Letter from the Dean

Previously in this magazine we have featured the physical attributes of our new campus: the Eric E. Hotung International Law Building, the John Wolff International and Comparative Law Library, the new Supreme Court Institute Moot Courtroom. In this issue we spotlight our new associate professors, who will help bring these spaces to life.

As a group, they cover a remarkable amount of ground, with wide-ranging teaching interests and approaches to legal scholarship as well as diverse experiences before coming to the Law Center. Three of our new colleagues have doctorates in other disciplines — Kathy Zeiler in economics, and John Mikhail and Greg Klass in philosophy. Two have had extensive litigation experience in the public interest and public service sectors — David Vladeck was director of litigation at Public Citizen and Kris Henning served as lead attorney of the juvenile unit of the Public Defender Service in the District of Columbia. James Forman Jr., who teaches courses in criminal justice and education law and policy, helped found the Maya Angelou Public Charter School and also served in the D.C. Public Defender Service. Rebecca Tushnet, joining the Law Center from the New York University School of Law, is an expert on copyright, false advertising and the First Amendment. Vicki Girard, a 1987 graduate of the Law Center and our newest professor in the Legal Research and Writing program, practiced food and drug law at two firms in Washington, D.C. Nick Rosenkranz, who teaches constitutional law courses, comes to us from the Office of Legal Counsel at the Department of Justice and serves on the Board of Visitors of the Federalist Society. Ethan Yale practiced tax law and taught at NYU’s tax program before arriving at the Law Center to join our tax faculty.

Forman, Rosenkranz and Tushnet clerked just up the street from the Law Center at the U.S. Supreme Court. Klass has published a book on contract law theory (with Yale professor Ian Ayres). Henning has recently been selected as a fellow of the Emerging Leaders Program of the United States – Southern Africa Center for Leadership and Public Values. Yale’s paper on “The Cary Brown Theorem and the Income Taxation of Risk: A Reappraisal” was selected for presentation at the Stanford/Yale Junior Faculty Forum. Zeiler’s work has most recently been featured in the American Economic Review and the Yale Journal of Health Policy, Law and Ethics. Vladeck argued a case at the Supreme Court this term, Arlington Central School District of Education v. Murphy, addressing whether courts may award expert witness fees in successful suits against school boards under the Individuals with Disabilities Education Act. Mikhail taught a course this semester on Emotion, Cognition and Law with Professor Nancy Sherman of the Georgetown Philosophy Department. Girard is at work on a project exploring the FDA’s role in recent government actions brought under the False Claims Act against pharmaceutical companies that engage in “off-label” promotional schemes.

These scholars add significantly to the Law Center’s dynamic and diverse intellectual community. We are proud that they represent our future.

Sincerely,

T. Alexander Aleinikoff
Dean of the Law Center
Executive Vice President, Law Center Affairs
GEORGETOWN LAW
Res Ipsa Loquitur  Spring / Summer 2006

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SPOTLIGHT:
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Georgetown Law Mourns Longtime Professor John Wolff

Georgetown Law lost a beloved member of its community when Professor John Wolff, who taught at the Law Center for 44 years, died December 7 at the age of 99. Wolff, who celebrated the opening of Georgetown’s new John Wolff International and Comparative Law Library in 2004, was believed to have been the oldest active law professor in the country.

Wolff had an “energy and spirit” about him and will be “greatly missed,” said Dean Alex Aleinikoff in a posting to his Web-based “Deanpage” shortly after Wolff’s death. Aleinikoff noted that Wolff had fallen in his home and broken his arm a week before his death, and although the professor had prepared the examination for his Comparative Law course, “he was distressed because he had to miss his last class. It was the first class he had missed since he started teaching at the Law Center in 1961!”

Wolff taught a variety of international and comparative courses throughout his career at Georgetown, including International Law, Introduction to U.S. Legal Methods (for foreign lawyers studying at the Law Center) and International Problems in Civil Litigation. He also taught the Law Center’s first course in International Human Rights. He was most recently an adjunct professor.

Wolff, who was born in Montreal and raised in Berlin, received an LL.D. from the University of Heidelberg, Germany, in 1929, and an LL.M. from Columbia University in 1930, after which he became a member of the Columbia Law School faculty. During World War II, Wolff served as a lieutenant colonel in the Judge Advocate General Corps of the U.S. Army and later served as a deputy to the U.S. representative to the U.N. War Crimes Commission. He then worked for the Justice Department and, after retiring, continued to serve as an adviser on international and foreign law for that department.

Wolff was a passionate classical music fan with a special fondness for the works of Haydn and Mozart. An accomplished violinist, he was a founding member of the Department of Agriculture Symphony Orchestra, and he played with several other orchestras and chamber groups. His energy and spirit were legendary, and he continued to drive his 1995 Buick Regal well into his mid 90s. Wolff is survived by two daughters, a brother, four grandchildren and two great-grandchildren.

The Georgetown community expressed its gratitude to Wolff for his dedicated service several times during his career. In 1981, he was awarded the Vicennial Medal recognizing his first 20 years of service. In 1988, he was awarded the Charles Fahy Distinguished Adjunct Professor Award. In 2003, he received a Certificate of Appreciation for his commitment to Georgetown and his lengthy teaching service. Finally, in 2004, the Law Center dedicated the John Wolff International and Comparative Law Library, located in the new Eric E. Hotung International Law Center Building. The library contains more than 150,000 volumes and has become a favorite spot for many Georgetown Law students to study. A campus memorial service for Professor Wolff was held April 5.
Faculty Awards and Recognitions

Throughout the past academic year, a variety of organizations have recognized Georgetown Law faculty members for achievements in their fields and contributions to the legal community.

In January, the Association of American Law Schools’ section on Pro Bono and Public Service Opportunities presented Wallace Mylniec, the Lupo-Ricci Professor of Clinical Legal Studies and the Juvenile Justice Clinic’s director, with its Father Robert Drinan Award. The honor, named after Georgetown Law Professor Robert Drinan, S.J., is given to law school faculty or staff members who have advanced the cause of pro bono work through personal service, program design or management.

Also in January, the Society of American Law Teachers (SALT) presented its M. Shanara Gilbert Human Rights Award to Professor David Cole at a dinner held during the Association of American Law Schools’ annual conference in Washington, D.C.

SALT, the country’s largest membership organization for teachers of law, selected Cole as a 2006 awardee for his efforts to preserve the legal rights of detainees in the United States, at Guantanamo Bay, Cuba, and around the world.

In October, Mylniec also received the D.C. Law Students in Court’s 2005 Lever Award, given annually to recognize those who have used legal tools to benefit the Washington area. Law Students in Court, one of the oldest clinical programs available for law students in the Washington area, each year represents more than 7,000 low-income residents in landlord-tenant, small claims and other disputes. Students from the law schools at American, Catholic, Georgetown, George Washington and Howard universities participate in the clinic each year.

Also in October, the District of Columbia Bar awarded Father Robert Drinan its 2005 Public Service Award, given annually to recognize significant contributions to the field of international law. Drinan was the first individual to receive the award; past winners include such organizations as Physicians for Human Rights and the International Rescue Committee. During the award ceremony, Supreme Court Justice Stephen Breyer also recognized Drinan’s achievements as a U.S. congressman, saying that “he wanted to make law work better for people; he wants to make life work better for people.”

In September, the Office of Communication of the United Church of Christ Inc. (OC, Inc.) and the Telecommunications Research and Action Center honored Professor Angela Campbell, director of Georgetown Law’s Institute for Public Representation, with its Everett C. Parker Ethics in Telecommunications Award. Named after the founder and director emeritus of OC, Inc., the award is given to individuals whose public interest work embodies principles that “advance social change and close social divides,” according to the organizations.

For updates on faculty achievements and news about the Law Center in general, visit www.law.georgetown.edu/news.

Former Deputy Solicitor General Heads Graduate Tax Programs

Last December, Dean Alex Aleinikoff appointed former Deputy Solicitor General Albert Lauber Jr. to be the director of the Law Center’s graduate tax and securities programs. Lauber, who started his new job at Georgetown Law on January 1, succeeds Michael Grace, who had directed the LL.M. tax and securities programs since 2003.

Lauber served as deputy solicitor general in the Justice Department from 1986 to 1987 and before that as tax assistant to the solicitor general starting in 1983. He also served as a law clerk to Supreme Court Justice Harry Blackmun from 1978 to 1979. Since 1988, he had been a partner at the Washington, D.C., firm Caplin & Drysdale, specializing in federal income tax law, tax-exempt organizations, bankruptcy law and constitutional law.

“The Law Center is very fortunate to have someone of Albert’s caliber to lead our graduate tax and securities programs,” Aleinikoff said. “Albert is a highly regarded tax attorney who brings a wealth of experience to Georgetown. He is a great asset to the program and to our students.”

In his new role, Lauber oversees the LL.M. tax and securities programs’ curricula, program development and adjunct faculty recruiting. He also serves as the students’ academic adviser.

“I am excited to be a part of a world-class institution like Georgetown Law,” Lauber said. “As a young lawyer, I took a number of classes in the graduate tax program myself, which helped me tremendously in my legal career. It was a great honor to be asked to become director of this program.”

With more than 200 students, Georgetown Law’s LL.M. tax program is the school’s largest graduate program. Adjunct faculty members, who teach many of the program’s courses, are drawn from the staffs of congressional tax-writing committees, the Treasury Department, the IRS, the U.S. Tax Court, the Pension Benefit Guaranty Corporation, and leading law and accounting firms.

The LL.M. program in securities and financial regulation features adjunct faculty members working at the Securities and Exchange Commission and other regulatory agencies, as well as leading law firms.
After the confirmation of Chief Justice John Roberts but before the nomination and confirmation of Associate Justice Samuel Alito, a panel of Law Center professors discussed at length the Supreme Court's changing makeup as part of the annual Supreme Court Institute's media briefing.

Panelists at the briefing last September included Georgetown Law Professors David Cole, Viet Dinh, Chai Feldblum, Richard Lazarus, Nina Pillard and Robert Pitofsky. Professor Susan Low Bloch served as moderator of the event, which was sponsored by the Supreme Court Institute and offered journalists a preview of how the Court might rule on prominent cases in the fall 2005 term.

Dinh said he expected that Chief Justice Roberts' keen understanding of the "fault lines of [the Justices'] jurisprudence" would contribute significantly to how the ideological landscape of the Roberts Court is perceived. Moreover, Roberts has "a different time horizon" than most of his colleagues on the bench, Lazarus observed. "He's coming in at [age] 50... A lot of them are chafing at the bit to get some things done, but I think [Roberts] is going to be more patient, more measured."

In terms of the criminal procedure cases the Court was scheduled to hear this term, Cole said that the Court's decisions could amplify what he called "trend lines" surrounding its stance on death-penalty appeals. There was "a fair degree of hostility on the Court" toward such appeals, he said, stemming in part from what the late Chief Justice William Rehnquist in particular felt was "abuse" of the review process.

House v. Bell, singled out by Cole as arguably the most interesting of a series of death-penalty cases before the Court, involved how courts deal with new evidence that may undermine confidence in a defendant's guilt. House, Brown v. Sanders and other cases, Cole said, "concern the degree of certainty we insist upon before permitting the jury to impose, and reviewing courts to uphold, a sentence of death."

Feldblum discussed Rumsfeld v. FAIR, in which the Forum for Academic and Institutional Rights (of which Feldblum is a board member) sued the Secretary of Defense to prevent the enforcement of the 1996 Solomon Amendment, which Congress amended in 2004 to require that universities receiving federal funding treat military recruiters the same way all employment recruiters are treated. (The earlier version had required that schools receiving federal funding merely give access to military recruiters.) The primary question, Feldblum said, would be whether "the Court [is] going to see this [as a case of] compelled speech."

On the antitrust front, Pitofsky said that of particular note was a case concerning a partnership between Texaco and Shell and how it might affect gas prices. This case would, in the end, be "about how you approach this [kind of] business arrangement which is becoming so widespread," Pitofsky said, "and whether you are going to take the time to have a rather lengthy trial and then...say the anti-competitive effects outweigh the redeeming virtues."

In remarks about several end-of-life/beginning-of-life cases, Pillard described the "federalism flip" in Gonzales v. Oregon. In that case, "conservatives who spearheaded the federalism revolution of the last decade are relying on federal power here to try to stop or limit the effect of Oregon's Death with Dignity Act, and liberals are seeking refuge in state law and arguing for greater recognition of traditional state regulatory primacy," she said.
New Faculty Books Tackle Ethics, Economic Issues

How should the law treat people who make promises they never intend to keep? How can a lawyer navigate today’s corporate landscape ethically? How should the law and public policy approach economic inequities, especially as they affect young men with few educational or career prospects?

These are some of the complex questions that Georgetown Law faculty members — working together with colleagues from the Law Center or across the country — try to answer in new books released over the past year, some addressing issues never before explored in depth.

In *Economic Justice: Race, Gender, Identity and Economics* (Foundation Press, 2005), Professor Emma Coleman Jordan and University of California, Berkeley School of Law Professor Angela Harris engage two areas of legal thought — critical legal analysis and law and economics — in addressing questions about economic inequality in which race, class, language, culture and identity are the important variables. Jordan says the casebook explores important questions often left out of law school dialogue: Why doesn’t the Constitution contain economic rights? How can psychology, sociology and anthropology help us better understand human decision-making? And how do race, gender, sexual identity and class status operate in market transactions?

The book is especially relevant, Jordan notes, since the nation saw the disproportionate impact Hurricanes Katrina and Rita had on racial minorities and the poor.

Professor Gregory Klass and Yale Law School Professor Ian Ayers’ book *Insincere Promises: The Law of Misrepresented Intent* (Yale University Press, 2005) analyzes the often overlooked topic of promissory fraud — the making of a promise one never intends to keep (or might break later on). Although lawsuits alleging “promissory fraud” are common, courts are unclear on the scope of liability or the proof required, and law school contracts courses almost never teach the doctrine, according to Klass.

The book addresses a variety of issues relating to promissory fraud from several theoretical perspectives and offers suggestions for courts and practitioners on how cases involving the doctrine should be litigated and decided. Because promissory fraud can lead to punitive damages (and, in some jurisdictions, criminal liability), how such cases are resolved can have significant consequences, Klass says.

In *Legal Ethics and Corporate Practice* (Thomson/West, 2005), Professors Jeffrey Bauman and Milton Regan offer law students a taste of what it’s like to be a lawyer in corporate America — and the ethical minefields they can expect to confront. The book, the first major casebook to explore corporate legal ethics, attempts to provide students “a more realistic appreciation of how ethical issues can arise in the course of the lawyer’s daily work,” Bauman says. *Legal Ethics and Corporate Practice* provides a detailed description of the organizational and social settings in which corporate lawyers practice, the tasks they perform and the judgments they make. Most chapters include complex problems designed to provoke students’ thinking, requiring them to make their own judgments in untangling the ethical thicket those problems create.

*Reconnecting Disadvantaged Young Men* (Urban Institute Press, 2006), by Professor Peter Edelman, Georgetown Public Policy Institute Associate Dean Harry Holzer and the late Paul Offner, a former Wisconsin state legislator and Urban Institute consultant, provides policy-makers a blueprint for enhancing opportunities for millions of young men out of school, out of work and out of hope. Those recommendations include expanding education and training, improving financial incentives to work and reducing barriers facing noncustodial fathers and ex-offenders.
Civil Rights Expert Delivers Ryan Lecture

In the ongoing struggle for equality in education, lawyers serve best when they build bridges between opposing sides, said Christopher Edley Jr. at the 26th annual Thomas F. Ryan Lecture at the Gewirz Student Center on October 26. Associate Dean and Professor Lawrence Gostin introduced Edley, dean and professor at the Boalt Hall School of Law at the University of California, Berkeley, as “one of the foremost thinkers in the country on questions of civil rights law and policy.” Edley, who for 23 years was a professor at Harvard Law School, co-founded the Harvard Civil Rights Project, a multi-disciplinary think tank focused on racial justice. He also held a variety of posts in both the Carter and Clinton administrations.

In his lecture, Edley noted that the modern civil rights movement was founded on three principles: anti-discrimination, integration and tolerance, and progressive redistribution and socioeconomic mobility. Yet new demographic realities (including “the Latin-Americanization of the United States”) and changes in U.S. political culture (the “rising consensus that less government is better”) suggest that those three pillars need serious reconsideration. In fact, he said, the movement has already stalled.

For instance, “Latinos never experienced a school-integration movement and today Latinos in California are more segregated than African-Americans in Alabama and Mississippi.... Racial and ethnic justice claims barely have a seat at the table” with most major national policy concerns, Edley said.

One reason the movement has stalled is a shortage of good ideas about how to pursue equality at the federal, state and local policy levels. “It is one thing to say that we need to reform K-through-12 education,” he noted, “but it’s another thing to see to it that civil rights organizations have sufficient intellectual capital to be able to offer research-based prescriptions for how education policies should be reinvented.” Researchers and law schools should play an important role in addressing that intellectual dearth, he said.

Although lawyers are key players in the civil rights debate, Edley said, they face a major problem, one that he came to understand while working on a welfare-reform proposal for the Carter administration. “The problem was that my side in that debate, we were arguing about the food-stamp asset limit and the benefit-reduction rate and the earned-income tax credit and two-earner families and the Medicaid notch — and the other side was arguing about out-of-wedlock births, the work ethic, the deserving and the undeserving poor. They were arguing about values while we were arguing about policy plumbing.”

The American public is interested largely in values rather than policies, Edley said, and the question for lawyers is how to contribute “our excellence to that struggle.... It must be in the role of an ambassador, of a problem-solver, of a diplomat, of a translator. Lawyers need to find strategies for bridging communities and bringing disparate values together.”

Edley concluded with one idea for how such bridging might occur, a lesson drawn straight from his student days in moot court: “Think about trying to find the kernel of truth in what the other side is saying...because then you are in a position to insist that they do the same toward you. And that is the beginning of building a bridge.”

The lectureship was established by Georgetown alumnus and benefactor Hugh A. Grant (C’33, H’73) in honor of the late Thomas F. Ryan (L’76).
Workers’ Rights Are Eroding, Kaiser Lecturer Warns

When workers’ collective rights are threatened, their individual rights are also in danger, said Jonathan Hiat, general counsel of the AFL-CIO, at the 16th annual Henry Kaiser Memorial Lecture November 16 at the Gewirz Student Center.

The Kaiser Lecture series features talks by distinguished labor law scholars and practitioners. It honors Henry Kaiser, a labor law attorney “who dedicated his life’s work to the empowerment of working people here in Washington, D.C.,” according to Dean Alex Aleinikoff in his opening remarks.

Rebecca Kaiser Gibson, Henry Kaiser’s daughter, was present at the lecture to announce that Mark Hayes (L’06) is the recipient of this year’s Henry Kaiser Memorial Scholarship, given annually to an outstanding Georgetown Law student studying labor relations. Hayes couldn’t receive the honor in person because he was arguing a case that afternoon as part of his work with Georgetown Law’s Domestic Violence Clinic. This “proves what a dynamic third-year J.D. student at Georgetown University Law Center he is,” Gibson said.

Hiatt’s speech, which was attended by AFL-CIO President John Sweeney and delivered at a time of increasing turmoil in labor unions, was focused on the connection between individual rights, such as legislatively mandated minimum standards, and organizational rights, such as collective bargaining.

Hiatt, who became the AFL-CIO’s general counsel in 1995 after serving as the general counsel of the Service Employees International Union, argued that the Bush administration has made a “conscious effort” to weaken the organizational rights of workers. That, in turn, threatens the enforcement of worker’s individual rights, he said.

“The heart and soul of the labor movement, as well as a significant amount of its financial resources, have been firmly behind the creation, the extension and the strengthening of the federal employment laws that are now so often taken for granted,” Hiatt said. “So while labor and employment laws may occupy separate sections of the statute books, they can be kept apart only in law school classrooms because without a strong labor law protecting a vigorous labor movement, the advance of legal protections for individual employees will surely be halted if not reversed.”

Hiatt noted that although the percentage of workers represented by unions has decreased steadily from a high of 34 percent in the 1950s to about 13 percent today, surveys show that workers increasingly want union representation and those who are union members are highly satisfied. Reversing the drop in representation will be crucial to preventing a decline in the protection of workplace regulations, he said.

“If we remain committed as a mixed society, a society that both permits economic freedom and prevents the worst forms of economic exploitation, a society that enforces democratically adopted norms in the workplace, then we must understand this vital connection between unions and individual worker rights,” Hiatt said.

HUMAN RIGHTS INSTITUTE PARTNERS WITH CLINTON PROJECT

Former President Bill Clinton congratulates Georgetown Law Dean Alex Aleinikoff at the inaugural Clinton Global Initiative conference held in New York City last September. Georgetown Law’s new Human Rights Institute has pledged to study human rights guarantees found in the constitutions of predominantly Muslim countries as a part of CGI’s focus on religion, conflict and reconciliation. The Human Rights Institute’s study, due to be completed this fall, could be an important contribution to ongoing debates about political and legal reform in the Muslim world.
A new convenience store created and operated by Georgetown Law students opened its doors in the Sport and Fitness Center last fall, providing students a handy place to stock up on essentials they need to get through the week — and giving members of the local community a chance to stock up on work skills they need for success down the road.

The store, called General Jurisdiction, opened in October and is run by Equal Access to Justice (EAT Justice), a nonprofit corporation several students established last summer. The store employs Washington, D.C., area residents who have faced obstacles that prevent them from pursuing career goals, says Pepper Harward (L’07), EAT Justice’s president.

Some employees are overcoming teenage pregnancies, Harward says, or must care for younger siblings. Some have fled other countries and sought asylum in the United States — including one from the Democratic Republic of the Congo sentenced to death for his political beliefs and another who holds a biochemistry degree but is unable to find work here. General Jurisdiction hired these people, Harward says, because they all share a common trait: the willingness to work to surmount their setbacks.

“The number one thing we were looking for was a motivation to work for themselves,” Harward says. “They had an obstacle, it was real and defined, they had some tiny idea that it could change — and this [job] seemed to be a first step.”

General Jurisdiction helps its employees in a variety of ways. For those without much work experience, it offers a chance to develop interpersonal and decision-making skills through, for example, interacting with customers and tracking inventory. The store also provides a “living wage” of $13.50 an hour, which is more than they might earn for similar work elsewhere. Many employees also take computer classes the Law Center makes available, and each is paired with a law student mentor who provides individual assistance, such as helping navigate the application process for higher education programs.

To recruit its first set of employees, EAT Justice organizers worked with local chapters of Catholic Charities, Goodwill Industries and other organizations providing job placement, and they hosted a daylong job skills seminar last summer attracting nearly 80 people, says Shana Haygood (L’07), EAT Justice’s public relations director. Everyone who filled out an application was guaranteed an interview, she says, and the interview process was intensive — lasting several hours and stretching out over two or three meetings. EAT Justice wanted to ensure it hired people not just looking for a job, but looking to change their lives, she says. In fact, General Jurisdiction isn’t really interested in retaining its employees.

“The thing we don’t want to have happen is to have the employees feel that this is their only job or the only reason that they were hired,” Haygood says. “The reason that they were hired is because they have goals outside of this — they want to be a nurse, they want to go back to school or they want to be an executive assistant.... [The job] really is a stepping stone.”

General Jurisdiction benefits the more immediate Georgetown Law community as well. For students living on campus and others on the go, it offers staples such as milk, bread, peanut butter and jelly, frozen lunches, health bars and more. (For some reason, beef jerky is very popular, Haygood says.) Beyond that, students running EAT Justice have the opportunity to apply their burgeoning legal skills, Harward notes. Students drafted the organization’s articles of incorporation, wrote its bylaws, drew up contracts and more.

“The whole idea came from us wanting to start a small business that the students could get involved in,” Harward says. “It’s a good opportunity for students to get some practical legal experience.”
Israeli Ambassador Shares Hopes for Middle East Peace

A t an event attended by Law Center Dean Alex Aleinikoff, Georgetown University President John J. DeGioia, students and friends, Israel's ambassador to the United States Daniel Ayalon discussed prospects for peace in the Middle East.

Ayalon’s August 30 talk, which was covered live by C-SPAN, was entitled “The Day After Disengagement: What’s Next for Israel and the Middle East.” The lecture came just weeks after the Israeli government completed its removal of Israeli settlements, including thousands of settlers, from the Gaza Strip and the West Bank. Ayalon described the emptying of the settlements as “history in the making” — simultaneously a traumatic chapter in Israel’s history and a bold, hopeful move toward a lasting peace in the region.

Ayalon said it’s important to realize that nobody compelled Israel’s Prime Minister Ariel Sharon to empty the settlements. Rather, the Israeli government realized that the country and the region needed the chance for peaceful coexistence.

The ambassador’s remarks covered three topics: the effect of the disengagement on Israel’s own political and historical development; Israel’s relations with the United States in the wake of the settlements’ dismantling; and where Israelis now stand in relation to the Palestinians and to Israel’s neighbors in the volatile region.

In terms of the first area, Ayalon lauded the political and military will required to carry out the dismantling: “I think we can look back very proudly on what we have done — not only because of the whole operation, which as I mentioned was emotionally hard, but also from a logistical point of view. Nobody was hurt, and the rule of law was upheld.” The
Book Panel Addresses Segregation in Public Schools

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We stand at one of the coldest and most dangerous and most reactionary moments in our nation's history," said educator and author Jonathan Kozol at the Law Center's Hart Auditorium last September. The event marked the publication of Kozol's latest book, The Shame of the Nation: The Restoration of Apartheid Schooling in America.

In five years of traveling the country to research this book, Kozol said, "Everywhere I'd go in the inner city schools if you took a photograph of the children in the classroom, it would look exactly like a photograph of a class you might have taken in Alabama or Mississippi in 1935: not a white child in the room."

"I don't know if there is anybody else who speaks with more passion and clarity about poor children and the importance of equitable, integrated public education in the country," said Marian Wright Edelman, president and founder of the Children's Defense Fund, as she introduced Kozol and other panelists discussing race, education and poverty. Some of Kozol's other books include Death at an Early Age and Savage Inequalities: Children in America's Schools.

Peter Edelman, a professor at the Law Center and Wright Edelman's spouse, moderated the panel discussion, which also included Theodore Shaw, director-counsel and president of the NAACP Legal Defense Fund; Rep. Bobby Scott, D-Va.; and Roger Wilkins, the Clarence J. Robinson professor of History and American Culture at George Mason University and publisher of the NAACP's journal Crisis.

Kozol referred to the period of time following the anti-segregation decision of Brown v. Board of Education as a "remarkable success" in terms of what he called the narrowing of the "skills gap between black and white Americans."

Yet today, the re-segregation of public schools is widespread, with New York, Michigan, Illinois and California leading the country in terms of what he called "apartheid education."

"This total segregation is what Martin Luther King and [civil rights workers] Mickey Schwerner and James Chaney and all our other martyrs died [fighting]," Kozol said. "If you grew up in the era in which I did, nothing could be more heartbreaking than to see this national betrayal of one of the most idealistic moments in our nation's history."

An antidote to that betrayal, Kozol argued, would be for "millions of young people of character and courage to rise up...and defend the moral honor of this nation and take up once more...the struggle that many of their parents have abandoned."

In remarks following Kozol's, Shaw said he believed that most Americans "are sincere about the promise of Brown and they would say they support the promise of Brown. They just can't find their way to doing what's necessary to make that promise a reality." Shaw said he looks to Kozol's "infectious" optimism to remind him that "hope has to be a choice, because the reality around us can cause us to be very cynical."

Wilkins concluded the panelists' remarks by recalling his experiences attending segregated schools. "I'm 73 years old," he said, "and the stain is still there."
Students Flourish in Internships South of the Border

When Daniel Sinrod (L'07) thinks back on his internship at the Buenos Aires law firm of Allende & Brea, it’s the firecrackers he remembers best. With the remnants of Argentina’s 2001 and 2002 political and economic upheavals still in the air, “there were strikes and protests daily,” Sinrod recalls. The firecrackers that protestors set off in the street outside his firm’s building tended to explode at the altitude of his 14th-floor office. “This was highly distracting,” he says, “but it was also a wonderful education.”

Sinrod’s experience may have been more colorful than most, but he’s not alone in finding his summer internship a singular education. Sinrod was one of 26 Georgetown Law students (about 1.5 percent of the total number of Law Center students studying abroad for the year) who traveled to South and Central America and the Caribbean last summer for internships with law firms, non-governmental organizations and the United Nations.

Under the guidance of Marilyn Tucker, director of Alumni Career Services, and with the encouragement of Professor Joseph Page, director of Georgetown’s Center for the Advancement of the Rule of Law in the Americas (CAROLA), students interned in Argentina, Brazil, Chile, Costa Rica, the Dominican Republic, Ecuador, Mexico, Peru and Venezuela. CAROLA promotes the rule of law to help achieve economic development and social justice in Central and South America.

“From the beginning, the organization was very focused on making [my internship] a beneficial experience for both sides,” says Elizabeth Matos (L’07), who worked in Sao Paulo, Brazil, for Conectas, a human rights organization. Fluent in Portuguese, Matos said her language skills helped her land an assignment to contribute to an amicus brief on equal protection issues that was filed with the Brazilian Supreme Court. The organization “was comfortable giving me a lot of responsibility,” Matos says, noting that the director asked her to attend several conferences as Conectas’ sole representative. Sinrod also described a high level of autonomy in his Buenos Aires firm.

Soraya Kelly, Jeff Purdie and Nathan Swinton, all second-year law students, worked for eight weeks at Ciudadanos al Dia (which loosely translates to “Informed Citizens”), a Peruvian nongovernmental organization working to establish mechanisms for government accountability and transparency. Swinton, who edited the school newspaper while an undergraduate at California’s Santa Clara University, said that his interest in the ongoing balance between making information public and limiting access to it for security purposes guided him as he researched how access practices in the United States, Europe and Canada might apply to Peru’s federal government.

The internship “was a way to open my eyes to see the different possibilities of things you can do with a law degree,” Swinton says. “It wasn’t what I originally thought I would be doing after my first year of law school, but it was a lot of fun.”

SIGNING CEREMONY HELD FOR NEW INTERNATIONAL LAW SCHOOL GROUP

Claudio Grossman, dean of American University’s Washington College of Law; Carl Monk, executive vice president and executive director of the Association of American Law Schools; and former Georgetown Law Dean and current AALS President Judy Areen sign papers in Georgetown’s Supreme Court Moot Courtroom that officially create the International Association of Law Schools. The IALS, based in Washington, D.C., is a nonprofit corporation composed of educational institutions, associations and legal educators from around the world committed to strengthening legal education and linking legal educators worldwide.
After the Storm: Georgetown Law Acts Quickly to Accept Katrina Evacuees

Australian LL.M. student Yanya O’Hara left just in time — she evacuated her New Orleans apartment a day before Hurricane Katrina blew the roof off her building as it devastated the city last August 29. When the levees broke and it became clear to O’Hara that Tulane University Law School, where she was enrolled, would not operate for the fall semester, she and her classmates began contacting law schools across the country. “We just rang up every institution and told them our situation and said, ‘Can you help us?’” O’Hara said. “[Georgetown] said they would accommodate us as visiting students. A number of other institutions made the same offer, but [Georgetown] was the first one to say yes.”

In fact, Dean Alex Aleinikoff began coordinating efforts among Washington, D.C., area law school deans to take in students from Tulane and Loyola University New Orleans right after Katrina made landfall in Louisiana. One week later, 23 J.D. students and six LL.M. students from those schools sat in on their first classes as Georgetown visiting students, with tuition and academic credit applied to their home institutions. “The only requirement they had to meet was to arrive in Washington by 3 p.m. Monday, September 5 — Labor Day — for a half-day, rough-and-ready registration and orientation session for the new students organized by Associate Dean for Academic Administration Carol O’Neil. For O’Hara and her classmates, who had evacuated first to Mobile, Alabama, where O’Hara’s husband was staying, and then to Daytona Beach, Florida — traveling up to D.C. was another burden, but worth it, she said.

Once O’Hara and the other law students arrived, they were given e-mail and other computer network access, as well as GoCards with a $50 balance courtesy of Bon Appétit Management Co., which operates the Law Center’s food services. Follet, the on-campus bookstore, provided students’ textbooks for free, and Georgetown students shared their notes from the first week. Students, staff and faculty members also volunteered to provide temporary housing. O’Hara and the other five LL.M. students eventually ended up at the parsonage of the church that Associate Dean for Graduate Programs Wendy Collins Perdue attends.

Aleinikoff expressed gratitude to all those who pitched in to make the students’ stay at Georgetown Law possible. “I am proud of the Law Center’s response and am deeply thankful to those members of our community whose efforts have made this possible,” he wrote in an e-mail message sent to the Georgetown Law community September 6. “They have shown Georgetown at its best.”

In the days, weeks and months following the disaster, the Georgetown Law community’s Katrina response extended beyond the classroom. On October 12, the Law Center hosted a major policy address delivered by National Urban League President and Chief Executive Officer Marc Morial (L’83), a four-time mayor of New Orleans. Georgetown Law faculty and students, recruited by the Office of Public Interest and Community Service, staffed a help desk to provide legal and other advice to victims of Hurricanes Rita and Katrina. And 25 students traveled to New Orleans during Spring Break to provide legal assistance and home cleanup to victims there.

Although most of the Tulane J.D. students returned to their home universities for the spring semester, six stayed on for a full year, as did four of the six LL.M. students. One of them is O’Hara, who began working for a Washington, D.C., firm during the fall semester and plans to work there for several years after she graduates, she said.

“I AM PROUD OF THE LAW CENTER’S RESPONSE AND AM DEEPLY THANKFUL TO THOSE MEMBERS OF OUR COMMUNITY WHOSE EFFORTS HAVE MADE THIS POSSIBLE.”

Dean Alex Aleinikoff

Break to provide legal assistance and home cleanup to victims there.
This spring the Law Center launched a new speaker series, the Georgetown Law Forum, which brings to campus distinguished policymakers, analysts, academics and more to discuss major legal and policy issues of the day.

The inaugural forum, which took place January 24 in a packed McDonough Hall classroom and before a nationwide audience on C-SPAN2, featured an address by U.S. Attorney General Alberto Gonzales titled "Intercepting Al Qaeda: A Lawful and Necessary Tool for Protecting America." In it, Gonzales offered legal justifications for the Bush administration’s warrantless wiretapping of U.S. citizens suspected of communicating with Al Qaeda operatives overseas. A panel discussion moderated by Dean Alex Aleinikoff followed Gonzales’ speech. Panelists included Professor David Cole, Visiting Professor Martin Lederman, University of Virginia law professor Robert Turner, and David Rivkin, a partner with Baker & Hostetler.

The second forum, held February 16 in the Hart Auditorium, featured a diverse, high-profile group of panelists discussing the war on terrorism, focusing particularly on military tribunals and the domestic wiretapping program. The panel, moderated by CNN anchor Wolf Blitzer, featured Sen. Arlen Specter, R-Pa., the Senate Judiciary Committee’s chairman; Rep. Jane Harman, D-Calif., the House Intelligence Committee’s ranking Democrat; former Deputy Homeland Security Adviser Richard Falkenrath; Professor Neal Katyal, who is the lead attorney in Hamdan v. Rumsfeld; investigative journalist Seymour Hersh; and Bradford Berenson, former White House associate counsel for President Bush.

Sen. Patrick Leahy (L’64) of Vermont, the Senate Judiciary Committee’s ranking Democrat, returned to his alma mater January 19 to announce that he would vote against Samuel Alito’s nomination to the Supreme Court. His announcement was carried live on C-SPAN2.

Justice Breyer discussed his new book, Active Liberty: Interpreting the Constitution, with Dean Alex Aleinikoff and a Hart Auditorium audience January 5. The event was held in conjunction with a reception held at the Law Center as part of the annual meeting of the Association of American Law Schools.
Shaping the Future
FOCUS ON NEW FACULTY
They are philosophers, economists, educators and litigators. They are transforming juvenile justice, redefining constitutional law and exploring the moral foundation of human rights. Georgetown Law’s new associate professors have brought astonishing intellectual energy, breadth and depth to the largest full-time law faculty in the nation.

Long before their arrival here, they proved themselves notable scholars and practitioners — clerking for Supreme Court justices, developing innovative theories of contract law, examining free speech and false advertising, fighting for product safety regulations — and now as professors they are deepening and extending their scholarship while training a new generation of lawyers.

Their interests range from the economics of malpractice settlements and the impact of FDA regulation on reproductive technologies to the tax implications of pollution permits and the role of Congress in statutory interpretation. Many pursue interdisciplinary solutions to modern problems, staking their intellectual claims at the intersection of law and economics, philosophy and psychology.

Although they speak with many voices about their own specialties, there is one way in which they talk in unison: They are glad to be here, they say, because Georgetown Law informs the academy and engages the world. Here, they can teach students who are intelligent and curious. Here, they can work in a city that is the seat of government and a laboratory of the law. Here, they can work for the future, not the past. Here, they can make a difference.

In the next 20 pages you will meet 10 new associate professors who are shaping the future at Georgetown Law.
ASSOCIATE PROFESSOR JAMES FORMAN JR. ALWAYS KNEW he'd become active in civil rights, for he was, as he describes it, "born into the family business." He wouldn't have predicted that he'd do so by opening up a couple of new lines of business, however.

Forman never thought twice about following in the footsteps of his parents, civil rights activists who met at the Student Nonviolent Coordinating Committee (where his father, James Sr., eventually served as executive secretary).

"I don't think I ever really envisioned any other kind of life," he says. "I didn't evaluate other options.... We grew up talking about the issues of the day — poverty and racism and discrimination against women in the work force — that's just how I was raised.... That was a tradition that I came out of; I am part of a multi-generation struggle for human rights."

The question for Forman was how to carry on that struggle. He entered Yale Law School without a clear sense of how he wanted to put his degree to good use, but he doubted he wanted to become a public defender. He distinctly remembers when a guest speaker from a public defender's office visited his ethics class one day and described what it was like to represent a likely guilty client. "All I remember thinking," he says, "was, 'Well, I'm really glad there are people who do that, but that couldn't be me.'"

Eventually, however, he figured out that it not only could be him, but he would read transcript after transcript of trial court testimony and be shocked at the "appallingly low" level of representation that many appointed counsel provided for their indigent clients. Around that time, he says, the war on drugs had begun causing incarceration rates to spike among minorities and the poor, even though, since Brown v. Board of Education, racial disparities had decreased in political representation, employment, income, home ownership and virtually every other societal yardstick imaginable.

"I really started to see that it was poor people and that it was black people who disproportionately were being locked up under this system," he says. "Not exclusively, but disproportionately. I began to think, 'Wow, this really is a civil rights issue.'... I really started to think, 'You know, I need to learn more about this system, and beyond that, that's where I want to make my contribution.'"

He became a staff attorney for D.C.'s Public Defender Service in 1994, and stayed there for six exhilarating years. Forman lights up when he describes "the greatest job I think I'll probably ever have.... It was an office full of true believers...who really believed that it was an honor to represent people who were charged with serious crimes and could not afford to hire a lawyer," Forman says. "It was our mandate to provide them better representation than..."
they could get if they could afford to hire a private attorney. And we went about our business with that in mind.”

Forman had always been interested in teaching and research, so an academic career was the perfect next step. After two years as a visiting professor at the University of Michigan Law School, he began teaching at Georgetown Law in 2003. His public defender experience gives him ample fodder for scholarly work on the criminal justice system and helps him explain to his Criminal Justice students how legal rules operate in real life. To help him do this, he enlists guest speakers from the “trenches” — prosecutors, detectives and working public defenders.

Students can gain a much deeper understanding of the legal system this way than by reading casebooks alone, Forman asserts. Court opinions display only “the end of the process,” he says. As a trial lawyer, “you’re seeing the process as it’s happening. You see the nitty-gritty.... You see a whole world of bias and attitude, a whole world that just doesn’t get captured on the printed page.”

Great Expectations
As a public defender, Forman grew frustrated at seeing juvenile clients from poor and disadvantaged backgrounds get caught up in the criminal justice system, so he partnered with David Domenici, son of Sen. Pete Domenici, R-N.M., to create the Maya Angelou Public Charter School, a publicly and privately funded, tuition-free high school that now has two campuses in Washington and will open a third in 2007.

“[David] and I have worked relentlessly for over 10 years now to try to first create this organization and now build it and help it become sustainable,” Forman says. “And I believe that this sort of work, which many people are doing, is really the civil rights work of this generation.”

Forman, who chairs the school’s board of directors and also coaches its mock trial team, says the school is designed to serve “the kids who need absolutely the most help in the city.” A supportive yet rigorous institution where long hours are required and expectations are high, Maya Angelou has been astonishingly successful, raising students’ average grades from D’s to B’s and sending more than 70 percent on to college.

The experience has helped Forman become a successful professor, as well. He teaches Law Center courses in education law and school choice, and is creating a seminar next year that will examine the relationship between education and class mobility.

Forman has focused much of his recent scholarship on education and he just completed an article examining analysis of education policy scholarship, which can be polarized and ideological.

Forman says he tries “to bring a sense of nuance and neutrality” to the analysis of education policy scholarship, whether charter schools threaten public education and the effect of market-based education reforms on the poor and disadvantaged. Forman says he tries “to bring a sense of nuance and neutrality” to the

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Forman says he tries “to bring a sense of nuance and neutrality” to the analysis of education policy scholarship.

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In his spare time...
Forman is an on-again, off-again yoga student, with a readily available teacher: his wife, Ify Nwokoye, who’s a yoga instructor in Washington, D.C.
ASSOCIATE PROFESSOR VICKI GIRARD (L’87) LOVED WORKING AS an attorney in private practice. Specializing in Food and Drug Administration regulatory law, she worked with a range of clients, including the American Red Cross, and had a great working relationship with a partner, Hogan & Hartson’s Robert Brady, with whom she worked for more than a decade. But although practice makes perfect, legal practice wasn’t perfect. Girard had always thought about teaching at some point, and she loved the idea of returning to her alma mater. But what really compelled her to respond to the *Legal Times* ad announcing a legal research and writing position at Georgetown Law three years ago was a flaw in the legal profession that always irked her: weak writers are often, and unnecessarily, left behind.

In law school, serving as a law fellow (a second- or third-year student who provides constructive feedback on first-year students’ writing) “convinced me that you really can teach people how to be effective legal writers,” Girard says. But private practice demonstrated that no one really has the patience for that when a memo “doesn’t cut the mustard.”

“Unfortunately, because of the pressures in private practice, most partners read it and say, ‘I don’t want this person. Find me someone else. I don’t want this person to do my work anymore,’” she says. “There is not good mentoring for people who need help.”

Girard grew frustrated at seeing smart and eager new associates flounder each year because of their writing and provided guidance to new lawyers whenever she could.

Earning Their Trust

As a professor, Girard’s position toward her students is clear: If you have faith in the process, you can demystify the often confusing and hazy world of legal research and writing. She says she’s willing to meet her end of the bargain.

“The most important thing to me is mutual respect. I think you have to earn respect,” she says, “and I think I earn it over time with my students. I think that once they realize that I’m very earnest about trying to help them through this process, they end up trusting me.”

For many first-year students, Legal Research and Writing can be the most demanding course they take all year, and it’s certainly unlike any of the others. During the year, students write multiple memoranda and appellate brief drafts that their professor and law fellows critique; become acquainted with a range of unfamiliar concepts, from binding versus persuasive authority to holdings versus dicta; confront the nitty-gritty spheres of online and book research and legal citation; and face the music at mock oral arguments held at the nearby U.S. courthouse.

In her lectures, Girard stresses the usefulness of the skills her students are developing, which many appreciate only when they reach the legal workplace, she says. She introduces as much flavor from real-life practice as possible, she says, one year even requiring students to keep time sheets as they worked on their
office memos. And, as she learned from practice, Girard emphasizes the importance of rewriting — not as a final step before handing in an assignment, but as a path toward more fully understanding complicated legal issues.

"I think the goal for all of us in the research and writing department is for our students to leave here with an efficient and effective legal writing process. We want them to feel that, given any assignment, they will know how to approach it," she says. "They may not get the perfect answer, they may not get it right the first time, they may have to rework it a gazillion times, but they will feel confident in their ability to do that."

A Lot to Juggle

If it’s any consolation to her students, Girard struggles right along with them each year. Although after three years of teaching she has overcome her innate stage fright (not once during law school did she volunteer in class, she says), the class itself always poses unique challenges. For one thing, she’ll read several hundred student drafts, rewrites and exams each semester alone. And unlike teaching a traditional substantive course, where one can take comfort in knowing that the basics remain much the same, Girard has to acquaint herself with different areas of the law annually: one year her students might work on defamation and Fourth Amendment problems arising in Missouri and the next on breach of contract and custodial interrogation in Arizona. Surprises come with the territory.

"Nevada really threw me for a loop and stretched my students this year," she says, referring to its complicated standard of review for search and seizure cases.

All this leaves little time for her own writing. But Girard, who authored and co-authored several articles as a practitioner, including one for a bioethics commission established by President Clinton, has a number of ideas in the pipeline. She has a longstanding interest in the impact of the FDA’s regulation of human tissue on the practice of assisted reproductive technology. Most recently, she has been considering an article on whistleblower lawsuits brought by the Justice Department under the False Claims Act, a Civil War-era statute, against pharmaceutical companies that market their approved drugs for non-approved uses, even when done according to FDA guidelines.

"While it makes sense to hold drug companies liable for using marketing tactics like free trips to entice doctors to prescribe certain drugs," she says, "holding them liable for disseminating information consistent with current scientific knowledge and medical practice strikes me as an entirely different thing."

This is not to say that Girard has anything against taking trips. In fact, this Long Island native loves to travel. She and her family enjoyed their first ski trip out west this past winter. And despite this year's run-in with Nevada law, Girard, a blackjack fan, hopes to visit Las Vegas soon to put her skills to the test.

Serving as a law fellow at Georgetown "convinced me that you really can teach people how to be effective legal writers."

Brady, Girard's former colleague, still encourages her to return to practice and sometimes calls to ask, "Have you had enough now? Are you coming back?" she says. Girard politely declines. Although she loved practice, she's settled in now at her alma mater and is happy with where the Law Center is going.

"For me, this is a huge honor to be at Georgetown," she says. "I've loved coming back. I am especially excited to be here under Alex Aleinikoff’s tenure as dean — he has already demonstrated an incredible commitment to promoting legal writing at Georgetown and has spearheaded long overdue changes to the program that will enhance the writing experience for all of our students."

— Greg Langlois
ASSOCIATE PROFESSOR KRISTIN NICOLE HENNINC STILL remembers how tough it was sitting in court as an intern for the Durham, North Carolina’s district attorney’s office. For Henning, then an undergraduate student at Duke University, it took all her strength not to walk over to the other side.

“I would look across the room and I’d see the defendant, who was invariably a young African-American boy,” Henning says, “and I knew, ‘That is where I want to be — sitting with the kid, not with the prosecution.’”

Growing up in an often racially divided North Carolina community, Henning “had a passion for social justice” and saw “a profound need to establish equality,” she says. “Law for me was the best way to do that. I saw that as ... the most concrete, hands-on approach.” When she decided to pursue a criminal law career, her sense of justice told her she needed to be at the defendant’s table, not the state’s.

When she worked for the prosecutor, she says, “I felt like the kid didn’t have a voice.” To Henning, who has served as deputy director of Georgetown Law’s Juvenile Justice Clinic since 2001, that can be true even if the child has competent counsel: “I’m not convinced that the defense counsel is always listening to the voice of the child and coming up with creative solutions for advocacy on behalf of the child,” she says.

Henning has purposely kept one foot in practice and the other in scholarship from the start. One way she did this was by applying only to law schools with strong clinical programs. She wanted to see how what was covered in class played out in real life and with real clients.

“I wanted to combine the theory and the practice,” she says. “I wanted to learn the law, understand the law and challenge the law, but at the same time I wanted to use the law on behalf of those who didn’t have access to the justice system.”

Georgetown Law has played a big part in enabling Henning to follow through on those wishes. After earning her J.D. at Yale, Henning came to Georgetown as a Prettyman/Stiller Teaching Fellow, where she had her first opportunity to supervise and teach Georgetown students participating in the Juvenile Justice Clinic. In 1999, while working with Washington, D.C.’s Public Defender Service as the lead attorney in its juvenile unit, Henning returned to the clinic as an adjunct professor. Two years after that, she joined the clinic full time as a visiting associate professor, and in 2004 she became an associate professor.

As a full-time professor, Henning is able to take an analytical approach to the criminal justice system. “We, as practitioners, have to accept the system as it has evolved over time,” she says. “As a professor, I’m able to think about the big picture: Is this the best way to administer justice?”

Her scholarship interests range from the sweeping — such as evaluating why more effort seems devoted to prosecuting street crime versus white
collar crime — to the specific, such as how attorneys representing juveniles can follow the child's wishes within a system that is designed to "do what's best for the child. Adults think they know best," she says, but that's not always the case. One of her goals is to promote "not only listening to the child, but empowering and equipping children to be better advocates for themselves."

The only way such changes will happen, Henning says, is if practitioners are encouraged to make them. That's why she provides training throughout the year to juvenile defense counsel across the country, helping them learn about and apply the scholarship that professors like her produce, she says. Law review articles are nice, she says, but not too useful if their ideas remain only ideas. "That's not to say that theory is not important because I definitely think it is essential," Henning says. "We have to think critically about our work. We have to encourage practitioners to think critically, but then we also have to get the scholars to teach the practitioners.... I question practitioners who don't think critically, but at the same time I like to see scholarship used in a practical way."

"I would look across the room, and I'd see the defendant, who was invariably a young African-American boy, and I knew, 'That is where I want to be — sitting with the kid, not with the prosecution.'"

Time is of the Essence

All of that might be easier if she didn't have, as she says, "five jobs." In addition to her scholarly and training roles, Henning, as the clinic's deputy director, also helps represent clients, supervises her students and teaches the clinic's seminar two times a week. Because she is in court for much of the day during the week, she arrives early, stays late and works weekends to make up for time.

Part of what keeps her going is her students' enthusiasm, she says. "I love teaching and supervising students because I feed off their energy," she says. Henning meets with each of the clinic's 14 students for at least an hour each week to review the cases they're working on. Each student takes on about five to seven clients a year, and the clinic as a whole represents more than 100 clients at any given time. In reviewing each client's case, Henning guides students' thinking through directed questions that help them strategize and set goals.

"I can easily tell them all the answers, but we want them to explore on their own what the answers are," she says. "Our goal is to teach people to teach themselves."

Even on her own time, it seems hard for Henning to leave thoughts of social justice and her career behind. She loves to travel, and she went on vacation to South Africa this past winter — but only to return in the spring as a fellow of the Emerging Leaders program with participants from the United States and Africa. She's an avid reader, but mostly of nonfiction, such as Nelson Mandela's autobiography, Long Walk to Freedom.

She can't even root for her beloved Duke Blue Devils basketball team without completely escaping her work life. Since joining the Georgetown faculty, Henning has also become a Hoyas hoops fan and is a season-ticket holder. But she watched in dismay as then top-ranked Duke fell to Georgetown last January.

Even if her students' passion to make a difference isn't as all-encompassing as Henning's, they will at least be aware of the need for it. She makes sure of that. "It's not even that I hope people will go and be public defenders...but that people will leave this experience with a recognition of the need for public service and pro bono work," she says. "They absolutely have to leave this class recognizing the needs of the poor and voiceless people in our society."

— Greg Langlois
IT WAS 1996, AND ASSOCIATE PROFESSOR GREGORY KLASS was teaching philosophy in Dresden. The former East Germany was an exciting place to be in those heady, post-unification years. But Klass was preparing his dissertation and spending “eight hours a day reading Kant. I love that stuff, but it’s extremely abstract with very little connection to everyday concerns,” he says. At the same time, Klass’s wife, Sanju Misra, was completing her law studies, and Klass noticed that “her professors had this mix of really interesting theoretical work with the ability to be engaged in the world around them.” It was then he decided that “although philosophy is really terrific, it wasn’t what I wanted to spend my life doing.”

Fast-forward to 1999, when Klass, with a newly minted Ph.D. in philosophy from the New School University, entered Yale Law School. There he worked in the prison clinic, helping inmates with disabilities access equal protection under the Americans with Disabilities Act. Here was a way to meld the theoretical and practical.

Another opportunity to do this appeared unexpectedly during his second year of law school, when Klass’s contracts professor, the William K. Townsend Professor of Law Ian Ayres, learned of his background in philosophy of mind and asked if he’d like to write a paper together. The paper was on what Klass describes as “a forgotten corner of contract law,” promissory fraud. He and Ayres asked, “What do we do about those who enter into a contract intending not to perform? How should the law treat them?”

Promises, Promises

Klass used an Olin Fellowship after his second year of law school to work on a draft of the paper. When it grew to more than 200 pages, he and Ayres realized that it was probably a book.

“What I brought to the project, apart from a lot of writing, was my philosophical background. I was used to dealing with ideas about intention and belief. This comes from my work in philosophy of mind. We spend some time asking, ‘What does it mean to say that someone doesn’t have the intention to perform?’ The law should distinguish, Klass argues, between someone who doesn’t intend to perform because he isn’t sure he’s going to perform or is mistaken about what the contract says and the promisor who affirmatively intends to breach.

Klass worked on the book through his third year of law school as well as his first year out. The book that resulted is Insincere Promises: The Law of Misrepresented Intent (Yale Books, 2005; see mention on page 5 of this issue). It’s meant for both scholars and practitioners, Klass says, and has given the professor the kind of theoretical and practical engagement he was dreaming about in Dresden.

“I’ve been contacted several times by people who have a case and want to consult or talk about whether
promissory fraud might be in their contract case, which from my perspective is immensely fun. It’s exactly the reason I went to law school — the idea that some of the theoretical work can actually play out in the practical.”

Klass said he knew early on that he wanted an academic job, but he wanted to practice for a while first. After law school, he clerked for Judge Guido Calabresi in the U.S. Court of Appeals for the Second Circuit, then became an assistant solicitor general for the New York State Attorney General.

From New York to D.C.

“It was a great time to be in the New York Attorney General’s office,” Klass says of his two years there. “I had wanted as steep a learning curve as possible and that office turned out to be a great place to do that. I was in the Appeals and Opinions Bureau, so I dealt almost entirely with appellate litigation.”

One of his cases concerned whether New Yorkers could order California wine over the Internet,” he explains. This case pitted the 21st Amendment, which ended Prohibition and gave states broad powers to regulate alcohol and its shipment, against the Commerce Clause, which says states can’t discriminate between in-state and out-of-state businesses. “So it was a big clash of constitutional principles,” says Klass, who helped write the brief. “We lost — but most people were extremely happy that we lost! It was our job to defend the law, but I don’t know how many people liked that law.”

Klass started at the Law Center last fall and currently teaches contracts and a seminar on philosophy of law. “I love being a professor,” Klass says. And he especially loves being a professor at Georgetown Law. “One of the reasons I chose to come here and one of the things I’m very pleased about is that people here are doing so many other things, from Neal Katyal doing the Guantanamo cases to James Forman working with charter schools. People are doing so many extracurricular things and they bring a lot of that back to the university. It makes for a lot of ways to get involved in the life of D.C.”

As for Klass’s own involvement in the life of D.C. it mainly centers on his wife, Sanju, who’s a fellow at Georgetown’s Environmental Law and Policy Institute, and their two children, Asha, 5, and Nikhil, 3. Being married to another lawyer is great, Klass says. “We can talk to each other about our work... although I know there are times we kind of veer off into legal minutiae.”

Yorkers could order California wine over the Internet,” he explains. This case pitted the 21st Amendment, which ended Prohibition and gave states broad powers to regulate alcohol and its shipment, against the Commerce Clause, which says states can’t discriminate between in-state and out-of-state businesses. “So it was a big clash of constitutional principles,” says Klass, who helped write the brief. “We lost — but most people were extremely happy that we lost! It was our job to defend the law, but I don’t know how many people liked that law.”

The family lives in Capitol Hill, which Klass likes for its “nice urban feel” and the fact that he can bike to the Law Center with his son, who attends the child care center on campus. “The quality of life is good in D.C., and as far as we can tell the cultural stuff seems great, too. But with a three- and a five-year-old we don’t ever go out and do any of it!”

Meanwhile, Klass busies himself with his teaching and research. His current focus is on various aspects of contract law. “Why do we choose to enforce some agreements and not others? There are a lot of competing answers to that theoretical question, and that’s where a lot of my research is focused right now,” Klass also has an abiding interest in the First Amendment, especially as applied to campaign finance regulation.

As for hobbies, “I’d have to say those are my kids right now. I love to ride my bike and be outdoors,” he says. “Gravity’s Rainbow is perpetually on my nightstand.” In the meantime, there’s another book that’s caught his fancy, Portuguese Irregular Verbs by Alexander McCall Smith. “It’s a gentle satire on academia,” Klass says, “and it’s very funny.”

— Anne Cassidy

**Hometown:**
St. Louis, Missouri

**Education:**
Carleton College, B.A. 1990
Graduate Faculty of the New School University, M.A. 1996, Ph.D. 1999
Yale, J.D. 2002

**Scholarship:**
Insincere Promises: The Law of Misrepresented Intent, with Ian Ayres, Yale (2005)

**In his spare time...**
Klass enjoys watching Hollywood disaster movies.
When Associate Professor John Mikhail was doing doctoral course work in philosophy, he attended lectures taught by famed linguist Noam Chomsky at MIT. "The audience was a diverse mix of faculty and students, not just from linguistics and philosophy, but also cognitive science, artificial intelligence, economics and other fields," Mikhail recalls. "Chomsky would hold court, and the class consisted mainly of his puncturing widely held assumptions in the philosophy of language and mind and the philosophy of science. It was unlike anything I had ever seen...and it has stayed with me to this day," he says.

Impressed by Chomsky's ability to synthesize ideas from different disciplines, Mikhail had an epiphany of his own: maybe he could study the sense of justice in the same way that linguists study language. "I knew that the analogy between these two capacities was an old idea, with roots in Aristotle and, more recently, legal and moral theorists like Lon Fuller and John Rawls, and I always found the idea intriguing," Mikhail explains.

The contact with Chomsky jolted Mikhail's intellectual life. "I realized that one could study human moral cognition from a fresh perspective that drew on philosophy, linguistics, cognitive science and law. I also realized that to pursue this topic, I would need training in all four disciplines." Soon afterward, he began the journey that brought him to Georgetown Law in 2004 via MIT's Department of Brain and Cognitive Sciences and Stanford Law School.

Law and the Academic Life
Mikhail's journey literally started in tiny Grant, Michigan (the "Onion Capital of the World," he says), where he was born. His family moved to Toledo, Ohio, soon afterward, however, and Mikhail grew up there, playing soccer, basketball and baseball at St. John's Jesuit High School. He graduated from Amherst College in 1991 with a degree in political science and a budding sense of political activism.

Two important academic influences at Amherst were Hadley Arkes and Austin Sarat, scholars from opposite sides of the political spectrum who helped spark Mikhail's interest in legal and social issues. Learning from them left him musing on the possibility of law and the academic life. He put law school on hold for awhile, however, in order to begin graduate studies in philosophy, spending two years at Cornell before enrolling at Harvard as a visiting graduate student in 1994. Shortly thereafter, he became affiliated with MIT's Department of Brain and Cognitive Sciences.

Mikhail spent the next four years shuttling back and forth between Cambridge and Ithaca, devouring as much cognitive science as he could, writing his dissertation on the "linguistic analogy" (with Chomsky on the committee), and teaching a variety of courses at Harvard and MIT. "Those years were an extraordinary opportunity for me," Mikhail recalls. "I was able to pursue a line of research I was passionate about, with the resources of three great universities available to me and with the..."
support of many teachers, colleagues and friends.”

Mikhail began his legal education at Stanford before his dissertation was finished, and he spent a few months that “were insane in some respects,” he says, flying back to defend his thesis one week after first semester exams. But he has no regrets: “Stanford was an ideal place for me to make the transition to law and begin to merge my various academic and professional interests,” he says. “I was fortunate to find generous mentors there who cultivated my legal skills while also encouraging the research I began in graduate school.”

After earning his J.D., Mikhail took a position with Simpson, Thacher & Bartlett’s Palo Alto office and then a clerkship with Judge Rosemary Barkett on the U.S. Court of Appeals for the 11th Circuit. He was appointed to the Law Center faculty in May, 2004.

The classroom experience at Georgetown has been one of Mikhail’s main satisfactions. “Georgetown students are fabulous, so challenging and quick,” he says. The professor describes his teaching style as a mixture of lecture, discussion and some Socratic method. He has taught Torts, Legal Justice and seminars in Law and Philosophy and Law and Cognitive Science. He hopes eventually to add courses in criminal law, constitutional law and international law to that mix.

A Common Human Possession

The overlap among these subjects is not unexpected, given that early on Mikhail found his life’s work to be exploring the connections between what he considers the “two really big intellectual events of the past 50 years — the cognitive revolution in the sciences of mind, brain and behavior, and the human rights revolution in constitutional and international law.”

What the professor thought then — and still does now — is that “if there’s a moral grammar engraved in the mind, and it’s a common human possession, then that seems like a fruitful vantage point from which to approach the topic of human rights.”

Mikhail has grappled with that question in his scholarly writing. His first law review article, a detailed criticism of a book on moral and legal theory by Judge Richard Posner, defended the existence of moral universals and human rights against Posner’s skeptical attack on them. More recently, Mikhail locked horns with Cass Sunstein in the journal Behavioral and Brain Sciences over the moral and legal implications of recent work in cognitive psychology.

Mikhail and his wife, Sarah Shohet, have two children, Hannah, 3½, and Andrew, 1½, which means “we don’t have much free time,” he says, with a laugh. So for now the couple has curtailed their love of movies, restaurants and travel in favor of “playground hopping” and visits to the zoo.

As fulfilling as Mikhail finds teaching and scholarship, he also enjoys the more practical side of being a law professor. He has mooted cases for Georgetown Law’s Supreme Court Institute, and is delighted to be a part of Georgetown Law’s new Human Rights Institute. “I do have a long-term goal of changing the way people think about human rights and breaking down all these disciplinary boundaries,” Mikhail says. “At the end of the day, it seems to me that the whole thing can be quite simple and understandable.”
OME PEOPLE DOODLE. OTHERS DAYDREAM. AND STILL
others think up creative new ways to interpret statutes.
That’s what Associate Professor Nicholas Quinn Rosenkranz did
one day in 1998 when he was sitting in his legislation class at Yale
Law School.

“I was listening to these debates
about the best method for inter­
preting statutes and I thought, ‘Why
is everyone assuming that judges get
to decide how courts should read stat­
utes? Maybe Congress gets to decide,’”
Rosenkranz remembers.

Questions and (Wildly
Divergent) Answers

Rosenkranz was
intrigued enough by
this issue that he asked
several Yale faculty
members if they
thought Congress could
tell courts how to read
statutes.

“I got wildly diver­
genent answers — every­
thing from, ‘Congress
can’t have anything to do
with this’ to ‘Congress
has complete power to
do this.’ And I thought
that if the Yale faculty
disagreed so widely on
this question then I was
probably onto something
worth writing about.”

Four years later, his
article “Federal Rules of
Statutory Interpretation”
was published in the
Harvard Law Review.

“What this article suggests that hadn’t
been suggested before is that maybe
Congress should resolve the debate about
the best way to read statutes. Maybe
Congress should say that henceforth,
when a statute is ambiguous, [those
trying to interpret it] should look at the
legislative history or not look at the legis­

tative history, should look at dictionaries
or not look at dictionaries,” Rosenkranz
says. “So the article in part is about
statutory interpretation. But in part it’s a
question of constitutional structure; it’s
a question of who is going to have the
power over interpretive methodology,
Congress or judges.”

By the time his article was published
in 2002, Rosenkranz was well on his
way to a stellar academic career. After
earning his J.D. from Yale in 1999, he
clerked for Judge Frank H. Easterbrook
of the U.S. Court of Appeals for the
Seventh Circuit, did an Olin Fellowship
at New York University School of Law
the next year and then clerked for
Associate Justice Anthony M. Kennedy
at the U.S. Supreme Court. After that,
Rosenkranz served for two years as an
attorney-adviser at
the Office of Legal
Counsel in the U.S.
Department of Justice,
advising executive
officers and agencies
on legal matters such
as foreign affairs,
war powers and
national security.
He spent a year as
a visiting researcher
at Georgetown
Law Center before
becoming an asso­
ciate professor
last August.

During his
year as a visiting
researcher,
Rosenkranz wrote
another article,
which was also
published in the
Harvard Law
Review. This one
is called “Executing the Treaty Power” and it further explores his interest in structural constitutional law.

Not surprisingly, Rosenkranz teaches Constitutional Law I as well as Constitutional Structure of Judicial Review, a small seminar class with only nine second- and third-year students. “Teaching is good fun; we have great students here,” he says.

Rosenkranz’s focus on constitutional text and structure led him to membership in the Federalist Society. And last summer the professor became a member of the Society’s prestigious Board of Visitors, which entails providing strategic advice to the organization.

**The Play Was the Thing**

Hard to believe, but this legal mind almost didn’t become a legal mind at all. After graduating from Yale in 1992, Rosenkranz embarked upon a career in the theater. First, he took directing internships with the Seattle Repertory Theatre, with Mamet. “I worked with him on Oleanna off-Broadway and on Ricky Jay and His 52 Assistants. Although this position mostly “consisted of getting him [David Mamet] coffee — tea, actually — and doing all kinds of odds and ends,” Rosenkranz explains, there was also time to talk about production. “David Mamet is a genius and didn’t really need much help from me, but he did invite me to think about the nature of directing.”

Rosenkranz loved the theater. “But as much as I loved it there was this part of my mind that was not exercised, so I thought I’d go to law school and see what it was all about.”

The professor’s original plan was to go back to theater once he had his J.D., but the clerkships and other positions he was offered after law school were too good to turn down; they lured him further into a legal profession. Still, there are some who believe that the thespian is still there inside the law professor.

“Nick showed a bit of that theatrical talent and a whole lot of scholarly learning when we appeared beside each other during the summer of 2005 before the House Judiciary Committee,” wrote Georgetown Law Professor Viet Dinh about his colleague. “Few in the room or watching the Web cast could have guessed that this was Nick’s debut performance, so polished was his delivery and so cogent his analysis. He offered support for the resolution [H.R. 97], observing that ‘the stakes are very high here, because the new trend of reliance on current foreign law undermines the bedrock principles of democratic self-governance.’”

Rosenkranz downplays Dinh’s review of his House Judiciary Committee debut — “it was nice of him to say,” he demurs — but does admit that he misses theater and counts theater-going and travel as hobbies. Favorite destinations include New York City (his hometown) and Utah (where he enjoys skiing). There’s one less reason to travel now: His sister and only sibling, Stephanie Hessler, just moved to Washington, D.C., a few months ago and is working as Counsel for the Constitution with the Senate Judiciary Committee. Says Rosenkranz: “I’m excited to have her in town and working on some of the same stuff as I am.” — Anne Cassidy
I

F YOU GLANCE AT ASSOCIATE PROFESSOR REBECCA TUSHNET’S office bookshelf, you’ll find an eclectic assortment of knick-knacks, including a bottle of “Nighttime Strength” Mylanta, a mask that looks like an alligator’s head and a blown-glass jellyfish sculpture. Each has a story to tell, but only the figurines of Agents Mulder and Scully from the “X-Files” TV show explain why she became an intellectual property professor.

Tushnet, who says she always knew she would go into law (despite an early, fleeting desire to become a bus driver), had planned on being a constitutional law scholar. But that changed in law school when a friend told her about Internet sites where visitors could find “fan fiction” for the “X-Files” — plotlines written by fans featuring the show’s characters. Tushnet, then a huge “X-Files” fan, was intrigued.

“Because I was in law school, my first question was, ‘Is that legal?’” she says. (Her eventual opinion: probably, at least if not done for profit.) “I started researching it and just fell in love with copyright law and intellectual property more generally... Constitutional law is kind of the ‘sexy’ stuff; that’s what a lot of people focus on. It turns out intellectual property is completely fascinating, too.”

Of Masks and Mylanta
To Tushnet, what’s fascinating about intellectual property is that “it’s so powerful and pervasive,” she says. “Once you’re looking for it, it’s everywhere.”

That’s the point of the other items sharing shelf space with Mulder and Scully. The glass sculpture featuring a jellyfish pattern has been mimicked by others, leading to copyright suits. The alligator mask raises the question of whether masks in general, as well as bee pins and apple sculptures (more shelf trinkets), can be copyrighted. And the “Nighttime Strength” Mylanta bottle is truly a collector’s item; the company making the antacid was enjoined from using that description following a false advertising lawsuit Tushnet worked on as a practitioner with Debevoise & Plimpton. As it turns out, all antacids leave the stomach after about an hour, Tushnet says, so a suggestion that one will provide relief throughout the night is misleading.

Tushnet brings these and other samples to her copyright, advertising and trademark classes to impress upon her students just how much intellectual property law reaches into the world around them. She has also worked with Georgetown Law audiovisual professionals to create a database of music samples, movie clips, photographs and other materials that offer other concrete examples.

“It’s a way of helping people focus, especially in intellectual property, where there are so many of these things,” she says. “If you look at the thing, it helps you think about it. People can see what the cases are about or hear what the cases are about.”

Tushnet says she’s grateful for the “fabulous” teachers she had as a law student and that her own teaching is “still a work in progress.” One of her goals is to spark in her students the same sort of awakening to intellectual property that she had in law school. “What I hope is that my enthusiasm for the material really helps give other people enthusiasm for it, too,” she says.

Law of the Rings
Her scholarly career began progressing before she even left law school, no doubt
a result of her natural inquisitiveness. (“Someone once told me that my Buddha nature was to seek clarification,” she says. “I actually think that’s a pretty good description. I like asking questions and making distinctions.”) Her research into fan fiction resulted in a published article during her law school career, and she also published a note in the *Yale Law Journal* that immediately made her the go-to authority on the law governing engagement disputes — that is, who should keep the engagement ring when a relationship sours. “It turns out there are all these cases about engagement rings,” she says. “Who knew?” Her article described how courts have struggled with finding a proper result in light of no-fault divorce, statutes abolishing “heart balm” torts like alienation of affection, and changed attitudes about gender roles and relationships.

“One of the things I love about it is that everybody you meet, whether a lawyer or not, has an opinion on the proper disposition of an engagement ring after a broken engagement,” she says. “And that’s what I like — I like the law in action. I like the law as it affects individual people.”

These days, Tushnet’s scholarly pursuits include examining the intersection between false advertising law and free speech rights and continuing to explore the law’s approach to new works created out of already existing, copyrighted ones. She also maintains a Web log (“blog”) focused on false advertising law, which she updates about three or four times a week with musings about recent false advertising decisions and other changes in that area of the law.

Tushnet has also developed an interest in the application of neuroscience to trademark law. Trademark law, she notes, is premised on the idea that marks are protected to prevent consumer confusion, so consumers’ interpretations are paramount. Today, the tools for measuring people’s reactions are more sophisticated than ever.

In one study she hit upon, for example, a neuroscientist introduced magnetic resonance imaging to the “Pepsi Challenge.” It’s been conclusively established, Tushnet says, that Pepsi beats Coke in blind taste tests. But it’s also true, she says, that more people prefer Coke when they know product they’re drinking. The MRI study showed that when people knew they were drinking Coke, the part of the brain associated with memory function was engaged. “They weren’t just drinking the beverage,” she says. “They were literally drinking and experiencing their positive associations with Coke. That’s why, if it was labeled, they really did enjoy it more than if it was unlabeled.” Although Tushnet is skeptical about using neuroscience techniques to resolve trademark disputes, “there are a lot of implications for law and what legal interests we ought to protect” based on studies like this, she says. “For example, if someone goes around smearing Coke and successfully smears it, they actually may make it taste worse.”

For Tushnet, no smear campaign could ever change her opinion of Washington, D.C., where she grew up with her mother, Elizabeth Alexander, a practicing lawyer, and her father, Mark Tushnet, the Carmack Waterhouse Professor of Constitutional Law at Georgetown. When her husband, Zachary Schrag (whose father is Philip Schrag, also a professor of law at Georgetown), accepted a position as assistant professor of history and art history at George Mason University, she was delighted at having a chance to join Georgetown and return to her hometown. And she can share her fondness of Washington with an additional member of the family, Leonard, born last year. “I love D.C.,” she says. “I missed the Uptown Theater, I missed the spring, the daffodils and the cherry blossoms, and of course the Law Center is a great place to be. So when they called me and said, ‘Would you like to visit?’ I was thrilled.”

**Hometown:**
Washington, D.C.

**Education:**
Harvard, B.A. 1995
Yale, J.D. 1998

**Scholarship:**


**In her spare time...**
She organizes her nonfiction books according to the same system the Library of Congress uses, complete with labels printed from a program her husband designed.

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**To Tushnet, what’s fascinating about intellectual property is that “it’s so powerful and pervasive. ... Once you’re looking for it, it’s everywhere.”**
ASSOCIATE PROFESSOR DAVID VLAD ECK WAS PUZZLED. It was the beginning of his career and he was being interviewed for one of the hottest public interest law jobs in the country, a litigator position with Ralph Nader’s Public Citizen public interest organization. Nader insisted on interviewing prospective employees himself, so Vladeck found himself sitting in one of Nader’s trademark spartan offices and somewhat distracted by the lime green socks the man was wearing.

When Nader asked Vladeck, “When was the last time you thought deeply about trees?” Vladeck — a bit taken aback — recounted how he thought about trees to quell his seasickness when he crewed on a transatlantic passenger ship one summer. Nader must have been impressed, because Vladeck got the job — and practiced law at Public Citizen for the next 26 years, becoming the head of the litigation group in 1992.

Working at Public Citizen was “an intellectual feast for a young lawyer,” Vladeck says, and he was productive and influential there. At the age of 29, he argued his first case before the U.S. Supreme Court, the first of dozens he would argue before the nation’s appellate courts, both federal and state.

When asked what he is most proud of during his work at Public Citizen, he refers to a case against the Occupational Safety and Health Administration that resulted in the agency establishing solid standards for exposure to ethylene oxide, a gas used by health care workers to sterilize medical instruments. Research had shown that the gas was a carcinogen and also caused spontaneous abortions in women of child-bearing age. For over seven years, Vladeck and his team of public interest attorneys at Public Citizen pursued litigation against the federal government and eventually helped put in place an OSHA standard limiting exposure to ethylene oxide.

Based on this litigation, the Public Citizen attorneys developed a template and litigation strategy that they used to require government agencies to impose other stringent health and safety standards in the workplace. (Public Citizen also influenced Vladeck’s personal life — a colleague there introduced him to his wife, Mary Pendergast.)

Coming Full Circle

After 26 years of a busy, successful litigation practice at Public Citizen, Vladeck was ready for another challenge. He had served on the adjunct faculty of the Law Center since 1987, and he loved teaching and working with law students. In 2002, when Vladeck’s friend, Doug Parker, then the director of the Institute of Public Representation, the Law Center’s public interest law firm and clinical education program, told Vladeck that he was leaving Georgetown and asked if he would be interested in the position, Vladeck said yes — and the job was soon his. The two men had been friends since they started at Georgetown, Parker as a staff attorney and Vladeck as a teaching fellow in the predecessor organization to IPR.

Vladeck’s first stint at Georgetown Law was in 1976, when he was fresh out of Columbia Law School and had just accepted a clerkship with a federal district court judge in his hometown of New York City. Two days after he accepted the clerkship, Victor “Vic” Kramer, then the head of IPR, called and offered Vladeck a position as a Georgetown Law teaching fellow for one year. Because the competition for clerkships
was not as intense then, he called the judge and told him of the Georgetown offer. The judge advised him to take the teaching fellowship and then come back in a year and clerk for him. Vladeck followed the first part of the advice but not the second. Instead, he took the Nader job and has lived in Washington, D.C., since 1976.

Rejoining the Georgetown Law faculty full time has been very satisfying, Vladeck says. The completion of a cycle. He finds his interaction with teaching fellows rewarding, and describes his students as “extremely bright, eager and enthusiastic.” Students enroll in the IPR clinic for one semester and receive 12 course credits. In return for excellent experience and copious, personalized mentoring, Vladeck expects his students to work hard.

One way to encourage them is by selecting the right kind of litigation as a teaching vehicle. Vladeck carefully chooses employment discrimination, civil rights and other cases, especially those with a “measured pace” that allow students to reflect on their choices and develop their decision-making process. At any given moment of litigation a lawyer is confronted with a range of choices, he says. “The art of good lawyering is to figure out what those choices are.” He also impresses on students that legal practice is a “collegial process” and that working with adversaries is an important part of being a good attorney.

A Tradition of Service

Vladeck’s enthusiasm for his work is obvious and palpable. His voice rises and his eyes light up as he talks about his work with law students. As he mentors students at the beginning of their legal careers, he often reflects on the people who influenced him. Vladeck praises former IPR head Vic Kramer for teaching him about the “social utility of the law.” But he reserves the most praise for his parents, who he describes as “inspirational.” Both his mother and father practiced law in their own New York City firm that focused on workers’ rights. His 82-year-old mother still practices in the family firm with his sister. A tradition of service runs in the family.

Law schools can be unwelcoming to clinicians and practitioners, Vladeck says, but Georgetown Law is the exception, welcoming clinicians as full participants in the academic community. This is important because Vladeck believes interaction with clinicians benefits students’ legal education.

At any given moment of litigation a lawyer is confronted with a range of choices, Vladeck says. “The art of good lawyering is to figure out what those choices are.”

Vladeck enjoys teaching courses on federal jurisdiction and civil procedure in addition to his IPR clinic work. He recently argued a case before the U.S. Supreme Court dealing with whether parents who prevail in litigation with school districts over the appropriate education for children with disabilities should be able to recover the costs of the experts they pay to challenge the school districts. Two weeks later he argued before the U.S. Court of Appeals for the Third Circuit in a case challenging the constitutionality of Delaware’s open record law.

Vladeck is delighted to be part of the Georgetown Law community with its Jesuit tradition of social justice and with former Dean Judith Areen’s and current Dean Alex Aleinikoff’s firm commitment to public interest law. This allows Vladeck to share with students his philosophy that the law is a great “leveling instrument” that allows all people, regardless of position or wealth, to be held accountable for their actions.

— Duncan Alford
Tax Master

AX LAWS ARE FILLED WITH INCENTIVES — THE MORTGAGE interest deduction promotes home ownership, for example, and stock options defer taxes. So as a tax specialist, it’s not surprising that Associate Professor Ethan Yale views the difficulty in transitioning from a law practice to academia as an incentive problem. And for someone as driven as Yale, it’s not surprising that he sees self-discipline as the remedy.

Yale, who worked for two years in Wachtell, Lipton, Rosen & Katz’s tax section following a clerkship on the Fifth Circuit Court of Appeals, says that for a lawyer in practice there’s an “external force that causes you to produce results quickly” — namely, clients. “If you don’t produce high quality work on the button, you’re not going to satisfy your clients.”

As a professor, however, one’s “clients” are a bit more diffuse. Yale has responsibilities to his students and Georgetown colleagues, he notes, as well as to the wider academic community. “And that means producing scholarship,” he says. “But it’s possible to procrastinate and delay in a way that is not possible to do in practice, and so you have to be ruthlessly disciplined.” To Yale, this means not only working long hours, but working smarter hours — consciously choosing tasks that will have the biggest payoff for his students, colleagues and field of expertise.

“I’m finding that I’m being quite successful at this, but it’s a complete change from practice...in academia it has to come from you,” he says. “That’s the biggest change, and I’m feeling like I’m hitting my stride with it now, but it was a transition.”

Tapped to Teach

Both external and internal “forces” led Yale to become a teacher and scholar in the first place. Before going to law school, he worked for two years in securities trading with Lehman Brothers in New York City, and seeing the extent to which profits depended on tax rules had a certain appeal to him. For as long as he can remember, he says, he’d been interested in games and puzzles, and “the puzzle aspect of [the tax rules] was the first thing I found interesting. It’s a finite set of rules that you can manipulate, and there’s something intellectually satisfying about that for me.”

Yale went to Tulane Law School, where he finished first in his class, intent on becoming a tax lawyer. As a practitioner, he continued his studies part time at New York University, pursuing an LL.M. in taxa-
tion. The more he studied tax policy, the more fascinated he became with it. "The social ramifications of the way the rules are structured — that's something you don't have a lot of time to think about in practice," he says.

NYU has a program for outstanding LL.M. tax graduates to stay on as acting assistant professors, but the school asked him to begin teaching even before he had finished his studies. It was his first opportunity to teach, and he plunged right in. "The curious thing about law teaching," he says, "is there is a lot of training about the law part, but no training about the teaching part."

Step one, he says, is being passionate about the subject.

"I think my students would describe me as very committed to making their learning experience worthwhile and very enthusiastic about the subject matter, which I think is very important," he says. "If you want people to commit to learning about something that's esoteric, you have to be enthusiastic about it yourself."

Yale also draws on his experience as a practitioner to help his students get the most out of his classes and be better lawyers down the road. "The approach to solving problems that you learn in practice is something you can help your students with. Being methodical and working through problems in a certain order tends to produce better results, and produce results more quickly. I probably wouldn't fully appreciate that if I didn't have firsthand experience."

Body of Work

That firsthand experience has also given Yale the ability to research and write about a variety of topics, ranging from the highly theoretical to more practical, problem-solving pieces. He is finishing an article addressing the tax implications of tradable pollution permits such as those allowed under the Clean Air Act amendments of 1990. Theoretical work has supported popular notions that this form of regulation results in lower-cost pollution control, Yale says, but a piece of the puzzle is missing: The research has not taken into account whether the same results would occur if the permits were subject to income tax, which they are.

"So it's an important question," he says. "If you're an environmental economist trying to convince the regulator that this is the way to go, and you have a very well articulated model that proves that it's efficient or cost-effective, but you overlook a key feature of the actual marketplace in which the permits will be traded — the presence of an income tax — then you have to ask whether that feature alters the conclusion."

When he's not pondering how the tax system influences markets and behavior, Yale taxes his body. An avid runner and self-described "exercise maniac," Yale, a native of upstate New York, is also a former high school and collegiate hockey player. There are four rinks within 20 minutes of his house, he says, and he tries to join pickup games when he can. But with a daughter about to turn two years old and his wife expecting another child this June, finding time to skate is tough.

"I don't play as often as I'd like, but I do play sometimes," he says. "I think that once my kids are out of diapers, I might join a league, but for my family commitments, it's kind of tough right now."

The way Yale describes it, between work and family time, there's not much left for anything else anyway. "I'm perhaps a workaholic," he says. "I think my wife would tell you that. But I also place extreme importance on my family. I'm somewhat protective of my time with them."

There's that discipline again.

— Greg Langlois
ASSOCIATE PROFESSOR KATHY ZEILER RECENTLY DISCOVERED the shuffle feature on her iPod, so now, instead of playing one album all the way through, she can listen to the Pixies one minute and Sting the next. “All my favorite music is in my iPod,” she says, “and it’s great not knowing what to expect next.” This shuffle feature is a handy metaphor for Zeiler’s life, because the twists and turns of her remarkable career have more than a few surprises in them.

This South Bend, Indiana, native graduated with a bachelor’s degree in business from Indiana University in 1991, worked as a tax consultant for Ernst & Young in Chicago for a year, then moved to Irvine, California, where she continued to work for the company while earning a master’s degree in taxation. Five years of tax consulting for doctors and non-profits piqued her interest in health care law and economics and led her back to school — and a shuffle of a program if there ever was one.

“Earning my J.D. and Ph.D. at the same time was actually very fun,” she says, smiling broadly enough that it’s easy to believe her. The schools she attended, University of Southern California Law School and California Institute of Technology, with its elite doctoral program in economics, allowed her to blend and combine her two courses of study in a marathon of coursework, research and writing.

A Devoted Interdisciplinarian

“I completed two years of law [at USC], then went to Cal Tech and did two years of course work in economics,” she says. In 1999, she returned to USC and finished her J.D. (2000), then went to Cal Tech and wrapped up her dissertation (2003), which explored the connection between physician payment arrangements, quality of care and medical malpractice liability. This combined program “was great,” she says, “because mastering microeconomics allowed me to view the law in a very different way than how I viewed it during my first two years at USC.”

The two subjects are now totally integrated in her research and teaching at Georgetown Law, where she’s been happily ensconced since 2003. Zeiler, who considers herself “a devoted interdisciplinarian,” teaches Health Care Law and Economics and co-directs the Law and Economics workshop series. She characterizes her work as “economic analysis of law. I try to use the tools of economics to explore different aspects of law.”

One of her latest studies uses data collected by the Texas Department of Insurance to research the difference between the amounts juries award plaintiffs and what plaintiffs actually receive. “Proponents of tort reform argue that juries are out of control, awarding huge verdicts, and doctors are going bankrupt because their insurance
policies don’t cover them,” Zeiler says. “But we have 16 years of data showing that Texas plaintiffs rarely receive more than insurance policy limits. Even when the claim payment exceeds the limit it’s usually the insurer who pays, not the doctor.” Zeiler and her colleagues are still exploring the causes for this, but for now the professor is excited to peer into the “black box of the law — what goes on in post-verdict settlements.”

Zeiler’s ultimate goal is to find more reliable ways to understand and predict human behavior. She’s interested in the real world applications of her research, how economic and legal analysis illuminates patterns in the decisions people make. For instance, she has been exploring how medical malpractice damages caps affect physician treatment choices and the kinds of contracts that emerge between managed care organizations and physicians.

While Zeiler’s work has primarily been published in legal or economic journals (American Economic Review, Virginia Law Review and the Yale Journal of Health Policy, Law and Ethics), she has an article keeps herself energized with exercise. She completed her first triathlon, an invigorating (some would say punishing) blend of swimming, biking and running, almost 15 years ago — and she hasn’t stopped since.

Zeiler is training for an Olympic distance triathlon (a 9-mile swim, 24.8-mile bike race and a 6.2-mile run) this summer, and her training schedule, she says, “is kind of crazy.... On Tuesdays and Thursdays I do a swim and a run. On Mondays and Wednesdays I weight train, on Fridays I bike, on Saturdays I go for a long run and on Sundays I go for a long bike ride.” Zeiler challenges students to enter races with her, promising an autographed copy of her dissertation to anyone who beats her time. She knows of no student who has.

Being a runner and biker has helped Zeiler get to know her new home of Washington, D.C. So has her love of dining out. A self-confessed non-cook, Zeiler is especially fond of Indian food and travels all over the city to sample it.

"Mastering microeconomics allowed me to view the law in a very different way,” Zeiler says.

being reviewed for publication in a medical journal. Attorneys, of course, have the most interest in her findings, especially the trends in her research, which can help shape arguments about tort reform.

Swim, Bike, Run
Working at the juncture of law and economics — and asking questions that don’t, as yet, have definitive answers — can wear a person out. But Zeiler keeps herself energized with exercise. A typical day will find her up at 6 a.m. to write in the quiet morning hours, then to the Law Center to teach and work with students and faculty. “I try to have lunch or coffee with somebody every day,” she says. She likes to spend vacations and free weekends with her significant other, a web developer who lives in Boston.

It’s a shuffle of a life, but her research and teaching give it focus. “I feel lucky to be part of the Georgetown community,” she says. “The faculty is amazing, the support is great. I could not ask for much more. As big a place as this is, the community feels very much like a family. There’s a sense that we’re all in this together. The thought of putting down roots here is a good one.”

In other words, the shuffle may soon become one long, continuous melody.

— Anne Cassidy


Professor M. Gregg Bloche’s journal articles include “Obesity and the Struggle within Ourselves,” 93 Geo. L.J., and “American Medicine and the Politics of Race,”


Professor Sheryll D. Cashin’s “Shall We Overcome? Transcending Race, Class and Ideology through Interest Convergence” appears in 79 St. John’s L. Rev. Cashin also published “Getting the Politics Right on a National Gautreaux Program” in 14 Pov. & Race 6 (January/February 2005) as well as commentary in the Washington Post, the Los Angeles Times and Education Week. Her book The Failures of Integration: How Race and Class Are Undermining the American Dream (Public Affairs Books, 2004) was named one of five finalists for the 2005 Hurston/Wright Legacy Award for Nonfiction.


“The Solicitor General’s Mistake,” an article by Professor Stephen B. Cohen, appears in 105 Tax Notes.


Professor Anthony E. Cook’s article, “Encountering the Other: Evangelicalism and Terrorism in a Post-9/11 World,” appears in 20 J.L. & Religion.


Published articles by Professor Viet D. Dinh include “How the USA Patriot Act Defends Democracy,” 2 Geo. J.L. & Pub. Pol’y, and “Nationalism in the Age of Terror,” 56 Fla. L. Rev.

Professor Diana R. Donahoe created an online, interactive textbook called TeachingLaw.com, published by Aspen.


Professor and Associate Dean of Clinical Education and Public Interest and Community Service Programs Deborah Epstein’s recently published books include the fifth edition of *D.C. Superior Court Domestic Violence Bench Book* and *Know Your Rights: A Victim’s Guide to the Justice System.* With Catherine Klein she has contributed “Litigating Domestic Violence Cases” to *The District of Columbia Practice Manual.* Epstein and Lisa A. Goodman wrote “Refocusing on Women: A New Direction for Policy and Research on Intimate Partner Violence,” which appears in 20 J. Interpersonal Violence.


Professor Chai Feldblum is the author of “Gay Is Good: The Moral Case for Marriage Equality and More,” which appears in 17 Yale J.L. & Feminism. She received a $2.3 million grant from the Alfred P. Sloan Foundation for her Workplace Flexibility 2010 project.

Professor Heidi Li Feldman published “Loss” in 35 UNM Law.


the University of Puerto Rico Law School in February 2005, and gave a revised version of that lecture to the Internal Revenue Service in Washington, D.C., in June 2005.


Professor **Michael H. Gottesman** wrote “Pronouncing Daubert,” which was published in 7 Green Bag 2d.


Annual editions of Professor Robert J. Haft’s books were published in 2004 and 2005 by Thomson/West: *Analysis of Key SEC No-Action Letters; Due Diligence — Periodic Reports and Securities Offerings; Liability of Attorneys and Accountants for Securities Transactions; and Venture Capital and Small Business Financings*. Haft is coauthor, with Peter M. Fass, of *1-2 Tax-Advantaged Securities Handbook* and with Peter M. Fass of *1-6 Tax-Advantaged Securities*, also published by Thomson/West.


“Loyalty, Paternalism and Rights: Client Counseling Theory and the Role of Child’s Counsel in Delinquency Cases,” by Professor Kristen Henning, appears in 81 Notre Dame L. Rev. She also served on several panels and gave an address, “Ethical Dilemmas Facing Lawyers Representing Children,” at the Annual Summit for the National Juvenile Defender Center in October, 2004 in Nashville, Tennessee.


Professor David A. Koplow attended the Third Chinese Legal Education Conference in China to help train 200 of the rising generation of clinical law professors there.


Professor Charles R. Lawrence III published “Forbidden Conversations: On Race, Privacy and Community (A Continuing Conversation with John Ely on Racism and Democracy)” in 114 Yale L.J.


Professor Mari J. Matsuda’s “Love, Change” appears in 17 Yale J.L. & Feminism.


Professor James C. Oldham’s *The Varied Life of the Self-Informing Jury* was published by the Selden Society. He wrote a number of entries for the *Oxford Dictionary of National Biography*, published by Oxford University Press, including Sir Richard Aston (1717-1778), judge; Sir Francis Buller, first baronet (1746-1800), judge; Sir Alan Chambré (1739-1823), judge; Sir Henry Dampier (1758-1816), judge; Sir Nash Grose (1740-1814); Sir Soulden Lawrence (1751-1814), judge; William Murray, first earl of Mansfield (1705-1793), judge and politician; Sir Sidney Stafford Smythe (1705-1778), judge; Sir John Eardley Wilmot (1709-1792), judge; Sir Joseph Yates (1722-1770), judge. His journal articles include “Judicial Activism in English Common Law in the Time of the Founders,” 8 Green Bag 2d; “Law-Making at Nisi Prius in the Early 1800s,” 25 J. Legal Hist.; and *A Profusion of Chancery Reform*, 22 Law & Hist. Rev.
Professor Julie Rose O’Sullivan’s article, “Some Thoughts on Proposed Revisions to the Organizational Guidelines” appears in 1 Ohio St. J. Crim. L.


Professor Elizabeth Hayes Patterson published “Celebrating the Promise of Justice” in 107 Josephite Harvest and “Celebrating the Promise of Justice: Part II” in 107 Josephite Harvest.

Professor Ronald A. Pearlman published “A Tax Reform Caveat: In the Real World, There is No Perfect Tax System” in Fundamental Tax Reform: Collected Essays, published by the American Enterprise Institute for Public Policy Research in 2005. He received the Kenneth Liles Distinguished Service Award from the Taxation Section of the Federal Bar Association.

Professor Gary Peller and Mark V. Tushnet wrote “State Action and a New Birth of Freedom,” appearing in 92 Geo. L.J.


Professor Cornelia T. Pillard’s “The Unfulfilled Promise of the Constitution in Executive Hands” appears in 103 Mich. L. Rev.


Professor **Nicholas Quinn Rosenkranz**'s "Executing the Treaty Power" appears in 118 Harv. L. Rev. He testified at a House Judiciary Subcommittee Hearing on the appropriate use of foreign judgments in interpreting the U.S. Constitution. He was elected to the Federalist Society's national Board of Visitors last year.

Professor **Susan Deller Ross** gave the keynote lecture at San Carlos University Law School for the launching of its new program for a master's degree in Women's Rights, Gender and Access to Justice. Her speech was titled "Advancing Women’s Rights through Legal Change: The Value of Gender Expertise."


Professor **Philip G. Schrag** and Lisa Lerman wrote *Ethical Problems in the Practice of Law*, published by Aspen.


"Introduction: Global Challenges and the Role of International Law" by Professor **Jane E. Stromseth** appears in 36 Geo. J. Int'l L.


Professor **John R. Thomas** and Roger E. Schechter’s *Principles of Patent Law* was published by Thomson/West in 2004.


Professor **Franz Werro** wrote *Le droit privé Suisse face au droit Communautaire Européen: questions actuelles en droit de la responsabilité civile et en droit des contrats*, published by Stämpfli & Co.


“The Gifts of Mary Dunlap (1949-2003)” by Professor **Wendy Webster Williams** appears in 19 Berkeley Women's L.J.


1947
Judge John T. Elfvin, U.S. District Court for the Western District of New York, celebrated his 31st year on the bench and now serves as a senior judge.

1961
Richard N. Winfield delivered two papers on U.S. media law at a December 2005 conference in Beijing sponsored by the Chinese Academy of Social Sciences. Winfield teaches comparative mass media law at Columbia Law School and U.S. media law at Fordham University School of Law.

1963
Mary Jean Gallagher received the 2005 Daniel J. O’Hern Award from the New Jersey Commission on Professionalism in the Law. The award recognizes commitment to professionalism, career achievement and service to the legal profession and community.

1966
Perry A. Irvine has participated in a program sponsored by the ABA’s Senior Lawyers Division and other organizations to teach commercial law skills to historically disadvantaged black lawyers in South Africa. His participation in the 2004 pilot program was mentioned in the Senior Lawyers Division’s Experience magazine.

Donald O. Jansen (LL.M.) is a senior partner at Fulbright & Jaworski in Houston.

Frederick W. Klepp specializes in federal litigation, federal criminal defense and military criminal and administrative representation at his law practice in Cherry Hill, N.J. He is also the New Jersey state director for the Selective Service System and was named a “Super Lawyer” in the white collar criminal defense practice area by New Jersey Monthly. He was also recently inducted into the Fort Benning Infantry Officer Candidate School Hall of Fame.

1968
Ed Lynch moderated a panel discussion during the Irish American Unity Conference’s Irish Peace Panel forum held at the Law Center in November 2005.

1969
Alan M. Caplan, who practices in San Francisco, was named by San Francisco magazine as one of Northern California’s “Super Lawyers” in 2005. In 2002 he received the California Lawyer of the Year (CLAY) Award for appellate advocacy, and in 2003 he was co-recipient of the “Trial Lawyer of the Year” award from Trial Lawyers for Public Justice.

Joseph A. Gerber received the Cronin Memorial Award from the Loss Executives Association at the organization’s 75th annual meeting in Tampa, Fla. The award recognizes dedicated service in “promoting professional and ethical development of the insurance profession.” He is a member of Cozen O’Connor in its Philadelphia office.

Frederick J. Gorman (F’63) of Gorman & Williams in Baltimore received the 2005 Lee A. Caplan Pro Bono Award from the Maryland State Bar Association.

1971
Ira G. Megdal was elected to the Virtua Health Foundation board of trustees. He practices in Cozen O’Connor’s Cherry Hill, N.J. office, where he is co-chair of the firm’s energy, environmental and public utility practice group.

1973
Sandra R. McCandless has been appointed chair of the American Bar Association’s Tort, Trial & Insurance Practice Section (TIPS). She is a partner at Sonnenschein, Nath & Rosenthal and heads its labor and employment practice group in San Francisco.

Carol Hansen Posegate was one of seven Illinois attorneys inducted as laureates of the Illinois State Bar Association’s Academy of Illinois Lawyers during a luncheon in Chicago in April 2005. The Academy was established in 1999 to celebrate excellence in the practice of law and to recognize lawyers who maintain the highest standards of professional and public service.

Edward M. Ricci has joined the National Crime Victim Bar Association, an organization that helps crime victims obtain justice through the civil legal system.

Joseph Scafetta Jr. (LL.M.) has been named of counsel to the Alexandria, Va. intellectual property law firm Oblon, Spivak, McClelland, Maier & Neustadt.

In July 2005, Alan Robert Swendiman was appointed general counsel of the General Services Administration, where he is responsible for the daily management of its legal department and oversees the agency’s legal affairs. He most recently worked on commercial transactions for the law firm Jackson & Campbell in Washington, D.C.
Awards, Recognitions and Appointments

Ellen April (L'80), the John E. Anderson Chair in Tax Law at Loyola Law School, has been appointed the school's associate dean for academic programs.

Adam G. Ciongoli (L'95) was hired by Supreme Court Associate Justice Samuel Alito to serve as a clerk for his first term on the Court. Ciongoli, who clerked for Alito from 1995 to 1996 when Alito was a judge on the U.S. Court of Appeals for the Third Circuit, helped prepare the justice for his confirmation hearings.

Judge Herbert B. Dixon Jr. (L'73), Superior Court of the District of Columbia, is the new Chair of the National Conference of State Trial Judges of the American Bar Association. The NCSTJ, a conference within the ABA's Judicial Division, is the oldest and largest national organization of general jurisdiction state trial judges in the world. He will serve a one-year term.

In December 2005, Minnesota Gov. Tim Pawlenty appointed Lorie Skjerven Gildea (L'86) to the Minnesota Supreme Court as an associate justice. From 1993 to 2004, she was the chief litigator for the University of Minnesota, and before that she was an associate at the law firm Arent Fox in Washington, D.C.

J. Clifford Hudson (L'80), chief executive officer of Sonic Corp. and member of the Law Center's Board of Visitors, was elected to the Ford Foundation's board of trustees.

William N. LaForge (LL.M.'82), a shareholder at Winstead Sechrest & Minick specializing in government relations and public policy, is president-elect of the Federal Bar Association.

Hideki Makihara (LL.M.'01) was elected to Japan's House of Representatives, one of two houses in the Diet of Japan.

Timothy Taylor (L'84) was appointed a judge of the Superior Court of San Diego County by California Gov. Arnold Schwarzenegger.

Marna S. Tucker (L'65) has been appointed to the American Bar Association's Standing Committee on the Federal Judiciary, a 15-member panel that evaluates and rates judicial nominees for high-level federal courts, including the U.S. Supreme Court. Tucker specializes in domestic relations law at Feldesman, Tucker, Leifer, Fidell.

Garrett Wong (LL.M.'94) was appointed by California Gov. Arnold Schwarzenegger to be a judge on the San Francisco County Superior Court. He is a former E. Barrett Prettyman Fellow at the Law Center.

1974
Robert E. Forrest has joined the Detroit law firm Kerr, Russell and Weber as a member. He specializes in civil and criminal tax litigation as well as complex commercial litigation.

1975
Cozen O'Connor member Mark H. Gallant presented at the Pennsylvania Bar Institute's "A Day on Health Law" conference in Philadelphia, discussing "Effective Non-Profit Governance in the Sarbanes-Oxley Era and the Ethical Obligations You Owe Your Clients."

Ralph Mittelberger has joined Arent Fox's intellectual property and litigation groups as a partner in the firm's Washington, D.C., office.

1976
Karl Fryzel has returned to Edwards, Angell, Palmer & Dodge as a partner in the firm's Boston office as a member of both its Tax Practice Group and Private Equity & Venture Capital Group. He had previously been counsel with the firm from 1991 to 1993.

Administrative Law Judge George C. Yatron, U.S. District Court for the Eastern District of Pennsylvania, was named a University of Pittsburgh Varsity Letter Club Awardee of Distinction. He was a varsity letter winner on Pitt's football team and was recognized by the club for his accomplishments as a judge.

1977
Newsmakers

Kevin Allen (L'01) was featured in a lengthy December 2005 Hamilton Spectator article about his work for the U.N. High Commissioner for Refugees in resettlement operations for tens of thousands of Somali refugees living in camps in Dadaab, Kenya. The UNHCR and Canadian government have resettled many of the refugees to Hamilton, Ontario.

Sean Basinski (L'01) was featured on a National Public Radio story about the first annual "Vendy Awards," a competition run by the Urban Justice Center's Street Vendor Project to identify the best vendor fare in New York City and raise money for the organization. Basinski is director of the Street Vendor Project, which works to protect the legal rights of street vendors and educate them about their rights.

Bradley Belt (L'84), former CEO of the Pension Benefit Guaranty Corp., was named by National Journal as one of its "2005 Decision Makers." He was also profiled in Government Executive and Workforce Management magazines.

Stanley Brand (L'74), who represented Major League Baseball during investigations into steroid use in baseball and congressional hearings on the issue, appeared on ESPN's "SportsCenter," ABC's "Nightline" and other programs to discuss the subject.

Marshawn Evans (L'05), a former Miss District of Columbia and CEO of Communication Counts!, a professional development and public speaking consulting company, was a contestant on the fourth season of NBC's "The Apprentice," which aired in the fall of 2005.

A civil rights lawsuit pursued on a pro bono basis for 13 years by Scott N. Fein (L'75) was featured in the New York Times and the New York Law Journal, which named it one of its "Top Trials of 2005." The National Law Journal also selected Fein for one of its "NLJ Pro Bono Awards" for his work on the lawsuit. The case stems from a dragnet of nearly all African-Americans in Oneonta, N.Y. that New York state police imposed following an assault on an elderly woman who described her assailant as a black man.

Inside Radio newsletter's "The Inside Story with Mike Kinosian" featured an article about the Ghatt Law Group, which was founded by Jeneba Jalloh Ghatt (L'L.M.00) and includes partner Nicolaine Lazarre (L'99). The article stated that the firm may be the first communications law firm owned by African-American women.

Michael Koenig (L'93) was featured in a profile appearing in the Rocky Mountain News in December 2005 discussing his decision to leave his criminal defense practice at a firm in Albany, N.Y., and join the Justice Department's criminal fraud section in Washington, D.C. He is leading the department's prosecution of former Qwest Chief Executive Officer Joe Nacchio on insider trading charges.

Jane Sullivan Roberts (L'84), a partner at Pillsbury, Winthrop, Shaw, Pittman who is married to U.S. Supreme Court Chief Justice John Roberts, was profiled in a lengthy Washington Post article appearing in June 2005.

Former Connecticut state Rep. Christine M. Niedermeier (C'73) launched a general practice and government relations firm, Christine M. Niedermeier Associates, in Fairfield, Conn. The firm specializes in estate planning and probate; elder law; real estate; and federal, state and municipal finance, among other areas.

Brian D. Rosenthal has joined the Philadelphia-based plaintiff litigation firm of Saltz, Mongeluzzi, Barrett & Bendesky as of counsel.

Henry D. Fellows Jr. was named a "Georgia Super Lawyer" for 2006 by Georgia Super Lawyers magazine. He is chair of the litigation section of the Atlanta Bar Association.

In November 2005, Bruce Ishimatsu joined Loeb & Loeb in Los Angeles as a partner in its litigation department specializing in commercial litigation, antitrust, unfair competition, franchise and intellectual property law. He lives in Pacific Palisades, Calif., with his wife, Kyle, and their sons, Grayson and Conor.

Roderick Morgan participated in a panel discussion titled "The Color of Justice: Making a Difference" in October 2005 at a program organized by the Indiana State Bar Association and the National Association of Women Judges to encourage minority students to pursue legal careers. He is an attorney with Stewart & Irwin.

Patricia A. Sullivan, a partner and co-chair of Edwards, Angell, Palmer & Dodge's financial services litigation practice group and chair of its antitrust practice group, has been elected
to serve on the law firm's nine-member executive committee. Sullivan works out of the firm's Providence, R.I. office.

1979
Robert S. Lavet was promoted to senior vice president and general counsel of Sallie Mae.

Thomas B. McVey has been named a “Legal Elite” by Washington Smart CEO magazine. He is a partner with Williams Mullen and chair of the firm’s international section, focusing on international business law, including cross-border corporate finance, mergers and acquisitions, joint ventures, licensing, international business planning and regulatory issues.

1980
Daniel F. Shank was named a “Texas Super Lawyer” by Texas Lawyer and Texas Monthly.

Thomas P. Young has joined Rochester, N.Y-based Hatter, Seccret & Emery as counsel in the firm’s corporate group. He counsels clients in corporate law matters, including public offerings, private placement and venture capital transactions, mergers and acquisitions, and software licensing.

Lawrence Segal was named a “Southern California Super Lawyer” by Los Angeles magazine. He maintains a litigation practice specializing in business, entertainment and real estate matters.

Marla Tepper is general counsel for the New York City Department of Consumer Affairs.

1981
Dana Bisbee has been named vice chair of the environmental affairs committee for the Business & Industry Association of New Hampshire. He is an attorney and Partner in Charge at the Portsmouth, N.H. office of Pierce Atwood.

1982

Charles Modlin has joined the New York City office of Seyfarth Shaw as a partner in its corporate and securities group.

Barbara Lee has joined Edwards, Angell, Palmer & Dodge as counsel in the firm’s litigation, higher education, and labor and employment practice groups. She is also a tenured professor of human resource management in the School of Management and Labor Relations at Rutgers University, where she teaches courses in higher education law, employment law, and human resource management. She is also a former dean of that school.

The Entering Class
A diverse and accomplished group of first-years joined Georgetown Law last fall, including students from 45 states and 16 foreign countries who together represent 206 different colleges and universities. Some 45 percent of this year’s entering class is female, and 27 percent are members of minority groups. Two-thirds of full-time incoming students have taken some time off before joining Georgetown Law — more than any other Law Center class. The class includes:

- 84 students with advanced degrees, including 14 doctorates
- 8 Fulbright Scholars
- 4 Truman Scholars
- 12 former teachers, including 4 from Teach for America and 3 assistant professors
- 8 AmeriCorps volunteers
- 12 Peace Corps volunteers
- 5 CIA analysts
- 20 members of the military, including three who have earned Bronze Stars
- 1 concert cellist
- 1 professional opera singer
- 1 rabbi
- 2 pastors
- 1 professional soccer player
- 1 West Virginia state senator
The Contemporary Museum '79) is a senior Andrew Fois (C79) has been a member of the Baltimore museum's board for the past three years, chairing the development committee and serving on its executive committee. He co-chairs DLA Piper Rudnick Gray Cary's global legislative and regulatory group and chairs its U.S. government affairs practice group.

Bassam N. Ibrahim is the national trademark and copyright practice group leader for Buchanan Ingersoll, where he is a partner in its Alexandria, Va., office.

Frederick H. Alexander has been included in the 12th edition of The Best Lawyers in America and the 2006 edition of The International Who's Who of Business Lawyers. He is a partner with Morris, Nichols, Arsht & Tunnell.

Jerome A. Holmes has joined Crowe & Dunlevy in Oklahoma City after serving 11 years as an assistant U.S. Attorney for the Western District of Oklahoma. He has also been appointed by the president of the American Bar Association to serve a three-year term on the ABA's Commission on Homelessness and Poverty.

Philip T. Inglina (C'84) has joined Crow & Dunlevy as a partner in its white collar defense group. He presently sits on Georgetown University's Alumni Association Board of Governors and will become president of the Alumni Association in July 2006.

Ellen J. Casey (C'86) is director and senior counsel in the office of general counsel for Merrill Lynch & Co. Inc. in New York City. She gave birth to a son, William Ryan, in February 2005.

Coozen O'Connor member John R. Washlick (LL.M.) spoke at the Pennsylvania Bar Institute's "A Day on Health Law" conference in Philadelphia, discussing "Charity Care and Patient Discounts: Consumer Class Action Lawsuits and Discounting Strategies for Hospitals."

Alumni Authors

Alumna Writes a Book on Justice O'Connor

Returning to her alma mater November 10 to discuss her biography of former Supreme Court Justice Sandra Day O'Connor, Joan Biskupic ('L93) joked that she didn't recognize the building she was in, the Edward Bennett Williams Law Library.

Between working full-time as a Supreme Court reporter for Congressional Quarterly and then the Washington Post, working on outside writing projects, having a baby and attending classes in Georgetown Law's evening program, the library didn't get much face time during her law school career. But that's not to say she didn't take her studies seriously.

To the contrary, said Father Robert Drinan, S.J., at the launch party for Biskupic's book, Sandra Day O'Connor: How the First Woman on the Supreme Court Became Its Most Influential Justice (HarperCollins 2005), Biskupic, who is now a Supreme Court reporter for USA Today, sat in the front row of his Constitutional Law class, participated frequently and "got a good grade," he noted.

And Biskupic credits her law school career with helping her write the book, writing an inscription in Drinan's copy telling him that "this book started in your class." Her constitutional law and legal research classes in particular aided her, she said.

"My experience at the law school very much enhanced my reporting," Biskupic wrote in an e-mail message to Georgetown Law. "Law school provided both a fundamental understanding of important constitutional issues, as well as a practical experience for documenting information in my new book."

The book chronicles the life of the Supreme Court's first female justice, from her childhood on the Lazy B Ranch in Arizona to her career as a state legislator and judge, and finally to her nomination to the Court and the pivotal role she played throughout her 24-year tenure. A "key thesis" of her book, Biskupic noted, is that O'Connor arrived at the Court "knowing how to count votes." That is, her experience in the Arizona legislature — where she rose to become the state senate's first female majority leader — taught her vital lessons in the kind of backroom dealing it takes to get measures passed. That "inside game" experience helped her with the give-and-take among justices on the Court, she said.
Author Joan Biskupic (L'93) with Professor Richard Lazarus and Father Robert Drinan, S.J., at the party celebrating the publication of her book on former Supreme Court Justice Sandra Day O'Connor.

"What I wanted to do in this book was essentially just show how she got there and size up what she was able to do behind the scenes," Biskupic said at the party, which was sponsored by Georgetown Law's Supreme Court Institute.

Georgetown Law Professor and Institute Director Richard Lazarus credited Biskupic with being able to speak with hundreds of people for the book; members of the legal and political community are more likely to discuss a justice's legacy only after he or she steps down, he noted.

Biskupic said that when she set out to write the book, she expected O'Connor — who didn't cooperate with the book but promised her to "not interfere" with it — to still be on the bench when it was published. Her decision to step down last summer, just months before publication, surprised even close family members and her colleagues on the Court, Biskupic said. Biskupic added an epilogue before the book was released in October.

Although Biskupic's book, which received praise from NBC's Andrea Mitchell, the Washington Post's David Broder, former Attorney General Janet Reno and others, may have benefited from O'Connor's timely retirement, it stands on its own as an absorbing portrait of the justice, Lazarus says: "It's a fascinating story about a really complicated person doing a really complicated job."

Charlotte K. Goldberg (L'78), professor of law at Loyola Law School, has written California Community Property: Examples & Explanations (Aspen 2005).

Michael J. Kelly (LL.M.'96) associate professor of law at Creighton University School of Law, has written Nowhere to Hide: Defeat of the Sovereign Immunity Defense for Crimes of Genocide and the Trials of Slobodan Milosevic and Saddam Hussein (Peter Lang 2005). The book includes a forward by Archbishop Desmond Tutu and is endorsed on its cover by David Scheffer (LL.M.'78), former U.S. ambassador-at-large for war crimes issues.

Robert M. Krakow (L'70) wrote The False Witness: The Trial of Adolf Hitler, a morality play that explores whether Hitler and the Third Reich alone can be blamed for the Holocaust. The play, in which Hitler stands trial before "The Gates of Eternity" and defends himself by arguing that some of the greatest religious, literary and other figures in history also shared his anti-Semitic views, was performed in Boca Raton, Florida, in February 2006. A reading was also held in Los Angeles by celebrities that included James Cromwell, Valerie Harper and Richard Kind.

Ann McLane Kuster (L'84) and her mother, former longtime New Hampshire state senator Susan McLane, co-wrote The Last Dance: Facing Alzheimer's with Love & Laughter (Peter E. Randall 2004). The book chronicles how the McLane family reacted to and coped with Susan McLane's diagnosis of Alzheimer's disease and her subsequent treatment. Susan McLane passed away in 2005. Kuster is a partner in the Concord, New Hampshire law firm of Rath, Young and Pignatelli.

Joy Moses (L'01) co-edited and contributed a chapter to Awakening from the Dream: Civil Rights Under Siege and the New Struggle for Equal Justice (Carolina Academic Press 2005).


Richard Wood (L'68) published Here Lies Colorado: Fascinating Figures in Colorado History (Far Country Press 2005), which contains photographs and short biographical sketches of 60 notable Coloradans as well as photographs of their grave sites or memorials.
Greg Winfree has joined the law department of Phoenix-based Phelps Dodge Corp. as chief litigation counsel. He has also founded the Eight Iron Performance Golf Apparel Company to explore commercial opportunities for patents he holds.

### 1990

Randi Friedman was promoted to associate general counsel and chief privacy officer at BEA Systems Inc.

### 1991

Dan Forman was elected to the board of directors of the American Red Cross for Southern California. He is a partner with the Los Angeles office of Manatt, Phelps & Phillips, where he practices complex litigation.

### 1992

Amii Barnard-Bahn is senior director for ethics and policy compliance at Fireman’s Fund Insurance Company in Novato, Calif. She also celebrated the birth of her second daughter, Brynne, on April 28, 2005.

### 1993

Linda Pissott Reig is president of the New Jersey Defense Association.

### 1994

Jonathan Kaye is senior counsel for the American Red Cross in Washington, D.C. Eric Kirsten is the director of college basketball for ESPN in Bristol, Conn.

### 1995

C. Brendan Johnson was elected partner at Bryan Cave in St. Louis. He concentrates his practice in the areas of mergers and acquisitions, private equity investments and securities law.

Anne Milem has joined Sallie Mae's general counsel's office as assistant general counsel. She is based at the company's headquarters in Reston, Va., and focuses on litigation matters.

### 1996

Joel E. Brown has been named partner in Bradley, Arant, Rose & White's construction and procurement practice group. He works at the firm's Birmingham, Ala., office, where he advises contractors, owners, architects and engineers regarding claim preparation, defense and recovery.

### 1997


Across Classes

When Ed O'Toole (L'91) took Frank Ciatto (B'88, L'94) out for a celebratory drink last year in Washington, D.C., new business wasn't on the agenda. Instead, the occasion was to congratulate Ciatto, a longtime friend, on making partner at Venable LLP in the firm's tax and wealth planning group. But when their conversation inevitably turned to their respective firms, O'Toole mentioned that his New York City-based litigation boutique, Heard & O'Toole, was meeting with a Washington firm to explore merger possibilities. Ciatto offered to inquire within Venable to see if it would have any interest in the firm, and a few weeks later, O'Toole and one of his partners, William "Widge" Devaney (C'88, L'91), returned to Washington to meet with Venable's managing partner. Several meetings later, the firms announced a merger, and Venable's New York office opened on June 30, 2005. The office includes another partner who is a Georgetown Law alum, Lawrence Cooke (C'88, L'91). "I feel very strongly that our Georgetown Law and Georgetown ties went a long way to making the merger a reality," Ciatto wrote in an e-mail message to Georgetown Law.

Julienne Bramesco (L'86) and Susan Tahernia (L'89) published an article, "Firing Line: Using a Few Ounces of Prevention Instead of an Outside Counsel Cure," that appeared in the September 2005 issue of the ACC Docket, the magazine of the Association of Corporate Counsel.

Patrick Riley (L'77), left, stands with his daughter Kathryn Rose (in yellow) and Michael Burke (L'81), right, stands with his daughter Caitlin (in green) in Tralee, County Kerry, Ireland, at the Rose of Tralee Festival last August. Kathryn Rose, who's in the Gilbert & Sullivan Society at Georgetown Law, represented Washington, D.C., as the Washington "Rose," and Caitlin was the New York "Rose."

"When our daughters learned that their dads both graduated from GULC," Riley wrote in an e-mail message to Georgetown Law, "we had to have a picture of the four of us."

Shattuck "Tucker" Ely was named a 2005 "Georgia Rising Star" by Atlanta magazine.

Eric Feichthaler, a partner in the law firm of Adams, Feichthaler and Brinson, was elected in 2005 to a four-year term as mayor of Cape Coral, Fla. He is the second youngest person to hold that office. He and his wife, Mary Roberts Feichthaler (MSB'94), welcomed their first child, Eric Paul Feichthaler Jr., in October 2004.
Kevin C. Lombardi has been named counsel to Debevoise & Plimpton. He is a member of the firm’s litigation department, and his practice focuses primarily on SEC and internal investigations and securities litigation.

Brian McCalmon (MSFS'96) was elected partner at Preston, Gates, Ellis & Rouvelas Meeds in Washington, D.C. He is a member of the firm’s competition law and economic regulation practice group.

Jeff Rothschild (C’93, MBA’97) was elected to the Super Lawyers magazine.  

Jeffrey G. Davis (LL.M.) was married to Gretchen Sleas on July 16, 2005.

Randall Ravitz, an assistant attorney general for Massachusetts, has been chosen as one of eight attorneys to participate in the Boston Bar Association’s Public Interest Leadership Program, under which he will spend a minimum of 25 hours a month on public service and leadership development activities.

Foley & Lardner named Marc K. Weinstein a recipient of the firm’s Founder’s Award, given annually to recognize associates and senior counsel who have made significant nonbillable contributions to the long-term success of the firm’s intellectual property department.

Brian J. Winterfeldt has joined Ballard, Spahr, Andrews & Ingersoll as part of the Washington, D.C., firm’s new trademark group.

In 2005, Mark Vlasic (B’96) helped the International Bar Association provide training for high ranking judges serving on the Iraqi Competent Tribunal, which was established to bring to trial Saddam Hussein and others accused of genocide, crimes against humanity and other crimes in Iraq.

Edward Hale, an associate at WilmerHale, has been chosen as one of eight attorneys to participate in the Boston Bar Association’s Public Interest Leadership Program, under which he will spend a minimum of 25 hours a month on public service and leadership development activities.

Joseph A. Rotter is a portfolio manager at Citadel Investment Group, a Chicago-based hedge fund.

Jeffrey C. Corey has joined Salt Lake City-based Parsons, Behle & Latimer in its litigation and environmental, energy and natural resources departments. Prior to joining the firm, he served for two years as a clerk with judges on the U.S. District Court for the U.S. Virgin Islands.

Martha (Mai) Nguyen was nominated to serve a three-year term on the Montgomery County (Md.) Commission for Women, where she advises the county executive on gender inequities in laws, policies, practices and procedures and recommends remedies. In June 2005, she joined the U.S. Food and Drug Administration, serving as regulatory counsel.

Roman J. Petra (LL.M.) has joined Husch & Eppenberger as an associate in the firm’s land use development and financing practice group.

Fuad Rana (F’99) has rejoined the Washington, D.C., office of Covington & Burling following a clerkship with Judge Julio M. Fuentes of the U.S. Court of Appeals for the Third Circuit.

Malinda L. Susalla (LL.M.) has joined Columbus, Ohio-based Schottenstein, Zox & Dunn as an attorney with the firm’s corporate and tax practice groups.

Lewis “Lew” Walton (LL.M.’05) has completed a clerkship on the U.S. Tax Court and joined the tax firm of Hochman, Salkin, Rettig, Toscher & Perez in Beverly Hills, Calif.

Correction

In the Fall/Winter 2005 issue of Georgetown Law, a photograph of Cozen O’Connor member Mark H. Gallant (L’75) inadvertently accompanied the entry for Cavas S. Pavri (LL.M.’98), who joined Cozen O’Connor’s Philadelphia office as an associate. Mr. Pavri’s photo appears here. Georgetown Law regrets the error.
DEVELOPMENT NEWS:
Grants, Scholarships, Fellowships and the Class Partners Program

Georgetown Law is grateful for the numerous alumni and friends who have given generously to support the school’s efforts in a variety of ways. Here are some recent examples of this generosity:

- Board of Visitors Chairman Jules B. Kroll (L’66) and his wife, Lynn, made a seven-figure gift, part of which will be directed to the Kroll Family Post-Graduate International Human Rights Fellowship Fund. The Krolls’ gift will support other programs as well. Kroll is the founder of Kroll Inc. and serves on the International Advisory Board of its parent company, Marsh & McLennan Companies Inc.

- The firm of Weil, Gotshal and Manges LLP and its law alumni gave $500,000 to name space in the new Sport and Fitness Center. The contributors include Joseph S. Allerhand (L’78), Ashley Altschuler (L’98), Jean Anderson (L’75), Seth Goodchild (L’86), David S. Leffowitz (L’86), Arvin Maskin (C’75, L’78), Kevin C. McMahon (L’67), Otto C. Obermaier (L’60), Mary Alice Roberts (C’73) and Thomas A. Roberts (C’69, L’72), Philip Rosen (L’81), Jeffrey J. Weinberg (L’73) and Jonathan T. Weiss (L’87).

- The Consortium for the National Equal Justice Library donated a collection of materials relating to the legal representation of the poor, which will be housed in the National Equal Justice Library at the Law Center.

- J. Clifford Hudson (L’80) has made a gift to establish the Georgetown Law Round Table on International Economic Law Fund.

Several recent gifts support Georgetown Law’s financial aid efforts:

- A bequest from the estate of Steven J. Rothschild (L’68) established the Rothschild Family Scholarship Fund, and a bequest from the estate of Thomas Moloney (L’31) established the Thomas and Helen Moloney Endowed Scholarship Fund. Louis J. Briskman (L’73) provided additional funding for the Maureen F. O’Shaughnessy Endowed Scholarship Fund, and Dow, Lohnes & Albertson, PLLC established a scholarship for second-year law students that is designed to promote diversity in the legal profession. A second gift from Dolores Silva Smith (L’75) will provide additional funding to the Loan Repayment Assistance Program’s endowment fund.

- Smith also joined the Class Partners program, which since its inception in 2004 has provided a means for donors to make a three-year commitment of $5,000 per year to help students with financial needs. Class Partners’ pooled resources help the Law Center meet its financial commitment to grant-eligible students. With commitments from eight new Class Partners, the program continues to grow. In addition to Smith, the new Class Partners for this year include Randolph G. Abood (L’75), Yvonne M. Burt (L’80), George E. Covucci (L’76), Patrick J. Flinn (L’82), Karen J. Hedlund (L’74), Kenneth Klein (L’80) and William E. Thomson Jr. (L’63).

- An anonymous donor has given a gift to establish the Marilyn Tucker International Summer Fellowship program. Each fellowship will support employment for current students working overseas for law firms, corporations or organizations providing public interest legal services.

The following grants were made to support the work of the Georgetown Environmental Law and Policy Institute:

- The Wyss Foundation made a $100,000 grant to support a project on responding to state takings initiatives, addressing water rights takings claims and reconciling regulatory and acquisition approaches to land conservation.

- The Overhills Foundation made a $25,000 grant to support public education materials and outreach efforts explaining takings proposals in Congress and in the states that endanger land use and environmental regulations.

- A $40,000 grant from the Geraldine R. Dodge Foundation supports a collaborative research and education project designed to find ways of reconciling the use of regulatory controls and economic incentives to advance land conservation and promote sound resource use in the United States.

- Environment Now has made a $45,000 grant to support the legal defense of public rights in California water cases. The Georgetown Environmental Law and Policy Institute will provide legal representation to nonprofit groups, in connection with pending cases seeking compensation from the United States based on environmental restrictions on the use of water for irrigation and other purposes.

Finally, the Russell Sage Foundation has given a grant to support the Georgetown/Harvard Conference on Social and Economic Inequality: The Role of Race in Law, Markets and Social Structure. Professor Emma Coleman Jordan designed and organized the March 2006 conference, which was cosponsored by the Law Center and the Charles Hamilton Houston Institute for Race and Justice at Harvard Law School. According to Jordan, while social scientists have studied the problem of persistent economic and social inequality for many years, legal scholars have been a critical, but missing, component of social and economic inequality research. The conference brought together scholars from law, economics and sociology, and laid the groundwork for further interdisciplinary work to address the problem of inequality.
Dear Fellow Graduates,

For the past three years I have had the pleasure of serving as National Chair of the Law Annual Fund, and I will soon move into a new position as Chair of the National Law Alumni Board. While such moments of transition have a way of making us pause and reflect on the past, they are also usually accompanied by an exciting new opportunity.

In much the same way, the members of the class of 2006 — soon to assume their new roles as clerks, associates and advocates — are looking back with gratitude on the last three years and looking ahead toward a seemingly boundless future.

And while as students and graduates of this fine institution we each have our own unique set of experiences, we are bound by a commonality — that we are part of a special community of learning that is founded on the ideals of service, responsibility and academic excellence that have survived the test of so many generations.

Throughout my tenure, I have been continually moved by the generosity of fellow alumni who support the continuation of that great legacy long after their own graduations. Alumni who give loyally and consistently each and every year; those who rally classmates and colleagues to support the Law Center through reunion fundraising or the Law Firm Challenge, and students who have already made their first donations in support of our alma mater through the Graduating Class Gift program — all have my deepest appreciation.

As leader of the Law Annual Fund it has been my privilege to be a steward of your generosity. This year alone, Annual Fund donors will contribute over $2 million to Georgetown Law in support of so many vital aspects of the Law Center: financial aid, Equal Justice Foundation (EJF) fellowships, the Loan Repayment Assistance Program (LRAP), the Edward Bennett Williams Law Library, journals and clinics — the same initiatives that have fueled the memories and forged the skills that we carry with us today.

Today, I invite each of you to consider your own experience at the Law Center and your place in the Georgetown community since graduation. For those of you who support the Law Center each year, you have my continued gratitude. For those of you who have not donated to the Annual Fund in the past, or have done so intermittently, I encourage you to take a greater role in our community. Be it through financial support or volunteer service, the involvement of all alumni is essential to the Law Center’s future and the success of the next generation of Georgetown lawyers.

Best regards,

Kevin J. McIntyre, '88
National Chair, Georgetown Law Annual Fund

Take the Law Firm Challenge

Nine years ago, Georgetown University Law Center unveiled a program called the Law Firm Challenge. The program was structured as a friendly competition among five Washington, D.C., area firms to increase alumni participation in the Law Annual Fund and reconnect alumni with Georgetown Law. Today, the Law Firm Challenge has grown to 39 firms and corporations encompassing more than 1,400 alumni worldwide. The Challenge has become a key component of the Annual Fund and provides alumni an opportunity to support the Law Center’s long-standing commitment to academic excellence and public service.

Last year, the Law Firm Challenge raised an impressive $366,000, providing critical resources for financial aid, student journals, the Edward Bennett Williams Law Library, the nation’s top-ranked clinical programs and public-interest fellowships.

To include your firm in the 2007 Law Firm Challenge or if you have any questions regarding the Challenge, please contact Ely Abbott at (202) 662-9375 or ega2@law.georgetown.edu.
Steve Paige (L’72)

By Greg Langlois

To Steve Paige (L’72), the best part about his job as a general counsel in the health care industry is the ability to run a successful venture while helping give back to others at the same time. As vice chairperson of Georgetown Continuing Legal Education’s Corporate Counsel Institute, Paige gets to do the same thing.

Paige, senior vice president, general counsel and secretary at Gentiva Health Services Inc., a publicly traded company that is the nation’s largest provider of home health services, says he loves the fact that his organization’s ultimate mission is to help those in need.

“There’s really a good feeling when you go home at night,” he says. “Not only have you helped build a business enterprise, but the enterprise itself is dedicated to serving the needs of people who have health care issues. That’s really a rewarding feeling.”

The challenge for him, however, is trying to do a lot with a little. As a relatively small company traded on the NASDAQ stock exchange, Paige says, he oversees a small legal department that nonetheless must confront the same types of challenges that larger companies face.

“We still need to be able to provide the legal advice to meet all our obligations to our shareholders and to the regulatory agencies that regulate our business,” he says.

“There are unique problems and unique issues and challenges that you have when you’re the general counsel or a lawyer in a small law department and don’t have access to the resources that a much larger law department in a much larger company would have.”

The problems are so unique that, in response to requests from in-house lawyers working for smaller companies, the organizers of Georgetown’s Corporate Counsel Institute extended the program to a third day to provide a workshop just for them. The workshop enables small-company lawyers to discuss issues and share solutions, Paige says. Even without the workshop, the Institute, which celebrated its 10th anniversary this year, has given attorneys like him an expanded network to call upon, he says.

“Any of us can pick up the phone and reach out to colleagues that we have met over the years at this institute and get immediate access to leading thinkers in other companies and other corporations,” he says. “It’s been a tremendous way of learning and meeting people who have a lot to offer.”

Paige, of course, didn’t become involved with the program in order to get free tips on how to run his department more efficiently. He, along with the late Pat Head (C’54, L’56, LL.M.’57) and Alan Gross (L’74), worked with CLE Director Larry Center (L’74) to launch the Institute and give Georgetown a corporate counsel CLE program on par with the best programs of its kind anywhere.

It was a success from the start, Paige says, and attendance has increased each year. More than 300 attorneys participated in the 2006 program. Key to its success has been organizers’ ability to attract a variety of speakers and presenters not typically associated with corporate counsel programs, he says.

“What we tried to do is take advantage of Georgetown’s unique location in Washington to bring in not just legal speakers but people who have made a difference in the legal community,” he says. “We’ve had a lot of people who could bring to attendees a unique focus on the world.”

This year’s Institute, for example, featured speeches by former Supreme Court Associate Justice Sandra Day O’Connor and Sen. Arlen Specter, R-Pa., as well as a review of recent Court decisions by current Solicitor General Paul Clement and by Seth Waxman, who held that post under the Clinton administration. At last year’s program, Sen. Paul Sarbanes, D-Md., and Rep. Paul Oxley, R-Ohio, discussed the new corporate governance and financial disclosure requirements created by the 2002 congressional law that bears their names. Past programs have included presidential cabinet members as well as ambassadors, Paige says.

“By bringing in high-level and dynamic speakers, in addition to having the meat and potatoes that all CLE programs have, I think we’ve been able to keep the program moving in a very fast-paced way,” he says.

The Institute is able to attract speakers in large part through its advisory board, “a Who’s Who of leading general counsels,” Paige says.

He credits Head, the original chairperson of the Institute, and Lou Briskman (L’73), who finished his tenure as chairperson this year, for being especially successful at attracting engaging speakers.

“Pat...was one of the great drivers of success in the early years, and Lou...has taken us to the next level,” he says. “Lou has followed in the tradition of...Pat...in being a great motivator, a great teacher and someone able to convince the very best speakers in the country to speak at our program.”

Paige, married for 35 years and the father of two grown children, says he owes a lot of his success to Georgetown Law, and one way of showing his appreciation is to work on behalf of the Institute.

“I’ve always believed that it’s important to give a little bit back to the school, and I feel good about the fact that we have really grown this program into one of the premier, if not the premier, corporate counsel institutes in the country,” he says. “To be able to be a part of that is a great thing.”
## SUMMER 2006 — FALL 2006

### JUNE
- **2-11**: 28th Annual Intensive Session in Trial Advocacy Skills  
  **LAW CENTER**

### SEPTEMBER
- **14-15**: Second Annual White Collar Crime Conference  
  (cosponsored by the National Association of Criminal Defense Lawyers)  
  **LAW CENTER**

### OCTOBER
- **6**: Bankruptcy 2006: Views from the Bench  
  (cosponsored by the American Bankruptcy Institute)  
  **LAW CENTER**
- **23-27**: IIEL Academy of WTO Law & Policy  
  **LAW CENTER**

### NOVEMBER
- **2-3**: 10th Annual Litigating & Resolving Employment Cases: Views from the Bench  
  **LAW CENTER**
- **9**: Information Security: Legal Problems & Solutions  
  (cosponsored by the Information Systems Security Association)  
  **LAW CENTER**
- **15**: E-Discovery Technology Workshop  
  **LAW CENTER**
- **16-17**: Third Annual Advanced E-Discovery Institute  
  (in cooperation with the Federal Judicial Center)  
  **LAW CENTER**

Program dates are subject to change. For more information, contact the Continuing Legal Education office at (202) 662-9890. Email: cle@law.georgetown.edu. Visit www.law.georgetown.edu/cle for more information.

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### Is it Time to Take Your will in For a Checkup?

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Visit www.georgetown.edu/oaur and click on gift and estate planning.
Dear Friends,

As my term as chair of the National Law Alumni Board draws to a close, I find myself reflecting on what alumni participation with the Law Center has meant. For a time after graduation, the Law Center was simply a source of good memories and the diploma on my office wall. Not living in the Washington, D.C., area, it never occurred to me that there was anything to gain from reconnecting to the Law Center.

Once I started coming back to the Law Center, however, that all changed. First, I learned of the rich opportunities for involvement in NLAB-sponsored programs. For example, members of the Board have held receptions to encourage newly admitted students to choose Georgetown Law. Board members have also begun setting up a Web-based mentoring project. For several years, the Board has organized the World of Choices career forum, where alumni come and give current students information about the wide range of career opportunities open to them when they graduate.

As my involvement grew, I got to know new faculty members, including some who work directly in my practice area. These relationships have proved quite valuable to me in my current law practice and convinced me that there is still a lot to learn from the Law Center's world-class faculty. I have also had the privilege of getting to know Dean Alex Aleinikoff and his exciting vision for the Law Center's future. And I've begun to understand why I so often see Law Center faculty on CNN or quoted in the pages of the New York Times.

One of the most pleasant aspects of my involvement has been meeting students and learning that they have the same anxieties and concerns we once had (although typically with a much larger debt load). It has been rewarding to talk to them about their choices and the challenges they are facing and to tell them the things I wish someone had told me when I was a law student.

The most profound thing I learned took a little longer to sink in as I came to understand just how much the Law Center needs alumni involvement. Georgetown Law is not simply a place that turns bright college graduates into terrific lawyers, although it does that quite well and better each year. The Law Center is a community in the richest sense of the word, and we alumni are an essential part of that community. The administration needs our perspective on the direction of the institution. The faculty needs our experience as practicing lawyers as they maintain the currency of their scholarship. The students need us to anchor them to the present as they ponder their futures. The Law Center as a whole needs our support — time and money — to maintain the progress the school has made since we graduated.

What separates the great law schools from the mediocre ones is the strength of that community as a whole — faculty, administration, students and alumni together. As students, we were the beneficiaries of the legacy left by the alumni who preceded us. Now, as alumni, we must nurture that legacy by giving what we can back to the community that started us in our chosen profession.

I look forward to seeing Kevin McIntyre, who already has an impressive record of alumni service, become chair of the National Law Alumni Board later this year. In the meantime, if you have any questions about the Board or its programs, please feel free to call me at 404-881-7920 or email me at pflinn@alston.com.

Sincerely,

Patrick J. Flinn, L'82
Chair, National Law Alumni Board
Prayer in Daily Life Retreat

One hour a day for one week is all it takes. Campus Ministry’s Prayer in Daily Life Retreat sounds simple enough, but convincing people to set aside even an hour from their busy lives can be a challenge, says Sister Dorinda Young, SSJ, a Law Center chaplain. Most participants find the investment well worth it, however.

Evelyn Aswad (F’92, L’95), who participated last November, said keeping her commitment was easier than she expected. “I was working during the retreat and was concerned that I wouldn’t be able to break away every day,” she says. “However, once the week started, everything seemed to fall into place.”

The retreat, which takes place every November and March, is open to all faiths. Retreatants spend a half hour each day praying and reflecting and another half hour in individual sessions with a Campus Ministry spiritual adviser.

“It provides an opportunity for helping participants to find God in the ordinary stuff of their hectic lives,” Young says. “It has an incredible power of centering and focusing them through their prayer.”

The retreats usually include about 12 to 20 participants. Although most are current students, the program is open to anyone from the Georgetown Law community.

“I would definitely encourage other alumni in town to participate,” Aswad says. “The retreat and the campus ministers are a great resource, just blocks from where most alumni work in D.C. The retreat is a wonderful way to take time to reflect on the bigger picture.”

For more information, visit www.law.georgetown.edu/ministry.

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<td>Recent Alumni Advisory Council Happy Hour</td>
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<td>20th Reunion for Georgetown Journal of Legal Ethics Alumni</td>
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<td>First Thursday Student Alumni Supper</td>
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<td>25th Reunion for Center for Applied Legal Studies Alumni</td>
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Events are subject to change. For more information, please contact AlumniLaw@law.georgetown.edu.
Hundreds of Georgetown Law alumni again returned to their alma mater last October to celebrate their achievements and catch up with their classmates and favorite faculty members at Law Reunion 2005. Members of twelve classes — from 1945, 1950, 1955, 1960, 1965, 1970, 1975, 1980, 1985, 1990, 1995 and 2000 — enjoyed class dinners and receptions, panel discussions, the Paul Dean Luncheon, trolley tours of Washington, D.C., the Corcoran Gallery of Art and more over the three-day weekend event. Here is a sampling of photos from that weekend. Dozens more — as well as photos from numerous other alumni events — can be viewed at the Office of Alumni Affairs’ online events photo gallery at www.law.georgetown.edu/alumni/photogallery.html.
Corporate Counsel Institute

Current Solicitor General Paul Clement and former Solicitor General Seth Waxman discuss recent Supreme Court decisions as part of a Corporate Counsel Institute panel discussion held in Hart Auditorium.

Former Supreme Court Justice Sandra Day O'Connor addresses participants at the Corporate Counsel Institute in March. The Institute, a Georgetown Continuing Legal Education program, celebrated its 10th anniversary this year.

Women's Forum

Dean Alex Aleinikoff stands with the five Georgetown Law Alumnae Award recipients at the annual Women's Forum in March. This year's awardees are, from left to right, Ramona Ortiz Brown (F'89, L'94), Leigh Ryan (L'80), Theresa Gillis (L'74), Caryl Bernstein (L'67) and Barbara Moulton (L'89).

(Left) Alumnae Award winner Ramona Ortiz Brown (F'89, L'94), center, stands with, from left, her husband, Bryan Brown, Jan Ramien (L'82), Emilie Ninan (L'95, MBA'95) and Amber Wong Hsu (L'94).
Public Service from the Start

Chopping brush, planting crops, stacking books, preparing meals — many incoming Georgetown Law students break more of a sweat performing service projects during Orientation Week than they do worrying about Civil Procedure and other first-year courses during the school year.

Since 2002, new students have packed food for the Capital Area Food Bank, cleaned up a riverbed for the Anacostia Watershed Society, put up dry wall for the Montgomery County chapter of Habitat for Humanity — and more — all as part of an orientation service program initiated by Holly Eaton, director of the Pro Bono Program for the Office of Public Interest and Community Service.

In proposing that a volunteer service component be added to the August Orientation Week, Eaton says her goal was to enable students' introduction to Georgetown Law to extend beyond Capitol Hill. "I suggested service projects during orientation to introduce first-year students to Georgetown's Jesuit tradition of service, while learning something about the community they will be calling home for the next three to four years," Eaton says. The projects also give students a chance to get to know each other in an informal setting before classes begin.

Students in each class section have four or five projects to choose from, Eaton says, usually with at least one indoor and one outdoor project, and with several options for disabled students. About 150 first-year students participate annually, along with about 15 upper-class students, five staff members and 15 faculty members and senior administrators volunteering as well. By week's end, she estimates, participants have logged about 6,000 hours of community service.

Featured here are some photographs from this past fall's projects taken by Eaton, who is also an avid photographer.

Students serve meals to the hungry through a program sponsored by Bread for the City.

Students help clear brush in the National Arboretum.

(Left) The produce that law students help harvest for Urban Oasis, a one-acre farm located in Southeast D.C., goes to soup kitchens and subsidized food programs.
Cliff Hudson (L'80) admits that his timing could have been better when he moved back to his native Oklahoma City from Baltimore only months before the oil industry bottomed out. "The economy was booming until the moment my wife and I moved back. When they saw us arrive, they pulled the plug," Hudson says with a laugh. "The oil bust that occurred after the summer of 1982 changed law practice and the economy altogether."

It also changed the course of Hudson's career, forcing him to, as he puts it, "make a silk purse out of a sow's ear." If the boom had continued, Hudson might have used his J.D. from Georgetown Law to follow a "conventional law practice route," he says.

Instead, he took a job as legal counsel for Sonic Drive-In, then a privately held company that had "hit something of a financial low point when I came in with a new management team in 1984," he says. Hudson and his partners saw the company's potential. Sonic had retro car-hops and an all-American menu of burgers and fries; it oozed nostalgia.

By 1986 Hudson had sharpened his skills in business, accounting and corporate finance, and he and the management team bought the company and "set about trying to turn things around," he says. "We used Frankie Avalon in our commercials back in the 1980s, which was intended to play up the whole 1950s connection." That was one of countless brand boosters that, along with a host of careful management decisions, put the company on the fast track.

When Sonic went public in 1991, Hudson increased his ownership in the company. He was named president and chief executive officer in 1995 and chairman of the board in 2000. A company that he and his partners paid $10 million for in 1986 is worth $2 billion today. The largest drive-in chain in the country, Sonic owns, operates and franchises 3,000 restaurants.

The three years Hudson spent at Georgetown Law are crucial to his success, he says. "The quality of education I received in analytical thinking, separating the inseparable and finding similarities in disparate things — I use those on a daily basis," he says. In addition, he praises the quality and longevity of the relationships he forged at the law school: "The last time I talked to one of my law school classmates was yesterday."

Hudson acknowledges his debt to the school by giving back in a variety of ways. "I'm happy to have been a contributor to various efforts over time financially," he says. Hudson serves on Georgetown Law's Board of Visitors and meets with students to talk about alternative career models. "That's a very fun thing to do," he says. "Everybody kind of assumes that you'll pursue the same path, so it's nice to talk about different things."

In 2005, Hudson received Georgetown Law's Paul R. Dean Award, which is given annually to outstanding alumni who have exhibited leadership to the school and the legal profession. Hudson — who from 1994 to 2001 served as chairman of the board of directors of the Securities Investor Protection Corporation, a presidential appointment — was also recently named to the board of trustees of the Ford Foundation. "I've been very involved in public education initiatives in what I think has been a pretty successful way and they were intrigued with that," he says.

The public education initiatives Hudson mentions refer to his service as chairman of the Oklahoma City School Board. First, he co-chaired a voter-approved drive to raise $530 million through a combination of property and sales tax. Next, he has overseen the building and renovation of numerous Oklahoma City schools and the upgrading of their systems and finances. "The average school bus was 17 years old; now it's one and a half years old," Hudson says. "It's a pretty dramatic turnaround of the system. We're seeing significant improvement of academic performance as well."

Of course, Georgetown Law knows all about this, Hudson says: "The physical transformation of the law center is extraordinary, but it's only symbolic of the foundation laid for legal education, how Georgetown Law is now in a position to move to a whole different level in terms of the global economy and the role it can play."