

Collaboration and Leadership

THE LAW SCHOOL
LAUNCHES A NEW PROGRAM
IN PROFESSIONAL
DEVELOPMENT

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Cornell Law School

Lawyers in the Best Sense

Fall 2015

Mary Kennedy Brown: Our First
Woman Lawyer's Dramatic Life

Anne Lukingbeal Leaves
Four-Decade Legacy of Care
for Students

A Virtuositic Farewell for Rick Geiger

Mark Jackson '85:
Defending Freedom of the Press

Charles Whitehead Is
Back in the (Former) USSR

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COVER:
Portrait of James Alicea '16,
one of the 3L mentors
during Professional
Development Orientation
by Lindsay France

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Dear alumni and friends:

Cornell Law School is a school founded on twin commitments to both inclusion and excellence. And, from the beginning, it has been a global law school. (Our first graduating classes included a man who had been born in slavery as well as students who traveled to Ithaca from Meiji Japan.) A great law school like Cornell is always experimenting and innovating even while it remains true to its unchanging core values. In the stories that follow, you'll learn about how we are undertaking new initiatives that push the boundaries of legal education. You'll also read about how we are continuing to celebrate our long tradition of inclusiveness and promoting our global legal vision in remote corners of the world. You will read about an alumnus who has raised the bar for excellence in his work on behalf of award-winning journalists. Finally, you will become

reacquainted with two recently retired administrators, who safeguarded Cornell's core values for decades.

Our cover story describes the recent launch of a first-of-its-kind program to help students develop collaboration and leadership skills. These are not things law schools have traditionally taught.

A great law school like Cornell is always experimenting and innovating even while it remains true to its unchanging core values.

Yet they are essential to successful legal practice in any field. Armed with these skills, our students will be more effective lawyers who stand out in the employment marketplace.

The first step in this exciting initiative was a three-day Professional Development

Orientation in which all entering members of the Class of 2018 participated. Guiding them were a group of 2L and 3L students who served as the first group of Professional Development Fellows. On the third day of the orientation, after two days of intense, interactive leadership lessons, the students tackled the Hoffman Challenge Course, run by Cornell Outdoor Education. As an active participant along with the students, I can attest to its tremendous impact. Students wholeheartedly embraced the teambuilding exercises. They established friendships, learned about their distinctive strengths, and pushed themselves beyond their comfort zones. I saw a woman who was initially scared to leave the ground agree to be hoisted twenty feet into the air by her teammates. As our Professional Development Program grows, it's going to be one of the key things that distinguishes us as a law school.

In his article, Professor **Kevin Clermont** explores another chapter in Cornell Law School's long history of inclusion. Following a previous article on Cornell's early Japanese students and a book on Cornell's first African-American graduate, **George Washington Fields**, Professor





Clermont now introduces us to **Mary Kennedy Brown**, the first woman to graduate from Cornell Law School. He paints a compelling picture of a woman who, after graduating in 1893, practiced law in Chicago and Boston and championed progressive views.

In this issue, we also say “farewell” to two pivotal figures in the Law School’s recent history: **Anne Lukingbeal**, dean of students, and **Rick Geiger**, dean of admissions and communications. For nearly four decades, Lukingbeal was central to the life of the Law School. She had an enormous impact on the education, careers, and lives of generations of students. Geiger was the Law School’s longest-serving dean of admissions. For over 28 years, he was a key figure in selecting two-thirds of the Law School’s living alumni. Together, they exemplify the caring, dedication, and collegiality that have come to characterize the Law School.

To round things off, this issue finishes with articles on alumnus **Mark Jackson’s** role in helping the *Wall Street Journal* win a Pulitzer



Entering members of the Class of 2018 participate in Orientation, which included the Hoffman Challenge Course (below)



Prize and Professor **Charles Whitehead’s** work in Ukraine. One is an example of the versatility of Cornell lawyers, and the other shows how we continue to be a global law school.

Taken together, the feature articles comprising this issue provide snapshots of where we are, where we have been, and where we want to go. And, while there is much work to do, the future is promising. On behalf of everyone at the Law School, I thank you for your continued interest and support.

Eduardo M. Peñalver

Allan R. Tessler Dean and
Professor of Law
law.dean@cornell.edu



COLLABORATION AND LEADERSHIP:

The Next Frontier in Legal Education

The Law School Launches a New Program in Professional Development

by KENNETH BERKOWITZ ■ PHOTOGRAPHY by CHRIS PRITCHARD and LINDSAY FRANCE



In the working world, lawyers collaborate in virtually everything they do—especially as new attorneys. But that’s rarely the focus in law schools, where students are admitted as individuals, trained as individuals, and graded as individuals. Then, once they begin their careers, they face a learning curve as individuals.

That’s about to change. “This is the next frontier of legal education,” says **Eduardo M. Peñalver**, the Allan R. Tessler Dean and Professor of Law, talking about the Law School’s new Professional Development Program. “Law school pedagogy is very individualistic, and law students are rarely trained to work together in a systematic way. The goal of this program is to begin teaching them to collaborate with one another, which will make them better lawyers. It’s going to infuse our educational system, help us graduate more effective practitioners, and over time, it’s going to be one of the things that distinguishes us as a law school.”

Even before becoming dean, Peñalver had identified professional development as one of his main talking points. By the time he delivered his first State of the Law School address, within weeks of arriving on campus in the summer of 2014, professional development was already an important part of his vision. Now, a year later, it is at the center of Cornell Law School’s newest program, which includes a dean-level position to integrate this new focus into the rest of the curriculum.

“What do we mean when we say professional development?” asks **Elizabeth Peck**, assistant dean for professional development and clerkships, who transitioned to her new job in May. “We start

with this really, really smart group of students: Cornell 1Ls. And in three years, they need to become professionals who will be representing clients. Who will be reporting to supervisors. Who will be supervising staff. Who will be in multicultural workplaces, in intergenerational workplaces. Who will be working with technology in ways none of us have seen before. So when we talk about developing this program, how do we know what to teach? How do we decide what’s most important?”

For Peck, the first answers to these questions were provided in 2007, when the Carnegie Foundation for the Advancement of Teaching published a landmark study called *Educating Lawyers: Preparation for the Profession of Law*. Two years later, two professors at the University of California, Berkeley, **Marjorie Schultz** and **Sheldon Zedeck**, authored a widely influential empirical paper about a new way to predict the future effectiveness of lawyers. Unlike LSAT scores, which aren’t strongly predictive of professional performance, the Schultz-Zedeck tests identified twenty-six highly predictive on-the-job effectiveness factors, based on models from industrial psychology, with no significant bias for racial, ethnic, or gender differences. (See sidebar on page 7.)

“They are the touchstone of everything we do in the world of professional development,” says Peck, who used the Schultz-Zedeck factors as the starting point for her own research. A few





Students participate in team-building and leadership exercises during the first Professional Development Orientation.

months into Peñalver's deanship, Peck joined a fifteen-member faculty/administrator committee at the Law School, chaired by Professor **John H. Blume**, to outline a plan for designing and implementing a vision for the Professional Development Program. The committee developed a consensus on the essential ingredients. This year, Professor Blume will lead a smaller version of that same group to examine more closely the specifics of the program.

To do so, they will look at the wide array of professional skills and competencies, then winnow them down based on feedback from employers and alumni. These factors fall into three main categories.

"The first bucket is practice readiness, which involves communication, collaboration, leadership, teamwork, creative thinking, risk assessment, handling mistakes, giving and getting feedback," says Peck. "The second is what we call professionalism: judgment, reputation, behavior, cultural competence, assessing and meeting expectations, emotional intelligence. Then there's a third bucket that contains career development, including self-assessment, market assessment, job-searching skills, and long-term career planning. That's a lot of ground to cover, and we can't cover it all. What's going to drive the content of our program are the alumni employers who are on the receiving end of our new graduates. Because they get it. Because they know exactly what kinds of things our students need to learn. Because they recognize that this program is a game changer that could make us national leaders in the field."

"It's like adding a turbo-charger to a legal education," says **Jack L. Lewis '69**, who's funding the program's first year with a gift in honor of **Albert Neimeth '52**, who was dean of admissions when Lewis entered Cornell Law School. "To give students a grounding in collaboration and leadership is really going to enhance their education, even if they're not things law schools have traditionally taught. These are important skills, and if students don't gain them in school, it's going to be much harder when they reach the point in their careers where leadership skills are an absolute necessity."

At Lewis's firm, as at many others, business consultants are contracted to teach some of these skills to new associates, with workshops offered once or twice a year. But for Lewis and Peck, there are clear advantages to teaching those lessons earlier, in a much more structured way. There's no reason Cornell can't hire some of these same experts, says Peck, bringing them to Ithaca to teach parts of the curriculum. And there's no reason the Law School can't find some of that same expertise at Cornell's Johnson Graduate School of Management, where **Risa Mish '88** has led student orientation since 2007, when she arrived after working for thirteen years as an attorney practicing employment law.

"For years, business schools have been at the cutting edge of teaching people how to collaborate," says Peñalver. "They understand that successful businesspeople need to communicate well

with others, persuade others, work well with others. Those are skills that can be taught, and business schools have been very successful teaching them. At Cornell, we have the benefit of a business school with a really strong leadership program, where one of the leaders is a graduate of the Law School. Risa understands exactly where our students are heading, and can tailor very effectively the lessons they'll need to learn as law students and lawyers."

"Law schools do an absolutely exceptional job of honing students' critical thinking skills, and the analytical training students get in law school is unparalleled," says Mish. "But in business school, there's a greater emphasis on teamwork. Students develop a greater sensitivity to how problem solving changes when there's more than one person solving a problem, how to incorporate differing perspectives, how to become attuned to other people's needs, preferences, and ideas. There's a focus on leading self, leading teams, and ultimately leading organizations. If we can borrow a little bit of that at the Law School, we can make students more effective at working collaboratively."

Mish has been part of the Law School's Professional Development Program from the beginning, and when the Class of 2018 arrived this summer, her new orientation curriculum was already in place. For the first time, 1Ls were given five days of orientation, not just two, starting on day one with self-assessments and hands-on lessons in leadership styles supervised by 3L mentors. On day two, those concepts were put into action with a set of exercises that challenged students to work together, confronting a problem with deadlines, conflicting points of view, and lots of room for human emotion. On day three, they moved from the classroom outdoors, tackling the Hoffman Challenge Course with Cornell Outdoor Education. (See sidebar on page 8.) After that, feeling transformed, they were ready to come back inside for two more days of meetings and the first day of classes.

"This three-day professional development orientation is the first step in a slow, deliberate process," says Peñalver. "It's three days to plant the seed, followed by three years to build more collaborative skills into the curriculum, add professional development programming for 2Ls and 3Ls, and end with a capstone experience as students head out to begin their careers. No other law school is doing this, and if we can teach our students to do a better job collaborating, they're going to stand out in the employment marketplace. And ultimately, as they reach the workplace, they're going to stand out as better, more effective lawyers, which is why we're all here."

Predicting Success

After interviewing hundreds of lawyers, law faculty, law students, judges, and clients, Marjorie Schultz and Sheldon Zedeck created a list of 26 factors that determine the effectiveness of lawyers:

1: INTELLECTUAL AND COGNITIVE

- Analysis and reasoning
- Creativity/innovation
- Problem solving
- Practical judgment

2: RESEARCH AND INFORMATION GATHERING

- Researching the law
- Fact finding
- Questioning and interviewing

3: COMMUNICATIONS

- Influencing and advocating
- Writing
- Speaking
- Listening

4: PLANNING AND ORGANIZING

- Strategic planning
- Organizing and managing one's own work
- Organizing and managing others (staff/colleagues)

5: CONFLICT RESOLUTION

- Negotiation skills
- Able to see the world through the eyes of others

6: CLIENT AND BUSINESS RELATIONS/ ENTREPRENEURSHIP

- Networking and business development
- Providing advice and counsel/ building relationships with clients

7: WORKING WITH OTHERS

- Developing relationships within the legal profession
- Evaluation, development, and mentoring

8: CHARACTER

- Passion and engagement
- Diligence
- Integrity/honesty
- Stress management
- Community involvement and service
- Self-development



On the Ropes

THEY CAME, THEY SAW, THEY CONQUERED the HOFFMAN CHALLENGE COURSE.

“Before coming to law school, I was a little bit nervous—actually a lot nervous—about what Cornell was going to be like,” says **Kimberly Petrick '18**, who tackled the course as part of the Law School’s first Professional Development orientation. “Would people be super-cutthroat? Would it be every man for himself? The ropes course was the first sign that people here were going to be really welcoming.”

Like the rest of the 1L class, Petrick started that morning with only two pieces of information: She’d be out in the woods and she’d need sunscreen. The rest of the instructions came once she reached the course, located five miles outside central campus, with a set of fifty high and low elements designed to challenge anyone’s abilities.

“I think we all really enjoyed it,” says **Dara Brown '18**. “People didn’t hesitate when it came to activities. We went with the flow, embraced it, adapted to all the different situations. We had to trust people, even if we’d only met them that day, and learn how to work as a team.”

Helping them along were ten 3L mentors, who started with the classroom exercises on Friday and Saturday, then moved outdoors to the challenge course on Sunday, working with different 1Ls each step of the way. For **Taylor Stoneman '16**, who built some of her strongest friendships on the high ropes two years ago, when she negotiated the course with the Environmental Law Society, the importance of the experience was clear.

“Obviously, when you’re working at a law firm you’re not going to be stepping along high ropes,” she says. “But the underlying lessons you can learn from a ropes course are essential. So much of law is about teamwork, and whether you’re cocounsel or part of a team working on a case, you can’t do it all on your own. If you’re going to succeed, and if you’re going to serve the client in the best way, you need people you can depend on.”

Early on Sunday, mentor **Zellnor Myrie '16** observed the students in his group starting tentatively, taking care not to step on anyone else’s toes. But by the end of the day, he saw people simply being themselves, recognizing their

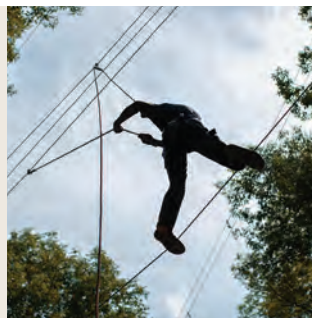


own strengths and weaknesses, growing more comfortable around one another, and learning to rely on each other for support, especially the 1Ls who chose to navigate the high ropes blindfolded.

“When you enter law school, it seems like a daunting thing,” he says. “It’s like you have to walk along a tightrope. What

people forget is that you have a harness, just like on the high elements. You have a support system to help if you fall, and when you do, there are people to help you get right back up. No lawyer is successful working alone. You have to do it as part of a team. That’s the analogy here, and that’s why the weekend was so useful.” ■





“
*We had to trust people,
 even if we'd only met them
 that day, and learn how to
 work as a team.*
 — Dara Brown '18



MARY KENNEDY BROWN: Our First Woman Lawyer's Dramatic Life

by KEVIN M. CLERMONT, ZIFF PROFESSOR OF LAW and LYNDSEY Y. CLARK, ASSISTANT REGISTRAR



Cornell Law School can be proud of its many contributions to the chronicles of pioneering diversity.¹ The story of **Mary Kennedy Brown** (1864–1932), who in 1893 became the Law School's first woman graduate, belongs among those accounts. We at Cornell lost track of the rest of her life. Yet, a little investigation reveals that it was colorful, to put it mildly.



his Vermonter started work at a young age, teaching high school in Colorado. Eventually, as a mature and rich widow, she arrived at Cornell Law School. She later married an English aristocrat, who went down with his ship in 1901. Then she married a German count, becoming the Countess Dumolin. In the meantime, she had practiced law in Chicago and Boston and championed progressive views. Cornell Law School has reason to be proud of, and, as things turned out, maybe a little sad for, its graduate Mary Kennedy Brown.

Mary E. Kennedy was born on July 19, 1864, outside tiny Troy, Vermont, near the Canadian border, to **Michael Kennedy** and **Amanda Melvina Webber**. Michael was a first-generation Irish American and a farmer who grew hops and maintained a 400-tree sugar maple orchard on his 225-acre farm along Route 100. Mary had three older brothers: **James Carroll Kennedy** (1852-1924; B.C.E. 1879 Cornell; a very successful mining engineer in Colorado and elsewhere in the West), **Alden Kennedy** (who died as a child), and **Franklin Olin Kennedy** (1858-1928; eventually a farmer in Bradford, Vermont).

In 1884 Mary graduated from the “classical department” of St. Johnsbury Academy, a renowned coed private school in St. Johnsbury, Vermont. Admission to the school required not

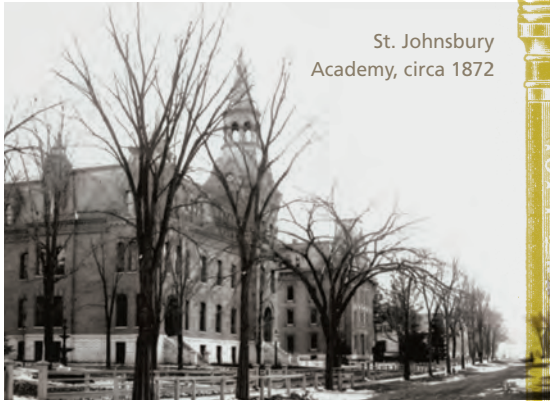


The Kennedy family home in Vermont 2015, taken by Dr. James Barton, Mary's great-grandnephew

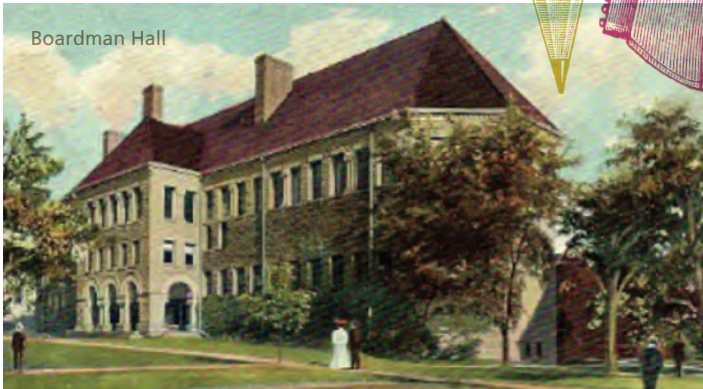
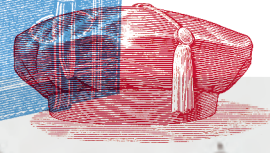
only a certificate of good moral character, but also a passing grade on “a fair examination in Reading, Writing, Spelling, Geography, Elements of English Grammar, and Arithmetic through Common and Decimal Fractions.”² The classical course involved a lot of Latin and some Greek, but also mathematics, science, English, history, elocution, and “Book-keeping, or Civil Government.” While a student at the Academy, Mary roomed at I. H. Frost's home. Although tuition was only \$15 per twenty-week semester, living expenses ran about \$5 per week. Financial aid was rare. Mary's parents must have believed in education. But she was soon on her own. By August 1884, Mary had inherited at least part of the family farm and sold it to her brother Franklin for \$450.



Litigation over her own business matters, and presumably her brother's Cornell experience, led her in 1891 to enter Cornell University's Law Department, which had opened its doors in 1887. There she was the first woman to undertake what was then a two-year undergraduate course of instruction in legal studies.



St. Johnsbury Academy, circa 1872



Boardman Hall



The Rookery Building

Mary went to Colorado to teach, and also served as the first assistant principal, at Colorado Springs High School. She soon met and, in about 1888, married the wealthy **Dr. Frank P. Brown** (1857–1889) of Grand Junction, Colorado. A native of Elgin, Illinois, Brown had graduated in 1879 from Rush Medical College in Chicago, moved in 1881 to Colorado, and enjoyed great success as surgeon for the Denver & Rio Grande Railway. The newlyweds lived the high life, traveling throughout the United States and Europe—until Dr. Brown died in June 1889, leaving his wife a large fortune.

In September 1890 Mary Kennedy Brown enrolled as a special student at Wellesley College for one year to study history and English literature. As a later magazine article noted, “Mrs. Brown has literary ability of a high order, and may turn her attention to fiction in legal romancing.”³

Litigation over her own business matters, and presumably her brother’s Cornell experience, led her in 1891 to enter Cornell University’s Law Department, which had opened its doors in 1887. There she was the first woman to undertake what was then a two-year undergraduate course of instruction in legal studies.⁴ *The Cornell Daily Sun* noted her feminine presence at the opening lecture on September 30, 1891.⁵ “Women [at Cornell] before 1900 felt the ‘sense of being on trial . . . that gave women dignity making them seem more mature.’ They dressed in skirts just above the floor, buttoned up in front to the chin, their hair ‘done-up’ tidily . . .”⁶ Despite the demanding workload, she did well

in the class of sixty-two students, receiving her LL.B. in 1893. Through competitive orations, she was selected as one of seven university students to deliver an address at Cornell University’s graduation ceremony. The *New York Tribune* reported that she “captivated her audience” with her commencement address, which was titled “Portia in the Nineteenth Century.”⁷

Mary’s thesis, required for graduation, was entitled “The Statutory Liability of Stockholders for Corporate Debts” (1893).⁸ She began her argument with an approving view of limited liability: “The corporation is created as a person, by sovereign authority, independent of members, and it is alone liable for its debts, and there is absolutely no liability for debts except as provided by statute. That is, by convenient fiction of the law the corporation is deemed to be one person [separate from] the stockholders This fiction has been resorted to, I believe for the convenient administration of justice.” She then somewhat disapprovingly surveyed state statutes, and related case law, that created exceptions: (1) absolute personal liability of the stockholder to certain classes of creditors, “such as servants, employees and material men”; (2) personal liability of the stockholder limited to a certain percentage of his or her shares’ par value; and (3) personal liability of the stockholder limited to a part of the debts proportional to the percentage of stock held by him or her.

After graduation Mary stayed on in Ithaca for a while, living at 85 Huestis Street (now College Avenue in Collegetown). She did so to teach a course entitled Evolution and Present Condition of

the Laws Affecting Women for the Extension Department of the University of the State of New York. In this pioneering foray into women's studies, she gave "lectures on the property rights of married women, and kindred topics of a historical and political nature."⁹ The course was publicized thus: "A course on the legal rights of women is offered by Mrs. Mary Kennedy Brown, LL.B. (Cornell); this is an unbiased and scholarly treatment of that branch of legislation, and though desirable for women's clubs, is adapted to any class of hearers who are interested in the history of a people as expounded in their laws."¹⁰

Mary soon moved to Illinois and passed the bar there, to be admitted on January 15, 1894. Here too she was a pioneer. **Ada H. Kepley** had become the first woman graduate of a law school when she graduated in 1870 from Chicago's Union College of Law (now Northwestern), but she had been refused admission to the bar. In fact, by 1894, there were only about a dozen woman lawyers in Illinois.¹¹ Mary practiced in Chicago for three years, with the notable firm of Collins, Goodrich, Darrow & Vincent, which had been founded in 1893 by **Clarence Darrow** and others and was housed in the Rookery Building.¹² The English sculptor **Harry Hems**, with whom she became friends in Chicago, described her as "one of America's most brilliant lady lawyers."¹³

In addition to practicing law, Mary was active in Republican women's groups and supported woman suffrage. In 1894 she addressed several gatherings, telling them that in Colorado, where women could vote, "the results have been for the best interests of the community" and saying:

It was my observation that the most cultured women did the voting, and I see the women who have been nominated on various tickets in Colorado this fall are among the best of the community. It might be that if the good women did not vote the bad ones would, but they evidently do not care to mix with husbands and wives and daughters. I recall the effect of women voting for School Trustees in a Colorado town of 2,500 people. At the time women were enfranchised two of the Trustees in this particular town were saloonkeepers. The argument used for retaining them was that they were wealthy. That they had money to control votes and couldn't be ousted. The women thought differently, and by going to the polls and voting their convictions the two saloonkeepers were defeated for reelection. We women in Illinois should vote. The franchise is given to us [in certain local elections] and it is our duty to act. We will not be exactly in politics, for the office of University Trustee is not the position which politicians seek or care for. When we vote this fall we shall be voting for education and not politicians.¹⁴

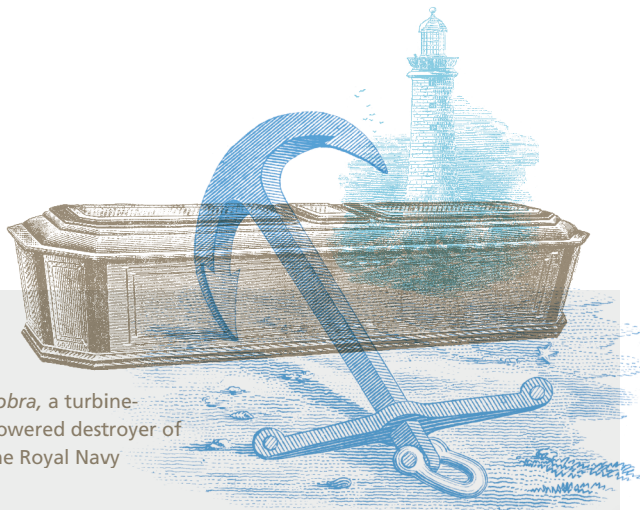
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A Chicago newspaper reported: "A significant feature of the present political campaign, which makes it stand out distinctively from all others, is the prominent role played in it by women." It noted in particular:

One of the brightest of the younger women whom the campaign has introduced into the political spheres is Mrs. Mary Kennedy Brown, a talented young lawyer in the office of Collins, Goodrich, Darrow & Vincent. Mrs. Brown is a woman of an exceptionally clear intellect and thorough mental training, being educated at an Eastern college and graduated from the law school of Cornell University.¹⁵

By 1896 she was a delegate to the Republican state convention. But she shared her views with Democrats too, appearing before the national committee drafting the Democratic platform, and unsuccessfully pressing a suffrage plank for women that would have approved "every form of social and political progress which will bring them better pay and larger opportunities."¹⁶

From Chicago Mary moved to Boston and practiced law there. On April 17, 1899, she married the well-to-do **Lt. Alan Wyldbore Bosworth-Smith** (1870–1901), heir to an English baronetcy, at Pembroke Church in Hamilton, Bermuda.¹⁷ Alan served on the *Hotspur*, a British armored coast defense ship operating out of Hamilton. Theirs was quite the wedding. The bride's dress consisted of a white skirt, coat, and vest and a toque of pink velvet.



Cobra, a turbine-powered destroyer of the Royal Navy

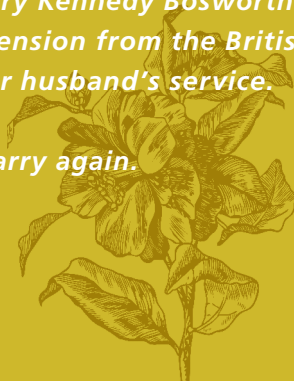


On September 17, 1901, Alan began his command of the pictured *Cobra*, a turbine-powered destroyer of the Royal Navy. But the next day a storm in the North Sea broke his ship in half, and he was lost, along with sixty-six men. Only twelve survived, in a dinghy. A court-martial inquiry absolved the officers of blame, finding that the “*Cobra* did not touch the ground or come into any contact with any obstruction, nor was her loss due to any error in navigation, but was due to structural weakness of the ship.” A newspaper reported:

Lieutenant Bosworth-Smith, who was in command of the vessel, died at his post like the gallant officer and gentleman that he was. Having given the few instructions that were necessary, he stood on the bridge with folded arms, and watched with unmoved mien the departure of the only link between himself and the world. Onlookers who saw the last of him as the dinghy drew away declare that he hardly, to judge by his countenance, seemed to realize his fate. Chief Engineer Percey had stood upon the bridge by his side until the very last moment, and then, diving into the sea, he was picked up by the occupants of the dinghy.¹⁹

A widow again, Mary Kennedy Bosworth-Smith received a pension from the British government for her husband’s service.

Yet Mary was to marry again.



A memorial in St. Andrew’s Church, Bingham’s Melcombe, Dorset, England, remembers Mary’s husband of less than three years as follows: “Alan Wyldbore Bosworth-Smith, Lieutenant in the Royal Navy, who on September 18th, 1901, while H.M.S. *Cobra*, of which he was in command, was breaking up in a storm, remained standing on the bridge with his arms folded to the last, and went down with his vessel.” A widow again, Mary Kennedy Bosworth-Smith received a pension from the British government for her husband’s service.

Yet Mary was to marry again. Her third husband was **Count Dumolin of Munich**. Mary moved to Germany, living for several years as Countess Dumolin in Munich and Berlin. In the 1908 Cornell directory, and in the 1912 Wellesley directory, she is listed as the Countess Dumolin, living at the very attractive 49 Kanal Street in Munich. But it seems that Mary’s third marriage did not end well. Perhaps the Great War tarnished her title’s luster. At any rate, she later instructed the Cornell alumni office to strike all references in their records to Countess Dumolin and to resume using the name Mrs. Mary K. Bosworth-Smith.

A detachment of bluejackets from the *Hotspur* drew the bridal carriage from the church, and British officers formed a steel arch, with their drawn swords, from the church door to the gate. The United States Consul gave the bride away, and a wedding reception followed at the Windsor Hotel. There were one hundred guests present, including the Governor of Bermuda, the British admiral, the military and naval officials, and prominent members of the American colony. The hotel was draped with bunting for the occasion. The bride, who has passed the Winter at the Hamilton Hotel, will resume her practice in Boston this Summer. The honeymoon will be passed at Shelly Bay.¹⁸

Soon the couple moved to England, and Mary became a British subject.


Returning to the United States, she lived in lower Manhattan at a series of not-so-posh addresses. No longer a U.S. citizen, she could not enter the New York State bar. Instead, she took a clerical position at the American Book Company in Washington Square. She also took an occasional course in literature at Columbia University and was active in the Cornell Club of New

York City. Shortly after attending the Cornell Spring Day at the Commodore Hotel on February 23, 1920, she sent news of herself to the alumni office, admitting, “My brother James . . . writes me that I am lacking in the Alma Mater interest.”²⁰ However, she did attend her thirty-fifth reunion.

Mary died on April 29, 1932, in her apartment at 223 W. 17th Street in New York City. She had been ailing for about a year. She had no children. She was alone. Her kindly landlady, **Mrs. Nora Lamy**, had been taking care of her but did not know what to do

with the body. She contacted Mary’s lawyer, **Charles A. Collin**, of Collin, Wells & Hughes at 25 Broadway, but he refused to take responsibility and “said to let the City bury her.”²¹ The Cornell Club interceded and tracked down Mary’s niece in Vermont. Mary still had some property, including two lots in Hasbrouck Heights, New Jersey, and she had executed a will.

Memory of Mary Kennedy Brown seems to have faded everywhere, even among her surviving great-grand nieces and nephews. But now we will remember her. ■

<p>1. See, e.g., Kevin M. Clermont, “The Indomitable George Washington Fields: From Slave to Attorney” (2013), http://issuu.com/cornelllawschool/docs/gwfields; Cynthia Grant Bowman, “Trailblazers: First-Ever Women Editors in Chief of a Law Review,” <i>Cornell Law Forum</i>, Spring 2014, http://forum.lawschool.cornell.edu/Vol40_No1/Feature-4.cfm; Clermont, “When East Met West: 125 Years of Japanese Law Students at Cornell,” <i>Cornell Law Forum</i>, Spring 2013, http://forum.lawschool.cornell.edu/Vol39_No1/Feature-2.cfm.</p> <p>2. <i>Catalogue of St. Johnsbury Academy</i> (1884), 21. The photograph shows the Academy building, and the four-story South Hall just to its right.</p> <p>3. “Women at the Bar,” <i>Law Student’s Helper</i> 1 (1893): 202.</p> <p>4. For a description of the program, see Clermont, “The Indomitable George Washington Fields,” above, 21–26. The law school moved in 1892 from Morrill Hall to Boardman Hall (pictured), which was located where Olin Library now stands.</p> <p>5. “Law Department,” <i>Cornell Daily Sun</i>, Oct. 1, 1891, 1. See generally Charlotte Williams Conable, <i>Women at Cornell: The Myth of Equal Education</i> (Cornell University Press, 1977). Coeducation was hardly an instant success. See “Co-education at Cornell,” <i>New York Herald</i>, June 24, 1894, § 4, 1, available at bit.ly/1hNPOav</p>	<p>(after quoting a male Cornell student who had belittled his female classmates for lacking style in <i>The Cornellian</i> (1894), 228, “there’s one now as old as the hills,” the news article observes: “It has already been intimated that there is little social intercourse between the students and the ‘co-eds.’ . . . On the campus the social ostracism of the unfortunate ‘co-eds’ is striking. . . . There are two main reasons for the existence of these conditions, and each of the reasons, in part, accounts for the other. First, there is a strong feeling among the [male] students against co-education. . . . Second, . . . it is perfectly patent that the men do not [regard the women as their equals socially].”).</p> <p>6. Barbara Loebenstein, “University Co-eds Traced from 1871 Through 1955,” <i>Cornell Daily Sun</i>, Apr. 16, 1955, 21, 27. In <i>The Cornellian</i> (1893), 254, there is a long poem entitled “A Co-ed Dream,” wherein the author dreams of coming back to Cornell in 1922 to see the status of women:</p> <p>Oh yes! They run the Cornellian, Get up some terrible grinds, And the men are forced to admit That Co-eds have brains and minds.</p> <p>But right in the midst I awoke Disgusted beyond all degree, That after all I am only A Co-ed of Ninety-Three.</p>	<p>7. “End of the College Year,” <i>New York Tribune</i>, June 16, 1893, 4; see “Commencement at Cornell,” <i>New York Times</i>, June 16, 1893, 5. A <i>Tribute to Henry W. Sage from the Women Graduates of Cornell University</i> (1895) lists Mary as the author of <i>The Modern Portia</i>.</p> <p>8. The thesis is available at http://scholarship.law.cornell.edu/historical_theses/334/.</p> <p>9. “Women at the Bar,” above, 202.</p> <p>10. <i>University Extension Bulletin</i>, Dec. 8, 1893, 32.</p> <p>11. See generally Virginia G. Drachman, <i>Sisters in Law: Women Lawyers in Modern American History</i> (Harvard University Press, 1998).</p> <p>12. The firm dissolved in 1895. <i>Martindale’s American Law Directory</i> (1896), 786, listed her business address as the Imperial Hotel.</p> <p>13. <i>Notes & Queries</i>, May 5, 1894, 356 (recounting a dinner at which she extemporaneously instructed him on the derivation of the term “crank”).</p> <p>14. “As Done in Colorado,” <i>Chicago Daily Tribune</i>, Oct. 11, 1894, 12; see “Women Candidates Will Speak,” <i>Chicago Daily Tribune</i>, Oct. 12, 1894, 5.</p> <p>15. “Work of the Women,” <i>Chicago Daily Tribune</i>, Nov. 5, 1894, 3.</p> <p>16. “Building of a Platform,” <i>Chicago Daily Tribune</i>, July 9, 1896, 11.</p>	<p>17. On the family and on Alan, see Lady Grogan, <i>Reginald Bosworth Smith: A Memoir</i> (James Nisbet, 1909), 264–66 (a book about Alan’s father written by Alan’s sister).</p> <p>18. “Notable Wedding at Bermuda,” <i>New York Times</i>, Apr. 18, 1899, 9; see “A Lady with a Title,” <i>St. Johnsbury Caledonian</i>, Apr. 26, 1899, 8.</p> <p>19. “Loss of H.M.S. Cobra,” <i>Poverty Bay Herald</i>, Oct. 24, 1901, 4.</p> <p>20. Mary K. Bosworth-Smith to Mr. Norchuck, Mar. 2, 1920 (letter in Cornell University’s alumni files); see “Cornell’s Fame,” <i>Cornell Daily Sun</i>, Feb. 23, 1920, 4 (“Not every University could turn one of New York’s greatest hotels into a fair-ground for an evening and virtually shift its campus into the heart of the city.”).</p> <p>21. Jessamine S. Whitney to Mrs. W. W. Rogers, May 2, 1932 (letter in Cornell University’s alumni files, wherein a representative of the Cornell Club reaches out to Mary’s niece). We have a record of Mary visiting this niece, Mary’s brother Franklin’s daughter Lula Ina Rogers (1885–1934), in Bradford, Vermont. “Bradford,” <i>United Opinion</i>, July 28, 1922, 8.</p> 
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Dean Lukingbeal Leaves Four-Decade Legacy of Care for Students

by IAN MCGULLAM ■ PHOTOGRAPHY by SHERYL SINKOW and LINDSAY FRANCE



When you've been at Cornell for almost four decades, a lot of faces come and go. Alumni would frequently get in touch with **Anne Lukingbeal** with e-mails starting, "You probably don't remember me, but . . ."



"If you had a difficult situation with a student, or when we were talking about faculty advising, **Dean Lukingbeal** could remember when we did it in the past, and what the strengths and shortcomings were," says **Eduardo M. Peñalver**, who became the Allan R. Tessler Dean the year before Lukingbeal's retirement. "Coming in as a new dean, it was very comforting to know, even for that short time, that she was there."

Again and again, what comes up most in discussions with Lukingbeal's former colleagues and students was her commitment to forming personal relationships with students, and making sure that their three years at Cornell were good ones.

Lukingbeal had a standing weekly meeting with the president of the Cornell Law Student Association (CLSA), at which they would go over upcoming events, conflicts between student groups, and ways to improve the student experience. "She's all about, 'How can we help?' and 'What's the solution to the problem?'" current CLSA president **Zellnor Myrie '16** says, even when it came to seemingly minor issues like changing the registrar's hours so that students could visit during lunch. Myrie particularly praises Lukingbeal's support for the Law School's affinity groups, including when members felt some pushback over the creation of a professional development boot camp for minority students. "She was just an ear for students who were

"They were almost always wrong," says Lukingbeal.

Anne Lukingbeal's retirement as associate dean and dean of students on July 1 capped off a career at Cornell Law School that stretched back to 1978, when she was hired as dean of admissions. Over the past year, Cornell has feted her as a tireless administrator who had a hand in everything from student services to the LL.M. program to financial aid. Colleagues describe her as an invaluable resource for continuity.



Again and again, what comes up most in discussions with Lukingbeal's former colleagues and students was her commitment to forming personal relationships with students, and making sure that their three years at Cornell were good ones.

feeling, 'Are we doing the right thing here?'" Myrie said. "She didn't call into question the business of the program."

Myrie's predecessor, **Zoe Jones '15**, notes how dedicated Lukingbeal was to advising students individually, even responding to e-mails from students in the middle of the night or when she was away at conferences. And, Jones says, many minority students developed especially strong relationships with her. "If people were having academic struggles, if people were having personal struggles, a lot of people would go to her, sometimes just to talk honestly and tell her what they'd been going through," Jones says.

Lilian Loh '13, an associate at Schnader Harrison Segal & Lewis, was starting her second year at Cornell when her father was diagnosed with metastatic cancer. After being elected as CLSA president, she began meeting weekly with Lukingbeal, and talk of student groups inevitably segued into discussing their families. Loh remembers how much help Lukingbeal was when it came to laying out her options, whether it was taking time off or having Cornell grant her other accommodations. "She's a great listener," Loh says. "She's never pushy. She's never judgmental."

For **Jacque Duval '92**, a partner at Ziff Legal Group, her most important connection with Lukingbeal was also personal: Lukingbeal was a crucial support when Duval had her first child while a student at Cornell. "I went to her and said, 'How's this going to work?'" Duval said. "And she said, 'It's going to work. Don't worry.' She helped me plan things around the birth of my child to make things work for me." Duval continued her relationship with Lukingbeal long after graduation, and, when she heard that Lukingbeal was retiring, ended up heading the creation of a fund to honor her. The Anne Lukingbeal Dean's Discretionary Fund for Student Life, Duval says, "is meant to support exactly those kinds of issues that Anne felt strongly about: the student life at the Law School."

According to alumni and faculty, Lukingbeal had a way of connecting people who might otherwise spend their Cornell years buried in case studies. Jones, who was active in the Black Law Student Association (BLSA), recalls how Lukingbeal would host parties at her home for the BLSA and other affinity groups early in the year so that students and professors could get a chance to meet each other. Professor **Michelle Fongyee Whelan** also appreciated Lukingbeal's proactive approach when she arrived at Cornell in 2007 and wasn't seeing many opportunities to meet her colleagues. Lukingbeal "didn't wait for somebody to come to her or say, 'Hi, I'm so-and-so,'" Whelan says. "She would be the one to go out and say, 'Hi, I'm Anne. Anything you need, stop by to say hi.'"



If people were having academic struggles, if people were having personal struggles, a lot of people would go to her, sometimes just to talk honestly and tell her what they'd been going through.

— Zoe Jones '15



Lukingbeal's thirty-seven-year stay at Cornell has given her a sense of perspective about how law students have changed over the years. "I was there so long that there really were waves of generations," she says.

Lukingbeal graduated from law school at the University of California, Davis, in 1975. "I think we were basically hostile to authority, very independent. Nobody offered us much advice, but we certainly weren't seeking it either," Lukingbeal says. Times have changed, though, and Lukingbeal says she's noticed that recent classes of students have a different character. "Their social skills are by and large very high, and so they approach authority figures skillfully," Lukingbeal says. "They know what they want, and they're pretty good at quickly making it clear: 'I'm here in your office because this is what I need.'"

"I just found them wonderfully receptive to suggestions," Lukingbeal goes on. "If you can't say yes to exactly what they want, most of them are very amenable to hearing other ideas to get them something similar to what they came in the door wanting. So as an adviser you feel like you're being genuinely useful."

"You hear a lot about these helicopter parents," she says, chuckling. "If their parents were hovering, they were doing it from afar."

As the Law School's student body has changed through the years, so too have the methods by which students are taught. In large classes, Lukingbeal remembers, professors used to employ a harsh version of the Socratic method, in which question after probing question could end up feeling like an inquisition. "This was a nationwide phenomenon, not just at Cornell," she says. "And over the years, there's very little of that left. Most of the teachers, even teaching large Socratic classes, are projecting



an air of someone who wants to help the students learn, and are not trying to terrify them.”

“I’ll bet that part of that has to do with the fact that many of the faculty are now much younger, and many of them went to law school and didn’t like the harsh Socratic method and have vowed not to use it themselves,” Lukingbeal adds.

The other major shift Lukingbeal has seen in law pedagogy at Cornell is in the growth of clinical courses, where students do legal work on behalf of real clients while earning credit. “Cornell has always offered a lot of its courses in small seminars,” says Lukingbeal. “But when I came, I think there was one clinical professor, and maybe two or three clinical courses, and now I think we have at least eleven or twelve full-time clinical professors, and they’re just teaching an amazing array of clinical courses.”

“Oh, I would love to go to law school now,” Lukingbeal says.

Even after becoming dean of students, Lukingbeal kept a hand in deciding the makeup of each new class by serving on the Law School admissions committee. Professor **Michael Heise**, who served with her on the committee, says, “She was able to analyze a paper file and letters of recommendation and personal statements, draw on her deep reservoir of historic experience, and project with uncanny accuracy how that individual applicant would navigate through three years of Cornell Law School.” Heise recalls an incident when the committee was stuck on a choice among a number of strong applicants with essentially equivalent qualifications. “And then Anne picked out one file in particular,” he said. “Before law school, the applicant had worked as a wedding consultant. And I remember Anne’s identifying that fact and arguing with instant persuasion that any individual



ABOVE: Professor Whelan (left), Lukingbeal, and Former Dean Schwab **FAR LEFT:** Lukingbeal in her office **LEFT:** talking with students

who can help brides, grooms, mothers-in-law, fathers-in-law, through the wedding process with the level of detail that is incumbent upon a successful wedding planner, which this applicant was, certainly had the attention to detail that would likely predict law school success.”

Not that she couldn’t be hard nosed. Another frequent admissions committee member, Professor Emeritus **Steven Shiffrin**, recalls his “good-humored rivalry” with Lukingbeal. “Within the committee, she tended to have the highest of standards,” Shiffrin says. “If there was a hint of something that did not appear to be consistent with something else said in the application, she was absolutely diligent about getting it chased down or wanting an explanation from the candidate.” He went on, “Sometimes she would be the sole dissenter. And she would say, ‘Okay, I’m not going to block this, but I want it noted in the file that I warned you guys.’”

No one knows the breadth of Lukingbeal’s reputation better than **Markeisha Miner**, who took over as the Law School’s dean of students on July 1. “Anne is a legend, not just here at Cornell but across the country,” Miner says. She recalls running into an acquaintance in April at the annual conference of the National Association for Law Placement, in which Lukingbeal has been heavily involved. Miner remembers that person saying, “You know, Anne Lukingbeal is retiring. Those are massive shoes to fill.”

“They didn’t know at the time that I was taking the position.” ■



Anne is a legend, not just here at Cornell but across the country.

— Markeisha Miner



TOP: Sheri Lynn Johnson, associate dean for public engagement and the James and Mark Flanagan Professor of Law ABOVE: Christine Kim '15 RIGHT: Dean Eduardo Peñalver and others look on BOTTOM: Anne Lukingbeal receiving gifts and giving her farewell speech





CLOCKWISE FROM TOP LEFT: Anne Lukingbeal with E.F. Roberts, Edwin H. Woodruff Professor of Law, Emeritus, and his wife, Alice Roberts; with Barbara J. Holden-Smith, vice dean and professor of law; members of Lukingbeal's family (from left): Cora Ellen Luke (sister), Eric Lukingbeal (brother), Anne, Virginia Lukingbeal (mother), Clare Nicoletti (sister's partner), Erica Roth (one of her daughters) and Nelson Roth (husband); with George Hay, Charles Frank Reavis Sr. Professor of Law and Professor of Economics; with former dean Stewart Schwab, Jonathan and Ruby Zhu Professor of Law



After Twenty-Eight Years of Admissions Alchemy, A Virtuoso Farewell for Rick Geiger

by KENNETH BERKOWITZ ■ PHOTOGRAPHY by GARY HODGES and JASON KOSKI



There was metaphorical music in the air as the Law School gathered on April 21 to celebrate **Rick Geiger**, associate dean for communications and enrollment, who was retiring at the end of the semester to focus on playing and building violins, along with golfing, fishing, and backpacking. (He's already an accomplished pianist.)



School's longest-serving dean of admissions, working as a central figure in selecting two-thirds of the Law School's living alumni. He created the Communications Department. He reorganized the IT Department. He chaired the Board of Trustees of the Law School Admission Council (LSAC), the first nonfaculty administrator to hold the position. He chaired the Association of American Law Schools (AALS) Section on PreLegal Education and Admission to Law School. He served on numerous committees for the AALS, the LSAC, and the American Bar Association, and somehow did all that with a mastery that could only be described as virtuosic.

"Working with Rick this year has been an extended tutorial in the alchemy of law school admissions," said Peñalver, speaking from a podium in the Berger Atrium. "It's a remarkably tricky thing to make 1,100 admissions offers, and to say this is a nerve-wracking process would be to understate it by a wide margin. Rick's instincts have been honed by decades on the job, and in my year as dean, I have seen those instincts borne out time and again."

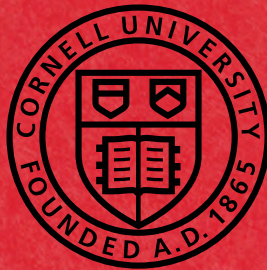
Professor **Stewart J. Schwab**, the Law School's former dean and Geiger's former tennis partner, likened Geiger to "a rock star, and I mean that literally. His interests are as wide-ranging as his administrative talents are strong, and not only has he been appreciated here at Cornell, he has achieved national recognition for his work."

There was an allusion to Whitesnake, whose "Here I Go Again" topped the charts in 1987, the year Geiger arrived at Cornell, and another to **Lady Gaga**, who was compared to a "white hot" Cornell Law School in a 2010 *Wall Street Journal* column that featured Geiger explaining the leap in applications.

Beginning on a high note, **Eduardo M. Peñalver**, the Allan R. Tessler Dean and Professor of Law, summarized Geiger's greatest accomplishments in his twenty-eight years: He was the Law

1987-2015

**ADMIT
ONE**





Geiger with Professor Robert Hillman in 1995

A chorus of praise followed. **Dan Bernstine**, president of the LSAC, called Geiger “one of the most well-respected admission professionals in the country.” **Anne Lukingbeal**, who retired last month as associate dean and dean of students, described him as a Renaissance man whose “unique combination of inspirational intelligence, creativity, collegiality, willingness to work exceptionally hard, and rare ability to see things through others’ eyes meant that within ten years of becoming involved in the LSAC admissions world, Rick had accomplished more than any administrator before him.”

“Our lives are radically better because of the care Rick and his staff have taken,” said **Sheri Lynn Johnson**, associate dean for public engagement and the James and Mark Flanagan Professor of Law. “Some of our applicants are shoo-ins, and any competent dean would have admitted them. But the most interesting, inspiring students tend to be those who have something more than numerical credentials. The decision to admit them is as much art as science, and Rick has mastered both.”

Returning to the podium, Peñalver presented some parting gifts: a mock-up of the *Law Forum* with Geiger’s photo on the cover; a Cornell golf bag, shirt, and shoes; and a memory book signed by Law School friends. Then, after a rousing, one-day-premature rendition of “Happy Birthday to You,” Geiger took center stage, thanking family and colleagues, and sharing stories from the past twenty-eight years at Cornell.

“Success doesn’t necessarily follow a linear path,” said Geiger, trying to explain that decision-making alchemy, though he



could just as easily have been talking about his own career as a law clerk, lawyer, and law school administrator. “It’s been said that ‘twenty years from now, you will be more disappointed by the things you didn’t do than by the things you did do.’”

“Let’s put it this way,” he added as a coda. “I’m planning on substantially shortening the list of things I didn’t do.” ■



Some of our applicants are shoo-ins, and any competent dean would have admitted them. But the most interesting, inspiring students tend to be those who have something more than numerical credentials. The decision to admit them is as much art as science, and Rick has mastered both.

— Sheri Lynn Johnson



OPPOSITE, TOP DOWN: Geiger with Dean Eduardo Peñalver; the crowd at the retirement celebration; Zach Dugan '15
 THIS PAGE, CLOCKWISE FROM TOP LEFT: former dean Stewart Schwab, Jonathan and Ruby Zhu Professor of Law; Geiger's family (from left): wife Cynthia R. Farina, William G. McRoberts Research Professor in Administration of the Law, daughter Livia, and son Jesse; Sheri Lynn Johnson, associate dean for public engagement and the James and Mark Flanagan Professor of Law; Geiger with one of his farewell gifts

MARK JACKSON:

Defending Freedom of the Press— and Exposing Medicare Fraud

by OWEN LUBOZYNSKI ■ PHOTOGRAPHY by MICHAEL NATHANIEL MEYER ■ ILLUSTRATION by THE HEADS OF STATE



The *Wall Street Journal's* Pulitzer-winning investigative series “Medicare Unmasked” uncovered fraud that has cost taxpayers billions of dollars. As Dow Jones Executive Vice President and General Counsel **Mark Jackson '85** observes, the series also exemplified a “perfect symbiotic relationship between lawyers and journalists.”



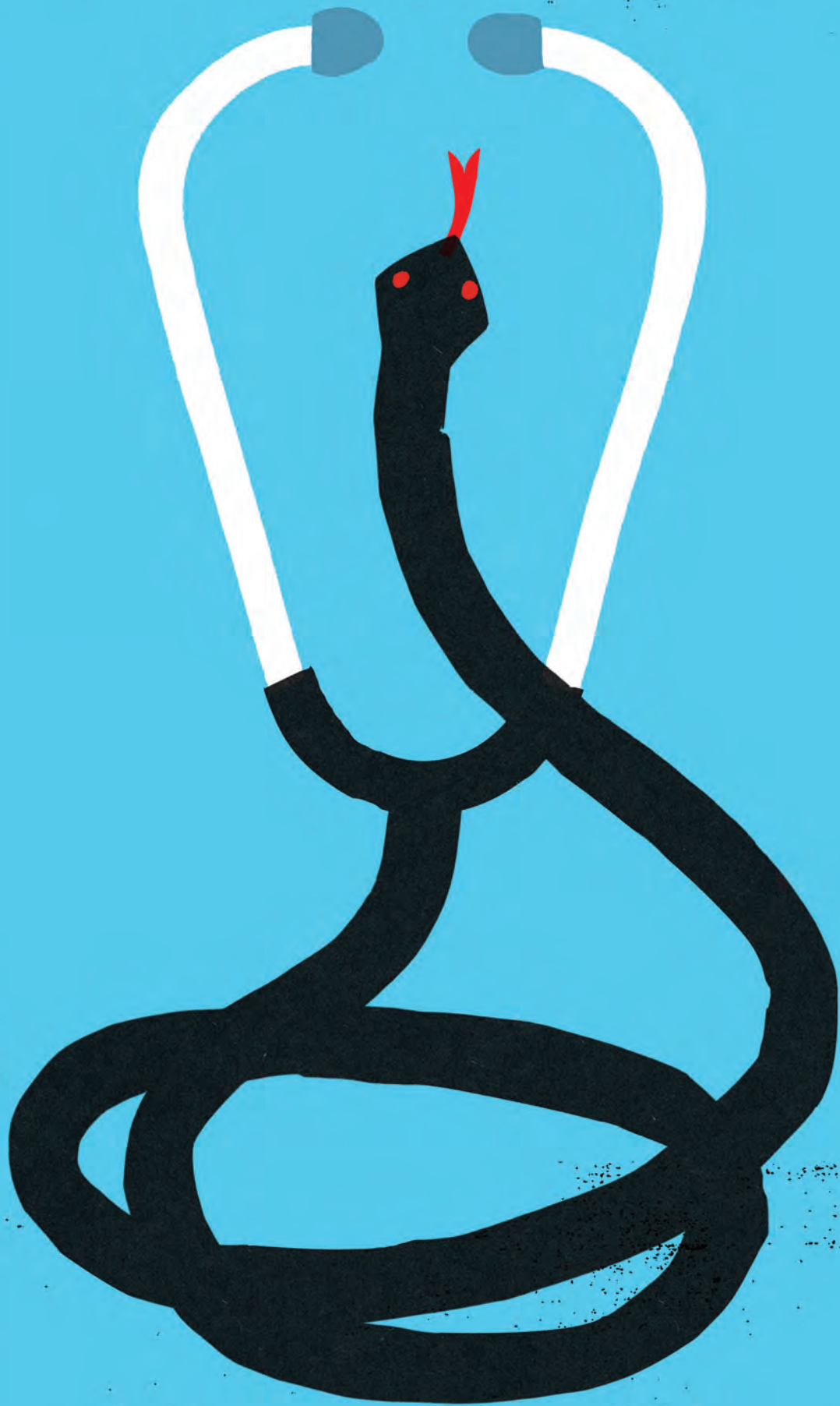
In the late 1970s, the Carter administration began publicly releasing Medicare reimbursement data. In response, the Florida Medical Association, later joined by the American Medical Association (AMA), brought suit in a Florida U.S. district court, and in 1979 that court issued an injunction barring the public release of information on the amount of money individual doctors received from the Medicare program. Because of this ruling, *Journal* reporters investigating Medicare fraud were able to gain access only to a limited subset of Medicare information, and the *Journal* had to agree not to disclose the identities of individual doctors obtained solely from the database.

ON the CASE

In 2011, Dow Jones moved to overturn the injunction. As Jackson recalls, the original case files, then over thirty years old, had to be hunted down in a basement.

Jackson says that the argument over the injunction centered on balancing doctors' right to privacy with the public's right to know how its tax dollars are spent. Armed with the material gathered for the *Journal's* initial series, the Dow Jones legal team had more than abstract arguments about theoretical fraud: they had strong evidence of real, ongoing fraud in the Medicare system.

The undertaking began back in 2009, when *Journal* reporters began research for an earlier series on Medicare fraud. “Secrets of the System,” a finalist for a 2011 Pulitzer, made use of a sampling of Medicare data obtained from the Centers for Medicare and Medicaid Services (CMS) through, as Jackson puts it, “much wrangling” by the Dow Jones legal department. While the series uncovered suspicious billing and potential abuses, the *Journal's* coverage was constrained by a court injunction dating back three decades.



In May 2013, the district court judge agreed to vacate the injunction. She avoided directly addressing the balance of privacy and public right-to-know, however, basing her judgment instead on shifts in the law during the years since the 1979 decision. She also stopped short of ordering the government to make the Medicare data in question available.

In order to gain access to that data, Dow Jones had to file a new Freedom of Information Act (FOIA) request. CMS's long-standing policy had been to withhold this data by invoking the 1979 injunction, but with that instrument now defunct, the agency opted to solicit public comment on a new data-release policy. While Dow Jones submitted a comment in favor of public release, citing the evidence of fraud already discovered by *Journal* reporters, the AMA and other interest groups submitted their own comments opposing the release of the data.

OPENING the VAULT

In March 2014, CMS implemented its decision, a new policy in which exemptions to any FOIA requests would be determined on a case-by-case basis. The following month, the agency sent out a notice to participating doctors that, because of frequent FOIA requests, it would release a year's worth of physician payment data on its website, noting in its letter, "The Department concluded that the data to be released would assist the public's understanding of Medicare fraud, waste, and abuse," and citing the *Journal's* prior coverage as an example. This newly released information reached the public through stories in media outlets large and small across the country.

While the data was available to everyone, the *Wall Street Journal* had a leg up thanks to its previous reporting. Its extensive, in-depth coverage of the new information combined sophisticated data analysis with old-fashioned gumshoe reporting. The result was a series of articles that uncovered nearly \$60 billion in bogus Medicare payments each year. One piece, for instance, reported on pain specialists billing Medicare to test for cocaine, PCP, and other drugs rarely used by seniors; another exposed a high-profile laboratory that paid doctors for the blood samples they sent to be tested; yet another investigated outliers who collected far more in Medicare payments for a single procedure than any other providers.

The series led to congressional inquiries and criminal charges. It won the 2015 Pulitzer Prize for Investigative Reporting. And it alerted the public to a slew of Medicare abuses that had been kept secret for decades.



I came to law school with a passion for the First Amendment and a deep-seated indignation when people were deprived of the right to speak or receive information.

My classes at the Law School, regardless of the subject matter, sharpened my ability to think critically and in a disciplined way. Taking classes with smart and challenging professors like Robert Kent (Federal Courts) or Sheri Lynn Johnson (Criminal Law) provided me with the tools to channel that passion and indignation and make myself a more effective advocate for my eventual clients.

— Mark Jackson '85



BEHIND the BYLINES

In his broad role as chief legal officer, Jackson oversaw and worked to fund the legal aspects of the Medicare investigation, while day-to-day legal work on the project was handled by Senior Vice President, Deputy General Counsel, and Chief Compliance Officer **Jason Conti** and, starting in 2013, Assistant General Counsel **Jacob Goldstein**.

"We have a very strong group of press attorneys," says Jackson, noting that, for Dow Jones lawyers, getting government agencies to release information is just part of the job. What distinguished the "Medicare Unmasked" project, he explains, was the scope of both the effort and the payoff. While the pace of the news

cycle typically dictates quick legal skirmishes, this project was a five-year battle. It was a bigger fight for a bigger body of data, requiring patience and perseverance. “There were many rounds of struggle, and in the end they came out in our favor.”

“But make no mistake,” Jackson adds. “This was even more a journalistic victory. Without the original groundbreaking work of our journalists and the amazing job they did once the full data was released, our legal victory would’ve been fairly hollow.”

Wall Street Journal editor in chief **Gerard Baker** tells us: “Without Mark’s guidance, unstinting support, and legal expertise, the *Wall Street Journal’s* reporters wouldn’t have had the material needed to produce the ‘Medicare Unmasked’ series. Throughout his tenure at Dow Jones, Mark has been a crucial proponent of freedom of the press here in the U.S. and around the world, fearlessly defending editors and reporters against both official and private efforts to thwart our journalistic endeavors. He’s also a well-rounded presence in the newsroom, serving as, among other things, a committed supporter of a number of New York charitable and philanthropic causes, and as Dow Jones’s resident expert on jazz.”

NEWSPAPER MAN

Jackson’s memories of growing up on Long Island include mornings delivering issues of his father’s newspaper. **Paul Jackson** owned and edited two local papers early in his career and later went on to a career at the *New York Post*, where he became the publication’s travel editor. Freedom of the press was a prominent theme in family lore, as in the story of Jackson’s father once clashing with officials in Long Beach, Long Island, who were attempting to close a city council meeting he was covering—he insisted on staying, arguing that the public had a right to know about the council’s proceedings.

“Journalism was very much in the blood,” says Jackson. But his father didn’t want him to be a journalist; he wanted him to be a lawyer. Becoming a press attorney, he says, was his compromise.

“I came to law school with a passion for the First Amendment and a deep-seated indignation when people were deprived of the right to speak or receive information,” he recalls. “My classes at the Law School, regardless of the subject matter, sharpened my ability to think critically and in a disciplined way. Taking classes with smart and challenging professors like **Robert Kent** (Federal Courts) or **Sheri Lynn Johnson** (Criminal Law) provided me with the tools to channel that passion and indignation and make myself a more effective advocate for my eventual clients.

“In my second year of law school, I was also fortunate to do research for a visiting professor, **Jamie Cameron** at Osgoode Hall in Toronto, who was writing about the development of First Amendment jurisprudence, focusing on **Charles Evans Hughes** and **Oliver Wendell Holmes**. That research, and Justice Holmes’ famous dissent in *Abrams* (“The ultimate good desired is better reached by free trade in ideas”) fit entirely with what I was thinking about at the time.”

After his second year at the Law School, Jackson applied to be a summer associate at Squadron, Ellenoff, Plesent & Lehrer, because he saw that the firm represented a New York City newspaper. After graduation, he returned. He was cautioned that he wouldn’t necessarily get his hands on a lot of the First Amendment work at first. As it turned out, he was assigned a First Amendment case almost immediately, and he continued to work on such cases during his seven years as an associate and five years as partner, a tenure during which he also frequently found himself in the newsroom reviewing stories.



We have a very strong group of press attorneys.

There were many rounds of struggle, and in the end they came out in our favor.

— Mark Jackson '85



The SCENIC ROUTE

A year after graduating from the Law School, Jackson married fellow Law School alum **Karen Hagberg '84**, who had been his Legal Aid supervisor when he was a second-year student. Hagberg also found work at a New York City law firm, and in 1997, she was asked to lead the litigation department at the firm’s Tokyo offices. They decided to make the move, and Jackson

spent the next three years, and then two more, as a full-time dad, learning Japanese and exploring his new surroundings with his daughters.

“I thought, ‘That pretty much wraps up the law,’” recalls Jackson. “Who takes five years off?” Upon his return to New York, he intended to begin work on a book about his experiences as an expat and a full-time male parent. As he sat down to begin his first day of writing, however, he got a call from the legal department of HarperCollins, asking if he could fill in for three months while one of their lawyers was on maternity leave. Jackson ended up staying with HarperCollins for five years, translating his press law experience to the field of nonfiction publishing.

When HarperCollins’s parent company, News Corp, acquired Dow Jones and the *Wall Street Journal* in 2007, Jackson was brought on as Dow Jones’s general counsel. In this role, he supervises twenty-two lawyers and oversees legal work for the company’s dozens of media outlets. “To be frank, this is just about the perfect job for me,” he says. Through a circuitous and unpredicted route, he has landed in the sort of position he had dreamed of as a law student.

In Jackson’s achievements, **Eduardo M. Peñalver**, the Allan R. Tessler Dean and Professor of Law, sees an example of the versatility of Cornell lawyers. “One of the things we try to teach our students at Cornell is that their law degree opens doors to a breathtaking array of career opportunities. And one of the things that businesses of all shapes and sizes have increasingly come to recognize is the centrality of lawyers to the success of their core business. Business lawyers are not just specialists who serve their clients in the traditional domains of transactions and litigation. And Mark Jackson’s role in helping Dow Jones succeed in its core business of reporting the news—helping them to win a Pulitzer—illustrates the breadth and importance of the in-house lawyer’s evolving role.”

Throughout Jackson’s education and career, the First Amendment, and particularly freedom of the press, have been a guiding light. The legal accomplishments that propelled the *Journal*’s Medicare



Without Mark’s guidance, unstinting support, and legal expertise, the Wall Street Journal’s reporters wouldn’t have had the material needed to produce the ‘Medicare Unmasked’ series.

Throughout his tenure at Dow Jones, Mark has been a crucial proponent of freedom of the press here in the U.S. and around the world, fearlessly defending editors and reporters against both official and private efforts to thwart our journalistic endeavors.

— Gerard Baker



investigations have been, he says, the most public manifestation of that commitment, as well as “sort of a shining example of what we seek to do as press attorneys.” Defending freedom of the press isn’t all FOIA bonanzas and Pulitzers, though. It’s also the largely invisible yet crucial work Jackson and his colleagues do every day.

“This is the business we’re in,” he says. “There’s nothing more rewarding for lawyers like us than to support journalists in work that educates the public and holds the government to account.” ■

BACK IN THE (FORMER) USSR:

Charles K. Whitehead's Work in Ukraine and with Yaroslav Mudriy National Law University

by LINDA BRANDT MYERS ■ PHOTOGRAPHY by GARY HODGES and CHRIS KITCHEN

ILLUSTRATION by ANNE BENJAMIN



Pop quiz! Name the largest country in land mass entirely in Europe.

Germany? Nope. France? Guess again.

It's Ukraine, with 576,628 square kilometers, not including Crimea (recently annexed by Russia), and close to 45 million people.



Long considered the world's breadbasket, it remains a major grain exporter, and its industry and technology sectors show tremendous promise.

But these days, still reeling from the effects of the financial crisis and an ongoing—sometimes very hot—conflict with neighboring Russia, Ukraine is not a destination for most people.

For **Charles K. Whitehead**, Myron C. Taylor Alumni Professor of Business Law, however, Ukraine is a land of opportunity, which is why he has been eager to visit the country, learn more

about the legal issues affecting it, and most recently, assist as a visiting law professor at Yaroslav Mudriy National Law University in Kharkiv, about twenty-five miles from the Russian border.

"Of course, we are always a little worried when a faculty member ventures near a war zone," says **Eduardo M. Peñalver**, the Allan R. Tessler Dean and Professor of Law. "But the future of Ukraine has significant geopolitical implications, and Professor Whitehead's important work there is very much in keeping with Cornell's identity as a 'global law school.'"

"Ukraine always has had close ties to Russia," notes Professor Whitehead. "Russian is spoken there, in addition to Ukrainian; people have family in Russia; and there has been a strong economic connection. But now, because of the conflict with Russia, many feel they must look elsewhere. Increasingly they are looking west," Whitehead explains.

Which is exactly why he chose to go there—and hopes others will follow.

"Ukraine is trying to transition to a more Western-style economy," Whitehead points out. "I've met a number of impressive businesspeople there, but as a general rule, Ukraine is not set up to support a market-based approach to business, or new or innovative businesses," he says.



“Successful entrepreneurs will tell you they’re successful not because of Ukraine’s system but *in spite* of it,” notes Whitehead. “The same is true of the law. Ukraine can benefit from understanding the U.S. approach to business law—not necessarily to adopt it, but to better understand how laws affect economic relationships and growth.”

“Things are difficult in Ukraine today, but ten years from now the economy and the country will be in much better shape,” he predicts. “Developing ties now, when we can have a real, positive impact, not only on education but also on business and law, is an extraordinary opportunity. And I think it’s also important to the well-being of people in that part of the world,” Whitehead says.

Kharkiv, where Yaroslav Mudryi is based, is a university town with a young, well-educated, technical population, not unlike Boston, Whitehead points out. It is also home to Kharkiv Polytechnic Institute, “a leading educational and research university—sort of like their MIT,” he says. In addition, it’s the location of an array of successful IT start-ups. “Businesses from around the world outsource work to Kharkiv because it’s inexpensive and you’ve got a lot of smart people,” he notes.

“I thoroughly enjoyed the visit,” Whitehead says of his most recent six-week stay at Yaroslav Mudryi. Founded in 1804, the university has thirty-four departments and more than 800 faculty members and enrolls about 23,000 students. “It is an entire university devoted to law studies, with colleges specializing in areas as diverse as international law and military law,” Whitehead notes. Considered one of the former Soviet Union’s top three law universities, Yaroslav Mudryi also boasts a vast alumni network across the former Soviet republics and around the world, he points out. At the end of his most recent visit, Whitehead was asked to become a special member of the Yaroslav Mudryi faculty as their professor of U.S. business law.

Whitehead was pleasantly surprised to discover too that the university’s vice rector (a position similar to provost in the United States) is a constitutional law scholar who studied U.S. constitutional law. “He has a copy of the Bill of Rights on his wall and the U.S. Constitution on his desk, both of which he believes are relevant to understanding Ukraine’s constitution,” Whitehead says.

“Exceptional” is the word Whitehead uses to describe the faculty and administrators he met. “The university’s senior administrators understand the changes occurring in Ukraine, and they have committed to staying ahead of the curve,” he notes.

Whitehead is working with Yaroslav Mudryi to construct a new IT and entrepreneurship program for law students, lawyers, and entrepreneurs, the first of its kind in Ukraine. “The program is part of a broader public-private effort to encourage new business and growth in Kharkiv and across Ukraine,” he explains.

“Having Cornell involved is important for a number of reasons,” says Whitehead. “First, even if U.S. law doesn’t apply in Ukraine, the concepts underlying the U.S. approach to law and regulation are helpful. Second, U.S. lawyers have a lot of experience around the practical issues that affect IT start-ups, regardless of where they’re located. And third, let’s not forget Cornell Tech and the Law School’s continued involvement there.”

Whitehead will continue to teach at Yaroslav Mudryi, in person and by videoconference, and hopes to involve others. “There is a lot of interesting and valuable work to be done, and I would welcome the support of alumni who would like to help,” he says.

He has also arranged for a graduate of Yaroslav Mudryi to enroll in the Law School’s LL.M. program this fall, with more to come in future years, he hopes.

Whitehead was eleven when he first visited Ukraine. He accompanied his father, an American diplomat posted to the U.S. Embassy in Moscow, who had permission to travel to Ukraine as a tourist. “I remember eating Chicken Kiev in Kiev,” Whitehead recalls.

His second visit followed soon after, when he was “volunteered” to be the first U.S. boy to attend Artek, the premier Soviet pioneer camp, also in Ukraine.

“You can imagine what it was like being the only American boy among 7,000 young Communists—not always easy,” he says. But by the time summer ended, “I’d played a lot of soccer with kids from all over the Soviet Union and Eastern Europe, and my Russian was pretty good,” he recalls. “At the end of the day people are people, and I made a lot of friends.”

Today his Russian is a lot worse than it was back then, Whitehead admits. “But my interest in the region and hopes for Ukraine remain strong.” ■



Krystyna Blokhina, a graduate of Yaroslav Mudryi National Law University, is attending Cornell Law School’s LL.M. program.



Rediscover the Law School

Reunion Weekend 2016 will be a wonderful opportunity for you to return to Ithaca to visit with the professors and classmates you remember with great fondness and to see the changes that the Law School has made since you were last here.

There is a great selection of programs for you to choose from during this special weekend. Please visit our website or call to make your reservations now. The Law School community looks forward to welcoming you back to Myron Taylor Hall.



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Risa Mish '88:
Teaching Leadership

Risa Mish last graced the pages of *Forum* fifteen years ago. At the time, she was a partner at a New York City law firm. Since then, Mish, who holds both a B.A. and a J.D. from Cornell, has returned to Ithaca and to her alma mater. For the past eight years, she has worked at the Johnson Graduate School of Management, where she is currently a senior lecturer.



Teaching in an MBA program is a pleasantly surprising destination, because I don't actually have an MBA. I have, however, represented companies for nearly thirty years as a lawyer, and have long enjoyed the strategic side of advising clients.

— Risa Mish '88



With a new initiative launched this fall, she's also sharing the fruits of her experience with new students at her old law school.

Cornell, Take One

Mish's initial route to Cornell in 1981 was something of a happy accident. As a high school senior in Hollywood, Florida, she was accepted to more than half a dozen prestigious universities. How did she choose? "I took the acceptance postcards they'd sent

me, put them all face down, and picked one," she recalls, still amazed at the experience. "It was Cornell." In hindsight, she's thankful it was. "Cornell was an ideal place for me."

Though she considered pursuing a teaching degree, Mish ultimately opted to study law after receiving her undergraduate degree in communications. The choice of schools was a no-brainer. "I loved Cornell and was in no hurry to leave." At the Law School, she served as the note editor of the *Cornell International Law Journal*, received a number of American Jurisprudence Awards, and graduated with the John J. Kelly Jr. Memorial Prize,

awarded to the graduating student who "best exemplifies the qualities of scholarship, good humor, and fairness."

In Practice

After graduation Mish clerked for a federal district judge in New Orleans and then took a job at Simpson, Thacher, and Barlett in New York City. She interviewed for the position with **Ernest Collazo**, a partner at the firm. When Collazo left to start his own firm in 1992, Mish followed. At Collazo, Carling, & Mish, she represented management clients on a wide range of labor and employment law matters.

In 2001 she established her own management consulting



practice, providing strategic advice and training to senior executives and human resources teams on a wide range of human capital issues. She continues to run the practice, in addition to her work at Cornell.

Cornell, Take Two

In 2007, Mish returned to Ithaca and joined the faculty of Cornell's Johnson School of Management. "I have always wanted to be a teacher even though I haven't always known what I most wanted to teach," she says. "Teaching in an MBA program is a pleasantly surprising destination, because I don't actually have an MBA. I have, however, represented companies for nearly thirty years as a lawyer, and have long enjoyed the strategic side of advising clients. I never thought of myself merely as a narrow technical specialist; instead, I thought of myself as a strategic partner in my clients' businesses. I've been very fortunate to work with clients who allowed me to have that kind of professional relationship with them, and that made for a resonant and rewarding legal career."

Mish developed and continues to teach the Critical and Strategic Thinking (CST) course, part of the core curriculum at Johnson. She notes, "CST essentially applies law school pedagogy to business problem solving and, in that sense, is a natural extension of the great analytical training that I got at the Law School, and the

practical client advice work that I've done as a lawyer."

She also teaches in Johnson's residential one-year and two-year MBA programs, as well as its NYC Tech Campus MBA, Executive MBA, and Executive Education Programs. She developed and teaches the Leading Teams Practicum, which gives MBA students the opportunity to practice leading peer teams and giving and receiving leadership feedback. And in October she began teaching in the inaugural class of Johnson's new degree program in partnership with Beijing's Tsinghua University.

"I love the variety of teaching contexts that Johnson offers me," she says. "Each of these groups of students is different from the others, and, collectively, they require me to continue to refine and adjust how I convey my course material to varied audiences. That is an exciting challenge, and one I take very seriously."

On top of her teaching duties, Mish serves as the faculty codirector of the Johnson Leadership Fellow Program, which, among other things, gives select upperclassmen instruction in and practice at providing leadership coaching to MBA Core teams. These courses influenced the leadership content that Mish brought to another new project.

Full Circle

Cornell Law began working on a new Professional Development Program (see our

feature story on page 4) last year, and Mish was on board from the start. When the class of 2018 arrived this summer, they began their Cornell Law experience with a new orientation program designed by Mish, who says, "We wanted to give Cornell Law students an introduction to content that focuses on increasing self-awareness and effectively collaborating with others,

training content for the Law School because I hope to give our J.D. students the competitive advantage of the kind of personal and team leadership skills I've been fortunate to be able to provide to our MBA students. Each program has advantages that can be shared with the other. In the end, both groups of students will benefit because they will bring to their organizations and

We wanted to give Cornell Law students an introduction to content that focuses on increasing self-awareness and effectively collaborating with others, because so much of actual law practice, and professional success, hinges upon those competencies.

— Risa Mish '88



because so much of actual law practice, and professional success, hinges upon those competencies."

She adds "In so many ways, teaching in the Law School Professional Development program feels like coming full circle to me. I developed the CST course at Johnson because I wanted our MBA students to have the competitive advantage of the kind of analytical training that I got at the Law School. Now I'm in the process of developing leadership

careers some of the best aspects of the training that each provides."

~OWEN LUBOZYNSKI



Kendall Minter, A.B. '74, J.D. '76

High-Fidelity Entertainment Lawyer

Kendall Minter never sleeps.

Okay, maybe that's an exaggeration. He does, in fact, take time out for family, vacations, and fun.

But Minter, who has been running his own successful entertainment law firm, the New York-, then Atlanta-based Minter & Associates LLC, for more than thirty-five years, dazzles with his ability to keep a virtual solar system of tasks in the air without letting a single one fall.

Minter has represented, among others, such diverse and prominent clients as South African human rights activist **Bishop Desmond Tutu**.

What was it like to be lawyer to the man who won the Nobel Peace Prize in 1984 for his anti-apartheid efforts? Says Minter: "Bishop Tutu had done so much and shown so much courage, yet he was such a humble guy that I was in awe of him the few times I was around him. I just sat, looked, and listened."

More typically on Minter's client list have been jazz greats **Cassandra Wilson**, and **Roy Ayers**, Reggae giants **Peter Tosh** and **Shabba Ranks**, and most recently Jamaican singer-songwriter **OMI**, whose remixed number-one hit "Cheerleader" has shattered record sales worldwide.

"Part of what I do is create new opportunities to brand OMI while he's hot and running," explains Minter. "Those merchandising and publishing deals have underlying contracts to keep all the pieces moving—and paying." Sometimes he even goes out on the road with his client.

This July, Minter was honored as a recipient of the National Bar Association's Living Legend Entertainment Attorney Award at the NBA's convention in Los Angeles. (The group is the nation's oldest and largest affiliation of predominantly African-American lawyers, judges, educators, and law students.)

"It's an honor that's long overdue," says New Kids on the Block record producer and publisher **Tony Rose**. "Kendall is the greatest entertainment attorney around. He's a classy, talented, genius-level lawyer who loves and understands the music world. He answers your 2 a.m. phone calls. Whatever problem you have, he's gonna be there for you."

"He was a serious and focused student, with high standards and a strong sense of direction at Cornell," says college roommate **Keith Earley**. It impressed him that Minter could study political science, then law while running his own radio show and producing sold-out campus concerts with stars like **Stevie Wonder**.

In fact, Minter, who was in the six-year undergraduate/law program, says that much of

Kendall is the greatest entertainment attorney around. He's a classy, talented, genius-level lawyer who loves and understands the music world. He answers your 2 a.m. phone calls. Whatever problem you have, he's gonna be there for you.

— Tony Rose



his Cornell connection came from outside the Law School. In addition to his efforts as a DJ on WVBR and then WSKG, and as a concert organizer, Minter says, "Seventy percent of my Ithaca life was outside the Law School, working at the Straight [Willard Straight Hall] desk and working with Cornell VP for student affairs **Bill Gurowitz** in Day Hall. We jump-started the Cornell recycling program on campus."

The law professor who was most influential to Minter in terms of his career was **Harry Henn**, whose course on copywriting law Minter took, and who wrote THE book on the subject, *Henn on Copyright Law: A Practitioners Guide*. It's third edition is still available, although Henn himself died in 1994.

Minter says that his Cornell Law degree led to an interview with the New York City law

firm of Burns, Jackson, Miller, Summit & Jacoby [founder **Arnold Burns** was a Cornell alumnus] that led to a job as an associate in 1978—his second job out of law school (the first was with Fairchild Industries in D.C.)—and his first exposure to doing entertainment law, which led to Minter's decision to go out on his own as an entertainment lawyer two and half years later. "It's what gave me the encouragement to make that a specialty," he says.

"He is personable, has great listening skills, and is able to relate to clients from different circumstances," says **Louise West**, a fellow entertainment lawyer who encouraged Minter to leave corporate law for entertainment law.

Minter and West were among a small group of lawyers who help form a professional organization that became BESLA, the Black Entertainment and

Sports Lawyers Association. Today, it awards scholarships and mentorships to African-American law students that lead to jobs (and sometimes even love, marriage, and “BESLA babies,” says Minter). But back then the group was so strapped for cash that, “Louise and I would use our own credit cards for hotel deposits for our annual conferences,” says Minter, who was BESLA’s first executive director.

That volunteer work led to the creation of the Rhythm and Blues Foundation, which offers financial assistance and grants to pioneer R&B artists from the ‘40s to the ‘80s who never benefited financially from past hits and “are now unfortunately falling on hard times,” Minter says. Raising large donations from top record producers at such places as Time Warner, Atlantic, and Motown, “we would give it away to the honorees along with justly deserved recognition, recalls Minter, who is currently chairman emeritus.”

He also is on the board of the Living Legends Foundation and serves as its general counsel. Among other things, the group helps devoted longtime record store owners remain in business.

Why does Minter volunteer with those nonprofits? “I just got bit by the bug of being able to give back and pay it forward,” he says.

During law school, Minter volunteered for the Legal Aid



Clinic. “I found it rewarding,” he says. “The experience led me to pursue a summer job working for the Legal Aid Society in Brooklyn.”

And as if all that weren’t enough, Minter just published a helpful book, *Understanding and Negotiating 360° Ancillary Rights Deals* (Nam Chi LLC, 2015), that one fan called “required reading for every music industry professional on the planet.”

Among other things, it shows recording and performing artists and their teams how to survive and thrive in the transformed world of free file sharing and downloadable music. “I wanted to show what today’s record deals look like and how to intelligently negotiate a fair deal—one that makes sense for everybody,” Minter says.

There is also a parallel website, askmusiclawyer.com, which markets contracts, how-to guides, hot topics, and discussions. “It’s Music Zoom on steroids,” he says.

Minter has had a birds-eye view of the changes in the music industry. For the past seven years he has sat on the board of Sound Exchange, the only performing rights organization in the United States that collects and distributes royalties for the streaming of music.

When people stream music onto mobile devices via Pandora, Spotify, and other similar services, he explains, “the companies providing them pay royalties to Sound Exchange, which distributes them fifty-fifty to the owners of the records and masters, and the artists who recorded the songs,” Minter says. It’s big business. “This year that pool of distribution is expected to rise to just under a billion dollars.”

Predictions? “Technology continues to evolve, and consumption is at an all-time high,” Minter says. “Our challenge right now is how do we, on the content-provider side, monetize the consumption?”

When he’s not working, Minter golfs, scuba dives, and travels with his second wife, a celebrity hairstylist, to places where he might pilot a boat and enjoy great food and wine. He and his first wife have three grown children: **Kamali**, a filmmaker and TV editor; **Namik** who does media and promotional campaigns (**Oprah** was a client); and **Amani**, an executive at the women’s fashion chain Bebe.

“He’s a great father,” says West. “As hard as he worked, he still made his family his priority.”

~LINDA BRANDT MYERS

Jonathan Zhu '92
Professorship Is Awarded to His Former Torts Teacher, Stewart Schwab

A new professorship at Cornell Law School endowed by **Jonathan Zhu** and his wife, **Ruby Ye, M.S. '90, Ph.D. '92**, is being filled by former Law School Dean **Stewart Schwab**.

"I am delighted to announce the creation of the Jonathan and Ruby Zhu Professorship of Law, through a generous donation from the Zhus, and pleased to nominate Stewart Schwab as the inaugural holder of the Zhu Professorship," said **Eduardo Peñalver**, the Law School's Allan R. Tessler Dean. "Both Stewart's long-standing relationship with them, and his outstanding career as a faculty member and former dean make this a fitting nomination."

Jonathan Zhu, who took Schwab's torts class when he was a law student, says: "I have enormous respect for Dean Schwab as a legal scholar, teacher, and administrator, and I'm really pleased that he has been named to the professorship. He's teaching torts again in the fall semester," Zhu noted. "I told him I'd love to sit in on his class and relive that memory."

About the gift, Zhu comments: "To me it's really about our trying to give back to Cornell for what it gave us. The Law School gave me financial support. Without it, I wouldn't have been able to attend.

Sitting on the Law School Dean's Council for the past few years, I learned a lot about the school and what the needs are," he says. "To continue to build faculty is one of the important needs."

That awareness motivated Zhu and his wife to endow a Sesquicentennial Faculty Fellowship in 2011 and the new professorship this year.

"It's an honor to have been named to the Jonathan and Ruby Zhu Professorship," says Schwab, who joined the faculty in 1983 and served as dean from 2004 to 2014. "An endowment for a chair by anyone is a significant and generous gift to the school, but it's especially meaningful to be awarded the chair endowed by the Zhus," he says. "Their story is a great Cornell story."

Described as one of China's "powerful deal makers" in a 2005 news story in the *International Herald Tribune*,



To me it's really about our trying to give back to Cornell for what it gave us. The Law School gave me financial support. Without it, I wouldn't have been able to attend. Sitting on the Law School Dean's Council for the past few years, I learned a lot about the school and what the needs are. To continue to build faculty is one of the important needs.

— Jonathan Zhu



Jonathan Zhu has been managing director of Bain Capital Asia since 2006.

But he still calls himself an accidental banker.

"I started out wanting to be an academic," explains Zhu, who, after earning a master's degree in English at Nanjing University in his native China, came

to Cornell in the mid-1980s to study 19th century English poet **William Wordsworth** in a Ph.D. program under the renowned literary scholar **M.H. Abrams**.

Then two things happened that radically changed Zhu's life.

While at Cornell he met a compatriot, Ruyin "Ruby" Ye, who became his wife. At the time she was working on her master's degree in organic chemistry under Professor **Bruce Ganem**. She went on to obtain her Ph.D. in genetics under Professor **Anthony Bretscher**.

"My wife and I spent seven years in Ithaca," recalls Zhu. "It was one of the best periods of our lives. Cornell will always be special to us because we got to know each other there."



When the pair married in 1987 near campus, at the Sheraton Inn, their attendants included the celebrated Professor Abrams and Cornell nuclear physicist **Boyce McDaniel**

investments throughout Asia under his leadership, raising capital when it was challenging to do so, with impressive results, according to the international edition of the *South China Morning Post*.

Their daughter, **Elizabeth**, is a high school student in Hong Kong.

Little known fact: Jonathan Zhu's initial Cornell connection came well before he set foot on campus, relates Schwab.

"When former Cornell President **Dale Corson** was working for the World Bank in China, Jonathan, a college student there at the time, was assigned to be his translator. 'What are your ambitions?' Corson asked him. When Zhu said he wanted to do graduate study on Wordsworth, Corson suggested Cornell."

The rest, as they say, is history.

Corson's advice launched a marvelous journey for the Zhus that has included study,

marriage, family, and for Jonathan Zhu, a successful career in investment banking in Asia that he couldn't have envisioned when he first set out for Ithaca, New York, and Cornell.

With this new professorship, he and his wife, Ruby, are expressing their gratitude. ■

~LINDA BRANDT MYERS

I have enormous respect for Dean Schwab as a legal scholar, teacher, and administrator, and I'm really pleased that he has been named to the professorship. He's teaching torts again in the fall semester. I told him I'd love to sit in on his class and relive that memory.

— Jonathan Zhu



and his wife, **Jan**. McDaniel, who had worked earlier on the Manhattan project and who went on to start Cornell's nuclear science program, was a friend of Zhu's father-in-law.

After graduation, the Zhus moved to New York City, where Ruby worked at Memorial Sloan Kettering Cancer Center under **James Rothman**, who went on to win a Nobel Prize. Meanwhile Jonathan joined Morgan Stanley as an associate. The couple moved to Hong Kong in 1996, and Jonathan Zhu was named CEO of Morgan Stanley China in 2004.

Since he joined Bain Capital Asia as its managing director in 2006, it has made significant

What distinguishes a good investment opportunity in Asia?

"When Bain Capital Asia considers making investments, we seek opportunities that have tailwind rather than headwind," says Zhu. (FYI: a tailwind blows in the same direction as a plane, for example, increasing its speed and reducing its time to destination — which sounds like just what one might want in an investment.)

The Zhus are also hoping for tailwinds when they travel to and from the United States, which is more often now that their two oldest children attend college stateside (**Matthew** is at Cornell; **Daniel** at Duke).

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Beth Lyon to Direct Groundbreaking Farmworker Legal Assistance Clinic

This summer, Cornell Law School welcomed new clinical faculty member **Beth Lyon**, and with her a groundbreaking new course. Lyon is the founder of Cornell's Farmworker

Farmworkers are among the most vulnerable and subordinated people in our society, and Cornell Law School's location and resources situate Farmworker Clinic students to provide excellent representation.

— Beth Lyon



Legal Assistance Clinic, one of the only legal clinics in the United States to provide assistance to farmworkers and one of the first to serve rural immigrant communities.

"I'm thrilled to be joining the Cornell Law School community for this new initiative," says Lyon. "Farmworkers are among the most vulnerable and subordinated people in our society, and Cornell Law School's location and resources situate Farmworker Clinic students to provide excellent representation."



Beth Lyon

Lyon is a national authority on the laws and policies affecting immigrant workers. She has written extensively on domestic and international immigrant and farmworker rights. Her publications are widely cited in academic and practitioner publications, and she has been quoted in various news media outlets. She is also a frequent speaker and panelist at academic and bar association conferences, addressing both policy questions and practical

issues of lawyering through interpreters and providing legal services to rural minorities.

Lyon's Farmworker Legal Assistance Clinic was made possible in part through support from an Engaged Curriculum Grant from Engaged Cornell. Lyon was joined by Professors **John H. Blume**, **Sheri Lynn Johnson**, and **Gerald Torres** in applying for the grant, which will support the development of curriculum that will enrich the student learning experience in the legal clinic.

The clinic will serve workers in one of the world's most difficult and dangerous occupations. Farmworkers experience geographic, linguistic, and cultural isolation, separation from family, immigration insecurity reinforced by policing practices, workplace sexual violence, and exclusion from protective employment laws. Working with

the new clinic's community partners, student attorneys will handle immigration and employment matters on behalf of farmworkers in the region, work that will typically involve negotiation and often require litigation.

"In the months before opening the clinic, the response has been tremendous, with activists and community members throughout the region reaching out to ask for our collaboration on different cases," says Lyon. "I'm looking forward to working with the students, who will be charting the new clinic's identity as a legal service provider and developing an entrepreneurial approach to practice. I'm also excited to join the Cornell Law School clinical program, with top practitioners in areas of the law that will inform the new clinic's work."

Beth Lyon previously taught as a professor of law at Villanova University School of Law, where she was the founding director of the school's Farmworker Legal Aid Clinic and codirector of its Community Interpreter Internship Program. Prior to that, she was a staff attorney for Human Rights First, a consultant at the D.C. Coalition Against Domestic Violence and the Centre on Housing Rights and Evictions, and the recipient of a three-year teaching fellowship at the International Human Rights Law Clinic at Washington College of Law, American University.

Cornell Human Rights Clinic Helps Malawian Death-Row Prisoners Walk Free

You don't go into human rights work expecting to see massive change overnight. But that's just what happened to students working with Professor **Sandra Babcock** on behalf of Malawian death-row prisoners as part of Cornell Law School's International Human Rights Clinic. Since Malawi's courts system started implementing sentencing reforms earlier this year, the clinic's work on behalf of prisoners who were wrongfully convicted or who had mitigating circumstances is starting to produce dramatic results.

"It's just incredible," Babcock says. "You can go your whole life as a lawyer and never get twenty-one people out of prison, and we've gotten twenty-one people out of prison in three months. And I think we'll get more," she adds. "I hope we'll end up getting thirty or forty people out of prison."



Sandra Babcock

It's just incredible. You can go your whole life as a lawyer and never get twenty-one people out of prison, and we've gotten twenty-one people out of prison in three months. And I think we'll get more.

— Sandra Babcock



John Nthara and Jamu Banda on the day of their release from a Malawi prison, with prison officer Andrew Dzinyemba

Things started to shift in Malawi in 2007, when the High Court overturned a requirement that had previously made the death penalty mandatory for all homicide cases. "Under this new decision, prisoners now have a right to present evidence about their character, their life experiences, as well as the facts of the crime, to demonstrate that they should not be sentenced to death, but should be entitled to a lesser

sentence," Babcock says. For years, resentencing efforts went nowhere; then, in March, Malawi's justice system began to hold hearings at which prisoners could present evidence in their favor and argue for reduced sentences.

Suddenly, as the resentencing hearings began, the International Human Rights Clinic was in the midst of a major shift in Malawi's justice landscape.

Working with a coalition of Malawian nongovernmental organizations and representatives of both prosecutors and defense attorneys, clinic students in Ithaca drafted pleadings for fourteen prisoners laying out mitigating circumstances, and, over spring break, three students accompanied Babcock on a trip to Malawi. There, they interviewed prisoners and traveled for hours in bicycle taxis along rutted dirt roads to reach remote villages and talk with the prisoners' and victims' families and witnesses; often, the prisoners' case files had been lost, forcing students to reassemble what had happened for themselves.

In one notable case, two brothers, Jamu Banda and John Nthara, walked out of prison on May 7, twenty-one years after they had been wrongly convicted of a murder and sentenced to death. (A third brother, Michael, was also convicted, but he tested positive for HIV and contracted malaria and tuberculosis while in prison, and died in 2014.)

Although both the prosecution and defense agreed at the resentencing hearing that the brothers should be released—aided by a pleading drafted by Cornell Law School student **Jordan Manalastas '15**—the court was not taking action because the prisoners' trial records could not be found. "We had to persuade the court that they could hear the case, even though there were no transcripts or records of any evidence that had been pre-



Jordan Manalastas '15



Aysha Valery '16

sented at trial," Babcock said. "We managed to do that by telling the court that they couldn't penalize the defendants for the state's error in losing their files. The defendants had no responsibility to maintain their own files."

Aysha Valery '16, one of the students who went to Malawi with the clinic, said she gained valuable experience working in a developing country. An aspiring human rights lawyer with an interest in transitional justice, Valery says her work in Malawi taught her "the importance of forgiveness and the importance of reconciliation."

While working on the case of Keyaford Malata, who had been convicted of killing his mother-in-law in a brawl, Valery traveled to his village as part of a team that consulted with the community—including the village chief, Malata's family, and the victim's family—about how Malata would be received if he were released from prison. "The most interesting part of that experience for me was to see how willing the community was to be involved in the process," Valery says, adding that such a lesson could be applied in the aftermath of war crimes, in order to allow low-level, often coerced perpetrators from local villages to rejoin their communities. "There seemed to be an understanding that although the prisoner committed this heinous crime, he should be forgiven and reintegrated into the community."

Book Celebration Delves into Jens Ohlin's *The Assault on International Law*

"The book is like Jens: bold, ambitious, and honest," **Claire Finkelstein** said of *The Assault on International Law*, by **Jens David Ohlin**, associate dean for academic affairs. Finkelstein, the Algernon Biddle Professor of Law and Professor of Philosophy, and director of the Center for Ethics and the Rule of Law, at the University of Pennsylvania Law School, was speaking as one of three panelists at a celebration for the book's publication, held

at Cornell Law School on March 20.

In *The Assault on International Law*, published by Oxford University Press, Ohlin challenges the prevailing American hostility toward international law and offers a novel theory of rationality to explain why nations should comply with international law. The book offers, in particular, a rebuttal to the theories of "New Realist" legal scholars **John Yoo**, **Jack Goldsmith**, **Adrian Vermeule**, and **Eric Posner**.

"This book . . . is so wide-ranging and touches on so many areas—philosophy, law, ethics, and politics," said panelist Professor **Matthew Evangelista** of Cornell's Department of Government. Evangelista honed in on the book's engagement with political science, particularly its examination of the post-9/11 Bush administration policies that flouted international laws such as the Geneva Conventions: "What is it about these laws and norms that the Bush administration finds so objectionable? This is where Jens Ohlin's book helped me a lot." Evangelista lauded the book's treatment both of theory and of such timely real-world issues as targeted killings and the categorization of combatants and noncombatants.

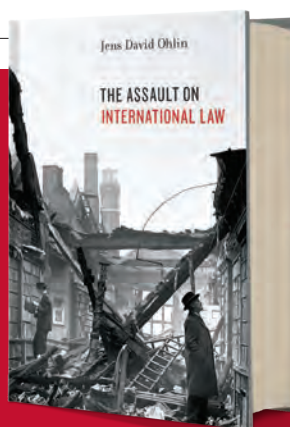
"I found the book absolutely riveting and really helpful," said Professor **Bradley Wendel**. "I'm going to cite it constantly. It really clarified a



LEFT: Claire Finkelstein, director of the Center for Ethics and the Rule of Law at the University of Pennsylvania Law School RIGHT: Professor Ohlin

I found the book absolutely riveting and really helpful. I'm going to cite it constantly. It really clarified a lot of issues that are of importance in moral philosophy generally, legal theory generally, [and] domestic law.

— Bradley Wendel



Rose Nimkiins Petoskey '15 and Nadine Michelle Thornton '16, the program included panels on the opportunities and challenges of economic development in Indian Country, breakout discussions, and a keynote speech by Jonodev Osceola Chaudhuri '99, chairman of the National Indian Gaming Commission. "Our goal was to facilitate an open discussion about the issues surrounding the balance of traditional tribal cultures with tribal economic development," said Petoskey (Ottawa), past president of NALSA.

Of the nine panelists, four were Law School alumni: Sharice Davids '10, deputy director of the Thunder Valley Community Development Corporation, which works to improve the lives of Lakota families and youth; David Johnson '87, acting chief of the Division of Capital Investment in the Department of the Interior's Office of Indian Energy and Economic Development; David Kimelberg '98, CEO of Seneca Holdings, the investment arm of the Seneca Nation; and Dale White '79, general counsel at the Tarbell Management Group, based in Akwesasne Mohawk Territory.

"This was a nationally prominent group to represent the full range of potential economic development in Indian Country," said Gerald Torres, the Jane M. G. Foster Professor of Law, who moderated a panel on legal and financial perspectives, and serves as faculty

lot of issues that are of importance in moral philosophy generally, legal theory generally, [and] domestic law."

Afterward, Ohlin briefly responded to some of the panelists' questions and challenges. While taking care "not to overstate the causal argument," Ohlin asserted that "these intellectual arguments that suggested that international law is not binding, or that it's

not enforceable, or that it's not real law, have made it easier for American presidents to ignore international law when it doesn't suit them. That isn't to say that they wouldn't have ignored international law anyway, but it's to say that it made it easier for them to do so, because it reduced the costs of noncompliance."

Law School Hosts Tribal Economic Development Summit

With the traditional Haudenosaunee "Greetings to the Natural World," the Native American Law Students Association (NALSA) opened its Tribal Economic Development Summit on February 28, welcoming attendees to Cornell Law School, Ithaca, and the homelands of the Cayuga Nation. Organized by

adviser to NALSA. “At the same time, they represent a long tradition of Native American education at Cornell Law School, with alumni who are using the skills they acquired here to build a future for their tribes and communities, which we can all be justly proud of.”

Giving the keynote, Chaudhuri talked about Indian gaming within the broader context of economic, political, and cultural survival. “For those tribes that engage in it, gaming is a means to an end: that end being the advancement of self-determination, of self-governance, and ultimately of sovereignty,” said Chaudhuri (Muscogee Creek). “It’s a means to fight for and protect shared values, shared heritage, and shared culture. But it’s not an end in itself, so I always try to tie gaming back to what’s important—just like when we were students here, we knew there were ultimately bigger battles to fight, and that what we were doing was a means to an end.”

“[At Cornell Law School] I feel like I’m part of this group of thinkers who can really drive progress and make an impact on a broader scale,” says Thornton (Cherokee), president of NALSA, who grew up near the Cheyenne River Indian Reservation in South Dakota. “That’s what I wanted people to take away from the summit: that we’re well equipped to engage all the perspectives out there, tackle the tough issues, and make a difference.”



Jonodev Osceola Chaudhuri '99, chairman of the National Indian Gaming Commission



Rose Nimkiins Petoskey '15

Our goal was to facilitate an open discussion about the issues surrounding the balance of traditional tribal cultures with tribal economic development.

— Rose Nimkiins Petoskey '15

Cynthia Grant Bowman Spearheads Ground-breaking Conference in China on Feminist Legal Theory

On the weekend of May 15–17, legal scholars from the United States, China, Japan, Korea, and Taiwan converged on Fudan University Law School in Shanghai for the conference “Feminist Legal Theory in the United States and Asia: A Dialogue.” The groundbreaking conference was cosponsored by Cornell Law School, under the auspices of the Dorothea S. Clarke Program in Feminist Jurisprudence.

The conference’s first day of panels, billed as “An Introduction to Legal Feminism in the U.S. and Asia,” covered a diverse array of topics, from



Professor Bowman speaking at the Shanghai conference

overviews of feminist legal theory in China and Japan and gender law in Korea to perspectives on such strains of feminist legal theory as socialist feminism, lesbian feminism, and critical race feminism. “The legal scholars from the United States were all law professors who had played an important role in the development of feminist legal theory in the United States, a field that is less developed in Asia,” says **Cynthia Grant Bowman**, the Dorothea S. Clarke Professor of Law. “Participants from other countries made presentations about developments in gender law there, such as the

development of sexual harassment law in Japan.”

“What Does Feminist Jurisprudence Add to the Study of Law beyond Legal Theory?” was the theme of the conference’s second day. Panels addressed tort, criminal, constitutional, international, family, and sexual harassment law, as well as reproductive and socioeconomic rights.

Bowman adds, “It was really the first conference of its kind in China, and I hope it will bear fruit in numerous ways—by introducing the field as one worthy of academic study, by connecting individual scholars from different countries, and ultimately perhaps by contributing to improvement in the status of women in all of them.”

Book Celebration for Bradley Wendel’s *Ethics and Law*

“I think it’s the first general introduction to philosophical legal ethics,” said **Tim Dare** of *Ethics and Law: An Introduction* (Cambridge University Press, 2014), by Professor **W. Bradley Wendel**. “There will be more, I’m sure, but they will be influenced by Brad’s book, which is a groundbreaking book.” Dare, associate professor of philosophy at the University of Auckland, New Zealand, was speaking at a celebration honoring the book, held in the MacDonald Moot Court Room on April 21. Joining him in the discussion were **Greg Cooper**, associate professor of philosophy at Washington and



TOP: Greg Cooper, associate professor of philosophy at Washington and Lee ABOVE: Professor Wendell

Lee University; **Michelle M. Moody-Adams**, the Joseph Straus Professor of Political Philosophy and Legal Theory at Columbia University; and Wendel, professor of law at Cornell.

Wendel “is uniquely well placed to bring philosophical ethics and jurisprudence to bear on the topic,” said Dare, who offered some background on philosophical legal ethics. He traced the field from its first wave in the late 1970s and early 1980s through a second wave in the late 1990s to the current third wave, in which, he said, Wendel is one of the leading figures.

Speaking next, Cooper praised Wendel’s book for its interdisciplinary approach, its acknowledgment of the variety of roles within the legal profession, and its rare recognition that clients are “something beyond bundles of legal rights.” Moody-Adams praised Wendel for “the work he is doing to bring together a subtle, finely textured appreciation for what lawyers actually do with a sense that there are still philosophical problems” involving both ethics and the very nature of law.

“I’m glad that what came out of the book is the sense that, in order to attend to what lawyers

ought to do, one ought to attend to jurisprudence, and, conversely, when doing jurisprudence, one necessarily has to engage with the legal profession as an institution,” said Wendel. He ended by hinting at a longer-term project that would be informed by this discussion.

“How Do We Protect Democracy as Populations Age?” Ask Meridian 180 Members at Conference in Seoul

Older people will soon vastly outnumber the young in Pacific Rim democracies like Korea and Japan, leading to far fewer wage earners and much greater public debt, putting stability at risk.

Those issues need to be front and center, say many of the 650 members of Cornell Law School’s Meridian 180, a diverse community—some describe it as a think tank—of some of the transpacific region’s most brilliant thinkers and innovators in a multiplicity of fields. Their discussions on Meridian 180’s website led to “Democracy in an Age of Shifting Demographics,” its first conference at its new Asia base at Ewha Womans University in Seoul, Korea, on March 31.

The gathering, which drew about 100 leaders and opinion makers from Korea, Japan, China, Taiwan, Australia, and the United States, garnered positive media attention and praise from participants for

Participants at the Meridian 180 conference in Seoul



doing something that few others had done before—namely, getting the best people from different Pacific Rim countries to work together on solutions to pressing, shared problems. The conference was extensively covered in Asian media, including the *Korea Times*, the *Hankyoreh*, and the *Seoul Shinmun*, which published an interview with **Annelise Riles**, the Jack G. Clarke Professor of Far East Legal Studies, director of the Clarke Program in East Asian Law and Culture, and director of Meridian 180.

“My hope is that Meridian 180 will provide real solutions to the complex problems that East Asia is facing, while opening up new horizons for higher education and research,” wrote **Haejoang Cho** in the *Hankyoreh*. Cho is a professor of cultural anthropology at Yonsei University, and a leading public intellectual in Korea.

Eduardo M. Peñalver, the Allan R. Tessler Dean and

Professor of Law, who spoke via video at the conference at Ewha, praised the university for “giving Meridian 180 a central base in Asia of intellectual import where our members and other thinkers and practitioners might gather together to have the kinds of face-to-face conversations that build real relationships and give us a deeper understanding of one another.”

Riles, director of Meridian 180, who planned the conference with Ewha professor **Eunice Kim**, director of its Asian base, says: “We wanted to find a way for people from very different disciplines, professions, and national backgrounds to communicate meaningfully with one another, to take some risks, and speak straightforwardly outside their comfort zone. That required getting away from the standard academic speeches followed by polite questions.”



Professor Riles

Panel discussions focused on topics such as aging societies in Pacific Rim countries in relation to potential problems they might face, the pluses and minuses of such solutions as wealth redistribution, and how to define a country’s values and ensure fair and equal treatment for all. Even though people’s viewpoints diverged wildly, “we wanted conference attendees to come to some collective conclusions that could be summarized in a joint communiqué and shared with the media and policymakers at the end,” says Riles.

The Law Review Celebrates Its 100th Anniversary

Back in 1915, people were already grumbling about the proliferation of law journals. But Professor **Edwin H. Woodruff**, who would soon become the Law School’s fifth dean, stuck to his plan. He was confident Cornell’s new quarterly would enhance legal scholarship, enrich the intellectual life of the college, and improve the law itself—and he was right.

“The *Law Review* has succeeded spectacularly in each regard,” said Dean Peñalver, celebrating the *Cornell Law Review*’s 100th anniversary in the Berger Atrium on April 15. “The *Law Review* has produced a great deal of groundbreaking legal scholarship, including a number of undisputed classics.” Peñalver named two milestones—“Property and Sovereignty” (1927), written by **Morris R. Cohen**, and

“Inside the Judicial Mind” (2001), coauthored by **Jeffrey J. Rachlinski**, the Henry Allen Mark Professor of Law—which dramatically reshaped legal thinking.

Over the years, the *Law Review* has grown increasingly ambitious, complex, and far reaching. For its first volume, the staff included only six student editors. For this 100th volume, there are ninety student editors, taking full



Christine Kim '15

responsibility for six issues each year and receiving more than 2,000 submissions from all over the country.

To **Robert H. Hillman '72**, who was a student editor on the *Law Review* in the early 1970s and its faculty adviser in the 1980s and 1990s, the challenges remain familiar. “I’m struck by how much the issues the *Law Review* faces today resemble those of 1970 and even of 1915,” said Hillman,

the Edwin H. Woodruff Professor of Law. “From its beginning, the *Law Review* has been a leader in publishing work of interest to the entire legal community. . . . The *Law Review* continues to be an important training ground for student editors and writers.”

“Volume 100 and the ninety-nine volumes that came before it have set a tremendously high bar for volume 101,” said incoming editor in chief, **Mateo J. de la Torre '16**.

“I look forward to this next volume leading us to another successful one hundred years.”



Matteo de la Torre '16 and Professor Rachlinski



Professor Hillman

New Faculty Join the Law School

For the 2015–2016 academic year, Cornell Law School announced five new faculty appointments. In addition to **Beth Lyon** (see p. 42), the arriving faculty are **Zachary D. Clopton**, **Andrei Marmor**, Cornell University’s new president **Elizabeth Garrett**, and **Celia Bigones**.

Zachary D. Clopton joins the Law School as an assistant professor of law. Formerly, he served as a public law fellow at the University of Chicago Law School. After earning his J.D. from Harvard Law School, he clerked for **Hon. Diane P. Wood** of the United States Court of Appeals for the Seventh Circuit. He also served as an assistant United States attorney in Chicago and worked in the national security group at WilmerHale in Washington,



Attendees at the *Cornell Law Review* centennial celebration

D.C. Clopton's research focuses on civil procedure with an emphasis on complex litigation and conflict of laws. His teaching interests include civil procedure, federal courts, conflict of laws, international business transactions and litigation, and national security law.

Clopton says: "I am thrilled to join the extraordinary community of scholars and students at Cornell Law School. Cornell is well known for its collaborative spirit and commitment to excellence, and I look forward to being a part of the intellectual community. I think that Cornell will be a fantastic place for my scholarship to develop, and I am excited to collaborate with faculty and students across the university. I also look forward to working with students in the classroom and in their efforts to begin their legal careers."

Elizabeth Garrett became the thirteenth president of Cornell University on July 1 and holds faculty appointments in the Law School and in the Department of Government in the College of Arts and Sciences. A distinguished legal scholar with a record of public service, she comes to Cornell from the University of Southern California, where she was provost and senior vice president for academic affairs. She is the first woman to serve as president of Cornell.

Andrei Marmor is the Jacob Gould Schurman Professor of Philosophy and Law. Before



Celia Bigoness



Andrei Marmor

coming to Cornell, he was a professor of philosophy and the Maurice Jones Jr. Professor of Law at the University of Southern California. Having obtained his first law and philosophy degrees at Tel Aviv University in Israel, and a D. Phil. at Oxford University, he returned to Tel Aviv University, where he taught as professor of law for ten years before moving to the United States.

Eduardo M. Peñalver, who became the Law School's Allan R. Tessler Dean last July, says: "I was delighted that my first two hires as dean were Beth Garrett and Andrei



Zachary D. Clopton



Elizabeth Garrett

Marmor—a new university president and a top-flight legal philosopher. I am very excited for what Beth will bring to the university as a whole, but also to the Law School. She has an astute understanding of the law school world, and she



has already demonstrated an eagerness to interact with the Law School faculty and students. Andrei's arrival deepens Cornell's presence in the world of legal philosophy. His joint appointment with the Philosophy Department will help build a strong bridge between the Law School and a discipline that has historically been one of the most important to the academic study of law."

Celia Bigoness joins the Law-yring Program as an assistant clinical professor. Previously, the Yale Law School graduate spent seven years practicing corporate law at Sullivan & Cromwell in New York, London, and Paris. Her experience includes project finance, leveraged finance, capital markets, and mergers and acquisitions. During the 2014–2015 academic year, she taught Introduction to Transactional Lawyring as an adjunct professor at the Law School.

"I'm excited to be joining the Lawyring Program because it offers a unique opportunity for me to contribute to Cornell Law School by bringing my recent law practice experience to the classroom," says Bigoness. "In particular, young lawyers need to learn how to analyze complex legal issues on tight deadlines—and as a crucial next step, how to communicate that analysis concisely and clearly not only to other lawyers, but also to clients who may have little familiarity with (or interest in) legal complexities."

Kenyan Ambassador Highlights Cornell International Law Journal Symposium

Concerns over China’s increasing economic involvement in Africa have been overblown, Kenyan ambassador to the United Nations **Macharia Kamau** argued in an address February 26 in Myron Taylor Hall. “If you look at other countries . . . particularly the European countries, they have been doing equally exploitative adventures in Africa, but without the commensurate benefits,” Kamau said. “Africa remains to this day the poorest, most exploited, most beaten-down continent on Earth. That is why Africa has embraced the Chinese opportunity.”

Kamau was the keynote speaker at the *Cornell International Law Journal’s* 2015 Symposium, “The Journey to Invest: China’s Economic Excursion into Africa.” The ambassador spoke at length about how China’s involvement in Africa is often misrepresented in the media as little more than an exploitative enterprise to extract oil and other natural resources.

Contrary to the media portrayals and reactions, “Africa is not China’s priority,” Kamau argued. He stated that only 3 percent of Chinese foreign direct investment goes to Africa, and only 4 percent of its trade goes to Africa. Yet around \$25 billion, or 47 percent of

In reality, we now see that China has come into Africa, and it is having a huge transformative impact on the continent. This is because of China’s ability to affect issues relating to economic growth: investing in education, fighting poverty, and combating disease. The terms of engagement [with China] have been amazingly generous.

— *Macharia Kamau*



Macharia Kamau, Kenyan ambassador to the United Nations

China’s investment on the continent, has been for “development assistance.” In comparison, the total developmental assistance investment in Africa from the rest of the world is about \$90 billion.

“Not only is China seeking raw materials, but [the Chinese] are also putting their money into manufacturing, infrastructure, and construction,”

Kamau said. “In reality, we now see that China has come into Africa, and it is having a huge transformative impact on the continent.” This is because of China’s ability to affect issues relating to economic growth: investing in education, fighting poverty, and combating disease, he said. “The terms of engagement [with China] have been amazingly generous.”

The symposium itself, which was held on February 27, saw legal scholars and lawyers from the United States, China, South Africa, Belgium, Ireland, and Germany give talks on China’s diverse investments in Africa and the relationship between the two regions. The talks were organized into four panels, which were moderated by Cornell Law School professors:

- “Environmental Impacts on Investment,” moderated by **Odette Lienau**, associate professor of law
- “Bilateral Investment Treaties,” moderated by **Muna Ndulo**, professor of law and director of the Institute for African Development
- “Governance Structures and Institutional Effectiveness,” moderated by **Aziz Rana**, professor of law
- “Tensions Surrounding the Investment,” moderated by **Sital Kalantry**, clinical professor of law

The symposium was organized by **Nora Ali ‘15**, editor in chief of the *Cornell International Law Journal*; **Alexander Lee ‘15**, executive editor; **Ebony Ray ‘15**, symposium editor; and **Michelle Willensky ‘15**, symposium editor. Event co-sponsors included Cornell Law School’s Berger International Legal Studies Program and Cornell’s Graduate and Professional Student Assembly.

For Admitted Students, A Chance to Explore Their Next Steps

There were close to 100 people in the new academic wing on April 17, who had traveled all the way from California, Connecticut, Florida, Maryland,

and they'd all come to think about their decision.

"We already know the statistics," said **Chris Plante**, who works as a litigation legal assistant at Davis Polk & Wardwell. "We know the answers to all the tangible questions, because



Elizabeth Peck, assistant dean for professional development and clerkships



ABOVE: Admitted students at one of the weekend's social events
RIGHT: Laura Spitz, associate dean for international affairs, speaks with an admitted student

Massachusetts, Mississippi, Nevada, New Hampshire, New Jersey, North Carolina, Oregon, Pennsylvania, Texas, Vermont, Virginia, Washington, Wisconsin, and the District of Columbia. Taking turns around the room, they introduced themselves as consultants, legal assistants, paralegals, political campaigners, research analysts, schoolteachers, software engineers, and students.

They had at least two things in common. They'd all been accepted into the Class of 2018,



they've been reported. . . . Right now, we're weighing the intangibles: What does the campus feel like? Can you relate to the people you meet? Can you imagine yourself as a student here?"

Welcoming them to campus, **Richard D. Geiger**, who was associate dean for communications and enrollment at the time, said that despite anything they might have read about legal education in general, there was no question about the continuing value of a Cornell

legal education. The trends are all positive, including high marks in recent rankings. Programs are expanding, faculty members are engaged, alumni are committed, and graduates are getting good jobs.

Stepping to the podium, **Dean Peñalver** underlined those messages with an anecdote about his youngest brother, who'd been in the same position as the people in the audience. Accepted by Cornell Law School, he wasn't sure what to do. If he studied in Ithaca, would he be able to practice on the West Coast?

The answer was yes, which was why Peñalver told the story, touching on the reasons Cornell Law School was the

I can tell that I'd be very intellectually challenged here. People are very smart, and I might be a little fish. So I'm talking to people about their paths, how they reached this place, and whether they had to make decisions similar to mine.

— Mathias Rabinovitch

right choice: Its size. Its sense of community. Its core values of inclusion and excellence. Its global reach. Its clinics. Its commitment to being elite, not elitist. Its focus on transactional skills. Its place within a major research university. Its beautiful surroundings. Its long history of diversity. Its tradition of public service. Its record of job placement. Its Rhodes Fellowship. Its loan forgiveness program. Its deep sense of decency. Its dedication to graduating lawyers who make you proud to be a lawyer.

But was that enough?

“We’ll have to see,” said **Mathias Rabinovitch**, who graduated from New York University with a bachelor’s degree in linguistics, and ultimately hopes to work for the United Nations. “I can tell that I’d be very intellectually challenged here. People are very smart, and I might be a little fish. So I’m talking to people about their paths, how they reached this place, and whether they had to make decisions similar to mine.”

For some people in the room, including Rabinovitch, who’s Franco-Brazilian, the answers might come that night at a Diversity Weekend party in Collegetown. They might find answers by attending a 1L property class, hearing a presentation on public interest law, taking a tour of campus, attending a student panel on what law school is really like—or they might have already made up their minds.

Law School Welcomes New Deans

This summer, the Law School welcomed two new members to its leadership staff, Dean of Students **Markeisha Miner** and Associate Dean for Admissions and Financial Aid **Monica Ingram**.

Miner comes to Cornell Law from the University of Detroit Mercy Law School, where she served as assistant dean of career services and outreach, overseeing all aspects of career planning and professional development. Previously, she practiced as a commercial litigator in Dickinson Wright PLLC’s Detroit office, where she was an inaugural member of the firm’s diversity committee and co-authored the firm’s diversity mission statement. She also clerked for the Honorable **Anna Diggs Taylor** on the U.S. District Court for the Eastern District of Michigan.

*Dean of Students
Markeisha Miner*

Miner is a member of the National Association for Law Placement (NALP) and has served on the board of trustees for the Women Lawyers Association of Michigan Foundation and the board of directors for Alternatives for Girls. She is active in several bar and community organizations, including the American Bar Association’s Tort, Trial & Insurance Practice Section, which selected her for its 2008-2009 Leadership Academy; the State Bar of Michigan, where she served on the Character &



Markeisha Miner

Fitness Committee; and, the Wolverine Bar Association, which honored her with its Margrette A. Taylor Distinguished Young Lawyer Award in 2007. *The Michigan Chronicle* named her as a Young History Maker in 2010, and *Michigan Lawyers Weekly* honored her as one of its 2013 Women in the Law.

“I am honored to join the Cornell Law School community,” says Miner. “It is exciting to be a part of this engaged, dedicated, collegial team of faculty, administrators, and staff, who are united in the pursuit of one goal: ensuring that our students have the most rewarding experience possible.”

*Associate Dean for Admissions and Financial Aid
Monica Ingram*

Ingram joins the Law School after more than a decade at the University of Texas School of Law, where she ran the office of Admissions and Financial Aid. Prior to that, she worked as a staff attorney in the Investigations and Enforcement Department of the Texas State Board for Educator Certification, which is the licensing agency for Texas teachers. She then served as a staff attorney representing the Texas Association of School Boards, a nonprofit organization that



Monica Ingram

provides legal services to school board members across the state.

She has extensive board service, including membership on the BARBRI Advisory Board, Law School Admission Council, Austin Black Lawyers Association, Austin Bar Association (where she serves on the Diversity in the Profession Committee), National Bar Association, Student Leaders Pursuing Law Advisory Board, St. James Episcopal School, and the Austin Children’s Shelter. She also currently serves as an American Corporate Partners mentor to a military service member transitioning from active duty service. Monica has received the Chicano Hispanic Law Association Gavel of Leadership and the Thurgood Marshall Legal Society Dedication and Commitment Award.

“Cornell is a special place,” Ingram observes. “I have known that since I started recruiting from the undergraduate campus thirteen years ago. Last year, on a whim, I decided to stroll through the Law School, and the impression I received affirmed to me how special the Law School is as well. Less than a year later, an opportunity arose for me to join its leadership staff.”

Professor Wendel Appointed Vice Chair of the Commission on Statewide Attorney Discipline

Professor **W. Bradley Wendel**, an expert in the field of legal ethics, has been appointed vice chair of the Commission on Statewide Attorney Discipline, to conduct a comprehensive review of the state’s attorney disciplinary system. Wendel joins former Appellate Division, Second Department, Associate Justice Barry Cozier, who was appointed as chair, as well as leaders from New York’s bench and legal profession on the commission.

“This is a unique and valuable opportunity to look at and analyze the inner workings of the disciplinary system and, should it need adjustments, to provide suggestions for improvement with the goal of protecting the public interest,” says Wendel.

As part of the reviewing process, members of the commission are identifying what is working well, what can work better, and recommendations for how to enhance the effectiveness and efficiency of the state’s attorney discipline system. More



Professor Wendell

in-depth issues that are being investigated by the commission include whether New York’s departmental-based system leads to regional disparities in the implementation of discipline, whether a statewide system is more effective, and how to achieve dispositions more quickly to provide much-needed closure to both clients and attorneys.

Chief Judge Jonathan Lippman, who began the commission back in March 2015, commented on the appointment of Wendel and Justice Cozier stating, “We are extremely fortunate to have two such eminently qualified individuals to spearhead the efforts of the distinguished members of this vital commission.”

Muna Ndulo Discusses Transitional Justice at Peace Seminar in Bogota

On July 28 in Bogota, Professor **Muna Ndulo** shared his thoughts on transitional justice at a seminar on the reconciliation and peace process in Colombia. Ndulo, the Elizabeth and Arthur Reich Director of the Leo and Arvilla Berger International Legal Studies Program and director of the Institute for African Development, was one of several experts invited to present alternate view points on the analysis and resolution of conflicts. One of the experts, in addition to speakers from Spain and Chile, was Nobel Peace Prize winner Oscar Arias, the former president of Costa Rica.

The event was held against the background of the ongoing peace talks between the Colombian Government and the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC). After fifty years of conflict, both parties are in deliberations to find ways to consolidate the de facto truce currently prevailing in Colombia and to arrive at a peace agreement that would deal with the challenges of peace building.

Ndulo’s presentation on “Transitional Justice and Responses to Human Rights Violations in Post Conflict Societies” focused on best practices and experiences of countries emerging from conflict. He outlined the full range of processes and mechanisms



Professor Ndulo (right) with Oscar Arias, Nobel Prize winner and former president of Costa Rica

associated with society’s attempt to come to terms with a legacy of large-scale human rights abuses in order to ensure accountability, serve justice, achieve reconciliation,

and transition to a democratic society underpinned by human-rights values. The processes include prosecution, the right to truth, reparations, and institutional reforms designed

to promote the rule of law, justice, and inclusiveness in the political system. He discussed several best practices, including the South African Truth Commission, and emphasized the need to remain focused on the peace process despite the many challenges along the way. Ndulo cautioned that as societies face the challenges of peace-building, they must realize that reconciliation for some who live through the conflict takes a long time. But, he added, what is important is to lay the foundations for reconciliation.

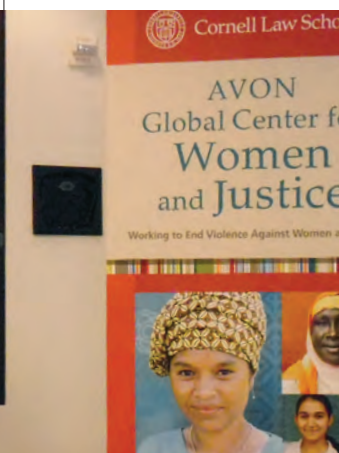
The seminar, which was hosted by the National University of Colombia, was organized by the Centro de Estudios Interdisciplinarios y Aplicados Foundation (Ceiba), the Ministry of Education, and the Monitoring Center for Peace Dialogues, a think tank on Peace. The Ceiba Foundation is composed of the four leading universities in Colombia. The event was beamed to several university campuses across the country.

Annual Avon Global Center Women and Justice Conference Discusses Women, Prison, and Gender-Based Violence

The Avon Global Center for Women and Justice at Cornell Law School hosted its fifth annual Women and Justice Conference in Washington, D.C., on April 14 and 15. The conference, which was held



The conference examined the implementation of the United Nations' "Bangkok Rules," which were adopted in 2010. The Bangkok Rules recognize that the principle of nondiscrimination requires states to address the unique challenges and needs of women offenders and prisoners.



at the law office of Orrick, Herrington & Sutcliffe, focused on women, prison, and gender-based violence, and the role that judges can play in addressing the causes, conditions, and consequences of women's imprisonment.

The conference examined the implementation of the United Nations' "Bangkok Rules," which were adopted in 2010. The Bangkok Rules recognize that the principle of nondiscrimination requires states to address the unique challenges and needs of women offenders

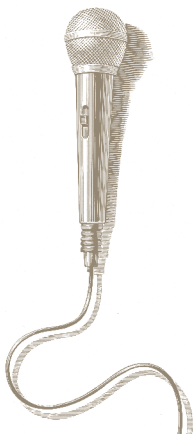
TOP: Professor Babcock (left) and other panelists ABOVE LEFT: Honorable Esme Chombo LEFT: Honorable Ann Claire Williams

and prisoners. Yet, much work is needed to implement these standards in laws, policies, and practices globally.

Participants included senior women judges and NGO leaders from the United States and around the world. Speaking about participating in the conference, Judge **Mavis Kwainoe** from Ghana said: "This was a very enriching program on ways to eliminate violence against women at the pretrial level, during trial, and also after conviction. As judges, we have realized we have a role to affect the lives of persons we sentence to avoid revictimization."

Professor **Elizabeth Brundige**, executive director of the Avon Global Center for Women and Justice, said, “The two days were very exciting, with judges from five continents sharing their insights and brainstorming ways to alleviate the devastating impact that women’s imprisonment has on women and their families.”

The conference was cohosted by Seneca Women and the Virtue Foundation. The Avon Global Center also partnered with Seneca Women in holding a special tribute to **Sandra Day O’Connor**, retired associate justice and first woman justice of the U.S. Supreme Court, at the National Museum of Women in the Arts in Washington, D.C. The tribute included panels on Justice O’Connor’s impact beyond the bench and her influence on bringing together women in the judiciary from around the world. The three current female justices—**Ruth Bader Ginsburg**, **Sonia Sotomayor**, and **Elena Kagan**—attended the ceremony, with Justice Ginsburg delivering tribute remarks.



Justice Cruz Reynoso (center) with Dean Peñalver and Professor Cornell

Justice Cruz Reynoso, Legal Trailblazer, Honored at Law School Event

On March 16, Cornell Law School hosted a tribute to **Justice Cruz Reynoso**, the first Latino justice on the California Supreme Court. Following an introduction by **Gerald Torres**, the Jane M. G. Foster Professor of Law, Justice Reynoso described his passion for social justice, not just legal justice. He said his “fairness bone” gave him a social conscience to improve things as early as age ten. He improved the postal system and advocated to end Mexican segregation from school dances—all before he went to law school.

Cruz Reynoso has been a trailblazer in advocating for farmworkers, advancing the human rights and dignity of the rural poor, supporting civil rights, and pursuing the administration of justice.

Cruz Reynoso has been a trailblazer in advocating for farmworkers, advancing the human rights and dignity of the rural poor, supporting civil rights, and pursuing the administration of justice. During his career, he has been a civil rights lawyer, a professor of law, and an associate justice of the California Supreme Court (1982–1987). He also served on the California Third District Court of Appeal. He served as vice chairman of the U.S. Commission on Civil Rights from 1993 to 2004. In 2000, Reynoso received the Presidential Medal of Freedom, the United States’ highest civilian honor, for his efforts to address social inequities and for his public service.

Recalling an Inspirational Figure: Robert Kent

Legendary teacher and mentor **Robert B. Kent**, professor emeritus at Cornell Law School, died February 5 at the age of ninety-three. Professor Kent dedicated more than half a century to educating aspiring lawyers. An expert in alternative dispute resolution, civil procedure, and international law, Kent was a favorite among students for his compelling teaching style and inspirational lectures.

Kent began his teaching career at the Boston University School of Law, his alma mater. He taught there for thirty-one years, two of which he spent abroad as professor of law and dean at the University of Zambia. He joined the Cornell Law School faculty in 1981 and served as associate dean from 1982 to 1986. Even after his retirement in 1992, Kent was a distinguished visiting professor at Roger Williams University School of Law from 1997 to 2001.

Among the many students inspired by Kent were **Muna Ndulo** and **Cynthia Farina**, both of whom went on to become professors at the Law School. Professor Ndulo, also director of Cornell’s Institute for African Development, was taught by Kent at the University of Zambia. Ndulo says that Kent’s encouragement and mentoring helped him decide to pursue graduate studies at Harvard. “I knew Bob Kent



TOP: Professor Kent in class talking with students ABOVE: In his office

throughout my entire academic career,” says Ndulo. “I don’t think I would be where I am without him. What struck me most were his humanity and his dedication.”

Farina, the William G. McRoberts Research Professor in Administration of the Law, can pinpoint exactly what inspired her to pursue a career

as a legal academic: the federal courts course taught by Kent that she took as a student at the Boston University School of Law. “Bob Kent inspired people with his unflagging intellectual curiosity about law and legal actors. It was infectious,” says Farina. “Whether you were a student, a new teacher, or a more experienced colleague, interactions with

Bob always made you think harder and deeper. And he was one of the kindest men I’ve ever known.”

Building upon his experience in Zambia, Kent spearheaded the Lawyers in Africa initiative at Cornell Law School in which recent graduates were sent to the University of Zambia to teach. The project was a cooperative effort with Cornell’s Institute for African Development and the Peace Corps. In 1996, Kent received the Peace Corps Citation for this work. The president of Zambia also honored him for his service to that country.

During his time at Cornell Law School, Kent was regularly chosen by the graduating class to deliver the keynote speech at Convocation. He is survived by his wife, four children, and five grandchildren.

Hillary LeBeau ‘16 Awarded Peggy Browning Fellowship

The Peggy Browning Fund awarded a ten-week summer fellowship to **Hillary LeBeau ‘16**, who worked at the Federal Labor Relations Authority, Office of the Solicitor, in Washington, D.C.

LeBeau has been interested in public service and human rights advocacy since she was a teenager. Coming from a working-class family, LeBeau says she has felt the effects of belonging to a population with little political power. After



Hillary LeBeau ‘16

taking a class in labor law, she became inspired to pursue a career that would contribute meaningfully to the empowerment of these populations. She is currently enrolled in the Labor Law Clinic at Cornell and has already filed an unfair labor practice charge against an employer on behalf of a disenfranchised worker. LeBeau hopes to continue to fight for workers’ rights after she graduates from law school.

In 2015, the Peggy Browning Fund will support nearly eighty public interest labor law fellowships nationwide. With more than 400 applicants from 150 participating law schools, the application process is highly competitive. The Peggy Browning Fund is a not-for-profit organization established in memory of Margaret A. Browning, a prominent union-side attorney who was a member of the National Labor Relations Board from 1994 to 1997. Peggy Browning Fellowships provide law students with unique, diverse, and challenging work experiences fighting for social and economic justice. These experiences encourage and inspire students to pursue careers in public interest labor law.

Colleen Cowgill '15 Awarded Rhodes Public Interest Fellowship

"Since deciding to go to law school, I have known that a career in public interest was the path I wanted to pursue," says **Colleen Cowgill '15**. During her time at the Law School, Cowgill participated in Cornell's International Human Rights Clinic and the Global Gender Justice Clinic. She traveled to The Hague to serve as a Trial Chambers intern at the International Criminal Tribunal for the former Yugoslavia in summer 2014, and she spent the fall semester of 2014 as a legal intern for the United Nations High Commissioner for Refugees (UNHCR) in Washington, D.C. After graduating this spring, Cowgill returned to partner with UNHCR as Cornell Law School's fourth **Frank H. T. Rhodes** Public Interest Law Fellow.

Cowgill's Rhodes Fellowship project will focus on bringing U.S. refugee practices more in line with international law, as well as providing clarity and guidance for asylum seekers and the practitioners assisting them. Because of the growing number of asylum applications by children, adults, and families from El Salvador, Guatemala, and Honduras, claims from this region will be Cowgill's immediate focus.

"This work is important because it seeks to bring clarity to a field that is hugely complicated and that affects the most



Colleen Cowgill '15

vulnerable communities: individuals fleeing persecution, including women and children, unaccompanied children, and LGBTI individuals," Cowgill observes. "By making UNHCR's position and resources more widely available, this project has the potential to help individuals in serious need of protection more effectively articulate their claims."

Karen Comstock, assistant dean for public service, was a member of the Rhodes Fellowship selection committee. "The committee selected Colleen because she has a deep commitment to human rights and a proven track record in the field that ensures her project's success," Comstock says.

Funded by the Atlantic Philanthropies, with additional support provided by Cornell Law School, the Frank H. T. Rhodes Fellowships are named for Cornell University's president from 1977 to 1995, a former Atlantic board member and chair. The fellowships further scholarship and research in poverty alleviation, public health, human rights, and support for the elderly and for disadvantaged children.

Boot Camp Helps Students Prepare for Job Fair and Build Community

After attending the 2011 August Job Fair, **Marihug Cedeño '13** returned to the Law School determined to make a change. Working with fellow members of the Latino American Law Students Association (LALSA), she would reach out to alumni, law firm recruiters, and corporate sponsors to organize a weekend workshop for the following year's 1L students.



"Going through the Job Fair, I had questions I wanted answered," said Cedeño, in Ithaca for the fourth annual Professional Development Boot Camp, cohosted by LALSA, the Black Law Students Association (BLSA), and the Native American Law Students Association (NALSA) on March 13 and 14. "Where were the alumni of color who'd been through this process? How could we contact them? How could we gain their support? That's how it started, with the idea of helping first-year students get the anxiety out and the practice in while building community."

In the years since that first LALSA/BLSA/NALSA program, the event has grown steadily. This year's boot camp began with a reception at the Statler Hotel featuring keynote speaker **Leslie Wheelock, J.D./M.B.A. '84**, who works as director of the United States Department of Agriculture's Office of Tribal Relations.



TOP: Krsna Avila '17 ABOVE: Zoe Jones '15



ABOVE: Leslie Wheelock '84, director of the Office of Tribal Relations, U.S. Dept of Agriculture BELOW: Antonio Haynes '12



There's a strength that comes from bringing these communities together, in knowing there's a support system you can rely on.

— Leslie Wheelock, J.D./M.B.A. '84



Two days of panel discussions, workshops, and mock interviews followed, with eighteen alumni presenters, twenty-six upperclass advisers, and more than fifty 1Ls in attendance, culminating in a closing speech by **Dean Peñalver**, at Willard Straight Hall.

Delivering Friday's keynote, Wheelock, an enrolled member of the Oneida Nation of Wisconsin, talked about the importance of considering alternate careers outside Big Law, giving back to your community, and building an effective network of supporters. "Law school is tough, which is why it's important to have events like this," said Wheelock, who began her

career in corporate and regulatory law. "There's a strength that comes from bringing these communities together, in knowing there's a support system you can rely on. It's difficult for each of us to move away from our people—family, history, and the place where we grew up are always going to be on our mind—but together, these communities have amazing stories and histories."

All around the Ivy Room, the setting for Saturday's luncheon, 1Ls sat with 2Ls, 3Ls, and alumni, sharing plans for the summer and highlights of the morning. **Maria E. Fernandez '92**, senior counsel for power systems and open power at IBM, described the event as an

example of "diversity in the best sense," encouraging students to leverage their cultural identities into their strengths as lawyers.

Merritt Steele '17, the 2015–2016 president of NALSA, talked about the difficulties of accessing big city advantages from her home in Oklahoma,

Alumni Discuss How to Build a Satisfying Business Law Career

In February, four alumni panelists shared their insights on the topic "Choosing a Career in Business Law" with students gathered in Myron Taylor Hall's new East Wing auditorium. Panelist comments were followed by a Q&A session with the audience, moderated by event organizer **Lynn Stout**, Distinguished Professor of Corporate and Business Law. "It is important for law students to think not just about getting a job, but about what kind of job they would likely thrive in," says Stout. "Our Cornell Law School alumni can offer essential insights into how to choose and develop a business law career."

The first of the panelists to speak was **Mary Kay Braza '81**, chair of the Sports Industry Team at Foley & Lardner and an outside counsel to Major League Baseball. Braza talked about her experiences as both a trial lawyer and a transactional lawyer, observing that litigation presents the gratifying challenge of quickly becoming an expert in a narrow field with each new case. Braza advised students: "Acquire as many different types of opportunities as you can. You will always find ways to utilize that substantive knowledge you have acquired."

Braza was followed by **Katherine Ward Feld, M.B.A. '82/J.D. '83**, special counsel for the SEC's National Exam



TOP LEFT: Ernie Schmider '82 TOP RIGHT: Linda Grant '82 ABOVE: Grant, Schmider, Mary Kay Braza '81; Katherine Ward Feld '83, and Professor Stout

Program, who said of her early law school days, "At one point, I had visions of being the next Atticus Finch." Prior to joining the SEC in 2013, Feld had a nearly thirty-year career in the private sector, working at major financial services firms in senior legal and compliance roles. Though Feld may not have followed precisely in Atticus Finch's footsteps, she observed that "the mission of 'truth and justice,' I think, is applicable to any practice area."

"If, seven years, eight years, ten years from now, you're in a big firm and you don't make partner, your life is not over,"

said **Lynda Grant '82**, a plaintiff's class-action securities attorney who runs her own solo firm. After the big firm she worked for went under, Grant found her way to plaintiff's work. Though a position at a plaintiff firm is less cushy than one at a large defense firm, Grant said, it offers more opportunities for new associates to get hands-on practice, and is a good fit for those with an entrepreneurial mind-set, guts, creativity, and an eye for opportunities.

Last to speak was panelist **Ernie Schmider '82**, former managing director of PIMCO

and a past member of the board of Russell Investments Exchange Traded Funds Trust. Schmider began his career in the M&A practice of a large Los Angeles law firm but, after ten years, switched to a second career in business. Playing a number of roles at an asset management company, he encountered the breakneck speed of the business world. "Everything that you're learning in law school will help you evaluate risk," he said. "What you don't necessarily learn until you get into it and start practicing it is how to take risks."

The event, which was presented by the Clarke Business Law Institute and the Dean's Office, was just one of many efforts by Stout and others at the Law School to provide resources that increase students' business literacy, a crucial attribute in the job market they will enter.

Sital Kalantry Moderates "Precarious Lives: Central American Families and the Limits of U.S. Immigration Policy"

In 2014, more than 60,000 mothers and children fled Guatemala, El Salvador, and Honduras, seeking refuge in the United States because of gang threats, domestic violence, and child abuse in their countries. As the *New York Times* and other news outlets have reported, these families have been detained in prison-like conditions for months and denied release on bond, inhibiting their ability to apply for political asylum. A nationwide network of lawyers and activists is organizing to advocate for these women and children. On April 16, members of the Cornell community convened in Lewis Auditorium for a panel that discussed this work through a transnational feminist lens.

"Precarious Lives: Central American Families and the Limits of U.S. Immigration Policy" marked perhaps the first collaboration between the Law School and the Feminist, Gender, and Sexuality Studies Program (FGSS) of the College of Arts and Sciences, according

to **Jane Juffer**, director of undergraduate studies for the FGSS. Along with Juffer, the panel included Cornell Law School students **Yujin Chun '15** and **Carolyn Wald '16**, as well as **Virginia Raymond**, an immigration lawyer and participant in the Karnes Pro Bono Project in Austin, Texas, which represents women and children at the Karnes County Residential Center.

The panel was moderated by **Sital Kalantry**, clinical professor of law at Cornell Law School, codirector of the Immigration Appellate Law and Advocacy Clinic, and cofounder of the Avon Global Center for Women and Justice. In her introduction, Kalantry provided some context for understanding the recent wave of Central American immigrants.

“When you look at it from a historical perspective, you can see our own complicity in creating this situation,” she said, observing that the U.S. immigration reforms of the 1980s resulted in an increase of criminal deportees to Central American countries where gangs were able to flourish in the absence of strong state governments. She added that the U.S. government’s War on Drugs pushed drug trafficking further underground, making it more profitable and allowing Latin American drug cartels to establish strongholds. It is the violence of these gangs and cartels that many asylum seekers are fleeing.



Virginia Raymond

Raymond told the audience, “I’m the lawyer coming to you from the belly of the beast,” referring to her work at Karnes, where ten mothers who had been incarcerated since last summer had begun their second hunger strike of the month. Raymond described the grueling and uncertain process faced by Central American refugees seeking asylum in the United States,



They are instruments of the profiteers, the people who run GEO and Corrections Corporation of America. They are a crop to be milked for \$150 to \$300 a day, that we are paying as taxpayers, to lock them up.

— Virginia Raymond



where a radical policy change last year has resulted in the current massive, prolonged detentions. “The children and mothers of Karnes, and so many people who are in [Immigration and Customs Enforcement (ICE)] detention, are mere instruments to something else,” she said.

“They are instruments to politicians’ pandering and scapegoating. . . . They are instruments of the profiteers, the people who run GEO and Corrections Corporation of America. They are a crop to be milked for \$150 to \$300 a day, that we are paying as taxpayers, to lock them up.”

Wald and Chun, both participants in the Immigration Clinic, shared the story of their client, “Maria Sanchez,” a refugee from domestic and gang violence in El Salvador. After crossing the U.S.–Mexico border in February 2013, Sanchez was apprehended and held in a detention center for over a year. Wald and Chun were able to get her released from detention on bond and are currently appealing her case for asylum.

The event ended with a discussion between panelists and attendees. A follow-up workshop to discuss specific actions and organizing strategies was held the next day.



Faculty Panel Provides Insights on Pursuing a Career in Human Rights

“Today, given the cost of a legal education, many students are forced to put aside their aspirations to work in public interest or human rights law and opt, instead, to join large corporate firms that guarantee steady paychecks,” says

Amanda Reynoso-Palley '16, outgoing president of student group Cornell Advocates for Human Rights (CAHR). In order to give students a better picture of their options, CAHR asked Law School clinical faculty and fellows working in the human rights field to share their insights in “Pursuing a Career in Human Rights,” a panel discussion held on April 7.

Outlining the paths they took to their current positions, the panelists illustrated a variety of approaches to a human rights career. **Elizabeth Brundige**, executive director of the Avon Global Center for Women and Justice and assistant clinical professor of the Global Gender Justice Clinic, spent her first year out of law school as a U.S. Court of Appeals clerk before creating a fellowship with the International Association of Women Judges. This led to a clerkship in the Constitutional Court of South Africa, which was followed by a stint at the International Criminal Tribunal for the former Yugoslavia before a return to academia, where Brundige found her niche in clinical teaching.



Sharon Hickey discusses her career path

Each panelist demonstrated the diverse paths that lead to careers in human rights law, and proved that careers in human rights law do exist and are attainable. All of the panelists were affiliated with Cornell Law School, which goes to show that we have great mentors right here in Ithaca.

— Amanda Reynoso-Palley '16



ABOVE: Anne-Clare Bok RIGHT: Professor Babcock

Sital Kalantry, on the other hand, began her legal career as a law firm associate and corporate counsel. Kalantry, director of the Immigration Clinic as well as founder of the International Human Rights Clinic and cofounder of the Avon Center, traced her career path back to her birthplace of India. Visits to the country during her childhood inspired an interest in addressing global economic inequality, while the hard work it took her immigrant parents to ascend into the middle class contributed to her decision to pursue a well-paying career in a large firm after law school. Kalantry observed that there are many ways of leveraging corporate experience, such as tax law and litigation skills, into public interest work.

Avon Global Center Women and Justice Fellows **Sharon Hickey** and **Anne-Claire Blok** also tried the corporate path before switching to the human rights field. “Like many of you, I was an undergrad during the height of the recession,” noted Hickey, who is from Ireland. Considering a social justice career unviable, Hickey maintained her activism through extracurricular work while focusing her academic efforts on corporate law.

Sandra Babcock, director of the International Human Rights Clinic, stressed that there are many opportunities to apply international human rights law to domestic public interest work—an alternative

to going after one of the scarce and intensely competitive job openings at a large, international NGO like Human Rights Watch.

After her law school years, which focused on public interest and human rights, including a summer “basically spent . . . getting tear gassed” in South Africa, Babcock went to work for the Texas Capital Resource Center defending death-row inmates. She was able to apply international treaty law there, as she was in her next job as a public defender in Minnesota. It was in Minneapolis that she founded a private practice and, much to the skepticism of friends, put “international law” on her business cards. Lo and behold, international human rights cases came her way. “It was kind of like ‘Field of Dreams’—If you build it, they will come,” she told the audience. The lesson: “You have to be willing to take risks.”

The event concluded with a Q&A during which panelists fielded questions about transitioning from corporate to public interest work, interview tips, skill building, and applying for fellowships.

“Each panelist demonstrated the diverse paths that lead to careers in human rights law, and proved that careers in human rights law do exist and are attainable,” says Reynoso-Palley. “All of the panelists were affiliated with Cornell Law School, which goes to show that we have great mentors right here in Ithaca.”

Charlotte Savino '16 and Ariel Atlas '16 Receive Law Library's Cantwell Prize

The Cornell Law Library announced in May that **Charlotte Savino '16** and **Ariel Atlas '16** were the first- and second-place recipients of the 2015 Robert Cantwell Prize for Exemplary Student Research.



Charlotte Savino '16



Ariel Atlas '16

For her paper, “‘Nobody’s Saying We’re Opposed to Complying’: Barriers to University Compliance with VAWA and Title IX,” Savino researched a complex array of historical and contemporary sources to take on the timely topic of sexual assault on college campuses. She examined potential barriers university administrators face complying with federal sexual assault legislation such as the Violence Against Women Act and Title IX.

Atlas’s research for her paper, “Don’t Forget about the Jury: Advice for Civil Litigators and Criminal Prosecutors on Differences in State and Federal Courts in New York,” involved statistical analysis of whether or not there are appreciable differences between state and federal juries in New York.

Funding for the prize is provided by an endowment given to the Law Library by **Barbara Cantwell** in honor of her late husband, **Robert Cantwell**, a 1956 graduate of Cornell Law School.



Sital Kalantry Addresses Myths and Facts in Her International Women’s Day Celebration Keynote Speech

Sital Kalantry, clinical professor of law, delivered the keynote speech at Cornell University’s International Women’s Day Banquet on March 15. Sponsored by the Cornell Women’s Resource Center, the Graduate School, the Student Assembly, the Graduate and Professional



Professor Kalantry

The main empirical support for this belief is a 2008 study by economists Douglas Almond and Lena Edlund. Kalantry and her coauthors, however, performed their own study, published last year, which contradicts Almond and Edlund’s findings and challenges the conclusions drawn from them. In “Replacing Myths with Facts: Sex-Selective Abortion Laws in the United States,” the authors found that when all their sample families’ births were taken into account, the



In “Replacing Myths with Facts: Sex-Selective Abortion Laws in the United States,” the authors found that when all their sample families’ births were taken into account, the sex ratios of foreign-born Chinese, Indians, and Koreans were not male biased.

Women’s Network, and the South Asian Council, the event featured presentations by student panelists, a performance by South Asian a cappella group Tarana, and a presentation of International Women’s Day leadership awards.

The event had a strong emphasis on women’s issues in South Asia, and Kalantry’s speech drew attention to the intersection of sexual discrimination and racial discrimination against Asian

Americans in the United States. Her primary focus was the legal prohibitions on sex-selective abortions proliferating in this country, where eight state legislatures have banned sex-selective abortions, and twenty-one states, along with the federal government, have considered such bans. The discourse surrounding these bans, she observed, has centered on the belief that Asian American immigrants, motivated by a preference for sons, are seeking this kind of abortion.



Leena Kulkarni, executive board member of Cornell Women’s Resource Center

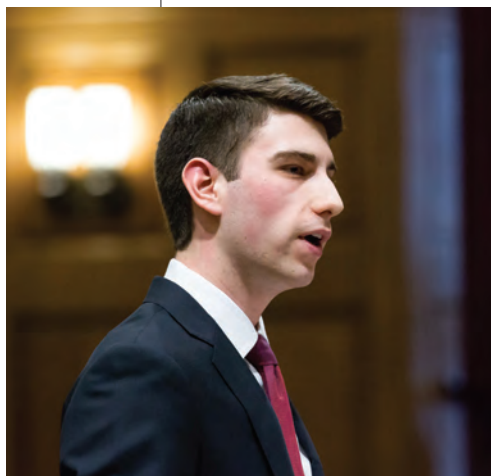
sex ratios of foreign-born Chinese, Indians, and Koreans were not male biased.

Law Students Argue First Amendment Doctrine during Langfan Family Moot Court Competition

First-year law students gathered on April 11 in the MacDonald Moot Court Room for the final round of the 2015 Langfan Family First-Year Moot Court Competition. This year’s competition scenario—based

on a recent U.S. Supreme Court case involving a request for a specialty license plate—required competitors to test the boundaries of current First Amendment doctrine.

“This year’s Langfan Competition was absolutely remarkable, and the caliber of advocacy seen across the first-year class was extremely impressive,” says **Justin Ndichu ‘16**, the 2015 Moot Court Board Chancellor. “With previous registration records broken, it



After deliberations, the judges awarded first place to Hoffman, who received a \$500 prize. Runner-up Levy received \$250. The prize money was donated by the Langfan family. ■

TOP: The Langfan Moot Court finalists before a panel of guest judges FAR LEFT: First-place winner Jared Hoffman '17 LEFT: Runner-up Michael Levy '17

became abundantly clear that the competitors relished the challenge of Supreme Court advocacy, and each competitor exhibited impressive mastery of the exciting First Amendment problem.”

Finalists **Jared Hoffman '17**, arguing on behalf of the petitioner, and **Michael Levy '17**, arguing on behalf of the respondent, debated in front of an esteemed panel of guest judges: **Hon. Jerome Holmes**

of the U.S. Court of Appeals for the Tenth Circuit, **Hon. Stephanie Thacker** of the U.S. Court of Appeals for the Fourth Circuit, **Hon. Mae D'Agostino** of the U.S. District Court for the Northern District of New York, **Hon. Cathy Bissoon** of the U.S. District Court for the Western District of Pennsylvania, and **Hon. Jonathan Feldman, B.A. '78**, U.S. Magistrate Judge for the Western District of New York.

With previous registration records broken, it became abundantly clear that the competitors relished the challenge of Supreme Court advocacy, and each competitor exhibited impressive mastery of the exciting First Amendment problem.

— Justin Ndichu '16





In April, **Joel Atlas**, clinical professor of law and director of the Lawyering Program, received the Anne Lukingbeal Award from the Women's Law Coalition of Cornell Law School. The award recognizes outstanding commitment to women at the Law School. Professor Atlas also coauthored, with Clinical Professor Estelle M. McKee, the article "How to Have a Great Conference," which was published in the spring 2015 newsletter of the Section on Legal Writing, Reasoning, and Research of the Association of American Law Schools.



Adjunct Professor **Kim Azzarelli**'s book *Fast Forward: How Women Can Achieve Power and Purpose* is being published this fall. *Fast Forward* takes a look at how some of the world's most inspiring women are using their growing economic power to create success and meaning in their lives while building a better world. The book is co-authored with Melanne Verveer, first U.S.

Ambassador-at-Large for Global Women's Issues, and features a foreword by Hillary Rodham Clinton.

Fast Forward combines the inspiring stories of over seventy trailblazing women with a hands-on, practical toolkit for business and personal development so each person can know their own power, find their purpose, and connect with others to achieve their goals.

Fast Forward shows that companies, countries, and organizations are waking up to a new reality in which women control the lion's share of purchasing power and are increasingly essential to competitiveness. Women are using their power for purpose, redefining what power and success mean in the process, and often empowering women and girls through their work.

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Among the CEOs, judges, fashion, business and media executives, entrepreneurs and nonprofit leaders profiled in *Fast Forward* are Justices Sandra Day O'Connor and Ruth Bader Ginsburg, IMF Chair Christine Lagarde, Diane von Furstenberg, Geena Davis and America Ferrera. Also featured are women executives from more than 25 companies, including Coca-Cola, Bank of America, Marriott, espnW, Toyota, and Abbott.

Kim Azzarelli and Melanne Verveer co-founded Seneca Women, a global leadership forum centered on the principle that advancing women and girls will fast forward us to a better world. Seneca Women recently hosted a tribute to Justice O'Connor with special guests Justices Ginsburg, Sotomayor, and Kagan. Former Dean Stewart Schwab, Jonathan and Ruby Zhu Professor of Law, spoke on a panel about his experiences as one of Justice O'Connor's earliest law clerks.

Kim Azzarelli is also the steering committee chair and cofounder of the Global Center for Women and Justice, which works with judges, legal professionals, and governmental and nongovernmental organizations to improve access to justice in an effort to eliminate violence against women and girls.



In March 2015, **Sandra L. Babcock**, clinical professor of law, spoke on a panel at the U.N. Human Rights Council in Geneva on “Human Rights in Western Sahara: The Right to Self-Determination.” She was accompanied by two Cornell Law students—Mike McCarthy ’15 and Karen O’Neil Ocasio ’16—who addressed the U.N. Committee on Economic, Social, and Cultural Rights regarding Morocco’s violation of the Covenant in Western Sahara.

From February to July 2015, Babcock continued her work on behalf of Malawian prisoners who had been sentenced to death under an unconstitutional mandatory sentencing regime. During that time, thirty-one prisoners were released and another ten were given determinate sentences. Babcock

supervised the drafting and submission of defense pleadings in each of these cases, fourteen of which were handled by clinic students. In March 2015, she led a workshop for approximately forty Malawian judges from the High Court and Supreme Court regarding mental health in capital sentencing.

In June 2015, Babcock was invited to speak at an expert meeting organized by the U.N. High Commissioner on Human Rights in Geneva focusing on the situation of foreign nationals facing capital punishment around the world. The meeting brought together scholars and nongovernmental organizations, as well as the U.N. Special Rapporteur on Extrajudicial, Summary, and Arbitrary Executions; the Inter-American Commission on Human Rights’ Special Rapporteur on the Rights of Migrants; and representatives of national human rights commissions from Malaysia, Afghanistan, and Indonesia.



John J. Barceló, William Nelson Cromwell Professor of International and Comparative Law, was a panelist at the Inter-University Graduate

Conference “Global Flows—Challenges and Opportunities for Law and Legal Regulation” held at Cornell Law School in April. The panel addressed the challenges and opportunities of a career as a legal academic. In May Professor Barceló was a visiting professor in the Department of Legal Studies at Central European University in Budapest, Hungary. While there he taught a condensed course on World Trade Organization law. In July, he was once again codirector of the Cornell-Paris 1 Summer Institute of International and Comparative Law. He taught International Commercial Arbitration as a part of the summer institute curriculum.

Barceló continues to serve on the Board of Advisors of the Scheinman Institute on Conflict Resolution based in Cornell’s School of Industrial and Labor Relations and has also been appointed to the Steering Committee for the New York State Bar Association International Section’s October 2016 meeting in Paris.

In August Barceló published the sixth edition of his casebook *International Commercial Arbitration—A Transnational Perspective* (West Academic, 2015) with coauthors Tibor Varady, Stefan Kröll, and the late Arthur von Mehren, as well as the sixth edition of the documents supplement for use with the basic text.



In May, **Cynthia Grant Bowman**, the Dorothea S. Clarke Professor of Law, gave a speech in New York City to the Cornell Law School Advisory Council about the life and career of Mary Donlon. On May 15–17, 2015, the conference on feminist jurisprudence that Bowman had been planning for almost two years came to fruition in Shanghai, China. Bowman chaired the successful conference, which brought together feminist scholars and activists from the United States, China, Japan, and Korea, and presented a paper on socialist feminism. The following week she also spoke to legal theory students at Zhejiang University Guanghua Law School in Hangzhou, China, about feminist jurisprudence in the United States.

In June, Bowman attended the Association of American Law Schools Midyear Meeting in Orlando, Florida, which consisted of two workshops. At the first workshop, “Shifting Foundations in Family Law: Family Law’s Response to Changing Families,” she gave an invited talk entitled “Cohabitants: What the Census Does and Doesn’t Tell Us” as part of a panel on family options and the law; she also chaired and served as a commentator on younger scholars’ papers at a panel on freedom

of contract within family law. The second workshop was titled “Next Generation Issues of Sex, Gender, and the Law.” Bowman also participated as a speaker at the final plenary session concerning ideas for the future.

In July, Bowman attended the International Congress on Law and Mental Health in Vienna, Austria, where she chaired a panel on “The Legal Treatment of Child Sex Abuse: U.S. and International Perspectives” and gave a presentation on sexual violence and the schooling of girls in Zambia. In addition, Bowman was appointed an adviser for the American Law Institute’s Project on Sexual and Gender-Based Misconduct on Campus: Procedural Frameworks and Analysis.



Legal Information Institute (LII) Director **Thomas R. Bruce** spent most of the spring directing the LII, with a trip to London to meet with the staff of legislation.gov.uk, an organization he has long admired. Much of Bruce’s summer was spent on the conference circuit. With LII Associate Director Sara Frug, he presented joint work with two researchers from the Australian National

University on readability of legislative text at the International Conference on Artificial Intelligence and Law, and on unsupervised topic modeling (a machine-learning technique for discovering what is in document collections) at the annual Center for Computer-Assisted Legal Instruction conference.

In late June, he spoke to a group of eighty United Nations delegates and staffers about the practical importance of open access to legal information to the soon-to-be-formulated sustainable development goals that UN member states will vote on in September. In particular, he addressed issues of trade facilitation, anticorruption, and the development of regional approaches to regulation, as well as the fundamentals of communicating norms and policies.



In the spring semester, **Elizabeth Brundige**, assistant clinical professor of law and executive director of the Avon Global Center for Women and Justice, co-facilitated a roundtable at Columbia Law School titled “Addressing Domestic Violence as a Human Right through Local Resolutions.” In collaboration with the International Association of

Under Brundige’s direction, the Global Gender Justice Clinic and Avon Global Center continued to work on projects designed to combat gender-based violence and discrimination. Clinic students successfully advocated for the adoption of six local government resolutions recognizing that freedom from domestic violence is a human right, and developed a plan for implementing the resolutions’ principles.

Women Judges, she organized and moderated a United Nations Commission on the Status of Women NGO Parallel Event, “Ensuring That Courts Do Not Re-Victimize: Making Beijing’s Commitments a Reality,” involving a panel of judges from four continents. At the symposium “Integration of International Experience into the Curriculum,” hosted by Cornell University’s Mario Einaudi Center for International Studies, Professor Brundige spoke about her experiences in developing and teaching the Law School’s Global Gender Justice Clinic. She also led the Avon Global Center in hosting the 2015 Women and Justice Conference, which brought together judges and other stakeholders from more than fifteen countries to discuss the topic “Women, Prison, and Gender-Based Violence.” Brundige delivered a related video presentation, “Violence as a Cause, Condition, and Consequence of Women’s Imprisonment,” for Penal Reform

International’s summer school for national prison monitors.

Under Brundige’s direction, the Global Gender Justice Clinic and Avon Global Center continued to work on projects designed to combat gender-based violence and discrimination. Clinic students successfully advocated for the adoption of six local government resolutions recognizing that freedom from domestic violence is a human right, and developed a plan for implementing the resolutions’ principles. They also prepared a shadow report on military sexual violence and engaged in related advocacy as part of the UN Human Rights Council’s Universal Periodic Review of the United States. As a result of their engagement and that of other advocates, the council’s report included recommendations by two UN member states that called on the United States to improve access to justice for survivors of military sexual assault. In addition, the center and clinic

launched new studies of the causes and consequences of women's incarceration in Jamaica and of the impact of women's economic empowerment on domestic violence.



In March **Femi Cadmus**, the Edward Cornell Law Librarian, associate dean for library services, and senior lecturer in law, presented a continuing legal education course entitled "Keeping Abreast of Changes in Law and Technology" at the Finger Lakes Women's Bar Association meeting in Ithaca. In April she presented "Developing a Law Practice Technology Course" at the annual meeting of the Canadian Association of Law Libraries in Moncton, New Brunswick. She also attended the spring executive board meeting of the American Association of Law Libraries in Chicago.

In July Cadmus presented and participated in a panel discussion on library organizational structures, including nonautonomous law libraries, at the Society of Academic Law Library Directors meeting at the University of Pennsylvania Law School. She also presented and participated in a Diversity Symposium panel discussion

and attended the summer executive board meeting at the annual meeting of the American Association of Law Libraries in Philadelphia.

Also in July Cadmus offered a new, three-credit course called "Foundations in American Law" as part of Cornell's School of Continuing Education and Summer Sessions. The inaugural class of twenty-three high school students and one Cornell graduate student from the United States, India, and China spent three weeks at the Law School. Cadmus cotaught the new course with other Law Library faculty, Amy Emerson, Thomas Mills, and Nina Scholtz.

Cadmus authored the chapter "Library Director as Change Agent: Analysis Two, Implementing Change in Difficult Times," in *Academic Law Library Director Perspectives: Case Studies and Insights* (Hein, 2015).

In July, the Law Library hosted Nubia Mateus Zorro, law librarian at the Universidad de los Andes, in Bogota, Columbia, as the 2015 Bitner Research Fellow. The Bitner Research Fellows program provides opportunities for foreign librarians and researchers to learn about effective legal research methods and law librarianship from expert Cornell Law School librarians. In August, the Law Library's first Diversity Fellow, Malikah Hall, J.D./M.L.S., North Carolina Central University, commenced her two-year term as assistant law librarian.



Sherry F. Colb, professor of law and Charles Evans Hughes Scholar, gave several presentations during the spring and summer. Most recently, in July, she lectured for the Practising Law Institute (PLI) Seventeenth Annual Supreme Court Review, discussing and providing materials about the Supreme Court's constitutional criminal procedure cases, to be incorporated into PLI published materials. Also in July, Professor Colb gave a lecture at Vegetarian Summerfest, a conference held at the University of Pittsburgh-Johnstown campus. Her lecture centered on the difficult questions that people pose to vegans. She served as well on a separate panel about community outreach. In June, Colb gave a lecture at Main Street Vegan Academy. In May, Colb was the elected faculty speaker at the Cornell Law School Convocation. In March, she co-delivered two lectures at the World Vegan Summit, one

about her book *Mind If I Order the Cheeseburger?* and the other about her book with Professor Michael C. Dorf entitled *Beating Hearts: Abortion and Animal Rights*, forthcoming from Columbia University Press. In February, she gave a lecture entitled "Can It Be Pro-Animal to Be Pro-Choice" for the Ivy League Vegan Conference, which was held this year at Cornell. Earlier in February, Colb appeared with Dorf, her coauthor, on the *Our Hen House* TV show (a coproduction with Brooklyn Independent Media), to discuss their forthcoming book.

Colb has continued to write and publish biweekly columns on Justia.com's legal commentary site, Verdict (Verdict.Justia.com). Her recent columns have discussed cases before the Supreme Court and include "The Shrinking Fourth Amendment: *Heien v. North Carolina*," "The Appearance and Reality of Cruelty in *Glossip v. Gross*," "Justice Alito Asks Whether Non-Romantic Couples Should Have the Right to Marry: Absurd Question?," and "The U.S. Supreme Court Considers Extending a Traffic Stop for a Dog Sniff."

In February, Colb gave a lecture entitled "Can It Be Pro-Animal to Be Pro-Choice" for the Ivy League Vegan Conference, which was held this year at Cornell.

Other columns take up important controversial issues that have been in the news lately, and include “Is There a Moral Duty to Disclose That You’re Transgender to a Potential Partner?,” “When Religious Airline Passengers Ask Women to Move,” “Competing Values in the Conviction of a Woman for Feticide,” and “Considering Miscarriage in a Pro-Choice Frame.”

Colb has also written blog posts on DorfonLaw (DorfOnLaw.org). Recent posts include “The Difference Between Legal and Factual Errors,” “*Gossip v. Gross* and a Strained Definition of ‘Necessity,’” “Platonic Marriage,” “Feticide and Suicide,” “Screenings and Type I and Type II Errors,” “Miscarriages and Grief,” and “An Overbroad View of Complicity.”



Angela B. Cornell, clinical professor of law and director of the Labor Law Clinic, was invited to speak at a conference in New York City in April to celebrate the eightieth anniversary of the National Labor Relations Act. Her presentation was on the continuing relevance of the labor statute despite expanding statutory employment protections.

Cornell also spoke at a conference in Mexico City on precarious workers sponsored by the National Autonomous University of Mexico’s Institute of Legal Research, ADAPT, and Middlesex University London. Her presentation, in Spanish, was on vulnerable workers in the United States.

In April, Cornell was part of a labor delegation to Bursa, Turkey, on behalf of the International Commission for Labor Rights to investigate violations of freedom of association in the automobile industry. As part of that trip,

In May Cornell traveled with students from the Labor Law Clinic to Phnom Penh, Cambodia, for a clinic case involving the garment industry. They interviewed dozens of garment workers in and around Phnom Penh about working conditions at several factories and took affidavits of the low-wage workers who are producing for major international brands.

the delegation interviewed metalworkers, many of whom had been fired from their jobs for organizing activity or had suffered other adverse action in the workplace. Some had also been blacklisted. In May Cornell traveled with students from the Labor Law Clinic to Phnom Penh, Cambodia, for a

clinic case involving the garment industry. They interviewed dozens of garment workers in and around Phnom Penh about working conditions at several factories and took affidavits of the low-wage workers who are producing for major international brands. In June, Cornell argued before the Inter-American Court of Human Rights in San José, Costa Rica, about trade union accessibility to the Inter-American system. The court will be deciding how broadly to interpret the reference to “person” in the American Convention on Human Rights and

whether it should be applied to nonhuman entities like unions and corporations.

During the spring semester, Cornell brought two prominent labor speakers to the Law School, the new director of the Federal Mediation and Conciliation Service, Allison Beck, and the International Labour

Organization’s chief of the Freedom of Association Branch, Karen Curtis. As part of the Berger Current Event Colloquium, Cornell also organized an interdisciplinary panel on the causes and consequences of inequality, which attracted an overflow audience.



In March, **Michael C. Dorf**, the Robert S. Stevens Professor of Law, gave two presentations at the World Vegan Summit in Southern California, repeating one of those presentations—examining whether the Epicurean argument that death is harmless has greater purchase with respect to nonhuman animals than with respect to humans—at a conference at the University of Pittsburgh-Johnstown in July. Along with Harvard law professor Laurence Tribe, Dorf coauthored a brief in support of the plaintiff same-sex couples in *Obergefell v. Hodges* and related cases in the Supreme Court, elaborating on an argument for how to construe the fundamental right to marry based on their book *On Reading the Constitution*. Dorf discussed the brief and the case in a presentation at the University of California, Berkeley, School

of Law in April. He discussed numerous aspects of the Supreme Court's term, including the latest Obamacare case, at the 2015 Practising Law Institute's Supreme Court Roundup session in July in New York City. In August, Dorf was a panelist at a plenary session of the annual meeting of the American Sociological Association in Chicago, speaking about same-sex marriage.

Along with his coeditors, Jesse H. Choper, Richard H. Fallon, Jr., Yale Kamisar, Steven H. Shiffrin, and Frederick Schauer, Dorf published the twelfth edition of *Constitutional Law: Cases—Comments—Questions* (West Academic, 2015), the 2015 supplement thereto, and *Leading Cases*, the 2015 abridged version of the main casebook.

Dorf's essays for broader audiences on Verdict.Justia.com and on his blog, DorfonLaw, covered a wide range of subjects, including many drawn from the Supreme Court docket. Besides the highest-profile cases, he addressed such matters as whether there is a fundamental right of a U.S. citizen to live in America with his or her spouse, whether the Dormant Commerce Clause is a "judicial fraud" (as Justice Antonin Scalia claimed in *Comptroller of the Treasury of Maryland v. Wynne*), whether jailors have a duty to take measures to prevent suicide by detainees, whether state-issued specialty license plates are government speech (as the

majority in *Walker v. Texas Div., Sons of Confederate Veterans* held), private speech (as the dissenters thought), or something in between, and whether raisins are more like searches than like oysters (juxtaposing two Supreme Court cases decided on the same day, *Los Angeles v. Patel* and *Horne v. Department of Agriculture*).



In April **Cynthia R. Farina**, the William G. McRoberts Research Professor in Administration of the Law, spoke at the Harold Leventhal Memorial Symposium at Columbia Law School, celebrating the work of Peter Strauss. Farina and Gillian Metzger, coauthors with Strauss of the Gellhorn and Byse *Administrative Law* casebook, gave coordinated comments on the topic "The Place of Administrative Agencies in Polarized Government." Farina's contribution, "Congressional Polarization: Terminal Constitutional Dysfunction?," examines the political science literature on polarization to determine which assertions about, and proposed remedies for, polarization in Congress are supported by evidence. The article will appear in the *Columbia Law Review*.

Research arising from the RegulationRoom project received recognition in January, when the site was included in the Internet Law Researcher's Best of the Legal Blogs. The site was also selected to be featured in MIT's online Civic Media Project and in the associated publication *Civic Media: Technology, Design, Practice*. Additionally, the article "The Value of Words: Narrative as Evidence in Policymaking" was chosen as one of ten articles featured on the tenth anniversary of the cross-disciplinary peer-reviewed journal *Evidence and Policy*.

This spring, Farina participated in a proposal review panel for the Cyber-Human Systems program of the National Science Foundation. At the request of the Administrative Conference of the United States, she consulted with both the majority and minority counsels of the House Subcommittee on Regulatory Reform, Commercial and Antitrust Law on proposed legislation to amend the Administrative Procedure Act to require online information during rulemaking. She also consulted with the staff of Senator Cory Booker about proposed legislation to require agencies to conduct pilot projects on using social media in rulemaking.

In May, Farina was named to the Community Advisory Board of WSKG Public Media.



Glenn G. Galbreath, clinical professor of law, has begun his phased retirement after almost thirty years of teaching clinics and Trial Advocacy at Cornell Law School. Working three-quarters time, he now focuses on the Law School's externship courses, in which almost twenty-five percent of all second- and third-year law students work full- or part-time at nonprofit and governmental placements around the country and occasionally outside of the United States. Galbreath will fully retire next summer and expects to have his time absorbed by his four grandchildren.

Galbreath has also been very involved in helping institute the New York Court of Appeals's statewide Pro Bono Scholars Program. The Program allows selected law students to take the New York State Bar Examination in February of their third year of law school, after which they do a full-semester externship providing pro bono legal services to indigent clients. Galbreath also was asked to serve on the Tompkins County Council of Governments, Municipal Courts Task Force, which is exploring ways in which the eleven town and village courts in Tompkins County might be consolidated or otherwise organized to improve the

quality of justice and possibly save taxpayer funds. He continues to serve as justice for the Village of Cayuga Heights Court.



Valerie Hans, professor of law, was Cornell Law School's faculty exchange visitor at the Buchmann Faculty of Law, Tel Aviv University, in 2014–2015. She taught a course on comparative law and social science. In May, Professor Hans traveled to Neuquén, Argentina, to participate in a conference and workshop focused on the world's newest jury systems, introduced during the past year in several Argentine provinces. A book including Spanish translations of some of her jury research, *El juicio por jurados: Investigaciones sobre la deliberación, el veredicto y la democracia*, was presented at the conference. Hans also had the opportunity to begin planning a jury research project on the new Argentine jury with judges, lawyers, and other scholars.

In June, Hans began her two-year term as president of the Law and Society Association (LSA), a scholarly group devoted to the interdisciplinary study of law. She is already

busy appointing committees to plan annual conferences in New Orleans (2016) and Mexico City (2017), organize workshops for graduate students and early career scholars, and carry out other LSA initiatives.

Hans continued research and writing on jury decision making, coediting a special issue of a journal and publishing articles on juries. She coedited a symposium issue of the *Chicago-Kent Law Review* entitled "Juries and Lay Participation: American Perspectives and Global Trends," which examined the American jury system from a global viewpoint. Her coauthored article on judge-jury differences in capital cases was published in March in the *Journal of Empirical Legal Studies*. The research revealed that the move from jury to judge sentencing dramatically increased the likelihood of defendants being sentenced to death. The article was coauthored by Cornell colleagues John H. Blume, Theodore Eisenberg (posthumously), Sheri Lynn Johnson, and Martin T. Wells, as well as Amelia Hritz and Caisa Royer, two students in Cornell's dual Ph.D./J.D. program in Developmental Psychology and Law. Hans also published a coauthored article on jury damage awards in *Psychology, Public Policy, and Law*, reporting an experiment that varied the meaning and context of anchor numbers and observing systematic differences in damage award amounts.



During the spring semester **Michael Heise**, professor of law, participated as a paper discussant at the Thirty-Third International Seminar on the New Institutional Economics, in Edinburgh, United Kingdom. In a memorial empirical legal studies conference hosted by Tel Aviv University and honoring Ted Eisenberg, Heise presented the paper "Understanding Plaintiff Success at Trial and on Appeal: Empirical Evidence from State Courts" (with Marty Wells). Heise's recent empirical work in the death penalty area, "The Death of Death Row Clemency and the Evolving Politics of Unequal Grace," was published in the *Alabama Law Review*. One of Heise's many scholarly collaborations with the recently-deceased Ted Eisenberg, "Plaintiphobia in State Courts Redux? An Empirical Study of State Court Trials on Appeal," was published in the *Journal of Empirical Legal Studies* (2015). Finally, an essay discussing urban school reform, "Lost Ground: Catholic Schools, the Future of Urban School Reform, and Empirical Legal Scholarship," appeared in the *Texas Law Review* (2015).



Robert A. Hillman, Edwin H. Woodruff Professor of Law, published volume 4 of the treatise *Uniform Commercial Code* (with James J. White and Robert S. Summers). The volume covers Article 9 of the Uniform Commercial Code on secured transactions. Volumes 1 through 3 were published in the past three years. Together the four volumes present over 2,000 pages on commercial law issues. Hillman also began work on the seventh edition of his contracts casebook, *Contract and Related Obligation*, with a new coeditor, David Hoffman.



Sital Kalantry, clinical professor of law, delivered a number of lectures, including the keynote address at Cornell's International Women's Day Banquet in March. She was interviewed by a South Korean radio station about honor killings in Afghanistan and was invited to join the editorial board of the *Jindal Global Law Review*.

Professor Kalantry also published an article in the *Georgetown Journal of International Affairs* entitled “Sex-Selective Abortion Bans: Anti-Immigration or Anti-Abortion?” Proponents of the bans argue that they are needed in the United States to curb the alleged practices of Asian Americans. Through an empirical study of U.S. state legislatures that have considered bills or passed bans on sex-selective abortion, Kalantry found that the bans are more likely to be considered in states that have adopted other anti-abortion legislation. On the other hand, there is no statistically significant association between the growth of Asian immigration in a state and the proposal of such legislation. Thus, despite the justifications offered by supporters of the bans, the reality is that the number of Asian immigrants in a state has little to do with whether or not a state will ban sex-selective abortion.



In January, associate dean and dean of students, **Anne Lukingbeal**, began her final semester at the Law School. In February she made an American Bar Association site visit to the Rutgers University

School of Law in Newark and Camden. Her retirement was celebrated with a lovely reception by Cornell Law School faculty, staff, and others in March. Lukingbeal moved to Asheville, North Carolina, in April and continued to serve remotely as the Law School’s dean of students. Returning to Ithaca for the alumni reunion in June, she had the opportunity to once again roll out “Changes at Cornell Law School,” her lively recollections of her thirty-seven years at Cornell Law School, after which she was honored at the alumni dinner dance by colleagues and friends. Her steadfast service ended on July 1.



Estelle M. McKee, clinical professor of law, coauthored an article with Joel Atlas, “How to Have a Great Conference,” which appeared in the spring 2015 newsletter of the Section on Legal Writing, Reasoning, and Research of the Association of American Law Schools (AALS). Professor McKee is active on the AALS Legal Writing, Reasoning, and Research Diversity Committee, which is developing a resource guide on diversity and inclusion topics related to legal education.

Also, in conjunction with publisher Wolters Kluwer, McKee has recently completed a customized lawyering textbook. This textbook draws from a variety of sources, including McKee’s original work.



In January, **Muna B. Ndulo**, professor of law, the Elizabeth and Arthur Reich Director of the Leo and Arvilla Berger International Legal Studies Program, and director of the Institute for African Development, participated in the Global Sales Law Conference “The CISG at 35: Challenges Today.” Held in Washington, D.C., the conference was organized by Georgetown University Law Center and the United Nations Commission on International Trade Law

(UNCITRAL). The conference addressed the present status of the UN Convention on Contracts for the International Sale of Goods (CISG), the future of uniform contract law, and the promotion and role of the CISG in international economic development. Ndulo presented a paper entitled “Technical Assistance and the Rule of Law,” in which he outlined efforts being made at both the regional and international levels to modernize sales contract law.

In May, Ndulo attended the China-Africa Colloquium “Evolving Sino-African Relations: Potentials and Prospects,” at the University of Cape Town. The colloquium was organized by the Confucius Institute of China, the University of Cape Town, and the Institute for African Alternatives. Ndulo presented a paper entitled “China and Africa: The Myths and the Realities.” In his paper he argued that as China becomes a global economic and political power, a simplistic perception of Africa as China’s supplier of raw

In his paper Ndulo argued that as China becomes a global economic and political power, a simplistic perception of Africa as China’s supplier of raw materials inevitably neglects other key aspects of the China/Africa relationship within China’s global strategy.

materials inevitably neglects other key aspects of the China/Africa relationship within China's global strategy. Ndulo argued that the focus in the China/Africa relationship should be on how Africa can use China's vast investment funds to address the challenges of growth and development in Africa.

In June, Ndulo was a panelist at the seminar "Trade, Development, and Law" in the context of the Post-2015 Development Agenda and Financing for Development held in New York. The seminar was organized by Ambassador Hahn Choong-hee, deputy permanent representative of the Republic of Korea to the UN. In his presentation Ndulo argued that the modernization and strengthening of legal frameworks and institutions for commerce and finance, at both the domestic and international levels, are an important part of the strategy to achieve equitable, inclusive, and sustainable development.

In early July Ndulo was invited by UNCITRAL to participate in a panel discussion on the rule of law, trade, and development that took place in connection with the forty-eighth session of UNCITRAL in Vienna, Austria. In his presentation, Ndulo emphasized the need for UNCITRAL to do more to increase awareness across the UN system about the relevance of the work of UNCITRAL to the implementation of the international development agenda.

Later in July, Ndulo was invited by the Centro de Estudios Interdisciplinarios Basicos y Aplicados Foundation of Colombia to present a lecture at a seminar in Bogota on the Colombian peace process. He presented a lecture entitled "Transitional Justice: International and Domestic Courts and Responses to Human Rights Violations in Post-Conflict Societies," focusing on best practices and explaining experiences of countries such as South Africa.



In the spring and summer, **Saule Omarova**, professor of law, presented her work at faculty workshops and seminars at the University of Minnesota Law School, the University of Southern California, Gould School of Law, and the University of California, Berkeley, School of Law. She was a speaker and presenter at several academic and policy-oriented conferences, including the Annual Workshop of the Progressive Property Law International Research Network (Verona, Italy), the Second Annual Conference of the *Journal of Financial Regulation* "Extra-Territoriality and Financial Regulation" (Washington,

Omarova and her coauthor, Professor Robert Hockett, completed two articles as part of their ongoing collaborative project aimed at changing the way we think about the social function and purposes of the financial system and the role of modern finance in the broader economy.

D.C.), the Federal Reserve Bank of Chicago workshop "Theories of Liquidity, Collateral, and 'Moneyiness'" (Chicago), and the Aspen Institute/Berle Center Symposium "The Nature of the Modern Corporation" (Seattle). Professor Omarova was also an invited speaker at the Modern Money Network seminar "Innovation, Investment, and the Internet" at Columbia University (New York City).

Omarova and her coauthor, Professor Robert Hockett, completed two articles as part of their ongoing collaborative project aimed at changing the way we think about the social function and purposes of the financial system and the role of modern finance in the broader economy. The first article, entitled "Public Actors in Private Markets: Toward a Developmental Finance State" and scheduled to be published as the lead article in the forthcoming volume of the *Washington University Law Review*,

offers a conceptual framework for recapturing a distinctively American view of the proper relations among state, financial markets, and national economic development. The article identifies, analyzes, and builds upon a policy tradition tracing its roots directly to Alexander Hamilton that emphasizes both the leading role of the government in fostering our nation's long-term economic growth and the inherently hybrid public-private nature of finance as a particularly powerful tool for achieving this goal.

The second article, "When 'Special' Means Vestigial: What Bank Regulation Tells Us about the Corporation—and Vice Versa," is scheduled to be published in the forthcoming Berle VII Symposium issue of the *Seattle University Law Review*. This article examines a remarkable yet seldom remarked set of parallels between modern U.S. bank regulation, on the one hand, and the early forms of garden

variety corporation law, on the other. The article argues that both these parallels and the divergent paths in the treatment of U.S. banks and nonbank corporations since the late nineteenth century serve as a valuable natural experiment in defining—and redefining—the boundary between public and private in the economy and polity. The article takes the first step toward developing a conceptual framework for analyzing the dynamics behind this phenomenon and its potential policy implications.



David S. Powers, adjunct professor of law, prepared bibliographies on inheritance and adoption for *Oxford Bibliographies in Islamic Studies*.



During the spring semester, **Jeffrey J. Rachlinski**, Henry Allen Mark Professor of Law,

published two articles concerning his research on the psychology of judicial decision making. One piece, published in the *Texas Law Review*, debunks the myth of the dispassionate judge. Professor Rachlinski and his coauthors provide numerous demonstrations that trial judges make more favorable rulings for sympathetic litigants. The other piece, published in the *Indiana Law Journal*, shows that judges have enormous difficulty assigning numeric values to qualitative judgments. For example, judges imposed different sentences on criminal defendants when asked to sentence in months, rather than years. Judges also awarded higher amounts to a tort victim when told that the victim had testified that he had seen a fictitious defendant on a television show receive a high damage award than when judges were not exposed to such testimony.

Rachlinski presented his research on judges at a wide variety of judicial education conferences in the spring, including to federal magistrate judges, to all of the newly appointed judges in Massachusetts, to 400 trial judges in Ontario, to all of the state judges in New Mexico, and to circuit court conferences for the Second, Seventh, and Tenth Circuits.



Annelise Riles, the Jack G. Clarke Professor of Far East Legal Studies, director of the Clarke Program in East Asian Law and Culture, founder and director of Meridian 180, and professor of anthropology, delivered the keynote lecture at the University of Colorado Law School faculty retreat in May. Her lecture, “Legal Amateurism,” will be the basis for a short book she plans to write this fall. Riles presented the same paper at the annual meeting of the Law and Society Association in Seattle in late May, at the annual conference of the Institute for Global Law and Policy at Harvard Law School in June, and at a research seminar at Doshisha Law School in Kyoto, Japan, in July. Riles also presented a paper entitled “Is New Governance an Ideal Architecture for Global Financial Regulation?” at a conference on private law and public order at Yale Law School in June, and a paper entitled “From Comparison to Collaboration” to the Global Legal Studies Research Association, a national association of Japanese legal scholars, in July in Kyoto.

Riles continues her work with Meridian 180, a nonpartisan community of exceptional intellectuals around the Pacific Rim and the world featuring discussions of current legal and policy issues. Meridian

180 is now an affiliated program with Cornell’s Mario Einaudi Center for International Studies. More information about the program is available at www.meridian-180.org. In March Riles coorganized Meridian 180’s conference “Democracy in an Age of Shifting Demographics,” which was held at Ewha Womans University in South Korea.

In April Riles published “From Comparison to Collaboration: Experiments with a New Scholarly and Political Form” in *Law and Contemporary Problems*.



The Edwin H. Woodruff Professor of Law, Emeritus, **E. F. Roberts**, was delighted to read that a Dutch court declared its government’s climate policy illegal and ordered it to cut emissions by twenty-five percent within five years. According to the court, “The state should not hide behind the argument that the solution to the global problem does not depend solely on Dutch efforts. . . . Any reduction of emissions contributes to the prevention of dangerous climate change, and as a developed country the Netherlands should take

the lead in this.” But what caused Roberts to perk up was the fact that the suit had been brought in part under human rights law.

In 1969 a conference was held at Airlie House in Virginia at the call of the Conservation Foundation. The proceedings were entitled *Law and the Environment*, and the participants included leading lights of the professoriat and practicing bar who had an interest in the then emerging subject of environmental law. Indeed, the conference has since been considered the genesis of environmental law as a law school subject in its own right. Someone blundered and Roberts was invited to deliver one of the papers, this one dedicated to the notion that we all share a constitutional right to a decent environment. This idea appeared in the published proceedings, was amplified in an article in the local law journal, and received particular attention when a popularized version appeared in *Natural History*. Cooler heads soon prevailed, and the whole idea was interred in the Boot Hill of Impractical Intellectual Constructs.

In his unbook Roberts is still tinkering with the idea, and with the process within a judicial climate wherein judges can discover all sorts of marital, corporate, sexual, and other rights, but allow economics to trump any radical thinking about health and the environment. Needless to say, Roberts

has been wagging his tail with particular gusto ever since the Dutch court discovered the true faith.



Stewart J. Schwab, the Jonathan and Ruby Zhu Professor of Law, put the finishing touches on the American Law Institute’s *Restatement of Employment Law*, for which he has served as a reporter for the last dozen years. Professor Schwab had first-draft responsibility for the chapters on the tort of wrongful discharge in violation of public policy and on trade secrets and employee restrictive covenants. Schwab helped convene a symposium assessing the new *Restatement*, the proceedings of which are being published by the *Cornell Law Review*.

Schwab also began preparing teaching materials for a course on whistleblower law, which he will teach for the second time with Professor Neil Getnick ’78. This course introduces students to a growing area of law and covers the False Claims Act and whistleblower programs of the IRS and SEC, as well as international developments.



Emily L. Sherwin, Frank B. Ingersoll Professor of Law, received her M.A. in philosophy from Cornell’s Sage School of Philosophy in May; she continues to work on her doctoral dissertation. In July, she traveled to London for a University College London/Yale Law School symposium on private law. She presented a paper on formal aspects of contract and fiduciary law.



Laura Spitz JSD ’05, associate dean for international affairs, coached the Vis International Commercial Arbitration Moot team again this spring; for the third year in a row, the Cornell students advanced to the final rounds of the 300-team competition in Vienna, Austria. Also this Spring, Spitz travelled on behalf of the law school to Hong Kong, Chile, Argentina, Canada, France, and Colombia, where she met with current and potential exchange partners, admitted students, and alumni. On May 13, 2015, she spoke at the “Internationalization Symposium: Integration

of International Experiences into the Curriculum at Cornell.” She also attended the annual Law & Society meeting in Seattle in May, and was back in France in June to open the 22nd annual Cornell Paris Summer Institute. In March, Spitz was appointed interim vice provost of international affairs at Cornell University.



Sidney Tarrow, visiting professor of law, published *War, States, and Contention* with Cornell University Press in the spring. During the same term he delivered the annual Hesburgh Lecture in Ethics and Public Policy at the Kroc Institute for International Peace Studies at Notre Dame University and received the John D. McCarthy Award for Lifetime Achievement in the Scholarship of Social Movements and Collective Behavior for contributions to social movement research. Tarrow will be a visiting professor at the Scuola Normale Superiore in Florence, Italy, this fall.



In January, at the annual Association of American Law Schools conference in Washington, D.C., **Laura S. Underkuffler**, J. DuPratt White Professor of Law, was a featured speaker with other scholars for the annual Property Section program entitled “The Place and Scope of Economic Analysis within Competing Conceptions of Property.” The program focused on the influence of economic analysis in property law, and current controversies.

In March, Underkuffler was invited to New York City to speak at a conference sponsored by Fordham University, entitled “Fighting Corruption at Home and Abroad.” Participants included scholars from the University of Chicago, Harvard, Northwestern, and Fordham universities, as well as Preet Bharara, U.S. Attorney for the Southern District of New York. Underkuffler’s presentation dealt with the political economy of global corruption regulation. In late March, she traveled to Buenos Aires, Argentina, for a joint property workshop with members of the Cornell Law School faculty and the faculty of the University of Buenos Aires. Her paper for the workshop addressed the social function of property, and its implications for environmental protection.

Underkuffler was also an invited participant in a global conference sponsored by the Center for Process Studies in Claremont, California. This gathering involved more than 1,000 scholars and presenters from thirty countries. The conference, entitled “Seizing an Alternative: Toward an Ecological Civilization,” explored how environmental values can be made real through law and other policy choices. Underkuffler’s presentation addressed how environmental law has so far failed to secure a sustainable approach to the world’s resources, and how property law might be reframed as part of the answer to this problem.

In May, Underkuffler gave the keynote speech and received an achievement award at the annual conference of the Association for Law, Property, and Society in Athens, Georgia. Her speech, entitled “From Bailouts to Bogs: Shaking the Takings Money Tree,” dealt with the recent litigation by AIG shareholders over the terms of the AIG bailout by the federal government.

Underkuffler published “A Moral Theory of Property” in the *Journal of Real Property Law*. The article was prepared for a conference held at Texas A&M University School of Law in October, 2014.



Stephen W. Yale-Loehr, adjunct professor of law, had a busy spring. In February he spoke at a seminar in New York City about the EB-5 immigrant investor green card category. In March, he gave speeches in Shanghai, Beijing, and Shenzhen, China, at various EB-5 conferences. In April he spoke on a panel about immigration processing trends at a conference in Washington, D.C. In June Yale-Loehr moderated a panel giving a behind-the-scenes look at how the congressional legislative process works (or doesn’t work) for immigration bills, at the annual conference of the American Immigration Lawyers Association in Washington, D.C.

Yale-Loehr was also busy codirecting the Asylum and Convention Against Torture (CAT) Appellate Clinic with Professor Kalantry. This spring’s clinic featured a woman from El Salvador fleeing domestic violence, a gay Guatemalan, a person fleeing the Knights Templar gang in Tijuana, Mexico, and a man applying for withholding of removal and CAT relief based on his fear that gangs would target him if he is deported to El Salvador.

Yale-Loehr also continued his work as a member of the New York State Bar Association’s

immigration committee. This year the committee is focusing on how to increase attorney representation of immigrants in immigration proceedings. A recent study found, for example, that having representation makes a fourteen-fold difference in outcomes for women and children in immigration proceedings. See <http://trac.syr.edu/immigration/reports/377/>.

Yale-Loehr also welcomed Beth Lyon as director of the new Farmworker Legal Assistance Clinic at the Law School. An estimated fifty percent of farmworkers in upstate New York are undocumented immigrants, so immigration will be a large focus of the clinic. See article on page 42.

Yale-Loehr also informally consulted with students working on an LGBT asylum case in Professor Hazeldean’s LGBT clinic. He was also quoted extensively in the press, including the *New York Times*, the *Wall Street Journal*, and *Bloomberg Businessweek*, about various immigration issues.

Finally, Yale-Loehr continued updating his twenty-volume treatise, *Immigration Law and Procedure*, with the good research assistance of some Cornell law students. All in all, immigration is growing at the Law School! ■

Alumni Association Welcomes New Members

The Cornell Law School Alumni Association welcomes six new members for 2015–2016. **Melissa Colón-Bosolet, Daniel Duval, Mariano Scagliarini, Mark Schonfeld, David Shimkin, and Sam Tarver** are the latest alumni to volunteer time and energy in support of Cornell Law School. We are grateful to them and to all of our alumni volunteers for helping to make the Law School's Alumni Affairs program engaging and successful.



Melissa Colón-Bosolet '07

insurance, consumer electronics, media and entertainment, and manufacturing. She has litigated matters involving contract, antitrust, patent, intellectual property, securities, and bankruptcy issues. *Super Lawyers* magazine recognized her in its 2014 edition as a "Rising Star" in New York City in business litigation and in the Top Women Attorneys category.

Colón-Bosolet was managing editor of the Cornell Legal Information Institute and note editor for the *Cornell Journal of Law and Public Policy*. She graduated from Hunter College in 2003 with a B.A. in political science. She is fluent in Spanish.

Daniel M. Duval '02 NEW YORK, NY

Daniel Duval is chief legal officer and chief compliance officer of Jefferies Finance, a leading commercial financing company and arranger of leveraged loans with more than \$5B in assets under management. Duval oversees



Daniel M. Duval '02

the company's legal and compliance departments and counsels Jefferies Finance in its role as lead arranger, administrative agent, and lender in the structuring, underwriting, and management of its loans. As chief compliance officer, he administers the company's compliance programs, oversees its registered advisory businesses, and is responsible for regulatory, reporting, and licensing requirements. He also assists in the successful restructuring of distressed loans and supervises the company's response to potential legal claims. Prior to moving in-house in 2008, Duval was a member of White & Case's Bank Finance Group in New York and São Paulo, Brazil. His practice involved representing borrowers and lenders in a variety of cross-border financings and securities offerings in both the United States and Brazil. A member of the New York State Bar Association and the Bar of the U.S. Supreme Court, Duval graduated from the Cornell School of Hotel Administration

Super Lawyers magazine recognized Melissa Colón-Bosolet '07 in its 2014 edition as a "Rising Star" in New York City in business litigation and in the Top Women Attorneys category.

Melissa Colón-Bosolet '07 NEW YORK, NY

Melissa Colón-Bosolet is a litigation associate in the New York office of Sidley Austin and focuses her practice on complex commercial litigation in federal and state courts, as well as counseling in connection with internal and government investigations. Colón-Bosolet has represented clients in a variety of industries, including financial services,

and completed his J.D. at Cornell Law School with a specialization in international legal affairs.

Mariano J. Scagliarini, LL.M. '01

BUENOS AIRES, ARGENTINA

Mariano J. Scagliarini is a vice president at Thomson Reuters and head of its Legal Department for Latin America and Iberia. He is based in Buenos Aires and is in charge of the legal and compliance affairs of Thomson Reuters throughout twenty-five countries.



Mariano J. Scagliarini, LL.M. '01

Scagliarini received his J.D. from the Pontifical Catholic University of Argentina in 1996 and his LL.M. from Cornell Law School in 2001. He started his professional career in a large law firm in Argentina and later worked for seven years at Citibank and five years at Praxair.

He speaks Spanish, English, and Portuguese.

Mark Schonfeld '77

BOSTON, MA

Mark Schonfeld is a partner at Burns & Levinson and concentrates his practice in complex business and intellectual property litigation, especially protection of corporate intellectual property through effective methods of trademark, copyright, and patent litigation.

Schonfeld has extensive experience in protecting the world's leading brand names from infringement and is responsible for the seizure of millions of dollars in counterfeit merchandise from distribution centers, retail operations, and factories that manufacture counterfeit products. He is highly skilled in preventing and stopping "gray market" imports by using innovative techniques. Schonfeld has conducted software audit raids for major software companies and several of his cases have resulted in federal criminal prosecution. He obtained the first "asset freeze" order in Massachusetts



Mark Schonfeld '77

in a trademark counterfeiting case. Schonfeld also serves as counsel to the Imaging Supplies Coalition, an organization formed by prominent computer companies to combat counterfeiting and unfair and deceptive trade practices affecting the computer supplies industry.

David A. Shimkin '97

LOS ANGELES, CA

David A. Shimkin is a member of the Commercial Litigation Group at Cozen O'Connor. His litigation practice includes complex commercial matters with a focus on representing clients in the hospitality, health-care, construction, and real estate fields. He is experienced in the defense of cases involving alleged food contamination, and has extensive experience in class actions and in handling toxic exposure and contamination cases involving both property damage and bodily injury claims. Shimkin has also defended trucking companies in the numerous issues related to day-to-day operations and individual cases. He has briefed more than forty appeals in state and federal courts, and has tried many cases. He also was an adjunct professor at New York Law School, and sits on the board of a major nonprofit organization.

As an undergraduate at Columbia University, Shimkin was a John W. Kluge Scholar. At Cornell Law School, he was a general editor of *Cornell Journal of Law and Public Policy* and received a certificate of specialization in public law.



David A. Shimkin '97

Shimkin was chosen as a 2013 "Rising Star" by *New York Law Journal*. The panel reviewed more than 200 nominations of young lawyers who had established a record of accomplishments and demonstrated that they were top contributors to the practice of law, as well as to their communities. Shimkin was among the forty-four attorneys with the highest ratings.

Jerome 'Sam' Tarver '90

WASHINGTON, D.C.

Sam Tarver is the associate general counsel and ethics officer for the U.S. Department



Jerome 'Sam' Tarver '90

of Justice, Federal Bureau of Prisons, in Washington, D.C. In 1995, he began his career as an attorney-advisor with the Federal Bureau of Prisons (the Bureau), Office of General Counsel in the Discrimination Complaints and Ethics Section. In 2014 he was selected as the ethics officer for the agency and the ethics branch chief. As chief, he oversees the Bureau's Government Ethics Program: he drafts and reviews new and existing policy, provides advice to Bureau components, develops and coordinates ethics and sexual-harassment prevention training, and reviews the financial disclosure reports. In addition to his work for the Bureau, Tarver has worked concurrently for the National Defense University in a variety of capacities. He has represented the university in discrimination litigation, advised on ethics matters, and provided sexual-harassment and ethics training. During his first five years after law school, he was a Navy Judge Advocate General officer, rising steadily through the ranks to become a deputy assistant in the Pentagon Legal Assistance Office. It was in that office that he began to develop the ethics expertise that he brings to his work today. In addition, Tarver is very active in his community. He is the special assistant to the pastor and executive assistant to the president of the Maple Springs Baptist Bible College & Seminary. He is the former chair of the Prince George's County Law and Public Policy Program. Through

his church and area public schools, Sam has volunteered as a mentor and teacher of youth. He is a 1987 graduate of Brown University and earned a Master of Divinity (2002) and a Doctor of Ministry (2007) from Maple Springs Baptist Bible College & Seminary.

Six Alumni Join Law School Dean's Advisory Council

The Law School Dean's Advisory Council welcomes six new members for 2015–2016:

Lawrence S. Brandman '85, Karen L. Hagberg '84, Daryl A. Libow '86, Heather A. Mitchell '96, John M. Schwolsky '85, and Michael Zuckerman '09. The full

Advisory Council membership welcomes these alumni to volunteer service on behalf of Cornell Law School and its Allan R. Tessler Dean.

Lawrence Brandman '85 is head of Bankruptcy Strategic Advisory at the Lehman Brothers Estate, where he reports to the CEO and sits on the Management Committee.



Lawrence Brandman '85

Brandman joined Lehman in 2009 to concentrate on the unwinding of the multibillion-dollar derivatives book.

Brandman is a recognized leader in the fields of bankruptcy and complex financial products. He serves on the Advisory Committee on Financial Contracts, Derivatives, and Safe Harbors, which advised the American Bankruptcy Institute Commission on Chapter 11 Reform, and represented the industry in negotiations that resulted in the 2005 and 2006 Bankruptcy Code Amendments. He has also served as a delegate in international financial treaty negotiations in The Hague, Rome, and Geneva.

Previously, Brandman was a managing director at Goldman Sachs & Co. He has also served in leadership roles on various securities industry committees and has advised the Federal Reserve and State Department on derivatives.

Karen L. Hagberg '84 is a partner in the Intellectual Property Group of Morrison & Foerster and focuses her practice on litigation and arbitration of complex commercial cases. She advises both domestic and international companies on IP-related issues, including patent licensing and litigation, trademark, trade secret, and copyright matters. She has represented clients in a variety of industries, including electronics, pharmaceuticals, entertainment, software and media. In addition to her IP



Karen L. Hagberg '84

During five years at Morrison & Foerster's Tokyo office, Karen L. Hagberg '84 headed the firm's Asia litigation practice and advised some of Japan's largest corporations on patent licensing issues.

practice, Hagberg has prosecuted and defended cases for U.S. and non-U.S. clients in areas including business torts, theft of trade secrets, and unfair competition.

During five years at Morrison & Foerster's Tokyo office, she headed the firm's Asia litigation practice and advised some of Japan's largest corporations on patent licensing issues.

Hagberg is a member of the American Bar Association, the Federal Circuit and New York State bar associations, and

AIPLA. She is the former cochair of the Intellectual Property Arbitration Subcommittee of the ADR Section of the American Bar Association. She was a member of the Daini Tokyo Bar Association.

She is a frequent lecturer in locales throughout the United States and Asia on U.S. and international legal issues relating to intellectual property rights.

Daryl Libow '86 is managing partner of Sullivan & Cromwell's Washington office and cohead of the Firm's Antitrust Practice. He has acted as lead counsel and represented clients in a broad range of matters, including complex commercial litigation, governmental investigations, securities fraud and derivative litigation, agency enforcement actions, grand jury proceedings, and congressional investigations and hearings.



Daryl Libow '86

Currently, Libow represents BP and its directors in federal and state derivative and securities fraud litigation relating to the Gulf of Mexico oil

spill. Libow also represents JPMorgan Chase in securities fraud and derivative litigation relating to the so-called "London Whale" trading losses; and is lead counsel for Bank of Tokyo–Mitsubishi in multi-agency government investigations and multidistrict civil litigation relating to LIBOR and other benchmarks. His past matters include criminal price-fixing investigations and related multidistrict class action litigation.

Mr. Libow represented President and Mrs. Clinton in a lawsuit brought challenging the legality of President Clinton's legal defense fund. He won a dismissal in the U.S. District Court in Washington, D.C., which was affirmed by the U.S. Court of Appeals.

John M. Schwolsky '85 is a partner in Willkie Farr & Gallagher LLP's corporate and financial services department. He cochairs the firm's insurance transaction and regulatory group, which is consistently ranked in the top tier by *Chambers*. Schwolsky practices



John M. Schwolsky '85

in Willkie's New York City office. He has extensive experience in insurance industry mergers and acquisitions and has advised on many of the industry's most significant business combinations. He also regularly represents issuers and underwriters in securities offerings by insurance companies in the United States and overseas. For many years, Schwolsky has been recognized among the nation's leading insurance transactional lawyers by *Chambers*.

John M. Schwolsky '85 cochairs the Willkie Farr & Gallagher LLP's insurance transaction and regulatory group, which is consistently ranked in the top tier by *Chambers*.

Heather A. Mitchell '96 is a partner of The Carlyle Group, a global alternative asset manager. Mitchell is managing director of the firm as well as its global general counsel for investments. Since joining Carlyle in 2002, she has served in the legal department in many roles. She was named general counsel for Europe in 2005 and was appointed managing director in 2011.

Prior to joining The Carlyle Group, Mitchell was an associate of the law firm Akin,



Heather A. Mitchell '96

Gump, Strauss, Hauer & Feld, LLP. She previously worked at Kaiser Group International, Inc., as vice president, corporate counsel.

Michael A. Zuckerman '09 is an associate at Jones Day in Chicago. As a member of the firm's Issues & Appeals Practice, he focuses on complex trial and appellate litigation and special projects. Zuckerman's experience is broad and includes handling critical motions, managing large-scale discovery, and coordinating internal investigations. Before joining Jones Day, he served as a judicial law clerk for,



Michael A. Zuckerman '09

respectively, U.S. Circuit Judge Eric L. Clay (6th Cir.); U.S. District Judge (and fellow Cornellian) Amy J. St. Eve (N.D. Ill.); and U.S. Magistrate Judge Cheryl L. Pollak (E.D.N.Y.).

Zuckerman devotes a significant portion of his legal practice to pro bono work. Last year, a Chicago civil rights organization recognized him as its Outstanding Lawyer of 2014 based on his work with the federal district court's settlement assistance program. Zuckerman has also taken on pro bono appointments in the U.S. Court of Appeals for the Seventh Circuit.

Zuckerman serves on the editorial board of *The Federal Lawyer* and is the vice chair of the Federal Rules and Trial Practice Committee of the Federal Bar Association. He is also a member of the Cornell University Council and the Cornell Law School Dean's Special Leadership Committee and serves as the Young Alumni National Chair for the Cornell Annual Fund. He regularly publishes articles about current developments in the law.

Law School Annual Fund Is Better Than Ever

The Law School's annual fund enjoyed its most successful year in fiscal 2015. Spurred on by giving of exceptional generosity from the membership of the Dean's Special Leadership Committee (DSLCL) and alumni in Reunion-year classes, the Law School Annual

Our Reunion volunteers... dedication to Cornell Law School and passion for legal education inspire their classmates to support Cornell's mission. They did the heavy lifting of Reunion fundraising: convened meetings, called classmates, and organized class events, all of which are essential to achieving such excellent results.

— Christian Shaffmaster



Fund reached a grand total of \$2,393,129, bettering its published goal of \$2.1M. Of this new milestone amount, the membership of the DSLCL generated nearly \$600,000 in either direct gifts or gifts attracted through "peer-to-peer" solicitations, and the balance of \$1.7M plus was delivered by more than 2,100 devoted alumni, steadfast friends, and generous benefactors. Building on its success during fiscal 2014, the Law School Annual Fund for fiscal 2015 realized a 10 percent increase in donors participating and a 17 percent increase in dollars raised, both of which are gratifying now and encouraging for the future.

Kristen Burke, director of the Law School Annual Fund, cited the fundraising efforts and personal generosity of the DSLCL, as well as the extraordinary success of Reunion-year giving, as important factors in lifting the annual fund

well past its stated goal. "I'm extremely grateful to have worked with so many generous and hardworking volunteers this year. Their energy and commitment to supporting **Dean Peñalver's** vision for the Law School drove our success." The philanthropy of Reunion-year classes was especially powerful: with 2010 as the baseline, giving among Law School classes ending in "0" or "5" increased 400 percent in fiscal 2015, yielding a grand total of \$2,915,308. Although this result exceeded expectations, it was consistent with the ambitions of Law Development, particularly **Christian Shaffmaster**, associate director



of the Law School Annual Fund and architect of the Reunion-class giving effort. Shaffmaster himself downplays his role and credits diligent and enthusiastic fundraising by Reunion Campaign alumni volunteers, who work classmate by classmate to solicit, prompt, and otherwise encourage Reunion-year gifts to the Law School Annual Fund. "Our Reunion volunteers worked hard and very effectively to make Reunion-year giving the success it was. Their dedication to Cornell Law School and passion for legal education inspire their classmates to support Cornell's mission. They did the heavy lifting of Reunion fundraising: convened meetings, called classmates, and organized class events, all of which are essential to achieving such excellent results."

Eduardo M. Peñalver, the Allan R. Tessler Dean and Professor of Law, called the annual fund's final tally "a tremendous result" and noted that "it couldn't come at a better time" in light of the important initiatives, all with ambitious goals, currently being implemented at Cornell Law School. A greatly increased commitment to student financial aid is chief among these, with total scholarship support for fiscal 2016 running at more than \$4.5M. As the amount of financial assistance the Law School provides to its students is expected to increase every year, the Law School Annual Fund will have to prosper accordingly.

Reunion 2015

Reunion 2015 opened on a high note, celebrating the start of **Eduardo M. Peñalver's** second year as dean with his first solo State of the Law School Address. "The title sounds very austere, so I'll try not to live up to it," joked Peñalver, the Allan R. Tessler Dean and Professor of Law. "What I'd like to do is talk to you about where we stand as a law school."

The news, presented in the main auditorium of the new academic wing, was upbeat. At a time of declining law school applications around the country, Cornell remains strong. In 2014–2015, more than 4,000 people applied for the J.D. program and more than 1,000 applied for the LL.M. The latest statistics show that more than 95 percent of the Class of 2014 have found jobs as lawyers. The past year saw the lowest tuition increase in the Law School's history, and a renewed emphasis on financial aid has produced a doubling of the financial aid budget for the incoming class, including a number of full-tuition Charles Evans Hughes Scholarships.

Momentum is building. The entering Class of 2018 experienced smaller-sized 1L classes; an expanded, five-day orientation program with a new focus on professional development; a new set of course offerings for first-year students, including a one-credit class on business concepts; more supper seminars in faculty homes; and



In a word, the Law School is flourishing.
— Eduardo M. Peñalver



CLOCKWISE FROM TOP LEFT: Associate Dean Peter Cronin chats with William Casazza '85; Sean Davis '05, Tracy James Burton, and Laura Spitz JSD '05, associate dean for international affairs; The Class of 2005 at their Friday Class Dinner held downtown at Northstar House; Suzanne Mancuso-Fehser '00 and Erin Ardale Koeppel '00; William Harris Sr., Dean Eduardo Peñalver, Edward Baptist, and Ernest Eric Elmore '89



more opportunities to speak informally with faculty members at Myron Taylor Mixers. There's a new dean of students, a new associate dean of admissions, and the new Farmworker Legal Assistance Clinic. In one of the latest developments, the Law School and Cornell Tech have launched a Master of Laws (LLM) degree in Law, Technology, and Entrepreneurship, which will be offered at Cornell Tech's innovative New York City campus.

In a word, said Peñalver, the Law School is "flourishing." And that was just the beginning.

Following the State of the Law School Address, Peñalver hosted a discussion on the topic "Business and Law in the Digital Age: How Are New and Emerging Technologies Creating New Challenges and Opportunities?," with **Soumitra Dutta**, the Anne and Elmer Lindseth Dean of the Johnson Graduate School of Management; Professor **Oskar Liivak**, who's both a lawyer and a physicist; and Professor **Douglas Stayman**, who teaches marketing at Johnson. Associate Director for Administration and Access Services **Amy Emerson**, Technology Services Librarian **Dan Blackaby**, and Outreach and Scholarly Services Librarian **Mark Williams** taught a continuing education program on the topic "The Cloud, Metadata, and Social Networking: How Technology Is Changing the Practice of Law," which explored new landscapes in law. Former Associate Dean



Reliving some of those law school days and reconnecting with people with whom I'd spent three fairly intense years, those were the most important aspects of this reunion.

— Peter Webster '65



TOP: Members of the Class of 1965 pose for their 50th Reunion class photo. ABOVE: Andrienne Payson '00 announces the new George Washington Fields Scholarship. LEFT: Members of the Class of 2005 collect a trophy at the Saturday breakfast for setting an all-time dollar and donor record for a 10th reunion.

and Dean of Students **Anne Lukingbeal**, who retired at the end of the spring semester, shared her perspective in the presentation “Changes at the Cornell Law School, 1978–2014.”

The Cornell Black Lawyers Alumni Network (CBLAN), Cornell Black Alumni Association, MOSAIC, and Cornell Law School cosponsored the lecture “The Emancipation Proclamation: Did It Really Free Any Slaves?” by historians **Edward E. Baptist** and **William J. Harris Sr., Ph.D. '15**, to a capacity crowd in the new academic wing. Spoiler alert: The effect of the proclamation was primarily strategic, recasting the war as a fight to end slavery, making this presentation the perfect setting to announce CBLAN’s new George Washington Fields Scholarship, which has now entered a public phase and welcomes donations to the fund.

“We hit our initial goal to reach \$100,000 for the endowment of the scholarship, named in honor of the first black graduate of the Law School, and to our knowledge, the only ex-slave to have graduated from Cornell University,” said CBLAN’s **Ernest Eric Elmore '89**. “Reunion was a time for us to reengage with one another, reconnect with the greater Cornell community, which has given us so much, and return home renewed with pride.”

For alumni with young children, there was time between other events to attend the

family friendly Fun in the Sun Carnival on the Arts Quad, play on the Lindseth Climbing Wall, visit the clock tower, and ride a zip line across the gorge. “There was a little bit of reliving the past too,” said **Rich Ruffer '90**, who attended Reunion with his wife and their two sons, ages seven and twelve. “I brought my kids into one of my old classrooms, sat them down, and called on them, saying, ‘This is what daddy went through.’ They thought it was great. I was initially hesitant about bringing the kids, because I wasn’t sure if there would be enough for them to do. But there was more than enough, and I think they’ve become sold on Cornell, though I’m afraid they think college is all about canoeing on Beebe Lake.”

For grownups, there was a bird walk at the Lab of Ornithology, a ride along the Cayuga Wine Trail, a guided tour of the new academic addition, and the simple pleasures of rekindling old friendships and creating new ones. To top it off, there was the All-Class Reunion Cocktail Reception and Dinner Dance, featuring a speech by Peñalver and a tribute to Lukingbeal. And finally, there was the after-party.

“A group from our class went over to Ruloff’s, where we’d spent a respectable amount of time while we were in law school,” said **Mary Gail Gearn’s '85**, who participated in a panel discussion on the



ABOVE: Sofia, Sara, Arthur, and Bao-Quoc Nguyen '00 stop to pose under the Peace Tower on their way to the Saturday dinner. LEFT: Lawrence Brandman '85 addresses the breakfast crowd. BELOW: Gihan Fernando, Anne Lukingbeal, Sital Kalantry, Cyrus Mehri '88 and Jacquie Duval '92 at the Saturday dinner.



topic “In-House Counsel Are from Venus, Outside Counsel Are from Mars” earlier that day. “It was terrific to meet classmates’ spouses and hear about their children, but before we knew it, the lights went on and we realized we’d closed the place down. It’s been a long time since I’ve closed down a bar, so it made me feel young. It was a very, very special occasion.”

“Reliving some of those law school days and reconnecting with people with whom I’d spent three fairly intense years, those were the most important aspects of this reunion,” added **Peter Webster ‘65**, who drove from Portland, Maine, to celebrate his 50th Reunion. “Being at a point in life where time isn’t quite as critical as it used to be, we have a little more time to muse about things and enhance the personal connections we have in life. We have a lot of fond memories of Cornell, and as we get further and further away from the Law School in a temporal setting, it’s important for all of us to see the strength of the Law School, the superb condition of the facilities, the impressive nature of the faculty.”



CLOCKWISE FROM TOP LEFT: Peter Webster ‘65 and Margie Webster; Mortin Bunis ‘55 and Anita Bunis; Class of 2005 friends Allison Jordan, Stacey Neuman, Mary Mulhearn, Casey Hinkle, and Kim Allman pose at the Saturday dinner; Stephanie Chow ‘05 and her son Jun Tung Mok visit with James Daire ‘05 (in the red jacket); Amy Mudge ‘95



**BENEFACTOR
NEWS**

**Reunion Classes Hit New
Marks for Fundraising**

It was a very, very good year.

The Class of 1975 set a record for the number of people contributing to the Law School Annual Fund and other areas at the Law School for their 40th Reunion. The Class of 2000 did the same for their 15th, the Class of 2005 for their 10th, and the Class of 2015 exceeded all records for graduating classes. The Class of 1985 donated more than \$1M, which was only the seventh time a Reunion class achieved that milestone. All told, 110 Reunion volunteers and 538 of their classmates raised a record-breaking \$2.91M for the Law School.

“We far exceeded our expectations and goals for Reunion, and far outperformed what these classes had done in their last five-year cycle,” said **Peter Cronin**, associate dean for alumni affairs and development. “Our alumni really stepped up and responded to the call. There was broad participation in these fundraising efforts, which is important because every gift, regardless of size, makes a difference. The generosity of these donors is going to contribute greatly to the Law School experience.”

In one of Reunion 2015’s greatest successes, after only three years of fundraising, the

endowment for the Class of 1985 Scholarship fund reached \$500,000 in total gifts and pledges. Its first scholarship was awarded in 2013–2014, followed by a second in 2014–2015 and a third in 2015–2016.

“Our success this year reflects the enthusiasm of the Class of 1985, the contributions of a lot of people, and the goodwill among our class members, who have been very generous in the past and were even

more generous this year,” said **David Russo ‘85**, who co-chaired the Class of 1985 Reunion Committee. “We all benefited from our legal education, and we all understand the importance of giving back. We’re in a very challenging marketplace, and we want to ensure we continue to provide access to a Cornell Law education, and continue to offer financial aid packages that compete with our peer institutions.”

Our alumni really stepped up and responded to the call. There was broad participation in these fundraising efforts, which is important because every gift, regardless of size, makes a difference. The generosity of these donors is going to contribute greatly to the Law School experience.

— Peter Cronin



“If we want the Law School to continue to be a top-tier law school, we need to help provide the resources,” added **Justin Griffith**, a member of the Class of 2000 Reunion Committee, which broke fifteenth-anniversary records for the number of people participating and the amount of money raised. “Frankly, Cornell made us very, very good lawyers. Seeing the Law School do well in the coming years, and draw the best talent out there, is good for all of us.”

In a new twist last spring, the university’s first Giving Day, held in conjunction with the sesquicentennial celebration, helped the Reunion Class Campaigns and the Law School Annual Fund build momentum earlier in the campaign cycle. In just twenty-four hours, the online event raised more than \$135,000 toward new 2015 records, with many alumni doubling their gifts.

“There were several significant factors in this year’s success,” said **Kristen Burke**, director of the annual fund. “We had a great effort from our Reunion volunteers, whose classes raised close to four times the amount raised in their last cycle. We have a new, dynamic dean who’s able to articulate our message, so alumni are responding really well. And we received a nice boost from Giving Day, which helped us gain momentum, build a deeper sense of awareness and engagement with alumni, and lead a campaign that broke all these records.”

Gifts to Law School Recognize, Cultivate Leadership

The latter half of fiscal 2015 featured gifts to endowment that created new funds and enriched existing ones. Notable in the former category is the Anne Lukingbeal Dean's Discretionary Fund for Student Life, honoring the career and character of Cornell Law School's longtime associate dean and dean of students, **Anne Lukingbeal**. Established by a foundational gift from **Jacqueline Duval '92**, the Anne Lukingbeal Dean's Discretionary Fund has attracted gifts from many alumni who recall with fondness the welcoming demeanor of Anne Lukingbeal and remember with gratitude her astute counsel and highly effective guidance during their student days at Myron Taylor Hall and thereafter. Fittingly, the Fund is aimed at enhancing the daily experience of Cornell Law students by underwriting the costs of student activities, programs, and events. With a stated goal of \$250,000, the Anne Lukingbeal Dean's Discretionary Fund for Student Life continues to accept gifts, for which the students of Cornell Law School are most grateful.

Current and future students at Cornell Law School will presently have additional cause for gratitude as the result of enhancement gifts to endowed scholarship funds. During the past year, many donors of named scholarships

have increased the value of their respective principal amounts. A more complete acknowledgment of these benefactors will appear among the "Gift Highlights" for fiscal 2015, forthcoming in the next issue of Cornell Law School's *Year in Philanthropy* report. For the present purpose, we point out the exceptional addition made by **Anne Evans Estabrook, B.S. '65, M.B.A. '66**, and her son **David Gibbons J.D. '96**

to the endowment of the Estabrook Gibbons Scholarship. By a gift made through the Elberon Development Company, Estabrook and Gibbons lifted the principal amount of this fund to a level at which its anticipated scholarship grant will be more than 91 percent greater than the grant made in past years by its predecessor fund, the Kenneth and Anne Estabrook Scholarship, originally established in

2001 by Estabrook and her husband, the late **Kenneth L. Estabrook, A.B. '49, LL.B. '51**. Estabrook and Gibbons made this enhancement gift in support of the Charles Evans Hughes Scholars program, Dean **Eduardo Peñalver's** merit-based, full-tuition scholarship initiative, and in demonstration of their family's commitment to excellence in education and to Cornell. In addition to Estabrook and



WEDDING BELLS

In China, it's traditional to take wedding photos before the wedding so the pictures can be shown to the couple's parents ahead of time and displayed at the ceremony. That's what Peter Li, J.D./M.B.A. '16, and Shirley Wu, LL.M. '14, did at Reunion 2015, finding a quiet moment in the reading room while Noah Qiao '15 snapped their photo. After that, they went back to work, with Qiao and Wu studying for the New York bar exam while Li spent the summer interning at Davis Polk & Wardwell. Li and Wu were married on August 8 in Yancheng, where guests were pleased to get a rare glimpse of student life at Cornell Law School. Gong xi!

Gibbons, family members of five generations past and present are Cornell alumni, including three of Estabrook's grandchildren; her late husband Kenneth, as well as his father **Kenneth C. Estabrook** and his grandfather, **Arthur T. Lacey**; and Estabrook's step-son, **Jeffrey Estabrook, A.B. '80, J.D. '83.**

public presentation and persuasion; how to develop and optimize interpersonal communication skills and styles; and what it means to practice value-guided, "morally based" lawyering. Through experiential training incorporated into existing 1L orientation activities, the Leadership Development program will

Current and future students at Cornell Law School will presently have additional cause for gratitude as the result of enhancement gifts to endowed scholarship funds. During the past year, many donors of named scholarships have increased the value of their respective principal amounts.



The leadership demonstrated by Jacquie Duval and other donors to the Lukingbeal Fund, Anne Estabrook, and David Gibbons is always in vogue at Cornell Law School and consistent with the purpose of a new gift from **Jack Lewis '69.** In response to an initiative proposed by Dean Eduardo Peñalver, Lewis has agreed to provide three years of support for a new program in Leadership Development that will introduce Cornell Law students to a variety of leadership styles and how these affect team-based work processes. Students will learn how to cultivate skills essential to effective

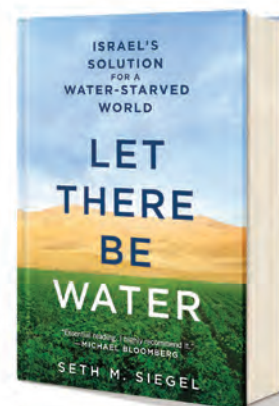
complement the professional-development content of the Law School's greater curriculum and help to ensure that all graduates of Cornell Law School have knowledge and mastery of the professional skills essential to successful legal practice.

Additional news of gifts made to Cornell Law School during fiscal 2015 will appear in *The Year in Philanthropy—2015: Building on Strengths*, a publication of Law School Alumni Affairs & Development in conjunction and cooperation with Law School Communications.

ALUMNI AUTHORS

Let There Be Water: Israel's Solution for a Water-Starved World, written by **Seth M. Siegel '78** and published by St. Martin's Press, was released in mid-September to positive reviews. Built on hundreds of interviews and meticulous research, *Let There Be Water* tells the inspiring account of how the people of Israel overcame water adversity.

"If you are worried about global water shortages—and you should be—read this book," says former New York City Mayor Michael Bloomberg. "Seth Siegel brings an urgent message of how the world can save itself using remarkable techniques and technology developed in Israel."



According to *Let There Be Water*, Israel can serve as a model for a water-stressed world. With sixty percent of the country in a desert and despite a rapidly growing population, Israel has been jumping ahead of the water-innovation curve for decades.

Siegel is a businessman, activist, and writer. His essays have appeared in *The New York Times*, *The Wall Street Journal*, the *Los Angeles Times*, and other major publications on business, political, and cultural issues. ■

Class Notes are Online

Search for news on your classmates and other Cornell Law School alumni.

You can also submit your own notes through the Law School website:

In Memoriam

Neil J. Abelson, L.L.B. '64

Gabriel Avram, L.L.B. '59

William F. Banks '51

Daniel W. Boddie, L.L.B. '49

Honorable Robert Adams Boyd,
L.L.B. '55

David E. Blabey '68

Helen D. Brooks '49

John P. Callanan, L.L.B. '54

Eugene V. Clark, L.L.B. '48

Honorable Robert A. Contiguglia '56

Frank J. De Cotis '53

John C. Dorfman '49

Frederick C. Emery Jr. '74

Willard G. Eldred, L.L.B. '53

Barry J. Geller '66

Emlyn I. Griffith '50

Barry M. Hoffman, L.L.B. '67

Verner M. Ingram Jr. '69

Quintin Johnstone, LL.M. '41

Elizabeth Storey Landis, L.L.B. '48

Charles R. Loveland '64

Norman H. Kirshman '58

James L., Monell, L.L.B. '50

Randall V. Oakes Jr. '55

Maurice D. O'Connell, L.L.B. '56

Edward R. Reifsteck, L.L.B. '54

Richard S. Ringwood '57

Stephen George Shapiro, L.L.B. '66

Peter S. Smith, L.L.B. '63

John S. Stewart '40

Harold J. Stiles Jr. '42

Leonard B. Terr '75

Bernard West '55

Thomas B. Whitley, L.L.B. '55

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Support scholarship at Cornell Law School

My scholarship was the deciding factor in my choice to attend Cornell Law School. I got in to other law schools, but the scholarship and Cornell's international programs made it the best choice. Once I came to Ithaca, met Dean Peñalver, and learned more about the program, my mind was made up.

It means a lot to know I'll graduate without debt, and that I'll have the freedom to pursue career paths other than corporate law.



Sylvia Mahaffey '18

Los Angeles, California

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