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Aleinikoff Named Associate Dean for Research

Professor T. Alexander Aleinikoff was named associate dean for research by Dean Judy Areen on September 16, 2003. He succeeds Professor Vicki Jackson in that role.

As associate dean for research, Aleinikoff oversees and provides support for faculty members' scholarly achievements. He also promotes intellectual engagement at the Law Center through sponsoring a variety of symposia and seminars highlighting faculty research, including the weekly Faculty Research Workshop “Tuesday Talks” and the Faculty Research Seminar.

In his new role, Aleinikoff leads a distinctive group of legal scholars among the nation's law schools. In June 2003, a University of Texas survey ranked the Georgetown law faculty eighth in scholarly impact among all law schools, as measured by citations to its works of scholarship by other legal scholars. Aleinikoff himself was recognized as one the “Most Cited Faculty” in that survey, about which more information can be found at www.law.georgetown.edu/news/releases/july.14.2003.html.

One of the leading immigration law scholars in the country, Aleinikoff has been a professor at the Law Center since 1997. He has published more than 50 books and articles in the fields of immigration law, constitutional law, and statutory interpretation, including Semblances of Sovereignty: The Constitution, the State and Citizenship, and was co-editor of the books Migration and International Legal Norms and Immigration and Citizenship: Process and Policy. He teaches immigration and refugee law, citizenship law, and constitutional law. Aleinikoff also serves as a senior associate at the Migration Policy Institute.

New Dean Announced

As this issue of Georgetown Law was going to press, Georgetown University President John J. DeGioia named T. Alexander Aleinikoff to be the next Executive Vice President for Law Center Affairs and Dean of the Law Center. As the successor to Dean Judy Areen, who returns to the faculty on July 1, Aleinikoff will be the 14th dean in the Law Center’s history.

“Alex is a distinguished scholar, teacher, and public policy leader who is deeply committed to Georgetown University and the Law Center’s tradition of excellence,” DeGioia said in announcing the appointment on March 25.

“It is an honor to have the opportunity to work with our great faculty, students, staff, and alumni, and with President DeGioia, in building on the tremendous strengths of the Law Center,” Aleinikoff said.

Prior to joining the Law Center, Aleinikoff held several high-level positions in the Immigration and Naturalization Service at the U.S. Department of Justice. He was general counsel of the INS from 1994 to 1995 and served as executive associate commissioner for programs from 1995 to 1997. While at the INS, he taught refugee law at the Law Center as an adjunct professor.

Aleinikoff also spent 15 years on the faculty at the University of Michigan Law School before coming to Washington. He graduated summa cum laude from Swarthmore College in 1974 and earned his law degree from Yale Law School in 1977.

“IT is absolutely delighted that Alex will be the next dean,” Areen said. “In addition to being an accomplished scholar, Alex is a dedicated teacher, respected colleague and admired public servant. He is also a natural leader and a good friend.”

Further news about Dean Aleinikoff will appear in the fall 2004 issue of Georgetown Law.
Professors David Cole and Viet Dinh Discuss *Enemy Aliens*

A capacity audience filled the Moot Court Auditorium on September 30 to hear David Cole and Viet Dinh, who are friends as well as professors at the Law Center, debate issues raised in Cole's new book, *Enemy Aliens: Double Standards and Constitutional Freedoms in the War on Terrorism*, published by the New Press. In June, Dinh had returned to the Law Center faculty after a two-year leave as assistant attorney general for legal policy at the U.S. Department of Justice, where he served as the chief architect of the USA Patriot Act. Cole's book is in part a critique of that law and its impact.

The speakers were introduced by Associate Dean Alex Aleinikoff, who, with a good-natured smile, suggested Dinh would be a good interlocutor that evening “for some of the outrageous claims that David is about to make here as he defends his book.” For his part, Cole thanked his friend for agreeing to appear, jokingly comparing Dinh's situation to that of Daniel in the lion's den. He added that, while Dinh was at the Justice Department, he exhibited a deft “Midas touch” in turning away criticism of the Patriot Act.

Cole then turned to the substance of his argument in suggesting that the Act was also now coming under increasing criticism for serious threats it posed to civil liberties. He said that the U.S. had squandered the sympathy the world felt toward it after September 11, adding, “There is a greater degree of anti-Americanism than there has ever been in the history of this country.” Acknowledging the apparent need, after September 11, for greater security and protection, he said that nevertheless “we don’t have to sacrifice our liberties to get that protection.” By sacrificing the rights of immigrants since the attacks, he said, the U.S. had made it more possible to infringe on the rights of others as well. After surveying past often unjust treatment of enemy aliens, Cole concluded that such infringement is also risked through the present-day practice of targeting foreign nationals.

Dinh defeated any expectation that he might use the occasion to attack Cole's position. He instead thanked his colleague for his work and for championing basic liberties. Dinh, appearing in his first public forum at the Law Center since his return in June, praised in particular those portions of *Enemy Aliens* in which the author documents fear-based legislation the U.S. has previously enacted to curtail the rights of groups it perceived as threatening. As to the book’s criticisms of the government’s recent behavior, Dinh acknowledged that the Justice Department had occasionally erred, but added that such mistakes are human and that “the mark of an organization is how it deals with mistakes.”

Cole, while expressing appreciation of Dinh’s openness to criticism, said he was disappointed in Attorney General Ashcroft’s apparent reluctance to reconsider current policies. Answering a question from the audience, he professed alarm at President Bush’s occasional references to “bad guys” instead of to enemy combatants. Instead of a declared war against a defined enemy, Cole said, the current administration at times seemed to envision the more questionable goal of eliminating “evildoers” from the world.
Reception Honors Book, *Accountability for Atrocities*

At a reception on October 27, Law Center faculty and students celebrated the publication of *Accountability for Atrocities: National and International Responses*, published by Transnational Publishers and edited by Professor Jane Stromseth. This collection of essays examines critical challenges in achieving accountability for genocide, crimes against humanity, and war crimes.

At the reception, following an introduction by Associate Dean Alex Aleinikoff, Stromseth was quick to praise the work of Law Center students who contributed essays to the book, several of whom were present at the event. Among the attendees were David Tallman (L'03), who contributed a key chapter on Belgium’s prosecution of war crimes under its universal jurisdiction law; Elizabeth Keyes (3L), who co-authored a chapter about Rwanda; and Avril Haines (L'01), now working at the Legal Advisor’s Office at the U.S. Department of State, who wrote a chapter about Sierra Leone. The book also looks at accountability cases in Argentina, Cambodia, East Timor, El Salvador, Indonesia, and the former Yugoslavia.

As Stromseth explained, much of the impetus for the book came out of Stromseth’s Georgetown Law seminar on the Use of Force, which prompted an interest on the part of a number of students in researching and writing about accountability for atrocities during times of armed conflict. Under Stromseth’s guidance, contributors worked with similar themes and a common outline to develop case studies. Each chapter in the book presents the facets around a given set of human rights violations: the context behind them, the goals and methods used in pursuing accountability for them, the kinds of collaboration that supported prosecution of the cases, and the varying levels of success achieved.

At Stromseth’s invitation, Elizabeth Keyes presented highlights of the chapter that she co-authored with Jason Strain (L’03), explaining that Rwanda presented an unusually challenging genocide case that left no corner of the society untouched. In the aftermath of Rwanda’s 1994 genocide, national and international parties seeking accountability had to find ways to collaborate with local communities. Keyes described a system in which people were tried by their peers in the specific community where atrocities were carried out. The government was able to replicate this system elsewhere, promoting the twin goals of efficiency and reconciliation as well as overcoming disputed concerns such as when to use the death penalty.

Stromseth said that although each case treated in the book is unique, taken together they generate new collective wisdom in the field. She pointed to one of the book’s central lessons: “The arrival of the International Criminal Court must not obscure the fundamental need for continuing to support national accountability efforts. In the end, the national level is where effective deterrence and accountability is most sorely needed.”
Oxford Handbook of Legal Studies Published

Faculty and friends gathered on October 20 in the Edward Bennett Williams Library to celebrate the release of The Oxford Handbook of Legal Studies, a 1,096-page overview of legal scholarship from around the world that has been co-edited by professor Mark Tushnet and includes contributions by him and two other Law Center faculty members.

The volume, part of the esteemed series of Oxford Handbooks, contains 43 essays by leading legal scholars from the United States, the United Kingdom, Australia, New Zealand, Canada, and Germany. The essays cover a range of topics, including property, government structure and functions, technology, business, and legal processes and research.

Tushnet said the book demonstrates the importance of considering perspectives from around the world on common scholarly problems. The “Commonwealth” scholars seemed to take a more doctrinal approach than the more empirical, “law-in-action” approach taken by many U.S. scholars, he observed. “Working on the Handbook was quite valuable to me as a scholar,” he said. “It illuminated the range of approaches to legal scholarship taken within the worldwide scholarly community.”

Tushnet, who co-edited the book with Peter Cane, a law professor at the Australian National University, also wrote a chapter on judicial review of legislation for the book’s “Citizens and Government” section.

Law Center professors Lawrence Gostin and Lisa Heinzerling also contributed chapters. Gostin, along with Phil Fennell of the Cardiff Law School (located in Wales), wrote about medicine and health for the Handbook’s “Wealth Redistribution and Welfare” section.

Heinzerling contributed a chapter on the environment for its technology section.


Reviewing the Handbook for the Law and Politics Book Review, Albert Melone, political science professor at Southern Illinois University Carbondale, called it “a valuable contribution to our collective knowledge that scholars of various backgrounds and interests need to read.... It is a volume belonging in university libraries and on the shelves of serious students of law and law-related subjects everywhere.”

Of the specific chapter Tushnet contributed, the reviewer said, “Mark Tushnet’s essay on judicial review is comparative in a way that helps us to understand the growing uses of what he terms soft and hard versions of judicial review that are currently employed around the world. This essay is theoretically focused, yet empirically oriented, with references to how the real world works.”
Religion, Discrimination, and Federalism Are Top Issues at Supreme Court Briefing

Is the Pledge of Allegiance like a prayer? Can an employer discriminate based on age—a favor of older workers? Should a paraplegic criminal defendant have to crawl up a set of courthouse stairs when the court is not accessible to the disabled?

Those were some of the issues on the docket last September at the Law Center's annual Supreme Court Media Briefing, which provides journalists from major news organizations with insight into Law Center professors' thinking on cases set to go before the Court. The briefing, sponsored by the Supreme Court Institute, gives journalists the chance to learn more about the issues involved in upcoming cases and sometimes how the Court might decide those cases—though Professor David Cole says he's a reluctant forecaster.

"I hesitate to predict anything after Bush v. Gore," he joked, "when everything I predicted was wrong."

Cole, one of five professors on this year's panel, discussed important First Amendment cases before the Court, including Elk Grove Unified School District v. Newdow, which received national attention when the Ninth Circuit Court of Appeals ruled that reciting the Pledge of Allegiance and its "under God" phrase in public schools is unconstitutional. Despite the conventional wisdom that similar references to God—on the nation's currency and in the Declaration of Independence, for example—reflect more a cultural tradition than an establishment of religion, Cole suggested that the Pledge case was not so cut-and-dried. For example, Congress specifically added the words "under God" in 1954, during the height of the Cold War, to emphasize the United States' religious foundations in contrast to nations under Communism. Given a previous decision striking down a "moment of silence" statute, Cole said, the morning Pledge recital could be considered coercive enough to violate the prohibition against the establishment of religion.

Professor Julie O'Sullivan briefed reporters on prominent criminal cases before the Court involving Miranda warnings and the "fruit of the poisonous tree doctrine." These addressed whether a confession first obtained in violation of a suspect's Miranda rights but properly obtained after a subsequent questioning should be admissible. Although the Court has held such "sequential confessions," if voluntary, to be admissible, O'Sullivan observed that to uphold them in a case in which police intentionally had not read the suspect his Miranda rights so as to secure that first confession would "actually encourage Miranda violations."

Professor Michael Gottesman discussed employment-related cases, including General Dynamics v. Cline, in which a group of younger employees alleged reverse discrimination under the Age Discrimination Act when a company and a union negotiated a health benefit available only to those 50 and older. Although most federal courts previously have ruled such benefits do not violate the act because it is designed to prevent discrimination against older people, Gottesman said, in Cline the Sixth Circuit ruled that despite Congress' intent, it was bound by the act's literal prohibition against any age discrimination.

Former Supreme Court Justice Brennan's comment that "a thing may be within the letter of the law but not within the purpose of the law" might apply to this case, Gottesman said. He added that a finding for the plaintiffs in Cline could put at risk a variety of established benefits programs.

Among the federalism-related cases analyzed by Professor Nina Pillard was Tennessee v. Lane, which addressed whether Congress can impose the Americans with Disabilities Act on states. Whereas a previous case had held the ADA could not apply to states in employment decisions, Lane focused on whether the Act's prohibition of disability-based discrimination in the services, programs, or activities of a public entity could be imposed on the states.

Pillard noted that the facts of the case arguably could sway the Court to hold that states could not engage in such discrimination. Plaintiff George Lane, a paraplegic, was a criminal defendant called to trial in a second-floor courtroom in a building with no elevator. At his first appearance, he crawled up the set of stairs using only his arms. When Lane refused to crawl up again for another appearance, he was arrested for failure to appear in court. Pillard said that because fundamental constitutional rights are involved when a person seeks to appear in court, a higher level of constitutional scrutiny arguably should bear on whether the ADA's public service provisions should apply to the states.

The briefing also featured a discussion of environmental cases by Professor Richard Lazarus, who directs the Supreme Court Institute. Faculty members' experience arguing before the Court and clerking for justices also gives them particular credibility in the eyes of media, Lazarus said.

"It's hard to find a law school with more expertise on the Supreme Court," he noted.
Roosevelt Institute Honors Drinan’s Human Rights Efforts

Professor Robert Drinan, S.J., joined a distinguished ensemble when he was awarded a 2003 Franklin and Eleanor Roosevelt Institute Four Freedoms Award last November. The awards, which commemorate the four freedoms President Roosevelt asserted are essential to democracy—freedom of speech, freedom of worship, freedom from want, and freedom from fear—have been bestowed upon such luminaries as Harry Truman, John F. Kennedy, Jimmy Carter, Thurgood Marshall, Coretta Scott King, Mikhail Gorbachev, and the Dalai Lama.

Drinan received the institute’s 2003 Freedom of Worship Medal for his work in the human rights arena and in Congress.

“As an ordained Jesuit priest, author, and professor of law at Georgetown University, Father Robert Drinan has become one of the most significant advocates for human rights of his generation,” said the Roosevelt Institute statement. “Father Drinan has assumed leadership positions on some of the most defining issues of our day.”

In his acceptance speech, Drinan said that “the right to worship is now more important than ever before in human history. The threat of wars based on religions is now forbidden by global law, but the moral and spiritual forces that are pressing to outlaw wars based on religious differences must be intensified. That is why the emphasis on the freedom of worship is a transcendent call for the sacred brotherhood that must permeate the entire globe.”

The 2003 awards also featured another Georgetown Law connection: Former Sen. George Mitchell (L’61) was awarded the Four Freedoms Medal, which was given in addition to individual medals that were awarded in commemoration of each of the four freedoms.

The medals were presented at the Franklin D. Roosevelt Presidential Library in Hyde Park, New York.

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In Memoriam: Professor Richard Gordon

With great sadness, the Georgetown community said goodbye last fall to former Professor Richard Alan Gordon, who died October 23, 2003. Gordon, 75, had retired in 2002 after having taught at the Law Center for more than 40 years.

Gordon specialized in contracts and entertainment law and also taught courses in jurisprudence and torts. In 1977, in response to students’ requests, he developed a new seminar in entertainment law—one of only four such seminars offered at U.S. law schools at the time. In 1995, he was named Alumni Professor of Entertainment and New Media Law.

In addition to his teaching and scholarship, Gordon also served for numerous years as assistant dean of the Law Center and as president of Georgetown’s Faculty Senate.

Many alumni fondly remember Gordon’s theatrical style in the classroom (which led to his casting in the very first Georgetown Gilbert & Sullivan Society production) and the high standards he demanded of his students.

“I can say from experience that the man who terrorized us by strictly following the Socratic method was in reality a sweet, gentle soul who wanted only to begin the process of turning lumps of clay into lawyers,” said Anjali Kumar (L’92). “His words stay with me to this day. The law is not neat and clean. Don’t be afraid to get in and get your hands dirty. It took me years to figure out what he meant and that he was right.”

“No other professor had a more profound impact on my development as a student of the law and as a lawyer,” said Paul Wright (L’69). “I remember his classes as if they happened yesterday. What he taught me then, I’m sure I’ll use again tomorrow.”

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Professor Oldham Selected as NHL Arbitrator

The National Hockey League and the NHL Players Association in January selected James Oldham, St. Thomas More Professor of Law and Legal History, to serve as an independent arbitrator under the organizations’ collective bargaining agreement.

Oldham, who began teaching at the Law Center in 1970, joined a panel of six other arbitrators who hear and decide on salary disputes between NHL players and their teams. Under the collective bargaining agreement between the NHL and Players Association, arbitration hearings can be held when contract negotiations reach an impasse or other disputes arise.

Oldham, who before joining Georgetown specialized in labor law with the Denver firm of Sherman & Howard, has been a labor arbitrator since 1972 and continues to serve on several permanent panels. He is currently the permanent umpire for Alcoa and the United Steelworkers of America, is a member of the National Academy of Arbitrators, and has served as chair of the Foreign Service Grievance Board at the State Department.

In addition to labor law, Oldham’s other academic passion is English legal history. Oldham’s work in this area includes his two-volume The Mansfield Manuscripts and the Growth of English Law in the Eighteenth Century, considered a major work on Lord Mansfield, one of England’s greatest jurists.
Ryan Lecturer Sketches Contours of

New ways of conceiving the benefits and dangers of globalization were the subject of the Thomas F. Ryan lecture delivered to the Law Center community on October 29. Speaking at the Gewirz Student Center, Anne-Marie Slaughter said that disputes as to the benefits and risks of globalization can find unexpected resolution through attention to existing and potential networks among regulators in law, trade, and finance.

These operate both within and beyond government channels. "Try to see the world in a different way," Slaughter said, noting that current theoretical constructs can prevent one from grasping that these networks are common.

Slaughter is currently dean of the Woodrow Wilson School of Public and International Affairs at Princeton University and president of the American Society of International Law. In his introduction, Law Center Professor Dan Tarullo praised Slaughter's contributions to international law and international relations, noting her ability to challenge prevailing assumptions and to forge a broader engagement among legal academics.

In her talk, which drew in part from her new book, A New World Order, Slaughter began by describing the traditional command-and-control model, which, she said, has given way to one based on networks. As an example of the new model's success, she cited coalitions that have emerged between the U.S. and Germany since September 11, 2001 in spite of strained relations between the countries. For Slaughter, the current U.S. call for "coalitions of the willing" was much less effective at stopping terrorism than was information-sharing among financial regulators, justice ministers, and the entire criminal law apparatus. Moreover, by networking with their foreign counterparts, U.S. customs officials effectively expanded the U.S. customs line to other countries. Slaughter also noted how, in the face of North Korea's missile shipments to Yemen, watchdog efforts among ten other countries produced a nonproliferation security initiative.

Slaughter saw these networks as a compelling way around what scholars refer to as the globalization paradox: "We face global problems, we need global capacity to address them, but we're not willing to have centralized global power." She proposed that international officials use existing networks more proactively to address global problems.

Citing networks within the judicial arena, Slaughter described how U.S. Supreme Court justices at international summits have exchanged ideas with their counterparts from Europe, India, and Mexico. Further, justices around the world, able to reach each other online, have negotiated resolutions to international bankruptcy cases.

In the legislative arena, Slaughter pointed to emerging coalitions such as the International Parliamentary Union...
**New World Order**

In commerce and trade, she listed leadership connections among G-7 finance ministers and the World Trade Organization, a world antitrust group known as the Global Competition Network, and international organizations of securities commissioners and insurance supervisors. In the environmental arena, there is the International Network for Environmental Compliance and Enforcement.

Such networks, Slaughter said, exhibit great potential for developing norms, educating members, and addressing global problems. Regulators of all kinds can bring their expertise to bear on rebuilding a country, setting up regulatory agencies and markets and courts, and providing basic security and technical assistance. “If we start thinking about ways we can use networks, the kinds of power they can exercise—the power of information, of socialization, of persuasion—are not a substitute for coercive powers or for existing international institutions, but they greatly extend our reach.”

The challenge, she said, is to take an active part in developing and enhancing this new world order. She called on her audience to consider ways to make global networks more effective, preventing them from becoming either irrelevant, on the one hand, or dangerous or technocratic, on the other. “It is a new world order—not the new world order,” she concluded. If we recognize it and shape it, it could be a world order worth having.”

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**MEDICATION EXPERT DELIVERS KAISER LECTURE**

On November 13, a prominent alumnus who is an authority in U.S. labor relations described current pressures to develop less adversarial, more cooperative approaches to dispute resolution. The speaker was the Hon. Peter J. Hurtgen (F’63, L’66), director of the Federal Mediation and Conciliation Service (FMCS), and the occasion was the 14th Annual Henry Kaiser Memorial Lecture.

In introducing Hurtgen, Professor Michael Gottesman lauded his leadership in resolving strikes in the West Coast ports in 2002 and between Verizon Communications and communication workers in 2003. Gottesman observed that although Hurtgen had represented management for 25 years, he is still “universally respected and revered by the union bar in this country.”

In tracing the origins of labor law, Hurtgen said that the great success of the Wagner Act of 1935 perhaps owes less to its having been an innovative statute than to the dynamic approaches to collective bargaining that generations of lawyers have developed from it. However, he said, the balance struck between U.S. employees and management in past decades faces new threats, such as management of healthcare costs, Capitalist expansion, technological innovation, and the blurring of economic borders also pose challenges to collective bargaining. “The goal of efficient production is pushing traditional employment relationships aside in favor of contingent workers, temporary, part-time, and contract employees,” he said. A main problem, Hurtgen argued, is that the law hasn’t fully caught up with the mobile nature of today’s workforce.

At the same time, he said, noncollective dispute cases—particularly employment discrimination suits—have increased to an extent that, in the aggregate, they tie up courts and run up staggering costs. In response, the FMCS has devised an approach, called dynamic adaptive dispute systems, or DyADs, which builds on recent studies in organizational development. It recognizes conflict as a necessary part of any functioning system, produced by humans with diverse interests and values.

DyADs assists “pilot programs for employers and unions to develop for themselves their own adaptive dispute resolution system,” which a neutral body within the organization serves to review and refine constantly. He observed, “A well-functioning adaptive system [can] eliminate the grotesque aspects of our enforcement system in federal litigation.”

The FMCS’s role in this process, he explained, is to help management and labor develop the system. The FMCS supports training of personnel and evaluates pilot projects. A next phase is to take DyADs to the nonunionized sector while taking care to avoid its being perceived or promoted as an alternative to unionization.

Hurtgen concluded by describing how such a system highlights what is already the most important asset of the legal profession: “It leaves you where you ought to be to begin with. The best service a lawyer ever gives his or her client is to be a wise counselor: That’s the primary function of the lawyer: In collective bargaining, that means you move your union or management client away from the adversarial fight system of the past, and into a collaborative mode.”

Before the lecture, Dean Judy Areen introduced Henry Kaiser’s brother, Ambassador Philip Kaiser, who presented this year’s Kaiser Scholarship to Brian Stone, (2L), who has already distinguished himself in union work in Washington, D.C. The family and friends of Henry Kaiser established the lecture and scholarship in honor of his commitment to labor law and to improving the lives of working people.
The constitutionality of the Bipartisan Campaign Reform Act of 2002 was discussed by a distinguished panel in a special press briefing at the Law Center on September 4. Hosted by the Supreme Court Institute, the panel of four experts addressed both the political and legal dimensions of the Supreme Court challenge to the legislation (popularly known as the McCain-Feingold law, after its sponsors), which was scheduled for a special hearing before the Court on September 8. By December 10, the Supreme Court had rendered its decision to uphold the law's ban on unlimited “soft money” donations and its restrictions on outside political ads. The ruling ensures that these and other related regulations will figure prominently in the 2004 election.

Panelists were Law Center Professor Roy Schotland; the Hon. Ellen Weintraub, chair of the Federal Election Commission; John Podesta (L'76), visiting professor and former chief of staff to President Clinton; and Larry Noble, executive director of the Center for Responsive Politics and former general counsel of the Federal Exchange Commission. The moderator was Law Center Professor Richard Lazarus, director of the Supreme Court Institute.

Professor Schotland’s opening remarks focused on the importance of the Court’s decision—not only for the 2004 election but also for certain aspects of American democracy. The impact on corporate and union contributions, he argued, constituted only the most obvious of the issues at hand. Less glaring, but still vital, were questions such as whether particular nonprofits would be excluded from regulation. Other such issues included controls on coordinated versus independent spending, criminal sanctions, and larger concerns about federalism. He expressed a concern, echoed by other panelists, that large corporations could find ways around soft money restrictions—a process he termed “institutional ventriloquism.”

Weintraub addressed questions of public confidence in government and of waning involvement in the political process. She characterized voter turnout in recent U.S. elections as “shockingly low.” Americans, she said, perceive that “much greater access is afforded to people who make large political contributions.” Rightly or wrongly, such perceptions, she suggested, are reinforced by the appearance of cronyism in the golf games, receptions, and private parties used to woo potential donors.

Cautioning that campaign finance pressures are intrinsic to the American system of government, FEC Chair Ellen Weintraub observed, “We’ve been at it for over 200 years, and we’re still trying to work the kinks out.”

Electioneering communications also provoked strong commentary. Advertisers have been pushing the limits in recent elections, Weintraub said, by conveying clear endorse-
ments for candidates behind the guise of less stringently regulated "issue ads." Noble concurred, arguing that the "magic words" test introduced in Buckley v. Valelejo in 1976 ("vote for," "elect," "defeat") no longer works as effectively as it once did and thus this area might also warrant improved regulation. He echoed a recurring theme among panelists in asking whether, even under the new legislation, some campaign finance would merely be rerouted to less traceable sources. There may be no absolute solution to this challenge, he concluded, adding, "What regulation in this country doesn't require constant revisiting?"

Podesta, concurring that the search for new loopholes never ceases, observed that many elected officials are not always as attuned to the judicial review of pertinent legislation as may appear. "I don't think people in politics are waiting around desperately to see what the Supreme Court is going to do," he said. "The [presidential] campaign is on, people are moving, and they are doing so under the McCain-Feingold law, which has already had a profound effect."

In October, the Hon. Elizabeth Lacy, a justice of the Supreme Court of Virginia, visited the Law Center as the 2003 Jurist-in-Residence for the Law Center's program for distinguished state jurists.

The Jurist-in-Residence program provides members of the Law Center community and visiting justices the opportunity to discuss issues confronting state supreme courts as well as issues of interest to the individual justices. Justice Lacy spoke at a Dean's Forum luncheon, met with faculty members, participated in selected classes, and discussed facets of state court clerkships during her two-day visit.

The justice, who was elected to the Supreme Court of Virginia in 1989 for a 12-year term and re-elected to a second term in 2001, earned law degrees from the University of Texas and the University of Virginia. She has spent her legal career in public service. In Texas, she worked for the Texas Legislative Council and was a special assistant and deputy attorney general in the Texas Attorney General's Office. In Virginia, she served as a legislative aide and counsel, as deputy attorney general with the Virginia Attorney General's Office, and as judge of the Virginia State Corporation Commission before being elected to the Supreme Court of Virginia.

Lacy is the second justice to participate in the distinguished state jurist program. The Hon. Gerald VandeWalle, chief judge of the North Dakota Supreme Court, was the Jurist-in-Residence in 2002.

The Law Center's John M. Olin Law & Economics Program sponsored a daylong conference in October, titled "Settlement Outcomes as Incentives for Primary Behavior." It featured a series of paper presentations and commentaries from leading economics, legal, and political science scholars from throughout North America. Law Center Professor Warren Schwartz provided introductory remarks, which were followed by paper presentations throughout the day. Scholars from the law schools at Yale, Stanford, the University of Pennsylvania, and the University of Chicago were among those participating.
Speakers Address Civil Rights, Domestic Violence, and Tort Reform

REPORTED BY KELLY CRESP, JENNY CIEPLAK (2L), MATT DALTON (2L), JIM GRUBER (3L), AND KATIE TENNEY (1L)

Once again in fall 2003, student organizations brought notable speakers to campus, sparking debate on current issues and enriching the intellectual climate. In October, the American Constitution Society welcomed Senator Richard Durbin (D-IL) to deliver its annual keynote address on Congress and the courts. Durbin’s lecture, titled “The Right Wing Agenda—Can Our Court System Survive?” was a clarion protest against Republican-based efforts to prevent Democrats from obstructing confirmation of the more conservative and activist judicial nominees. Another ACS-sponsored event in October was a vigorous discussion of the Second Amendment by panelists that included Bob Levy, a senior fellow at the Cato Institute; Daniel Vice of the Brady Center to Prevent Gun Violence; Mathew Nosanchuk of the Violence Policy Center; and Tim O’Toole, a District of Columbia public defender.

In November, the ACS hosted Nadine Strossen, president of the American Civil Liberties Union, who spoke of the challenges facing the ACLU in the aftermath of the September 11 terrorist attacks. The civil rights concerns of Muslims today, Strossen said, parallel those of African-Americans in the 1960s. Although she praised the current Supreme Court’s continuing efforts to protect free speech, Strossen also worried that the government’s current methods of infiltrating mosques are similar to those it used against African-American churches during the 1960s.

In September, Professor Linda G. Mills, who teaches social work and law at NYU, addressed the issue of domestic violence, in an event jointly sponsored by the Women’s Legal Alliance, the Women of Color Collective, and the Georgetown Domestic Violence Clinic. Mills warned her audience that the current system of mandatory reporting and arrest actually may deter many abuse victims from coming forward.

In October, the Federalist Society hosted a debate on tort class action reform featuring field experts and Law Center adjunct professors Kenneth Feinberg and Michael Horowitz, and moderated by Professor Heidi Li Feldman. Feinberg serves as special master of the September 11 Victim Compensation Fund, and Horowitz directs the Hudson Institute’s Project for Civil Justice Reform. Feinberg argued that calls for mass tort reform are misdirected and suggested that the issue might be better handled at the state level rather than federally. In his rebuttal, Horowitz charged that the political process is better-suited for redistributing wealth than tort litigation is, since politicians must respond to multiple constituencies.

In November, the International Law Society, the ACS, and Phi Delta Phi sponsored a panel titled “From Rome to the Congo: Implications of the International Criminal Court.” Professor David Luban moderated. Panelists included Visiting Professor David Scheffer, former U.S. Ambassador at Large for War Crimes Issues, and Jerry Fowler, staff director of the Committee on Conscience at the U.S. Holocaust Memorial Museum. The panelists discussed the extent to which efforts to support a permanent international court for treating war crimes and genocide may or may not have been hampered by the United States’ decision not to sign on to the court, which presently includes 92 other countries.

Pictured with Equal Justice America Executive Director Dan Ruben, right, Georgetown Law student Jacquelyn Pinnell was one of three first-year law students to receive an Equal Justice America fellowship in 2003. Funded by Vinson & Elkins, the fellowships support summer legal internships for organizations that serve the underprivileged in Washington, D.C.
Law Center Newspaper Best in Nation – Again

The Law Center’s Law Weekly newspaper itself made news in November, when it won the American Bar Association’s Law Student Division “Best Newspaper” award for 2002, the second consecutive year in which it has taken that prize.

The Law Weekly, published on Mondays during the academic year with a circulation of more than 1,500, took home the 2002 honor at the ABA’s annual convention in San Francisco last October. It won the 2001 award at the ABA’s Washington, D.C., convention a year before.

The ABA looks at staffing levels, technology used, organization, length of existence, budget, and frequency of publication in making its “Best Newspaper” determination. The paper also won “Best Feature Article” for a story by Amina Rana (3L) on how more than 500 Law Center students signed onto an amicus curiae brief.

“What pleases me most about this victory is how far we came as a team over the course of the semester,” said Jonathan Massimino (3L), the Law Weekly’s editor-in-chief.

Said Dean Judy Areen, “It is vital to our sense of community here at the Law Center that we have a strong and lively press. We all take special pride in the Law Weekly’s two consecutive awards and salute them for this well-deserved recognition.”

Space Law Team Member Wins Worldwide Competition Honor

A Law Center student won Best Advocate honors and Georgetown’s space law moot court team finished second overall at an international competition held in Bremen, Germany, last fall.

Petra Vorwig (L’03) earned the “Best Advocate” award after leading the Georgetown team’s 45-minute oral argument and rebuttal at the Manfred Lachs Space Law Moot Court Competition final in October. The competition, won by Georgetown in the previous year, took place before judges from the International Court of Justice during the annual International Institute of Space Law Annual Colloquium on the Law of Outer Space. Georgetown’s team earned a trip to the finals by winning the North America regional competition, held in spring 2003 at the Law Center.

Amanda Shafer (3L) served as the second member of the team, which finished in second place behind the University of Auckland, New Zealand. Georgetown Adjunct Professor Paul Larsen served as adviser and accompanied the team to Germany.

Law Center student Sarah Levien (3L) may have discovered a way to predict how Supreme Court Justices will decide cases. Her research into the link between justices’ questions during oral argument and their ultimate decisions was the subject of a column by Washington Post writer Charles Lane last November. Lane, calling Levien’s research “intriguing,” said the notion that justices’ questions and comments merely reflect an effort to probe each sides’ strengths and weakness—leaving no indication of how they will decide—may now be in question.

“This view has long been doubted by journalists and other lawyers,” Lane wrote. “But they have been unable to muster statistical evidence until now.”

Levien’s research, based on 10 cases from the Court’s 2002-03 term, found that a justice generally asks more questions, and more questions of an argumentative nature, of the party he or she ultimately votes against. And the party receiving the most questions overall in each case Levien studied lost each time.

Levien’s paper, “The Illusion of Devil’s Advocacy: How the U.S. Supreme Court Justices Foreshadow Their Decisions During Oral Argument,” confirms “the longstanding suspicions of many a courtroom regular,” Lane wrote. The paper will appear this fall in the The Journal of Appellate Practice and Process, a faculty-edited publication at the University of Arkansas at Little Rock’s William H. Bowen School of Law.
In 1989, the United States and the new president, George W. Bush, opened the Cold War, opened to reunification of Germany.
change was sweeping world. America had a Herbert Walker Bush. Wall, long a symbol of the West, spurring the

Georgetown University and Georgetown University Law Center were also undergoing dynamic change. Father Leo J. O’Donovan, S.J., was the incoming president of the University. And after six productive years, Law Center Dean Robert Pitofsky was leaving his deanship on a high note, having overseen the design, funding, and construction of the new Edward Bennett Williams Law Library. The west side of McDonough Hall was also being extended to include a cafeteria and space for additional clinics. As Pitofsky returned to the faculty, Judy Areen, then 44, became the first woman dean of the Law Center, as well as the first woman to serve as an executive vice president of Georgetown University.
Fifteen years later, as Areen prepares to step down and make the customary transition back to teaching, it is the right time to look at how the Law Center has changed.

Today, with a different George Bush in the White House, John J. DeGioia is the 48th president of the University. At the Law Center, where two buildings stood, now there are five, including the Bernard S. and Sarah M. Gewirz Student Center, the Eric E. Hotung International Law Center Building, and the new Sport and Fitness Center. Inviting green space has replaced two city streets, and a campus has been carved out of—and integrated into—the Capital City.

While the campus building boom is visible from the curb, more subtle but equally important changes have enhanced the quality of education and student life. The faculty has grown dramatically in both size and reputation. More than 350 courses and seminars make the Law Center’s curriculum the most comprehensive in the nation. Georgetown is attracting the country’s top applicants. The school’s tradition of public service, tied to its Jesuit roots, has been reinvigorated. The alumni have become an integral part of the Law Center, contributing innovative ideas, expertise, and time. And an experienced team of administrators focuses on each department’s goals as a means of fulfilling Georgetown’s larger mission of educating the whole person, in mind, body, and spirit.

As Judge Mary Lupo (L’74) says, Georgetown University Law Center is “no longer just a dayhop place.”

It is a community.
Faculty

When Michael Gottesman joined the faculty in 1989, the high profile lawyer traded his gracious office at Bredhoff & Kaiser, one of the most respected labor law firms in the United States, for a room with no view at the Law Center. “To indulge in understatement, space was at a premium,” he says. “We were confined to a single building. I had a windowless office, and many who were considerably senior to me had inhabited windowless offices for years. The library filled the third and fourth floors of McDonough, and the cafeteria was about half its current size – and not nearly so attractive and tasty as it is today.”

The space crunch had a ripple effect on the student body. “There was so little room that students had no place to study or engage in leisure activities, so most of them showed up at the start of a class and left as soon as it was over,” Gottesman remembers. “That didn’t mean returning to Gewirz – there was no Gewirz. We didn’t have the park-like space that now separates McDonough from the library. The inevitable result was that students felt little emotional attachment to the Law Center.”

Professor Milton Regan – a Law Center alumnus (L’85) and former law clerk for Supreme Court Justice William J. Brennan – also arrived in 1989. “The entire school was located in one building [McDonough Hall],” he recalls. “This made for a fairly intense physical experience.”

But if the quarters were close, so were the relationships between colleagues. Says Regan, “From the moment I returned as a professor, I’ve felt that I’ve resumed an ongoing conversation.”
A decade and a half later, the Law Center has recruited more than 40 additional scholars. The 100 women and men at Georgetown now constitute the largest full-time law faculty in the country. But as the faculty has grown, the bonhomie has not diminished. In 2003, when William Bratton, a major scholar in the field of corporate law and author of the leading casebook on corporate finance, joined the faculty, he found “an optimism here and a level of support for the institution amongst the faculty that’s exceptional. Georgetown has supported me unstintingly,” he says, “but I’m nothing special as far as that’s concerned.”

James Forman Jr. arrived the same year. After clerking for Justice Sandra Day O’Connor and spending six years in the public defender service of the District of Columbia, Forman had been offered teaching positions at Yale, NYU, and the University of Michigan, but turned them down for a professorship at Georgetown. His reasoning? “When you compare the teaching load, support, and salary, Georgetown is playing right along with the elite schools,” he says. “The top-tier schools were indistinguishable.”

Forman knew he’d made the right choice when “I was coming up the front steps on the first day and I saw the banner saying, ‘Law is the means, justice is the end.’ Seeing that as what the school stood for was really important to me,” he says. “The school really embraces that philosophy. It’s a way of being, not a motto. That makes me proud.” He’s discovered another plus: “I’m teaching the smartest, most engaged, most active, most creative, most fun group of students that I could ever imagine.”

Kathy Zeiler, a 2003 faculty hire with a Ph.D. in economics from California Tech as well as a law degree, saw Georgetown as a place that would support her research and teaching interests in the fields of economics and healthcare law. And she knew she’d be in good company. “Georgetown is the home to some of the most well-known scholars in these fields. I have found some of my most useful mentors among them,” she says.
"The research support is generous and the numerous workshops create a rich environment of intellectual exchange."

Faculty scholarship is one of the Law Center's top priorities. When the 1989-1994 Long Range Plan recommended creating the position of Associate Dean for Research, the suggestion was put in place almost immediately. Appointed in 1989, Wendy Williams remembers the challenges: "The big question in the beginning was, 'How do we create a culture that values the pursuit of scholarship? What can we do structurally and financially to encourage and support the faculty? How do we guide and inspire young and new faculty to take the scholarly plunge?' Our answer was, in part, to bring a rich array of scholars, legal and non-legal, into the law school to discuss their work.

"Even more important," says Williams, "we focused on changes within the law school. We established a research workshop in which faculty members would present their own work-in-progress on a regular basis and additional supports including research leaves between sabbaticals, reduced loads to facilitate completion of major scholarly projects, summer writers' grants, and more generous travel allowances. We found ways to celebrate more publicly the scholarly work of the faculty. Judy Areen also made scholarship a prime factor in faculty salary decisions."

Current Associate Dean for Research T. Alexander Aleinikoff, who took over the post in 2003, has continued the emphasis on scholarly efforts. The goal "is to build a vibrant, intellectual community," he says. "You do that by having lots of papers discussed and lots of conversations started and an enormous number of presentations."

The papers are presented at a number of workshops that give faculty members the opportunity to discuss their work with colleagues and to hear from scholars at other law schools. In addition to the weekly Faculty Research Workshop, other opportunities for give-and-take include the Sloan Interdisciplinary Workshop on Business Institutions and workshops in constitutional, environmental, and tax law."
Under Aleinikoff, untenured faculty members are now being given their own forum, meeting once a month to talk about ways to develop their scholarship.

The 2003 Educational Quality Ratings confirmed the school’s success in its myriad scholarly endeavors. Prepared by Professor Brian Leiter of the University of Texas School of Law, the ratings evaluate scholarly impact based on citations to faculty by other scholars. Georgetown is rated eighth in the nation.

While scholarship thrives at the Law Center, there is also a premium placed on good teaching. As part of a dedicated effort to help professors excel in the classroom, a program of “Faculty Angels” pairs every new or visiting faculty member with an established colleague to act as what Professor Jeff Bauman calls “that person’s guardian angel.” It’s the angel’s job to help their charge learn things small and great – “from where to find paper clips to how to encourage student participation in class,” Bauman says.

The school also started a Teaching Committee in 1991, chaired for many years by Bauman. One of their early initiatives was to bring in an independent teaching consultant, Catherine Krupnick, then of the Harvard Graduate School of Education. Now, Krupnick holds workshops, mentors adjuncts, and regularly advises new faculty members.

The annual Frank F. Flegal Teaching Award for outstanding contributions by full-time faculty to teaching was instituted in 1995 to recognize teaching excellence in its many forms. The first year, it was awarded to Steven Goldberg and Girardeau Spann, each widely acknowledged as a superb classroom teacher. The 2003 award was given to Samuel Dash and Lisa Heinzerling.

The institutional supports help create what Professor William Bratton describes as “an extraordinary faculty culture. Colleagues here are more supportive of one another than at any of the many institutions at which I have been associated.”
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"WHAT WAS VERY GOOD IN 1989 HAS BECOME EXCELLENT IN 2004."
— MICHAEL GOTTESMAN

Judge Mary Lupo elaborates: “People leave Stanford and Yale and come to Georgetown because they love the working environment. The faculty is focused on the students and on the quality of the education and not on envy, backbiting, or who got on CNN. It’s not dog-eat-dog. It’s got a spirit of cooperation, respect, and academic freedom.”

Associate Dean of Clinical Education and Public Service Wallace Mlyniec notes, “There’s a genuine affection for one another and a genuine commitment to shared goals.” Another asset is that the Law Center has critical mass in each area of scholarship that, he says, “fuels creativity.”

It also fuels discussion. Professor Viet Dinh has said: “We share the same interests even if we differ in our perspectives. It is a tribute to the intellect, honesty, integrity, and, ultimately, to the camaraderie of the community.”

After 15 years at the Law Center, Professor Michael Gottesman agrees. “I was proud to join the Georgetown ranks full-time in 1989, but I’m even prouder to say I’m on the Georgetown faculty today,” he says. “What was very good in 1989 has become excellent in 2004.”

Adjunct Faculty

The Law Center has attracted top practitioners to teach on its adjunct faculty, judiciously drawing from a rich pool of practicing lawyers, government officials, international civil servants, and judges — many of whom are alumni — to help fill out the curriculum in the 26 areas in which the Law Center has courses. They add their experience and knowledge of cutting-edge issues. The Law Center honors an outstanding member of the adjunct faculty in the J.D. program each year by awarding the annual Charles Fahy Distinguished Adjunct Professor Award. The award recognizes the faculty member who has provided exceptional service to Georgetown in teaching, curriculum development, student counseling, and involvement in extracurricular Law Center activities. The first award, in 1989, was given to Kenneth R. Feinberg, Special Master of the September 11th Victim Compensation Fund and the Agent Orange Settlement, who is one of the country’s leading experts in alternative dispute resolution. The most recent award went to the Honorable Laurence H. Silberman, a judge on the United States Court of Appeals for the District of Columbia Circuit who, before ascending to the bench, was an attorney specializing in administrative law. He was named by President George W. Bush as co-chairman of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction.
Academic Programs

Over the past 15 years, the Law Center has regularly reviewed and refined its academic programs. The quality of the legal education provided – always strong – is now even more vigorous.

In 1989, following up on a recommendation in the long-range plan for that period, the school developed Curriculum B, an alternative first-year program. Professor Louis Michael Seidman led the committee that developed the innovative curriculum. Students taking Curriculum B cover the same subject matter offered in the more traditional Curriculum A, but rather than taking the usual first-year courses such as Civil Procedure, Contracts, and Torts, Curriculum B students approach the material from a perspective that emphasizes the sources of law in history, philosophy, and political theory, as well as the influence of other fields, including economics. The idea, says Assistant Dean Carol Q. O’Neil, was that traditional subject matter boundaries were breaking down. Rather than learning the common law of contracts and torts individually, the innovators’ view was that these subjects should be studied together in a course called “Bargain, Exchange, and Liability” giving students opportunities to approach legal problems from several different directions. Other courses offered in Curriculum B include “Government Processes,” which introduces students to the regulatory state – a dominant aspect of modern law generally not studied in the first year – and a seminar on legal theory.

After three years of experimentation, the inventive coursework was permanently integrated into the first year. Now, one of four first-year sections is dedicated to the new curriculum, to which interested students are assigned by lottery.

The Long-Range Plan for 1994 - 1999 noted that “an expansive view of the true dimensions of ‘lawyering’ in the 21st century makes a global outlook ever more crucial.”
To strengthen the international focus of the school, Professor Charles Gustafson was named the first Associate Dean for International Programs in 1995 and, in 1997, also took on responsibility for the graduate programs. "The size and scope of faculty engaged in scholarship dealing with international and transnational issues has been enlarged dramatically," says Gustafson. "Every year, professors from other countries join our faculty as visitors. The Law Center has established regional programs focusing on Asia and Latin America and research institutes devoted to international, economic, and business law."

Adds current Associate Dean for International and Graduate Programs James Feinerman: "More and more of our faculty have introduced a comparative element with foreign law topics now part of courses traditionally considered purely domestic." Together the J.D. and LL.M. curricula include more than 100 courses and seminars that treat international and/or foreign law, approximately double the number offered 15 years ago.

The student body is equally broad, including members from virtually every continent. "Hundreds of students participating in an international internship program have worked in Europe, Latin America, Asia, and Africa," says Gustafson. "Hundreds more have studied in Georgetown programs in Italy and the United Kingdom."

The Law Center's Global Scholars program was founded in 2000. Under the leadership of Professor Daniel Tarullo (C'71) and with the assistance of Susan Gurley, assistant dean of International and Graduate Programs, the program prepares 15 students each year for a transnational practice. It combines language skills and a cultural familiarity with rigorous legal training on a range of topics, from international business transactions to international human rights enforcement. The program for international students coming from other countries to get an LL.M. has also been enhanced. Says Assistant Dean Carol O'Neil: "The support system for the care of those students has been strengthened and has helped integrate them into the academic life of the school."

Key appointments have further strengthened the international faculty at the Law Center. Alex Aleinikoff and John Jackson brought expertise in immigration law and inter-
WHILE BUSINESS LAW HAS BEEN THE FOCUS OF NEW FACULTY EXPANSION, IT IS NOT SURPRISING THAT CONSTITUTIONAL LAW HAS LONG BEEN ONE OF THE HALLMARKS, ESPECIALLY GIVEN THE SCHOOL'S LOCATION.... MORE THAN A QUARTER OF THE FACULTY CURRENTLY TEACHES CON LAW, MANY OF WHOM HAVE SERVED IN THE EXECUTIVE BRANCH OF THE FEDERAL GOVERNMENT.

national trade, respectively. Dan Tarullo specializes in international finance law. Noted comparativist Franz Werro teaches at both the Law Center and the University of Fribourg.

Faculty recruitment in recent years has also concentrated on the rapidly expanding and complex allied fields of business law, drawing leading experts into the classroom including corporate securities scholar G. Mitu Gulati and Donald Langevoort, who directs the Sloan Project on Business Institutions. Funded by the Alfred P. Sloan Foundation and begun in 2000, the Sloan Project encourages discussion within the academic community on the nature of the firm, the opposing interests, and the appropriate roles of corporate officers, directors, and shareholders. Another goal is to investigate the roles legal and extra-legal institutions play in corporate influence. Research sabbaticals, summer research grants, research workshops, and support for visiting scholars are among the project initiatives. In November 2003, in the wake of several corporate scandals, the Sloan Project hosted a conference titled, “Restoring Trust in America’s Business Institutions.”

As the issues affected by business law grow, Georgetown continues to expand its curriculum. One innovative upper-level course offered this past fall, “Corporations Under Fire: Law, Ethics, and Decision-making,” was taught by Paul Saunders (L’66), Distinguished Visitor from Practice and a partner at Cravath, Swaine & Moore in New York. The course examined the role of lawyers in advising, investigating, representing, prosecuting, defending, repairing, and making public policy with respect to the issues faced by corporations such as Enron, Microsoft, Tyco, and the Archdiocese of Boston – all facing enormous internal crises.

While business law has been the focus of new faculty expansion, it is not surprising that constitutional law has long been one of the hallmarks, especially given the school’s location, a short walk from the Capitol and the United States Supreme Court. And yet, Dean Judy Areen has said, “no one could have imagined just how strong or how broad the faculty’s interests are.”
More than a quarter of the faculty currently teaches constitutional law, many of whom have served in the executive branch of the federal government. At least a dozen constitutional law professors have argued before the Supreme Court, while still others have been called upon to advise and testify before Congress.

Following the interests and expertise of the faculty, the constitutional law offerings are "stunningly broad," says Associate Dean Wendy Collins Perdue, with a growing selection of courses and seminars on the issues of national security and international affairs.

The school's innovations in the field of constitutional law are not limited to the classroom. The Supreme Court Institute, established by Professor Richard Lazarus in 1999, now moots more than half of the Supreme Court cases each year. The free, non-partisan public service is available to any attorney with an upcoming case before the Court on a first-come, first-served basis while also providing students with a rare insiders' view of the process. The Institute was founded with the intent of promoting an understanding of the history, significance, and dynamics of Supreme Court decision-making. It offers regular conferences, lectures, workshops, and brown-bag discussions on Court-related issues.

The Law Center is also home to the Constitutional Studies Center co-chaired by Professors Mark Tushnet and Susan Low Bloch, an umbrella group designed to further constitutional scholarship. Over the past decade, the annual Georgetown Discussion on Constitutional Law (informally known as the "Con Law Schmooze"), a free-form discussion on a predetermined topic, bringing together both seasoned and up-and-coming constitutional law scholars, has become one of the premier constitutional law exchanges in the country.

Another area in which the Law Center has focused its resources is Alternative Dispute Resolution. While a decade and a half ago there was one class in negotiation taught by two adjunct professors, today the school boasts a large curriculum in negotiations and multi-party dispute resolution, thanks, in large part, to the work of Carrie
Menkel-Meadow, a national expert in alternative dispute resolution, feminism, and legal ethics, who came to Georgetown after 20 years at UCLA Law. Menkel-Meadow teaches an advanced seminar in multi-party dispute resolution and established the Georgetown-Hewlett Program in Conflict Resolution and Legal Problem Solving in 2002. Sponsored by a grant from the William and Flora Hewlett Foundation, the program funds public lectures and other scholarly events related to the field of dispute resolution. It also provides for two-year fellowships for post-J.D. candidates who write and teach in the field.

The school has kept pace with the quickly changing demands of health law. Five full-time professors specialize in health law, each bringing specific expertise to the school’s diverse, nationally recognized program. Health law covers a wide range of issues including public health, health care policy issues, and bio-ethics, a field that grows and changes with the flow of discoveries, medical capabilities, and threats. Professor Lawrence Gostin has examined the legal and ethical issues that accompany the rapidly evolving field of genetics. His article “The Model State Emergency Health Powers Act: Planning and Response to Bioterrorism and Naturally Occurring Infectious Diseases” (with coauthors) appeared in the Journal of the American Medical Association. Professor Patricia King has explored the ethical and legal ramifications of such complex issues as scientific research on fetal tissue.

Intellectual property arrived with the appointments of Julie Cohen in copyright and trademark law and John R. Thomas, an expert in patent law. The school now offers more than 30 courses and seminars in the field and sponsors an Intellectual Property Colloquium that brings some of the nation’s leading scholars in the field to Georgetown to present papers.

The Law Center recently restructured its environmental curriculum in order to offer a deeper exploration of this relatively new but increasingly complicated field. Though few would have imagined it 25 years ago when environmental law was in its infancy,
environmental requirements have had a far-reaching effect on areas of law as disparate as bankruptcy, criminal law, and securities regulation.

The Law Center is fortunate to have several noted environmental law experts on the faculty. Professor Hope Babcock has helped shape environmental law policy and has participated in some of the most important environmental cases of our time, including the EXXON-Valdez litigation. Professor Richard Lazarus, who serves as the faculty director of the law school's Supreme Court Institute, is a leading environmental law scholar and the author of a forthcoming history of modern environmental law, *The Making of Environmental Law*, to be published by the University of Chicago Press this fall. Articles by Professor Lisa Heinzerling were named among the ten best environmental or land use articles of 1998 and again in 1999. [See essays by Professors Heinzerling and Lazarus in the Faculty Articles section of this magazine.]

Under the leadership of Professor Babcock, the Environmental Equity Clinic, established in 1991, began tackling environmental problems that afflict low-income communities. Its approach is a straightforward one: "Bringing skilled and enthusiastic advocates to poor neighborhoods and empowering residents to change their futures," Babcock has explained. One early success came when students presented legal arguments that were persuasive enough to stop the dumping of car parts, battery acid, and other auto-related fluids into a tributary of the Anacostia River.

Recognizing that good writing skills are essential to being a good lawyer, the Law Center has invested significant time and resources in the J.D. Legal Research and Writing Program, directed by Professor Jill Ramsfield. Formerly staffed by instructors, the program is now taught by legal research and writing faculty. The change put Georgetown at the forefront of a national trend and has enabled the highly experienced attorneys who teach writing to become even more professional, more productive, and more prolific. Another innovation was the creation of the Writing Center, in 1991. The first of its kind, its mission is to work with students on a one-to-one basis.
A talented group of professional administrators – all of whom hold advanced degrees – oversees every aspect of the school, from admissions and academic advising to registration, financial aid, and career counseling. These women and men have streamlined day-to-day operations of the school over the last fifteen years. The need for interdepartmental communication and coordination has been met by a weekly Tuesday "Dean's Meeting," which keeps managers in the loop while focusing on the Law Center's mission and the goals of each department. On occasion, the meeting focuses on alternate solutions to administrative problems and concerns. At other meetings, senior managers may be given the opportunity to present an insider's perspective of their department's challenges, objectives, and management philosophy.

While working together to continually raise the caliber of the law school, each member of the administrative team performs a distinct and valuable role to enrich the quality of the Law Center experience for students before, during, and after their law school years. Among them are Kevin Conry, associate vice president for development and external affairs, Andrew Cornblatt, assistant dean of admissions, Gihan Fernando, assistant dean of career services, and Carol Q. O'Neil, assistant dean of J.D. programs.

Andy Cornblatt, who joined the Law Center staff nearly 25 years ago, became assistant dean for admissions in 1992. Under his leadership, the department has stepped up efforts to recruit admitted students, making the admissions process warmer and more welcoming through several initiatives. Student ambassadors stay in touch with admitted students to address their questions and concerns. Innovative technology enables
THE FACULTY HAS UNDER­
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NATIONAL SECURITY LAW.

prospective students to apply online and, once admitted, to learn more about the Law Center and its programs through specially produced CD-ROMs and DVDs. Alumni volunteers also play a more critical role in the recruitment process by making themselves available to admitted students to discuss their Georgetown Law experiences. Many also host receptions across the country for incoming students.

Carol Q. O'Neil (L'88) came on board as assistant dean for J.D. programs in 1990 to oversee the Law Center's curriculum, which has become both broader and deeper during that time. In response to a directive in the 1999-2004 Long Range Plan, O'Neil says, the faculty has undertaken a comprehensive review of curriculum areas including alternative dispute resolution (with follow-up annual reviews), antitrust law, corporate and securities law, entertainment and technology law, intellectual property, and national security law. "Faculty review of a curriculum 'cluster' entails rethinking offerings, examining syllabi of Law Center courses for content and overlap, and assessing whether courses should be added to enhance coverage or dropped because of lack of enrollment or duplication, and review and assessment of new and existing adjunct offerings," says O'Neil. In addition to curriculum development and course scheduling, O'Neil supervises the J.D. adjunct faculty program, the Office of the Registrar and, since 2000, the Law Center's academic publications and web content development.

Gihan Fernando (L'90), hired in 2001 as the assistant dean of career services, has made it his goal to begin advising students in their first year. "We have the idea that the students who need the most help are the ones least likely to seek it," Fernando says. "The worst scenario is the third-year student who says, 'I don't have a job and this is the first time I've been in.' So we're trying to move back the time we get to know students." In addition to following students throughout their law school career, Fernando has made it a priority to help second-year students maximize their success with prospective employers during Interview Week. Not only does the department
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conduct an interview training program over the summer, but, adds Fernando, "Before, we didn’t do much advising for how they select their interviews, and we now advise over 80 percent of the class." Other innovations under his watch include a small-firm initiative — lists and resources of small and medium-size firms for students — and the inauguration of an alumni shadowing program, in which students follow alumni in their field of interest during spring break.

Kevin Conry (L’86), who joined the Law Center in 1976, assumed his post as associate vice president for development and external affairs in 1996, having previously worked as assistant dean for J.D. programs and assistant dean for administration. Chief among his accomplishments is helping to bring alumni into the Law Center community. Toward that end, he has created programs and services with and for alumni, fostered a culture of "giving back" that begins while law students are still on campus, created a major gifts culture among donors, helped to found a law-specific Board of Visitors, and planned and managed the first stand-alone comprehensive campaign for the Law Center. Conry has also worked to improve the quality of the alumni magazine and created a law-specific stewardship program to recognize and thank donors for their many important contributions to the school.
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Social Justice

The 1999 – 2004 Long Range Plan was clear: “Our long term goal for the Law Center is to educate students to be superb lawyers who will promote justice and serve others both in their legal practices and in their lives.” Georgetown lawyers, it said, “will be the innovators and creative problem solvers of the profession.” And they will also be measured outside of the courtroom: “When a Georgetown lawyer moves in, the community will be better off.”

As a matter of course, Georgetown Law students spend much of their time at the Law Center in service to others.

Always a signature strength, clinics have become an increasingly important part of the Law Center curriculum and Georgetown now has the largest – and most highly regarded – clinical program in the country. The school offers 12 separate clinical courses including the Environmental Equity Clinic, Federal Legislation, Family Advocacy, Domestic Violence, and International Women’s Human Rights, and two Street Law Courses, overseen by 17 full-time faculty members. From the start of the first clinic in 1968, the faculty/student ratio has been small, to assure that students get the greatest benefit from the expert clinical faculty, whose value was again underscored in the mid-1990s when they became eligible for tenure.

The Federal Legislation Clinic was established in 1994. Under the direction of Professor Chai Feldblum, the clinic gives students the opportunity to work as legislative lawyers on congressional legislation. Representing advocacy groups that do not have the funds to hire legislative attorneys, students research bills, draft proposed statutory and report language, and work with coalitions.
OPICS created the Pro Bono Pledge in 2000. The Pledge challenges students to perform 75 hours of pro bono service before graduation. By the fall of 2003, some 270 Georgetown students had contributed 20,135 hours of pro bono work.

In 1998, the Domestic Violence and International Women's Human Rights Clinics were created from the former Sex Discrimination Clinic. Students in the Domestic Violence Clinic represent victims of family abuse in the District of Columbia Superior Court. The International Women’s Human Rights Clinic was established in 1998 by Professor Susan Deller Ross with the mission of advancing women’s rights around the world.

The goal of these clinics in providing help for those in need and working to protect the larger community meshes well with the Law Center’s emphasis on public service. "At Georgetown, we hope and expect to graduate students who take seriously the Jesuit belief that concern for people and social problems should never be absent," Associate Dean for Clinical Education and Public Service Wallace Mlynice said in 1995.

Mlynice went on to oversee the creation of the Office of Public Interest and Community Service (OPICS). The office's purpose is to foster in students a commitment to public service that will stay with them throughout their professional life. OPICS, directed by Assistant Dean Barbara Moulton (L'89), who came to Georgetown from the Alliance of Justice, coordinates pro bono work for the Law Center and offers career counseling services to students and alumni who are contemplating a public service career.

"To serve the public is ultimately the greatest calling of the law," says Judge Arthur Gajarsa (L'67). "The Jesuit tradition of service has always been at the forefront (of a Georgetown Law education). You give back just because you are taking out. You don’t live in a vacuum or a cocoon. Today’s world is global. Georgetown teaches you that it’s not just a question of money but of being able to contribute time."

It was in this spirit that OPICS created the Pro Bono Pledge in 2000. The pledge challenges students to perform 75 hours of pro bono service before graduation. By the fall of 2003, some 270 Georgetown students had contributed 20,135 hours of pro bono work.
Many students benefit from the school’s Loan Repayment Assistance Program, which pays or forgives the loans of graduates who accept positions in public interest or government service. “Today about 125 Georgetown graduates annually receive LRAP benefits, making the total expenditure about $650,000 a year,” according to Ruth Lammert Reeves, assistant dean for financial aid. In 2000, a survey of loan repayment assistance programs conducted by Equal Justice Works found that the Georgetown program was one of only six that provide 70 percent of benefits received by participants of all LRAP programs in the nation.

Along with a focus on serving others, the Law Center encourages students of all faiths to pursue their own spiritual growth through the Campus Ministry, which is headed up by Father Alexei Michalenko and Sister Dorinda Young, who came to Georgetown in 1991. Michael Goldman (L’69) was named interim Jewish chaplain in 2002 and soon after became full-time. Arriving in 1999, Imam Yahya Hendi, serves as the first Muslim chaplain, working one day per week at the Law Center. Those looking for a place to worship are welcomed at the St. Thomas More Chapel, located in the center of the first floor of McDonough Hall. Renovated in time for 125th anniversary of the Law Center in 1995, “the space was completely transformed from its ‘neo-prison’ look: a large square room with dark red brick walls, a dark ceiling and dim lighting, to the inspiring look and feel it has today,” says Young. Officially re-dedicated by President O’Donovan in October 1995, the chapel is the site for daily and Sunday liturgies, memorial services, and Inter-religious events and services.
Facilities

During his 15 years on the faculty, Professor Michael Gottesman has watched as “Georgetown has been physically transformed from an alienating, claustrophobic place to what is undoubtedly the most congenial law school environment in the U.S.”

After the dedication of the library in 1989, the next step in the evolution of the campus was the closing of G Street, which allowed the Law Center to create a student-friendly quadrangle between McDonough Hall and the Williams Library.

The long-standing problem of student housing was remedied in 1993. The Bernard S. and Sarah M. Gewirz Student Center, funded by the extraordinarily successful Law Campaign spearheaded by Pat Head (C'54, L'56, L.L.M.'57), opened its doors to 290 law students, instantly becoming a place where friendship and fellowship could bloom, a promise beautifully expressed by Sister Dorinda Young in a prayer for the well-being of all “who will live, work, play, pray, sing and dance in this new and splendid Gewirz Student Center.”

Although the 12-story building was designed to house first-year students, it was built with the entire Law Center community in mind. Thus the Gewirz Student Center houses facilities open to everyone on campus, including a fitness center, a childcare center, student law journal offices, a health clinic, and a large room overlooking the city that is used for receptions.

At the dedication, Georgetown University President O'Donovan told the audience: “This building reaffirms our desire to ensure that growth does not mean that a Georgetown education must become impersonal. Rather, this facility enhances our efforts to educate the whole person.”
A decade later, Gewirz continues to be a major part of student life. “The dorm has been a real home away from home,” says Nathan Headrick (L’04), who lived there all three years at Georgetown. “It’s proven to be a community of friends and scholars I could rely on. That made all of law school, particularly first year, much easier to embrace and enjoy.”

In 1997, the east wing was added to McDonough Hall, making room for student organizations, classrooms, clinics, and faculty offices.

And in 1999, after years of wishful thinking and much negotiation, the Law Center acquired the land at First and F Streets from the Tobishima Corporation of Japan that made further expansion of the campus possible.

Says Wallace Mlyniec, who chaired the Campus Completion Committee: “We kept looking out the window thinking about that land, thinking about what we would do if we got it.” They dreamed big, determined to create the “dynamic place to study, to teach, and to learn,” called for in the 1999 - 2004 Long Range Plan.

Inspired by the belief that in an increasingly global environment, graduates must be versed in international and comparative law, the Law Center broke ground for the Eric E. Hotung International Law Center Building in June 2002. The state-of-the-art building is named for philanthropist Eric Hotung, a 1951 graduate of Georgetown University – and the father of five Georgetown graduates, including Anthony Hotung (L’95) – who contributed a $5 million gift.

Indeed, the Campus Completion Project propelled forward by alumni and friends who raised an extraordinary $102 million, also included the new Sport and Fitness Center and a second tree-lined green space made possible by the closing of F Street. With the fulfillment of the building project this spring, the campus doubled in size, extending over three contiguous city blocks.
The distinctive new buildings, designed by the architectural firm Shepley Bulfinch Richardson and Abbott, both contrast with and complement the three buildings already in place. “We wanted to convey the sense that this is a dramatic, interactive environment,” said project architect Ralph Jackson.

The six-story Hotung International Law Center Building brings the international programs under one roof for the first time. It includes a moot courtroom designed to better prepare attorneys to argue before the nation’s highest Court, an International Law Library to house the Law Center’s substantial international collection, 14 additional classrooms and seminar rooms, space for the Office of International and Graduate Programs, and an Alumni Welcoming Center made possible by Timothy O’Neill (L’77) and Linda O’Neill (N’77) that serves as a home base for visiting graduates.

The glass-fronted, four-story Sport and Fitness Center includes workout space, basketball and racquetball courts, and a lap pool. After working out, students will be able to grab a latte at the coffee bar, a snack at the café, or, on cold days, relax with friends in front of the fireplace in the lounge. On warm days students can study or chat with friends in the new green space.

Students and alumni marvel at the changes. “The face of our campus has improved dramatically,” said Nathan Headrick (L’04).

Not as visible are the technological innovations the school has made. Under the direction of Chief Information Officer Pablo Molina, Georgetown enjoys cutting-edge technology in all aspects of school life, starting with the admission process. Applications to the Law Center can be made entirely online. Once admitted, they can tap into chat services, multimedia streaming, and virtual tours. The Law Center’s new software package, “Courseware,” is used extensively by professors to upload syllabi and assignments and by students to post questions pertaining to the class. The Hotung building and the Sport and Fitness Center are designed to be wireless.
It is clear that the last 15 years have been a time of unprecedented growth and progress. And it is just as apparent that none of these incredible strides would have been possible without the alumni who answered the call to become an active part of the Georgetown Law Center community, giving astute recommendations, the gift of time and generous financial contributions.

As alumni have reached out to support the Law Center, the Law Center has reached out to the alumni, substantially increasing the number of ways in which graduates can become involved. The school’s proactive approach involved creating strong alumni associations throughout the country and sending administrators and faculty to meet with alumni, seeking their input and perspective while making it clear that the school is also striving to be relevant to their professional lives. Face-to-face meetings helped fold the alumni back into the community. “To have the opportunity to meet the dean and talk to current faculty members is a way to bridge that disconnection,” says Ed Ricci (L’73) of the Florida alumni chapter. Regional Alumni Clubs bring together alumni, parents, and friends of Georgetown.

In 1992, the Law Center put alumni in leadership roles when they established a Board of Visitors. Realizing that the best solutions often come from a variety of sources, the board, led by founding chair Thomas Reynolds (C’48, H’91) and the Honorable Mary Lupo (L’74) as first vice-chair, called on alumni from coast to coast, asking them for advice and counsel. Their answers were the genesis for many new programs.

The Women’s Law Forum came about as the result of discussions with alumnae about the issues, opportunities and constraints facing female lawyers. The Forum’s
IN 1992, THE LAW CENTER PUT ALUMNI IN LEADERSHIP ROLES WHEN THEY ESTABLISHED A BOARD OF VISITORS. THE BOARD, LED BY FOUNDING CHAIR THOMAS REYNOLDS (C'48, H'91) AND THE HONORABLE MARY LUPO (L'74) AS FIRST VICE-CHAIR, CALLED ON ALUMNI FROM COAST TO COAST, ASKING THEM FOR ADVICE AND COUNSEL. THEIR ANSWERS WERE THE GENESIS FOR MANY NEW PROGRAMS.

mission is to develop networks of Law Center alumnae and to encourage mentoring relationships between alumnae and students.

Georgetown's Continuing Legal Education Corporate Counsel Institute, led by Larry Center (L'74), is considered the best program of its kind in the country. Founded in 1997, the Institute draws hundreds of corporate lawyers. Distinguished speakers in the past have included Justice Sandra Day O'Connor, CEOs including R.L. Crandall, formerly of American Airlines, General Counsels including Janet Kelly of Kellogg's and Paul Cappuccino of AOL-Time Warner and numerous government officials including Federal Communications Commission Chairman, Michael Powell (L'93).

The Recent Alumni Advisory Council is dedicated to establishing a strong, mutually beneficial relationship between the Law Center and alumni who have graduated during the last ten years.

World of Choices arranges for alumni to come back to the Law Center to speak to current students at the annual career forum.

The Alumni Admissions Program steps in when an applicant has had the good fortune to be accepted at Georgetown University Law Center and other schools. Alumni meet with prospective students to tell them about their own experience and answer questions about life on campus and in Washington.

The Public Interest Mentoring Program matches alumni and first year students interested in public interest law.

The school also worked to keep in touch with the more than 1,000 alumni who are living and working abroad. "We said, 'We need to go where they are,'" says Kevin Conry, associate vice president of development and external affairs. "Two years ago we gathered alumni who are living in Europe and we created the first international law alumni reunion."

The Law Reunion is held every year in October, bringing together old friends and classmates.
The result here and abroad is that, “the alumni feel like they are part of the family,” says Agnes Williams (L'54).

Paul Saunders became involved in 1989 when Judy Areen helped organize the 25th reunion for his class. “She has never let go of me since,” he laughs.

Saunders, who has since served as vice-chairman of the first Law Campaign and then as chairman of the Law Center’s portion of the University’s Third Century Campaign. The Law Campaign was launched in 1990 with the goal of raising $20 million. But thanks to the generosity of law alumni, the Campaign ended in 1995 having raised $31.5 million. This money not only helped to fund the Gewirz Student Center but also endowed two chairs and five professorships, added scholarships for students and contributed to academic programs.

The extraordinarily successful Law Center portion of the Third Century Campaign raised an unprecedented $102 million from 1996 to 2003. “People like to contribute to successful enterprises,” Saunders observed. “It feeds on itself.”

The alumni presence is felt in every aspect of the school and there is, says Lupo, “a sense of welcome home.”

“Welcome home” now means alumni have their own place on campus. With the opening of the Alumni Welcoming Center in the Hotung Building, visiting alumni will be able to work, relax, visit old friends or make new ones. Understanding that it is beneficial to both alumni and students to get to know each other, the school has come up with inventive ways to connect the two groups: panels and brown-bag lunches abound. The alumni/faculty connection is equally important, a matter, sometimes, of carefully arranged proximity. “It’s very gratifying to the alumni to attend receptions and luncheons where they get to sit with current faculty members,” says Ricci. “We have an opportunity to engage in more than just social chit-chat.”
Law Journals

Of the ten law journals open to membership by Georgetown students, four were either established or revamped to reflect a new focus since 1993.

GEORGETOWN JOURNAL ON POVERTY LAW & POLICY: 1993
The nation's premier law journal on poverty issues, which takes a multidisciplinary approach to poverty issues and law, represents a groundbreaking approach to scholarly publication. Part of the journal's mission is to put an end to the impoverishment that affects so many in a nation of great wealth.

GEORGETOWN JOURNAL OF GENDER AND THE LAW: 1999
The Journal explores the impact of gender, sexuality, and race on both the theory and practice of law, adding to a long tradition of feminist scholarship and advocacy at the Law Center. (Georgetown established the first clinic on sex discrimination in the country.)

GEORGETOWN JOURNAL OF LAW AND PUBLIC POLICY: 2002
Published biannually by Law Center students, the scholarly legal journal advocates for or critiques conservative, libertarian, and natural law positions.

GEORGETOWN JOURNAL OF INTERNATIONAL LAW: 2004
Formerly the Journal of Law & Policy in International Business, the journal is a broad-gauged international law journal that allows students to write on a wide range of topics in the field. Its four issues each year will focus on general international law, including law and policy in international business.
Students

As the quality of the education has gotten even better, so have the students.

Georgetown Law Center now receives more applicants than any law school in the country. Some 12,202 applicants applied for 450 spaces for the full-time class entering in the fall of 2003. Generous contributions by alumni and supporters allowed the school to scale back the entering class from the 500 to 450 five years ago, lowering the faculty/student ratio from 27:1 to about 16:1.

The enrolled class of 2003 had an average 3.64 grade point average and a median LSAT score of 169, placing them in the top 2 percent of all test takers. “Alumni are in awe of the caliber of students,” Judge Mary Lupo (L’74) said. “The value of my degree has done nothing but go up.”

Along with top-level academic achievement, Georgetown Law students bring their own histories, perspectives, cultures, and goals to the school. They come from 46 states and 20 other nations. Some 46 percent are women and 26 percent are minorities. This diversity enhances the education and experiences for everyone at the Law Center.

But the real testament to Georgetown’s success comes from the students. In 1989 when graduating students were asked to rate their time at Georgetown, fewer than half saw their years as “essentially good ones.” When the class of 2003 was asked to look back, almost three-fourths called their years at the Law Center good. Some 35 percent thought their years at the school “some of the most rewarding in my life.”
As Judy Areen steps down, she praises the dedicated faculty, staff, and alumni with whom she has worked to enhance the Law Center experience. Her praise suggests a famous quotation by Chinese philosopher Lao-Tse: “A leader is best when people barely know he exists, not so good when people obey and praise him, worse when they despise him. But of a good leader who talks little when his work is done, his aim fulfilled, they will say, ‘We did it ourselves.’”

Members of the Law Center community, however, feel they cannot let Dean Areen leave without paying tribute to a wise and generous friend.

PRESIDENT JACK DEGIOIA: *She has guided the Law Center brilliantly, enhancing academic excellence and building community among faculty, staff, students, alumni, and friends. With Dean Areen at the helm, the Law Center has recruited and retained exceptional faculty, developed many excellent new programs, added critical new facilities while dramatically enhancing others, raised more than $130 million in two campaigns, and, overall, deepened the quality of the legal education we provide...She has been a trusted friend, advisor, and colleague. Her contributions have been incalculable.*

JUDGE ARTHUR GAJARSA (L'67): “Dean Areen has been a transformational figure at the Law Center. Her 15 years there have changed the law school from good to excellent...not only in terms of the academics but also in terms of the quality of life. She’s been instrumental in making the Law Center the crown jewel of the university.”

NATHAN HEADRICK (L'04): “Dean Areen is departing, but she is leaving us with the kind of positive momentum we need to propel ourselves into rightful recognition as one of the elite law experiences in this nation.”

JUDGE JULIAN COOK (L’57): “Under her leadership, Georgetown Law Center has blossomed. It has become a far more important voice.”
PROFESSOR STEVEN GOLDBERG: “Under Dean Areen, the Law Center had a tremendous sense of momentum. She kept pushing us to be better in every way, and she often succeeded.”

KEVIN CONRY, associate vice president of development and external affairs: “Judy Areen has always worked with the big picture in mind, understanding as all successful leaders do, that when you're standing still and patting yourself on the back, you are falling behind.”

WALLACE J. MLYNIEC, associate dean of clinical education and public service: “She has an amazing ability to see years down the road and combine that with a sense of vision and attention to detail that permits these things to get done.”

AGNES WILLIAMS (L'54): “It’s been a team effort, but she’s the captain of the ship.”

ED RICCI (L’73): “If Teddy Roosevelt was characterised by ‘walk softly and carry a big stick,’ Judy can be characterised by ‘speak softly and get the job done – expertly.’”

JOAN CLAYBROOK (L’73, H’93): “By continuing the five-year plans and putting a tremendous emphasis behind them, she’s enabled a notoriously independent-minded group of people to come together.”

PROFESSOR WENDY WILLIAMS: “I have enormous respect for Judy Areen. We could not have had a better dean these past 15 years. She is a gifted long-term planner, a talented manager and a prodigious fundraiser for the law school. As a vice president of the university, she was a voice of wisdom in troubled financial times. But what has touched me most were her grace and courage in the most difficult moments, personal and professional – the spirit and will to go forward when others would have faltered.”

DENNIS MEYER (L’60, LL.M.’62): “Judy Areen is a gifted academic leader who, during her tenure at the Georgetown Law Center, developed and nourished an intellectual environment that is truly outstanding. Judy is a scholar with a deep commitment to legal education and a proven and effective administrator and fundraiser who understands the role of the rule of law in our society.”
Faculty Additions

Over the past fifteen years, the Law Center has added more than 40 new faculty members, who have brought both a depth and breadth to the school’s teaching and scholarship.

Lama Abu-Odeh, 1999
DEGREES:
LL.B. 1984, University of Jordan, Amman
LL.M. 1985, University of Bristol, England
M.A. Philosophy 1989, University of York, England
S.J.D. 1993, Harvard
COURSES: Comparative Family Law Seminar, Criminal Law

T. Alexander Aleinikoff, 1996
DEGREES:
B.A. 1974, Swarthmore
J.D. 1986, Yale
COURSES: Immigration and Refugee Law, Citizenship, Constitutional Law, The Constitution and the Civil War

Hope Babcock, 1993
DEGREES:
B.A. 1963, Smith
LL.B. 1966, Yale
COURSES: Institute for Public Representation, Environmental Law, Environmental Research Workshop, Natural Resources Law

William Bratton, 2002
DEGREES:
B.A. 1973, Columbia
J.D. 1976, Columbia
COURSES: Accounting for Lawyers, Corporate Finance, Corporations, Law and Economics Workshop

Sheryll Cashin, 1997
DEGREES:
B.E. 1984, Vanderbilt
M.A. 1986, St. Catherine’s College, Oxford
J.D. 1989, Harvard
COURSES: Administrative Law, Constitutional Law I: Property, Urban Policy, Metropolitanism, and the Law

Julie Cohen, 1998
DEGREES:
A.B. 1986, Harvard-Radcliffe
J.D. 1991, Harvard
COURSES: Copyright Law, Theories of Information Ownership, Trademark and Unfair Competition Law

David Cole, 1990
DEGREES:
B.A. 1980, Yale
J.D. 1984, Yale
COURSES: Constitutional Law, Criminal Justice, Federal Courts and the Federal System, Immigration and Nationality Law

Anthony Cook, 1990
DEGREES:
B.A. 1982, Princeton
J.D. 1986, Yale
COURSES: Constitutional Law, Civil Rights Law

Frances de Laurentis, 1997
DEGREES:
B.A. 1982, Notre Dame
J.D. 1985, Catholic University
COURSES: Advanced Legal Writing Seminar, Law Fellow Seminar, Legal Research and Writing, U.S. Legal Discourse

Viet Dinh, 1995
DEGREES:
B.A. 1990, Harvard
J.D. 1993, Harvard
COURSES: Constitutional Law, Corporations, International Investments

Diana Donahoe, 1993
DEGREES:
B.A. 1986, Williams
J.D. 1990, Georgetown
LL.M. 1995, Georgetown
COURSES: Legal Research and Writing, Advanced Legal Writing in Practice, Applied Legal Composition, U.S. Legal Discourse

Deborah Epstein, 1997
DEGREES:
B.A. 1984, Brown
J.D. 1988, New York University
COURSES: Domestic Violence Clinic

Chai Feldblum, 1992
DEGREES:
B.A. 1979, Barnard
J.D. 1985, Harvard
COURSES: Disability Discrimination Law, Federal Legislation Clinic, Legislation, Sexual Orientation and the Law

Heidi Li Feldman, 1998
DEGREES:
A.B. 1986, Brown
J.D. 1990, University of Michigan Law School
Ph.D. 1993, University of Michigan
COURSES: Torts, Advanced Torts: Theory and Practice, Seminars in Legal Ethics, Bargain, Exchange, and Liability

James Forman Jr., 2002
DEGREES:
A.B. 1988, Brown
J.D. 1992, Yale
COURSES: Criminal Justice, Education Law

Vicki Girard, 2003
DEGREES:
B.A. 1984, Drew University
J.D. 1987, Georgetown
COURSES: Legal Research and Writing, Legal Fellow Seminar

Lawrence Gostin, 1993
DEGREES:
B.A. 1971, State University of New York at Brockport
J.D. 1974, Duke
LL.D. 1994, State University of New York

Michael Gottesman, 1989
DEGREES:
A.B. 1956, University of Chicago
LL.B. 1959, Yale

G. Mitu Gulati, 2001
DEGREES:
A.B. 1988, University of Chicago
M.A. Economics 1991, Yale
J.D. 1994, Yale
COURSES: Corporations, Interdisciplinary Workshop on Law and Business Institutions, Securities Regulation

Lisa Heinzerling, 1992
DEGREES:
A.B. 1983, Princeton
J.D. 1987, University of Chicago
COURSES: Environmental Law, Government Processes, Natural Resources Law, Regulating Risk, Torts

Craig Hoffman, 1994
DEGREES:
B.A. 1977, College of William & Mary
Ph.D. 1980, University of Connecticut
J.D. 1985, University of Texas
COURSES: Legal Research and Writing, U.S. Legal Discourse, U.S. Statutory Interpretation and Case Analysis, Law Fellow Seminar, Legal Criticism

John Jackson, 1996
DEGREES:
A.B. 1954, Princeton
J.D. 1959, University of Michigan
COURSES: International Environment and Trade Law, International Trade, Law and Policy of International Relations

Neal Katyal, 1996
DEGREES:
B.A. 1991, Dartmouth
J.D. 1995, Yale
COURSES: Constitutional Law, Criminal Law, Computer Crime

Donald Langevoort, 1998
DEGREES:
B.A. 1973, University of Virginia
J.D. 1976, Harvard
COURSES: Corporations, Securities Regulation, Contracts

Charles Lawrence, 1992
DEGREES:
B.A. 1965, Haverford
J.D. 1969, Yale
COURSES: Constitutional Law, Education Law, Critical Race Theory Seminar
Richard Lazarus, 1995

**DEGREES:**
- B.S., B.A. 1976, University of Illinois
- J.D. 1979, Harvard

**COURSES:**
- Environmental Law, Natural Resources Law, Appellate Advocacy, Torts

David Luban, 1996

**DEGREES:**
- B.A. 1970, University of Chicago
- M.A., M.Phil. 1973, Yale
- Ph.D. 1974, Yale

**COURSES:**
- Professional Responsibility, Legal Justice, Business Crime, International Human Rights, Center for Applied Legal Studies

Mari Matsuda, 1992

**DEGREES:**
- B.A. 1975, Arizona State
- J.D. 1980, Hawaii
- LL.M. 1983, Harvard

**COURSES:**
- American Legal History, Asian Americans and Legal Ideology, Feminist Legal Theory, First Amendment, Torts

Carrie Menkel-Meadow, 1994

**DEGREES:**
- B.A. 1971, Barnard (Columbia)
- J.D. 1974, University of Pennsylvania
- LL.D. (Hon.) 1995, Quinnipiac College of Law

**COURSES:**
- Alternative Dispute Resolution: Theory, Practice, and Policy; Civil Procedure; Negotiation and Mediation; Legal Ethics and the Legal Profession; Multi-Party Dispute Resolution

Naomi Mezey, 1996

**DEGREES:**
- B.A. 1987, Wesleyan
- M.A. 1992, University of Minnesota
- J.D. 1995, Stanford

**COURSES:**
- Civil Procedure, Legislation, Nationalism and Cultural Identity

Julie Rose O’Sullivan, 1993

**DEGREES:**
- A.B. 1981, Stanford
- J.D. 1984, Cornell

**COURSES:**

Ronald Pearlman, 1998

**DEGREES:**
- B.A. 1962, Northwestern
- J.D. 1965, Northwestern
- LL.M. 1967, Georgetown

**COURSES:**

Cornelia Pillard, 1996

**DEGREES:**
- B.A. 1983, Yale
- J.D. 1987, Harvard

**COURSES:**
- Civil Procedure, Legal Justice Seminar, Legal Process and Society, Constitutional Law

Clarissa Potter, 1997

**DEGREES:**
- A.B. 1983, Miami University of Ohio
- J.D. 1989, Yale

**COURSES:**
- Tax I, Tax II, Role of Taxes in Business Decisions

Kevin Quinn, 1993

**DEGREES:**
- A.B. 1979, Fordham
- M.Div. 1985, Jesuit School of Theology at Berkeley
- J.D. 1988, University of California at Berkeley
- S.T.L. 1990, Jesuit School of Theology at Berkeley
- Ph.D. 1993, University of California at Berkeley

**COURSES:**
- Bioethics and the Law, Decedents' Estates, Jurisprudence

Milton Regan, 1989

**DEGREES:**
- B.A. 1976, University of Houston
- M.A. 1978, University of California (Los Angeles)
- J.D. 1985, Georgetown

**COURSES:**
- American Legal Profession, Family Law, Professional Responsibility, Professional Responsibility and Corporate Law Practice

Kristen Robbins, 1994

**DEGREES:**
- B.A. 1982, Wellesley College
- J.D. 1987, Georgetown

**COURSES:**
- Legal Research and Writing, Law Fellow Seminar

Richard Roe, 1998

**DEGREES:**
- A.B. 1969, Yale
- J.D. 1977, University of Maine

**COURSES:**
- Street Law: High Schools, Street Law: Community, Street Law: Corrections, Literacy, and Law

Julie Ross, 1999

**DEGREES:**
- B.A. 1984, Hamilton
- J.D. 1988, Harvard

**COURSES:**
- Legal Research and Writing, Legal Practice, Law Fellow Seminar, Entertainment Law Seminar

Peter Rubin, 1999

**DEGREES:**
- B.A. 1984, Yale
- J.D. 1988, Harvard

**COURSES:**
- Constitutional Law, Criminal Justice, Constitutional Law Seminar, Contemporary Problems in American Constitutional Law

Abbe Smith, 1998

**DEGREES:**
- B.A. 1978, Yale
- J.D. 1982, New York University

**COURSES:**
- Criminal Justice Clinic, E. Barrett Prettyman Fellowship Program, Elements of Clinical Pedagogy

Jane Stromseth, 1989

**DEGREES:**
- B.A. 1978, Swarthmore
- D.Phil. 1985, Oxford
- J.D. 1987, Yale

**COURSES:**
- Constitutional Law, International Law, Use of Force and Conflict Resolution Seminar

Daniel Tarullo, 2000

**DEGREES:**
- A.B. 1973, Georgetown
- M.A. 1974, Duke
- J.D. 1977, University of Michigan

**COURSES:**

John Thomas, 2001

**DEGREES:**
- B.S. 1989, Carnegie Mellon
- J.D. 1992, University of Michigan
- LL.M. 1994, George Washington

**COURSES:**

Carlos Manuel Vázquez, 1990

**DEGREES:**
- B.A. 1979, Yale
- J.D. 1983, Columbia

**COURSES:**

David Vladeck, 2001

**DEGREES:**
- B.A. 1972, New York University
- J.D. 1976, Columbia
- LL.M. 1977, Georgetown

**COURSES:**
- Institute for Public Representation, Civil Procedure, Strategic Decision Making and First Amendment Litigation, Public Interest Advocacy

Franz Werro, 2000

**DEGREES:**
- J.D. 1979, University of Fribourg, Switzerland
- Ph.D. 1986, University of Fribourg, Switzerland
- LL.M. 1986 University of California, Berkeley

**COURSES:**
- Comparative Law, Comparative Products Liability

Robin West, 1991

**DEGREES:**
- B.A. 1976, University of Maryland
- J.D. 1979, University of Maryland School of Law
- J.S.M. 1982, Stanford

**COURSES:**
- Feminist Legal Theory, Jurisprudence, Law and Literature, Torts

Kathy Zeiler, 2002

**DEGREES:**
- B.S. 1991, Indiana
- M.S. 1995, Golden Gate University
- M.S. 2000, California Institute of Technology
- J.D. 2000, University of Southern California
- Ph.D. 2003, California Institute of Technology

**COURSES:**
- Behavioral Law and Economics Seminar, Health Care Law and Economics, Law and Economics Workshop, Torts
A Conversation with

How has legal education evolved over the past 15 years?
In many ways, legal education still has not changed very much. In the late 19th Century, Christopher Columbus Langdell established the case method. He envisioned using a scientific approach to law. Instead of studying bones or butterflies, law students would study cases. The courses today are still remarkably like the courses of a century ago. What has changed is that we now understand the importance of going beyond the study of cases. We do that in our clinical programs, and, increasingly, we do it in the classroom by giving students a problem-based approach to studying law. The goal is to educate lawyers who can resolve new issues, not just cite the past.

How has the legal profession changed since you became dean?
One of the major changes is the increased diversity of both the student body and the faculty. I went through law school at a time where there were only eight women in my class of 165. It was a bit strange and awkward both for the women and the men. I have loved being dean today when half the students at most law schools are women and gender issues are pretty much history.

Has anything about the practice of law surprised you?
We’re sending out classes into law firms that are about fifty-fifty, men to women. But if you look at partners in major firms, there’s still a tremendous gender gap. In terms of faculty, we’re further along than law firms. In terms of deans, we’ve still got a way to go.

What was it like for you when you became dean?
I remember going to my first meeting of law school deans. I felt as if I were in a time warp, returning to my first class in law school. There were almost no women or people of color in the room.

It underscores why I am very grateful to Georgetown. They took big risks with me. First, they took a risk in 1972 to hire me. And I’m grateful to Father Timothy Healy, who appointed me dean in 1989. There were only a dozen other women deans at that point. It was another big risk. Fortunately there was already a group of strong women on the faculty — and we’re very different from one another. There isn’t just one way of being a woman law professor. That helped the faculty to decide that we can select the dean of the Law Center without making gender a factor.

You are certainly a role model for a lot of people. What has that been like?
I don’t know how to be a role model. I’m not even sure I know how to be a dean in the abstract. But when I was appointed as dean, I had already been on the faculty for 16 years. I had wonderful colleagues on the faculty, and I had a laundry list of things I
hoped could be done differently. Throughout and less by design than by necessity, I’ve consulted broadly. I also learned early on to listen not only to students but to our alumni, and they’ve been very helpful. When I started, they had a lot of complaints about things they hadn’t liked when they were here. If there’s been a theme to what we’ve tried to accomplish these 15 years, it has been to listen closely to our alumni. They told us that Georgetown was too large. Our response was to reduce the size of the entering class. They told us it was too impersonal and that there weren’t enough faculty members. Well, we’ve grown the faculty to become the largest law faculty in the country. They told us it was a commuter atmosphere. We became residential. The alumni have been very good guides.

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Given that you came in with a list of things you wanted to change, what was your top priority?

When I started there was an atmosphere within the faculty of collegiality and support for the school. It was a very precious legacy passed down from Bob Pitofsky, David McCarthy, and Paul Dean. If a colleague is ill, for example, I know I can go to virtually anyone on the faculty and say, “Will you cover their classes?” It’s that kind of spirit. It makes this a place where people stay. My goal was to maintain that sense of community and to make sure that it was expanded to two other groups who didn’t always feel welcome — students and alumni. I’m thrilled to have been a part of bringing together a broader community. It wouldn’t have been possible without the alumni, of course, from housing for the students to an international law building and now even a fitness center.

You say some things happen more by necessity than by design. How much of your guidance of the school was planned and how much was intuitive?

And how much was serendipity? I’d say there was a lot of that, too. When you look back, some things seem more planned than they were. For example, we can now look at a physical map and see the school covering three contiguous blocks. I’d like to say that was planned, but in truth we did what we could when we could. I’m as surprised as
anyone else that we were finally able to acquire the last piece of land—it took us
more than 10 years.

More seriously, one of the reasons for the good relationship between faculty and
deans can be attributed to Dave McCarthy, who set up a terrific planning process.
Every five years we form a planning committee not just of faculty but with students
and senior administrators and say to them, “Do your best to plan the next five
years.” Perhaps it’s not so unusual to have long-range plans. What is unusual is that
the Law Center has a tradition of achieving the major goals in those plans.

What are some of your favorite moments as dean?

It’s always nice when an alum stops me in an airport to say hello. They talk about
how proud they are that they graduated from Georgetown, and they tell me some­
thing about what they’re doing now that has been made possible by their
Georgetown education. It makes it real. I also especially like the lunch we do every
spring and invite the alumni who have given scholarships and the student who is
holding the scholarship that year so they have a chance to meet each other. We
usually ask one of our graduates to speak
and, often, it’s someone who received
financial aid as a student. I like watching
the current students as they listen,
because they realize here is someone
who needed financial aid to get through
law school, and who has done well
enough that they’re now in a position to
give back a gift of $50,000 or more for a
scholarship. It both encourages students as to what they will be able to accomplish
but also, I hope, plants a seed so they’ll remember the tradition of giving. That’s
what the future of the school turns on.

When you took over as dean, you helped to emphasize the Jesuit tradition of giving back. What in your own background
led you to this?

A lot of it has to do with when I grew up. I was in college and law school in the
1960s, and there was a lot of engagement with the big issues of the time, civil rights
and concern about the war in Vietnam. And I remember Robert F. Kennedy talking
about people who see the world as it is and ask, “Why?” He encouraged us to
dream of things that never were and ask, “Why not?” At Georgetown, I have been
strengthened by the Jesuit tradition, particularly their concern for social justice and
for the poor. That’s a powerful message to put together with the tools we’re giving
these wonderfully bright students who come to the Law Center as we teach them
how to use their training, whether it’s in the court system or in legislation or in advoc­
cacy in the community.
That's one of the things that sets Georgetown apart from other law schools.

I think so. Our clinical program is one of the largest in the country and is considered the best. The very first person I hired at Georgetown, by the way, was Wally Mlyniec. I was an inexperienced new faculty member who was interested in doing something about issues concerning children, particularly child abuse. I had obtained some funding to set up a clinic and hired Wally. I will never again make as spectacular a hire. I'm very proud of the clinics but the credit belongs to him. Indeed, Wally has built both our clinical and our public interest programs.

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Georgetown tradition that after you serve as dean, you have the opportunity to return to the faculty. Father Phil Boroughs, the new Vice President at the University for Mission and Ministry, says there's a similar Jesuit tradition.

I became a legal academic in the first place because I wanted to teach and write. I still feel that way.

Do you get to spend your sabbatical year somewhere nice, like the south of France?

My husband, who's a lawyer, has clients, and they don't believe in long sabbaticals. We're traveling a little, but only a little.

What advice would you give law students?

The first thing most law students say is how busy they are, and I deliberately say to them, "Actually, you're going to be busier once you're in practice"—not to discourage but to encourage them to think now about how they can manage their time. It's fundamental. You need to devote enough time to your professional goals—but also to find balance. That means personal time, but I think it should also include time for others. Law school is the best time to find your balance. You want to keep your soul nurtured, not just your mind.
INTRODUCTION

Environmental law’s obituary in the United States has been written repeatedly, during the past three decades, in response to a series of powerful, seemingly overwhelming efforts to reverse course. Not long after initially embracing environmentalism, establishing the Environmental Protection Agency, and promoting early environmental legislation, President Richard Nixon became one of environmental protection law’s sharpest critics. Nixon, like his successors Presidents Ford and Carter, saw the energy crisis of the mid-1970s as reason for significant retreat from the overly ambitious environmental laws enacted earlier in the decade, which had made more costly the extraction and combustion of domestic coal. Nixon advised his Cabinet to “Get off the environmental kick.” In 1980, presidential candidate Ronald Reagan campaigned successfully on a platform openly hostile to federal environmental protection regulations, and upon taking office, he immediately sought to reduce substantially their scope and reach. In its final year, the George H. W. Bush administration similarly took specific aim at environmental protection, with the Vice President’s Competitiveness Council singling out environmental laws for its regulatory reform efforts.

A few years later, in 1995, the “Contract with America” promoted by Speaker of the House of Representatives Newt Gingrich and the 104th Congress, was deliberately designed to cut back on environmental laws by reducing federal budgets used for their implementation, by relaxing requirements that states implement environmental controls, by permitting industry to emit higher levels of pollution, and by compensating property owners for reductions in property value resulting from environmental restrictions. The administration of George W. Bush has, as of this writing, been marked by a series of efforts to reduce the scope and intensity of federal environmental regulations. The first few weeks of his administration witnessed abandonment by the United States of the Kyoto Protocol to the United Nations Framework on Climate Change; the initial revocation of stricter regulations regulating arsenic in drinking water; the staying of new Clean Water Act standards; and the announcement of a new energy initiative that seemed to contemplate a relaxation of environmental protection and resource conservation requirements. The administration has since reversed many of the major environmental protection and resource conservation regulatory initiatives promulgated by the EPA and by the Departments of the Interior and Agriculture during the Clinton administration.

While it is plainly too soon to know how these most recent reform efforts will ultimately be received, if the past is any guide, they are unlikely to succeed and may well unleash a backlash of even more demanding environmental requirements. Environmental protection law in the United States has not only surmounted each major past challenge, but paradoxically it seems to have rebounded and thrived as a result of those challenges. The premature predictions of its demise in the mid-1970s were followed within that same decade by congressional enactment of even-more-ambitious laws relating to clean air, clean water, and the disposal of hazardous chemicals and wastes. The early efforts of the Reagan administration in the 1980s to reduce the federal role in environmental protection ultimately yielded the adoption of stricter federal environmental controls. The Contract with America was likewise repudiated in the 1990s and seemed to prompt the Clinton administration to embrace a series of new tough regulatory initiatives regarding air and water pollution, mining, and forest lands. Finally, in 2001, partly in response to the Bush administration’s environmental policies, Senator James Jeffords of Vermont stunned the Republican Party by becoming an independent aligned with the Democratic Party. Jeffords’s switch allowed the Democrats to obtain majority status in the Senate and Jeffords to chair the Senate Committee on the Environment and Public Works.

A snapshot comparison of our nation’s environmental laws in January 1970 to those today starkly reveals a dramatically changed legal landscape. In 1970, there were only a smattering of emerging state environmental laws and even fewer at the federal level, which lacked any pollution control agency. Today, there are comprehensive and stringent pollution control and natural resource
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...
That environmental lawmaking presents unique institutional and social challenges, especially for Western legal traditions and lawmaking processes, is not new. Based on just such generalized concerns, many commentators prophesied 30 years ago that environmentalism would inevitably lead to enormous political upheaval in the United States. Some predicted that only a fascist state could meet the challenges of effectively regulating environmental pollution.

The ROAD TAKEN
In her book *Silent Spring*, first published in 1962, Rachel Carson awakened a nation to the dangers presented by the unregulated use of pesticides. Borrowing from Robert Frost’s poem “The Road Not Taken,” Carson wrote movingly of the “other road” open to the nation for avoiding ecological catastrophe, advocating strict regulation of pesticide use as well as basic lifestyle changes.

Over 40 years have passed since the first publication of *Silent Spring*. Although Rachel Carson would no doubt find fault in much of the road actually traveled during that time, it is equally clear that much has been accomplished in improving environmental protection efforts. The emergence of a comprehensive legal regime for environmental protection has served an important role in securing those accomplishments.

Some commentators have suggested that environmental law may have resulted from what law professor James Pope has called a “republican moment”—an “outburst of democratic participation and ideological politics”—created by widespread and rising public demand for environmental protection. The term “republican” invokes the political tradition referred to as “civic republicanism,” which stresses the willingness of individuals to undergo sacrifices to promote the public good. A “republican moment” is a time of such heightened civic-mindedness that it is possible to overcome substantial institutional and political obstacles to potentially radical social change.

Under this view, it has been argued, the “original 1970 Earth Day looks very much like a ‘republican moment.’ An estimated 20 million Americans participated in a variety of public events that day. More than 2,000 colleges, 10,000 high schools and elementary schools, and 2,000 communities took part.” The theoretical significance of such a “republican moment” lies in the contention that, without such a moment, environmental protection law would never exist because of its radically redistributive nature.

To understand environmental law’s emergence in the 1970s, however, one must distinguish between the seeming suddenness of its emergence and the long-standing reasons that explain its development. A series of major laws came into existence very quickly, but both the relevant pre-existing legal doctrine and the reasons for a more comprehensive legal regime were both long-standing and deeply ingrained. As proponents of “republican moment” theories recognize, such moments can depend for their occurrence on social movements that existed for decades beforehand and on implementing actions that occur for decades afterwards.

Environmental law did not spontaneously begin in the late 1960s and early
American environmentalism sweeps into its embrace both long term altruistic beliefs about humankind’s relationship to the natural environment and short term more self-interested concerns about the impact of pollution on specific individuals.

Environmental law no doubt had its first, most formal, expression during that time, but its historical legal roots are far deeper and broader. They extend to the nation’s natural resources laws, which played such a dominant role in the country’s first 150 years. Environmental law in the United States also stems from the statutory and public policy precedents in the areas of public health and worker safety that were steadily established in the United States throughout the 20th century.

Environmental law is not, as many in the media have seemed to assume, “a movement without a history.” The reason for environmental law’s persistence and steady expansion, in subsequent decades, notwithstanding major political efforts to cut back on its requirements, relates to the depth of the shift in public attitudes that prompted environmental law’s initial embrace. This was no thinly developed public affinity with a social movement of the moment.

Environmental law was then, and is still today, the product of the public’s fundamental reconceptualization of time and space, which propelled environmental law’s extraordinary series of legislative enactments and has since underlain the defeat of a series of major political challenges. The sheer depth and tenacity of the public’s views, which are most often rooted in concerns about potential threats to human health and the dangers of exceeding ecological limits, explain why environmental law has been so persistent and inexorably expansive and why its repeatedly proclaimed demise has proven, on each occasion, to be premature. American environmentalism sweeps into its embrace both long term altruistic beliefs about humankind’s relationship to the natural environment and short term more self-interested concerns about the impact of pollution on specific individuals. On the other hand, much of the controversy and conflict surrounding environmental law since 1970 can be traced to an equally persistent gap between the public’s aspirations for environmental protection and its willingness to sufficiently change individual behavior to realize those aspirations.

**THE GRAYING OF THE GREEN**

Some conclusions about modern environmental law come easily. It defied most doomsayers of the 1970s, especially in the United States, who predicted that it would be a mere “fad” or “flash in the pan.” The laws were neither systematically gutted by subsequent legislation nor were they the object of merely symbolic implementation. Pollution control and natural resource protection laws instead persisted, expanded, and settled into the legal landscape, changing legal norms throughout the nation’s intersecting laws. By the end of the 20th century, private economic expectations were more likely to be dependent on the existence of pollution control and natural resource conservation laws than they were to be surprised and frustrated by them.

The actual costs of pollution controls have, moreover, almost always proved to be less than those industry projected in initially opposing their imposition. Strict controls on automobile emissions were not “impossible,” but were instead readily achievable. Industry estimated in 1990 that volatile organic compound controls applicable to stationary sources would cost $14.8 billion per year; the actual costs are now projected to be about $960 million. In 1989, the utility industry predicted that the Clean Air Act’s acid rain program for the control of sulfur dioxide emissions would cost between $4.1 and $7.4 billion per year; actual costs are now estimated to be about $1 to 2 billion per year. Nor did the chemical industry prove correct in their exaggerated complaints that accelerated the phasing out of ozone-depleting chlorofluorocarbons would cause major economic disruption; industry quickly developed a ready chemical substitute for those chemical compounds being banned.

By contrast, the benefits of pollution controls and natural resource management have often been much higher than initially anticipated, to the extent that they even lend themselves to monetization. Serious human health effects from particulate matter, for instance, turned out to be a larger problem than scientists first thought, which has prompted a further tightening of applicable air quality standards both in terms of the minimum size of particulate matter, regulated and allowable concentrations in the ambient air. We also now better appreciate that the substantial benefits of environmental laws extend to the promotion of economically productive activities, including many large industries (e.g., fishing, tourism, computer technology) that depend upon a clean environment for producing their goods and services, as well as new businesses that make up the burgeoning multi-billion dollar environmental protection industry.

Likewise rebuffed have been those political scientists who contended that environmentalism is fundamentally incompatible with a democratic form of government. The experience of the last several decades suggests quite the opposite is true. Environmental protection law has generally fared much better under more democratic forms of government and has not promoted the ascendancy of fascist, totalitarian regimes. Less democratic governments have in fact fared more poorly than democratic politics. One reason for the difference likely has been the fundamental role that information disclosure has proven to play in environmental law, a basic policy that is promoted within democratic government and often viewed as antithetical to more totalitarian governed societies.

The decades since the early 1970s have not, however, been easy or quiet times for environmental law. They have been tumultuous, fraught with increasing social
controversy and political conflict. This should not be a surprise. Nor is it necessarily unhealthy. There are deeply ingrained structural reasons for such controversy and conflict, ultimately rooted in a series of mismatches that exist between the kinds of laws necessarily promoted by environmental law and the demands and preferences of U.S. lawmaking institutions and processes. It is not easy to pass, implement, and enforce laws that impose costs on some and benefits on others, especially when the associated costs and benefits are potentially massive, riddled with uncertainty, and spread out over tremendous spatial and temporal dimensions. It is not easy to pass, implement, and enforce laws where the problems being addressed often promote centralized government decision-making, but there are countervailing social values, embedded in the Constitution, that both limit such centralization and minimize government restrictions on individual activity. And, it is not easy to pass, implement, and enforce laws, when constantly changing technology and scientific information promote corresponding changes in complex legal rules, but the nation's lawmaking scheme prefers laws that are stable, settled, and clear.

Notwithstanding the resulting debates and disagreements over its proper direction, environmental law has been remarkably successful, as it has evolved from a radical intruder into an essential element of a mature legal system in a democratic society. There has been slippage. There are the inevitable regulatory perversities: minor problems overregulated and major problems largely ignored. And there have been some serious and persistent socioeconomic and racial inequities, especially in the distribution of benefits of pollution controls. Some reform is justified. But, a more careful, rigorously analytical approach in the first instance would likely have had far less success in terms of actual protections achieved than the more dramatic laws that the nation instead embraced over industry's objections. Sometimes, society is better off simply by hitting a problem with the legal equivalent of a two-by-four than taking the years necessary to determine the problem's precise dimensions and the optimum legal regime possible for its addressing.

Sheer human passion for human health and for the natural world supplied much of the necessary evolutionary force in environmental law's overcoming the hurdles impeding the enactment of such radically redistributive laws. Absent such passionate commitment to the goals of environmental law, including what must often seem to be the environmentalist's unreasonable refusal to compromise, it seems unlikely that environmental law would have achieved so much. It requires great stubbornness to overcome the strong political forces that are generated in opposition to laws that promise uncertain results only in the distant future at the expense of more discernible costs in the immediate present. Pragmatism is an essential element in effective lawmaking, but it is no substitute for passion and moral commitment.

However, neither modern environmental law in the United States nor those remarkable individuals who played such phenomenal and persistent roles in its promotion still possess the unbridled youthfulness and uncompromising focus they once enjoyed. In their own distinctive ways, they have each grayed. There is now greater appreciation of the pitfalls associated with perceiving policy disputes as always presenting starkly contrasting images of good versus evil. For many, there is also an inevitable sobering of aspirations and of their assessment of the American public's willingness to change individual behavior.

This aging of environmental law and environmentalism raises the larger issue of whether environmental law can maintain the passion and commitment needed to rebuff the never-ending efforts to make it more responsive to the concerns of the here and now at the expense of those in seemingly distant places and future times. The current winds of domestic political polarization, international instability, and armed conflict would seem to make it difficult to be optimistic that the nation and international community will soon be ready to work together. The United States, needing to show the rest of the world its willingness to engage in multilateral cooperative efforts, could make environmental lawmaking emblematic of its renewed commitment.
Right up to the day they died, Russian immigrants Mariya Diment and Liya Murkes loved to take long walks together along the oceanfront near the senior residence where they lived in Santa Monica. One summer day in the year 2000, Cheryl Chadwick, reportedly talking on a cell phone while driving her Mercedes-Benz, plowed into Diment and Murkes while they were strolling, killing them both.

What happened to Mariya Diment and Liya Murkes is not unusual, and almost certainly will become less so as many as 1,000 people a year now die in car accidents caused by what some are calling “phoneslaughter.” Researchers have found that people who are talking on cellular phones while driving are four times more likely to get into car accidents than people who are not—about the same as the increased risk from driving after several drinks (around the legal threshold for drunk driving in most states). Ten years ago, only ten million people worldwide had ever even used a cell phone; by now, cell phone users number a billion and counting. Eighty-five percent of Americans with cell phones talk on them while driving.

The majority of states, and many cities and towns, are deciding whether to do something to prevent these accidents. Some places have banned cell phone use while driving. Others have used laws already on the books—even homicide laws—to try to get at the problem.

Some of the country’s most influential economists—based on research conducted with the help of generous funding from wireless providers—have concluded these restrictions are a bad idea. Why? Because the people who are talking while driving are willing to pay a lot to talk on the phone—more than many people who face deadly risks are willing to pay to avoid the risk of being killed. What these researchers have done is to compare the price of phone calls made while driving with the “price” of deadly risks. Since risk is not, like cell phones and calling plans, directly bought and sold in the marketplace, economists have tried to find places where it is sold indirectly. They have focused mainly on risky workplaces, where extra wages are, in theory, required to convince workers to accept increased risks of death. In comparing levels of wages and risk, economists have estimated that groups of workers doing dangerous jobs are paid, on average, a total of about $5-6 million more, per work-related death. By comparing the price of cell phone use with this “price” of risky work, economists have concluded that banning cell phone use in cars makes no economic sense.

The technique of translating lives into dollars is complex, but the bottom line of the cell-phone studies is simple to state: the Cheryl Chadwicks of the world can go on talking into their cell phones while driving their Mercedes-Benzes, even though it means that quite a few of the Mariya Diment and Liya Murkeses of the world end up in the morgue. All based, amazingly enough, on the price of someone else’s phone call.

It was “a colorless liquid of sweetish odor, very poisonous if absorbed through the skin, resulting in lead poisoning almost immediately.” In 1922, Pierre du Pont, the head of General Motors, used these words in a letter to his brother Irenée, the head of Du Pont Chemical, describing the leaded gasoline a GM scientist had just developed to prevent auto engine “knocking.” For the next 50 years, the makers of leaded gasoline would deny this basic fact about lead: it is a poison. When faced with the warnings of public health authorities about the potentially dire effects of spewing lead into the atmosphere from millions of automobiles, the leaded gas industry had a simple response: prove it.

The trouble was, it was hard to prove that the day-to-day, low-level exposures to lead caused by leaded gasoline hurt people. The kinds of health effects we
How much is an IQ point worth to an individual? Published estimates have ranged as high as $8,346.

now know come from leaded gasoline—reduced learning capacity, neurological disorders, and high blood pressure—are so common that it is difficult to say which portion of these effects is due to lead and which to other causes. Thus, although the U.S. government suspected the risks of adding lead to gasoline from the very beginning, it would not seriously try to regulate leaded gasoline until lead had been pouring from almost every automobile in the country for half a century.

With the passage of the federal Clean Air Act in 1970, the era of leaded gasoline began to draw to a close. The Act directed the federal Environmental Protection Agency to set pollution limits based on public health. Although the EPA could not put exact numbers on the health effects caused by lead, it thought the existing scientific evidence was strong enough to justify strict limits on lead in gas. Of particular concern to the agency were the terrible effects lead could have on the cognitive and neurological development of children.

After a hard-fought court battle in which the leaded gasoline industry argued that EPA should not be allowed to regulate unless it could prove leaded gasoline had actually harmed identifiable people in the past, EPA's new restrictions on leaded gasoline were upheld. The court's ultimate decision in the case is considered a landmark in U.S. environmental law because it established that EPA could act in a precautionary fashion, rather than waiting for scientific certainty about the harmfulness of a substance before acting. EPA set its initial standards for lead based on the goal of protecting virtually all children from lead exposures that would harm their health and cognitive development.

In the 1980s, EPA decided to phase out lead in gasoline entirely. In coming to this decision, however, the agency did not look only at the public health effects of leaded gasoline; it also tried to determine how much these health improvements were worth in dollars. In justifying additional policies to reduce lead poisoning of children, EPA returned to the issue several times in the 1990s. The agency's analyses have considered the costs of medical care for lead poisoning, the costs of remedial education for children whose cognitive development had been impaired by lead, and the children's expected loss of future income due to their lowered IQs. In deceptively simple terms, EPA has asked, how much is an IQ point worth to an individual? Published estimates have ranged as high as $8,346.

Now analysts, including economist Randall Lutter of the American Enterprise Institute, are busily working to show that EPA got it wrong when it looked at the economics of banning leaded gasoline almost two decades ago. Rather than assessing the "worth" of children's health by considering lost income or the costs of remedial education, perhaps EPA should have considered how much parents have been willing to spend on a treatment for low-level lead poisoning—specifically, how much they have spent pursuing a controversial, unproven treatment known as chelation therapy. Most of the costs associated with this treatment reflect parents' time spent taking their children to the doctor—most often, in fact, the costs consist of the value that economists have assigned to the time of mothers who stay home with their children. Since the value of this time, and the cost of the treatment, are not very high, these analysts say, EPA has overvalued the health of the children affected by exposures to lead, and, as a consequence, has overreacted to the exposures themselves. Using the chelation yardstick, an IQ point is worth as little as $1,100, a fraction of the previous value. On this view, the appropriate level of spending on lead removal would be only a fraction of the amount that EPA endorses.

Almost one third of the land in the United States is owned by the federal government. The national forest system, one part of the public lands, was created at the turn of the 20th century with a view toward using forest resources to achieve their greatest benefit through time—a view promoted by the first head of the Forest Service, Gifford Pinchot, and one that has contemporary resonance in the concept of "sustainable development." Over time, however, the national forests came to be used more in the service of timber companies and related interests, for short-term gain, than in the service of broader interests, for long-term stability. Indeed, throughout much of the 20th century, the national forest system was characterized—and ravaged—by policies such as below-cost timber sales, in which the national forests were auctioned off to private interests for less than the government spent preparing the forests for sale. At the turn of the 21st century, the U.S. Forest Service proposed taking the remaining roadless areas of the national forests—among the most pristine, and by definition least traveled, places in the country—and setting them aside, off-limits to roads and the timber interests that...
would use the roads to take the trees. Hundreds of thousands of citizens applauded the idea, and wrote to the Forest Service expressing their enthusiasm. It would be one of the largest single decisions preserving wilderness—afecting some 60 million acres in all—in the history of the United States, perhaps in the history of the world. The “roadless area” policy would, the Forest Service announced, protect not only the trees themselves, but the watersheds, flora, and fauna dependent on them—not to mention the burgeoning ecotourism industry.

Timber interests immediately challenged the new policy in court. When, at about the same time, the Bush Administration came into office, it did nothing to defend the policy. Usually known for its aggressive and effective defense of government initiatives and prerogatives, the Justice Department in this case simply sat on its hands and let the environmental groups answer the lawsuit alone. Perhaps even more remarkable, however, was the government’s official tallying of the costs and benefits of this historic policy.

In a 2002 report to Congress, the Office of Management and Budget announced that the new forest initiative would cost about $184 million and produce benefits of only $219,000 a year. This lopsidedly negative result made forest protection look, in narrow economic terms, like one of the least defensible regulatory ideas of the previous year. So little, indeed, did OMB think of the forest initiative that the office put the policy on its infamous “hit list” of regulatory policies to be reconsidered by the agencies that had dreamed them up.

How did a rule protecting 60 million acres of publicly owned lands, containing fragile and precious sources of water, wildlife, and plant species, come to look so bad in economic terms? The answer is simple: just ignore most of the good things one wants to protect forests for—both the good things that could comfortably be stated in dollar terms (such as the economic value of a forest for tourism) and the good things that money cannot buy (such as the knowledge that pristine forests are being protected in perpetuity). What did the tiny annual benefit of $219,000 reflect in this case? The savings from not building roads. Every park and forest that we protect “saves money” in this sense: imagine the cost of the asphalt that would have been required to pave the entire area. But is the avoided cost of exploiting nature—as OMB assumed—the only benefit of protecting it?

At the start of the 21st century, the clock is starting to run backward, as laws and regulations protecting health, safety and the natural environment, some of the proudest accomplishments of the past 30 years, are now under attack. The attackers do not explicitly advocate pollution, illness, and natural degradation; instead, they call for more “economic analysis.”
of the past 30 years, are now under attack. The attackers do not explicitly advocate pollution, illness, and natural degradation; instead, they call for more "economic analysis." And the stories of "phoneslaughter," lead poisoning, and forest despoliation show where their kind of analysis all too often leads.

The new trend towards "economic critique" of health and environmental protection has caught on in every branch of the federal government—within the White House, in Congress, and even in the courts. Environmental advocates, decision-makers, and citizens concerned about the environment often find themselves on the defensive, without an effective response to the arcane arguments and imposing data offered to show why, when it comes to protective regulation, less is better.

Our opening examples of this kind of economics in practice are not isolated or unusual; in fact, they are just the tip of the iceberg. Rules limiting arsenic in drinking water, air emissions from factories and power plants, snowmobiles in national parks, new development in pristine areas, and pollution in our rivers, lakes, and streams, all have been or may be weakened or even eliminated based on the same kind of counterintuitive economics.

There are hard questions to be answered about protection of human health and the environment, and there are many useful insights about these questions from the field of economics. But there is no reason to think that the right answers will emerge from the strange process of assigning dollar values to human life, human health, and nature itself, and then crunching the numbers. Indeed, in pursuing this approach, formal cost-benefit analysis often hurts more than it helps: it muddies rather than clarifies fundamental clashes about values. By proceeding as if

its assumptions are scientific and by speaking a language all its own, economic analysis too easily conceals the basic human questions that lie at its heart and excludes the voices of people untrained in the field. Moreover, economic theory too easily gives us opaque and technical reasons to do the obviously wrong thing. Obscuring the fundamental issues with talk of wage premiums and protest votes and hedonic pricing, cost-benefit analysis promotes a deregulatory agenda under the cover of scientific objectivity.

The basic problem with narrow economic analysis of health and environmental protection has caught on in every branch of the government—with in the courts. Environmental advocates, decision-makers, and citizens concerned about the environment often find themselves on the defensive, without an effective response to the arcane arguments and imposing data offered to show why, when it comes to protective regulation, less is better.

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When the question is whether to allow one person to hurt another, or to destroy a natural resource... then we are in the realm of the priceless, where market values tell us little about the social values at stake.

mental protection is that human life, health, and nature cannot be meaningfully described in monetary terms; they are priceless. When the question is whether to allow one person to hurt another, or to destroy a natural resource; when a life or a landscape cannot be replaced; when harms stretch out over decades or even generations; when outcomes are uncertain; when risks are shared or resources are used in common; when the people "buying" harms have no relationship with the people actually harmed—then we are in the realm of the priceless, where market values tell us little about the social values at stake.

To say that life, health, and nature are priceless is not to say that we should spend an infinite amount of money to protect them. Rather, it is to say that translating life, health, and nature into dollars is not a fruitful way of deciding how much protection to give to them. A different way of thinking and deciding about them is required, one that does not pretend that a mathematical formula can solve our problems for us.

In place of cost-benefit analysis, we offer an attitude rather than an algorithm. We reject the atomistic analysis offered by contemporary economists, in which a problem is severed into its component parts, examined by experts, and reconstituted in a way that leaves most of the important parts on the cutting room floor. In its place, we advocate a more holistic analysis, one that replaces the reductive approach of cost-benefit analysis with a broader and more integrative perspective. We also urge precaution in the face of scientific uncertainty, and fairness in the treatment of the current and future generations. Above all, perhaps, we aim to restore a sense of moral urgency to the
1927  
Louis Garusillo (LL.M.'28) celebrated his 100th birthday in November 2003.

1958  
Passaic County Surrogate William J. Bate has been named to the ten-member executive board of the National College of Probate Judges. Prior to his election to the judicial position of Surrogate in 1982, Bate served consecutively as Clifton Councilman, Passaic County Free-holder, New Jersey State Senator, and New Jersey Assemblyman.

1959  
Daniel Blume is pleased to announce the relocation of the West Hartford, Connecticut law firm of Blume & Associates.

1963  
Robert L. Parks, partner in the Coral Gables, Fla. firm of Haggard, Parks, Haggard & Bologna, has been appointed to serve on the executive committee and board of directors of the Everglades Foundation, Inc. Parks has also served as chair of the Miami River Commission (1998-present) and chaired the Environmental Regulation Commission for eight years.

1964  
Harvey Levinson (LL.M.'65) was appointed chair of the Nassau County Board of Assessors in New York.

1965  
William Lenihan (C'57, LL.M.'58) won the Senior New England Championships in basketball and tennis in 2003. This marks his 11th victory in as many years in both events at this level.

1967  
Sue S. Stewart, retired partner of Nixon Peabody and a specialist in legal affairs for educational institutions and other nonprofit organizations, has been named vice president and general counsel for the University of Rochester.

1969  
Former Pennsylvania Attorney General Mike Fisher was elevated to the Third U.S. Circuit Court of Appeals in Philadelphia. Before becoming attorney general in 1997, Fisher served as state senator for 22 years.

1971  
Suellen Keiner has been named general counsel and vice president for Academy Programs of the National Academy of Public Administration, a congressionally chartered nonprofit organization that provides expert advice and analysis to members of Congress and other government leaders on improving governance and public sector management.

1972  

1973  
Adjunct professor Edward O'Brien received an honorary doctorate from the University of Natal in Durban, South Africa on December 16th. The honor was bestowed for O'Brien's "exceptional contributions to South Africa in the fields of human rights, democracy education and international training of black lawyers." The University of Natal especially commended O'Brien's role as co-founder and Executive Director of Street Law, Inc. in Washington, D.C. and his assistance in establishing South Africa's first street law program at the University of Natal's Howard College School of Law 1985.

1974  
Karen Hedlund is with the new Arlington, Va. office of Nossaman Guthner Knox & Elliott. She was recognized at the Law Center's Women's Forum in 2003.

1977  
Michael Nannes has been named managing partner of the Washington, D.C. office of Dickstein Shapiro Morin & Oshinsky.

1978  
Roderick H. Morgan has been re-elected as chair of the board of trustees of Vincennes University in Indiana. Morgan, a partner in the municipal/public finance group at Stewart & Irwin, has previously served as first vice chair of the board.

1979  
Legal Aid and Defender Association, Inc. of Detroit has appointed D. Ann Parker to its policy board.
New Jersey Gov. James E. McGreevey (L'81) named Kevin M. Ryan (L'92) to head the newly created Independent Office of the Child Advocate. As the state's first child advocate, Ryan will work to reform state systems, monitor abuse and neglect investigations by the Division of Youth and Family Services, and focus on overcrowding in state juvenile justice facilities. Ryan is the governor's deputy chief of management and operations and worked on child welfare issues for Covenant House before joining McGreevey's staff.

In November 2003, Roger W. Titus (L'66) took office as a United States District Judge assigned to the Southern Division of the United States District Court for the District of Maryland. Prior to becoming a member of the judiciary, he was the partner in charge of the Montgomery County, Md. office of Venable, Baetjer and Howard.

Sughrue Mion attorney Alan J. Kasper (L'68) has been listed in the Euromoney Legal Media Group's Patent Law Experts Guide for 2003.

Carolyn Miller Parr (L'77), appointed by President Reagan to a fifteen-year term on the U.S. Tax Court Bench, has joined Judicial ADR's specialist mediator panel serving the San Francisco Bay Area. She focuses on tax, corporate, international, commercial, and bankruptcy matters.


Randa M. Trapp (L'85) was appointed to the San Diego Superior Court Bench.

Carlos Singh (L'87) was elected president of the Hispanic National Bar Association. The HNBA, founded in 1972, is the national association representing over 25,000 Hispanic American attorneys, judges, law students, and law professors. Singh is an Assistant U.S. Attorney in San Jose, Calif.

In September 2003, the New York State Senate unanimously confirmed the nomination of Andrew Sidamon-Eristoff (L'89) to serve as New York State Commissioner of Taxation and Finance under Gov. George Pataki.

In November, it was announced that President Bush intended to nominate David H. Safavian (L.L.M.'94) to be Administrator for Federal Procurement Policy, Office of Management and Budget, Executive Office of the President.

Valerie Brader (L'03) was the first runner-up in the Pacific Legal Foundation's judicial awareness competition. Her paper, "Shell Games: Vicarious Liability of State and Local Governments for Insufficiently Protective Regulations under the ESA," was written as an independent study with Law Center Professor Richard Lazarus.

which governs all legal services to low-income residents of Macon, Oakland, and Wayne counties.

Evelyn Suarez has joined Williams Mullen as a partner in its international section. She will practice in the firm's Washington, D.C. office.

1980

Edwin N. Lavergne has joined the international regulatory group as a principal in the Washington, D.C. office of Fish & Richardson.

1982

Casa Cornelia, a firm founded by Ann Durst, celebrated its 10th anniversary in November 2003. Casa Cornelia is a public service law firm that provides pro bono legal services to victims of human and civil rights violations. Durst has been honored by the California and San Diego Bars for her pro bono work.

Northwestern Mutual announced that Greg Oberland was named senior vice president - insurance operations. Oberland is now responsible for new business, policyowner services, and underwriting standards. He was also appointed to the company's public policy committee.

1983

The Marymount University MBA Alumni Association presented the Outstanding Recent Alumnus Award to Norman Sue Jr. (L.L.M. '86) at its annual fall dinner, which focused on ethics and good governance.

1984

Ileana Blanco, trial partner in the Houston office of Bracewell & Patterson, was recently named one of 10 "Women on the Move," an award given annually by Texas Executive Women and the Houston Chronicle. Blanco is involved in the Houston and Texas Bar Associations and is a past president of the Association of Women Attorneys.

1985

John Steele has joined the San Francisco law firm of Rogers Joseph O'Donnell & Phillips as a shareholder, specializing in legal ethics consultations and the defense of legal malpractice claims. Steele teaches legal ethics as an adjunct lecturer at Stanford Law School and the University of California at Berkeley, Boalt Hall.

1986

William M. Burke is currently serving the second year of a two-year term on Bond, Schoeneck & King's executive committee. He practices in the trusts and estates field in the firm's Naples, Fla. office.

Trip Mackintosh was made partner at Holland & Hart in Denver.

1987

Richard F. Jackson has joined Wilmer, Cutler & Pickering as counsel in the Washington, D.C. office. He will practice in the securities group, with a particular focus on investment management issues.

Stuart Kerr is senior counsel for Southeast Europe in the commercial law development program in the Office of the General Counsel of the Department of Commerce.

Bridget M. O'Keefe joined the Chicago office of Michael Best & Friedrich as a partner.

In Detroit, Kelvin W. Scott recently became vice president and general counsel of Plastech Engineered Products, a tier one supplier of plastic automotive components.

1988

Scott R. Borstein has joined the Chicago office of Wildman, Harrold, Allen & Dixon as a partner. Borstein will head up the firm's zoning and land use practice.

Timothy A. Canova, professor at the University of New Mexico School of Law, was awarded an academic fellowship by the Foundation for the Defense of Democracies in Washington, D.C.

Joel Nishida and his wife, Hiroko, are pleased to announce the birth of their son, Alex.
Cynthia F. Reaves, a partner in the Detroit-based law firm Honigman Miller Schwartz and Cohn in the health care department, was elected to the board of trustees of Marygrove College in Detroit.

1989

John Beins and his co-counsel, Connie Krutovil Lavelle (L.L.M.,'93) announce that Beins, Goldberg & Gleberman is the recipient of the 2003 Cardinal Hickey Award given by the Washington Archdiocesan Legal Network of Catholic Charities and was named the 2003 Maryland Legal Services Corporation Law Firm of the Year for its pro bono work. The firm also recently distributed over $800,000 in class action settlement funds to a number of Maryland charities.

1990

John Washlick (L.L.M.), a senior member of Cozen O'Connor's health law department, was a featured speaker at the second annual Mid-Atlantic Health Care Compliance Conference.

1991

Steve Gorelick was elected a member of the law firm of Sills Cummins Radin Tischman Epstein & Gross in Newark, N.J., practicing principally in the areas of commercial and securities litigation. He lives in Maplewood, N.J., with his wife, Melanie, and daughters, Shira and Shoshana.


Colin H. Murray was elected partner in the San Diego office of Baker & McKenzie. Murray is a member of the litigation practice group, focusing on complex commercial litigation, securities and white collar criminal defense, intellectual property, and employment disputes.

1992

Andrew Butler and his wife have opened their own firm, Butler & Kriegel, in Newton, Mass. The practice focuses on estate planning, probate, tax and corporate law.

1993

Peter J. Barrett has been named a partner in the Providence, R.I. office of Edwards & Angell. Barrett's practice concentrates in the communications industry.

Kari M. Desgalier, senior counsel in the San Diego office of Allen Matkins Leck Gamble & Mallory, has been appointed to the 2004 board of directors for the National Association of Industrial and Office Properties, San Diego Chapter. Desgalier has also been named co-chair of the organization's legislative committee.

Dr. Rod Edmond has opened a new law practice, Edmonds & Associates, concentrating in the area of personal injury.

Wendy Radmacher-Willis became the executive director of the City Club of Portland, Ore.

1994

Christopher J. Hewitt was promoted to partner in the Cleveland office of Jones Day.

Andrew D. Muhlbach was elected partner in the San Francisco office of Morrison & Foerster.

1995

William J. Bachman was elected partner in the firm of Williams & Connolly.

Nebraska native James Creigh was made partner in the Omaha, Neb. office of Blackwell Sanders Peper Martin. Creigh was lecturer on securities law at the University of California at Berkeley.

LAW ALUMNI CALENDAR

SPRING — SUMMER 2004

MARCH

25 Washington, D.C. Recent Alumni Happy Hour PENANG RESTAURANT (MALAYSIAN CUISINE), 6:30 P.M.

APRIL

1 Baltimore Alumni Reception PIPER RUDNICK, LLP, 5:30 – 7:30 PM

2 Women's Forum GEORGETOWN LAW CENTER, WASHINGTON DC

7 Boston Alumni Reception HALE AND DORR, 6:00 – 8:00 PM

14 Washington, D.C. Alumni Luncheon HOTEL MONACO, 12:00 P.M.

23 Philadelphia Alumni Reception NATIONAL CONSTITUTION CENTER 6:00 – 7:30 P.M.

MAY

22 Graduation Gala BUILDING MUSEUM

JUNE

21 Alumni Supreme Court Swearing-in Ceremony SUPREME COURT OF THE UNITED STATES

For more information on events, please contact Sam Gabremariam.

Phone: 202-662-9508. E-mail: Alumnalaw@law.georgetown.edu
Dechert announced that Douglas Dick was promoted to partner. Dick practices in the firm's financial services group and is resident in the Newport Beach, Calif, office.

Jonathan M. Epstein was elected partner at Holland & Knight. Epstein practices in the area of international trade and international telecommunications.

C. Brendan Johnson has joined the international firm of Bryan Cave as counsel in the St. Louis and Chicago offices. Johnson is a member of corporate finance & securities; entrepreneurial, technology & commercial practice; and transactions client service groups.

David S. Sanders was elected partner at Foley & Lardner in Washington, D.C.

Jeffrey J. Lopez was appointed counsel in the Washington, D.C. office of Drinker Biddle & Reath. Lopez concentrates primarily on general commercial litigation and construction law.

Margaret A. DeLuca was named principal of Cummings & Lockwood early this year. DeLuca has been involved in fundraising for the Stamford, Conn, chapter of the American Red Cross and is currently president of the board of directors for Guardianship and Advocacy Resource Program, Inc.

In December, the Historical Society of the D.C. Circuit hosted a panel, "Iran-Contra in the Courts: A Historical Perspective." Sen. George J. Mitchell (L'61) (center) and Brendan V. Sullivan (C'64, L'67) (right) were among the panelists, each of whom played a significant role in the Iran-Contra investigation. Moderated by former NBC legal affairs correspondent Carl Stern, the panel included the perspectives of the prosecution, defense counsel, Congress, the White House, and the press.

January saw the formal inauguration of the Chile/United States Chamber of Commerce of California, founded by Adriana Koeck-Fuenzalida (L.L.M.'99). California Gov. Arnold Schwarzenegger and Chilean President Ricardo Lagos were present.

Hughes & Luce partner Kim J. Askew (L'83) was named the 2003 recipient of the Louise Raggio Award from the Dallas Women Lawyers Association. The award is given annually to a Dallas Metroplex attorney who has worked to advance women in the legal profession. Askew practices in the trial and dispute resolution and labor and employment sections, and she is a member of the firm's management committee. She serves on the executive committee of the board of directors of the State Bar of Texas, having become chair of the board in June 2003. Askew has previously been recognized as one of the "Best Lawyers in America" for her commercial litigation practice and "Best Lawyer in Dallas" for her labor and employment practice.

Shannon Fitzpatrick (L'83) was chosen as one of the Lawyers of the Year for 2003 by Massachusetts Lawyers Weekly.

Black Enterprise magazine has named Joe R. Caldwell (L.L.M.'84) one of America's leading black lawyers. Caldwell is a partner in the Washington, D.C. office of Baker Botts.

Gerald J. Todaro (L.L.M.'92) was featured as one of the top lawyers in medical malpractice in the November 2003 issue of Columbus Monthly magazine. He focuses on medical and legal malpractice at Arnold, Todaro and Welch in Columbus, Ohio.

Christopher B. Dolan (L'92) has been nominated by the San Francisco Trial Lawyers Association as the 2003 Trial Lawyer of the Year. Dolan was also nominated for the award in 2001.

Anabel Gonzalez ('88), Gabriel Llovet Yglesias (L.L.M.'97), and Mariel Picado Quevedo (L.L.M.'01) were noted in La Nacion for leadership in free trade negotiations between the United States and Costa Rica.

John P. Farnsworth has become a member of the firm Stone Pigman Walther Wittmann.

J. Michael Cornett (L.L.M.) was elected to become a member of the Washington, D.C. firm Miller & Chevalier.

Kerry Ann McArdle has become an associate with the Morristown, N.J. based firm Riker, Danzig, Scherer, Hyland & Perretti.

Melissa Mulkey (L.L.M.) has joined McClinchey Stafford's labor and employment section as an associate in the New Orleans office.

Chad Dotson was elected Commonwealth's Attorney for Wise County and the City of Norton, Va. Dotson is the youngest elected prosecutor in Virginia and among the youngest in the nation.

Scott D. Reinke has joined the Columbus, Ohio office of Hahn Loeser & Parks as an associate. Reinke will practice in the corporate and securities area.

Adam Walker was named Volunteer Attorney of the Year by the District of Columbia Employment Justice Center in August 2003. Walker is a senior associate and member of Miller & Chevalier's litigation department.

Brian Konradi has joined the Memphis, Tenn. office of Bass, Berry & Sims as an associate in the corporate and securities practice area.
Jumana Musa has joined Amnesty International USA as an advocacy director, focusing on domestic human rights concerns and international justice issues, especially those related to U.S. policies and practices post-September 11.

Baker Botts welcomed Eric Weingarten (L.L.M.) as an associate in the global projects department of the Washington, D.C. office. His practice will focus on infrastructure development and finance with an emphasis in electric power, oil, and gas.

2001

Mia Carpiniello is an assistant city solicitor for the City of Philadelphia, focusing her practice on appellate litigation and legislation. She recently argued her first case before the U.S. Court of Appeals for the Third Circuit.

Lauren Gelman is the assistant director of the Center for Internet and Society at Stanford Law School.

2002

Yelena Antipova (L.L.M.) is a staff attorney with Calfee, Halter & Griswold in Columbus, Ohio. Antipova focuses on general corporate and tax law.

Savannah Guthrie has joined Court TV as a correspondent for the network's live daytime trial coverage. Guthrie, who has extensive experience in television news, will cover trials around the country.

Mitchell A. Newmark, former deputy attorney general of the New Jersey Attorney General's office, has joined the New York office of Morrison & Foerster.

Todd E. Robenson (L.L.M.) has joined the Cincinnati office of Keating, Muething & Kliekamp to practice in the area of business representation and transactions.

2003

Alan J. Arville is an associate with Schottenstein Zox & Dunn in Columbus, Ohio. He works in the firm's health law practice area and was admitted to the Ohio Bar in November 2003.

Gable & Gontows announced the addition of Cason P. Carter as an associate in the firm's Tulsa, Okla. office.

Peter Chang has joined the Houston office of Fulbright & Jaworski as an associate.

Meghan E. Dilley is an associate with Brown Rudnick Berlack Israels.

Merle S. Elliott has joined McAndrews, Held & Malloy as an associate. Elliott is also registered to practice before the United States Patent and Trademark Office.

Rachel Flum is an associate in the Washington, D.C. office of Baker Botts.

Raymond Krauze in an associate in the Chicago office of Michael Best & Friedrich in the litigation practice group.

Justin A. Mallot is an associate with Marks Gray, P.A. in Jacksonville, Fla.

Cortney R. Oren is an associate in the Cleveland office of Benesch, Friedlander, Coplan & Aronoff.

Melissa Pierre has joined Blank Rome as an associate.

Alumni Authors

Herbert Grossman (L.L.M.'61) recently authored a book entitled, J'Accuse the NY Times and Washington Post: Based Reporting from the Middle East, which can be purchased from www.Istbooks.com.

Neal P. Gillen (L'64), executive vice president and general counsel of the American Cotton Shippers Association, has published a novel, Sugar Time. Sugar Time takes place in 1960 at the time of the Cuban sugar embargo and is based on an unsolved robbery of a payroll messenger in the New York City subway.


Rod Dixon (L.L.M.'86), who has taught cyberslaw as a visiting assistant professor of law at Rutgers University Law School at Camden, recently published Open Source Software Law, which provides an introduction to software licensing in the information age.

Lia Macko (L'98) is co-author of Midlife Crisis at 30. Macko was co-executive producer for Newsweek/MSNBC Town Hall Meeting on race relations in America, hosted by NBCs Brian Williams, and has served as a senior editorial producer for MSNBC specials hosted by Tom Brokaw, including Silicon Summits I and II and A Gun Summit, featuring President Clinton. Macko helped launch other MSNBC programs and served as a senior producer for CNN's American Morning with Paula Zahn as well as for Court TV's prime-time news broadcast.

IN MEMORIAM

Linda C. Quinn

Linda C. Quinn (L'72), was a specialist in securities law and an influential force at the Securities and Exchange Commission in the 1980s and 1990s. During her 16 years at the SEC, Ms. Quinn oversaw regulatory changes that reduced barriers to foreign investment in the United States. Arthur Levitt, the former chairman of the SEC, called her "my most trusted advisor." Ms. Quinn left the SEC to join Shearman & Sterling as a partner. There she was an advisor to corporations on securities and capital markets matters. David Heleniak, senior partner at Shearman & Sterling, called Ms. Quinn "the most important regulator and authority on securities regulation in the last 25 years."

JOE CLARKE (L'60)
SUSAN FINDLING FLEIG (L'90)
JAMES J. FLYNN (L'56)
JOSEPH J. GERCHE (L'48)
CLEMENT J. KICZUK (L'48)
EDWARD F. MCKIE, JR. (L'52)
AL G. NOLAN (L'58)

JOSEPH A. SICKLES (L'55)
CURRENT STUDENT
CAROLYN "CERI" BAICH (2E)

Linda C. Quinn was an advisor to corporations on securities and capital markets matters. David Heleniak, senior partner at Shearman & Sterling, called Ms. Quinn "the most important regulator and authority on securities regulation in the last 25 years."
Through the generous support of alumni and friends of the Law Center, the Third Century Campaign raised $100 million. This impressive total will benefit the Law Center's students intellectually and materially, through physical improvements to the campus, support for financial aid, and the bolstering of academic programs. Approximately one third of the money raised has been designated for endowment, including financial aid for students and chairs and professorships for faculty. Another third has been earmarked for facilities, including the Law Center Campus Completion Project. The final third will be available to support academic programs and initiatives, including gifts to the Law Annual Fund.

Contributors to the Campaign can be justly proud of the support the funds will provide the many students who receive scholarship assistance from the Law Center. With current tuition at $30,940, ranking among the twelve most expensive in the country, it is no surprise that nearly 80 percent of Georgetown Law students rely on some form of financial aid, including one third who receive scholarship assistance from the Law Center. During the Third Century Campaign, the Law Center raised nearly $17 million for financial aid endowment. In fact, half of the current 130 endowed scholarships were established during the Campaign. Donors' strong dedication is further revealed in the fact that many who previously established scholarships during the Law Campaign in the early 1990s also made substantial gifts to supplement their scholarship funds during the Third Century Campaign.

The goal of providing the finest legal education is also reflected in the Campaign's success in endowing chairs and professorships. With 99 full-time faculty, the largest in the country, the Law Center can boast 12 endowed chairs and 11 endowed professorships. Five of these chairs were established during the Campaign, most recently the Thomas Aquinas Reynolds Chair and the Joseph E. and Madeline M. Sheehy Chair in Antitrust Law and Trade Regulation. Of the six endowed professorships established during the Campaign, the most recent are the Honorable Mary E. Lupo and Edward M. Ricci Professorship in Juvenile Justice and the St. Thomas More Professorship in Law and Legal History.

To complement the Campaign's support of the intellect and spirit of the institution, nearly $30 million was raised for the completion of the Eric E. Hotung International Law Center Building and the Sport and Fitness Center. Together these projects will add more than 200,000 square feet to the Law Center campus, including 20,000 square feet for parking. The 110,000-square-foot Hotung International Law Center Building will house classrooms, faculty offices, and academic institutes, as well as the Law Center's international and graduate programs, an alumni welcoming center, and a cyber cafe. The International Law Library, a 107,000-volume collection in what is the nation's third largest academic law library, will also be housed there. The 70,000-square-foot sport and fitness center will have courts for both basketball and racquetball as well as a four-lane lap pool, exercise rooms, and a student lounge.

The success of the Campaign is a testament to the commitment of the alumni and friends of the Law Center. Your generosity will benefit students and faculty for years to come.
When I graduated from Georgetown University Law Center in 1988, I joined an extended alumni community of thousands. One year later Judy Areen was chosen from the faculty to become dean of our alma mater. The broad impact of Dean Areen’s tenure on the quality of education at the Law Center has been felt by current students and alumni, like us, who take pride in the ever-increasing value of our law degrees and the reputation of the Law Center.

Under Dean Areen’s leadership, and the leadership of my predecessors who have served as National Chair, including Robert Lighthizer (C’69, L’73), Edward Ricci (L’73), Plato Cacheris (F’51, L’56), Bob Shapiro (L’67, L’70), Peter Finnerty (L’72), and Edmund Burke (C’70, L’73), the Law Annual Fund has grown considerably. Several years ago, Dean Areen challenged alumni to double the Annual Fund to $2 million to help reduce class sizes. Alumni responded enthusiastically and the result has been smaller day classes (down from 500 to 450 students). All the while, she has recruited new members to a superb faculty to improve the student-faculty ratio to 1:5. This year, with your support, the 2004 Law Annual Fund will again raise more than $2 million to expand academic programs and student services, including financial aid, clinics, journals, the Edward Bennett Williams Law Library, the Loan Repayment Assistance Program and more than 60 student organizations that contribute to the quality of student life.

The Law Center has been blessed with visionary leadership throughout its history. To recognize the legacy of excellence that Deans Areen, Pitofsky, McCarthy, and Dean continue to contribute to the Law Center, I ask you to make your gift to the 2004 Law Annual Fund, if you have not already done so.

I look forward to serving under the leadership of a new dean who will no doubt build on the accomplishments of Dean Areen.

Sincerely,

Kevin J. McIntyre (L’88)
National Chair, Law Annual Fund

Reunion 2004 Class Gift Committee:
Opportunities for Involvement

As he celebrates the 10th anniversary of his graduation, Charles “Chuck” Rich (L’94) reflects on the impact the Law Center has had on his career. He recalls his previous training in public policy analysis at Harvard. “I wanted a well-rounded legal education that would prepare me to work in international business and development, as well as in government. I knew that the Law Center’s array of courses in corporate law, finance and tax law, among others, would serve me well.”

And serve him well it has. Following a successful career with Price Waterhouse Coopers in Washington, DC, and Moscow, Chuck now works at the Federal Reserve Board, where he focuses on banking supervision and regulation. He attributes much of his professional success to his legal education.

Chuck’s pride in Georgetown is most evident in his continuing involvement as an alumnus. Chuck is a member of the Class of 1994 Gift Committee, a volunteer committee devoted to raising funds for the Law Center in celebration of reunion. “I feel good when I write a check to Georgetown, and I don’t always feel that way when making charitable donations. I think that gifts to the Law Annual Fund ensure that the program and facilities afforded students will be memorable, and hopefully affordable!”

Georgetown’s vision for the future is right on the mark, Chuck believes. “There are so many good law schools in the United States, but I think it is fair to say that Georgetown will continue to be recognized for the depth of its programs, for its faculty, and, consequently, for the students it attracts.”

If you would like to serve on the 2004 Reunion Class Gift Committee, please contact Mark Roberts, Director, Law Annual Fund, at (202) 662-9885 or robertsm@law.georgetown.edu.

The Entering Class

This fall the Law Center welcomed another exceptional class. Selected from over 12,000 applications, the most any law school has ever received, this class can boast the Law Center’s highest median LSAT and lowest acceptance rate: 169 and 16.6%, respectively. The class has students from 46 states and 20 foreign countries, representing 202 different colleges and universities. Among the students are:

62 Phi Beta Kappas
9 Fulbright Scholars
3 Truman Scholars
Varsity athletes
Student body presidents
Teachers
Professors, one of medicine and one of music
Americorps volunteers
VISTA volunteers
Peace Corps volunteers, including the project director for CARE in Sri Lanka
6 Patent engineers
3 Admissions officers
14 members of the military, including 3 Army captains, 3 Air Force captains, and 7 Navy lieutenants
5 Journalists
4 Intelligence officers
1 Pastor
1 Director of BioGen Project, Latin America, for the Natural Resources Defense Council
1 Founder of an Internet company
1 Temperature meteorologist
1 Police sergeant
1 Director of Media Relations for the Sierra Club
1 Aircraft design engineer
1 Professional comedian
1 Vice President of Deutsche Bank
1 Cryptologic linguist
1 President of the Washington Wizards
Corporate Counsel Institute

The Georgetown University Law Center Continuing Legal Education program, along with the Association of Corporate Counsel, sponsored another highly successful and informative Corporate Counsel Institute in March. The eighth annual Institute, held in the Philip A. Hart Moot Court Room, touched on a range of topics, from the ethical obligations the Sarbanes-Oxley Act imposes on in-house counsel, to Supreme Court cases affecting corporations, to the relationships among CEOs, boards of directors, and chief legal officers. Pictured here are some of the many prominent presenters participating in this year's event.

CONTINUING LEGAL EDUCATION CALENDAR

SPRING - SUMMER 2004

MARCH
31 Advanced Commercial Leasing Institute 2004 (3-day program)
LAW CENTER

APRIL
15-16 Employment Law & Litigation Institute 2004
LAW CENTER
21 Prison Litigation
LAW CENTER
22-23 Section 1983: Civil Rights Litigation 2004
LAW CENTER
28 Primer on Private Foundations 2004
LAW CENTER
29-30 Representing and Managing Tax-Exempt Organizations 2004
HYATT REGENCY HOTEL

MAY
13-14 Advanced State and Local Tax Institute 2004
LAW CENTER

JUNE
4 Intensive Session in Trial Advocacy Skills
(10-day program)
LAW CENTER

For more information, contact the Continuing Legal Education Program. Telephone: 202-662-9890. E-mail: CLE@law.georgetown.edu. Web site: www.law.georgetown.edu/cle/

SPRING 2004 • GEORGETOWN LAW
This spring brings exciting and important changes to the Georgetown University Law Center. Most notably, the Campus Completion Project and a new dean will bring renewed energy to the law campus.

While our alma mater's face may change, the Law Center will continue to be a place of intellectual rigor, superb pedagogy, and profound commitment to public and community service. Our growing alumni base is an important part of strengthening this 134-year tradition.

I am pleased to report that the National Law Alumni Board is working hard to enhance the Law Center and improve our alumni network. Last summer, Board members hosted receptions across the country to welcome first-year law students to the Georgetown family. Additionally, over 250 Law Center alumni returned to campus in August to interview 2L students for summer positions as part of Early Interview Week. Alumni also helped to host the school's annual career day in October. Students had the opportunity to learn more about various practice areas and talk with alumni about their career choices.

Alumni, students, parents, and friends gathered in October at Avenel in Potomac, Md. for the First Annual Alumni-Student Golf Outing. Alumni and students had a wonderful morning playing golf together. Many alumni helped to sponsor students' game fees and all event proceeds were donated to the Loan Repayment Assistance Program.

The Recent Alumni Advisory Council had an eventful fall with activities that included an Orioles baseball game, a trip to the Spy Museum, and building a house through Habitat for Humanity.

The many ways that our alumni serve the Law Center community are inspiring. Thank you to those of you who have given your time and energy. For anyone who would like to become more involved, I encourage you to go to the Law Center alumni web page at www.law.georgetown.edu/alumni. Also, if your contact information has recently changed, you can update it on the website. You may also sign up for a lifetime Georgetown forwarding E-mail address.

If you have any ideas that you would like to share, please feel free to contact me directly at (202) 414-6101 or send me an e-mail message at sjsp32@law.georgetown.edu. You may also reach me through the alumni office.

It truly has been an honor to serve as chair of the National Law Alumni board. I look forward to continuing to work with the board as an Emeritus member and I hope to see many of you at Reunion in the fall.

Sidney J. Silver (L'62)
Chair, National Law Alumni Board
Jerome Heckman (L'53) attended the Paul Dean Awards luncheon in October.

Law Center Dean Judy Areen and Georgetown University President John J. DeGioia congratulate Paul Dean awardee Robert Lightbizer (C'69, L'73).

(left to right) Patrick J. Moran (L'73), Scott K. Ginsburg (L'78), The Honorable Marc Ginsberg (L'78), and Edward M. Ricci (L'73) catch up at the Paul Dean Awards luncheon.

David G. Bradley (L'83) accepts the Paul Dean Award from Law Center Dean Judy Areen and Georgetown University President John J. DeGioia.
Paul Dean awardee, the Honorable Marc Ginsberg, and his wife Janet Ginsberg chat with Georgette Sobel at the Paul Dean Awards luncheon.

(left to right) Donald Machado, Sr. (L’53) and his wife Mary E. Machado, chat with the Honorable Bill Creech (L’58) at the Paul Dean Awards luncheon.

The Foreign Lawyers at Georgetown (FLAG) Class of 1998 gathered for a group photo at the Corcoran Gallery of Art in October.

Elizabeth Weiser (L’92) and husband Phillip Inglima (L’88) enjoy their dinner at the Corcoran Gallery of Art.

Michael Gardner (L’77) signs a copy of his newly released book, Harry Truman and Civil Rights: Moral Courage and Political Risks, for Professor Robert Drinan. Gardner held a book signing as part of reunion activities.

Alumnus and Paul Dean Award recipient Edward Ricci (L’73) and his wife, Mary Lupas (L’74) attend the Paul Dean awards ceremony with their family.
In February the Pro Bono Institute honored Dean Judy Areen with the 2004 Laurie D. Zelon Pro Bono Award, marking the first time the award has gone to an academic professional.

The award was presented to Dean Areen in the Great Hall of the Supreme Court on February 20th. In her introductory remarks, Justice Ruth Bader Ginsburg described Areen's many accomplishments: "In her years as dean, the largest law school in the nation has become as well one of the best in the nation. With her firm hand at the helm, the Georgetown law faculty has grown in size and strength, the Law Center's physical facilities have been improved beyond measure, and the school's programs have become models for the country in, among other fields, international law, clinical law, and legal ethics."

According to Esther Lardent, president of the Pro Bono Institute, Dean Areen was selected because, under her leadership, the Law Center has "truly integrated public interest law into every aspect of the study and lives of the Law Center's students, faculty, and alumni."

During her 15-year tenure, Dean Areen established and created a permanent home for the law school's groundbreaking Office of Public Interest and Community Service (OPICS). She also supported and strengthened its Women's Law and Public Policy Fellowship program, which promotes the leadership of women in supporting justice around the world.

Also under her tenure, the Law Center established the Pro Bono Pledge, which challenges each law student to perform 75 hours of law-related pro bono service before graduation, and launched one of the first faculty pro bono programs, through which Georgetown professors are asked to contribute 50 or more hours of service annually.

She also greatly strengthened and improved the Loan Repayment Assistance Program, making it one of the top loan assistance programs in the country.

Under the leadership of Dean Areen and Associate Dean Wally Mlyniec, the clinical program at the Law Center has become the largest, strongest, and most diverse in the country. Nearly 60% of each graduating class participates in at least one of the 14 clinical courses.

She has also greatly enhanced the Public Interest Law Scholars program, providing the financial assistance needed to enable students to pursue the range of public interest options available to them during and after law school. Dean Areen has more than doubled career advising services for students interested in pursuing public interest careers. The school's two full-time public interest counselors advise more than 600 students each year on postgraduate fellowships, government honors programs, academic and summer internships, and other employment options. In addition, OPICS conducts numerous job fairs and other career-related programs each year, and it administers a public interest mentor program through which alumni provide guidance to current students on public interest career opportunities.

Above: Supreme Court Justice Ruth Bader Ginsburg, standing with Dean Areen and Areen's 2004 Laurie D. Zelon Pro Bono Award, said the Law Center "has become one of the best in the nation" during Areen's tenure.

Right: Pro Bono Institute President Esther Lardent, left, said the institute chose Dean Areen to receive its award because she has "truly integrated public interest law" throughout the Law Center community.
The Hon. Arthur Gajarsa (L’67) was lucky to have an understanding employer during his law school days. Working full-time as a patent agent for a law firm, he was allowed to work his own hours—overnight if necessary—to accommodate his law school demands, and his secretary even typed up his class notes for him. But as “the low man on the totem pole,” Gajarsa says, he got stuck with the firm’s worst office: a ninth-floor back-building room looking out onto an alley and construction site.

The seemingly unpleasant view, it turns out, was a glimpse into his future: The judicial complex going up next to his 15th Street building would eventually become home to the Federal Circuit Court of Appeals, where Gajarsa now sits as one of 12 appellate judges. For a man who initially planned a career in elected office, Gajarsa says, “I never thought in those days that I would ever be occupying this space as a judge.”

But after a distinguished legal career that included both public service and partnerships in several firms, in which he practiced in areas as diverse as international law, intellectual property, securities law, and Native American tribal interests (for which he appeared before the Supreme Court several times), Gajarsa was nominated to the Federal Circuit by President Clinton in March 1996. Since his confirmation the following year, Gajarsa has enjoyed his unique, lifelong opportunity to shape federal law and policy and witness up close the law’s impact on a range of issues.

As a judge for the Federal Circuit, Gajarsa and his colleagues hear appeals from U.S. district courts across the country on suits involving patents and other intellectual property matters, claims against the federal government, international trade, business and other issues. The court hears about 2,000 cases a year, with each judge, sitting for 10 months a year, paneling on more than 200. With very few cases taken up by the Supreme Court—four or five a year, Gajarsa says—most of the court’s decisions are final. “Our decisions do have a major impact,” he says. “We see the law in action.”

Gajarsa says the Federal Circuit Court of Appeals is a “collegial court,” with all its judges interested in reaching the right answers to legal problems, even if their approaches differ.

“Working with 11 other individuals gives you a very clear understanding of the breadth of the law, because they’re all very highly intelligent,” Gajarsa says. “I don’t necessarily agree with them all the time, but for the most part their positions are rational and logical.”

One downside to being an appellate judge is working exclusively with lawyers and not the individual plaintiffs, defendants, and witnesses affected by the case, Gajarsa says. And those lawyers are there, of course, to persuade him their side is correct. One tip for any appellate litigants out there: Gajarsa gets uneasy when an attorney claims a trial judge made, say, 25 errors in a case. Focusing on one, two, or three major issues is better than a “shotgun” approach, he says.

One of the most enjoyable aspects of his job, Gajarsa says, is working with his law clerks and law school interns, among whom several over the years have been Law Center graduates. He selects three clerks each year out of a large pool of 350 to 400 applicants. In working with his clerks and interns, he says, “I can be readily assured that the future of the country is in good hands, because there are a lot of bright, energetic individuals out there.”

Recently, while teaching a course on federalism and the 11th Amendment called “Suing the Sovereign,” Gajarsa said he found Georgetown students particularly intelligent and engaged.

“I’ve always pointed out to Dean Areen that I probably couldn’t get into Georgetown today,” Gajarsa jokes. “The competition is steep and keen.”

Regardless of his admissions potential today, Gajarsa, a native of Italy, gives back generously to his alma mater in several ways. He currently chairs the Law Center Affairs and the Audit Committees as a member of the Georgetown University Board of Directors, has served on the university’s Board of Regents, and has contributed his time and effort to help make the recently completed Third Century Campaign a success. He received the Law Center’s 125th Anniversary Medal in 1995 and the Paul R. Dean Award in 1999.

“Georgetown gave me a grounding for a lifetime career,” he says. “I think we all should look at ways we can give back. Georgetown is a fine institution, and we’re trying to make it even better.”