).

Professor **Charles F. Abernathy**'s *Civil Rights and Constitutional Litigation* (St. Paul, Minn.: Thomson/West 2012) is now in its fifth edition.



Professor **Lama Abu-Odeh** has written the preface to Yehouda Shenhav's "The Green Line," in Yehouda Shenhav, *Beyond the Two-State Solution: A Jewish Political Essay* (Cambridge, U.K.: Polity Press forthcoming). Her article "The Supreme Constitutional Court of Egypt: The Limits of Liberal Political Science and CLS Analysis of Law Elsewhere" is in 59 *Am. J. Comp. L.* 985-1007 (2011).

Professor **Jane Aiken** has written "The Clinical Mission of Justice Readiness," 32 *B.C. J. Law & Soc. Just.* 1 (2012) and "The Perils of Empowerment," co-authored with Katherine Goldwasser, 20 *Cornell J. Law & Pub. Pol'y* 139 (2011).

Professor **T. Alexander Aleinikoff**, David A. Martin, Hiroshi Motomura and Maryellen Fullerton's book *Immigration and Citizenship: Process and Policy* (St. Paul, Minn.: Thomson Reuters 2012) is in its seventh edition.

Professor **Judith Areen**, Marc Spindelman and Philomila Tsoukala's book *Family Law: Cases and Materials* (New York: Foundation Press/Thomson Reuters 2012) is in its sixth edition. Areen's article "Accreditation Reconsidered" is in 96 *Iowa L. Rev.* 1471-1494 (2011).



Professor **Hope M. Babcock**'s article "Can Vermont Put the Nuclear Genie Back in the Bottle: A Test of Congressional Preemptive Power?" will appear in *Ecology L.Q.* (2012), and "This I know from my Grandfather: The Battle for Admissibility of Aboriginal Oral History as Proof of Tribal Land Claims" will appear in 37 *Am. Indian L. Rev.* (forthcoming Dec. 2012). Her article "How Judicial Hostility Toward Environmental Claims and Intimidation Tactics by Lawyers Have Formed the Perfect Storm Against Environmental Clinics" is in 25 *J. Env'tl L. & Litigation* 249 (2010), and "A Risky Business: Generation of Nuclear Power and Deepwater Drilling for Offshore Oil and Gas" appears in 37 *Colum. J. Env'tl. L.* 63-149 (2012).

Professor **Jeffrey D. Bauman's** book *Corporations and Other Business Associations: Statutes, Rules and Forms* (Jeffrey D. Bauman ed., St. Paul, Minn.: West Group 2001-2004; St. Paul, Minn.: Thomson/West 2005-2011) is published in annual editions. His casebook, *Corporations Law and Materials*, is in its seventh edition.



Professor **Susan Low Bloch** has written "Supreme Court Term 2010 Overview — Major Themes: Free Speech and Hostility to Multi-Litigant Cases — After Period or Personnel Change Court Settles in for Period of Stability," Pub. L. 835 (2011).

Professor **Maxwell Gregg Bloche** has written *The Hippocratic Myth: Why Doctors Have to Ration Care, Practice Politics, and Compromise Their Promise to Heal* (New York: Palgrave Macmillan 2011).

Professor **Sonya Bonneau** has written "Honor and Destruction: The Conflicted Object in Moral Rights Law," 87 St. John's L. Rev. (forthcoming).

Professor **John R. Brooks II** has written "Doing Too Much: The Standard Deduction and the Conflict Between Progressivity and Simplification," 2 Colum. J. Tax L. 203-246 (2011).



Professor **Rosa Brooks's** latest article is "Democracy Promotion: Done Right, A Progressive Cause" in *Democracy*, Winter 2012, at 18-25. Her forthcoming works include "Complexity Squared: Lessons from Social Psychology for Complex Operations" in *New Directions in Complex Operations* (National Defense University and the Center for Naval Analysis) and "The Strange Convergence of Sovereignty-Limiting Doctrines in Human Rights and National Security Law Discourses," 13 Geo. J. Int'l. Aff. She testified before the Subcommittee on Emerging Threats and Capabilities of the House Committee on Armed Services of the 112th Congress on the "Evolution of Strategic Communication and Information Operations Since 9/11: Hearing" (CIS-No.: 2011-H201-154). Other articles include "America's Waning Influence" in the *Los Angeles Times*, Feb. 1, 2012, and "Obama Needs a Grand Strategy" in *Foreign Policy*, Jan. 23, 2012.



Professor **Chris Brummer's** new book is *Soft Law and the Global Financial System: Rule Making in the 21st Century* (New York: Cambridge University Press 2012). He has also written "How International Financial Law Works (And How It Doesn't)," 99 Geo. L.J. 257-327 (2011). Brummer testified before the House Committee on Financial Services of the 112th Congress on February 8, 2012, on "Limiting the Extraterritorial Impact of Title VII of the Dodd-Frank Act" (CIS-No.: Pending).



Professor **J. Peter Byrne's** book *Historic Preservation Law: Cases and Materials* (with Sara Bronin; St. Paul, Minn.: Foundation Press 2012) was published this year. His article "Historic Preservation and Its Cultured Despisers: Reflections on the Contemporary Role of Preservation Law in Urban Development" appears in 19 Geo. Mason L. Rev. 665 (2012). His essay "The Public Trust Doctrine, Legislation, and Green Property: A Future Convergence?" appears in 45 U. Cal. Davis L. Rev. 915 (2012). His book chapter "The Public Nature of Property Rights and the Property Nature of Public Law" appears in *The Public Nature of Private Property* 1-12 (Michael Diamond and Robin Paul Malloy eds., Farnham, U.K.: Ashgate 2011). Another book chapter, "Coastal Retreat Measures" (with Jessica Grannis), will appear in Michael B. Gerrard and Katrina F. Kuh eds., *Adaptation to Climate Change and the Law: U.S. and International Aspects* (ABA; forthcoming 2012). He testified before the U.S. Civil Rights Commission in August 2011 on "Eminent Domain and Racial Discrimination: A Bogus Equation." And his article "Stop the *Stop the Beach* Plurality!" appears in 38 Ecology L.Q. 619-637 (2011).



Professor **David D. Cole** has written “The First Amendment’s Borders: The Place of *Holder v. Humanitarian Law Project* in First Amendment Doctrine,” 6 Harv. L. & Pol’y Rev. 147-177 (2012), and “Turning the Corner on Mass Incarceration,” 9 Ohio St. J. Crim. L. 27-51 (2011). His most recent book is *Securing Liberty: Debating Issues of Terrorism and Democratic Values in the Post-9/11 United States* (New York: International Debate Education Association 2011). His article “The Torture Memos: The Case Against the Lawyers” appears in this book pages 127-143, and his article “Closing Guantánamo: The Problem of Preventive Detention” appears on pages 171-187 (New York: International Debate Education Association 2011). Another article, “Judgment and Discrimination,” appears in *Blind Goddess: A Reader on Race and Justice* 117-138 (Alexander Papachristou ed., New York: New Press 2011).

Cole and Martin S. Lederman have written “The National Security Agency’s Domestic Spying Program: Framing the Debate,” in *National Security, Civil Liberties, and the War on Terror* 306-310 (M. Katherine B. Darmer and Richard D. Fybel eds., Amherst, N.Y.: Prometheus Books 2011). He is a regular contributor to the *New York Review of Books* and has numerous articles in that publication, including “Is Health Care Reform Unconstitutional?” N.Y. Rev. Books, Feb. 24, 2011, at 9. He is also legal affairs correspondent for *The Nation*, for which he writes frequently. “Thirty-Five States to Go,” a review of David Garland, *Peculiar Institution: America’s Death Penalty in an Age of Abolition* (2010), appeared in the *London Review of Books*, March 3, 2011, at 15-16.



Professor **Angela Campbell** has written a U.S. Supreme Court *amici curiae* brief for the American Academy of Pediatrics, American Academy of Child and Adolescent Psychiatry, Benton Foundation, Children Now and the United Church of Christ Office of Communication Inc. in support of the affirmance of *Federal Communications Commission v. Fox Television Stations Inc.*, No. 10-1293 (U.S., Nov. 9, 2011).



Professor **Barry E. Carter** and Allen S. Weiner’s book *International Law* (New York: Wolters Kluwer 2011) is now in its sixth edition. And Carter’s book *International Law: Selected Documents* (New York: Aspen/Wolters Kluwer 2011-2012) appears in biannual editions. Carter’s articles “Economic Coercion” and “Economic Sanctions” were published in the *Max Planck Encyclopedia of Public International Law* (Rudiger Wolfrum ed., Oxford: Oxford University Press 2012) as well as in an online edition. Carter and David P. Stewart have written “A Project to Update Key Parts of the Restatement (Third) of U.S. Foreign Relations Law,” 104 Am. Soc’y Int’l L. Proc. (2010).

Professor **Sheryll D. Cashin** has written “Developing Cultural Dexterity” for *Views & Visions* (Fall 2011). Her article “Shall We Overcome? ‘Post-Racialism’ and Inclusion in the 21st Century” is in 1 Ala. C.R. & C.L.L. Rev. 31-47 (2011).



Professor **Julie E. Cohen**’s book *Configuring the Networked Self: Law, Code, and the Play of Everyday Practice* (New Haven, Conn.: Yale University Press 2012) was published this year. Her article “Copyright and Creativity” appears in *Copyright Future: Copyright Freedom* 147-160 (Brian Fitzgerald and Benedict Atkinson eds., Sydney, Australia: Sydney University Press 2011). Her book chapter “Configuring the Networked Citizen” is in *Imagining New Legalities: Privacy and Its Possibilities in the 21st Century* 129-153 (Austin Sarat, Lawrence Douglas & Martha Merrill Umphrey eds., Stanford, Calif.: Stanford University Press 2012). And her article “Copyright as Property in the Post-Industrial Economy: A Research Agenda” is in 2011 Wis. L. Rev. 141-165.

Professor **Stephen B. Cohen** has written “Inequality and the Deficit,” 132 Tax Notes 273 (July 18, 2011), “A Pang of Remorse” 130 Tax Notes 1577-1579 (2011) and “Trends in U.S. Economic Inequality” (a working paper).



Professor **Sherman L. Cohn**’s article “Acupuncture, 1965-85: Birth of a New Organized Profession in the United States (pt. 2)” appears in *American Acupuncturist*, Spring 2011, at 22-25, 29. And his article “Celebrating 100 Years of *The Georgetown Law Journal*” is in the 100th anniversary issue of that publication 100 Geo. L.J. 1-4 (2011).

Professor **Michael Diamond** has written “Deconstructing the Concentration of Poverty: The Failure of HOPE,” in *Community, Home, and Identity* (Farnham, U.K.: Ashgate forthcoming). His most recent book is *The Public Nature of Private Property* (Michael Diamond and Robin Paul Malloy eds., Farnham, U.K.: Ashgate 2011) and an article within it is “Shared Equity Housing: Cultural Understanding and the Meaning of Ownership,” 37-63. Diamond is the editor (along with Terry Turnipseed) of the book *Community, Home, and Identity* (Ashgate forthcoming) and the author of *Corporations: A Contemporary Approach*, 3d ed. (Durham, N.C.: Carolina Academic Press forthcoming).

Professor **Viet D. Dinh** and Michael B. Mukasey have written *National Security and the Law* (forthcoming). Dinh and John D. Ashcroft have written “Liberty, Security, and the USA Patriot Act,” which was published in *Confronting Terror: 9/11 and the Future of American National Security* 187-200 (Dean Reuter & John Yoo eds., New York: Encounter Books 2011).

Professor **Diana Roberto Donahoe** has two new books: *Experiential Legal Research: Sources, Strategies, and Citation* (New York: Aspen Publishers 2011) and *Experiential Legal Writing: Analysis, Process, and Documents* (New York: Aspen Publishers 2011).



Professor **Laura K. Donohue**'s most recent working paper is “Technological Leap, Statutory Gap, and Constitutional Abyss: Remote Biometric Identification Comes of Age.” She has contributed a chapter, “Transplantation,” to *Global Anti-Terrorism Law and Policy* 67-87 (Victor V. Ramraj, Michael Hor and Kent Roach eds., New York: Cambridge University Press 2d ed. 2012). Her article “Biodefense and Constitutional Constraints” appears in *Nat'l Security & Armed Conflict L. Rev.* (forthcoming).

Professor **Michael Doran** has written “Legislative Organization and Administrative Redundancy,” 91 B.U. L. Rev. 1815-1872 (2011).

Professor **Peter B. Edelman**'s new book is *So Rich, So Poor: Why It's So Hard to End Poverty in America* (New York: New Press, 2012). Edelman and William P. Schecter, Anthony G. Charles, Edward E. Cornwell III, John E. Scarborough, George F. Sheldon and Karyn B. Stitzenberg have contributed “The Surgery of Poverty” to 48 *Current Problems in Surgery* 228-280 (2011).

Professor **Deborah Epstein**'s book chapter “Intimate Partner Violence in the Civil and Criminal Justice Systems” appears in *Stress in the Legal System* (forthcoming 2012). She has also written the *D.C. Superior Court Domestic Violence Benchbook* (Washington, D.C.: District of Columbia Bar Association 2011) and “Litigating Domestic Violence Cases,” in *The District of Columbia Practice Manual* (with Catherine Klein, 2012). Epstein and Laurie Kohn et al. have written *Litigating Civil Protection Order Cases: A Practical Manual* (Washington, D.C.: Georgetown University Law Center/Women Empowered Against Violence [WEAVE] 2011).

Professor **Chai R. Feldblum** has written “In Memoriam, Following in Paul Miller's (Very Large) Footsteps,” 86 Wash. L. Rev. 702-703 (2011).



Professor **Lawrence O. Gostin**'s latest books are *Global Health Law: International Law, Global Institutions, and World Health* (Cambridge, Mass.: Harvard University Press forthcoming 2013) and *Principles of Mental Health Law* (New York: Oxford University Press 2011). Gostin, Peter D. Jacobson, David Hyman and David Studdert are writing the next edition of the casebook *Law and the Health System: Casebook Series* (New York: Foundation Press forthcoming 2013).

Gostin and co-authors have written numerous other articles for the *Journal of the American Medical Association*, including Gostin and Katie Stewart, “Food and Drug Administration Regulation of Food Safety,” 306 JAMA 88-89 (2011), and Gostin and Graciela R. Ostera, “Biosafety Concerns Involving Genetically Modified Mosquitoes to Combat Malaria and Dengue in Developing Countries,” 305 JAMA 930-931 (2011). Gostin, Lorian E. Hardcastle, Katherine L. Record and Peter D. Jacobson have written “Improving the Population's Health: The Affordable Care Act and the Importance of Integration,” 39 J.L. Med. & Ethics 317-327 (2011). Gostin and Peter D. Jacobson, Katherine L. Record and Lorian E. Hardcastle have written “Restoring Health to Health Reform: Integrating Medicine and Public Health to Advance the Population's Well-Being,” 159 U. Pa. L. Rev. 1777-1823 (2011). And Gostin and Oscar A. Cabrera have written “Human Rights and the Framework Convention on Tobacco Control: Mutually Reinforcing Systems,” 7 Int'l J.L. Context 285-303 (2011). Among Gostin's many briefing papers is “Why the Affordable Care Act's Individual Purchase Mandate is Both Constitutional and Indispensable to the Public Welfare,” O'Neill Institute Briefing Paper, Mar. 19, 2012.



Professor **Kristin Henning** is the lead author of the Juvenile Defender Training Immersion Curriculum (Washington, D.C.: National Juvenile Defender Center and MacArthur Foundation's Juvenile Indigent Defense Action Network, forthcoming). Her article "Criminalizing Normal Adolescent Behavior in Communities of Color: The Role of Prosecutors in Juvenile Justice Reform" is forthcoming in 98 *Cornell L. Rev.* (January 2013). Her article "Juvenile Justice After *Graham v. Florida*: Keeping Due Process, Autonomy, and Paternalism in Balance" appears in 38 *Wash. U. J.L. & Pol'y* 17-51 (2012). And her article "The Fourth Amendment Rights of Children at Home: When Parental Authority Goes Too Far" appears in 53 *Wm. & Mary L. Rev.* 55-109 (2011). Henning is the reporter for the ABA Juvenile Justice Task Force on "Standards Relating to Dual-Jurisdiction and Crossover Youth" (Washington, D.C.: American Bar Association forthcoming).

Professor **Heidi Li Feldman** has written *Human Subject Research Regulation: What's Right About the Medical Model* (written for "The Future of Human Subjects Research Regulation" conference at Harvard Law School, May 2012), *Cardozo Not Holmes, Fallibilism Not Skepticism, Pragmatism not Legal Realism* (written for "Pragmatism, Law, and Philosophy," the Fifteenth Inland Northwest Philosophy Conference at the University of Idaho, March 2012) and "The Distinctiveness of Appellate Adjudication," 5.1 *Wash. U. Jur. Rev.* (forthcoming 2012).

Professor **Itai Grinberg's** article "The Battle Over Taxing Offshore Accounts" will appear in the *UCLA Law Review* (forthcoming).

Professor **Charles H. Gustafson**, Robert J. Peroni and Richard Crawford Pugh have written *Taxation of International Transactions: Materials, Text and Problems* (St. Paul, Minn.: Thomson/West 4th ed. 2011). Gustafson has edited *International Income Taxation: Code and Regulations, Selected Sections* (Charles H. Gustafson and Richard Crawford Pugh eds., Chicago: CCH 2000-2004; Charles H. Gustafson, Robert J. Peroni and Richard Crawford Pugh eds., Chicago: CCH 2004-2011) (publishing annual editions). Additional articles include "The Role of International Law and Practice in Addressing International Tax Issues in the Global Era," 56 *Vill. L. Rev.* 475-508 (2011), and "The Substantive Impact of the Portugal-United States Tax Treaty on U.S. Income Taxes," Vol. V *Estudos em Memória do Prof. Doutor J.L. Saldanha Sanches*, at p. 535 (Coimbra, Portugal: Coimbra Editora 2011). "Tax Incentives for Home Ownership in the United States: Good Intentions and the Financial Meltdown" is a chapter in *Financial Crisis and Single Market*, at p. 79 (Rome: Discendo Agitur 2012).



Professor **Lisa Heinzerling** has written "Climate Change at EPA," 64 *Fla. L. Rev.* 1-13 (2012). Lisa Heinzerling and Frank Ackerman have written "The \$1.75 Trillion Lie," 1 *Mich. J. Env'tl & Admin. L.* (2012). Heinzerling has also written "Environment, Justice, and Transparency: One Year in a Reinvigorated Environmental Protection Agency," 19 *N.Y.U. Env'tl. L.J.* 1-13 (2011), and "New Directions in Environmental Law: A Climate of Possibility," 35 *Harv. Env'tl. L. Rev.* 263-273 (2011).

Professor **Nan D. Hunter** and William N. Eskridge Jr.'s book *Sexuality, Gender, and the Law* (New York: Foundation Press 2011) is now in its third edition. Hunter's article "Health Insurance Reform and Intimations of Citizenship" appears in 159 *U. Pa. L. Rev.* 1955-1997 (2011).

Professor **John H. Jackson's** book chapter "History of the General Agreement on Tariffs and Trade" appears in *WTO-Trade in Goods* 1-24 (Rüdiger Wolfrum, Peter-Tobias Stoll and Holger P. Hestermeyer eds., Leiden, Neth.: Martinus Nijhoff Publishers 2011). His article "In Memoriam, Scholarship as Contribution to World Peace" appears in 33 *Mich. J. Int'l L.* 9 (2011).

Professor **Emma Coleman Jordan** and Angela P. Harris's book *Economic Justice: Race, Gender, Identity, and Economics* (New York: Foundation Press 2011) is now in its second edition.

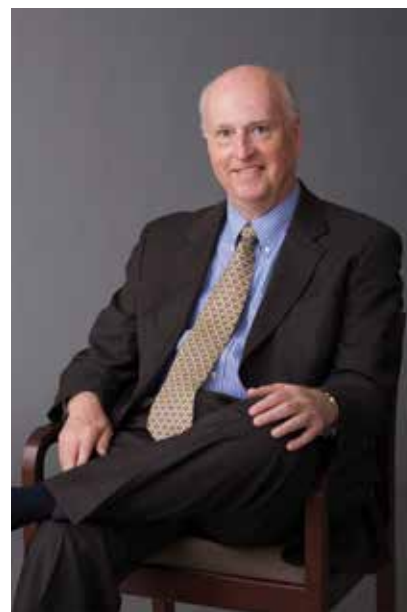
Professor **Neal Kumar Katyal**'s article "Remarks by Acting Solicitor General Neal Katyal" appears in 99 *Geo. L.J.* 1317-1323 (2011). His "Reed Lecture: Confessions of Error in the World War 2 Internment Cases" will appear in the October issue of *Fordham Law Review* (forthcoming 2012) and "Power and Constraint" will appear in the December *Harvard Law Review* (forthcoming 2012).

Professor **Gregory Klass** has written two articles: "Meaning, Purpose and Cause in the Law of Deception," 100 *Geo. L.J.* 449-496 (2012), and with Michael Holt, "Implied Certification Under the False Claims Act," 41 *Pub. Cont. L.J.* 1-55 (2011). His article "Promise Etc." will appear in 45 *Suffolk U. L. Rev.* (forthcoming), and his comment "To Perform or Pay Damages" appears in 98 *Va. L. Rev.* 143-158 (2012). Klass will join Ian Ayres as an author on the eighth edition of *Studies in Contract Law* (New York: Foundation Press, 8th ed. forthcoming). Klass's book *Contract Law in the USA* (Alphen aan den Rijn, Netherlands: Kluwer Law International 2011) is now in its second edition.

Professor **Martin S. Lederman** and David D. Cole have written "The National Security Agency's Domestic Spying Program: Framing the Debate," in *National Security, Civil Liberties, and the War on Terror* 306-310 (M. Katherine B. Darmer and Richard D. Fybel eds., Amherst, N.Y.: Prometheus Books 2011).

Professor **Adam Levitin** and Susan M. Wachter have written "Deregulation and the Financial Crisis of 2008," in *Regulatory Breakdown? The Crisis of Confidence in U.S. Regulation* (Cary Coglianese ed., Philadelphia: University of Pennsylvania Press, forthcoming). His book chapter "Fiscal Federalism and the Limits of Bankruptcy" will appear in *When States Go Broke: The Origins, Context, and Solutions for the American States in Fiscal Crisis* (Peter Conti-Brown and David Skeel eds., New York: Cambridge University Press forthcoming). Levitin has written "The Case for Clearinghouses," 101 *Geo. L.J.* (forthcoming 2012). Levitin and Susan M. Wachter have co-authored "Explaining the Housing Bubble" (working paper) as well as "The Commercial Real Estate Bubble," 2 *Harv. Bus. L. Rev.* (forthcoming 2012); "The Rise, Fall, and Return of the Public Option in Housing Finance" (working paper) and "What's Next for Housing Finance," 16 *Wharton Real Est. Rev.* (forthcoming). They have also written "Information Failure and the U.S. Mortgage Crisis," in *The American Mortgage System: Crisis and Reform* 243-270 (Susan M. Wachter and Marvin M. Smith eds., Philadelphia, Pa.: University of Pennsylvania Press 2011).

Levitin, Andrey D. Pavlov and Susan M. Wachter have penned "The Dodd-Frank Act and Housing Finance: Can It Restore Private Risk Capital to the Securitization Market?" 29 *Yale J. on Reg.* 155-180 (2012). Levitin has also written "Bankrupt Politics and the Politics of Bankruptcy," 97 *Cornell L. Rev.* (forthcoming 2012); "Skin-in-the-Game: Risk Retention Lessons from Credit Card Securitization," 80 *Geo. Wash. L. Rev.* (forthcoming); "In Defense of Bailouts," 99 *Geo. L.J.* 435-514 (2011) and "Rate-Jacking: Risk-Based and Opportunistic Pricing in Credit Cards," 2011 *Utah L. Rev.* 339-367 (2011). Levitin and Tara Twomey have written "Mortgage Servicing," 28 *Yale J. on Reg.* 1-90 (2011). Levitin has also testified before several Senate and House committees and subcommittees.



Professor **Donald C. Langevoort** and Robert B. Thompson have written a working paper "Publicness' in Contemporary Securities Regulation." Langevoort's article "Getting (Too) Comfortable: In-house Lawyers, Enterprise Risk and the Financial Crisis" is forthcoming. His article "Chasing the Greased Pig Down Wall Street: A Gatekeeper's Guide to the Psychology, Culture, and Ethics of Financial Risk Taking" appears in 96 *Cornell L. Rev.* 1209-1246 (2011). Other articles include "Commentary: Puzzles About Corporate Boards and Board Diversity," 89 *N.C. L. Rev.* 841-854 (2011); "Psychological Perspectives on the Fiduciary Business," 91 *B.U. L. Rev.* 995-1010 (2011) and "The Behavioral Economics of Mergers and Acquisitions, 12 *Transactions*," *Tenn. J. Bus. L.* 65-79 (2011). Langevoort testified before the Senate Committee on Homeland Security and Governmental Affairs of the 112th Congress on "Insider Trading and Congressional Accountability." He appeared on December 1, 2011 (CIS No.: Pending).



Professor Naomi Mezey and Cornelia T.L. Pillard have written “Against the New Maternalism,” 18 Mich. J. Gender & L. 229-296 (2012). Mezey’s articles also include “Law’s Visual Afterlife: Violence, Popular Culture, and Translation Theory,” in *Imagining Legality: Where Law Meets Popular Culture* 65-99 (Austin Sarat ed., Tuscaloosa, Ala.: University of Alabama Press 2011); “Unraveling & Reimagining Community in *To Kill a Mockingbird*” in *To Kill a Mockingbird at 50: Race, Law and Family in the American Imaginary* (Austin Sarat and Martha Umphrey eds., U. of Massachusetts Press forthcoming 2012) and “Response: Death of the Bisexual Saboteur,” in 100 Geo. L.J. 1093 (2012).



Professor David Luban’s article “A Theory of Crimes Against Humanity” has been published in book form as *Una Teoría de los Crímenes Contra la Humanidad* (Bogota, Colom.: Editorial Temis S.A. 2011). He has reviewed W. Bradley Wendel, *Lawyers and Fidelity to Law* (2010) in “Misplaced Fidelity,” 90 Tex. L. Rev. 673-690 (2012). His article “Risk Taking and Force Protection” appears in *Reading Walzer* (Itzhak Benbaji and Naomi Sussman eds., London: Routledge forthcoming). His article “Fred Zacharias’s Skeptical Moralism” appears in 48 San Diego L. Rev. 303-319 (2011) and his article “Hannah Arendt as a Theorist of International Criminal Law” in 11 Int’l Crim. L. Rev. 621-641 (2011). He has also written “Military Lawyers and the Two Cultures Problem,” Leiden J. Int’l L. (forthcoming), and “War as Punishment,” 39 Phil. & Pub. Aff. 299-330 (2011). He has written the articles “Treatment of Prisoners and Torture,” forthcoming in the *Cambridge Companion to Human Dignity*, and “Just Cause of War,” forthcoming in the *International Encyclopedia of Ethics* (Hugh LaFollette, ed., Hoboken, N.J.: Wiley-Blackwell 2013). His article “State Criminality and the Ambition of International Criminal Law” appears in *Accountability for Collective Wrongdoing* 61-91 (Tracy Lynn Isaacs and Richard Vernon eds., New York: Cambridge University Press 2011). Luban and Henry Shue have written “Mental Torture: A Critique of Erasures in U.S. Law,” 100 Geo. L.J. 823-863 (2012). With Daniel Luban he has written the chapter “Cheating in Baseball” in *The Cambridge Companion to Baseball* 185-196 (Leonard Cassuto and Stephen Partridge eds., New York: Cambridge University Press 2011).

Professor Mari J. Matsuda has written *Essays on Civil Society* (Virginia Hodgkinson and Mark Warren eds., forthcoming).



Professor Carrie Menkel-Meadow’s new books include a three-volume set on complex dispute resolution, including Volume 1, *Foundations of Dispute Resolution*; Volume 2, *Multi-Party Dispute Resolution, Decision Making and Democracy*; and Volume 3, *International Dispute Resolution* (Farnham, U.K. and Burlington, Vt.: Ashgate 2012). Menkel-Meadow and Harold Abramson have written “Mediating Multiculturally: Culture and the Ethical Mediator,” in *Mediation Ethics* 305-338 (Ellen Waldman ed., San Francisco: Jossey-Bass 2011). Menkel-Meadow, Lela Porter Love, Andrea Kupfer Schneider and Jean R. Sternlight have written *Dispute Resolution: Beyond the Adversarial Model* (New York: Aspen Publishers 2d ed. 2011). Menkel-Meadow, Cesar Arjona, Arif A. Jamal, Victor V. Ramraj and Francisco Satiro have reviewed Amartya Sen, *The Idea of Justice* (2009) in “Senses of Sen: Reflections on Amartya Sen’s Ideas of Justice,” 8 Int’l J.L. in Context 155-178 (2012). Menkel-Meadow has also written “Scaling Up Deliberative Democracy as Dispute Resolution” in *Healthcare Reform: A Work in Progress, Law and Contemporary Problems*, Summer 2011, at 1-30; “The NLRA’s Legacy: Collective or Individual Dispute Resolution or Not?” 26 A.B.A. J. Lab. & Emp. L. 249-266 (2011); “Why and How to Study ‘Transnational’ Law,” 1 U.C. Irvine L. Rev. 97-128 (2011) and “The Variable Morality of Constitutional (and Other) Compromises: A Comment on Sanford Levinson’s Compromise and Constitutionalism,” 38 Pepp. L. Rev. 903-914 (2011).

Professor **John Mikhail** has authored *Elements of Moral Cognition: Rawls' Linguistic Analogy and the Cognitive Science of Moral and Legal Judgment* (New York: Cambridge University Press 2011). His article "Moral Grammar and Human Rights: Some Reflections on Cognitive Science and Enlightenment Rationalism" appears in *Understanding Social Action, Promoting Human Rights* (Ryan Goodman, Derek Jinks and Andrew Woods eds., Oxford: Oxford University Press forthcoming). His article "Emotion, Neuroscience, and Law: A Comment on Darwin and Greene" appears in 3 *Emotion Rev.* 1-3 (2011).

Professor **Wallace J. Mlyniec** has written "Where to Begin? Training New Teachers in the Art of Clinical Pedagogy," 18 *Clin. L. Rev.* 505 (2012). [See page 56 for an excerpt from this article.] He has also written "Developing a Teacher Training Program for New Clinical Teachers," 18 *Clin. L.R.* (forthcoming 2012).

Professor **Eleanor Holmes Norton** is the author of "Taxation Without Representation" in *How the Shapes Got Their Shape Too: The People Behind the Borderlines* (Mark Stein ed., Washington, D.C.: Smithsonian Books 2011).



Professor **Joseph A. Page** has written "Tobacco Products," in *Food and Drug Law and Regulation* 659-704 (David G. Adams, Richard M. Cooper, Martin J. Hanh and Jonathan S. Kahan eds., Washington, D.C.: FDLI 2d ed. 2011). He has also written "Introduction to Tobacco Product Regulation by FDA," in *Tobacco Regulation and Compliance: An Essential Resource* 1-41 (Azim Chowdhury ed., Washington, D.C.: Food & Drug Law Institute 2011).

Professor **Eloise Pasachoff** has written "Special Education, Poverty, and the Limits of Private Enforcement," 86 *Notre Dame L. Rev.* 1413-1493 (2011).

Professor **Gary Peller's** new book is *Critical Race Consciousness: Reconsidering American Ideologies of Racial Justice* (Boulder, Colo.: Paradigm Publishers 2011). He has also written "History, Identity, and Alienation," 43 *Conn. L. Rev.* 1479-1502 (2011).



Professor **Cornelia T.L. Pillard** and Naomi Mezey have written "Against the New Maternalism," 18 *Mich. J. Gender & L.* 229-296 (2012). Pillard's article "*Reed v. Reed* at 40: Equal Protection and Women's Rights" appears in 20 *Am. U. J. Gender Soc. Pol'y & L.* 315 (2012) (with Nina Totenberg, Justice Ruth Bader Ginsburg, Jacqueline Berrien, Emily Martin and Earl Maltz).

Professor **Robert Pitofsky** has written "Antitrust and Intellectual Property: Unresolved Issues at the Heart of the New Economy," in *Intellectual Property and Competition* (Michael A. Carrier ed., Northampton, Mass.: Edward Elgar 2011).



Professor **James C. Oldham** and Su Jin Kim have written "Insuring Maritime Trade with the Enemy in the Napoleonic Era," 47 *Tex. Int'l L.J.*, 561-586. Oldham has also written *Case-Notes of Sir Soulden Lawrence, 1786-1800* (London: Selden Society, main series volume for 2011 forthcoming). His articles include "Only Eleven Shillings: Abusing Public Justice in England in the Late Eighteenth Century," 15 *Green Bag 2d* 177, 263 (2012), and "Informal Lawmaking in England by the Twelve Judges in the Late Eighteenth and Early Nineteenth Centuries," 29 *Law & Hist. Rev.* 181-220 (2011).



Professor **Paul F. Rothstein's** book *Federal Rules of Evidence* (St. Paul, Minn.: West Publishing Co. 2011) is in its third edition. Rothstein and Ronald J. Coleman have written "*Williams v. Illinois* and the Confrontation Clause: Does Testimony by a Surrogate Witness Violate the Confrontation Clause?" (working paper). Rothstein, Myrna S. Raeder and David Crump have written *Evidence in a Nutshell* (St. Paul, Minn.: Thomson Reuters 6th ed. 2012). Rothstein and Susan W. Crump have authored *Federal Testimonial Privileges: Evidentiary Privileges Relating to Witnesses and Documents in Federal Law Cases* (St. Paul, Minn.: Thomson/West 2d ed. 2003-2011), which is published in annual revisions. Rothstein's articles include "Response Essay: Some Observations on Professor Schwartz's 'Foundation' Theory of Evidence," 100 Geo. L.J. (Ipsa Loquitur) 9-16 (2012), and, with Ronald J. Coleman, "Grabbing the Bullcoming by the Horns: How the Supreme Court Could Have Used *Bullcoming v. New Mexico* to Clarify Confrontation Clause Requirements for CSI-Type Reports," 90 Neb. L. Rev. 502-558 (2011).

Professor **Milton C. Regan Jr.** and Tanina Rostain have written *Confidence Games: Lawyers, Accountants, and the Tax Shelter Industry* (Cambridge, Mass.: MIT Press forthcoming). Regan has also written "Taxes and Death: The Rise and Demise of an American Law Firm," in *Studies in Law, Politics and Society: Law Firms, Legal Culture, and Legal Practice* (Austin Sarat ed., Bingley, U.K.: Emerald Publishing Group 2011).

Professor **Richard L. Roe** has written "The Emerging Voices Project of the Latin American Montessori Bilingual Public Charter School (LAMB) and the Georgetown Street Law Clinic" and "Street Law Clinics at Georgetown University Law Center, Washington, D.C., and Others," in *The Education Pipeline to the Professions: Programs that Work to Increase Diversity* 13-23 and 135-144 (Sarah E. Redfield ed., Durham, N.C.: Carolina Academic Press 2012).

Professor **Nicholas Quinn Rosenkranz** wrote "The Objects of the Constitution," 63 Stan. L. Rev. 1005-1069 (2011). Rosenkranz also wrote a U.S. Supreme Court amicus curiae brief for the Cato Institute in support of the petitioner in *Golan v. Holder*, No. 10-545 (U.S. June 20, 2011), and he co-wrote the brief of the respondent in *Maples v. Thomas*, No. 10-63 (U.S. June 30, 2011).

Professor **Susan Deller Ross** has written "Should Polygamy Be Permitted in the United States?" 38 No. 2 A.B.A. Hum. Rts. 20 (2011).

Professor **Tanina Rostain** and Milton C. Regan Jr. have written *Confidence Games: Lawyers, Accountants, and the Tax Shelter Industry* (Cambridge, Mass.: MIT Press forthcoming).

Professor **Álvaro Santos** has written "Carving Out Policy Autonomy for Developing Countries in the World Trade Organization: The Experience of Brazil and Mexico," 52 Va. J. Int'l L. 551-632 (2012). Santos's new book is *Law and the New Developmental State in Latin America* (Álvaro Santos, David Trubek, Helena Alviar and Diogo Coutinho eds., New York: Cambridge University Press forthcoming).

Professor **Philip G. Schrag** and Lisa Lerman have authored *Ethical Problems in the Practice of Law* (New York: Wolters Kluwer 3d ed. 2012). Schrag and Charles W. Pruett have written "Coordinating Loan Repayment Assistance Programs with New Federal Legislation," 60 J. Legal Educ. 583-612 (2011).

Professor **Louis Michael Seidman's** new book is *On Constitutional Disobedience* (New York: Oxford University Press forthcoming). Seidman, Geoffrey R. Stone, Mark V. Tushnet, Cass R. Sunstein and Pamela S. Karlan have authored *The First Amendment* (New York: Aspen Publishers 4th ed. 2012). His chapter "Three Puzzles in the Work of Bill Stuntz" appears in *The Political Heart of Criminal Procedure: Essays on Themes of William J. Stuntz* 200-211 (Michael Klarman, David Skeel and Carol Steiker eds., New York: Cambridge University Press 2012). His article "Acontextual Judicial Review" appears in 32 Cardozo L. Rev. 1143-1181 (2011) and "Depoliticizing Federalism" appears in 35 Harv. J.L. & Pub. Pol'y 121-127 (2012). Seidman has also written "Hyper-Incarceration and Strategies of Disruption: Is There a Way Out?" 9 Ohio St. J. Crim. L. 109-132 (2011) and "Should We Have a Liberal Constitution?" 27 Const. Comment. 541-556 (2011).

Professor **Howard A. Shelanski's** articles include "The Case for Rebalancing Antitrust and Regulation," 109 Mich. L. Rev. 683-732 (2011); "Justice Breyer, Professor Kahn, and Antitrust Enforcement in Regulated Industries," 100 Cal. L. Rev. 487 (2012); and "Merger Enforcement Across Political Administrations in the United States" (with R. Harty and J. Solomon) in *Concurrences* (forthcoming 2012).



Professor **Jodi L. Short** and Michael W. Toffel have written "Coming Clean and Cleaning Up: Does Voluntary Self-Reporting Indicate Effective Self-Policing?" 54 J.L. & Econ. 609-649 (2011). Short has written "The Paranoid Style in Regulatory Reform," 63 Hastings L.J. 633-694 (2012), and "The Political Turn in American Administrative Law: Power, Rationality and Reasons," 61 Duke L. J. 1811 (2012).

Professor **Jeffrey Shulman** has written "The Siren Song of History: Originalism and the Religion Clauses," 27 J.L. & Religion 163-177 (2012). Shulman's articles include "Who Owns the Soul of the Child?: An Essay on Religious Parenting Rights and the Enfranchisement of the Child," 6 Charleston L. Rev. 385-448 (2012), and "Epic Considerations: The Speech that the Supreme Court Would Not Hear in *Snyder v. Phelps*," 2011 Cardozo L. Rev. (de novo) 35-42.

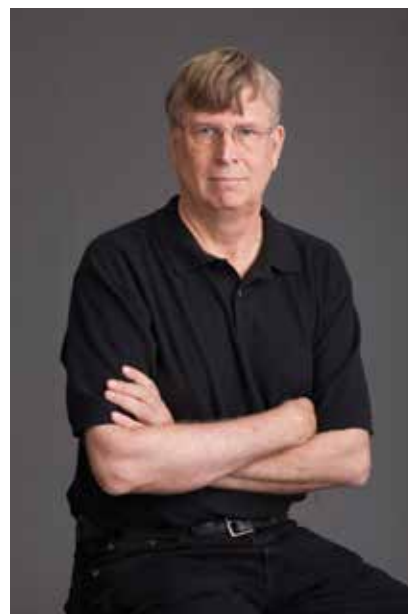
Professor **Abbe Smith** has written "'No Older 'n Seventeen': Defending in Dylan Country," 38 Fordham Urb. L.J. 1471-1493 (2011), "Defending Atticus Finch," 14 Legal Ethics 1433-1467 (2011), and "A Hip-Hop Prosecutor Sings the Blues: A Review of Paul Butler, *Let's Get Free: A Hip Hop Theory of Justice*," 14 Legal Ethics 261 (2011). Other articles include "Are Prosecutors Born or Raised?," Geo. J. Legal Ethics (forthcoming 2012), and "How Can You *Not* Defend Those People?," Ohio St. J. Crim. Law (forthcoming 2012). Her new book is *How Can You Represent Those People?* (co-editor Monroe H. Freedman, New York: Palgrave MacMillan, forthcoming 2013).

Professor **Girardeau A. Spann** has written "Constitutional Hypocrisy," 27 Const. Comment. 557-580 (2011).

Professor **Jane E. Stromseth** has written "Justice on the Ground?: International Criminal Courts and Domestic Rule of Law Building in Conflict-Affected Societies," in *Getting to the Rule of Law: NOMOS L*, 169-223 (James E. Fleming ed., New York: New York University Press 2011). Stromseth has also penned "The International Criminal Court and Justice on the Ground," 43 Ariz. St. L.J. 427-445 (2011).

Professor **David A. Super** has several recent articles: "Against Flexibility," 96 Cornell L. Rev. 1375-1467 (2011); "Low-Income College Students' Eligibility for the Supplemental Nutrition Assistance Program," 44 Clearinghouse Rev. 508-517 (2011); and "The Rise and Fall of the Implied Warranty of Habitability," 99 Cal. L. Rev. 389-463 (2011).

Professor **Joshua C. Teitelbaum**, Levon Barseghyan and Jeffrey Prince have written "Are Risk Preferences Stable Across Contexts? Evidence from Insurance Data," 101 Am. Econ. Rev. 591-631 (2011).



Professor **Lawrence B. Solum's** new books are *Originalism Semantico* (forthcoming El Departamento de Publicaciones de la Universidad Externado de Colombia) (Spanish translation of *Semantic Originalism* by Leonardo García Jaramillo) and *Constitutional Originalism: A Debate* (with Robert Bennett) (Ithaca, N.Y.: Cornell University Press 2011). Solum's articles include "Confucian Virtue Jurisprudence" in *Law, Virtue & Justice* (Amalia Amaya and Ho Hock Lai eds., Oxford: Hart Publishing forthcoming 2012) (with Linghao Wang); "What Is Originalism?" in *The Challenge of Originalism: Essays in Constitutional Theory* (Grant Huscroft and Bradley W. Miller eds., Cambridge University Press 2011); "Narrative, Normativity, and Causation," Mich. St. L. Rev. 597-622 (2010); and "The Interpretation-Construction Distinction," 27 Const. Comment. 95-118 (2010).



Professor **Rebecca Tushnet** has written “Worth a Thousand Words: The Images of Copyright,” 125 Harv. L. Rev. 683-759 (2012). Tushnet and Eric Goldman have penned a casebook, *The Law of Advertising and Marketing* (now available online). Tushnet has also written “Judges as Bad Reviewers: Fair Use and Epistemological Humility” in Law & Lit. (forthcoming). She has reviewed *Making and Unmaking Intellectual Property: Creative Production in Legal and Cultural Perspective* (Mario Biagioli, Peter Jaszi and Martha Woodmansee eds., 2011) in 2 IP L. Book Rev. 1-10 (2011). Tushnet and Francesca Coppa have written “How to Suppress Women’s Remix,” *Camera Obscura*, May 2011, at 131-138. Tushnet’s other articles include “Looking at the Lanham Act: Images in Trademark and Advertising Law,” 48 Hous. L. Rev. 861-917 (2011); “Remix Nation,” Comm. ACM, Sept. 2011, at 22-24; “Running the Gamut from A to B: Federal Trademark and False Advertising Law,” 159 U. Pa. L. Rev. 1305-1384 (2011); “Scary Monsters: Hybrids, Mashups, and Other Illegitimate Children,” 86 Notre Dame L. Rev. 2133-2156 (2011); and “Towards Symmetry in the Law of Branding,” 21 Fordham Intell. Prop. Media & Ent. L.J. 971-982 (2011).

Professor **John R. Thomas** has written “Authorized Generic Pharmaceuticals: Effects on Innovation” and “Pharmaceutical Patent Litigation Settlements: Implications for Competition and Innovation,” both in *Pharmaceutical Industry: Innovation and Developments* (David A. Mancuso and Isobel M. Grenada eds., Hauppauge, N.Y.: Nova Science Publishers forthcoming 2011). His article “Statutory Subject Matter in Context: Lessons in Patent Governance from *Bilski v. Kappos*,” is in 15 Lewis & Clark L. Rev. (forthcoming 2011).

Professor **Robert B. Thompson**’s articles include “Allocating the Roles for Contracts and Judges in the Closely Held Firm,” 33 W. New Eng. L. Rev. 369-403 (2011); “Market Makers and Vampire Squid: Regulating Securities Markets After the Financial Meltdown,” 89 Wash. U. L. Rev. 323-376 (2011); and “The Case for Iterative Statutory Reform: Appraisal and the Model Business Corporation Act,” 74 Law & Contemp. Probs. 253-269 (2011). Thompson and Donald C. Langevoort have written the working paper “Publicness’ in Contemporary Securities Regulation.” Thompson, C.N.V. Krishnan, Ronald W. Masulis and Randall S. Thomas have written the working paper “Litigation in Mergers and Acquisitions.”

Professor **Kristen Konrad Robbins Tiscione** has written “A Call to Combine Rhetorical Theory and Practice in the Legal Writing Classroom,” 50 Washburn L.J. 319-339 (2011) and “Ding Dong! The Memo Is Dead. Which Old Memo? The Traditional Memo,” *Second Draft*, Spring 2011, at 6-7.

Professor and Dean **William Michael Treanor**’s article “Remarks by Dean William M. Treanor” appears in 99 Geo. L.J. 1313-1316 (2011).

Professor **Philomila Tsoukala**, Judith Areen and Marc Spindelman have written *Family Law: Cases and Materials* (New York: Foundation Press/Thomson Reuters 6th ed. 2012).

Professor **Carlos M. Vázquez** has published “Customary International Law as U.S. Law: A Critique of the Revisionist and Intermediate Positions and a Defense of the Modern Position,” 86 Notre Dame L. Rev. 1495-1634 (2011). Other publications include “State Law, the Westfall Act, and the Nature of the Bivens Question after *Minneci v. Pollard*” (with Stephen I. Vladeck), 161 U. Penn. L. Rev. (forthcoming 2012); “Chief Justices Marshall and Roberts and the Non-Self-Execution of Treaties,” 53 Harv. Int’l L.J. Online (2012); “The Unsettled Nature of the Union,” 123 Harv. L. Rev. F. 79-91 (2011); and “Withdrawing from International Custom: Terrible Food, Small Portions,” 120 Yale L.J. Online 269-291 (2011).

Professor **David Vladeck** testified on food marketing to children at a hearing before the Subcommittee on Commerce, Manufacturing and Trade and the Subcommittee on Health of the House Committee on Energy and Commerce on Oct. 12, 2011 (CIS No.: Pending). On May 19, 2011, he testified on “Consumer Privacy and Protection in the Mobile Marketplace” before the Senate Committee on Commerce, Science and Transportation and on May 4, 2011 on data security before the House Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing and Trade. His new book chapter is “Law School 2.0: Course Books in the Digital Age,” in *Legal Education and the Electronic Revolution* (Edward Rubin ed., Cambridge University Press 2012).

Professor **Heathcote W. Wales** and Virginia Aldigé Hiday have written “The Criminalization of Mental Illness,” in *Applied Research and Evaluation in Community Mental Health Services: An Update of Key Research Domains* 80-93 (Evelyn R. Vingilis and Stephen A. State eds., Montreal: McGill-Queen’s University Press 2011).

Professor **Edith Brown Weiss** has written “International Law in a Kaleidoscopic World,” 1 *Asian J. Int’l L.* 21-32 (2011), “The Evolution of International Environmental Law,” 54 *Japanese Yearbook International Law* 1-27 (2011), “The Coming Water Crisis: A Common Concern of Humankind,” 1 *Transnational Environmental Law Journal* (2012), “Strengthening Compliance with Climate Change Commitments,” a chapter in *Coexistence, Cooperation and Solidarity*, 693-72 (New York: Cambridge University Press, 2011), and “On Being Accountable in a Kaleidoscopic World,” *Proceedings of the 2010 American Society of International Law Annual Meeting* (2011).

Professor **Franz Werro**’s books include *La responsabilité civile* (Berne: Stampfli, 2 ed. 2011); *Commentaire Romand. Code des Obligations I* (Franz Werro and Luc Thévenoz eds., Basel: Helbing & Lichtenhahn, 2 ed. forthcoming); *European Private Law: A Handbook*, vol. II (with Mauro Bussani) (Bern/Durham /Bruxelles: Stämpfli/Carolina Academic Press/Bruylant, 2d ed. forthcoming) and *Le procès en responsabilité civile* (with Pascal Pichonaz) (Berne: Stampfli 2011). He has contributed “Comparative Studies in Private Law. A European Point of View,” to Mauro Bussani/Ugo Mattei (eds.), *The Cambridge Companion to Comparative Law* (Cambridge, U.K.: Cambridge University Press forthcoming). He has also written “What is to be Gained from Comparative Research and Teaching? Thoughts for an Ideal Agenda,” in Christine Godt (ed.), *Hanse Law School in Perspective — Legal Teaching and Cross Border Research under Lisbon* (Baden-Baden: Nomos forthcoming); and “Is There Such a Thing as Transnational Law: Suggestions for Defining the Object of Transnational Legal Studies,” in *Liber Amicorum Marc Amstutz* (Baden-Baden: Nomos/Dicke: Zurich 2012), pp. 311 ff.

Professor and Law Librarian **Michelle M. Wu** has written “Building a Collaborative Digital Collection: A Necessary Evolution in Libraries,” 103 *Law Libr. J.* 527-551 (2011), and “An Empirical Study on the Research Behavior & Critical Evaluation Skills of Law Students” (a working paper co-authored with Leslie A. Lee).



Professor **Kathryn Zeiler** and Lorian Hardcastle have written “Do Damages Caps Reduce Medical Malpractice Insurance Premiums?: A Meta-Analysis of the Empirical Literature,” which is forthcoming in *Research Handbook on the Economics of Torts* (Jennifer Arlen ed., Northampton, Mass.: Edward Elgar Publishing Ltd. forthcoming). Zeiler and Hardcastle have also written “Exploring the Use of Officer and Director Liability in Encouraging Adoption of Patient Safety Protocols” (working paper). Zeiler and Charles R. Plott published “The Willingness to Pay — Willingness to Accept Gap, the ‘Endowment Effect,’ Subject Misconceptions, and Experimental Procedures for Eliciting Valuations: Reply,” 101 *Am. Econ. Rev.* 1012-1028 (2011).



Professor **Robin L. West**’s new book is *Normative Jurisprudence: An Introduction* (New York: Cambridge University Press 2011). She has also penned “The Limits of Process,” in *Getting to the Rule of Law: NOMOS L.* 32-51 (James E. Fleming ed., New York: New York University Press 2011); “Literature, Culture, and Law at Duke University,” in *Teaching Law and Literature* 98-113 (Austin Sarat, Cathrine O. Frank and Matthew Anderson eds., New York: Modern Language Association of America 2011), and “When and Where They Enter,” in *Transcending the Boundaries of Law: Generations of Feminism and Legal Theory* 213-225 (Martha Albertson Fineman ed., New York: Routledge 2011). Her articles include “Toward the Study of the Legislated Constitution,” 72 *Ohio St. L.J.* 1343-1366 (2011), and “Tragic Rights: The Rights Critique in the Age of Obama,” 53 *Wm. & Mary L. Rev.* 713-746 (2011).



Where To Begin?

TRAINING NEW TEACHERS IN THE ART OF CLINICAL PEDAGOGY

BY WALLACE J. MLYNIEC

The legal academy has long assumed that new teachers have an intuitive grasp of teaching methodology based on their experiences as students, and that they therefore can begin and continue teaching throughout their careers without any understanding of teaching theory and methodology. Clinical teachers in particular face unique pedagogical challenges relating to class goals, supervisory methods, feedback, and grading. These challenges are magnified by the existence of clients and by the need to engage with students regarding the ethics of legal practice and cultural difference.

This article attempts to set forth some of the critical questions new teachers must answer by describing the goals and content of a clinical pedagogy course designed by the Georgetown Law faculty to train graduate clinical teaching fellows and to facilitate their entry into the academy. The article (and program it describes) rests on six fundamental beliefs: clinical teaching is different from and more expansive than doctrinal teaching or professional legal practice; clinical teaching is goal driven and based on backward design; faculty intervention must be intentional and based on making choices that further a student's education; clinical education should be based on an expansive theory of justice; client and

student needs are equally important in a clinical program and neither need be sacrificed for the other; and clinical teaching is personal and designed to accept students where they are and to maximize their learning potential. Thus, the Georgetown pedagogy course emphasizes intentional and reflective supervision and creative and adaptive teaching methods.

The excerpt that follows describes a class on “difference” that we teach in the course. It is one of fifteen classes on multiple topics and techniques that we believe all new clinical teachers need to confront and begin to understand as they begin their legal academic careers.

Excerpted from “Where to Begin: Training New Teachers in the Art of Clinical Pedagogy,” by Wallace J. Mlyniec, Vol. 18 *Clinical Law Review* 505 with permission of the author. Copyright 2012 *Clinical Law Review*.

Issues implicating morals, values, ethics, and assumptions often involve issues of difference. Uncertainty may arise when the differences are unfamiliar (as with foreign languages), unexpected (as when one's appearance or demeanor does not fit an expected role), unsettling (as when one appears physically or emotionally traumatized), or recognizable (as when age, gender, disability, or race differences are apparent).

Most clinical programs represent clients who are members of groups that are often under-represented. Students usually represent low-income tenants, criminal defendants and incarcerated men and women, abused women, children, immigrants with little or no proficiency in English, low-income workers and people out of work, people of color, and disabled or sick people. Law students sometimes come from such groups and share some of the same values and life experiences of their clients. More often than not, however, they share few similar life experiences with their clients and have had little exposure to individuals similar to their clients or to the cultures from which they come.

Because they are unfamiliar with the lives of people who are not like them, students and lawyers often make unwarranted assumptions about clients' values, experiences, wishes, and motives. Assumptions about people that do not take into consideration the impact of differences can undermine a lawyer's understanding of the case or project and a client's interests. Most clinical courses include classes on interviewing and counseling because questions implicating these issues regularly arise in supervision sessions. They must be addressed as clients' interests are determined and cases are planned. In addition, issues about personal and professional values concerning those differences may become topics of conversation even when they do not affect the student's case or project. They arise if the supervisor or the student chooses to address them. New teachers must be attuned to the impact that issues of difference have upon students and need to develop strategies and techniques to address them.

Implementing cultural understanding into the practice of law is not easy. Nor is it easy to teach. Culture is defined as "the systems of values, beliefs and ways of knowing that guide communities of people in their daily lives." Because clients and lawyers in public interest practices seldom share a similar culture, acquiring multi-cultural competence is necessary for anyone who wants to be a public interest lawyer or a clinical teacher. Of course, cross-cultural understanding is not limited to poverty law. Effective lawyering in any context requires that the lawyers familiarize

themselves with the communities they serve, educating themselves about the values, morals, language, and the larger culture of their clients. This is especially true, however, in the public interest context. Lawyers who possess multicultural competence are conscious of the differences that may exist between themselves and their clients and can adjust their behavior and style to suit a client's individual background. Teachers working with students who do not share their clients' life experiences will face some challenges.

The goals for this class are to help new teachers identify issues of difference that occur in our teaching, supervision, and representation; to understand the relevance of difference to the case, project, and client issues that will arise; to explore and practice techniques to confront the issues when they arise obviously or latently; and to explore techniques for having deeper conversations about difference if either the student or the teacher chooses to do so. We chose these goals because we believe that issues of difference permeate all aspects of modern life and that a truly post-racial American society does not yet exist. All contemporary studies show that people whose characteristics are at odds with the predominant culture fare poorly within our legal systems. Since almost all of our clients are outside of the predominant culture, factors of difference will appear in almost every case or project undertaken in a clinic.

Articles by Professors Susan Bryant ["The Five Habits: Building Cross-Cultural Competence in Lawyers," 8 *Clinical L. Rev.* 33, 41-42 (2001)], Carwina Weng ["Multicultural Lawyering: Teaching Psychology to Develop Cultural Self-Awareness," 11 *Clinical L. Rev.* 369 (2005)] and others provide the background for the discussions and role-plays we use to teach the fellows methods for confronting the issues of difference that they will encounter in their supervision sessions with their students. The class begins by asking the fellows to perform a quick-write identifying the issues concerning difference that they believe will arise as they begin their work as teachers. Professor Bill Ong Hing lists issues of class, race, ethnicity, gender, sexual orientation, physical disability and age as the types of difference issues students will encounter ["Raising Personal Identification Issues of Class, Race, Ethnicity, Gender, Sexual Orientation, Physical Disability, and Age in Lawyering Courses," 45 *Stan. L. Rev.* 1807 (1993)]. The fellows generally add political, religious, cultural, educational, geographical, language, and economic differences. After the potential differences are identified, we then begin to discuss the harder questions about why we as teachers should care about difference.

The first reason to care is because many student-lawyers have not thoughtfully or carefully considered the significance of interacting with clients from different backgrounds. An ethical lawyer must, of course, put the client's interests at the heart of his or her representation. Doing so, however, requires that the lawyer be able to appreciate what matters to the individual client. Lawyers most effectively gain information when they are culturally aware of how they perceive a client and how a client perceives them. Lawyers must be aware of nuances in language so that the lawyer actually understands what a client is saying. New teachers must learn to increase students' abilities to situate their client in a cultural context, become aware of their own cultural context, and improve their communication skills accordingly in order to maximize client service.

A client-centered lawyering approach more easily adapts to cultural differences than other forms of lawyer-client relationships. In many cases, particularly among those handled by public interest lawyers and law school clinics, clients come from racial minorities and lower-income communities and often do not speak the same language or have the same level of education as a law student. Because each person has pre-existing biases and prejudices, it is important to be aware of the differences that exist and determine whether the students' or teacher's assumptions about the differences are affecting their work. The heightened attention to assumptions is used to move students and supervisors alike from so-called "unconscious incompetence" that leads to the formation of stereotypes to a state of "unconscious competence," in which each individual is able to appreciate the cultural dynamic between teachers, students, and clients, and to communicate effectively. Thus, new teachers must learn to account for the individual differences in clients and help students to develop a deeper understanding and awareness of the world that surrounds them.

Clinical supervisors have told stories over the years about how their students must balance their role as a legal authority figure and advice-giver in a clinic case or project with their role as a listener and one who appreciates the cultural context of their client. Those students who have difficulty empathizing with their clients' situations usually find their clinical experience frustrating. Thus, teachers must be able to clarify these cross-cultural issues as they arise, addressing rather than avoiding issues of difference. Doing so can help to broaden understandings of fairness and justice in society and inspire students to strive for successful and rewarding careers in public service.

As voices of authority and teachers of culturally different practices, clinic supervisors must be competent and tolerant themselves, as their own values are likely to influence those of their students. Unless new teachers are prepared to guide students through these conversations, they will be stilted, difficult, and may even not occur.

Another reason to care about understanding the power of difference is because clients care about how they are treated. They come to attorneys from individualized backgrounds within their communities and with unique, personal issues that carry significant emotional importance. Many also come with a resistance to the legal system that developed from their past experiences with the law and the courts. Clients' perceptions of competence depend on the cultural sensitivity that they are shown, not by culture-blind be-

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"Lawyers most effectively gain information when they are culturally aware of how they perceive a client and how a client perceives them...New teachers must learn to increase students' abilities to situate their client in a cultural context, become aware of their own cultural context, and improve their communication skills accordingly in order to maximize client service."

havior. Since personal boundaries may be disparately defined, even relatively tiny variations in communication style such as shaking versus not shaking hands, the degree of eye contact, and using first names rather than titles and last names can lead to widely disparate reactions depending on the cultural background of the client. Students will not always be aware of these differences and interact with their clients in ways that reflect the student's and not the client's culture. Consequently, new clinical teachers must learn to create an environment where students are comfortable discussing this critical feature of lawyering. Psychologically healthy environments for communication and education occur when there is a "spirit of mutuality" and each party feels respected, accepted, and supported. New teachers must learn to adapt their actions and attitudes in their classroom and supervision sessions to each individual student in order to foster similar environments and communication patterns between clients and students.

A separate reason to care about race issues is that there is great resistance in our society to discussing questions of race honestly. Most new teachers share this resistance. We teach this class to intentionally force the conversation. Education is meant to open the minds of our students and to inspire a search for knowledge. If teachers do not have the courage to address the issues in a non-threatening fashion in an academic environment, who else will and where else will those conversations take place? It is not uncommon to sense resistance among some of the fellows as we begin the discussions in this class session. We anticipated this reaction and have planned the conversation in ways that attempt to reduce the anxiety that the fellows feel and to demonstrate that it is possible and necessary to have these hard conversations if they want to achieve the goals we set forth for this class.

Discussions about difference issues are often easy to have in the abstract but difficult to have when real situations occur. They are easy when discussions involve hypotheticals or the inability of other people to recognize the difference issue. They become harder when those conversations involve our own perceptions or those that we see in our students. Conversations that carry the suggestion of racism, sexism, homophobia, or some other sensitive issue, whether or not intended, are difficult to have. They challenge one's worldview and value system in ways that other conversations in the clinic do not.

Students' cultures are at the center of their identity. They have influenced their development and decision-making throughout their lives. As a result, conversations about culture and difference can be difficult and emotional. They are highly sensitive and require skill and tact. Members of minority groups in particular may be skeptical when presented with assistance or advice from members of majority cultural groups. They may wonder what makes the giver of the advice any different from other members of the majority group who have oppressed them or discriminated against them before. While such generalizing attitudes may be harmful, that sense of oppression and discrimination is based on their prior experiences and therefore may arouse deeper sentiments.

These discussions are also difficult because they force students who actually engage in biases, prejudices and untested assumptions to confront them. For many, this will be the first time that they actually contemplate

these assumptions. In doing so, however, they may learn more about themselves. In order to gain multicultural competence, one must “break” preexisting assumptions and develop habits of communication that serve to more effectively engage with others. New teachers must learn to introduce dissonance into the ways students currently think of things to help them contemplate differing perspectives. An active process to facilitate cross-cultural competency is one that encourages students to contemplate and answer questions like: “What is the difference? Why did it draw my attention? How did I react? Why did I react the way I did?” Through discussions in class and in supervision sessions and through self-reflection exercises, students can develop more mature understanding and tolerance.

New teachers must learn that there are reasons why it takes time to truly break down the biases that affect good lawyering. Students may say little or nothing at all about these issues when talking among themselves, with clients, or with supervisors, fearing they might expose their own stereotypical thinking. Clinical students refrain from these conversations out of fear that they will lose favor with their peers and colleagues or negatively affect their grades if they say what they are really thinking. New teachers and students who choose to engage in these thoughtful discussions must necessarily reveal their individuality by drawing upon their own experiences and identities.

Some of these conversations will involve the progress of a case or project and must be had if the client’s goals are to be achieved. Others may occur because the teacher wants to expand a student’s understanding of the world, believes that the student is ready for the conversation, and feels that it can be had in a non-threatening fashion. Such discussions may lead to arguments and hostile comments between students. New teachers must learn to intervene when comments exceed intellectual boundaries and become insensitive.

It is fair to say that nearly all of us have some inherent biases and prejudices. As a result, people often do not even realize when their reactions to someone different cause a negative effect. Rather than berate ourselves for being prejudiced, however, we should acknowledge these stereotypes as being merely human. “[U]nconscious biases can be transformed... though they must be acknowledged.” Over time, however, we are all capable of habituation; that is, of noticing differences less and evaluating them in a sensitive and capable manner. Teachers and fellows have had these conversations earlier in the classes about supervision, values, and ethics. Yet without a separate class on difference that both authorizes new teachers to confront issues of dif-

ference and gives them tools with which to do it, they will be reluctant or unable to have those conversations.

After the class discussion about why cultural competence is important and what goals a teacher might have when teaching about difference, the fellows begin to examine examples of cultural disconnects that have occurred during their supervision experiences. We ask the fellows to perform a quick-write recalling an instance where they were addressing an issue related to difference that did not go particularly well. We ask them to disclose the reasons why they think it failed and whether the discomfort stemmed from the fact that race was playing a role. They then form small groups to discuss why they saw these events as involving issues of difference and how they tried to engage students in the conversation. After the small group discussion, we reassemble in the large group to continue the conversation. Many of the issues are client based. Others are related to the teachers and the fellows themselves. Fellows and faculty of color may have wondered how an all-white group of students would perceive him or her as a supervisor. Women fellows may have wondered how male students would relate to them as supervisors. Many fellows worry about how students will relate to a teacher who is just a few years older than they are. Sexual orientation and viewpoint differences may also arise. We then use a modified case rounds process or a role-play to demonstrate ways to reduce the emotional and personal discomfort the conversation produces and to appropriately intervene to resolve the issues. After the discussion, the fellows engage in a role-play to try out the suggested solutions.

It is hard to say what the long-term impact of this class is. While our goals are large, we expect only small outcomes at this stage. We seek to “normalize” conversations about difference so that they become an expected part of the clinical experience rather than an emotionally charged aberration. If the conversations take place, some students may adjust their assumptions to better understand their clients’ interests. Others may have life-changing experiences. Some teachers cherish these moments and may build their clinic goals around such experiences. Others may choose to minimize the deeper conversations and concentrate only on those discussions that move the case along. Teachers who choose the latter course may nonetheless find that merely moving the case along will still require some conversations about the students’ assumptions about difference in order to do so. This class, however, opens a new conversation for some of the fellows and validates an approach for others.



ALUMNI



1958

Bernard L. Hebinck received the 2011 Rev. Vincent J. Guinan, C.S.B. Distinguished Alumni Award from the University of St. Thomas in Texas. He practices at Hebinck & Alter in Houston. "I was the first graduate of the University of St. Thomas to be admitted to Georgetown Law," he writes.

1963



Robert L. Parks, principal and founding partner of the Law Offices of Robert L. Parks, has been elected chairman of the board of visitors

of the National Judicial College. The group furthers the quality of education offered by the National Judicial College, which provides judicial education to judges throughout the world.

1966



Harry Payton, a Miami commercial litigation attorney, has been appointed a member of the Supreme Court of Florida's Commission on

Professionalism. He will lead an effort to develop a mentoring program for young attorneys and to utilize board-certified attorneys for the

program. Payton is certified by the Florida Bar board in the specialties of business litigation and civil trial.

1968

Michael (Mickey) Kantor has been elected co-chair of the board of directors of the Pacific Council of International Policy. The council is a membership-based international affairs organization focused on policy issues of special resonance on and to the West Coast. A former U.S. secretary of commerce and U.S. trade representative, Kantor is a partner at Mayer Brown.

1969

William H. Roberge Jr. has joined Stein Sperling Bennett De Jong Driscoll in Rockville, Md., as of counsel. Roberge concentrates his practice in transactional areas such as estate planning, real estate and estate and trust administration.

1970



Alan Goodman was recognized in the 2012 edition of *Chambers USA: America's Leading Lawyers for Business for Louisiana*.

Goodman is a partner in the New Orleans office of Breazeale, Sachse & Wilson.

1971



Joel P. Bennett received the Metropolitan Washington Employment Lawyers Association Lawyer of the Year

award on March 9 in recognition of outstanding dedication to civil rights, equality and justice. Bennett resides in Gaithersburg, Md., with his wife, Tricia, the registrar at St. Andrew's Episcopal School in Potomac, Md., and his sons Matthew (a senior at the University of Maryland) and Steven (a junior at the University of Miami).



John "Jack" R. Weider, former chair of the financial reorganization and bankruptcy practice group at Harter Secrest &

Emery, will join Damon Morey as special counsel in the firm's business litigation and insolvency department. Weider has more than 40 years experience practicing law and focuses on providing business and strategic advice to companies in turnaround situations and representing business owners, large and small businesses and health care facilities in bankruptcy, workout and commercial litigation matters.

1972



Charles J. "Chad" Muller (LL.M.), a shareholder in the San Antonio office of Chamberlain Hrdlicka, was named a finalist for Tax Analyst's

"Person of the Year" award. The award recognizes tax attorneys nationwide who have made significant contributions to tax policy, legislation, practice and academia. Muller has been in private practice for more than 40 years, focusing his work on a combination of criminal and civil tax matters.

1973

Joseph L. Fink III, a professor of pharmacy law and policy at the University of Kentucky College of Pharmacy, received the 2012 Linwood F. Tice Friend of APhA-ASP Award (American Pharmacists Association Academy of Student Pharmacists). He was selected for his dedication to the advancement of student pharmacists and his work with the University of Kentucky chapter of APhA-ASP. The award recognizes an individual whose long-term services and contributions have benefited APhA-ASP and student pharmacists in general. He also became chairman of the editorial advisory board of the *Food and Drug Policy Forum* in April.

1974

Bruce D. Sokler was named a Washington, D.C., "Super Lawyer"

Newsmakers



Justin Brooks (LL.M.'92) with Bryan Banks, Leslie M. Turner (L'85), John Kissinger (C'87, L'90) being sworn in by Gov. John Lynch (L'83), Linda K. Myers (L'89), Ralph Winnie (LL.M.'01) with Ambassador Idrissov, Caitlin Halligan (L'95).

Justin Brooks (LL.M.'92), a professor of law and the director of the California Innocence Project at California Western School of Law, appeared in hundreds of media outlets including BBC International, NPR, and CNN, after he brought about the exoneration of Brian Banks, a promising football star falsely convicted of rape as a 17-year-old.

The Philadelphia Business Journal reported in April that **Adam G. Ciongoli (L'95)** has been named executive vice president and general counsel at Lincoln National Corp.

"Looking to Make a Profit on Lawsuits, Firms Invest in Them," an article in the *New York Times* in April, featured **John P. Coffey (L'87)** and Professor Jonathan Molot.

The Day (Connecticut) reported in June that Superior Court Judge **Emmet L. Cosgrove (F'70, L'74)** has been appointed the next administrative judge in the New London Judicial District.

The Journal News (New York) reported that **Mark C. Fang (L'94)** has been appointed executive director of the Westchester Human Rights Commission. Fang served as an assistant attorney general in the criminal division of the New York State Attorney General's Office and also served as an assistant district attorney in the Westchester County District Attorney's Office, the first Asian American to be appointed to that position in Westchester County.

The Worcester Telegram & Gazette reported in May that Massachusetts Gov. Deval Patrick has nominated

Jennifer L. Ginsburg (L'93) an associate justice of Worcester District Court.

Caitlin Halligan (L'95), general counsel for the New York County District Attorney's Office, has been nominated to the U.S. Court of Appeals for the D.C. Circuit.

The International Business Times reported that **Jenny Herner (L'90)**, vice president of marketing administration at Arch Coal Inc., was named one of St. Louis's "2012 Most Influential Business Women" by the *St. Louis Business Journal* in June.

The Associated Press reported in June that **Gilberto Hinojosa (L'78)** has become the first Hispanic elected as Democratic State Chairman of Texas.

"Athletes Who Survived Abuse Join Together as Advocates," an article in the *Orange County Register* in March, featured law professor and Olympic gold medal swimmer **Nancy Hogshead-Makar (L'97)**, director of the Legal Advocacy Center for Women in Sports.

The Union Leader reported in June that **John Kissinger (C'87, L'90)** was sworn in as New Hampshire's newest superior court judge by Gov. **John Lynch (L'83)**.

"New York's Samyr Laine on Olympic Mission to Raise Hope in Haiti," a profile of **Samyr Laine (L'10)**, a triple-jumper who competed for Haiti at the Olympic Games in London, appeared in the *New York Daily News* on June 23.

Business First reported in April that **Donald Lassere (L'96)** has been named president and CEO of the Muhammad Ali Center in Louisville, Ky. Lassere served most recently as senior vice president of Scholarship America in Minneapolis and St. Peter, Minn., where he directed and expanded the Scholarship Management Services (SMS) business unit, the largest administrator of education assistance programs in the United States.

A Q&A with **Meg Levine (L'82)**, New York State deputy attorney general, appeared in the *Albany Times-Union* on May 7.

Seattlepi.com reported on May 7 that Maximize Social Media, led by CEO **Chris McLaughlin (C'95, L'98, MBA'99)**, announced its social media program for law firms, providing necessary support for the legal community interested in expanding its marketing into social media.

Marilyn Milian (L'84) of "The People's Court" and other judges were asked to weigh in on TV judges from "American Idol" and "The Voice" in an April 20 *New York Times* article.

Linda K. Myers (L'89) was profiled in a *Chicago Tribune* article, "Office Space: Kirkland & Ellis partner explains where her road to success began," on May 7. She was also nominated for "Finance Lawyer of the Year" as part of the Chambers and Partners Women in Law awards.

An opinion piece by **Cathy Cleaver Ruse (L'89)**, "Limbaugh and Our Phony Contraception Debate,"

appeared in the *Wall Street Journal* on March 6.

A profile of **Brendan V. Sullivan Jr. (C'64, L'67)** appeared in the June 2012 issue of *Washingtonian*.

Investor's Business Daily reported that **Leslie M. Turner (L'85)** has been named senior vice president, general counsel and secretary at Hershey Company.

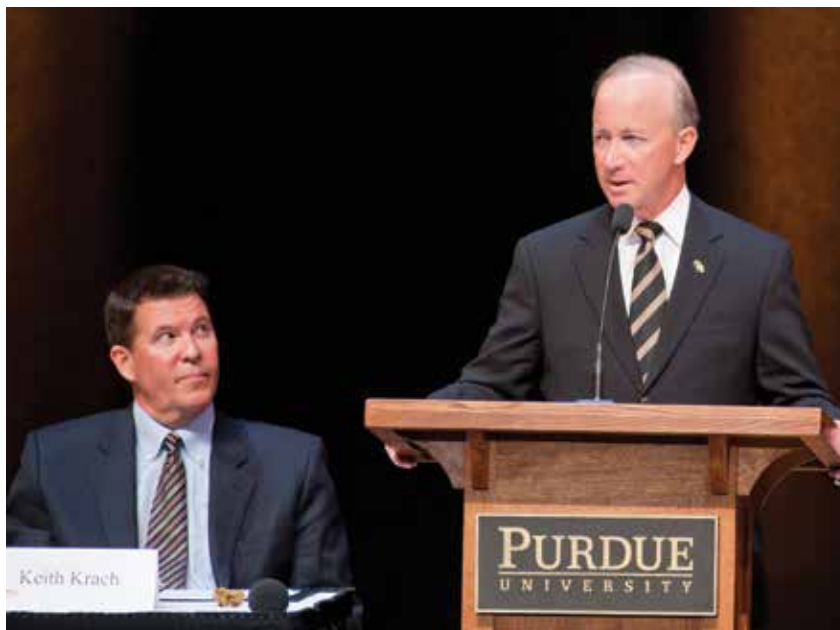
The Blog of *Legal Times* reported on May 3 that former FCC Chairman and Wiley Rein founding partner **Richard Wiley (LL.M.'62)** was honored by Catholic University's Columbus School of Law with a lifetime achievement award in communications law.

A piece by **Ralph Winnie (LL.M.'01)** called "Getting to Know You: Mr. Xi Comes to Washington" appeared in *Diplomatic Courier*, a global affairs magazine, in February. Winnie, who is the vice president of global business development and director of the China Program for the Eurasia Center, also wrote an article for *Green Tech*, a publication of the Chinese Association for Science and Technology, and was interviewed by China Central Television. On June 26, Winnie met with Ambassador Erlan Idrissov of the Embassy of Kazakhstan (pictured above) as part of the International Correspondents Committee of the National Press Club in Washington, D.C.

For more information see "Alumni in the News" at www.law.georgetown.edu/news/alumni-in-the-news.cfm.

ALUMNI AWARDS, RECOGNITIONS AND APPOINTMENTS

STEVEN YOUNG/PURDUE UNIVERSITY



JUDGE HENRY GREENE, DC SUPERIOR COURT



Indiana Gov. Mitch Daniels after being elected Purdue University's 12th president (seated is Trustees chair Keith Krach), Renee Wentzel (L'07), Danya Dayson (L'98), D. Michael Fisher (G'66, L'69) and Henry D. Fellows Jr. (L'78).

In April, President Barack Obama nominated **Terrence G. Berg (F'81, L'86)** to the U.S. District Court for the Eastern District of Michigan. Berg has served as an assistant U.S. attorney in the Eastern District of Michigan since 1989, apart from a four-year stint from 1999 to 2003 when he served as chief of the High Tech Crime Unit at the Michigan Department of the Attorney General. From 2008 until 2010, Berg served as interim U.S. attorney, and in 2010 he was detailed to be acting first assistant U.S. attorney in the Middle District of Georgia. Since 2011, Berg has been detailed to the Professional Misconduct Review Unit at the U.S. Department of Justice.

Danya Dayson (L'98) was sworn in as an associate judge at D.C. Superior Court in April. As reported by the Associated Press, Dayson was nominated by President Barack Obama in July 2011 and confirmed by the Senate in November. Since graduating from the Law Center, she has practiced criminal law and family law in Washington and is also an adjunct professor at the George Washington University School of Law.

Indiana Gov. Mitch Daniels (L'79) is Purdue University's next president. "By choosing Daniels, Purdue snags a leader who will immediately be able to raise Purdue's profile even beyond its reputation for being a top-flight university for engineers and astronauts," the *Indianapolis Star* reported in June, noting that Daniels has "built national recognition by winning two races for governor by wide margins, holding high-level positions in

Washington and private industry, and briefly considering a run for the White House. He has deep connections in government and business, executive experience and international contacts." The news was reported in other media outlets, including the *Washington Post*.

Henry D. "Hank" Fellows Jr. (L'78) has received the Charles E. Watkins Jr. Award from the American Bar Association. As reported by the *Atlanta Business Chronicle*, the award, presented annually since 1986, recognizes individual members who have demonstrated distinctive and sustained service to the ABA. Fellows was also named to the *Georgia Super Lawyers* Top 10 list for the fourth consecutive year. He is a founding partner of Fellows LaBriola.

D. Michael Fisher (G'66, L'69), a judge on the U.S. Court of Appeals for the 3rd Circuit, was recognized for his exceptional contributions to the history of western Pennsylvania, the nation and the world as part of the Senator John Heinz History Center's 20th-annual history makers awards dinner in April. The benefit dinner honors outstanding men and women whose achievements, while rooted in western Pennsylvania, transcend geographical bounds.

Savannah Guthrie (L'02) is the new co-anchor of NBC's "Today" Show. Guthrie has co-hosted the third hour of "Today" since May 2011, and has also been the show's chief legal analyst. After a stint at Court TV, Guthrie was named NBC's White House correspondent

in 2008. Numerous media outlets have covered Guthrie's new job on "Today." For more on Guthrie, who appears on our cover, see the "Spotlight" profile on the inside back cover.

Daniel Suhr (LL.M.'11) has been named a John Marshall fellow by the Claremont Institute. This is the inaugural year for the fellowships, which are offered to current law students and recent law graduates seeking a career in professional and public jurisprudence.

Patricia Sullivan (L'78) has been selected to become a federal magistrate judge at the U.S. District Court in Providence, R.I. Sullivan is a partner at the law firm of Edwards Wildman Palmer, where she has practiced in the Providence office for 33 years. Her practice emphasizes antitrust law, including complex commercial litigation, constitutional cases, class actions and criminal antitrust matters.

Federal Communications Commission Chairman Julius Genachowski has named **Renee Wentzel (L'07)** legal adviser to the chairman, responsible for wireless and engineering and technology issues including removing barriers to mobile broadband deployment and unlicensed spectrum policy. She comes to the commission from Wiltshire & Grannis, where she practiced telecommunications law.

for 2012. He is the manager of the antitrust and federal regulation section at Mintz, Levin, Cohn, Ferris, Glovsky and Popeo.

Clinton Vince, chair of SNR Denton's Energy, Transport and Infrastructure sector, received a Champion Award from the Women's Council on Energy and the Environment. The award recognizes the importance of mentors for women professionals and honors those individuals who have championed the advancement of women in the fields of energy and the environment.

1975

Richard M. Meth was named a "Leader in Law" in the 2012 *Chambers USA Guide* in the category of bankruptcy/restructuring (N.J.). He is a partner in the Roseland office of Fox Rothschild.

1976

David Barmak was named a Washington, D.C., "Super Lawyer" for 2012. He is the chairman of the employment, labor and benefits section at Mintz, Levin, Cohn, Ferris, Glovsky and Popeo.



Tom Bulleit (LL.M.) revived his great-great grandfather's 150-year-old legendary bourbon recipe and launched Bulleit

Bourbon in the United States in 1999. Today, the small-batch premium quality bourbon is distilled in Lawrenceburg, Ky., and distributed throughout the world. Bulleit Rye was launched in March of 2011 as a new member of the Bulleit product line. With an extremely high rye content, this whiskey has been consistently awarded various medals including a double gold at the San Francisco World Spirits Competition.

1977

Maidie E. Oliveau (C'74), a Los Angeles sports attorney, is one of 12 attorneys worldwide to serve on the special ad hoc division of the Court of Arbitration for Sport in London to settle disputes that arise during the 2012 Summer Olympic Games. She was the only American and only woman member of the panel resolving disputes such as athlete team selections, judging issues and drug

test results. Oliveau, who is counsel in Arent Fox's Los Angeles office, was also honored by the Sports Lawyers Association with the 2012 Woman Sports Lawyer Award for her exceptional service to the sports industry.

The Polner Wealth Management Group has relocated its full-service wealth management practice to UBS Wealth Management in Boulder, Colo. The group includes **Arthur T. Polner (C'74, L'77)**, senior vice president for investments and senior portfolio manager, and **Anita Morris Polner (C'75)**, a certified financial planner and financial adviser.

Linda Striefsky, a partner at Thompson Hine, is the Cleveland winner of the 2012 Northeast Ohio ATHENA Award, honoring those who demonstrate excellence, creativity and initiative in business or profession; contribute time to improve quality of life for others in the community; and assist women in realizing their full leadership potential. The award is administered by ATHENA International in Chicago. Striefsky is also featured in the May/June issue of *Inside Business* magazine.

1978

Mark J. Riedy, a member in the corporate and securities section and energy and clean technology practice at Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, has been named one of the "Top 100 People in Bioenergy" for 2011-2012 by *Biofuels Digest*.

1979



Alan Fein has been elected chair-elect of Miami's Performing Arts Center Trust's board of directors. He is a shareholder in the litigation department of Stearns Weaver Miller Weissler Alhadeff & Sitterson.



Edward Tolchin is a new principal in Offit Kurman's government contracting and commercial litigation practice groups. His practice focuses on government contracting and technology matters,

and he represents both prime and subcontractors in contract negotiation, formation matters and in disputes involving both government and commercial business issues. In addition to working with large and small matters in federal and state courts and before numerous arbitration panels, Tolchin has assisted in disputes, licensing and business development matters for clients ranging from startups to Fortune 500 companies. Before joining Offit Kurman, Tolchin was a managing partner at a small law firm in northern Virginia for over two decades. He will split his time between Offit Kurman's Bethesda and new Tysons Corner offices.

1980



Matthew J. Creme Jr., a partner in the Lancaster County law firm of Nikolaus & Hohenadel, is the immediate past president of the Pennsylvania Bar Association. He served as the association's 117th president from 2011 to 2012.

Thomas A. Hart Jr. was appointed director of government relations with Quarles & Brady in the firm's new Washington, D.C., office. Hart previously practiced as a partner at Holland & Knight and served as a lobbyist and adviser to federal, state and local elected officials. Currently, he is leading the U.S. High Speed Rail Association's efforts to shape policy and legislation for transportation systems in America.

1981

William N. LaForge (LL.M.) was a visiting professor of law at John Paul II Catholic University of Lublin (KUL) in Lublin, Poland, this past spring. He taught a course in business-government relations and U.S. lobbying. "KUL was the academic home of Pope John Paul II prior to his ascending to the papacy; he chaired the department of ethics for two decades," LaForge writes.

William Drew Tanney and his law partner Tony Griffith recently obtained a jury award of six million dollars in a wrongful death lawsuit involving the death of a 58-year-old man driving through a highway construction zone. Tanney practices at

Tanney & Griffith in Clearwater, Fla., specializing in wrongful death and personal injury matters. He resides in the southern Appalachian Mountains in a small town called Murphy, N.C.

1982

Richard Blau was named a "Florida Super Lawyer" for 2012 in the field of administrative law and was recognized by *Chambers USA* 2012 in the area of food and beverages law. He practices in the Tampa office of GrayRobinson.



Joan Parrott-Fonseca has been appointed state director of AARP's New York office. She will lead the development and delivery of the

organization's community programs, advocacy and information for its 2.5 million members across the state. She was professor of public administration and former dean of the School of Business at Medgar Evers College of the City University of New York before accepting her AARP appointment.

On January 1, 2012, **William M. Ried** moved from Willkie Farr & Gallagher in New York to the New York headquarters of Bloomberg as senior counsel and global head of trademarks and copyrights.

1983



Jane Sherburne, general counsel of BNY Mellon, accepted the Pro Bono Institute's Laurie D. Zelon Pro Bono Award during the

organization's annual conference in March. The award was given to Sherburne and the legal department of BNY Mellon for its strong commitment to pro bono leadership in the fight for access to justice. Among other things, the team provides legal services to micro-entrepreneurs starting new businesses in New York; helps returning U.S. veterans with combat-related disabilities secure benefits; assists 9/11 victims and their families navigate the Victim Compensation Fund; and advises foreign domestic workers in Hong Kong with legal and employment issues.

ALUMNI PROFILE: BRIAN CONCANNON

Brian Concannon (L'89) rushes off the train and out of New York's Penn Station, dragging his laptop and red suitcase behind him. He has a message to deliver.

Concannon's day started in Washington, where he had spoken at a congressional briefing organized by the O'Neill Institute for National and Global Health Law the day before. He boarded an early morning train to Philadelphia, where he delivered a speech to students, then hopped back on another train, which brought him to New York City, where he's meeting with an international lawyer on the staff of a member state's mission to the United Nations.

At every stop, Concannon describes the grim situation in Haiti. More than a half-million Haitians remain homeless after the devastating earthquake of January 12, 2010, many living in makeshift shelters of plastic tarp and scraps of wood. The lack of clean water and waste disposal systems throughout the country has contributed to the spread of disease. Four out of five Haitians are unemployed, most children are not in school, and the per capita income is less than \$2 per day. Perhaps the most devastating recent development in Haiti is the outbreak of cholera, which has killed over 7,000 Haitians and sickened a half-million more.

To most, the way to alleviate Haiti's suffering involves providing food, shelter and emergency medical care. But Concannon, founder and executive director of the Institute for Justice & Democracy in Haiti, explains that the country will only recover if it establishes the rule of law. "The people of Haiti are not poor because they don't work hard," he says. "The people of Haiti are poor because they can't enforce their rights." He rattles off a list of fundamental rights Americans take for granted — the right to enforce a contract, the right to be treated fairly as a citizen complaining of official misconduct, the right to possess and leverage clear title to property — all of which are largely absent in Haiti.

So Concannon and the Boston-based IJDH, along with its sister Port-au-Prince-based organization the *Bureau des Avocats Internationaux*, have launched a human rights-based response to Haiti's tragedies. They have filed lawsuits to slow the pace of mass evictions from the temporary camps housing earthquake victims and have pushed criminal complaints and mobilized support groups that helped stop a surge in sexual assaults in the chaotic camp settings. They have also represented thousands of victims of the deadly cholera outbreak caused by shoddy waste disposal practices at a United Nations base in central Haiti. Concannon and his team are helping many of their families pursue a historic claim asking the U.N.



Brian Concannon

to take the lead in building desperately needed water and sewage systems in Haiti. If successful, the case could save tens of thousands of lives there.

Concannon traces his commitment to social justice in part to his experience at Georgetown Law. "The Juvenile Justice Clinic and Wally Mlyniec taught me lessons about working with victims of structural injustice that I apply every week," Concannon says.

After practicing law three years with the Boston firm of Mintz Levin, Concannon began working in Haiti in 1995.

Together with Haitian attorney Mario Joseph, Concannon helped prosecute those responsible for a brutal 1994 army and paramilitary attack on Haitian civilians in the community of Raboteau. The Raboteau trial convicted the top military and paramilitary leaders of Haiti's de facto dictatorship, and led to the deportation of the highest ranked military officer ever deported from the U.S. on human rights grounds. Concannon also won the first-ever Haitian case at the Inter-American Court of Human Rights, on behalf of former political prisoner and Prime Minister Yvon Neptune. The Raboteau prosecution is widely considered to be the most important Haitian human rights case ever brought to trial and a blow to Haiti's legacy of impunity for the powerful. It is the model for a potential prosecution of former Haitian dictator Jean-Claude Duvalier, another case Concannon and Joseph are pursuing.

Concannon returned to the U.S. in 2004 to found IJDH as a U.S.-based partner for the ground-level work being done by Joseph and other Haitian attorneys at the BAI. Nancy Reimer (L'89), a classmate of Concannon's at the Law Center and a partner at the Boston office of LeClairRyan, is a key supporter of IJDH. "At Georgetown, we learned that you need to closely examine your beliefs and then act on them," Reimer says. "That is what Brian does — he sets out to right the wrongs and then he sees it through."

Concannon deflects such praise, delivering credit to others who have worked hard for justice in Haiti. U.S. volunteer lawyers and law students, including Georgetown Law students, have researched and drafted litigation documents and prepared reports submitted to the United Nations and other international bodies. In delivering his message of human rights in Haiti, Concannon regularly cites a well-known Haitian proverb, "*Men anpil, chay pa lou*" — "Many hands make the load light."

— By Fran Quigley

Fran Quigley is a clinical professor at Indiana University's Robert H. McKinney School of Law. He is writing a book about the struggle for human rights in Haiti. For more information, visit www.IJDH.org or e-mail brian@jdh.org.



Roger D. Winston (LL.M.), managing partner of the Bethesda office of Ballard Spahr, has been recognized as one of the Top 100 Washington, D.C.,

lawyers for 2012 by *Super Lawyers* and was also named to the 2012 edition of *Chambers USA: America's Leading Lawyers for Business*. Winston is a member of the firm's real estate department, co-practice leader of the planned communities and condominiums group and a member of the higher education and commercial real estate recovery groups.

1984

Lynn Monk Gallagher has joined the litigation practice of Whiteford, Taylor and Preston in the firm's Washington, D.C., office. She practices in the field of environmental law, focusing on matters under the federal pesticides law. Gallagher was previously with Carter Ledyard & Milburn.

Mark D. Hopson, a member of the management and executive committees at Sidley Austin, has assumed the role of managing partner of the firm's 275-lawyer Washington, D.C., office. He is a co-head of Sidley's white-collar practice.

1985

Richard A. Solomon writes that in addition to practicing law, he "celebrated his seventh year on radio (tcbradio.com/88.1 FM, Brookville, N.Y.) and his first year as a dad."

1986



Andrew Needham (LL.M.'90) is the new chair of the 2,712-member tax law section of the New York State Bar Association. He is a partner at

Cravath, Swaine and Moore, concentrating his practice on tax advisory work in the private equity and hedge fund sectors, mergers and acquisitions, joint venture formation, spin-offs and general tax planning.

Robert F. Redmond Jr. received the Lewis F. Powell, Jr. Pro Bono Award from the Virginia State Bar on March 26 for his unwavering commitment to assisting immigrants with legal

matters. The award is given every year for outstanding contributions in the field of pro bono service. Redmond established a clinic in 2005 to assist with the specific legal needs of Hispanic immigrants; the clinic is now held twice a month, in conjunction with the Virginia Hispanic Chamber of Commerce, and serves about 360 clients per year. Redmond also helped form the Virginia Employers for Sensible Immigration Policy, which works to ensure that legislation aimed at illegal immigration does not harm the state's business reputation. He is a partner at Williams Mullen and chairs the firm's Products Liability and Mass Tort Group.

1987



Mary Mazzio was honored at YWCA Boston's 18th annual Academy of Women Achievers Celebration on June 4.

The five awardees were selected for "excellence within their respective careers," their dedication "to promoting the role of women in society" and their service as "mentors for younger generations." Mazzio is founder and CEO of 50 EGGS, an independent film and video production company.



Kevin G. McGuire, a leading advocate for improving accessibility for the disabled, delivered the commencement

address at Boston University's Sargent College on May 20. McGuire is the chairman and CEO of McGuire Associates, a consulting firm based in Waltham, Mass., specializing in compliance with disability-related laws.

Diane M. B. Savage writes that in addition to defending capital cases she is also a founding member and president of NCAST (North Carolina Attorneys for Science and Technology).



Bob Slota is one of the editors and founders of the Pa. Family Safety blog, a service of Hamburg, Rubin, Mullin, Maxwell & Lupin. The blog



Introducing the new law.georgetown.edu.

Georgetown Law's new website, which debuted July 24, features a carousel of photos and videos illustrating the school's academic excellence, D.C. location, global focus, community and public service. Its user-friendly functions make it easy to stay connected. Look for the alumni tab at the bottom of the page to find events, programs, services and news.

can be found at www.PAfamilyafety.com. The co-chair of the firm's personal injury practice, Slota also appeared on a WOGL Sunday morning radio show, "The Philadelphia Agenda," to discuss legal issues concerning sexual abuse of children, particularly children's rights in civil court and the reporting obligations of employers.

Scott L. Vernick was named a "Leader in Law" in the 2012 *Chambers USA Guide* in the category of litigation: general commercial (Penn.). He is a partner in the Philadelphia office of Fox Rothschild.

1988

Joe Aronds is penning a new blog for the Association of Corporate Counsel regarding in-house lawyers and the arts. "I'm looking forward to interviewing and profiling other in-house corporate counsel in future installments," he writes. The blog may be found at <http://www.inhouseaccess.com>. Aronds is an assistant vice president and assistant general counsel at Hartz Mountain Industries.

Pascal Chadenet (LL.M. '88), a partner in the international law firm of Salans, hosted Salans intern Seth Engel (L'11) and Henry D. Fellows Jr. (L'78) of Fellows LaBriola, who was visiting France with his wife, at the Automobile Club in Paris in June.

Lynne E. Gedanken was nominated for "Energy/Projects Lawyer of the Year" as part of the Chambers and Partners Women in Law awards. She is senior counsel with Chadbourne & Parke in Washington, D.C.

1990

Brad J. Begelman (B'87), vice president and general counsel of Brandywine Construction & Management Inc., has been elected chair of the real property section of the Philadelphia Bar Association. Begelman has also been appointed to serve on the board of governors of the Philadelphia Bar Association. He has been general counsel of Brandywine since 2001.

Josh Eagle is a professor of law at the University of South Carolina School of Law and recently completed a casebook, *Coastal Law*, published by

Wolters Kluwer in 2011. Eagle will be visiting at the University of North Carolina School of Law in fall 2012 and at Queen's University in Belfast in the spring of 2013 as a Fulbright Scholar. He also writes that he "misses Professor Ginsburg."

Susan Keller Pascocello is now the deputy general counsel for USAID.

Joseph Rio (G'90) recently developed aPrayer, a mindfulness and meditation app now available through Apple's App store. The practical application helps users enhance their way of living by encouraging them to pause during their busy day to discern and examine their consciousness. The app, Rio writes, "is a guide to help people focus, center and become mindful using modern technology and good old Ignatian principles." The app was recently featured on Washington, D.C.'s WTOP all-news radio station. Rio is president of Sánchez+Polanco, a small business and minority-owned consulting company based in D.C. It provides business and coaching services to clients worldwide.



Brad Risinger, a partner in the Raleigh office of Smith Moore Leatherwood, recently became chair of the board of directors for

United Way of North Carolina. Risinger was also recognized by *Business Leader* magazine as one of the top 50 entrepreneurs in the region in 2012.

1991

Filmmaker **Stu Levy** recorded the aftermath of the March 2011 earthquake and tsunami in Japan, capturing more than 50 hours of footage in the Tohoku coastal region over six weeks. The result is "Pray for Japan," following victims who faced significant obstacles and fought to overcome them. Through the vantage points of four key perspectives — school, shelter, family and volunteers — the audience experiences the vast ramifications of this immense natural disaster. Proceeds from a March 14 screening at AMC Loews in Georgetown went to the Japan Emergency NGO.

Thomas S. McConville, a partner with Orrick, Herrington & Sutcliffe, was named a 2012 "Attorney of the Year" in the field of litigation by *California Lawyer* magazine.

Gang Xu (LL.M.) was named one of the top 10 in-house counsels in China by *Asian Legal Business* for 2011. He joined McDonald's China in April 2012 as vice president and general counsel and is now based in Shanghai.

1992



Margaret Cerrato-Blue (F'86) has rejoined the Seattle law firm of Riddell Williams to practice in its environmental

group. Cerrato-Blue started her legal career in the Los Angeles office of White & Case. Prior to rejoining Riddell Williams, she practiced as a solo general practitioner with an emphasis on civil litigation.

Monica Fennell was selected as a Rotary Peace Fellow to study at Chulalongkorn University in Bangkok in summer 2012. Twenty-five fellows

— all in the conflict resolution field — came from countries including Poland, India and Laos. Fennell pursued courses in peace studies, completed fieldwork and earned a professional development certificate. "I wish to spark innovations in pro bono and legal aid programs in the United States and other countries," Fennell wrote. "Increasing access to justice can help decrease poverty and attendant problems with access to education and health care."

Allison B. Rumsey was elected partner at Arnold & Porter. She is a member of the environmental group and resident in the Washington, D.C., office.

1994



Steven D. Allison has joined the Orange County office of Crowell & Moring as a partner in its litigation group. He joins the firm

from Dorsey & Whitney, where he headed that firm's California trial department.



Humberto Beau Baez (LL.M.'95), a faculty member at the Charlotte School of Law, was promoted to professor of law with tenure.

His most recent article, "Taxing Internet Sales: Trying to Make a Two-Thousand-Year-Old Jurisdiction Test Work in the Dot-Com Economy," was published in the Summer 2011 issue of *The Tax Lawyer*.

Jeff Richardson's "iPhone J.D." blog was selected as the No. 1 Legal Tech Blog for the second consecutive year by ABA Journal editors and readers in the 2011 ABA Journal Blawg 100. Richardson is a partner in the New Orleans office of Adams and Reese.

José "Pepe" Visoso was recognized at *Latin Lawyer's* "Lawyer of the Year" awards in March. He is a partner of the Mexican firm Galicia Abogados.

1995

Susan Guerette, a partner in the Philadelphia office of Fisher & Phillips, has been recognized as a 2012 Pennsylvania "Super Lawyer." She has a national practice representing

management on a wide range of labor and employment matters including defending claims of discrimination based on race, gender, age, disability and national origin.

Gal N. Kaufman (LL.M.) has joined Offit Kurman as a principal in its estates and trusts practice group. He has nearly 20 years experience providing client services in the areas of estate tax planning and estate and trust administration.



Billy Perez (LL.M.) was elected a member of the board of directors of Social Entrepreneurs of New Orleans (SENO), an

organization that connects entrepreneurs and innovators with the resources necessary to start and build their businesses, primarily through accelerator and professional mentor programs. Perez serves as special counsel in the New Orleans office of Adams and Reese.

1996



Evaluz Cotto-Quijano (LL.M.), associate professor of finance at the University of Puerto Rico, was awarded a Ph.D. in Law from the

Institute of Advanced Legal Studies-University of London in December 2011. In March 2012, Cotto-Quijano co-taught the Bank Corporate Governance LL.M. course at the Institute of Advanced Legal Studies, London.

Michael K. Forde (C'93) was named chairman of the Illinois International Port District Board, a part-time position. The board operates the Port of Chicago, among other things. He was appointed to the position by Chicago Mayor Rahm Emanuel. Forde also successfully represented Emanuel in litigation last year over whether Emanuel was qualified to run for mayor under the city's residency requirement for mayoral candidates. Previously a partner at Mayer Brown, Forde recently left to start his own firm, the Forde Law Offices.

1997

Julia A. (Tchernysh) Czarniak was nominated for "Energy/Projects

IN MEMORIAM

Edward Boshears (LL.M.'73)
Thomas P. Brown III (C'53, L'55)
Donald V. Bulleit (L'60)
Robert Cammarano (L'60)
James V. Dolan (C'60, L'63)
Richard H. Frank (C'50, L'53)
Edward Brennan Gable Jr. (L'57)
Martin L. Greenberg (L'72)
Walter Hess (C'47, L'50)
Linda Kahan (L'85)
Martin Donald Lieb (C'35, L'38)
Thomas J. Lydon (L'55, LL.M.'57)
Thomas O. Malcolm (L'60)
Michael R. McCarthy (L'08)
William T. McGivern (LL.M.'71)
Martin J. McNamara Jr. (F'46, L'48)
Michael J. Melody (L'57)
Frederick L. Miller Jr. (L'68)
Richard H. Offutt Sr. (F'42, L'51)
Daniel John Popeo (C'72, L'75)
Patrick J. Reardon (L'61)
Jacqueline Reed (L'79)
Edward S. Ring Jr. (L'53)
Mark I. Siman (L'74)
Gregory G. Smith (F'73, L'77)
Jerome N. Sonosky (L'56)
Rozann Stayden (L'89)
Burton Thorman (F'36, L'41)
Robert J. Webster (L'72)

CLE UPDATE BOW TIES AND ACCOLADES



Since Judge Paul W. Grimm (left) and Judge John M. Facciola (L'69) (not pictured) often wear bow ties, Facciola brought a few extra this year, one of which is worn by lawyer Craig D. Ball (right), a well known writer and teacher on the subject of e-discovery.

Georgetown Law's eDiscovery Training Academy, held at the Law Center each June, is receiving raves from attorneys across the country — and not just for the natty bow ties sported by its faculty. In June, the academy received the Award of Professional Excellence from the Association of Continuing Legal Education (ACLEA), the highest award in the industry, according to Larry Center, assistant dean for academic conferences and continuing legal education. "It basically means we won the award for program of the year in continuing legal education," said Center, who accepted the honor at ACLEA's annual meeting in July.

The eDiscovery Training Academy's strengths come from its superb faculty, including Judge John M. Facciola (L'69) of the U.S. District Court for the District of Columbia and Judge Paul W. Grimm of the U.S. District Court for the District of Maryland — two of the leading e-discovery judicial experts in the United States, according to Center. Facciola and Grimm

are a huge draw for the week-long program, which is capped at just 60 attendees to ensure the best possible learning experience.

The program, now in its fourth year, has been revamped to emphasize learning by doing, as opposed to simply listening to lectures; attorneys must take a test at both the beginning and at the end of the week (fortunately, multiple choice) to show what they've learned, and they must bring their laptops to class to participate in exercises and problems. "We wanted to be the first significant CLE program in the country that literally examined the intersection between law and technology," Center says.

Highlights include a mock "meet-and-confer" conference, where attorneys go before a judge — in this case, Facciola or Grimm — to discuss what the scope of electronic discovery will be in a hypothetical case. Facciola and Grimm also appear on the other side of the bench, demonstrating how a prosecutor and a defense attorney might dispute the admissibility of digital evidence in a mock hearing under Rule 104 of the Federal Rules of Evidence.

In the made-up case of an allegedly crooked cop, Grimm, in the role of prosecutor, argued that the evidence in question — e-mails, digital photos and the like — should go before the jury.

But Facciola, in the role of defense counsel, argued against the admissibility of evidence that could have been altered, including e-mails and photographs. "If this is Uncle Harry's will, we don't just take it because someone says it's Uncle Harry's will," he said, noting that in a paper universe, people could be called to testify that they witnessed the testator's signature — but that is not the universe we're now in. "Each and every one of [these items] is infinitely capable of being manipulated to be whatever ... you want it to be."

—Ann W. Parks

CONTINUING LEGAL EDUCATION CALENDAR FALL 2012-SPRING 2013

SEPTEMBER

14-15

Partner Compensation Workshop: Smart Practices and Costly Mistakes
LAW CENTER

19

Global Antitrust Enforcement Symposium
LAW CENTER

OCTOBER

5

Bankruptcy 2012: Views from the Bench (co-sponsored by the American Bankruptcy Institute)
LAW CENTER

NOVEMBER

2

Patent Law and Policy Conference
LAW CENTER

8-9

Hotel and Lodging Legal Summit (co-sponsored by the American Hospitality and Lodging Association)
LAW CENTER

DECEMBER

14-15

Advanced eDiscovery Institute 2012
RITZ-CARLTON, TYSON'S CORNER

JANUARY

11-12

Executive Education Workshop: Partnering for Value: Achieving Effective Collaboration between In-House Counsel and Law Firms
LAW CENTER

FEBRUARY

28-1

International Trade Update
LAW CENTER

MARCH

7-8

Corporate Counsel Institute 2013
LAW CENTER

APRIL

3-5

Advanced Commercial Leasing Institute 2013
LAW CENTER

18-19

Corporate Counsel Institute-Europe
LONDON, ENGLAND

24

Issues in Nonprofit Governance
RITZ-CARLTON, PENTAGON CITY

25-26

Representing and Managing Tax Exempt Organizations 2013
RITZ-CARLTON, PENTAGON CITY

JUNE

eDiscovery Training Academy
LAW CENTER

Dates are subject to change. For more information, contact the Continuing Legal Education office at 202-662-9890. E-mail: CLE@law.georgetown.edu. Website: www.law.georgetown.edu/cle/.

Gifts in Action



Marianne M. Keler (F'76, L'80), Michael Kershow (L'80) with their student scholarship recipient Yvette Badu-Nimako (C'10, L'13) and Dean William M. Treanor.

What drives so many generous alumni of Georgetown Law to create scholarships helping the next generation of students? Georgetown Law Dean William M. Treanor got to the heart of the question at the annual scholarship luncheon on March 24, when he sat down with Marianne M. Keler (F'76, L'80) and Michael Kershow (L'80) — creators of the Keler-Kershow Family Scholarship — and their student scholarship recipient, Yvette Badu-Nimako (C'10, L'13) to talk about the importance of scholarships.

"There's the sense of gratitude that you have as you leave and become successful, and you [think], wow, Georgetown made this possible for me," Keler said. As Keler became successful in her own career — first with the U.S. Securities and Exchange Commission and then for 21 years at Sallie Mae — the more she realized what a unique legal education she received. "The field of higher education I think is the most important sector in the economy, and we don't need to convince you guys what all of

this means, but it is the most meaningful part of our lives."

Keler and Kershow, who met during their third year of law school, had little in common growing up. Keler's family came to the United States in 1956 as refugees from Communist Hungary, and her father's subsequent job in the computer industry required frequent moves abroad. Acquiring an interest in things international, Keler later "gravitated naturally" to Georgetown's School of Foreign Service, where she majored in international relations.

Kershow, the son of a postal clerk, grew up on Long Island and became the first member in his family to attend college when he entered Colgate University. He believes it is absolutely imperative that institutions of higher learning assist students who are not themselves the children of college graduates — to help students as he was helped. "For me, it was always a priority. If we were going to give money to our alma maters, it would be in the form of scholarships to allow less fortunate folks to achieve that dream," he said.

Responding to the dean's questions about those favorite Georgetown Law memories, Kershow said he found his first year of law school a "blast. It was very rigorous but I just loved the curriculum..." he said. "I made terrific friendships that year with folks I've stayed in touch with for life, so those are my best memories of the campus."

The couple's favorite memories of course include the 3L year, when both served as editors on the journal *Law and Policy in International Business* (now the *Georgetown Journal of International Law*). It was that experience that pointed Kershow to a career in international trade, though he admits he never took a class on the subject in law school.

After completing a post-graduation trip to Paris — where they got engaged — and a pair of clerkships at the D.C. Court of Appeals, Kershow went off to practice international trade law at Collier Shannon Rill and Scott (now Kelley, Drye & Warren) while Keler headed to the general counsel's office at the SEC, later becoming assistant

ACROSS CLASSES

Georgetown Law alumni have a variety of ways to stay in touch. At McCarter & English, all they have to do is call a meeting of the 10-person executive committee, half of which consists of Law Center alums —

Richard Beran (L'88), Joseph Boccassini (B'89, L'92), Martin Dowd (L'84), Catherine Mohan (L'85) and Stephen Vajtay (L'83). Four of the five have spent their entire careers at McCarter, and one — Vajtay — is the 400-lawyer firm's managing partner. McCarter has 13 additional Law Center alumni in its seven regional offices in the Northeast — that includes Boston, Hartford, Stamford, New York, Newark, Philadelphia and Wilmington. "Georgetown Law is the foundation of what we've achieved as McCarter lawyers," says Vajtay. "Beyond the lessons of the classroom, Georgetown instilled a real sense of professional duty that I feel we have embraced through our service to the firm."

From left: Martin Dowd, Richard Beran, Catherine Mohan, Joseph Boccassini and Stephen Vajtay



to the chairman. "It was a great preparation for corporate law, obviously, and from there I went to Sallie Mae," she said.

In 2007, they opened their own firm, where Kershow practices asylum law — something he started doing pro bono earlier in his career — and Keler does business advising while chairing the board of trustees of the American University in Bulgaria. And of course, Keler and Kershow lend their support to Georgetown Law. "Even while I was here at Georgetown, the emotional ties [were] strong, and you feel connected," Keler says. "[We] really just felt very much that whatever opportunity we had to give back, we should take."

Yvette Badu-Nimako (C'10, L'13) knew at the age of 17 that she wanted to come to Georgetown Law — before she'd even entered Georgetown University as an undergraduate. As she told the story onstage to Dean Treanor, Keler, Kershow and the crowd of alumni donors and student recipients, Badu-Nimako explained that she was a high school student in Rockland County, New York, when she first came to George-

town University for a leadership conference. Fortunately, the conference included a lecture at the Law Center.

"I came here and I was absolutely blown away, not only by the facilities but by the students here who were so intellectual and eager to learn," she said. "When I was exiting campus and I saw Capitol Hill in the background, that's when I knew I definitely wanted to be here."

While she knew what she wanted, she wasn't exactly sure it could happen, since her parents didn't have the means to send their four children to college. Fortunately, she attended both Georgetown University and Georgetown Law on scholarships, including the Keler-Kershow Family Scholarship Fund.

Regarding a question put to her by the dean about her favorite professor, Badu-Nimako responded diplomatically that *all* of her Law Center professors are extraordinary. Nevertheless, her first-year civil procedure class with Professor Charles Abernathy stands out. "He was challenging in the most amazing way. I'm taking him again

for civil rights this semester," said Badu-Nimako, who is interested in socioeconomic policy and community development.

And her classmates are extraordinary as well, she says. "My favorite memories [here] have to do with the people, my fellow students around me."

With graduation still a year off, Badu-Nimako is enjoying every day that she's spending at Georgetown Law. "I learn so much every day," she said. "I'm so grateful for the people who contribute to helping me realize my dreams."

Dean Treanor also recognized those who established new scholarships this year: Lou Briskman (L'73); William McDaniels (L'66); Marcia Nirenstein (L'80), Al Puchala (L'88) and Kimberly Lake (L'88); Chang O. Turkmani (L'86); Emily Spitzer (L'80) and Eric Lewis; Robert Kimmitt (L'77); Tom Papson (L'77) and Toby Singer (L'77); Medina and John Vasily (L'82); Walter Dunn (L'00); and Ken Klein (L'80). Treanor also recognized new "Class Partner" Sanford Ain (L'72) and "Class Associate" Jim Sullivan (L'04).

STUDENT PROFILE: **VIKRAM AGARWAL**

ALEX FERRY

As a member of last year's J.D. class, Vikram Agarwal (L'11, LL.M.'12) had a lot to be proud of. By May 2011, he had graduated cum laude, had a job lined up in the D.C. office of Skadden Arps and had just had an article accepted for publication in *The Tax Lawyer*. And then things got even better.

By May 2012, Agarwal had passed the D.C. Bar, had nearly seven months of practice as a Skadden tax associate, and was enjoying life as a new dad to daughter Maya, born in October. Plus, he was just four credits away from getting a second degree from Georgetown Law. "I decided to do the J.D./LL.M. in tax as soon as I heard about it," said Agarwal, one of 32 members of the J.D. class of 2011 who stayed on to earn an LL.M.

Though he'd always planned on being successful, Agarwal — who also has a master's degree in accountancy and worked at Ernst & Young during law school — could not have predicted the course his life would take. Interested in business as a teenager, he'd counted on earning a combined J.D./M.B.A. by the age of 25 and becoming a fifth-year associate by the time he was 30.

The master's part of the equation was achieved more or less on schedule; the law degree was not. Because during the latter half of his college years — while he was majoring in economics at George Washington University — Agarwal began to lose his sight. "Once I finished college, I was really starting to struggle with losing my vision, and it

took me a while to find the right tools and learn them," says Agarwal, who uses speech-text software and a Labrador named Bhima. "Once I'd felt like I'd gotten the tools, I could actually go to law school and read and do the work."

Law school, he says, was a kind of rehabilitation — because even with the software, Agarwal wasn't sure he was ready to take on what was almost an entirely new field. But he was so successful at it that he decided to transfer to Georgetown from another law school after his 1L year, because of the wealth of business and tax courses here. It helped that his wife, Pratibha (L'09), came to Georgetown first, in 2006. And he found plenty of support at Georgetown Law's Office of Disability Services.

Some of the classes Agarwal enjoyed and excelled in as a J.D. student — like Federal Banking Regulation with Professor Emma Coleman Jordan and Advanced International Taxation with Adjunct Professor Philip McCarty — would count towards the LL.M. It was one such LL.M. course, Federal Limitations on State and Local Taxation, that led to his article in *The Tax Lawyer* examining California Gov. Jerry Brown's proposal to eliminate tax credits for a particular program called the Enterprise Zone Program.

Once he started at Skadden, then, he was able to hit the ground running. "Now that I am working in my practice, taking the LL.M. classes have certainly helped," said Agarwal — who spent this past summer taking a course called Life of a Tax Controversy, though he does mostly transactional work. "The learning curve is a lot [easier] than it would have been otherwise."

Very soon, he will add the degree of LL.M. to an already stellar resume — just another chapter in Agarwal's astonishing success story. "I have nothing but excellent wonderful memories of Georgetown — the professors are excellent, and the Disability Services office is probably the best in the country," he says. "It's rare that I feel connected to an institution ... I feel connected to Georgetown."

— Ann W. Parks

Lawyer of the Year" as part of the Chambers and Partners Women in Law awards. She is a partner at Skadden, Arps, Slate, Meagher & Flom in New York.



David Gutiérrez (LL.M.) was recognized as one of *Latin Lawyer's* "Law Firm Leaders" in March. A discussion of

Gutiérrez's firm, BLP Abogados in Costa Rica, also mentioned partners Luis Castro (LL.M.'97) and Mauricio Salas (LL.M.'99).

Joan Wharton writes: "After practicing commercial litigation at Stroock in New York City after law school — and then, for the past 9.5 years, practicing as in-house [counsel] at Vertrue Incorporated in Connecticut — in November 2011, I made a long-planned shift into the business world and started my own company, Charlie Dog Boxer Company, LLC. CDBC offers premium men's boxers made from fine Peruvian pima cotton. The response to CDBC has been overwhelming, and I'm excited to be starting down this new professional path. The skills and knowledge I learned both at a firm and in-house have helped me greatly with developing and marketing my new business. The company's website is located at www.charliedog.com."

Drew Williamson, a corporate and capital markets lawyer, has joined Cooley as a partner in its San Francisco office. He was previously a partner with Latham & Watkins, where he began his career, and was most recently based in Silicon Valley.

1998

James Bo Pearl was appointed by the president-elect of the American Bar Association to the standing committee on federal judicial improvements for a three-year term. The committee — composed of federal judges, practicing attorneys and academics — studies and makes recommendations to the ABA on improvements to the federal judicial system. It also serves as a liaison between the ABA and the federal judiciary, as well as other governmental and nongovernmental entities involved in judicial reform. The committee is chaired by U.S. District Court Judge Norma Shapiro.

1999



Rachael S. Rollins (LL.M.) has been appointed general counsel of the Massachusetts Bay Transportation Authority. She is the first woman to

hold the position, and simultaneously serves as general counsel for the Massachusetts Department of Transportation (MassDOT). Immediately prior to her appointment as general counsel of MassDOT in October 2011, Rollins served as an assistant U.S. attorney for the District of Massachusetts.

Jeremy Suiter is a shareholder at Stradling Yocca Carlson & Rauth in Newport Beach, Calif. He was recently named the chair of the firm's business and commercial litigation practice group.

Nisha Valabhji has served as officer-in-charge of the Defence Support Section, United Nations Assistance to the Khmer Rouge Trials, since March 2011. She worked at the United Nations International Criminal Tribunal for the former Yugoslavia from 2000 to 2011.

2000

Nicole Sergent Biddle (LL.M.) has joined McBrayer, McGinnis, Leslie & Kirkland in Lexington, Ky., as a senior associate. She will practice in the fields of regulatory banking, creditors' rights, corporate transactional issues, gaming and energy law.

Andreas Borgeas recently worked as a policy specialist at the U.S. Embassy in Kazakhstan and is now a professor of international and comparative law at the San Joaquin College of Law in Fresno, Calif.



Joshua A. Mooney has been invited to join the Claims and Litigation Management Alliance. The CLM is a nonpartisan

alliance comprised of thousands of insurance companies, corporations, corporate counsel, litigation and risk managers, claims professionals and attorneys. The organization seeks to further the highest standards of litigation management in pursuit of client defense. Mooney is counsel at White and Williams.



William Pedranti joined Snell & Wilmer as a partner in the firm's Orange County business and finance practice. He was

formerly a national co-chair of the life sciences practice group of Gordon & Rees.

Margaret (Peg) Perl has relocated to Denver with her family and is serving as staff attorney for Colorado Ethics Watch, a nonprofit organization focusing on campaign finance, government ethics and transparency at the state and municipal level. Her move comes after several years of public service in D.C. at the Federal Election Commission and U.S. House of Representatives Ethics Committee.



Mark Vlasic (B'96), a senior fellow and adjunct professor of law at Georgetown University and a principal at Madison Law &

Strategy Group, was recently elected to the board of directors of the White House Fellow Foundation and Association and the National Capital Area chapter of the Fulbright Association. He recently penned "Fighting Pirates With Paper: How the Law of the Sea Is Important in the Fight Against Piracy" in the *Huffington Post* on March 1.

Christopher Willott (G'00) was elected partner at Clifford Chance. He is a member of the banking and finance practice and is based in São Paulo, Brazil, where he heads the projects and banking team.

2001

Dr. Franz Stirnimann Fuentes (LL.M.) has joined the international litigation and arbitration world and Swiss law practice of Winston & Strawn in its Geneva office. Stirnimann Fuentes, who joins the firm as a partner, has more than a decade of experience in complex international arbitration and litigation, as well as cross-border corporate transactions.

Carmen McLean was named the D.C. Bar's 2011 Pro Bono Lawyer of the Year for her work on behalf of children in the Washington, D.C., area. McLean has worked closely with the Children's Law Center to secure safe and permanent homes for

2012 SUPREME COURT
SWEARING-IN CEREMONY

BILL PETROS

The Supreme Court swearing-in ceremony is an annual event sponsored by the Law Center's Office of Alumni Affairs for alumni who become members of the Supreme Court Bar.

The following alumni took part in this year's ceremony on June 18:

Jeremy D. Anderson L'02	Ashley Anne Meise L'97, MBA'97
Laura M. Ayoud L'87	Eamonn Kelly Moran C'04, L'07
Sylvia M. Becker F'80, L'87, G'87	Joseph H. Paquin Jr. L'87
Lisa K. Bostwick L'96, G'96	Lawrence B. Patent L'77
Clark S. Cheney L'02	David W. Pijor L'77
Marzio Ciani L'01	Jeanette L. Quick L'07
Rebekah Leigh Coover L'07	Noreen F. Qureshi L'02, S'02
Paul D. Cullen Jr. L'98	Eric J. Rahn C'03, L'07
Jacqueline M. Epstein L'07	Corey W. Roush L'97
Cyrus T. Frelinghuysen L'07	Teresa Nicole Taylor L'02
David Greenberger L'99	Galen N. Thorp L'07
Christian M. Hudson L'07	Alexandria M. Tindall L'07
Bruce Hamilton James L'87	Courtney Elena Vaudreuil L'02
Nadium H. Jinnah L'07	Gail Lynn Westover L'97
Richard Henry-Lee Marshall L'92	Esther Yong L'07

LAW ALUMNI CALENDAR

FALL 2012 – SPRING 2013

SEPTEMBER

14
LL.M. Student-Alumni
Welcome Reception
LAW CENTER

Asian Law Alumni
Advisory Board Meeting
Global Georgetown Alumni
Reception
HONG KONG

15
Section 7
Student-Alumni
Welcome Reception
LAW CENTER

20
Section 4
Student-Alumni
Welcome Reception
LAW CENTER

26
Section 5
Student-Alumni
Welcome Reception
LAW CENTER

OCTOBER

2
Section 3
Student-Alumni
Welcome Reception
LAW CENTER

9
Section 2
Student-Alumni
Welcome Reception
LAW CENTER

10
Ryan Lecture
Harold Koh, Legal Adviser,
U.S. Department of State
LAW CENTER

19-21
Reunion Weekend
LAW CENTER

20
Law Alumni Board Meeting
European Law Alumni
Advisory Board Meeting
LAW CENTER

21
Black Law Student
Association (BSA)
Reunion Brunch
LAW CENTER

24
Section 1
Student-Alumni
Welcome Reception
LAW CENTER

25
Alumni Reception
with Dean Treanor
LAW CENTER

NOVEMBER

4-9
Prayer in Daily Life
Retreat
LAW CENTER

8
Alumni Reception with
Dean Treanor
NEW YORK CITY

DECEMBER
Student Exam Breakfast
LAW CENTER

JANUARY
4-7
AALS Annual Meeting
NEW ORLEANS

4
Alumni-Faculty Reception
NEW ORLEANS

24
New York LL.M.
Cocktail Reception
NEW YORK CITY

25
New York Alumni
Luncheon
NEW YORK CITY

FEBRUARY

Prayer in Daily Life Retreat
(Phase Two: Invitation
Only)
LAW CENTER

MARCH
16
Law Alumni Board Meeting
LAW CENTER

22
Women's Forum
LAW CENTER

Hart Lecture
LAW CENTER

Prayer in Daily Life Retreat
(Phase One Repeated)
LAW CENTER

Annual Scholarship
Luncheon
LAW CENTER

APRIL
Equal Justice
Foundation Auction
LAW CENTER

18-21
John Carroll Weekend
LONDON, ENGLAND

18-19
Corporate Counsel
Institute Europe
European Law Alumni
Advisory Board Meeting
LONDON, ENGLAND

MAY

16
D.C. Alumni Lunch
WASHINGTON, D.C.

19
Commencement
GEORGETOWN
UNIVERSITY

JUNE

17
Supreme Court
Swearing-In Ceremony
WASHINGTON, D.C.

Events are subject to
change. For more
information, please
contact alumnlaw@law.georgetown.edu

D.C.'s most vulnerable children. She is a partner at Jones Day.

N. Tobias Smith, a partner in the Dallas office of Strasburger & Price, has been elected to membership in the Fellows of the Texas Bar Foundation. Fellows are selected for their outstanding professional achievements and their demonstrated commitment to the improvement of the justice system throughout the state of Texas.

2002

Alvaro Galindo (LL.M.), former head of international arbitration at the Ecuador attorney general's office, has joined Dechert in Washington, D.C. He advises on complex international arbitration matters, particularly those involving Latin American jurisdictions. "I will concentrate my efforts on providing the best service to our clients and to expanding the practice of our group in the Americas," he

said in a news release. During his time at the Law Center, he served as research assistant at the Institute of International Economic Law (IIEL) under the direction of Professor John Jackson. He was also recognized in *Latin Lawyer's* "Lawyer of the Year" awards in March for his role as counsel for Ecuador in the resolution of the Quito International Airport dispute.



Steven V. Hunter, a partner in the Chicago office of Quarles & Brady, has been named "Young Lawyer of the Year" by the Illinois Bar

Association's Young Lawyers Division. The award is given based on a nominee's achievements in the practice of law, contributions to the advancement of the legal profession and service to the community. Hunter is a trial lawyer with first-chair experience representing corporations

and lending institutions in commercial, banking, real estate and construction litigation.

2003



Christopher J. Stephens was named to the 2012 *Florida Rising Stars* list. He is a shareholder in the corporate and tax group of Hill Ward Henderson in Tampa.

Simon Vande Walle (LL.M.) earned a doctor of laws degree from Kyushu University in Fukuoka, Japan, for his thesis entitled "Private Antitrust Litigation in Japan and the EU: A Comparative Study." He is now at Tokyo University, where he is conducting research on antitrust enforcement in Japan and the European Union with a fellowship from the Japan Society for the Promotion of Science.

2004

Michael Chatwin has joined Brownstein Hyatt Farber Schreck as an associate in the corporate and business department. His practice focuses on all aspects of corporate and business law, including mergers and acquisitions, debt and equity financing, and commercial contracts.



Habeeb "Hobbs" Gnaim has been elevated to equity shareholder at Chamberlain Hrdlicka. He is based in Houston and focuses his

practice on domestic and international planning for tax and corporate matters.

Emily M. Lam (LL.M.) was named a partner at Skadden, Arps, Slate, Meagher & Flom. She is a member of the tax group in the firm's Washington, D.C., office.

2005

Naomi Barry-Perez has been appointed director of the Civil Rights Center of the U.S. Department of Labor. She is responsible for administering the Department of Labor's internal equal employment opportunity programs and ensuring equal opportunity in the department's financially assisted and conducted programs.



Eileen Radford has joined the Annapolis, Md., office of TRACE International, the global nonprofit anti-corruption/antibribery

organization. She previously served as an anti-corruption investigator for the Global Fund to Fight AIDS, Tuberculosis and Malaria in Geneva, Switzerland.

Elizabeth Trende has joined Squire Sanders as an associate in Columbus, Ohio. She advises health care providers of all sizes as they navigate the changing landscape of health care reform. Her practice includes corporate, regulatory and administrative health care compliance activities including provider appeals; administrative and other adversarial proceedings against government agencies; billing issues; licensure and enrollment; and fraud and abuse prevention.

2006



José Ramón Ayala (LL.M.) has been promoted to partner of Santamarina y Steta, one of the biggest and most recognized law

firms in Mexico. Ayala focuses his practice on mergers and acquisitions, financings and restructurings, and health regulation. He also writes, "I am going to be a father ... so excited! Paula, my first daughter, is due in October."

2007

Joshua Pila has been promoted to senior counsel of LIN TV Corp. in Providence, R.I.; he joined the company as regulatory counsel in 2010. His role includes handling both traditional broadcast as well

as new media issues, including intellectual property, privacy and First Amendment legal matters.

Julia Pinover served as one of the lead attorneys in *Noel v. TLC*, a case that will require New York City's yellow taxi fleet to provide meaningful access to persons using wheelchairs. "This is the first time in history that federal court has held the Americans with Disabilities Act applicable to a taxi fleet," she writes. "My clients tell me it will change many lives in very fundamental ways." She also negotiated the "livery hail bill" (dealing with a related topic) working directly with Gov. Andrew Cuomo and his counsel's office. Pinover is the founder and legal director of the New York City office of Disability Rights Advocates.

2008

Christopher Evans has joined Saul Ewing's new Pittsburgh office as an associate in the business and finance practice. He focuses his practice on complex financing and merger and acquisitions transactions and regulatory counseling.

2009

Adam L. Abrahams (LL.M.) recently started the Abrahams Law Firm. The firm, which handles business and estate tax planning and tax controversy matters, is based in Silver Spring, Md. Abrahams was also sworn in and admitted to practice before the U.S. Supreme Court.

Michael Culhane Harper has transferred from Jones Day's Silicon Valley office to a new office in São Paulo, Brazil, the firm's first office in Brazil and in South America. His practice focuses on antitrust and competition law.

Koichiro Hishikawa (LL.M.) started his own firm, the Hishikawa Law Office, in Tokyo in June.

Sibo Mack-Williams was named a "Legal Justice Rock Star" by the Western Center on Law & Poverty and was honored at the organization's "Fair Shake" fundraising event on June 27 in Los Angeles for doing significant work on behalf of low-income individuals in California. Mack-Williams, an associate in the Los Angeles office of Kirkland & Ellis, has been actively doing pro bono work for the Western Center, serving on a team representing low-income Californians in an affordable housing matter.

2007 Diana Feinstein 2008 Mark Sedlander



Diana Feinstein (L'07) and Mark Sedlander (L'08) were married at the La Quinta Resort and Club outside of Palm Springs, Calif., on May 27, 2012. They met while studying for finals in the Edward Bennett Williams Library and now live in New York. She is a litigation associate at Gibson, Dunn & Crutcher, and he is a staff attorney in the criminal defense practice at the Bronx Defenders. Fellow alumni attending included Matthew Altschuler (L'09), Julian Bryant (L'08), Ross Bagley (L'08), Jennifer Clark (C'05, L'08), David Cohen (L'08), Andrew Doss (L'08), Erick Flores (L'09), Daren Garshelis (L'08), Oren Henry (L'08), Naveen Kabir (L'08), Micaela De Cardenas Lumpkin (L'07), Michael Mancini (L'08), John Ngo (L'07, LL.M.'12), Brian Oldham (C'99, L'06), Sam Shapiro (L'08) and Chris Tatarowicz (L'08).

2011



Stephen T. Schwarzbach Jr. has joined Weil, Gotshal & Manges as an associate in the firm's Houston office. He is a member of the

firm's business finance and restructuring practice group.

children with mental disabilities. This Georgetown Law fellowship was created with the generous support of **Sara Crown Star (L'85)** and her husband James Star. "When Sara first raised the idea of creating this fellowship," Dean William M. Treanor remarked in June, "I was impressed by the idea of helping a talented graduate make a difference in the field of disability law. It is great that the idea has now become a reality."

2012

In September, **Todd Rubin** will begin a two-year public interest fellowship in the field of disability law at the Judge David L. Bazelon Center for Mental Health Law, a national advocacy organization that seeks to protect and advance the rights of adults and

LAW FIRM CHALLENGE

Thank you to all who participated in the 2011-2012 Law Firm Challenge, especially those who volunteered as firm agents (listed below). The competition continues to be a great opportunity for Georgetown Law alumni to stay connected to the Law Center, while making a significant impact on many of its core programs, including financial aid, clinics, journals and more.

The 2011-2012 Challenge involved more than 2,300 alumni at 57 firms. Forty-seven percent of alumni at these firms contributed a total of \$866,569 to the Law Center.

Dean William M. Treanor visited participating firms throughout the year to update alumni on recent developments at the Law Center. Additional efforts to offer relevant and timely programming to our firms included an event in which two Georgetown Law professors, Neal Katyal (former acting U.S. solicitor general) and Viet Dinh (former assistant U.S. attorney general, Office of Legal Policy), visited a local firm to speak about their distinguished careers.

To have your firm or company join the Law Firm Challenge or to request more information about the program, please contact Dave Stone, associate director of the Law Annual Fund, at 202-662-9500 or das78@law.georgetown.edu.

Akin Gump Strauss Hauer & Feld

Firm Participation Rate: 33%

FIRM AGENTS:

Michael Blaisdell (L'09)
Charles Franklin (L'03)
Rich Rabin (L'93)

Alston & Bird

Firm Participation Rate: 26%

FIRM AGENTS:

Pat Flinn (L'82)
Keavney Klein (N'02, L'08)

Arent Fox

Firm Participation Rate: 28%

FIRM AGENT:

Matt Nolan (L'86)

Arnold & Porter

Firm Participation Rate: 24%

FIRM AGENTS:

Patrick Grant (C'73, L'77)
Whitney Moore (L'04)
Darren Skinner (L'95)

Baker & McKenzie

Firm Participation Rate: 25%

FIRM AGENT:

Ryan Kelly (L'08)

Baker Hostetler

Firm Participation Rate: 55%

FIRM AGENTS:

Jim Day (L'06, MBA'07)
Jeffrey Paravano (L'91)
Jennifer Walrath (L'07)

Ballard Spahr

Firm Participation Rate: 55%

FIRM AGENT:

Joe Fanone (C'71, L'74)

Bingham McCutchen

Firm Participation Rate: 20%

FIRM AGENTS:

Elizabeth Baird (L'96)
Ed Maluf (L'90)
Rick Rothman (L'89)

Chadbourne & Parke

Firm Participation Rate: 21%

FIRM AGENTS:

Cassandra Charles (L'05)
Andrew Giaccia (C'81, L'84)

Covington & Burling

Firm Participation Rate: 52%

FIRM AGENTS:

John DeBoy (L'09)
Kathleen Gallagher-Duff (L'84)

Skye Perryman (L'07)

Paul Rogers (L'85)

Crowell & Moring

Firm Participation Rate: 43%

FIRM AGENTS:

Phil Inglima (C'84, L'88)
Mike Lieberman (L'08)

Davis Wright Tremaine

Firm Participation Rate: 43%

FIRM AGENTS:

Rick Cys (L'69)
Clayton Graham (L'06)

Debevoise & Plimpton

Firm Participation Rate: 100%

FIRM AGENTS:

Ada Fernandez Johnson (L'98)
Kevin Rinker (L'99)
John Vasily (L'82)
Erica Weisgerber (C'05, L'08)

Dechert

Firm Participation Rate: 14%

FIRM AGENTS:

Brenden Carroll (L'08)
Joshua Hess (L'01)
Sue Kilgore (C'04, L'10)

Dewey & LeBoeuf

FIRM AGENTS:

Hugh Hilliard (MSFS'81, L'00)
Catherine McCarthy (L'93)

Dickstein Shapiro

Firm Participation Rate: 63%

FIRM AGENTS:

Lisa Marie Kaas (L'04)
Peter Kadzik (L'77)

DLA Piper

Firm Participation Rate: 100%

FIRM AGENTS:

Bret Lowell (L'78)
Lee Miller (B'69, L'73)

Duane Morris

Firm Participation Rate: 58%

FIRM AGENT:

Dan Toomey (L'67)

Foley & Lardner

Firm Participation Rate: 49%

FIRM AGENTS:

Peter McLaughlin (L'93)
David Ralston (F'76, L'79)
Lewis Smith (L'08)

Gibson, Dunn & Crutcher

Firm Participation Rate: 91%

FIRM AGENTS:

Rob Blume (L'92)
Michael Diamant (F'00, L'03)
Nicola Hanna (L'87)
Timothy Swain (L'05)
Joe Warin (L'75)

Goodwin Procter

Firm Participation Rate: 22%

FIRM AGENTS:

Jamie Hutchinson (L'93)
Siobhan Murphy (L'01)
Regina Pisa (L'82)

Greenberg Traurig

Firm Participation: 48%

FIRM AGENTS:

John Elliott (L'05)
Becky Manicone (F'93, L'97)
Claude Wild (L'75)

Hogan Lovells

Firm Participation Rate: 30%

FIRM AGENTS:

Brian Ashin (L'08)
William Ferreira (L'05)
Cole Finegan (L'86)
Sara Hallmark (C'05, L'11)
Beth Halpern (L'03)
Elizabeth Meers (L'80)
Patrick Raher (L'72)
Elizabeth Roberts (L'99)
Marcia Wiss (F'69, L'73)
William Yavinsky (L'08)

Holland & Knight

Firm Participation Rate: 41%

FIRM AGENTS:

Thomas Brownell (L'78)
Bob Craft (L'68)
Jonathan Epstein (L'95)
Albert Tellechea (L'75)

Hollingsworth

Firm Participation Rate: 92%

FIRM AGENTS:

John Kalas (L'10)
Jim Sullivan (L'04)

Hunton & Williams

Firm Participation Rate: 54%

FIRM AGENTS:

Mark Bierbower (L'79)
Laura Jones (L'98)

Jones Day

Firm Participation Rate: 68%

FIRM AGENTS:

Jim Beh (C'81, L'84)

Britney Edwards (L'07)

Kris Garcia (L'05)

Rich Kosnik (L'82)

Kevin J. McIntyre (L'88)

K&L Gates

Firm Participation Rate: 30%

FIRM AGENTS:

Hugh Bangasser (L'71, L'75)
Rebecca Laird Hanslin (L'70)
Shawn Helms (L'00)
Brian Koosed (L'05)
Pete Morrison (L'82)
Steve Palmer (L'83)
Lisa Richman (L'02)
Robert Womble (L'82)

Katten Muchin Rosenman

Firm Participation Rate: 53%

FIRM AGENT:

David Halberstadter (L'82)

Keller and Heckman

Firm Participation Rate: 100%

FIRM AGENTS:

Natalie Rainer (L'07)
Xin Tao (L'12)

Kirkland & Ellis

Firm Participation Rate: 29%

FIRM AGENTS:

Jonathan Brightbill (L'01)
Robert Enayati (L'09)
Brian Ford (L'06)
Michael Jones (L'85)
Allison Kadzik (L'07)
Amy Robbins Peters (L'02)

Latham & Watkins

Firm Participation Rate: 15%

FIRM AGENTS:

Jude Gorman (B'99, L'05)
Julia Hatcher (L'87)
Andy Hutchinson (L'05)
Jared Johnson (L'93)
Mike Lundberg (L'08)
Bruce Prager (L'77)

LeClairRyan

Firm Participation Rate: 55%

FIRM AGENTS:

C. Erik Gustafson (L'91)
Nancy Reimer (L'89)

Mayer Brown

Firm Participation Rate: 55%

FIRM AGENTS:

G. Richard Dodge (L'98)
Stephen Kane (L'00)
Ken Klein (L'80)
John Mancini (L'89)

McDermott Will & Emery

Firm Participation Rate: 100%

FIRM AGENTS:

Ray Jacobsen (L'75)
Jeff Rothschild (C'93, L'97, MBA'97)

McGuireWoods

Firm Participation Rate: 68%

FIRM AGENTS:

Walter Dunn (L'00)
Elena Marcuss (L'98)
Jessica Morrison (L'01)
Raj Natarajan (L'98)

McKenna Long & Aldridge LLP

Firm Participation Rate: 100%

FIRM AGENTS:

Chris Baker (L'07)
Tom Papson (L'77)

Mintz, Levin, Cohn, Ferris, Glosky and Popeo

Firm Participation Rate: 52%

FIRM AGENTS:

David Barmak (L'76)
Keith Carroll (C'91, L'95)

Morgan, Lewis & Bockius

Firm Participation Rate: 40%

FIRM AGENTS:

Mike Berenson (L'73)
Jonathan Fritts (L'98)
Harry Risetto (L'68)

Murphy & McGonigle

Firm Participation Rate: 100%

FIRM AGENT:

Erica Palim (L'93)

Patton Boggs LLP

Firm Participation Rate: 33%

FIRM AGENTS:

Larry Harris (L'65)
Nicole Nice (L'05)

Paul Hastings

Firm Participation Rate: 73%

FIRM AGENT:

Mary Elizabeth Hadley (L'10)

Paul, Weiss, Rifkind, Wharton & Garrison

Firm Participation Rate: 26%

FIRM AGENT:

Brian Hart (L'08)

Perkins Coie

Firm Participation Rate: 27%

FIRM AGENTS:

Kevin Hamilton (L'85)
Chuck Samel (L'85)
Di Zhang (L'08)

Ropes & Gray

Firm Participation Rate: 24%

FIRM AGENTS:

Christopher Green (L'99)
Christopher Harnett (L'90)
Greg Levine (L'96)

Saul Ewing

Firm Participation Rate: 45%

FIRM AGENT:

Michelle Lipkowitz (L'02)

Simpson Thacher & Bartlett

Firm Participation Rate: 100%

FIRM AGENTS:

Sarah Cogan (L'81)
Gregory Grogan (L'98)
Marisa Stavenas (L'99)

Skadden, Arps, Slate, Meagher & Flom

Firm Participation Rate: 37%

FIRM AGENTS:

Jamie Boucher (L'96)
Jon Hlafter (L'02)
Thomas Kennedy (L'81)
Bob Lighthizer (C'69, L'83)
Marcia Nirenstein (L'80)

SNR Denton

Firm Participation Rate: 87%

FIRM AGENTS:

Guly Sabahi (L'02)
Darryl Sragow (L'82)
Clint Vince (L'74)

Squire Sanders**Firm Participation Rate: 8%**

FIRM AGENTS:

Albert del Castillo (C'79, L'82)

Step toe & Johnson**Firm Participation Rate: 21%**

FIRM AGENTS:

Edmund Burke (C'70, L'73)

Toni Ianniello (L'80)

Sutherland Asbill & Brennan**Firm Participation Rate: 31%**

FIRM AGENTS:

Rian Perry (L'08)

David Wochner (L'96, L'02)

Troutman Sanders**Firm Participation Rate: 57%**

FIRM AGENTS:

Amie Colby (L'99)

Venable LLP**Firm Participation Rate: 100%**

FIRM AGENTS:

Bob Geis (L'89)

Brian O'Connor (L'95)

Jud Starr (L'75)

Williams & Connolly**Firm Participation Rate: 100%**

FIRM AGENTS:

Joe Petrosinelli (L'91)

Toby Romero (C'93, L'96)

Willkie Farr & Gallagher**Firm Participation Rate: 20%**

FIRM AGENTS:

Daniel Alvarez (F'00, L'05)

Kevin Clark (C'76, L'79)

WilmerHale**Firm Participation Rate: 20%**

FIRM AGENTS:

Tanya Stern Bernotas (L'04)

Juanita Crowley (L'77)

Susan Friedman (L'04)

Bill O'Reilly (L'80)

Note: Overall statistics and participation rates as of July 31, 2012.

**Thomas H. Kennedy**

(L'81) is the new national chair of the Law Annual Fund, replacing Sarah E. Cogan (L'81), whose term expired June 30. Tom is a partner at Skadden, Arps, Slate, Meagher & Flom. He is based in their New York office, where he concentrates on mergers, acquisitions and

other transactions, with an emphasis on the telecommunications, media and technology industries.

UPDATE ON THE LAW ALUMNI BOARD

Dear Friends,

When the horde of reporters and analysts poured out of the Supreme Court building on the morning of June 28, two news outlets, in their rush to be first, confused the ruling. No doubt Georgetown students and alumni had to smile, for many of us know that experience as students or even practitioners. Still, what an extraordinary day for Georgetown students, who benefited from attending moot courts and frequent panels and presentations with professors who are leading protagonists on both sides of the Affordable Care Act litigation.



Such momentous national events unfolding just down the road from the school accentuate the value of a Georgetown Law education. Students' educational experiences are enhanced by the Law Center's location in the nation's capital, the prestige of its faculty and the quality of its program.

Reunion 2012 will be our next chance to gather to deconstruct the Supreme Court ruling and recall the cases that highlighted our school experiences, such as *U.S. v. Nixon* and *Bush v. Gore*. From October 19-21, the classes of 1962, and every 5 years through 2007, will be welcomed for three days of discussions and socializing. We will honor five distinguished classmates with the Paul R. Dean award: David K. Reyes (L'82), John Patrick (Sean) Coffey (L'87), Anita Josey-Herring (L'87), Seth Williams (L'92) and Stephanie Herseth Sandlin (L'97).

Beyond the nation's capital, our 40,000 alumni reach across the country and around the world, making us a premier international institution. Our worldwide alumni count has grown with the LL.M. program, vigorous European and Asian alumni associations, and a new facility for students and scholars in London, which will be the site of the 2013 John Carroll award celebration.

The U.S. alumni association is now coast-to-coast. When I started law school in 1973, I was one of two Californians in the first-year class. Today California is our third largest alumni area. This year, we have been busy with many events in the D.C. area, but also in Boston, New York, Chicago, northern California, Las Vegas and Atlanta. Dean Treanor attended several. The U.S. Supreme Court swearing-in on June 18 was especially exciting, given its proximity to the announcement of the health care decision. Denver alumni organized an admitted student reception and also toured the city's new crime and DNA lab.

Your involvement — mentoring students, interviewing potential students, hiring new grads and making financial contributions — is critical. The university's \$1.5 billion fundraising campaign, *For Generations to Come*, was launched last year with a \$150 million goal for the Law Center. Thanks to your generosity, the campaign is more than halfway toward its goal.

Georgetown Law's reputation continues to soar. Please send your news to the alumni office (alumnlaw@law.georgetown.edu), and if you aren't receiving your monthly e-newsletter, contact NewsInBrief@law.georgetown.edu. The Alumni Board will meet October 20 during the reunion. If you would like to suggest a topic for us to consider, contact me at fciruli@aol.com or Matt Calise at mfc37@law.georgetown.edu.

Hope to see you at Reunion 2012.

Floyd Ciruli, L'76
Chairman, Law Alumni Board

Alumni Events

SCHOLARSHIP LUNCHEON

This year's Scholarship Luncheon took place on March 24 at the Law Center.

Middle left: Shira Spalter, Yael Bortnick (L'12) and Jennifer Caballero (L'12).

Middle right: Elliot Labovitz (L'12) and Caryl Bernstein (L'67).

Below left: June Jeffries (L'78), Victoria Nalls, Christopher Nalls (L'12), Beverly Perry (L'81), Cheryl M. Long (F'71, L'74) and Leslie Turner (L'85).

Below right top: Vice President for Strategic Development and External Affairs Kevin Conry (F'76, L'86) and Monica Ameet (F'07, L'12).

Below right bottom: Trina Felton, Michael Pisko (C'10, L'13), Ann Beth Stebbins (C'86, L'94).



Opposite page:

HOGAN SOCIETY

Top row: Dean William M. Treanor at the Hogan Society reception at Arena Stage on March 23. Taras Kosmyrna (LL.M.'12), Lupe Zamarripa (L'73), Martha Gomez and Sixto Duarte (L'12); Joseph Fanone (C'71, L'74), Elizabeth Ruyak (G'79) and Bob Ruyak (L'74); Jim Veillette (F'80, L'88) and Susan Veillette.

D.C. ALUMNI LUNCHEON

Middle row: At the annual D.C. Alumni luncheon at the W Hotel on May 3, Professor Rosa Brooks, former counselor to the under-secretary of defense for policy, delivered a talk on drone strikes. Dr. Allison Bailey with Mark Mansour (F'79, L'88); Paul Cullen (C'62, L'65), Ralph Winnie (LL.M.'01), David Webster (L'58), Dean William M. Treanor, Joel Bennett (L'71).



JOHN CARROLL AWARDS

Middle, right: The 2012 John Carroll Awards were presented in Chicago in April. Award recipients Lee I. Miller (B'69, L'73), left, and Michael E. Karam (F'72, L'76, L'81), right, with Marcia Wiss (F'69, L'72) and Linda Morgan (L'76).

WOMEN'S FORUM

Bottom row: Alumnae listen to the panelists at the April 20 Women's Forum at the Law Center. Front row, left to right: Kathryn O'Neal (C'97, L'01); Laura Possessky (L'95); Parvin Huda (C'92, L'99); Christy Fisher (L'06) and Nadia Asanchevay (L'06). Celeste Campbell (L'90), Maurita Coley Flippin (L'81), Carole Jordan (L'79) and Sheryl Lincoln (L'95).

BILL PETROS (6)





25 Years of Home Court



Home Court co-chairs (from left) Lauren Miyamoto (L'12), Tyler Press (L'12) and Brittany Muetzel (L'12) along with Eric Lemor (L'13), Julia Sferlazzo (L'13) and Andrew Hogan (L'14) present a very big check to the Washington Legal Clinic for the Homeless at the 25th anniversary of Home Court on February 29.

In the 25 years since Home Court began, this annual charity basketball game pitting Law Center faculty and staff against members of Congress has raised more than \$5 million to help the Washington Legal Clinic for the Homeless provide for some of the District's neediest citizens.

In front of a boisterous crowd on the campus of Trinity Washington University, Home Court co-chairs Lauren Miyamoto (L'12), Brittany Muetzel (L'12) and Tyler Press (L'12) took advantage of a time-out to present a check for \$941,539.76 to WLCH staff (a sum more than double last year's total).

"This is beyond anything we could have imagined back in 1987 when we started planning this event," said WLCH Executive Director Patricia Mullahy Fugere (C'81, L'84). "It's our neighbors who are homeless who are the winners of Home Court."

Jeff Schwaber (L'88), who thought up the idea of Home Court as a student more than a quarter century ago, was also on hand to accept the check. "It is my sincere hope that 25 years from now we won't need a Washington Legal Clinic for the Homeless," he said.

This year's game began with Dean William M. Treanor (#16) starting for the Hoya Lawyas and a Hoya early lead (5 to 4).

Sen. Scott Brown, R-Mass., of the "Hill's Angels" team, hit a three-pointer to pull away, but Georgetown Law's Ronnie Rease scored a three-pointer just before halftime to make it 18-20. The Hoyas stayed close in the second half, with Rease tying it up at 32-32. Another couple of three pointers by Rease, and some great plays by Lawya teammates Michael Jacobson, Damon Jones and Tom Karr, made the score a nail-biting 47 to 49 with 23 seconds left to play. The final score — Hoya Lawyas 47, Hill's Angels 50 — did not dampen the enthusiasm of Home Court 25.

Many Lawyas were Home Court veterans, including Professor Michael Frisch, who served as this year's co-coach with Dean of Students Mitch Bailin. Former Senior Assistant Dean Everett Bellamy and Professor Pete Wales, who both played in the 1988 game, were honorary team members.

Student emcee Kylen Grimes (L'12) drummed up school spirit, as did Georgetown Law's Lawcappella singing group and Georgetown mascot Jack the Bulldog. "I couldn't be more proud of the Hoya Lawyas," said Bailin. "They played with passion and flair to the final buzzer. And with our students' remarkable fundraising efforts, there definitely were no losers at Home Court 25."

Spotlight: Savannah Guthrie (L'02)

In the television world, Savannah Guthrie (L'02) is now known as the co-anchor of the “Today” Show. But as she told Georgetown Law students several years ago, she was once known in legal circles as the lawyer who turned down a guaranteed clerkship from a federal judge — with no solid TV offers in sight — to pursue a career in television.

“I didn’t know it would work out,” said Guthrie, who was then a national news correspondent at NBC, filing stories for “NBC Nightly News” and the cable news channel MSNBC in addition to “Today,” when she spoke to students about her career in 2008. “If there’s something you’ve always wanted to do, you should just try your best to do it.”

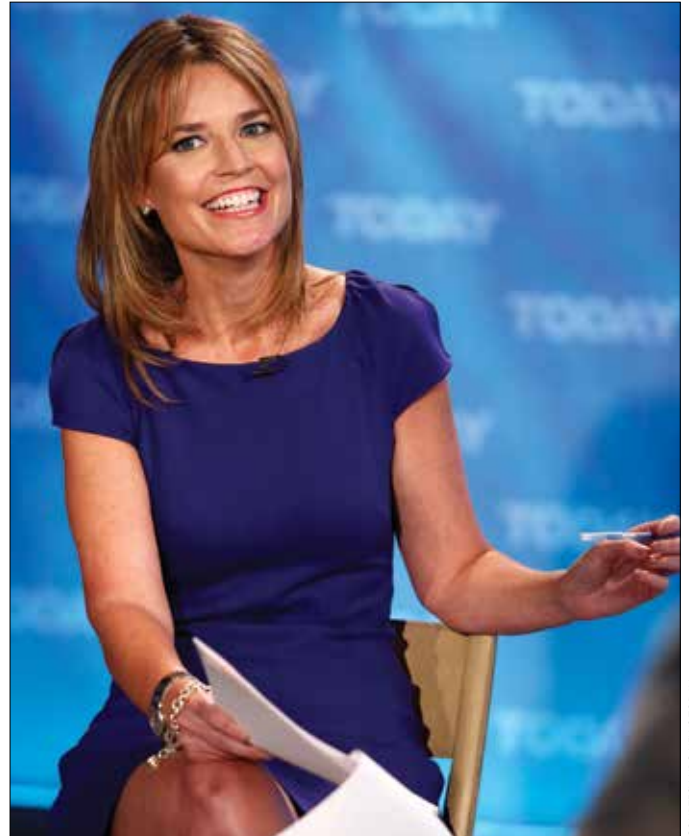
Good advice — from someone who has always known what she wanted to do. Already a seasoned TV anchor in Arizona and Missouri when she came to Georgetown Law in 1999, Guthrie wanted to keep her foot in the broadcasting door as a law student and became a freelance reporter for WRC-TV in Washington the fall of her 2L year. During her 1L year, she kept her work life more simple, answering phones in the dean’s office.

“I’d been working for six years by the time I went back to law school, and I had a career,” she told *Georgetown Law* in a 2007 interview. “So it was quite an experience to return to school full time, to a new city where I knew nobody, to start law school ... and then to be working at the dean’s office answering phones, it was kind of like rewinding your life to when you’re in college.”

Freelance reporting as a 2L was a lot more challenging. “I remember times when I’d be waiting for my live shot at 11 o’clock at night and I’d be studying,” Guthrie said, adding that while she was definitely paying attention to what she was reporting, if there was any extra time she took advantage of it. “I was working really hard and I was very tired, but it was important to me to keep my foot in the door in TV.”

At the same time, she was interviewing for law firm jobs and clerkships and even taught Legal Research and Writing as a law fellow (back when 2L students actually helped out in front of the class). She chose not to participate in law review, though she could have. “I could not have done all of it,” she said.

Guthrie’s third year of law school started with 9/11 — but unlike her law school classmates, she had to cover it, or at least a “very small part” of the Washington angle. “I think I came into work at 2 or 3 in the morning on September 12, and that was a very unforgettable experience, to be [riding in] a news truck on the streets of D.C.,” she said, adding that there were national guard troops there. “It felt like an honor to be part of that story and to convey that story. ... They sent me to the Pentagon later that morning and I remember meeting people who had family members inside.”



After graduating magna cum laude in 2002, Guthrie headed for the litigation section at Akin Gump Strauss Hauer & Feld. Though she enjoyed practicing law — white collar criminal defense — she realized she wanted to pursue her goal of becoming a network correspondent. So she left the firm, turned down the aforementioned clerkship offer and joined Court TV in 2004, covering trials, before becoming an NBC national news correspondent in Washington in 2007. She was named NBC’s White House correspondent in 2008.

By July 2012, of course, she was more likely to be found outside 10 Downing Street, as the co-anchor of the “Today” Show covering the London Olympics. She joined “Today” last year to co-host the show’s third hour and serve as the NBC News chief legal analyst. So even without the clerkship, Guthrie’s legal knowledge has served her well. “I feel really honored to have gone to Georgetown,” she said. “I’m so proud to have done it, and so thankful to have that education.”

— By Ann W. Parks

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Washington, D.C. 20001-2075

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