



Digging INTO OUR History
Building A PATH TO OUR Future

FORUM



Cornell University
Law School

Lawyers in the Best Sense

Fall 2012

Cornell Law School Receives
Landmark \$25 Million Gift

Written in Stone: A Historical Perspective
on the Expansion and
Renovation of Myron Taylor Hall

LII@20: Cornell Law School's Enduring Gift

Faculty Members Recognized for
Teaching and Mentorship

Robert S. Summers Student Research
Assistant Fund

Visit www.lawschool.cornell.edu

Our website will keep you current on news and events at the Law School while you read about the students, faculty, and alumni who exemplify A.D. White's founding vision of *Lawyers in the Best Sense*.

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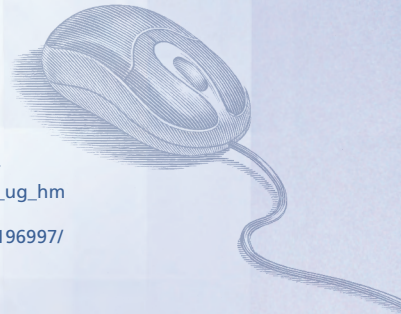
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FORUM

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I have heard time and again from alumni that when they look back on their own intellectual pursuits, many attribute their legal education at Cornell as a time when they experienced the greatest expansion of their intellect.

Dear Alumni and Friends:

The fall semester has taken hold and both students and faculty are ensconced in intellectual rigor. Cornell Law School has a long-standing history of quality education and prolific scholarship. I have heard time and again from alumni that when they look back on their own intellectual pursuits, many attribute their legal education at Cornell as a time when they experienced the greatest expansion of their intellect. According to a forthcoming law review article, Cornell is ranked in the top ten in the country for scholarly impact among law school faculties. In the past year, several professors have received numerous accolades for their work – many you will read about in this issue. To see these recognitions span the breadth of their influence in teaching, mentorship, and scholarship is inspiring.

Scholarship and teaching are often regarded as polar opposites on the continuum of a faculty member's job description. Daily, professors must choose between another hour of prep for class or another paragraph for an article. These recent accolades show how elegantly our faculty manage their work while building their skills and expertise in both arenas. I would argue that teaching and scholarship mutually reinforce one other. Rather than a continuum, I see our pursuits like a pendulum.

The best scholarship, both legal and research-based comes from academia. Think tanks and policy institutes are often challenged by ideology and insularity. Faculty can try out new ideas and concepts in the classroom and conduct research with students who bring a fresh perspective. In this way, the student/teacher relationship is mutually beneficial.

Our faculty members are diverse in backgrounds, beliefs, and expertise, but they all share a relentless commitment to knowledge sharing that transcends ideology and rejects insularity. Throughout the academy, scholars are constantly challenging one another, as well as their students, and over time, the best ideas stick.

In this issue of the *Cornell Law Forum*, we take a look back at our history as a way to look forward with greater clarity and purpose. This past summer began with one announcement and one groundbreaking event, and both will have a profound impact on Cornell Law School in the years to come. In June, during Reunion, the Law School announced the largest single gift commitment in our history and we broke ground on the first expansion and renovation of Myron Taylor Hall in twenty-five years. This fall, we celebrate the twentieth anniversary of the Legal Information Institute (LII), co-founded by Peter Martin and Tom Bruce. In this issue, we explore those first twenty years of the LII, as well as 125 years of legal study at Cornell – from Morrill Hall to Myron Taylor Hall.

If you've visited the Law School in the past few months, you will have seen



the transformation of the Purcell Courtyard into a full-blown construction site. The shell of the new state-of-the-art wing is starting to take shape, and we are working hard to keep distractions and noise to a minimum. I am pleased to report that, as of early October, the project remains on schedule. I encourage you to track our progress. We have a camera installed near the top of the Peace Tower overlooking the site, and we will have a time-lapse movie running on our website (lawschool.cornell.edu/alumni) throughout the duration of the project. I want to thank all of our students, faculty, and staff for bearing with us during the construction and renovation. The end reward will be well worth the effort!

Finally, I want to thank our alumni for all they have done to make this year the best fundraising year in our history. The \$25 million

anonymous gift certainly helped bring us to “best ever” status, but we also have \$6.5 million in other gifts, including \$1.8 million in current use funds and 1,869 donors, showing an increasing level of participation in our Annual Fund. We are also seeing more alumni come forward to volunteer their time and talent for various activities, programs, and projects, including Reunion, the Clarke Business Law Institute, and Career Services. Your time, talent, and treasure are greatly appreciated, and I wish you all success for the coming year.

Stewart J. Schwab

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



Cornell Law School Receives \$25 Million Gift

by OWEN LUBOZYNSKI ■ ILLUSTRATION by LEIGH WELLS



On June 6, during the Cornell Law School Reunion Alumni and Faculty Lunch, Stewart J. Schwab, the Allan R. Tessler Dean and Professor of Law, announced that the Law School received the largest gift commitment in its history: \$25 million from a donor who wishes to remain anonymous.

On June 6, during the Cornell Law School Reunion Alumni and Faculty Lunch, **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law, announced that the Law School had received the largest gift commitment in its history: \$25 million from a donor who wishes to remain anonymous. The endowment created by this gift will be used to support faculty research, specific national and international program activities, student scholarships, and other initiatives.

"This truly monumental gift is one of the most generous in the history of American legal education," said Schwab. "It will enable us to implement our vision of Cornell Law School as a small law school with a world-class faculty sending out a fair number of graduates who lead lives of distinction and service in numerous fields and arenas throughout the world. This gift



inspires all of us in the Cornell Law School community to redouble our efforts to be a center of excellence for legal education."

Cornell University president **David J. Skorton** noted that the gift will make an indelible impact on the Law School and contribute to the success of the current Cornell NOW capital campaign. "The Law School is a vital part of the intellectual strength of Cornell University," he said. "This gift will allow the Law School to further enhance its interdisciplinary scholarship and programs that enable Cornell University to engage with the world."

The \$25 million gift takes its place beside support from Myron Taylor, class of 1894, and Jane M.G. Foster, LL.B. '18, who also made transformative gifts to the Law School. Schwab added that the gift "is a profound investment in the people who will teach and study at Cornell Law School in the years to come." ■

This truly monumental gift is one of the most generous in the history of American legal education. It will enable us to implement our vision of Cornell Law School as a small law school with a world-class faculty sending out a fair number of graduates who lead lives of distinction and service in numerous fields and arenas throughout the world. This gift inspires all of us in the Cornell Law School community to redouble our efforts to be a center of excellence for legal education.

— Stewart Schwab



u e s n s - é e e t h i a s e e

Written in Stone

by KENNETH BERKOWITZ ■ IMAGERY from CORNELL LAW SCHOOL ARCHIVES



The story of Cornell Law is a story of growth, of change, of an institution continually renewing itself. From 1887, when a Department of Law formally opened in Morrill Hall, to the summer of 2012, when ground was broken outside Myron Taylor Hall for the first major renovation in decades, the school's aspirations have been closely reflected in the bricks and mortar of its campus.



"We have a saying carved behind the bench of the MacDonald Court Room, 'The law must be stable, and yet it cannot stand still,'" says **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law. "Generations of students have seen that quote, and I think it's equally true of the school itself: The Law

School must be stable, and yet it cannot stand still. Even in the midst of transition, there is a sense of majesty, an attention to detail, a timeless quality to these buildings, reminding us, each time we pass by the Collegiate Gothic of Myron Taylor Hall or walk into the Gould Reading Room or gaze up at the Peace Tower, of our part in this grand tradition."

From the very beginning, **Andrew Dickson White**, the university's first president, saw the need for a curriculum in law, with the intention of "applying the highest thought to the best action." In the university's second year, the founders added a course in constitutional law, taught by the dean of Columbia Law School, and before stepping down in 1885, White urged the board of trustees to create a full law department.

"We should look into the future with reference to those departments which will round out our existing institution to full university proportions, especially the departments of law and medicine," he wrote in 1884, describing his own position on the

topic as "most favorable." Acting on White's goal of graduating "well-trained, large-minded, morally based lawyers in the best sense," which stood in stark contrast to the "swarms of hastily prepared pettifoggers" he saw practicing in courts around him, the Department of Law formally opened its doors in September 1887. Compared to the apprenticeships and clerkships that were then the norm, it was an enormously ambitious, systematic undertaking, with three resident professors, four nonresidential lecturers, fifty-five entering students, and a law library of 7,000 volumes filling the fourth floor of Morrill Hall.

Built in Second Empire style, using bluestone quarried from the foot of Libe Slope, Morrill Hall comprised three unconnected sections, each with its own separate entrance: faculty offices in the south, student dormitories in the north, and classrooms in between. With few amenities, the building had its early critics—**Professor Goldwin Smith** dismissed Morrill Hall and its neighbors, saying, "Nothing can redeem them but dynamite"—and within three years, as law enrollment almost doubled, the administration recognized the need for a larger space.

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"The Law School must be stable, and yet it cannot stand still. Even in the midst of transition, there is a sense of majesty, an attention to detail, a timeless quality to these buildings, reminding us, each time we pass by the Collegiate Gothic of Myron Taylor Hall or walk into the Gould Reading Room or gaze up at the Peace Tower, of our part in this grand tradition."

MORRILL HALL

1887





“While the accommodations thus far have been ample, yet, if the attendance continues to increase, more spacious quarters must be provided,” wrote **Professor Harry B. Hutchins**, one of the school’s original faculty members. “The authorities and the friends of the school realize this; and a building, to be devoted exclu-

sively to its use, will, without doubt, be erected in the near future. Although young in years, the School of Law of Cornell University must, we think, be regarded as far beyond the experimental stage, and as giving promise of a future that will more than meet the most sanguine expectations of those who were immediately instrumental in its founding.”

By 1891, as enrollment continued to boom, trustees approved a plan to build Boardman Hall, named in memory of the school’s first dean, **Douglas Boardman**. It was a three-story Romanesque building, constructed from Cleveland sandstone and designed by **William Henry Miller**, who had also built Uris Library, McGraw Tower, and the A.D. White House. At the 1893 dedication, with attendance nearly doubling again to 205 students, a



trustee praised its numerous advantages over Morrill Hall, especially its vaulted ceilings, oak paneling, elegant furnishings, fourteen fireplaces, expanded library, steam heat, electric lights, and ventilation system, finding Boardman Hall “admirably adapted for law-school purposes.”



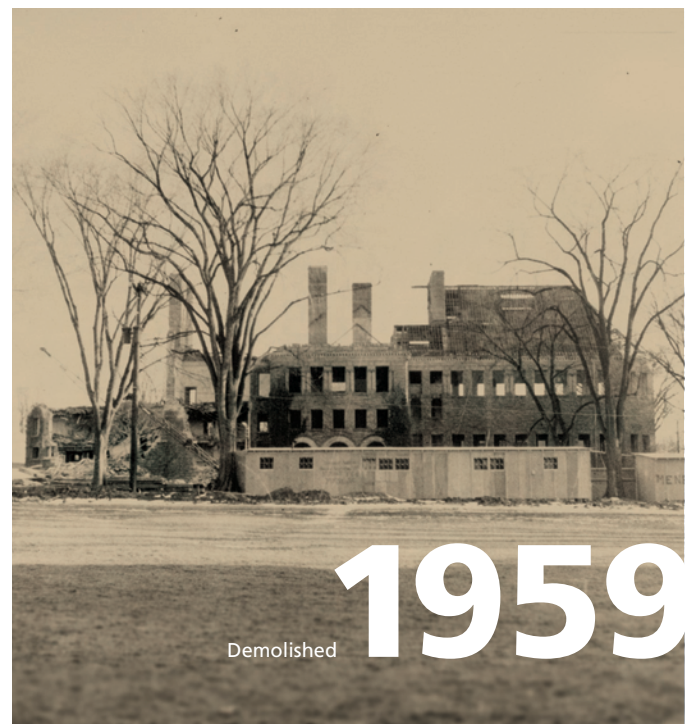
LEFT: Ernest W. Huffcut (dean, 1903-1907) leads class in Lecture Room C at Boardman Hall.
LOWER LEFT: Exterior of Boardman Hall



...a trustee praised its numerous advantages over Morrill Hall, especially its vaulted ceilings, oak paneling, elegant furnishings, fourteen fireplaces, expanded library, steam heat, electric lights, and ventilation system, finding Boardman Hall "admirably adapted for law-school purposes."

"It is no wonder that attendance has grown during the five years of [the Law School's] existence . . . nor is it a matter of doubt that with our greatly improved facilities, the numbers will increase more rapidly in the future," predicted **Jacob Gould Schurman**, the university's third president. "I think it entirely within the mark to say that we are likely to have 500 students of law before the close of the century. But Boardman Hall, which we now formally dedicate, will accommodate them; and the Moak Library, which we now formally accept, will serve to instruct them—they and their successors, so long as the building and the books endure."

More than a century later, many of those books still endure, though the world around them has changed in ways no one could have foreseen. Looking back, **Dean Robert S. Stevens** described those forty years at Boardman Hall as "the period when the Law School became of age. It had become a graduate school." But instead of steadily increasing, student enrollment leveled off at the start of the twentieth century, and though Boardman Hall remained in use until 1959, the Law School had again outgrown its home before the end of the 1920s. (Of the original exterior, all that remains are eight carved stone heads near the entrance to Olin Library, where the building once stood.)



Demolished

1959



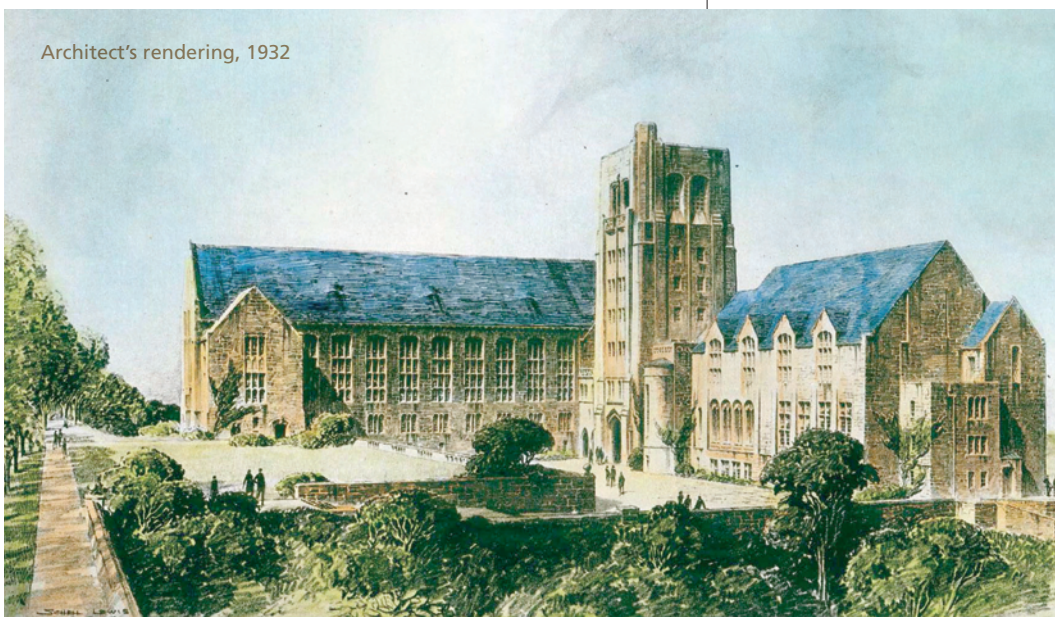
Faced with a shift toward more modern, seminar-based teaching, the Law School needed a building with much greater flexibility and found its benefactor in **Myron C. Taylor, LL.B. 1894**, chief executive officer of United States Steel Corporation. Preliminary sketches of the new law campus by **F. Ellis Jackson** appealed immediately

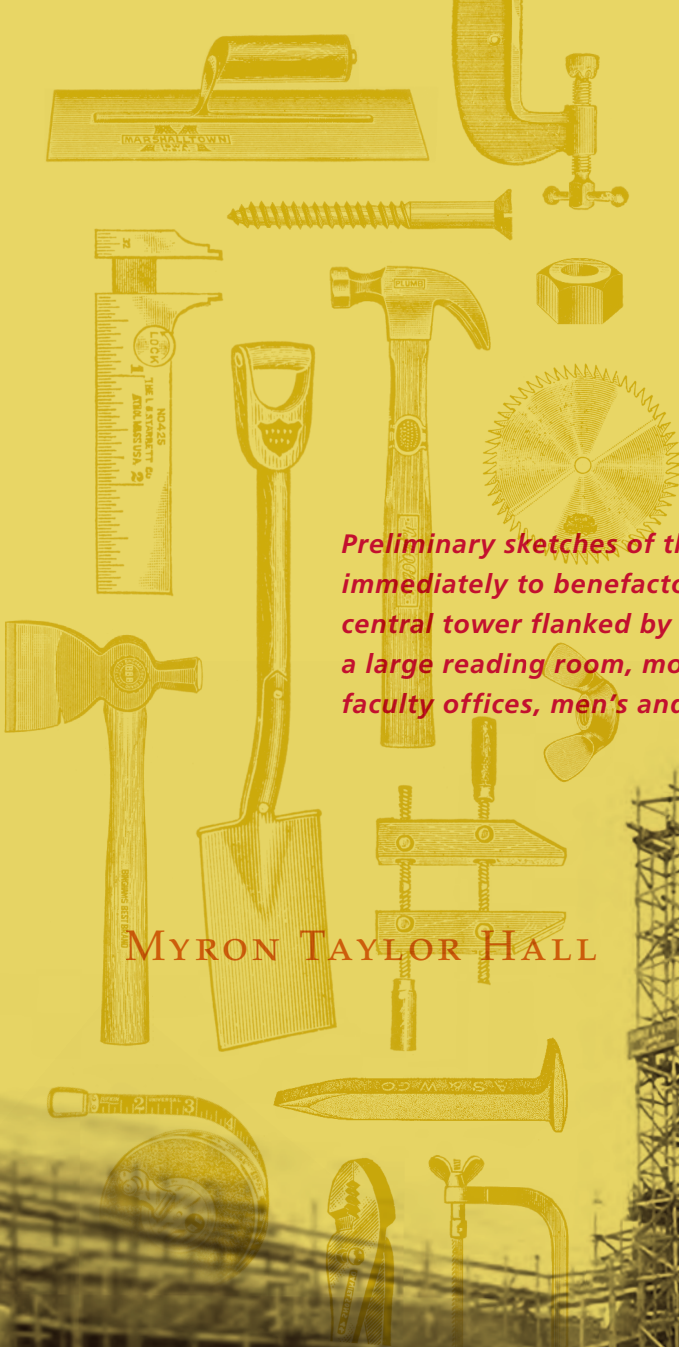
to Taylor, depicting an imposing central tower flanked by wings at the north and south, which would hold a large reading room, moot courtroom, library, lecture halls, seminar rooms, faculty offices, men's and women's lounges, and student locker rooms. On the exterior, carvings by **Lee Lowrie**, who would later sculpt the bronze Atlas that stands at Rockefeller Center, symbolized the establishment of international peace through law, as well as caricaturing archetypes of the judge, the jailer, the court crier, the pettifogger, the scrivener, and four symbols of the profession: the quill, the book, the seal, and the money bag.

"Law reigned supreme on the Cornell campus on October 15," read the October 1932 edition of the *Cornellian Council Bulletin*. "In an impressive ceremony in the beautifully appointed Moot Court Room, **Mrs. Myron C. Taylor** formally handed over the keys to **President [Livingston] Farrand**, and Myron Taylor Hall, America's newest center for legal training and research, was auspiciously launched on its career."

At the celebration, Taylor talked about the building's "higher significance, expressing inspiration, preparation, faith, cooperation, achievement, and reward." Gazing around him, assistant law librarian **Lewis W. Morse** questioned whether failure was even possible: "Nurtured in this environment of architectural beauty," he wrote, "how can the youth who here gain a splendid professional training fail to become imbued with the ideals envisioned by the generous founders for the advancement of the administration of justice?" The principal address by **Cuthbert W. Pound '87**, chief judge of the New York State Court of Appeals, called upon the assembled Cornellians to "arise to meet and solve" the problems confronting the world by striking a balance between old and new, "not as the disciples of a rigid social philosophy, either conservative or liberal, but as students of the needs of today to be expressed in the legal formulas of the past."

Opening in the depths of the Depression, the new building helped provide a renewed sense of optimism, a faith in the power of law, but there was little it could do to restore the ailing economy. All over the country, universities witnessed a significant decrease in enrollment, which continued until the end of the decade when the Second World War triggered a second decline, with particularly drastic repercussions at law schools. By 1943–44, after terms were shortened, courses eliminated, and faculty positions left unfilled, the Law School averaged thirty-one enrolled students, with much of Myron Taylor Hall pressed into service for the 800 attendees of Cornell's Naval Training School.





Preliminary sketches of the new law campus by F. Ellis Jackson appealed immediately to benefactor Myron C. Taylor, LL.B. '94, depicting an imposing central tower flanked by wings at the north and south, which would hold a large reading room, moot courtroom, library, lecture halls, seminar rooms, faculty offices, men's and women's lounges, and student locker rooms.

MYRON TAYLOR HALL

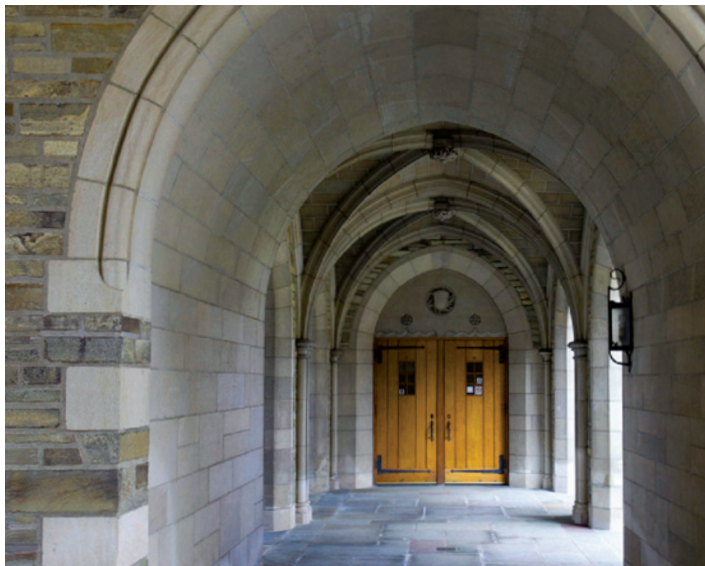
1932





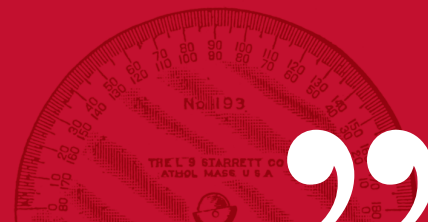
"With luxurious details inside and outside, [Myron Taylor Hall] is an inspiration to those who teach and study there, and has drawn from them a sense of protective guardianship."

—Dean Robert S. Stevens



Myron Taylor Hall remains a grand space, an awe-inspiring space. It's a space that you remember, a space to center your life and work, a space that anchors the most important memories of your time at Cornell.

—Peter W. Martin





With the end of the war and the return to civilian life, everything changed again. In 1945, a year after the passage of the G.I. Bill, 93 students were enrolled at Cornell Law, followed by 347 students in 1946, 375 students in 1947 and 1948, 412 students in 1949, and 459 students in 1950. The influx of veterans and

the rise of post-war tensions helped spark a new focus on international and comparative law that quickly became one of the Law School's greatest strengths, and even after enrollment peaked in 1950, many more people were using Myron Taylor Hall than the building had been intended to hold.

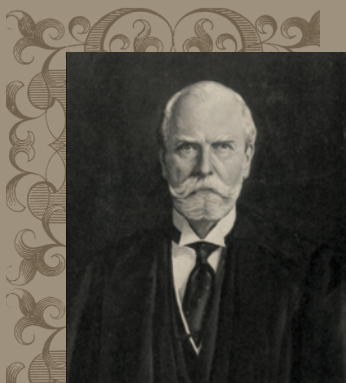
One solution was to build a residence hall, and in 1956, when **Dean Gray Thoron** approached Myron Taylor with a list of requests, the idea of creating "suitable living and dining facilities" was one Taylor found particularly satisfying. In the conversation that followed, he reminisced about **Charles Evans Hughes**, his favorite professor, who had sent a telegram to be read at the dedication of Myron Taylor Hall, describing the new building as "a far cry from the time we met on the top floor of one of the oldest buildings on the campus, and when a little later we first enjoyed the advantages of Boardman Hall."

Though Taylor died while Hughes Hall was in the planning stages, it was his million dollar gift that made the building a reality, providing housing for 120 law students, along with a dining facility that served both students and the university community at large. Writing in the *Cornell Law Review*, **Professor W. David Curtiss** called it "a handsome building [that] permits the School to operate in the historic tradition of the English Inns of Court," echoing **Chief Justice Earl Warren**, who wired his remarks to be read at the 1964 dedication. "I do not underestimate the educational importance of dining," he wrote, unable to land at fogged-in Tompkins County Airport. "At the Inns of Court, England's time-honored legal training bodies, the discussions about law which occur at the dinner table have over the centuries been a very significant part of a young barrister's education."

As intended, Hughes Hall proved attractive to potential law students, but the larger problem remained: After decades of increasing use, Myron Taylor Hall was beginning to show its age. "Myron Taylor Hall had been built for a much, much smaller student body and faculty than the school had grown into," says **Peter W. Martin**, the Jane M.G. Foster Professor of Law Emeritus, who arrived at Cornell as a freshman in 1957. "It had been designed as if things wouldn't change over time."



ABOVE: Hughes Hall dining room LEFT: Exterior of Hughes Hall facing west



Chief Justice Charles E. Hughes



Program of Dedication

CHARLES EVANS HUGHES HALL
LAW RESIDENCE CENTER

FRIDAY, DECEMBER 4, 1964
4 p.m., Bailey Hall

Presiding

JAMES A. PERKINS, President of Cornell University

Remarks

ARTHUR H. DEAN '19, Chairman of the Board of Trustees

Address

THE HONORABLE EARL WARREN
The Chief Justice of the United States

Open House

5 to 7 p.m.
Charles Evans Hughes Hall


"I do not underestimate the educational importance of dining."

—Chief Justice Earl Warren

HUGHES HALL

1964

EGGERS AND HIGGINS
ARCHITECTS



...the Law School opted to create an extension adjoining both Myron Taylor Hall and Hughes, adding two floors for the library's growing collection, along with a computer lab, study carrels, and administrative space for faculty and programs. Designed by Boston architects Shepley Bulfinch, the Jane Foster Library Addition fit seamlessly alongside Myron Taylor Hall, its Collegiate Gothic façade striking a balance between past and present.

JANE FOSTER LIBRARY ADDITION

1989



By 1972, when Martin returned to teach at the Law School, the world had clearly changed, and the university had changed along with it. In what Martin calls “a dramatically different pattern of instruction,” there was a shift toward smaller class sizes, an expansion in the masters program, and a rising need for a

range of different-sized classrooms. To address the increasing demands on the Law School, a proposal to convert Anabel Taylor Hall was raised, then dropped, while two other suggestions—building a new academic space underground and converting the stacks of Myron Taylor Hall to create more classrooms—were considered prohibitively expensive.

Instead, the Law School opted to create an extension adjoining both Myron Taylor Hall and Hughes, adding two floors for the library’s growing collection, along with a computer lab, study carrels, and administrative space for faculty and programs. Designed by Boston architects **Shepley Bulfinch**, the Jane Foster Library Addition fit seamlessly alongside Myron Taylor Hall, its Collegiate Gothic façade striking a balance between past and present.

“The architects did an exceptional job, and everyone applauded the way they dealt with the external challenge of building an addition onto Myron Taylor Hall,” says Martin, who oversaw the project as dean from 1980 to 1988. “The architects made sure to use essentially the same vocabulary, reopening the quarry that had been used on Myron Taylor Hall, bringing in roofers and stonemasons who knew how to work with these materials, and creating a sizable addition that’s perfectly compatible with the original. They designed a building that students and faculty alike enjoy working in, a space that is as successful viewed from the outside as it is used on the inside.”

Much of the design was driven by the need to expand and modernize the library, with an emphasis on installing the newest in computer technology and allowing greater networking capabilities for students, staff, and faculty. With the world still in the early stages of the digital revolution, the ways that people accessed data were starting to shift, but books remained the center of legal scholarship and research as universities scrambled to create new shelving for collections that were rapidly outgrowing their libraries.

“The Law School was a leader, both on campus and nationally, in the use of personal computers,” says Martin. “There was an enormous concern about space in the library—ironically, the



The architects made sure to use essentially the same vocabulary, reopening the quarry that had been used on Myron Taylor Hall, bringing in roofers and stonemasons who knew how to work with these materials, and creating a sizable addition that’s perfectly compatible with the original.

—Peter W. Martin



wave of digital information was about to break, but the shift from printed to digital material wouldn’t hit legal scholars full force for another twenty years.”

President Frank H.T. Rhodes underlined the uncertainty of that transition at the building’s 1989 dedication, where he said the addition represented “a leap forward into a future full of trouble, full of difficulty, but full of promise.” Even at the cutting edge, those difficulties were encountered soon after the building opened, as research grew increasingly reliant on the Internet. Meanwhile, in another growing trend, students began opting out of Hughes Hall, choosing to live in the wave of newly constructed Colletown apartment buildings and sparking plans to repurpose the dormitory and its dining hall.



At the start of this century, when faculty members met to discuss the next set of renovations, six main priorities were identified: additional classrooms; additional faculty and staff offices; additional room for new and existing academic programs, institutes, and centers; additional offices for student services; additional spaces for study-

ing and informal gatherings; and improved circulation and accessibility across the Law School campus. "Currently, space for all Cornell Law programs is limited, but classrooms, student services, and gathering spaces are particularly inadequate," concluded the Boston firm **Ann Beha Architects** (ABA), which had been chosen to create a new master plan. "Even with student enrollment anticipated to remain near the current level, the registrar and faculty agree that a substantial increase in classrooms and a re-organization of sizes and room configurations is urgently needed."

As it had in the eighties, discussion began with a proposal to construct a building at the west side of Myron Taylor Hall and quickly reached the same conclusion: No, the Law School needed to expand without changing its existing footprint. But in the years that passed, the ground had shifted again, and in re-asking old questions, planners received new answers.

"In the past, we'd been told it would be very difficult to remove the library stacks without significantly impacting the structural integrity of the building," says **Richard F. Robinson**, associate dean for administration and finance. "Essentially, the stacks have been holding up the roof since Myron Taylor Hall was built. But as part of planning this project, structural engineers have shown us how to add new supports that will allow us to remove the stacks from the center of the building. With that reduction in shelving space, we'll be able to reconfigure about one-third of the square footage of library, which the digitization of the collection has, in part, made possible."

In response to another old question, planners learned it was now cost-effective to construct a new classroom space beneath the lawn that stretches from Myron Taylor Hall in the south to Anabel Taylor Hall in the north, and from College Avenue in the east to the stone wall bordering Purcell Courtyard in the west. With those two answers, the rest of the master plan began taking shape.

"The plan we have adopted is distinctive in focusing on dramatically improving Myron Taylor Hall as an integral part of a larger plan that involves three phases," says **Professor Robert A. Green**, one of three faculty members on the building committee. "We

Our goal is to provide spaces that are commensurate with those at peer institutions, and to foster the level of community engagement that is at the center of the Law School's aspirations.

—Scott Aquilina

believe that centering the focus on Myron Taylor Hall results in a more coherent overall plan for the entire Law School campus than would have been the case with any of the other options, which focused more on the peripheries of the complex. Myron Taylor Hall is a beautiful Collegiate Gothic building, and this new plan will greatly enhance its attractiveness and functionality."

"Myron Taylor Hall is a huge asset," agrees **Scott Aquilina**, senior associate at ABA. "That's Cornell Law's iconic building, and it retains its enduring value. When we looked at Myron Taylor, we saw this beautiful, inspiring law library surrounded by offices and classrooms. But the library is no longer up to date, and at this point, it's holding back the building. To change that, we're celebrating the best of Myron Taylor, like the Gould Reading Room, and adapting other areas that have outgrown their original function. Our goal is to provide spaces that are commensurate with those at peer institutions, and to foster the level of community engagement that is at the center of the Law School's aspirations."

The first phase of construction, which began on July 2, will add 23,000 square feet of building space, creating a below-ground academic center with three tiered, state-of-the-art teaching spaces: a flexible 170-seat auditorium that will be the Law School's largest classroom, with a 70-seat case study classroom on either side. Connecting the rooms at ground level, a breakout lobby will provide a view of the courtyard through four bay windows, and the addition's one-story fieldstone façade, which replaces the current retaining wall, will unify the exteriors of the surrounding buildings into a Gothic quadrangle.

"By adding new lecture halls below grade, the school's pressing needs for growth are accommodated without adversely impacting the existing architectural fabric," says university architect **Gilbert Delgado**. "The architecture of the new lecture halls carefully considers and addresses the existing context, while maintaining its own reserved identity, and reinforces the central green as the heart of the Law School."

As part of Phase I, the formal entrance to the Law School will be moved from the west side of campus, where it was placed to



EXPANSION

"We believe that centering the focus on Myron Taylor Hall results in a more coherent overall plan for the entire Law School campus..."

—Professor Robert A. Green



overlook Ithaca and Cayuga Lake, to the east façade of Myron Taylor Hall, where a new entryway, framed in bronze and limestone, will be inserted underneath the windows of the Gould Reading Room. “After years facing the parking lot, the main entry to the Law School will be now on College Avenue, which is the way most people come into the building,” says **Kevin M. Clermont**, the Robert D. Ziff Professor of Law, who chairs the building committee. “Coming through the doors, you’ll pass directly through the new lobby, the student center, and into the new academic addition. There will be a flow to the school, so that old and new classrooms will be much better integrated, and instead of having the library blocking access from one to the other, everything will be more closely connected, which will transform the way we go about our daily lives.” To simplify the circulation between the buildings for greater ease in passing from one to another and to create a more inviting place for gatherings, the Purcell Courtyard is being lowered three feet to meet Myron

Taylor Hall at ground level with openings expanded (doors and windows) in the locker room.

In the second phase of construction, which planners hope to begin within five years, the stacks in Myron Taylor Hall will be removed—“melon-balled” in the architects’ lingo—and replaced by five floors that align with the rest of the building, two mid-sized classrooms, several seminar rooms, and offices for students services and programs. The locker room will be replaced with a common gathering area open to the courtyard. The library will be reconfigured on the new third, fourth, and fifth floors of the building, with flexible, modular shelving, improved study spaces, and new areas for library services.

In the third phase, the ongoing conversion of Hughes Hall will be finished, and the building will be rededicated to the Law School’s expanding academic programs, institutes, and centers. The footprint of the campus will remain unaltered, and years

Law School Breaks Ground on New Wing

On June 9, the Cornell Law community, including many alumni on campus for the 2012 Reunion, gathered above Purcell Courtyard to celebrate the launch of the school’s first major expansion and renovations project in twenty-five years.

Eighty years ago, when Myron Taylor Hall was dedicated, the Law School had 14 faculty members and 157 students. It now boasts more than 50 full-time faculty members, 695 students, 40 officially recognized student groups, and 11 faculty-led research centers, institutes, and programs, as well as many visiting scholars and exchange students from around the world.

As Stewart J. Schwab, the Allan R. Tessler Dean and Professor of Law addressed those gathered, he celebrated a new build that reflects the school’s far-reaching ideals—the accessibility of law in an increasingly diverse world.

Schwab asserted, “Our physical space must reflect these ideals. Indeed, our physical space can foster these ideals.” Plans were laid out for a building that melds seamlessly with the historic Myron Taylor Hall, but makes room for the many new initiatives and programs in international law, information sharing, clinic work, and the collaborative pursuit to develop “lawyers in the best sense.”

“We are all dazzled by the way the expansion and renovations have been designed,” said Franci J. Blassberg ’77, chair of the Law School Advisory

Council, who followed Schwab at the podium on June 9.

She in turn was followed by Cornell University president David J. Skorton, who lauded the expansion of Cornell Law’s scope, in both international and interdisciplinary dimensions, over the last twenty-five years. Throughout the renovations

ahead, he said, “the Law School will remain a small school of large vision within one of the world’s great universities.”

The ceremony concluded with a toast from Schwab and the distribution of hard hats and specially designed commemorative shovels to the three speakers, as well as to Law



from now, another faculty committee will meet to discuss the next set of renovations, debating those same questions of change and stability. “The great advantage of this project is the way in which it offers these new resources, yet leaves the space around the buildings for future generations, should they need to build,” says **Ann M. Beha**, FAIA. “It is a very holistic plan for the Law School, offering the chance to expand and enhance its program, while preserving opportunities for future construction.”

With Phase I just begun and the sounds of heavy machinery all around, it’s difficult to imagine how the campus will continue to grow, which makes long-term planning so daunting. “Predicting the future is a humbling task because none of us really know the direction the world is going to take thirty, forty, fifty years from now,” says Schwab. “Certainly, the Law School has undergone

significant changes in the previous thirty-to-fifty years, but just as many things have remained constant.

“While staying connected to our history, the Law School and its buildings must reflect the twenty-first century,” he continues. “More than ever, we need to emphasize the accessibility of the law, the relation between law and culture in an increasingly diverse world, and the need for law to be understandable by all our citizens. To do that, we need buildings that reflect the highest goals of transparency, accessibility, and adaptability to changing times.” ■

School benefactor Jack G. Clarke, LL.B. ‘52, vice dean and professor of law Barbara J. Holden-Smith, and Student Board representative Rachel Sparks Bradley ‘12. After some deliberation about the appropriate technique (from his many years of groundbreakings, Skorton advised the group, “It’s very



David J. Skorton

important not to shovel toward the trustees.”), the VIPs dug in, officially breaking ground on the historic expansion.



Dean Schwab and Jack G. Clarke

LII@20: Cornell Law School's Enduring Gift

by PAUL MILLER and JUDITH PRATT ■ ILLUSTRATION by SETH ■ PHOTOGRAPHY by SHERYL D. SINKOW and FRANK DIMEO



In Internet time, twenty years is an eternity. So when Cornell Law School's Legal Information Institute celebrates its twentieth anniversary this year, it is no ordinary milestone.

The first site on the Internet devoted to law, and among the first thirty websites in the world, the LII continues to provide a place where lawyers and business leaders, government regulators and ordinary citizens can access the laws that govern them without cost. What most legal professionals simply call “the Cornell site” now serves upwards of 14 million unique visitors each year and continues to play a leading role in the creation of new software technologies that make laws accessible around the world. LII director **Thomas R. Bruce** says, “It’s a unique institutional fit. We get enormous benefit from our location in a world-class law school that is part of a world-class university. We can draw on tremendous expertise, and what we see around us every day renews our commitment to our mission.”

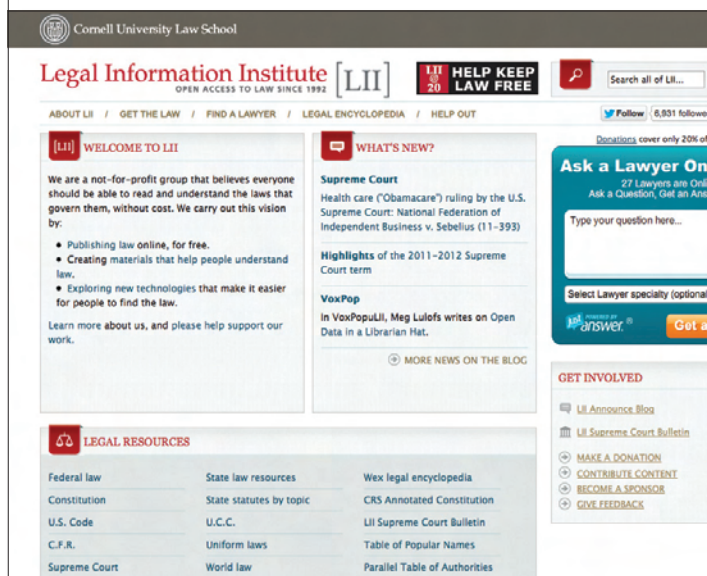


Peter W. Martin



Thomas R. Bruce

When Bruce and **Peter W. Martin**, the Jane M.G. Foster Professor of Law, Emeritus and former dean of the Law School, cofounded the LII in 1992, they had no idea that it would launch a global free-access-to-law movement that has now grown to include more than forty independent LIIs around the world. And it is only fitting that Cornell Law School will welcome many of these LIIs to the United States for the first time—at the annual Law via the Internet Conference on October 7, 8, and 9. You can learn more about the conference at www.lvi2012.org and visit the LII site at www.law.cornell.edu to see how Martin and Bruce’s “summer project” has grown up. ■



LII by the
numbers:

65% of all Cornell University
web traffic is to the LII

14 million visitors per year use the site

650,000 pages of legal
information live on the site

37,000 people read the *LII Bulletin*, either
via email or in *Federal Lawyer* magazine

90 million pages viewed last year

650,000 web pages link
to the LII

10 most common referrals:
Wikipedia, Google, IRS,
NY Times, FTC, EPA, Facebook,
Stumbleupon, Reddit, Yahoo

225 countries send visitors to the website

400 Cornell law students
have served on the *LII Bulletin*

8 full time staff keep
the LII running



Great Moments in LII and www History

1988

Peter Martin begins work with legal hypertext on CDs. Tom Bruce becomes director of educational technologies at Cornell Law School.

1989

Tim Berners-Lee writes initial proposal at European Organization for Nuclear Research (CERN) for what will become the World Wide Web.

1993

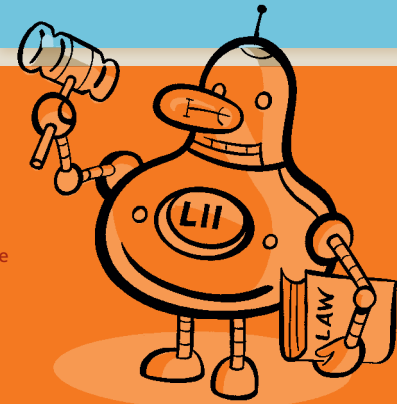
Bruce writes and releases Cello, the first web browser for IBM-compatible computers. University of Montreal research group, Lexum, brings the open access movement to Canada.

United Nations website goes online. Mosaic, the first graphical web browser, is released for UNIX and Mac users; eventually becomes Netscape.

1994

The first electronic edition of the U.S. Code goes online at the LII.

White House website goes online; Senate and House launch information servers; Yahoo! is born.



1998

The first Law via the Internet (LVI) Conference is held in Sydney, Australia. LII, in collaboration with Harvard Law School, produces the first online edition of Bracton's *On the Laws and Customs of England*, originally published ca. 1230.

Google and PayPal begin operations.

1999

LII creates "backgrounder" series for journalists, offering commentary and explanation of popular legal topics to inform news stories; first offerings are insanity defense and RICO.

Napster is born, opening the door to peer-to-peer file sharing and large-scale piracy fears.

2000

Bush v. Gore is decided by the Supreme Court. The LII site is accessed an average of 5000 times per minute for fourteen hours, setting a record that still stands.

Y2K problem is not a problem.

2003

Martin retires from teaching and Bruce becomes sole LII director. Namesake LIIs now number twenty-two.

Apple launches iTunes music store; MySpace and Skype are born.



2004

LII Bulletin changes editorial focus to concentrate on Supreme Court cases, providing analysis of cases prior to oral arguments.

Facebook is born.

2008

LII version of the Tax Code (USC 26) is used by the IRS in its Tax Documents CD product and on the irs.gov website.

Mobile phones surpass personal computers as the most common devices for web access; Google Chrome browser is released.

2009

Bruce named one of fifty leading innovators in the American legal profession by the American Bar Association's "Legal Rebels" project; LII launches Lawyer Directory Service in collaboration with Justia.com.

2010

The Hague Conference on Private International Law, engages Bruce and Martin as invited experts to work on problems answering legal questions across borders.

U.S. Supreme Court begins posting audio and text of oral arguments on its website.

1991

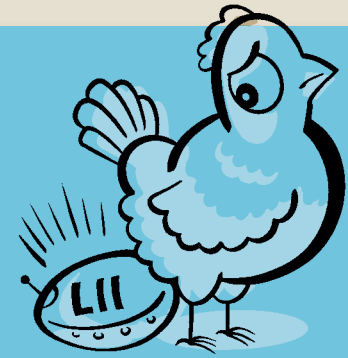
Bruce meets Berners-Lee, founder of the World Wide Web. They travel to Champaign-Urbana to meet with the Mosaic development team.

The Common Gateway Interface (CGI) standard — the basis of all dynamic web pages — is conceptualized at this meeting and implemented a month later.

1992

Bruce and Martin decide to put the law on the new WWW, creating the Legal Information Institute, among the first thirty websites in the world.

O'Reilly Publishing holds a conference for all the web developers in the world. All thirty-five of them, including Bruce, attend.



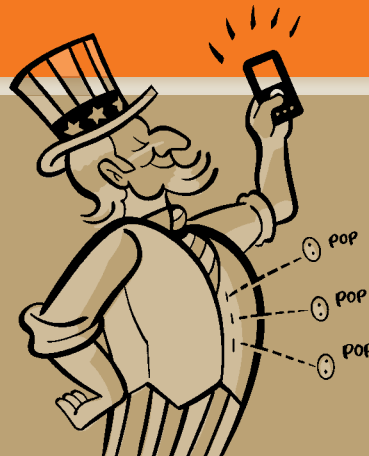
1995

AustLII brings the open access movement to Australia. With the assistance of Buffalo lawyer Jack Lippert, LII launches a full collection of New York Court of Appeals decisions.

CompuServe, Prodigy, and America Online begin to offer public internet services; Amazon and eBay are founded.

1996

LII begins the *LII Bulletin*, using law students to write summaries and analyses of New York Court of Appeals decisions.



1997

Martin teaches the first online distance-learning course in legal education, using the CU-SeeMe video software developed at Cornell and an innovative administrative model to teach students at four institutions.

AltaVista launches BabelFish, the first translation service for web content.

2001

The LII publishes the first XML version of the United States Code, creating the first comprehensive collection of national legislation to use this now-universal data standard.

Wikipedia is born.

2002

Fourth Annual LVI Conference is held in Montreal, where the Declaration on Free Access to Law is adopted by five national LIIs. Associate director Sara Frug joins the LII as a part-time editor.

LinkedIn is born.

2005

LII's resources are now used by people in over 200 countries, including Uzbekistan and Pitcairn Island.

YouTube is born.

2006

Bruce is engaged by the Swedish International Development Agency as consultant to a project to strengthen legal education in Vietnam.

Twitter and WikiLeaks are born.

2007

LII meets with European information scientists in Leiden, leading to a series of international collaborations in legal informatics.

There are now well over 109 million web servers in the world.

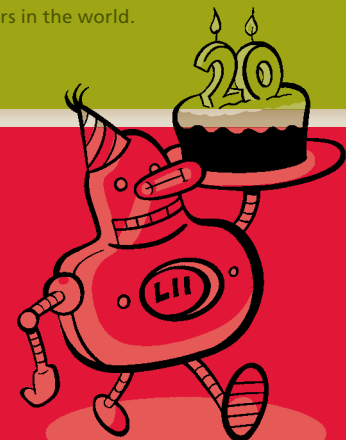
2011

LII creates its first edition of the Code of Federal Regulations, and offers its first e-Books. Bruce named member of the Fastcase 50 for contributions to legal information and technology.

Open access to communication and information plays a role in the Arab Spring uprisings.

2012

LII celebrates twentieth anniversary and hosts LVI conference in the United States for the first time; launches the LII edition of the Code of Federal Regulations. Martin named member of the Fastcase 50 for contributions to legal information and technology. Namesake LIIs number forty.



Rebecca Prentice '82:

Rising Star in Entertainment Law Enjoys Role as Lead Counsel at Paramount

Though her first love is reading, **Rebecca Prentice '82** has been a big fan of the movies since childhood. But unlike most film buffs, Hollywood is her home. Prentice's days are spent behind the big screen as general counsel and executive vice president of Paramount Pictures.



It's often unpredictable and sometimes things can go haywire. But then again, that is what I enjoy the most. I never expected I would be working in the entertainment industry, but it turns out I love it. I'm surrounded every day by some of the most talented and creative people there are. It makes work really interesting."

— Rebecca Prentice '82



A native of Visalia, California, Prentice went back west after her time in Ithaca at Cornell Law School. But going from the classroom to the studio lot didn't happen overnight. In fact, Prentice spent four years working in the Los Angeles offices of Kindel & Anderson and another decade with Shearman & Sterling, where she ultimately made partner.

That was all before she got the fateful call from Hollywood: Paramount was looking for a new general counsel. "I didn't

know much about entertainment law, but I thought it would be interesting and a challenge to do something outside my comfort zone," says Prentice of being offered the position. "And I really liked the people there, including several who had been at Shearman & Sterling."

In 1996, Prentice took her current post at Paramount, a job which "is unpredictable" on a day-to-day basis. According to Prentice, there are major differences between working in-house compared to a firm setting. Rather than focusing all of her attention on one or two transactions at a time, she deals with myriad issues each day.

"You have to be able to juggle any number of matters, and make the best judgments you can based on the information available to you at the time," says Prentice. "Most of the time, we don't have the luxury of waiting for the perfect legal analysis before moving forward." At one point during the

day, she may be dealing with litigation matters or government inquiries and investigations. At another point, she could be working on issues in a distribution agreement. She's also tasked with overseeing the sixty-five lawyers currently working in Paramount's legal department.

Having a smorgasbord of responsibilities is the best and toughest part of the job, Prentice confesses. "There's a challenge in not knowing what type of work I'll be dealing with from one day—or hour—to the next," says Prentice. "It's often unpredictable and sometimes things can go haywire. But then again, that is what I enjoy the most. I never expected I would be working in the entertainment industry, but it turns out I love it. I'm surrounded every day by some of the most talented and creative people there are. It makes work really interesting."

Since joining Paramount more than fifteen years ago, Prentice has made a splash on the entertainment law scene. She



has been named to the Power 100 List for Women in Entertainment by *The Hollywood Reporter* for the last few years and last year she was awarded the Outstanding Corporate Counsel Award by the Corporate Counsel Section of the Los Angeles County Bar Association.

When she's not negotiating deals with Marvel and some of the largest companies in the world, Prentice, a stepmother of three, lives in the Los Angeles area with her husband and enjoys rock climbing in her spare time. But there aren't many places in the world she'd rather be than in her office at the studio, which is celebrating its 100th year of business this year.

"Paramount is the last studio physically located in Hollywood," says Prentice. "What I love about it is that it feels like a campus. I love being in my office. I'm not in a high rise overlooking a busy street. Instead, I'm overlooking a park. Practicing law doesn't get much better than this."

~ ANDREW CLARK

Michael Toner '92:

An Insider's Look at Presidential Campaigns and the Election Process

At a Law School Reunion lecture in June, **Michael E. Toner '92** jokingly advised listeners: "Turn off the TV this fall, or you'll see round-the-clock election advertisements."

"Campaigns have all the legal problems of a startup company, with the goal of spending every dime by November." Although hired to ensure compliance with election law, said Toner, a campaign forces you to be a generalist—and to work fast.

In the lecture, titled "A Brave New World in Campaign Finance," he described the background of, and possible results from, the Supreme Court's 2010 *Citizens United* decision.

"The *Citizens United* ruling has demystified the process," Toner explained in a recent interview. After all, he said, "independent advocacy on behalf of a presidential candidate has gone on for a long time." He cites the "Swift Boat" group that opposed Kerry in 2004.

"We're just entering prime time for the election," he noted. "The Swift Boat people weren't around until August of 2004. There will be several more groups, that have yet to emerge, that will have a big impact on the election."

Toner understands elections. He served as chairman (2006) and commissioner (2002–2007) of the Federal Election Commission (FEC), the U.S. independent regulatory agency created to administer and enforce the statutes that govern the financing of federal elections. He has also been



chief counsel for the Republican National Committee, and general counsel for the 2000 Bush-Cheney campaign and transition team. He is now a partner with Wiley Rein.

Toner's interest in the election process began when he was still in high school. "I was one of those crazy people who stayed up late on election night to see what would happen," he said. After receiving degrees

from the University of Virginia and Johns Hopkins University, he decided to attend Cornell Law School.

"The small size of the classes was really appealing," Toner recalled. "I was concerned about getting lost at one of those schools with 500 in each class." Also, he added, Cornell "historically had a great placement record on the East Coast;

I'm from the East Coast and wanted to work here." The Ivy League affiliation and excellent faculty sealed the deal.

He particularly enjoyed his Evidence class with **Faust Rossi** and his administrative law classes with **Cynthia Farina**. Winning the Moot Court Competition, with partner **Stephen MacGillivray '92**, was another standout experience.

Election law intrigues him, Toner explained, because of the constant changes. "We're now in a more deregulatory era, while ten years ago the McCain-Feingold law expanded election law regulation. In five or ten years, we'll likely be in some other era. It's unpredictable because there are so many institutional actors—the legislature, the courts, the FEC."

Working as counsel for the 2000 Bush-Cheney campaign was, he said, "a high-wire act. Campaigns have all the legal problems of a startup company, with the goal of spending every dime by November." Although hired to ensure compliance with election law, said Toner, a campaign forces you to be a generalist—and to work fast.

For example, he remembers getting a late afternoon call from the campaign's advance people. Ninety minutes before a campaign event, they were phoning to say they planned to have skydivers, and asking if they might need insurance.

"That's the kind of craziness you deal with," he said. "You work 60–70 hour weeks, but you make extraordinary personal and professional friends. I have a lot of friends on the Democratic side who will say the same—you go through that together, you've bonded forever!"

He did get an insurance policy in place for the skydivers.

To keep the political process strong, Toner serves as a trustee for the American Council of Young Political Leaders. The group creates opportunities for next-generation political leaders to visit other countries, while foreign delegations of young leaders come to the United States. Alumni include current Senate and House of Representative leaders, as well as state governors, attorneys general, and secretaries of state.

"I've worked with that organization for a number of years," Toner said. "In their early years, young politicians are a lot more approachable. And they look back on those experiences as formative. I find that very appealing. As the world shrinks, that kind of knowledge is vital."

~JUDITH PRATT

Lynda J. Grant '82:

Taking the Plaintiffs' Side

When talking to **Lynda Grant '82**, you can hear the zeal that she brings to her fights involving corporate wrongdoing and injustices in the market. As head of her own Manhattan firm, she handles cases ranging from multimillion dollar federal securities class actions and

unfair mergers and acquisitions, to consumer frauds, serving shareholders, small institutions, funds, and consumers—always seeking justice in the wake of questionable business practices.

Grant's career on what she calls "the side of right," started during her final year in college when she worked in Washington, D.C., for the Carter Adminis-



Being the chief cook and bottle washer . . . allows me to be far more creative and to provide representation to clients that a big firm would not think worthwhile.

— Lynda Grant '82



tration's Office of Consumer Affairs, then headed by the estimable Esther Peterson. "I loved Washington," Grant says, but by the time she was out of Cornell Law School, the administration had changed, and "the Office of Consumer Affairs had been eliminated."

Brought up on Long Island, she headed back to the Big Apple and went to work for a large securities defense firm, representing "all the companies and people whom I now sue." But, Grant says, when her first client went to jail for a fraudulent tax shelter opinion, she thought, 'Maybe I'm not on the right side here,' and eventually moved to the other side of the "v" to work with plaintiffs.

"Doing plaintiffs' work was not something we were really exposed to in law school," Grant says. "I took a lot of ribbing from some of my classmates in large defense firms for that move." In late 2009, after more than twenty years as a partner in two large plaintiff class action firms, she struck out on her own to found TheGrant-LawFirm. "Being the chief cook and bottle washer is harder than working for a firm," she observes. But it was the right choice: "It allows me to be far more creative and to provide representation to clients that a big firm would not think worthwhile."

She often gets involved in large consumer cases as well, describing one brought to her

attention by a Florida real estate contact who believed that J.P. Morgan Chase was thwarting homeowners' attempts to get mortgage relief mandated by HAMP—the federal Home Affordable Modification Program. According to her informant, "There's something going on. Chase keeps losing the clients' documents supporting the mod." When Grant investigated, she believed that she had found evidence that "something was going on—it looked like Chase was avoiding modifying mortgages." As a result, she started a consumer class action on behalf of a class of Florida residents alleging that they should have been able to get HAMP mortgages.

She has stopped multimillion defensive recapitalizations, earned millions in securities fraud recoveries, and forced corporations soliciting shareholders' votes to make appropriate disclosures. At present, she and several other attorneys are litigating Google's recent proposal to issue a new class of non-voting stock to its current shareholders.

When she is not litigating, Grant co-chairs the American Bar Association's Securities Litigation Committee, planning programs, holding meetings, putting out a quarterly newsletter, and coordinating a number of subcommittees. "It's a lot of work, but it's worth the effort," she laughs. She recently lectured at the ABA Annual Meeting in Chicago.

As an undergraduate, Grant studied at SUNY Buffalo, from which she graduated with a B.A., summa cum laude. Accepted as a law student by both New York University and Cornell, she chose Cornell, in part, she says, because "upstate New York was good to me."

on a select panel presenting the topic "Ethical Issues in Securities Litigation."

Although her cases take her all over the country, she has primarily lived and worked in a small district near the Empire State Building: "I have a unique view of it from my terrace."

Some of the things going on in corporations can make your hair stand on end. Many deals proposed to shareholders are horrendous. Just when we think things are getting better, another scandal breaks. I don't think I'll be running out of work any time soon."

— Lynda Grant '82

”

Her experience at Cornell was equally as good. As a New York-area native and state university grad, "I really hadn't been intimately exposed to people from all over the country," she says. "It was a great opportunity." She also points to Professor **Kevin Clermont's** guidance in civil procedure: "He taught me how to think like a lawyer."

Grant has remained in contact with Cornell: for her thirtieth reunion this year, she served on the social committee and

If Grant is not the only woman in her field running a firm, she is one of a very small handful and she takes her role seriously. "Some of the things going on in corporations can make your hair stand on end. Many deals proposed to shareholders are horrendous. Just when we think things are getting better," she says, "another scandal breaks. I don't think I'll be running out of work any time soon."

~ BY S.K. LIST

Eduardo Bruera '11:

From Academia to a Supreme Court Clerkship

By the time he completed his doctorate in political science at Stanford University, **Eduardo Bruera '11** was having second thoughts. So instead of beginning a career in academia, he decided to enroll at Cornell Law. Midway through that first year, he knew he'd made the right choice, and after serving as editor in chief of the *Law Review* and graduating summa cum laude in May 2011, Bruera clerked for **Hon. Carolyn Dineen King** of the U.S. Court of Appeals for the Fifth Circuit.

"I've worked in every kind of law you can think of, and every day is fascinating because there's always more to learn," says Bruera of his clerkship.

"Sometimes we answer straightforward questions about the law, and sometimes we go into the record of the case, read arguments from both sides, and determine if the evidence supports their position. It's perfect training for thinking critically, and if you're going to be a lawyer, this is the greatest job on earth. Easily. Bar none. It's awesome. And I say that with real enthusiasm."

It's easy to hear the excitement in Bruera's voice, whether he's speaking about the pleasures of mentoring 1L students as academic co-chair of the Latino American Law Student Association or the lessons he's learning from King. Calling



Right from the get-go, Cornell made me want to rush out into the world and become a lawyer.

— Eduardo Bruera '11



himself "really, really fortunate," he credits the support he received from his professors at Cornell, especially **Stephen P. Garvey**, **Valerie Hans**, and **Jeffrey J. Rachlinsky**, who wrote letters of recommendation for the federal clerkship, and **Sherry F. Colb**, **Michael C. Dorf**, and **Eduardo M. Peñalver**, who encouraged him to aim even higher: the U.S. Supreme Court.

Bruera quotes hockey great, **Wayne Gretzky**, when he says "You miss a hundred percent of the shots you don't take." So they encouraged me to apply for a clerkship with **Justice John Paul Stevens**, who had recently retired, and about a

week after I did, he invited me to Washington for an interview. This is someone whose cases I read all through law school. He's a living legend, and I should have been rightfully terrified to be in his presence. But the thing about him is that he's extraordinarily disarming, and so nice that my anxiety just faded away. He called to offer me the job later that day, and all I could say was, 'Thank you, thank you, thank you, thank you.' And he joked, 'Well, if you're not excited about it, son, you don't have to take the position.' I thought that was a good start."

The 2012–13 clerkship began this summer. Bruera will help

Stevens prepare books, talks, and articles for publication, along with clerking informally for one of the Court's sitting justices. With his career just beginning, he already has a long list of honors—including the Order of the Coif, the Kasowitz Prize for Excellence in Legal Writing and Oral Advocacy, and CALI Awards in four courses—and the self-confidence that comes from being well prepared.

"I loved being at Cornell," says Bruera. "I loved studying the law. I loved working with professors who made it fun and exciting and challenging to learn. It was a great education, where I was exposed to a ton of substance, an incredible range of legal styles, and a powerful vocabulary for thinking about the law. Right from the get-go, Cornell made me want to rush out into the world and become a lawyer."

~KENNETH BERKOWITZ

Brendan Burns '12:

Carrying a Legacy, Making an Impact

When Cornell Law School and Cornell's Johnson Graduate School of Management launched a three-year J.D./M.B.A. program in 2010, **Brendan Burns '12** was one of only five students selected for the inaugural class. With internships at the New York Yankees and UBS Investment Bank under his belt, Burns had just earned his B.S. in applied economics and management from Cornell.

"Based on my undergraduate coursework and work experience, I knew that I wanted to pursue a business career," he says. "I also knew, however, that I wanted to study law and use that discipline in my career. This largely came from noting how many top business figures had legal backgrounds." Burns was thrilled to learn that he had been accepted into the

Law School and looking at some old photographs," Burns says. "I came across the group picture of the 1953 *Cornell Law Quarterly* and saw my grandfather sitting in the front row. That really had an impact on me, as I realized that I was carrying on a third generation legacy at Cornell Law School."

prepared Burns for a summer associate position at Cravath, Swaine & Moore in 2011. "Like everyone on the Law School faculty, Professor Whitehead puts tremendous effort into his teaching, and his commitment to introducing more transactional and corporate law courses was a perfect fit for me as a student," says Burns.

In August, Burns joined the New York City office of Lazard Frères & Co, where he is sure to see plenty of transactions. He is working as an associate in the firm's Restructuring Group, which advises financially distressed companies.

True to form, Burns is excited about the job particularly because of its position "at the intersection of business and law. Restructuring bankers operate within the framework of the Bankruptcy Code and work closely with lawyers to develop unique solutions for their clients." Also appealing is the complexity of restructuring deals: "A good resolution typically requires creativity and collaboration not only between the company and its creditors, but also among the different creditors and other involved parties."

And, of course, this third-generation Cornell Law student and inaugural-class joint-degree scholar is excited to contribute to bigger things. Noting Lazard's engagements with Eastman Kodak, American Airlines, and even the government of Greece, Burns observes, "The current landscape presents many opportunities to advise companies and governments with enormous impacts on our global economy." ■

~OWEN LUBOZYNSKI



I remember walking down the Law Review hallway after I had just been accepted to the Law School and looking at some old photographs, I came across the group picture of the 1953 Cornell Law Quarterly and saw my grandfather sitting in the front row. That really had an impact on me, as I realized that I was carrying on a third generation legacy at Cornell Law School.

— Brendan Burns '12

new, accelerated joint-degree program.

Even as he helped to break new ground, however, he was also following in family footsteps. Father **Douglas T. Burns '83** and grandfather **Arnold I. Burns '53** "always raved about their great experiences" at Cornell Law.

"I remember walking down the *Law Review* hallway after I had just been accepted to the

A current Cornell Law figure who came to have a great impact on Burns as his studies progressed was Professor **Charles K. Whitehead**. Burns was in the first class to take Whitehead's Transactional Lawyering course and to participate in its culminating competition, which is the only intramural event of its kind in the country. Whitehead's Business Organization and Securities Regulation courses

He found that his law and business studies complemented each other aptly. "Courses such as Income Taxation of Corporate Mergers and Acquisitions and International Mergers and Acquisitions meshed well with my courses in the Johnson School, providing... an invaluable perspective in terms of seeing business transactions through both a business and legal lens."

2012 Convocation Honors Law School Graduates

On Mother's Day, May 13, Cornell Law School's Class of 2012 had its final convocation. Presiding over the ceremonies in Bailey Hall was **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law, who began by taking a moment not only to acknowledge the mothers who had supported all those present but also to remember a fallen son: **Daniel Eduardo Ferrero**, who died of a heart attack as a second-year Cornell Law student in December 2010 and who, had he lived, would have been among the graduates that day.

J.D. speaker **Justin Haddock** illustrated some of the transformational lessons of law school by bravely sharing a few items that had graced his Facebook page during the previous three years. He also recalled the words of **Kevin M. Clermont**, the Robert D. Ziff Professor of Law, who had told the newly arrived Class of 2012, "It's true that law school's a marathon, not a sprint. But at the end of a marathon, you should still be tired." The class erupted into applause as Haddock told Clermont, "I think I speak for everyone here when I say that we're tired."

LL.M. speaker **Cynthia Farid** celebrated the diversity and character of the class's LL.M. graduates who represented more than thirty countries. To the Law School's faculty and administration, she said,

[The] compassion that you've shown us in your acceptance of our diverse ideas, no matter where we're from—I believe this is the essence of America. We thank our host country and Cornell Law School for giving us the opportunity to experience America. We are proud to be graduating from one of the best institutions in the world.

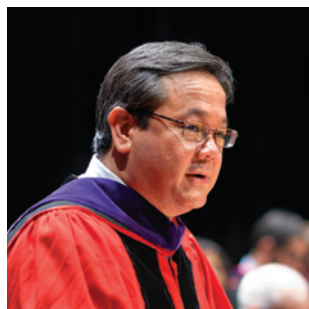
— Cynthia Farid

”



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Exhorting the Class of 2012 to "commit to developing your own sense of judgment," faculty speaker **Charles K. Whitehead** recounted an instance when, while working with a client on a complicated new financial product, his father had asked him whether selling this product to the public was the right thing to do. "These particular instruments worked out well, nothing like the synthetic CDOs that blew



up Wall Street a few years ago," said Whitehead, "But I've often thought about his question over the years as I've worked on other deals, because it's the right question to ask, and it isn't asked often enough."

Following Whitehead's speech, **John R. DeRosa**, assistant dean for student and career services, recognized the graduates individually before convocation attendees adjourned to

the Law School's Purcell Courtyard for a reception. Among the many celebrants were members of one family representing three generations of Cornell Law graduates: **Brendan H. Burns '12**, **Douglas T. Burns '83**, and **Arnold I. Burns '53**.



HRH Princess Bajrakitiyabha Mahidol of Thailand Gives Lecture at the Law School

"It's a great honor and privilege to be part of the Cornell community," said Her Royal Highness **Princess Bajrakitiyabha Mahidol of Thailand, LL.M. '02/J.S.D.'05**, on May 10. She was accompanied on this, her first visit to Cornell since graduating, by a delegation from the Thai Bar and the U.S. Royal Thai Embassy, including fellow Cornell Law alum **Kittipong Kittayarak, LL.M.'83**, permanent secretary of Thailand's Ministry of Justice.

Presenting "Practical Approaches to Law and Diplomacy—A Brief Tour from Cornell to Thailand to the United Nations," Her Royal Highness charted a distinguished career that has taken her not only to arenas of international diplomacy but also to the courtrooms of north-eastern Thailand. It was as a prosecutor in the latter milieu that she learned of the challenges facing imprisoned women, in particular pregnant women and mothers. The experience motivated her to initiate the Kamlangjai or "Inspire" project, which provides occupational training and other resources to help these women successfully re-enter society.

The princess has also been a driving force behind Enhancing Life for Female Inmates (ELFI),



ABOVE: Princess Bajrakitiyabha Mahidol of Thailand, LL.M. '02/J.S.D.'05 RIGHT: Dean Schwab, the princess, and Chulasingh Vasantasingh sign renewal of M.O.U. FAR RIGHT: Dean Schwab introduces the princess's lecture

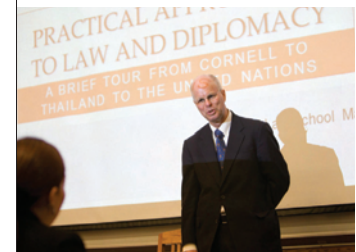


a project that resulted in the adoption of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women by the General Assembly in 2010. Additionally, Her Royal Highness is a UN Women Goodwill Ambassador, and in December 2011 she was elected chairperson of the United Nations Commission on Crime Prevention and Criminal Justice (CCPCJ).

The princess concluded her presentation by responding to

audience questions on topics ranging from the role of extra-legal strategies in dealing with domestic violence to the attitude of fellow CCPCJ members toward the young age of their chairperson ("I think I'm friendly enough to make everyone happy," she laughed). When asked what advice she would give Thai students coming to study at Cornell Law, Her Royal Highness said, "Spend a lot of time in the library but also spend some time in Collegetown relaxing."

At the end of the lecture, Schwab presented the princess with a framed commemorative print, and the Thai delegation presented Schwab with an embroidery art piece made by Thai villagers under the Support Foundation of **Her Majesty Queen Sirikit**.



Attendees then reconvened in the Berger Atrium for a reception and the renewal of a memorandum of understanding, first established five years ago, between Cornell Law and the Thai Bar Association. After signing the memorandum alongside **Chulasingh Vasantasingh**, vice president of the Thai Bar and attorney general of Thailand, Schwab raised a toast "to many more years of a fruitful relationship between the Thai Bar, the kingdom of Thailand, and Cornell Law School."

Three-Year Decision-Making Collaboration Results in Eighty-Five Publications, and More

Three years ago, **Valerie Hans**, professor of law, applied to participate in a Cornell project that would bring together social scientists working on how people make decisions. Her goal was to better understand how juries make decisions about damage awards—an area that lacked a theoretical framework. “But it succeeded beyond my wildest dreams,” Hans said.

That’s just one success story coming out of Cornell’s Institute for the Social Sciences (ISS) 2009–12 theme project “Judgment, Decision Making, and Social Behavior.” A dozen professors, whose interests span economics, psychology, government, law, policy analysis and management, human development, and business, shared office space and met weekly to advance research on decision making. In addition to Hans, Law School professor **Jeffrey J. Rachlinski** also participated in this project.

Hans and **Valerie Reyna**, professor of human development and psychology, for example, applied Reyna’s model of general decision making to how juries decide to award damages. “I’ve presented it to legal audiences, and there’s a lot of interest in it,” Hans said. “To have a theoretical model that’s enriched by the kinds of new knowledge about economics and psychology that we were

able to learn from our colleagues in the group was really fantastic.” The pair has also cowritten a scholarly article and applied to Cornell for a small grant to test the model, she added.

The project team also encouraged Hans to do something she may regret, she quipped: sign up for a ten-day neuroscience boot camp.

Research by economists and psychologists on how people make decisions is an area that has exploded with scholarly work in recent years, but Cornell is one of the few universities where top-flight economists and psychologists are talking to one another about such research, said project team leader **Ted O’Donoghue**, professor of economics. But the Cornell scholars, who are spread across campus, have rarely had the chance to design experiments or publish papers together.

“We said, if we put our economists and psychologists together in an environment that encourages them to engage in a more intensive way, let’s see what emerges,” O’Donoghue recounted at a recent project celebration.

What emerged were eighty-five scholarly publications, two major national conferences, regular seminars and public lectures with visiting scholars, two Cornell workshops, a slew of joint grant proposals and new research proposals, and countless casual conversations

To have a theoretical model that’s enriched by the kinds of new knowledge about economics and psychology that we were able to learn from our colleagues in the group was really fantastic.

— Valerie Hans



The ISS team included collaboration from Professors Hans and Rachlinski.

that advanced decision-making research.

In particular, the project fostered work at the intersection of law, economics, and psychology, an area in which Cornell has many scholars, and catalyzed a major conference and a volume of research in that area. The project also, O’Donoghue said, laid the foundation for future research in cognitive neuroscience with a workshop on the tools of neuroscience, a major conference on the neuroscience of risky decision making, and a forthcoming edited volume.

Other research included **Peter Enns**’s (government) finding that public opinion influences Supreme Court decisions in real, substantive ways, even when the public is unlikely to be aware of the case before the court. **David Dunning** (psychology) suggested that the more a person wants an object, the closer she perceives it to be. And **Benjamin Ho** (Johnson School) determined that so-called “apology laws,” which make doctors’ apologies for botched medical events inadmissible in court, result in the greatest reduction

in average payment size and settlement time in cases involving severe patient outcomes.

"These models of decision making have had a significant impact within political science, and you see them in sociology and other spheres as well," said **Kenneth Roberts**, the Robert S. Harrison Director of the Institute for the Social Sciences and professor of government.

It's the interactions among fourteen affiliated graduate students that may have the deepest impact, adds O'Donoghue.

"This is a group that is not tied down to standard traditions and is going to be much more willing to think outside the box."

Alexander and Peñalver Publish *An Introduction to Property Theory*

Cornell Law School's **Gregory S. Alexander**, the A. Robert Noll Professor of Law, and **Eduardo M. Peñalver** are the

authors of the new book *An Introduction to Property Theory*. Released in June by Cambridge University Press, the book examines the leading modern theories of property through lucid descriptions of contemporary controversies.

"We are hopeful that the book will provide a useful introduction to the many debates over the nature and philosophical foundations of property," says Peñalver, professor of law. "At the same time, we wanted to provide an overview of recent property scholarship, identifying the most active debates as well as the areas of consensus." Adds Alexander, "The book's secondary purpose is to provide a brief account of our own theory of property, which is based on the value of human flourishing."

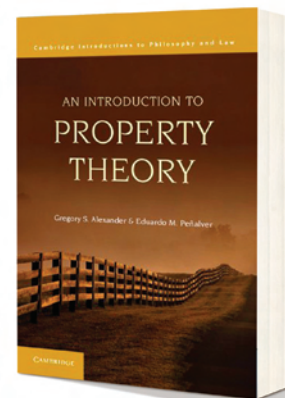
Through the lenses of such issues as redistribution, the right to exclude, regulatory takings, eminent domain, and

intellectual property, *An Introduction* surveys the Lockean, libertarian, utilitarian/law-and-economics, personhood, Kantian, and human flourishing frameworks of property law theory. In particular it highlights the Aristotelian human flourishing theory, providing the most comprehensive introduction to date.

Though the authors have aimed to make property theory accessible to beginners, says Peñalver, the book will also be



Professor Alexander



interesting "to specialists immersed in the debates we are describing and engaging."



Professor Peñalver

Cornell Law's Scholarly Impact Score in the Top Ten

This summer, the University of St. Thomas School of Law Library released "Scholarly Impact of Law School Faculties in 2012: Applying Leiter Scores to Rank the Top Third." Cornell Law School's score, using the protocols refined by University of Chicago law professor **Brian Leiter**, is ranked at number nine.

Gregory C. Sisk, **Valerie Aggerbeck**, **Debby Hackerson**, and **Mary Wells** explain that the Scholarly Impact Score measures the impact of a faculty's legal scholarship on other legal scholars—the score looks at citations by other legal scholars, not by academic scholars as a whole. Moreover, it measures the impact of tenured faculty, not untenured faculty or faculty with a primary appointment in clinical teaching or teaching legal research and writing. The weighted score, upon which schools

are rank-ordered, is twice the mean plus the median of each tenured faculty member's citations in law reviews for the past five years (2007–2011).

The study identifies the ten most cited scholars at each school. At Cornell this year, they are (in alphabetical order) **Gregory S. Alexander**, the A. Robert Noll Professor of Law; **Kevin M. Clermont**, the Robert D. Ziff Professor of Law; **Michael C. Dorf**, the Robert S. Stevens Professor of Law; **Theodore Eisenberg**, the Henry Allen Mark Professor of Law and adjunct professor of statistical sciences; **Valerie Hans**; **Michael Heise**; **Robert A. Hillman**, the Edwin H. Woodruff Professor of Law; **Jeffrey J. Rachlinski**; **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law; and **Lynn Stout**, Distinguished Professor of Corporate and Business Law.



Professor Stout

New Book by Lynn Stout Debunks The Shareholder Value Myth

"It should be obvious to anyone who reads the newspapers or has a 401k that our corporate sector is not performing for investors the way we would like it to," says Cornell Law School's **Lynn Stout**, Distinguished Professor of Corporate and Business Law. In her new book, *The Shareholder Value Myth: How Putting Shareholders First Harms Investors, Corporations, and the Public* (Berrett-Koehler Publishers, May 2012), Stout points the finger for this shortfall directly at a tenet of corporate governance widely accepted by executives, investors, and the business press.



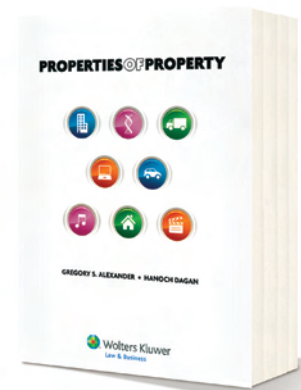
"This book argues that the reason [for corporate under-performance] can be traced not to flawed individuals (greedy CEOs, out-of-touch directors) but to a flawed idea—the idea that corporations are run well when they are run to maximize 'shareholder value' as measured by stock price," says Stout. "It shows how the idea of shareholder value rests on a conception of shareholder interest that is shortsighted, opportunistic, self-destructive, and antisocial, and suggests ways that corporations can be run to better serve not only investors but employees, customers, and the broader society."

An internationally recognized expert in the fields of corporate governance, securities regulation, financial derivatives, law and economics, and moral behavior, Stout also serves as an independent trustee and chair of the Governance Committee for the Eaton Vance family of mutual funds. She is a member of the board of advisors for the Aspen Institute's Business and Society Program, and a research fellow for the Gruter Institute for Law and Behavioral Research.

New Book by Gregory S. Alexander Expounds the Properties of Property

Cornell's **Gregory S. Alexander**, the A. Robert Noll Professor of Law, is coauthor of *Properties of Property*, published this spring by Wolters Kluwer Law and Business. Written in collaboration with Professor **Hanoch Dagan** of Tel Aviv University's Faculty of Law, the book provides an overview of cutting-edge work on property theory from leading scholars.

Broadly interdisciplinary, *Properties of Property* is designed for an international audience, particularly teachers, scholars, and students throughout Europe, the British Commonwealth, and China. It is intended for use not only in law schools but also in graduate classes in a wide variety of disciplines. An included Teacher's Guide provides suggestions on using the book as a resource in seminars and as a companion to a property casebook.



Alexander, nationally renowned expert on property, has taught at Cornell Law School since 1985. "For me personally, writing *Properties of Property* was an enormous undertaking," he says, "but it was all worth the effort, because the project gave me an opportunity to work closely with Hanoch Dagan, someone whose work I've admired for a long time."

Of the reader's content, he adds, "We included materials in which property theory is applied to controversial topics ranging from rent control to sale of body parts to environmental law. Our aim was to demonstrate that theory matters."

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— Gregory S. Alexander

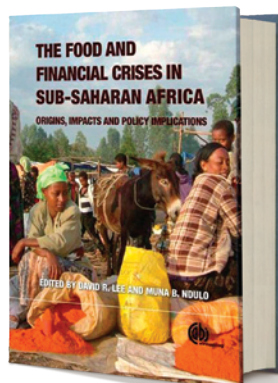


Ndulo Coedits Book on the Food and Financial Crises in Sub-Saharan Africa

"Over the past several years many countries have been affected by the continuing rise of food prices and energy prices. This has been compounded by still lingering effects of the global financial crisis which started in 2008," says **Muna B. Ndulo**, professor of law and director of the Institute for African Development (IAD) at Cornell. He adds, "This 'dual crisis' . . . has propelled millions of people worldwide into hunger." A new book coedited by Ndulo examines the problem and offers recommendations for the crises of the future.

The Food and Financial Crises in Sub-Saharan Africa: Origins, Impacts, and Policy Implications (CAB International, 2011) is coedited by **David R. Lee**, a faculty member of Cornell's Dyson School of Applied Economics and Management, and compiles papers presented at a 2009 symposium hosted by IAD. Ndulo also recruited Law School professor **Robert C. Hockett** to contribute a chapter.

"The book examines key issues emerging from these crises," says Ndulo. "Its overall objective is to make a contribution to the state of knowledge on these issues and highlight possible responses—and thereby help policy makers as they adopt measures to deal with the 'dual crisis.'"



Professor Ndulo

An internationally recognized scholar who has served as a legal expert on several UN missions and a consultant in the constitutional processes of Kenya, Zimbabwe, Somalia, and Sudan, Ndulo was recently honored with the 2012 Distinguished Africanist Award from the New York African Studies Association. Ndulo, along with a group of Cornell Law students, played a major role in the development of the Garowe II Principles, signed in February, a political agreement between Somalia's various factions that will inform the drafting process of the country's new constitution and transitional laws.

Hockett Reveals Municipal Plan to Address "Underwater" Mortgage Loans

According to Cornell Law professor **Robert C. Hockett**, economists agree that underwater mortgage loans remain the principal drag upon U.S. economic recovery. They also recognize that principal write-downs are the only solution to this problem. "Even the loan holders themselves recognize that writedowns maximize the expected values (EVs) of their troubled loans," says Hockett. "The problem is that a host of classic creditor collective action problems, some familiar and others less so, prevent creditors' acting in their acknowledged self-interest. Collective action problems require collective agents for their solution—agents authorized to act on behalf of all. The best situated agents right now are municipalities, which are first to feel the impact of



Professor Hockett

mass foreclosure, homelessness, property value and revenue base declines, and consequent blight."

The 'Municipal Plan' that Hockett advocates partners cities with private investors to purchase troubled mortgages at fair market value, refinance and thereby recoup value, all while reversing urban blight and keeping mortgagors in their homes. Adds Hockett, "Because it's a local solution, federalists should be as happy with it as are debtors and

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— Robert C. Hockett



creditors. And because it amounts to an inverse of the action upheld in the infamous *Kelo* decision of 2005, property rights advocates should love it as well."

Full details about the municipal plan to rescue underwater mortgage loans can be found in Robert Hockett's paper, "It Takes a Village: Municipal Condemnation Proceedings and Public/Private Partnerships for Mortgage Loan Modification, Value Preservation, and Economic Recovery."

The plan is gaining traction with municipal government officials, investors, and the media.

Whitehead's "Destructive Coordination" Voted among the Best Corporate and Securities Articles of 2011

Cornell Law professor **Charles K. Whitehead**'s article, "Destructive Coordination," has been voted by the nation's corporate and securities law professors as one of the top ten corporate and securities law papers of 2011. Published in the *Cornell Law Review*, "Destructive Coordination" highlights a paradox: Regulations and standards that benefit financial firms and markets can also be destructive. By promoting coordination, they can erode key presumptions underlying financial risk management, potentially increasing the magnitude of a drop in the financial markets, a result that can have systemic consequences.



Professor Whitehead

For eighteen years, the *Corporate Practice Commentator* has polled corporate and securities law faculty to select the ten best articles published during the prior year. This year's list contained more than 580 articles. Upon learning that his peers had selected his paper for this distinction, Whitehead commented, "I'm honored to be included among the distinguished faculty whose articles, this year and in prior years, have been selected as among the year's top ten."

The results of the poll are published in the latest issue of the *Corporate Practice Commentator*.

Hans Receives Wheeler Mentorship Award

In a ceremony on June 6, the Law and Society Association presented its Wheeler Mentorship Award to Cornell Law's **Valerie Hans**, professor of law. Founded in 1964, the Association is a group of scholars from many fields and countries who are interested in the place of law in social, political, economic, and cultural life. Each

I've benefited myself from the generosity of so many outstanding mentors in the law and society community. It's a wonderful reminder of the collective and collaborative nature of our scholarly enterprise.

— Valerie Hans



Professor Hans

year it awards the Wheeler prize to a member of the law and society community who is regarded by his or her peers and students as an outstanding mentor for graduate, professional, or undergraduate students who are working on issues of law and society.

"Professor Hans is extremely deserving of the Stanton Wheeler Mentorship award, for she is a dedicated and inspiring mentor and especially gifted at encouraging students and recent graduates to embark on academic careers," says **Stewart J. Schwab**, the Allan R. Tessler Dean, who notes that Hans was also instrumental in

creating Cornell's joint J.D./Ph.D. program in developmental psychology.

In its official prize citation, the Association praises Hans for the "unflagging energy and dedication [she] devotes to mentorship; her especially warm, kind, supportive personal manner; the frequency with which she coauthors papers with students and younger scholars; and her construction of numerous institutional mechanisms that integrate students from multiple disciplines and nations into the community of sociolegal scholars."

Says Hans, "I'm thrilled to receive the Wheeler Mentorship prize. I was so touched when my law students Anna Dolidze [J.S.D. '13] and Toby Goldbach [J.S.D. '15] told me they had nominated me for this special award. I'm humbled, too. I've benefited myself from the generosity of so many outstanding mentors in the law and society community. It's a wonderful reminder of the collective and collaborative nature of our scholarly enterprise."

Hockett Seeks to Close Wealth Gap at Century Foundation

Robert C. Hockett has been named a fellow of the Century Foundation, a progressive, nonpartisan think tank.

At the foundation, Hockett will develop ideas to enable average workers to gain a

greater stake in the ownership of firms and to raise workers' incomes, which have not been keeping up with productivity improvements.

"Bob Hockett is a polymath who has a deep understanding of complex economic and legal issues. He also cares deeply about the human experience of



Professor Hockett

inequality and, to understand that better, he has lived among homeless communities," said **Janice Nittoli**, president of the Century Foundation. "We are pleased to support his efforts to develop and promote strategies for closing the wealth gap."

Hockett researches organizational and financial law and economics, particularly as they relate to economic globalization and inequality. He is a coauthor of a 2011 white paper, "The Way Forward," that has been credited with providing a clear explanation of issues that gave rise to today's global financial problems.

Hockett received his B.A. and J.D. degrees from the University of Kansas, his M.A. from Oxford University, and a master of laws degree and doctor of the science of law degree from Yale Law School. He has worked for the International Monetary Fund and clerked for **Hon. Deanell Reece Tacha**, former chief judge of the U.S. Court of Appeals for the Tenth Circuit.

Lynn Stout Named "Top Wonk" on the Economy

Lynn Stout, Distinguished Professor of Corporate and Business Law at Cornell Law School, has been named "Top Wonk" on the economy by a committee of her peers. Stout shares this honor with an esteemed group of economists and economic thinkers in the United States.

"It's a great privilege to be invited to join such an impressive group of experts in economic policy," said Stout. "Top Wonks performs a vital service by offering the media and the public access to some of today's most informed and insightful thought leaders on financial markets and financial policy."

According to the selection committee, Stout was identified as one of the leading economic thinkers in the country because of her commitment to "intellectual innovation and analytical rigor and . . . a unique ability to contribute to the public debate."



Professor Stout

Ndulo Appointed "Professor Extraordinary" at South Africa's University of the Free State

Cornell Law's **Muna B. Ndulo**, professor of law and director of Cornell's Institute for African Development, has been appointed "Professor Extraordinary" in the Department of Mercantile Law at the University of the Free State. Based in Bloemfontein, the judicial capital of South Africa, the university is one of the country's oldest institutions of higher learning.

Ndulo is an internationally recognized scholar who has served as a legal expert on several UN missions and a consultant in the constitutional processes of Kenya, Zimbabwe, Somalia, and Sudan. During his five-year appointment at the University of the Free State, Ndulo will give periodic lectures and collaborate with the school's students and faculty.

"I am humbled by this appointment and grateful to the University of the Free State for giving me this wonderful opportunity to work with the community of their great university," he says, adding, "All professors are extraordinary, as they selflessly impart knowledge and in turn learn from their students."



Professor Ndulo

Stout is joined by other leading lights in economic thought including: **Joseph Stiglitz**, former chair of the Council of Economic Advisors; **James Galbraith**, Lloyd M. Bentsen Jr. Chair in Government and Business Relations at the University of Texas; **Brooksley Born**, chair of the U.S. Commodity Futures Trading Commission; **Kemal Dervis**, former minister of economic affairs and the treasury for the Republic of Turkey; **Nouriel Roubini**, former senior economist for the White House Council of Economic Advisors, and **Jeffrey Sachs**, director of the Earth Institute at Columbia University.

Top Wonks is an initiative launched by the public policy organization, the Agenda Project.

Cambodian Tribunal Adopts Ohlin's Theory on Sentencing War Criminals

In a historic decision recently handed down by the Extraordinary Chambers in the Courts of Cambodia (ECCC), the tribunal relied on the work of Professor **Jens David Ohlin** in deciding to sentence its first defendant to life in prison.

Kaing Guek Eav (a.k.a. Duch) had been previously convicted of crimes against humanity and war crimes for being the commandant in charge of the notorious "killing fields" prison during the Khmer Rouge regime, where at least 12,272 individuals were executed, and many were tortured.

At issue in the decision was whether Duch could be given a life sentence even though there were political and military leaders in the Khmer Rouge regime who allegedly bore even greater responsibility for the atrocities committed during that era.



Professor Ohlin

Duch was initially sentenced to thirty-five years in prison by the trial chamber of the ECCC. On appeal, the tribunal's judges reconsidered the issue and decided to increase his sentence to life in prison. At issue in the decision was whether Duch could be given a life sentence even though there were political and military leaders in the Khmer Rouge regime who allegedly bore even greater responsibility for the atrocities committed during that era.

But citing a recent essay by Ohlin that reached this exact

conclusion, the court stated: "The fact that he was not at the top of the chain of command in the DK regime does not justify a lighter sentence. Indeed, there is no rule that dictates reserving the highest penalty for perpetrators at the top of the chain of command."

The Cambodian tribunal is a hybrid court composed of international jurists and Cambodian judges, and was created by a unique agreement between the United Nations and the government of Cambodia. The Duch prosecution was its first case.

Ohlin, who teaches international and criminal law, is an expert on the philosophical and legal foundations of criminal liability for collective crimes. In addition to having authored numerous articles on international sentencing, he also blogs at LieberCode (www.liebercode.org).

LII Awards 2012 Wagner Prizes

Each year at the conclusion of the U.S. Supreme Court term,

the Legal Information Institute (LII) presents the Frank Wagner Prize to four editors of the *Supreme Court Bulletin* who have written exceptional analyses of the term's proceedings. The award is funded by an LII donor in honor of **Frank Wagner**, a former Reporter of Decisions of the Supreme Court, a Cornell alumnus, and a longtime friend of the LII. Wagner, who works with the *Bulletin* editors, selects the recipients.

This year's first-place prize went to **Brandon Bodnar '13** and **Milson Yu '13** for their analysis of *U.S. Department of Health and Human Services v. Florida*, which addressed the Anti-Injunction Act, and second-



Brandon Bodnar '13



Milson Yu '13



Amanda Bradley '13



Brooks Kaufman '13

place to **Amanda Bradley '13** and **Brooks Kaufman '13** for theirs on *Florida v. Department of Health and Human Services*, which addressed Medicaid. Both analyses pertained to the highly-watched health care cases, which were decided by the Court in June.

"I found both previews to be extremely well written," says Wagner. "Though the Anti-Injunction Act argument was widely (correctly, it turns out) viewed as a nonstarter, Brandon

and Milson did a wonderful job guiding readers through all of the ins and outs of this very complicated subject. And while few foresaw that severability would ultimately rule the day with respect to Medicaid, Amanda and Brooks concluded their beautifully detailed overview with a succinct and accurate treatment of the government's winning argument. I had a very difficult time choosing between the two articles."

Adds **Sara Frug**, associate director of the LII, "This year's prizewinners devoted extraordinary time and attention to making the issues involved in the health care cases intellectually accessible to the people they affect—the general public."

The Legal Information Institute (LII) is a small research, engineering, and editorial group housed at Cornell Law School. Its collaborators include publishers, legal scholars, computer scientists, government agencies, and other groups and individuals that promote open access to law worldwide. The LII's *Supreme Court Bulletin* is an electronic journal, written and edited by second- and third-year law students, that offers commentary on all Supreme Court cases before they are argued. Nearly 50,000 people read each issue.



The Law Library Announces the 2012 Recipients of the Cornell Law Library Prize for Exemplary Student Research

The Cornell Law Library is pleased to announce the 2012 recipients of the Cornell Law Library Prize for Exemplary Student Research:

First Place: "Annexation of the Jury's Role in Res Judicata Disputes: The Silent Migration from Question of Fact to Question of Law," by **Steven Madrid '13**

Steven Madrid focused his research on two hundred years of case law to uncover an historical development not currently identified in any secondary source. Discerning the silent migration of the jury's role in res judicata disputes from question of fact to question of law required performing the difficult research task of proving a negative—in this instance, proving the absence of cases overturning relevant precedent or otherwise affirmatively establishing res judicata disputes as a question of law. Madrid's research was further challenged by the fact that current terminology, i.e. "res judicata," "collateral estoppel," "claim preclusion," and "issue preclusion," was rarely used in nineteenth century cases. This necessarily led to the creation of innovative search queries to complete the project.

Madrid's foray into the history of his topic was unplanned at



Steven Madrid '13



Louis Guard '12

the outset of his research, and he notes that, "by maintaining an open attitude, a researcher can mold his/her topic into a slight variation that may prove more interesting and novel."

Second Place: "Targeted Killing and Just War: Reconciling Kill-Capture Missions and the Combatant Civilian Framework," by **Louis Guard '12**

Louis Guard's research encompassed a diverse array of legal, philosophical, and factual resources. Not only did he examine the theoretical underpinnings of customary international law principles, but he successfully navigated the intricate research involved in locating hard evidence of

customary international law as well. To this he added an accurate accounting of the specific facts and circumstances surrounding his topic. His sources included blogs, military-specific news sources, policy briefs and position papers, speeches and public statements, treaties and their interpretive documents, and even a number of forthcoming publications.

Through discussions with both scholars and practitioners, Guard learned how depth of research affects quality of scholarship. He states, "Academic pieces lacking in rigorous research seem to do little in advancing the [academic] dialogue and are short lived. The more novel and valuable contributions always seemed to be those that were more thoroughly and competently researched."

A review panel comprised of Librarians **Jean Callihan**, **Pat Court**, **Amy Emerson**, **Matthew Morrison**, and **Nina Scholtz** selected the winners from among twenty-seven competitive entries.

Funding for the prize is provided by an endowment given to the Law Library by **Barbara Cantwell** in honor of her late husband, **Robert Cantwell '56**.

In addition to receiving a monetary award, the winners are also invited to publish their papers in Scholarship@Cornell Law, the Law Library's digital repository, and to feature their papers in Reading Room displays.

Sarah Steece '13 Awarded Fulbright Travel Grant to Study in Berlin

Sarah Steece '13 has been awarded a Fulbright travel grant to support her studies in Germany. Established in 1952, the German-American Fulbright Program facilitates university study and research



Sarah Steece '13

I'm very excited to have the opportunity to learn firsthand about a foreign legal system," she says. "I hope that earning a dual degree from Cornell will set the course for my future career and allow me to develop a broader understanding of international law and legal practice.

— Sarah Steece '13



for exchange students. Having completed two years at Cornell Law, Steece will spend a final year at Humboldt University in Berlin in order to earn her J.D./Master of German and European Law and Practice (M.L.L.P.) dual-degree.

"Although I received support from many administrators at Cornell in applying for the Fulbright grant, two professors in particular went out of their way to assist me," says Steece. "Professor **Aziz Rana** was one of my references and has been a constant source of support

and encouragement since my first day of law school, and Professor **Laura Underkuffler** further supported me by discussing ideas for my thesis proposal and helping me to develop a plan of research for my studies next year."

Steece intends to focus her research on property law in East Berlin from the period of WWII until Reunification, examining how transitions in government affect individual rights and considering the implications for areas of the world currently undergoing regime change.

Before starting at Humboldt in the fall, Steece will work as a summer associate at Clifford Chance, spending some of her time in the firm's Frankfurt office. She hopes to specialize in cross-border transactions after graduating next year. "I'm very excited to have the opportunity to learn firsthand about a foreign legal system," she says. "I hope that earning a dual degree from Cornell will set the course for my future career and allow me to develop a broader understanding of international law and legal practice."

Graduate Students Honor Ndulo for Excellence in Mentoring

For the first time in Cornell University's history, graduate students have created an award to honor the people who have the greatest impact on their academic careers: faculty mentors.

The Graduate and Professional Student Assembly (GPSA) ushered in the historic moment May 8 at the A.D. White House with a ceremony for the



Professor Ndulo

three recipients of the first annual Awards for Excellence in the Teaching, Advising and Mentoring of Graduate and Professional Students. Cornell's Graduate School and administration supported the event. Among the winners was Cornell Law School's own **Muna B. Ndulo**, professor of law and director of Cornell's Institute for African Development.

"The quality of graduate students' relationships with their advisers is probably the primary factor in their success, or failure, in graduate school," said **Nicole Baran**, GPSA executive vice president and a Ph.D. candidate in the field of psychology. "The goals of the awards . . . were to articulate what we value in our own training, to increase positive and proactive dialogue about the important role that faculty play in graduate and professional student education, as well as to express gratitude to Cornell's many exceptional mentors and teachers," Baran said.

The GPSA read more than 100 pages of nomination letters

from graduate and professional students, Baran reported. The winners were chosen based on advising, mentoring, emphasis on graduate students' professional development, collegiality, leadership, responsiveness, teaching, and pedagogy development.

Ndulo was praised as a role model who motivates his students to believe that they can make a positive impact on the world with their effort and talent, Baran said. Many nomination letters said he is a dedicated teacher and mentor despite the many demands on his time. One student wrote: "I had learned from some other star faculty on campus that folks so accomplished have little time for real engagement with students. It was such a tremendous delight to discover that Professor Ndulo is actually one of the most engaging and available professors."

Ndulo, who was lecturing in Zambia, was unable to attend the ceremony; **Stewart J. Schwab**, the Allan R. Tessler Dean of the Law School, accepted the award on his behalf.

I had learned from some other star faculty on campus that folks so accomplished have little time for real engagement with students. It was such a tremendous delight to discover that Professor Ndulo is actually one of the most engaging and available professors.

”

Dawn Chutkow Recognized by Merrill Scholar

On May 23, the Cornell Merrill Presidential Scholars Program honored thirty-two of the university's outstanding graduating seniors and the high school teachers and university faculty members who made important contributions to the students' lives. For the first time, a Law School faculty member has been honored by a Merrill Presidential Scholar.

Every year, the Law School opens a few of its classes to Cornell undergraduates. **Natalie Raps**, a graduating senior in the College of Arts and Sciences from Potomac, Maryland, took one of these classes taught by visiting professor **Dawn Chutkow**. Raps later selected Chutkow as the Cornell faculty member who most significantly contributed to her college experience.

In response to the honor, Chutkow, who is also the executive director of the Society for Empirical Legal Studies and the executive editor of the *Journal of Empirical Legal Studies*, stated, "I was delighted by the selection, but to be honest, I am not outside the norm for teaching at the Law School. The level of excellence in the classroom among Cornell Law School professors is truly exceptional. I just do my best to contribute to that tradition."

Each spring semester since 1988, approximately one percent of the graduating class is named to receive this honor by



Professor Chutkow

the deans of each of Cornell's seven undergraduate colleges. The scholars, in turn, recognize a high school teacher and a Cornell faculty member who most inspired their scholastic development.

Merrill scholars are chosen not only because of their outstanding scholastic accomplishments, but also because they have demonstrated remarkable intellectual drive, energetic leadership abilities, and a propensity to contribute to the betterment of society.

The late **Philip Merrill**, a Cornell University alumnus ('55), created the Merrill Presidential Scholars Program, and the Merrill Family Foundation makes it possible through annual support.





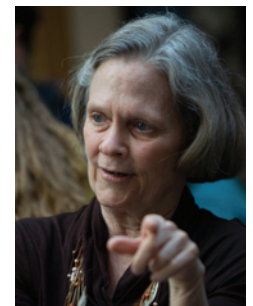
Named after its first recipient, Associate Dean and Dean of Students Anne Lukingbeal, the award is presented to a member of the faculty or staff who has demonstrated an outstanding commitment to the women of Cornell.

Sherry Colb Receives Anne Lukingbeal Award

On Tuesday, April 24, members of the Cornell Law community gathered in the Berger Atrium to honor **Sherry F. Colb**, professor of law and Charles Evans Hughes Scholar, as she received the fourteenth annual Anne Lukingbeal Award. Toasted by the Women's Law Coalition, along with current students and research assistants, Colb remarked, "This is so cool."

Named after its first recipient, Associate Dean and Dean of Students **Anne Lukingbeal**, the award is presented to a member of the faculty or staff who has demonstrated an outstanding commitment to the women of Cornell. The Women's Law Coalition, a student organization that advocates for women at the Law School and in the legal profession through educational outreach and philanthropic activities, established the award in 1999. Past recipients include Professor **Sheri Lynn Johnson**, Professor **Bernadette A. Meyler**, Vice Dean and Professor **Barbara J. Holden-Smith**, and Assistant Dean **Karen V. Comstock**.

"I am thrilled to be receiving the Anne Lukingbeal Award from the students here at Cornell Law School," says Colb. "I wish I could give the students a similar award. Cornell Law students have impressed me enormously with their willingness to work extremely hard and to engage in highly intellectual but simultaneously respectful exchanges of ideas with their teachers and with one another. I am proud to be part of the privileged group of people who can study with and learn from such a remarkable group of young professionals, each of whom embodies the school's aspiration for 'lawyers in the best sense.'"



Cornell e-Rulemaking Initiative Joins with the Consumer Financial Protection Bureau to Facilitate Consumer Input on Rulemaking

The Cornell e-Rulemaking Initiative (CeRI) has announced a new partnership with the Consumer Financial Protection Bureau (CFPB) to facilitate public participation in rulemakings to implement parts of the Dodd-Frank Act. CeRI's Regulation Room, an innovative online participation website,



People can come to Regulation Room and quickly focus on what parts of CFPB's proposals most affect them, or their companies. With this information, they can actually have a say in what federal law in this area will be. That's really democracy in action.

— Cynthia Farina



will make it easier for individuals and small businesses to learn about and discuss CFPB's proposed new residential mortgage consumer protection rules. Regulation Room will then bring the information gleaned from public participation to the CFPB for consideration in finalizing the rules.

"CFPB has been a true innovator in using technology to reach out to the public. We are excited

to begin working with them to build an online community of informed consumers who can participate meaningfully in the process of making new consumer financial protection regulations," said **Cynthia Farina**, the William G. McRoberts Research Professor in Administration of the Law at Cornell Law School and principal researcher at CeRI.

"We are pleased to be partnering with Cornell University on its e-Rulemaking Initiative to experiment with ways to present our proposed mortgage



Professor Farina

valuable insight into ways to improve our rulemaking process on all fronts."

CeRI has opened Regulation Room on CFPB's newest proposed rules, which would require mortgage companies to change practices that resulted, during the mortgage crisis, in some mistaken or unnecessary foreclosures. The proposed rules focus on ensuring that all consumers receive accurate and timely information about the status of their home mortgages, and that borrowers who are in trouble receive the help they need. Regulation Room will seek consumer reaction to several new forms CFPB has redesigned to be more user-friendly.

Regulation Room will also be reaching out to small banks, credit unions, and thrifts, to ensure that these lenders, who often serve local borrowers, get a chance to explain to CFPB how the proposals would affect their operations.

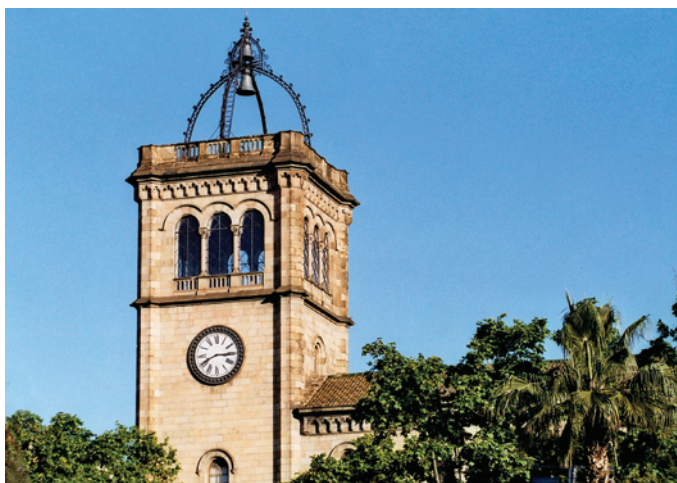
"We believe that ordinary people can have a real impact on these policies, for many

borrowers have personal experience with the problems CFPB is trying to solve. It's also important to hear from community bankers and credit union officials, who serve community residents in a different way than large mortgage companies," said Farina. "People can come to Regulation Room and quickly focus on what parts of CFPB's proposals most affect them, or their companies. With this information, they can actually have a say in what federal law in this area will be. That's really democracy in action."

A Global Summer for CeRI

This summer the researchers of CeRI (the Cornell e-Rulemaking Initiative) presented work, exchanged ideas, and received honors in a host of fora, both stateside and abroad. The variety of engagements filling CeRI's dance card reflects the global significance of the initiative's work to connect citizens and their governments through new technologies.

At the Thirteenth Annual International Conference on Digital Government Research, held at the University of Maryland in June, CeRI executive director **Mary Newhart** and Cornell Computer Science Ph.D. candidate **Joonsuk Park** presented early findings on automating online moderation, and e-Government Fellows **Josiah Heidt '11** and **Jackeline Solivan '12** presented CeRI's



Mary Newhart

Regulation Room through a poster session. Conference attendees voted Regulation Room to be the best ongoing project.

Later that month, Heidt and the University of Barcelona's **Joan-Josep Vallbé**, a former visiting scholar at Cornell Law's Legal Information Institute (LII), presented on Regulation Room at the European Conference on e-Government, in Barcelona. And in early July, at the Seventh International Conference in Interpretive Policy Analysis in Tilburg, the Netherlands, CeRI post-doctoral researcher **Dima Epstein** presented a paper on new Regulation Room-based research into how lay commentators aid policy experts by contributing "situated knowledge."

"E-government work is truly a global research community,"

University of Barcelona

says **Cynthia R. Farina**, faculty director of the Regulation Room project and the Law School's William G. McRoberts Research Professor in Administration of the Law. Farina, one of 100 researchers from a dozen countries invited to the prestigious Google Faculty Summit in Palo Alto in late July, continues: "Discovering how to use new technologies to create effective two-way information flows between government policymakers and citizens has become a priority for developed and developing nations alike. It's an exciting time to be working on interesting research problems that have immediate real-world applications."

CeRI brings together faculty and students from the Law School, Computing and Information Science, and the Scheinman Institute on Conflict Resolution, as well as the legal informatics professionals at the Legal Information Institute, and seeks to improve citizen participation in government rulemaking using a pilot online platform called Regulation Room. The site enables visitors to learn about, discuss, and react to selected regulations proposed by federal agencies.

LII Releases Online Code of Federal Regulations (CFR)

The nation's most comprehensive set of laws, the Code of Federal Regulations (CFR), contains rules that impact nearly all areas of American business, and the Legal Information Institute's new electronic edition offers users an easier path to finding and understanding the regulations with which they need to comply.

This new online edition of the CFR is the result of an unprecedented two-year collaboration between the Government Printing Office (GPO), the Legal Information Institute at Cornell Law School (LII), and the Cornell Law Library.

The project implements features that have been often requested by government regulators, corporate counsel, and law librarians. "The LII's edition of the CFR has the same search and navigation features that have made its edition of the United States Code the leading free online source for federal statutes for over a decade," says **Thomas R. Bruce**, director of the LII. "We've added linked



Thomas R. Bruce

cross-references both within the CFR and to relevant parts of the United States Code, something no other freely-available collection has. This will help users find other government regulations that impact them that they may not have found before."

The CFR is extremely complex, and yet citizens are expected to adhere to all of its regulations. The results of this partnership ensure that the latest information is always available, easier to use and understand, and entirely free of charge.

"This open-government project demonstrates that partnerships between government and nonprofit groups can do more

The results of this partnership ensure that the latest information is always available, easier to use and understand, and entirely free of charge.



Femi Cadmus

for the American public than either could accomplish on their own,” Bruce says.

Edward Cornell Law Librarian and Associate Dean for Library Services, **Femi Cadmus**, agrees. “Partnerships such as these are important because they expand and enrich the level of research support that innovative libraries such as the Cornell Law Library can provide to an extensive network of users both nationally and globally.”

In addition to its improved navigation, the LII CFR also contains links to relevant statutory authority and to rule-making dockets for pending regulations that may affect the section the user is viewing. The LII edition is updated concurrently with data updates to the GPO’s Federal Digital System on which it is based, each page linked also to the Office of the Federal Register’s e-CFR edition for more recent updates. The LII is actively experimenting with new features based on the capabilities of the Semantic Web. For

example, users can now search Title 21 using brand names for drugs (such as Tylenol), and receive the generic name for the drug (acetaminophen) as a suggested term. Other near-term enhancements will include searches by United Nations product code, the identification and linking of relevant agency guidance information for each Part and Section, and a wide variety of Linked Data offerings.

**“Catalysts for Change”:
Clinical Law Review
Publishes Paper
by Students of Cornell
Human Rights Clinic**

The Colombian Constitutional Court recently declared that primary public education must be free and obligatory throughout the country, a decision brought about through the work of the Colombian human rights community with the assistance of the Cornell International Human Rights Clinic. Distilling insights from this project, three of the Clinic’s participants have created a model for teaching and advocacy that appears in the spring issue of the *Clinical Law Review*.

“Catalysts for Change: A Proposed Framework for Human Rights Clinical Teaching and Advocacy” was written by **Jocelyn Getgen Kestenbaum ’07**, program director at the Virtue Foundation; **Esteban Hoyos Ceballos, LL.M. ’09/J.S.D. ’13**, assistant professor of law at EAFIT University, Medellín, Colombia; and



Professor Kalantry

Esteban Hoyos Ceballos, LL.M.
’09/J.S.D. ’13

Melissa C. Del Aguila, J.D./LL.M. ’10, assistant director at the Center for Human Rights and Humanitarian Law at American University, Washington College of Law. During their work on the Colombia Right to Free Education Project described in their article, Kestenbaum served as a clinical fellow, Hoyos Ceballos was an LL.M. student, and Del Aguila was a J.D. student.

“[The article] presents a critical reflection of our work on the strategic litigation for the right to free education in Colombia,” says Hoyos Ceballos, who is a Colombian citizen. “We firmly believe that this reflection can help other clinicians or human rights advocates who wish to



Jocelyn Getgen Kestenbaum ’07

Melissa C. Del Aguila, J.D./
LL.M. ’10

play a role as part of local human rights and social justice movements in countries like mine.”

Kestenbaum concurs, noting that the project “not only advanced the human rights of individuals on the ground but also shaped our understanding of a collaborative methodology to employ in human rights clinical teaching and international advocacy.”

“Colombia Right to Free Education Project encouraged us to think critically about clinical teaching and advocacy... I feel incredibly proud to have been part of this endeavor.”

Cornell Law’s International Human Rights Clinic is taught

by **Sital Kalantry**, associate clinical professor of law and faculty director of the Avon Global Center for Women and Justice. “Jocelyn, Esteban, and Melissa contributed significantly to ensuring that all children in Colombia are able to obtain primary education without cost,” she says. “The article also makes a significant contribution to the practice and pedagogy of international human rights clinics around the world.”

The Clarke Initiative for Law and Development in the Middle East and North Africa Hosts Workshop in New York

On April 20 and 21, the Clarke Initiative for Law and Development in the Middle East and North Africa hosted a workshop: Law, Revolution, and Reform in the Arab World. The workshop, organized by Cornell Law School professors **Chantal Thomas** and **Aziz F. Rana**, brought scholars together from across the country as well as from the Middle East, to consider the constitutional,



Professor Thomas



This is a step forward for the mission of the Clarke Initiative, which seeks to foster not only research but also published scholarship in this area...because the modern Middle East remains relatively understudied in our legal academy.

— Chantal Thomas



legal, and political aspects of ongoing transitions in the Arab world.

“This is a step forward for the mission of the Clarke Initiative, which seeks to foster not only research but also published scholarship in this area,” said Chantal Thomas, the Initiative’s director. Thomas stressed the importance of this event “because the modern Middle East remains relatively understudied in our legal academy.”



Professor Rana

The interdisciplinary group of scholars from the areas of political science, anthropology, law, sociology, and the humanities convened to look at legal transformations in the region from a variety of perspectives. “I’m thrilled with this group. These are all exciting scholars who are doing cutting edge work and really advancing their fields,” Thomas said.

Some of the subjects included: Mobilizing the Law after Egypt’s Revolution; After the Arab Spring, the Constitutional Challenge; and Ethnic and Religious Pluralism in the New Arab Order: Regional Approaches. Thomas said that the invitees presented works in progress, which they hope to assemble for an edited volume.

Cornell Law Hosts Third Annual Empirical Health Law Conference

On April 27, a diverse group of scholars in law, economics, and policy convened for the third annual Empirical Health Law Conference, held for the first time at Cornell Law School. The conference was co-sponsored by the Law School’s Law and Economics Program and Georgetown University Law Center’s O’Neill Institute for National and Global Health Law. The O’Neill Institute’s **Kathryn Zeiler** co-organized the event with Cornell Law Professor **Michael Frakes**, the Jia



Kathryn Zeiler



Professor Frakes



William White

Jonathan Zhu and Ruyin Ruby Ye Sesquicentennial Faculty Fellow.

Linda and Timothy O'Neill [whose philanthropy established the Institute] are excited about empirical health law research because they view it as a way for the academy to have a voice in the policymaking realm," said Zeiler in her opening remarks. "All the projects on today's agenda should be part of current legal reform debates."

The conference's first session kicked off with a presentation from Yale University's **Amanda Kowalski** on the labor market impact of mandate-based health insurance, followed by a response from Cornell professor **Samuel Kleiner**. **Seth Seabury** of the RAND Corporation then discussed his research on the unintended consequences of products liability in the pharmaceutical market, with commentary from Frakes.

Subsequent sessions featured the work of scholars from George Mason University,



Samuel Kleiner

University of Pennsylvania Law School, University of Chicago Law School, and Columbia University, as well as analysis from faculty members of Cornell Law and Cornell University's Department of Policy Analysis and Management.

"The conference fostered a rich interdisciplinary discussion of a number of topics of significance to modern health care policy," said Frakes. "Consistent with one of the conference's key goals, the presentations also showcased the application of novel methodological approaches."

Conference on Women and Sustainable Development Draws Participants from across the Globe

On March 30, women activists and scholars from around the world converged on Myron Taylor Hall for "Women, Sustainable Development, and Food Security/Sovereignty in a Changing World," presented by the Dorothea S. Clarke Program in Feminist Jurisprudence. Hailing from Nepal, Bangladesh, the north and south Mediterranean, and Latin America, as well as from Native American peoples, indigenous tribes of the circum-polar regions, and the local food movement, participants shared observations from their involvement in a wide array of regional sustainability projects.

The conference began on a note of self-examination, with speaker **Shelley Feldman**, professor of development soci-

ology and director of Feminist, Gender, and Sexuality Studies at Cornell, probing the assumptions that undergird such terms as "development" and "sustainability."

The day's first panel then plunged into the field, more specifically into fields, where women work eighteen hours a day to feed their families.

Manohara Khadka of the International Centre for Integrated Mountain Development in Kathmandu discussed the engagement of women in soil management programs amidst the remote and fragile mountain landscapes of Nepal.

Karim-Aly Kassam, professor of environmental and indigenous studies and associate professor in the Department of Natural Resources and the American Indian Program at Cornell, examined the interchange of gender inequality and chronic socio-cultural and ecological stress among the Dene women of Alberta,

The weekend's diverse presentations and conversations addressed efforts both urban and rural, and approaches both legal and cultural—from an initiative to involve women in food production among pastoralists in Kenya, to a project in India that helps poor rural women produce and market recycled paper products, and a program to teach Greek children traditional songs about the preciousness of water.



Professor Bowman



Canada, and the Pamiri women of Tajikistan and Afghanistan.

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"Over the course of four days, participants also formed personal ties," says conference organizer **Cynthia Grant Bowman**, the Dorothea S. Clarke Professor of Law. "At a farewell breakfast, we discussed



Shelley Feldman

ways in which interactions might continue—for example, via a listserv; development of a website; distribution of information about innovative programs, research, and sources of support; establishment of a think tank; and the possibility of meeting again in a few years."

Lord Robert Skidelsky, A.D. White Professor-at-Large, Speaks at Law School

"Every now and then a translation of some great work of literature becomes a great work of literature in its own right, or a biography of some great or important personage makes a great or important personage of the biographer him or herself," began **Robert C. Hockett**, professor of law. "So it is, I think, with Lord Skidelsky's monumental three-volume biography of **John Maynard Keynes**, a work that . . . not only has revolutionized and deepened our understanding of Keynes and his economics, but also has profoundly changed economics and politics themselves."

After Hockett's introductory remarks, **Lord Robert Skidelsky**, emeritus professor of political economy at the University of Warwick, addressed the professors and students

gathered over breakfast in the Weiss Faculty Lounge on April 19. His topic was the relevance of Keynesian thought to current economic woes in the United States and Europe, and his principal theme was Keynes's aphorism that, "the uninterrupted powers of usury are too great."

Skidelsky reflected on the U.S. debate over mortgage debt forgiveness and its interplay with the concept of moral hazard before opening up the discussion to a lively and wide-ranging Q&A. One question regarded what Keynes would say about the current crisis in the euro zone. Skidelsky responded, "I think he'd be a debt forgiveness person... I think he would have said exactly what he said on the Treaty of Versailles: 'We shall never be able to move again, unless we can free our limbs from these paper shackles.'"

Skidelsky was visiting the Law School as an A.D. White



Lord Robert Skidelsky

Professor, a title held, at any one time, by twenty outstanding intellectuals from across the globe. The program has been called one of the truly imaginative projects in American universities, bringing to Cornell a steady stream of the world's foremost scholars, thinkers, and artists.

The Coming Collapse of China Author Gordon Chang '76 Lectures at the Law School

"The wheels are coming off China," began **Gordon Chang '76**. Presented by the Clarke Business Law Institute and the Business Law Society, Chang's lecture of April 19 expounded "The Three Most Important Trends in China."

A Forbes.com columnist and author of *The Coming Collapse of China* (Random House, 2001), Chang has lived and worked in China and Hong Kong for almost two decades, most recently in Shanghai as counsel to the American law firm Paul, Weiss, Rifkind, Wharton & Garrison. He has appeared as a commentator on CNN and MSNBC, and his writings on China have been published in the *New York Times*, *Wall Street Journal*, *Far Eastern Economic Review*, *International Herald Tribune*, *Weekly Standard*, and the *South China Morning Post*.

Chang was introduced by **Raymond J. Minella '74**, executive director of the Clarke Business Law Institute, who first met him when both were



Gordon Chang '76

students at Cornell. His fellow alum, observed Minella, "is now a really famous guy."

In his lecture, Chang forecasted trouble for China's Communist Party as it faces the trends of a faltering economy and a fracturing government increasingly under the sway of military leaders. On the topic of China's shrinking workforce, a result of the country's one-child rule, he asserted, "If you're thinking this is a Chinese century, think again." Ending optimistically, however, Chang observed a third trend: growing insistence upon rights and justice among Chinese citizens. "Today the Chinese people believe in the rule of the law," he concluded, "I believe that one day, the Chinese people will govern their own country."

The Clarke Business Law Institute, created by a gift from **Jack G. Clarke, LL.B. '52**, provides a venue for Cornell students to learn from nationally recognized academics, senior lawyers, regulators, and business leaders.

Ian Shapiro Delivers Irvine Lecture

"We're reactive creatures, often fumbling in the dark for something less unsatisfactory than what is oppressing us," **Ian Shapiro** observed as he delivered this year's Frank Irvine Endowed Lecture. The principle to guide us toward the more satisfactory, Shapiro proposed, is not equality or freedom but non-domination, which he calls "the bedrock of justice."

Shapiro is the Sterling Professor of Political Science at Yale University, where he also serves as the Henry R. Luce Director of the MacMillan Center for International and Area Studies. He has written widely and influentially on democracy, justice, and the methods of social inquiry. Among his most recent books are *Containment: Rebuilding a Strategy against Global Terror* and *The Flight from Reality in the Human Sciences*. His paper on non-domination, from which the April 5 lecture at Cornell Law was adapted, was published by the *University of Toronto Law Journal* in July.

Addressing a packed lecture hall, Shapiro presented his characterization of domination—as a human activity, alterable by those responsible for its existence, and carrying with it a notion of illicitness—and distinguished his own conception of non-domination from those of such theorists as **Habermas**, **Foucault**, **Michael Walzer**, **Quentin Skinner**, and **Philip Pettit**. The event concluded with a probing Q&A session.

The Frank Irvine Endowed Lecture series, Cornell Law's oldest, was established in 1913 by the Conkling Inn of the legal fraternity Phi Delta Phi in honor of former dean, Judge **Frank Irvine**. Past lectures have featured such notable speakers as Nobel laureate **Amartya Sen** and civil liberties advocate **Vincent Blasi**.



Ian Shapiro



First-Year Students Compete in Langfan Family Moot Court Competition

A bullet hole, a cache of weapons, and a phone call were among the elements that confronted 126 fledgling law students as they embarked on the Langfan Family First-Year Moot Court Competition. The scenario, drafted by Cornell Law's Moot Court Board and loosely based on a case currently pending before the U.S. Court of Appeals for the Eleventh Circuit, addressed the emergency aid exception to the warrant requirement in the Fourth Amendment, as well as the "fruit of the poisonous tree" doctrine.

The tournament culminated in the MacDonald Moot Court Room on April 14, with **Kelsey Baldwin '14** representing the petitioner and **Ari Diaconis '14** the respondent. The two finalists faced a distinguished, and formidable, panel of guest judges: Hon. **Brian M. Cogan '79** of the U.S. District Court for the Eastern District of New York; Hon. **Kimberly J. Mueller** of the U.S. District Court for the Eastern District of California; Hon. **Suzanne H. Segal '87** of the U.S. District Court for the Central District of Cali-

Each of this year's competitors displayed amazing oral advocacy skills and impressive mastery of the case law and the problem.

— *Hahn Liu '13*

”

ABOVE: First year students were judged by a distinguished panel, including (from left to right) Judge Campbell '70, Judge Mueller, Judge Cogan '79, and Judge Segal '87.

fornia; and Hon. **A. Bruce Campbell '70** of the U.S. Bankruptcy Court for the District of Colorado.

"Each of this year's competitors displayed amazing oral advocacy skills and impressive mastery of the case law and the problem," said Moot Court Board chancellor **Hahn Liu '13**. "The two finalists remained extremely poised under the difficult questioning from the four federal judges." After deliberations, the panel awarded first place to Baldwin.

Presenting their decision, the judges offered notes, advice, and, most of all, praise of the participants' knowledgeable and articulate performances. "The first thing I want to say is: First year law students?" remarked Cogan incredulously. "As we say in Brooklyn, fuggedaboutit. I would be more than pleased to have



either of you in front of me any day of the week."

"The competition was both more fun and more rewarding than I anticipated," said Baldwin. "I really enjoyed the opportunity to practice thinking on my feet and trying to anticipate what road the judges' questions were leading me down. Furthermore, there was a great camaraderie among all the participants, and I got a chance to really interact with people that I only knew in passing before."

Diaconis concurred: "Langfan was a blast. It was also one of the more intensive learning experiences in law school so far. I gained tremendous respect for my classmates, the moot court program, and all the judges."

Baldwin will receive a prize of \$500, and Diaconis will receive \$250. The prizes, as well as the operating expenses of the competition, are supported through a 2002 endowment made by **William K. Langfan '49** and **Marion Langfan**.

Cornell Sponsors the International Association of Law Schools' Americas Deans' Forum

Law School deans from North and South America came together on April 21 in Miami, Florida, to discuss issues in legal education. The event was sponsored by the International

Association of Law Schools (IALS) and Cornell Law School.

The forum was attended by **Stewart J. Schwab**, the Allan R. Tessler Dean and Professor of Law, and **Barbara J. Holden-Smith**, vice dean and professor of law, who is also the general secretary of the IALS. Cornell alumnus and IALS president **Frank Wang '72** also participated. Schwab described

I particularly valued the conversations with law deans from Chile, Argentina, Brazil, Guatemala, and Mexico. They are engaged in exciting new legal programs to educate lawyers conversant in human rights, the rule of law, and democratic institutions.

— Stewart J. Schwab

”



Dean Schwab

“candid conversations” about everything from changing global markets for lawyers to the evolving methods of legal studies in various schools to discussing how to interact and support one another.

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The Americas Deans' Forum was one of four regional Deans' Forums held this spring. These workshops precede the International Deans' Forum, which will be hosted by the National University of Singapore Law School in 2013.

Human Rights Advocacy Week Raises Awareness of Issues Local and Global

As warm weather drew Law School students outdoors in mid-March, members of Cornell Advocates for Human

Rights (CAHR) were hard at work drawing their peers' attention to an array of human rights topics through Human Rights Advocacy Week. The student organization has sponsored this annual event for several years.

The 2012 program kicked off on Sunday, March 11, with a legal outreach trip to Syracuse. On Monday **Nate Houghton** presented “Founding Your Own Nonprofit: Tips from the CEO of the Congo Leadership Initiative.” “It was an honor to be a part of Advocacy Week at the Law School, and I was thrilled to have the chance to interact with so many talented and driven individuals,” says Houghton. “Cornell's commitment to service has always been strong, and events like Advocacy Week do so much to keep that spirit alive.”

Adds **Anna Dolidze, J.S.D. '13**, “Interest in the study of human rights, research, and scholarly exchange is enormous in the Cornell community.” On Friday, March 16, Dolidze convened and moderated Cornell Law's first Interdisciplinary Graduate Panel on Human Rights in order to “share ideas





Professor Yu



Cheryl Blake '13

and create a dialogue among graduate students of human rights across disciplinary lines.”

On the previous afternoon, so many students flocked to the Saperston Student Lounge for “Approaches to Human Rights Advocacy in China” that presenter **Xingzhong Yu** expressed astonishment when he entered the room. After his lecture on the difficulties and strategies surrounding human rights advocacy in his native country, the Anthony W. and Lulu C. Wang Professor in Chinese Law lingered to answer questions from a cluster of audience members. “Promoting human rights is a

sacred job for every person and institution,” says Yu. “CAHR’s Human Rights Advocacy Week provides a great opportunity for that purpose. I felt very lucky that I could participate in it.”

Cheryl Blake '13, CAHR Advocacy Week chair, reflects on the event: “Through Advocacy Week, we’ve worked to showcase both international and local human rights issues. We’ve been able to draw on the Law School’s unique international resources, like Professor Yu and our J.S.D. and other graduate students. Our local events, such as legal outreach about homeless children’s access to education [during the Syracuse trip] and our bake sale for Ithaca’s Advocacy Center, reinforce the significance of human rights in our own communities.”

Registrar Nan Colvin Retires After Forty Years with Law School

On June 5, the 40th anniversary of her start date as a member of the Cornell Law School administration, registrar **Nan Colvin** began a phased retirement to be concluded on September 30.

Colvin was hired in 1972 to work in the Admissions Office and began a month earlier than planned to work on the Prisoners Project as well. In 1978, after two years in Admissions and four in the Office of the Dean of Students, Colvin was hired as registrar.

If something under her control could be improved, she would do it. If a student needed her help, she made sure that she found the time to supply high quality advice. It will be impossible to replace Nan, and she will be much missed by everyone at the Law School.

— Anne Lukingbeal

”

“The department has provided endless opportunities, and it has been a pleasure and an honor to work for Cornell Law School,” says Colvin. “I survived forty years of changes and challenges in the transition and implementation of technology in the records and registration process for students, changes in curriculum and degree requirements, changes in departmental and university administrations and the community. I leave equipped, well, happy, and excited as I enter retirement and the golden years.”

“Nan was the ultimate problem solver,” says **Anne Lukingbeal**, associate dean and dean of students. “If something under her control could be improved, she would do it. If a student needed her help, she made sure that she found the time to supply high quality advice. It will be impossible to replace



Nan Colvin

Nan, and she will be much missed by everyone at the Law School.”

Also retiring this summer is assistant registrar **Nancy Osborn**, who departs after fifteen years with the Law School. In addition to her work as part of a team that continually sought to improve the registrar system, Osborn also served for many years as the editor of *Scoops*, the Law School’s weekly newsletter.

Larry Bush, Executive Director of the Clarke Center, Retires

On July 1, Cornell Law bid farewell to **Larry S. Bush**, retiring after a decade as the executive director of the Clarke Center for International and Comparative Legal Studies.

"We will be forever in his debt," says **John J. Barceló**, the William Nelson Cromwell Professor of International and Comparative Law and Elizabeth and Arthur Reich Director of the Leo and Arvilla Berger International Legal Studies Program. "Everyone who has worked with Larry over these years has come away with extraordinary admiration for his many talents and affection for him personally."

Prior to his arrival at Cornell in 2002, Bush served as acting dean and associate dean for academics at the University of Mississippi and taught at its law school, held a Fulbright Lectureship at the University of Bucharest, and founded and directed the Cambridge Summer Session. He has lectured,



Larry S. Bush

led workshops, and conducted international labor rights seminars for trade union members as well as employer representatives from Romania, Serbia, and Thailand.

During Bush's directorship of the Clarke Center, more than 1,100 students from Cornell and around the world studied at the school's Paris Summer Institute; more than 300 Cornell Law students spent a semester abroad at one of its twenty-two partner schools or elsewhere; almost 200 foreign exchange students came to the Law School; and 45 Cornell Law students earned graduate degrees from the school's foreign dual-degree partners.



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— John J. Barceló

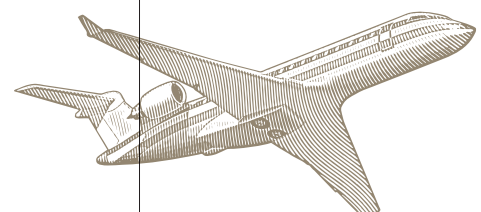


Professor Gregory S. Alexander (right) recently visited with Professor Bernard Rudden in Cornwall, U.K. Rudden (left) and his wife, Nancy, moved to Cornwall following his retirement from Oxford. Rudden was a regular visiting professor for many years and made many friends while at Cornell Law School.

"I have thoroughly enjoyed a rewarding ten years at the Law School with such a strong faculty and so many gifted students," says Bush. "It has been a privilege to work with, among others, our amazing registrar, **Nan Colvin**, and my talented and dedicated colleagues at the Clarke Center, **Dawne Peacock** and **Patricia Hall**. Although we have done many interesting and, I hope,

valuable things over the past decade, I personally treasure the opportunity to help students grow in their understanding of law through study abroad."

What awaits Bush in his retirement? "With luck, it will be something exciting and very different. There's a whole wonderful world out there."



Law Library's Pat Court and Jean Callihan Retire

This summer, Cornell Law School bids farewell to associate law librarian **Pat Court** and head of research and reference services **Jean Callihan**, who retire with more than three decades at the Law Library between them.

Court joined the staff as a reference librarian in 1990. Her work at the Law School included teaching U.S. Legal Research for LL.M. Students and CLE topics in legal research, as well as team-teaching Advanced Legal Research and Lawyering. She also published articles on research in the topics of immigration, AIDS, and the Americans with Disabilities Act.

On staff since 2001, Callihan team-taught Advanced Legal Research and Lawyering and developed a one-credit advanced legal research course in business law. She also wrote and presented CLE material for the National Business Institute and published in the *Cornell Law Review*, *Law Library Journal*, and the *International Journal of Legal Information*.

At a May 8 retirement reception for the two, the Weiss Faculty Lounge overflowed into the hall with well-wishers. "We welcome you back any time," **Femi Cadmus**, Edward Cornell Law Librarian and Associate Dean for Library Services, said during a short speech. "The door is open, never shut. The



Pat Court



Jean Callihan

doors of our hearts are open, never shut."

Callihan plans to relocate to Harrisburg, Pennsylvania, in 2013. In the meantime, she is looking forward to travel, with several trips already scheduled.

"I really appreciated my time at the Law Library," she says. "It seemed that almost every day I learned something new that allowed me to grow both personally and professionally. Working with a dedicated staff that provides outstanding service was a wonderful experience. I will especially miss helping faculty and students find the information they need.

It has always been my passion to make legal research as transparent as possible, emphasizing an understanding of the nature of legal authorities, regardless of format. And I am proud to be part of the reason that Cornell Law graduates are known as particularly good researchers!

— Pat Court

”

My ten-plus years here were very rewarding."

Court will remain in Ithaca for the time being, enjoying the pool at Island Fitness, singing, and volunteering with a few projects in town as she anticipates future travels to Santa Fe, Paris, and elsewhere.

"I have worked with thousands of wonderful students, scores of great faculty, and so many first-rate colleagues in the Law

Library over the twenty-two years that I have been at the Law School," says Court. "It has always been my passion to make legal research as transparent as possible, emphasizing an understanding of the nature of legal authorities, regardless of format. And I am proud to be part of the reason that Cornell Law graduates are known as particularly good researchers!" ■



Photo from reception



Gregory S. Alexander, the A. Robert Noll Professor of Law, delivered a paper entitled “Property’s Ends: Human Flourishing and the Human Condition” at a conference on The Interface of Public and Private Law Concepts of Property, at Kings College, London, in June. In May, he delivered the paper to the Progressive Property Group conference at Harvard Law School and to the Summer Faculty Workshop at Cornell Law School. In May, he was also a discussant on a panel at the Property Works-in-Progress Conference at Fordham Law School. In June, Alexander attended the annual Law and Society Association meeting in Honolulu, Hawaii, where he was the discussant on two panels.

This spring, Alexander published two books. The first, *An Introduction to Property Theory*, was coauthored with Professor Peñalver and published by Cambridge University Press. The second, entitled *Properties of Property*, was coauthored with Hanoach Dagan, professor of law at Tel Aviv University’s Buchmann Faculty of Law, and was published by Aspen Publishers.



John J. Barceló, the William Nelson Cromwell Professor of International and Comparative Law and Elizabeth and Arthur Reich Director of the Leo and Arvilla Berger International Legal Studies Program, was awarded the distinction of “Chevalier de la Légion d’Honneur” by a special decree of Nicolas Sarkozy, then president of France. The award was presented to Barceló by François Delattre, French ambassador to the United States, in a private ceremony held at the Law School on April 2. The award recognizes Barceló as the founder of, and member of the law faculty most responsible for, the rich and extensive array of academic and scholarly initiatives linking Cornell Law School and higher legal education in France.

In May Barceló offered a short course on World Trade Organization law at the Central European University (CEU) in Budapest, Hungary. This was the seventeenth year that Barceló has taught at CEU, in part to acknowledge and honor the support for the Law School’s international program made possible by generous grants from Leo Berger ’56 and Arthur Reich, both of whom came to the United States from Hungary.

Barceló served as principal faculty host for the Third Latin

American Alumni Symposium held April 19, 20, and 21 in Miami. The symposium addressed such topics as “The Future of Free Trade Agreements in Latin America,” “Foreign Investments in Latin America,” and “Latin American Competition Law.” Cornell’s Johnson Graduate School of Management joined as a cosponsor of the event.

In June, West published the new fifth edition of Barceló’s leading casebook, *International Commercial Arbitration: A Transnational Perspective* (coauthored with Tibor Varady) and the fifth edition of the accompanying *Documents Supplement*. The book presents the subject as a genuinely transnational body of “world law”—a kind of practical, comparative-law-in-action subject of daily relevance to attorneys and professionals working in the field of alternative dispute resolution for international commercial disputes. It draws on statutes, arbitration rules, arbitral awards, case decisions, and scholarly writing from all parts of the world. The book is used on several continents.

In July, Barceló served as co-chair of the nineteenth annual Cornell-Paris I Summer Institute of International and Comparative Law in Paris and taught a condensed International Commercial Arbitration course as a part of the institute. He also organized a program devoted to arbitration issues, held July 20 at the International Chamber of Commerce (ICC)

Court of Arbitration in Paris. Victoria Orłowski '03, Managing Counsel at the ICC, was the principal speaker.

In late July and early August, Barceló taught a condensed International Commercial Arbitration course at Bucerius Law School in Hamburg, Germany. The Law School has a cooperative relationship with Bucerius.

As director of the Berger International Legal Studies Program, Barceló organized several guest lecture events at the Law School during the spring semester and served on the board of the Scheinman Institute on Conflict Resolution in Cornell's School of Industrial and Labor Relations.



In April, **John H. Blume**, professor of law and director of the Clinical, Advocacy, and Skills Programs and the Cornell Death Penalty Project, gave a presentation on the ethical implications of the Supreme Court's recent decision in *Martinez v. Ryan* (recognizing a limited right to the effective assistance of post-conviction counsel) at the National Conference on Mitigation in Capital Cases held in Atlanta,

The spring semester also produced several significant victories in Capital Punishment Clinic cases. One of the clinic's clients, Edward Lee Elmore, was released from prison after serving thirty-two years in prison. Elmore's conviction was overturned by the U.S. Court of Appeals for the Fourth Circuit which noted that the forensic evidence introduced against Elmore at his trial had been proven to be of questionable integrity.

Georgia. In June, Blume gave a lecture, "Protecting Relief," at the Supreme Court Practice Institute at New York University School of Law, and he also gave a presentation at the 2012 annual meeting of the American Association of Individuals with Intellectual and Developmental Disabilities in Charlotte, North Carolina, addressing developments in litigation in capital cases where individuals allege they are mentally retarded and thus not eligible for execution. In August, Blume gave several lectures at the Seventeenth Annual National Habeas Corpus Seminar in Washington, D.C.: one session focused on changes in habeas corpus practice given new Supreme Court decisions and another addressed ineffective assistance of counsel litigation in the guilty plea context.

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Additionally, Blume was lead counsel in a multi-day capital post-conviction hearing conducted in April (*Bobby Stone v. State of South Carolina*), and

in May he argued pro bono a non-capital habeas case in the U.S. Court of Appeals for the Second Circuit (*Young v. Conway*). Also in May, Blume and Johnson filed an amicus curiae brief in the U.S. Supreme Court, on behalf of the American Association on Intellectual and Developmental Disabilities and The Arc of the United States, in *Hill v. Humphrey*. The case challenged Georgia's requirement that a capital defendant, who alleges he is mentally retarded and thus ineligible for execution, must prove his mental retardation beyond a reasonable doubt. Cornell Law students were actively involved in all of these cases.

Blume also published "Convicting Lennie: Mental Retardation, Wrongful Convictions, and the Right to a Fair Trial" (with Johnson and Susan Millor) in the *New York Law School Law Review* and "Racial Epithets in the Criminal Process" in the *Michigan State Law Review* (with Johnson and Patrick Wilson). Finally, Blume also released the twenty-third edition of the *Federal Habeas Corpus Update* (with Mark Olive, Denise Young, and Professor Keir Weyble), an annual compendium of developments in the law of habeas corpus which is published by the Administrative Office of the United States Courts.



During the spring semester, **Cynthia Grant Bowman**, the Dorothea S. Clarke Professor of Law, organized and sponsored a conference, “Women, Sustainable Development, and Food Sovereignty/Security in a Changing World,” under the aegis of the Dorothea S. Clarke Program in Feminist Jurisprudence. The two-day conference, held March 30 and 31, brought together activists, researchers, and NGO representatives who have been involved in environmental advocacy and development in local communities in different regions of the world—from India, Bangladesh, and Nepal, Latin America, the Mediterranean, and circumpolar regions—as well as Native Americans and representatives of the local sustainable agriculture movement in Tompkins County. The goal was to share ideas and experiences gained from innovative grassroots projects of sustainable development. Several papers from the conference will be published in the *Cornell Journal of Law and Public Policy*, and Bowman worked over the summer to produce a report, designed for a wider audience, that would convey the creative approaches to environmental change described at the conference.

Bowman has served as a member of the Avon Global Center for Women and Justice advisory board since the Center’s inception. In this role, in May, she accompanied Elizabeth Brundige, executive director of the Avon Center, to Zambia to conduct interviews with schoolgirls about sexual abuse in the schools. The findings were documented in a report to be issued at an Avon Center conference in the fall. The data uncovered on this trip provided the basis for a joint presentation given June 20 to the Law School faculty about the obstacles confronting girls in Africa in the educational system.

In addition, on June 8, at the annual meeting of the Law and Society Association in Honolulu, Hawaii, Bowman served as a commentator on seven papers presented at two panels: “Gender-Based Violence Challenging the Legal System” and “Defining Intimate Experiments in Law: Reflections on Family Law.” She also taught Comparative Family Law for two weeks at the Cornell Summer Institute of International and Comparative Law in Paris during July.



Sherry F. Colb, professor of law and Charles Evans Hughes Scholar, is in the process of completing her book, tentatively titled *Mind if I Order the Cheeseburger?* and scheduled for publication in the spring of 2013. The book poses a variety of questions about animal rights, including what the implications of such rights might

hypothesis about why the two movements differ in their respective responses to these dilemmas.

In August, Colb participated in the Practicing Law Institute’s Supreme Court Review, a continuing legal education event in New York City where she reviewed the U.S. Supreme Court’s criminal procedure cases from the Court’s current term.

Colb also continues to publish biweekly columns on Justia.com’s legal commentary site, Verdict (verdict.justia.com).

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be for the status of abortion, for the morality of eating plants, and for religious observance. Colb considers these and other questions in some novel ways, offering a means to envision a world of human abundance and health that is simultaneously free of slaughterhouses.

Colb also has a work in progress about the parallels between the pro-life and animal-rights movements. The work explores some of the dilemmas that confront both movements and presents a

Her recent titles include “Was It Wrong for Chief Justice Roberts to ‘Flip Flop’ on Obamacare?,” “Iowa Passes an ‘Ag-gag’ Law: The Power and Limits of Free Speech,” and “Donor Chains and the Legality of Compensating Kidney Donors: Critically Assessing Our Moral Intuitions.” Colb writes a related blog post at Dorf on Law (DorfOnLaw.org), Professor Dorf’s legal blog, where her biweekly posts appear on the same day as her Verdict columns.



In spring, **Angela B. Cornell**, clinical professor of law and director of the Labor Law Clinic, presented her recent work on private agreements that advance fundamental labor rights at a conference titled “Transnational Industrial Relations and the Search for Alternatives” at the University of Greenwich. Her paper explored the recent use of multi-stakeholder and international framework agreements in Latin America. Prior to the trip to the United Kingdom, she attended a forum on “Teaching Business and Human Rights” at Columbia University along with about thirty other invited participants. She also served as a working group leader at the AALS Clinical Conference in Los Angeles in early May.

In July, Cornell was a speaker at a workshop on international labor law in D.C. organized by the International Commission for Labor Rights. She provided an overview of public international law and labor norms that included recent decisions by the Inter-American and European Courts of Human Rights, comparative international labor practice, labor chapters of trade agreements as well as an introduction to the International Labor Organization.

In the broader university community, Cornell continues to support the work of the Cornell Farmworker Program and serves on its Faculty Steering Committee, where she has been a member since 2006. Over the last few years, law students have interned with the program and provided valuable assistance to farmworkers.



Charles D. Cramton, assistant dean for graduate legal studies, attended the annual meeting of the Association of American Law Schools in Washington, D.C., where he participated in the Graduate Programs for Foreign Lawyers Section

meetings and was reappointed to the Section’s executive committee for the year.

In the spring term, Cramton worked with the doctoral (J.S.D.) students in the planning and hosting of the Eighth Cornell Law School Inter-University Graduate Student Conference. During the weekend of April 13 and 14, twenty-five graduate students from twenty universities throughout the United States and abroad presented papers on a variety of international and comparative law topics. This year’s overall theme was “Changing Faces in Legal Thinking: Revisiting Legal Methodologies.” One highlight of the conference was a Cornell Law School faculty panel discussing interdisciplinary research and scholarship.

In the spring Cramton was also active in the National Association for Law Placement’s International and Advanced Degree Advising and Recruiting Section and Experienced

Professionals Section, and was a panelist at the association’s annual meeting where he discussed bar admission standards for foreign-trained attorneys, and in particular, the newly adopted qualification rules of the New York Court of Appeals. Throughout the year he continued to serve on the New York State Bar Association’s Committee on Legal Education and Admission to the Bar. Cramton also served as the Law School’s New York continuing legal education coordinator.



In March, **Michael C. Dorf**, the Robert S. Stevens Professor of Law, presented a paper on the debt ceiling crisis to the University of Houston Law Center. In April, he was a panelist at Columbia Law School at a conference on Burkean constitutionalism. In May at a conference at the University of California, Los Angeles School of Law, he delivered remarks on the application of First Amendment principles to cases involving animal rights activism. In August, Dorf discussed constitutional law cases at the Practicing Law Institute’s annual Supreme Court Review panel in New York City.

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Dorf's review essay, "The Undead Constitution," appeared in the June issue of the *Harvard Law Review*. In addition to his regular blog entries and biweekly columns on Verdict. Justia.com, during the spring Dorf's popular writings appeared on CNN.com ("Health Ruling Can't Avoid Politics") and, with coauthor Sidney Tarrow, "How the Right Helped Launch Same-Sex Marriage Movement") and in the *New York Daily News* ("The Supremely Political Court").



In early spring **Theodore Eisenberg**, the Henry Allen Mark Professor of Law and adjunct professor of statistical sciences, coauthored a casebook on remedies, in collaboration with remedies expert Professor Sherwin, published by Foundation Press. He also completed the annual revision of a statutory collection, *Commercial and Debtor-Creditor Law: Selected Statutes*. His articles during this period had an international focus. Three were published on the Israel Supreme Court: "Actual Versus Perceived Performance of Judges," 35 *Seattle L. Rev.* 695 (2012) (with T. Fisher & I. Rosen-Zvi); "Does the Judge Matter? Exploiting Random Assignment on a

Eisenberg taught courses on empirical legal studies at Haifa University as part of the university's Global Scholar program, at Tel Aviv University, and as part of the program on Institutions, Economics, and Law (IEL) in Turin, Italy. He conducted empirical training workshops for law professors at the Southeastern Association of Law Schools annual meeting and for the Tel Aviv University Buchmann Faculty of Law.

Court of Last Resort to Assess Judge and Case Selection Effects," 9 *J. Empirical Legal Stud.* 246 (2012) (with T. Fisher & I. Rosen-Zvi); "Case Selection and Dissent in Courts of Last Resort: An Empirical Study of the Israel Supreme Court," *Academia Sinica L.J.* (with T. Fisher & I. Rosen-Zvi). One was published on the Taiwan Supreme Court: "The Effect of Rules Shifting Supreme Court Jurisdiction from Mandatory to Discretionary: An Empirical Lesson from Taiwan," 32 *Int'l Rev. L. & Econ.* 3 (2012) (with K.C. Huang). He also published an article presented at a conference in Krakow, Poland: "Methodological Issues in the Analysis of Longitudinal Data," Comment, 168 *J. of Institutional and Theoretical Economics* 54 (2012).

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university's Global Scholar program, at Tel Aviv University, and as part of the program on Institutions, Economics, and Law (IEL) in Turin, Italy. He conducted empirical training workshops for law professors at the Southeastern Association of Law Schools annual meeting and for the Tel Aviv University Buchmann Faculty of Law.

His presentations included the Taubenschlag Lecture at Tel Aviv University, lectures at Haifa University, Bar-Ilan Faculty of Law, Arizona State University, Florida International University, the Cornell Law School Faculty Workshop, the Law and Society Association annual meeting, and a conference on Asian empirical legal studies. He also presented papers at symposia and specialized conferences, including the Royal Netherlands Academy of Arts and Sciences

Colloquium; the Clifford Symposium honoring Marc Galanter at DePaul University College of Law; a keynote presentation at the conference on Academia and Publishing, co-sponsored by IEL; and lectures as part of the Center of Excellence program at Hokkaido University School of Law. He presented some of his findings relating to the Israel Supreme Court to a group of Israel Supreme Court justices.

Eisenberg continued to serve as co-editor of the *Journal of Empirical Legal Studies*, on the editorial boards of the *American Bankruptcy Law Journal* and *American Law and Economics Review*, on the boards of directors of the Society for Empirical Legal Studies and the IEL program. He also serves at the chair of the Association of American Law Schools Research Committee and continues to serve as editor in chief of his multivolume *Debtor-Creditor Law* treatise.



Cynthia R. Farina, the William G. McRoberts Research Professor in Administration of the Law, was again appointed as one of forty public members, nationwide, of the Administrative Conference of the United

States. She attended the plenary session in June, where new recommendations on immigration adjudication, “midnight rulemaking,” and several other topics were adopted. In April, Farina spoke at Princeton on the topic, “The Administrative Agency in the Electronic Age.” In June, she discussed “Social Media and Rulemaking” at an interagency roundtable hosted by the Department of Homeland Security. Also that month, she and the director of the Center for Technology in Government at the State University of New York at Albany convened a meeting among White House officials, funding agencies, and agency counsel to discuss obstacles to government/academic research partnerships in e-Government. The Cornell e-Rulemaking Initiative (CeRI) was invited by the White House to participate, as one of six “civil society” groups, in creating an action plan for improving the official federal e-Rulemaking site, Regulations.gov, and Farina has been active in drafting criteria by which to evaluate its success as a public participation platform.

Farina continues to direct the Law School portion of the Regulation Room project. Papers she coauthored on the project were presented at the European Conference on e-Government at the University of Barcelona in June, and at the Seventh International Conference on Interpretive Policy Analysis in the Netherlands in July. At the Thirteenth

Annual International Conference on Digital Government Research at the University of Maryland in June, Regulation Room was voted the best ongoing project. Chapters on results from the project have been accepted in two forthcoming international e-Government volumes.



Valerie Hans continued empirical research and writing on the death penalty in the state of Delaware. It’s an interesting state to study. Despite its small size, it has one of the highest death sentencing rates

(Professors Blume, Johnson, Eisenberg, and Wells) have analyzed the frequency and rates of death sentences for the judge and jury sentencing regimes and for different racial groups of defendants and victims. Their collaborative article finding significant judge-jury differences as well as race effects will appear in the fall 2012 issue of the *Iowa Law Review*. Hans spoke about the research at the University of Maryland’s Francis King Carey School of Law in February.

A highlight of the year was participating in the June International Law and Society Association conference in the idyllic setting of Honolulu, Hawaii. At the meeting, Hans presented her research and met with scholars from other countries doing work on lay participation in law. At a

Hans gave a number of other talks about her research, including a February talk at Washington University School of Law in St. Louis about a new model of jury damage award decision making, and an April talk about jury jokes at a DePaul University College of Law symposium in Chicago celebrating the work of Marc Galanter. She also lectured to master of laws students about the American legal system as a Professeur invité at l’Ecole de Droit, Université Paris I Panthéon-Sorbonne in Paris in March.

The summer concluded with a nine-day Neuroscience Boot Camp held at the University of Pennsylvania, where Hans learned about the latest neuroscience research, and talked with other scholars and scientists about the relevance of brain science for legal theory and practice.

Hans and her Cornell Law School collaborators have analyzed the frequency and rates of death sentences for the judge and jury sentencing regimes and for different racial groups of defendants and victims. Their collaborative article finding significant judge-jury differences as well as race effects will appear in the fall 2012 issue of the Iowa Law Review.

in the nation. In addition, over the last several decades, it has employed both jury sentencing and judge sentencing in capital cases, allowing a controlled contrast of these two approaches to deciding on the death penalty. Hans and her Cornell Law School collaborators

special ceremony during the international meetings, Hans received the Stan Wheeler Mentorship Award, a prize given by the Law and Society Association to recognize “outstanding mentorship of law and society scholars.”





This spring, **George A. Hay**, the Edward Cornell Professor of Law and professor of economics, coauthored (with Kathryn McMahon) “The Diverging Approaches to Price Squeezes in the United States and Europe.” Published in the *Journal of Competition Law & Policy*, the article discusses how the U.S. Supreme Court and European courts have reached strikingly different decisions on very similar facts involving a price squeeze, where a dominant firm in the upstream market sells a vital input to its competitors in the downstream market at a price too high to allow the smaller competitor to compete against the dominant firm in the downstream market. However, the highlight of Hay’s year was a golfing trip to St. Andrew’s in Scotland with his twelve-year-old son, where he played seven courses (including the Old Course twice) in eight days.



Susan V. Hazeldean, assistant clinical professor of law, gave a presentation at the Liman Colloquium at Yale Law School on March 3 regarding the contribution law school clinics make to advance the public interest. Hazeldean discussed clinics’ twin missions of providing legal help to underserved communities and giving future attorneys the skills they need to contribute to the public interest when in practice. Hazeldean also spoke at the Rutgers School of Law Women’s Law Forum colloquium in March, where she gave a talk entitled “The Paradox of LGBT Youth under Asylum Law.” In May, Hazeldean gave two presentations at the Association of American Law Schools 2012 Conference on Clinical Legal Education. She spoke on the topics, “Teaching Students to Effectively Manage Stress and Minimize Vicarious Trauma” and “Bathrooms and Bullycides: What Schools Need to Do to Protect LGBT Youth from Harassment.”

This spring also saw the launch of Hazeldean’s new clinic at Cornell Law School. The Advocacy for LGBT Communities Clinic represents low-income LGBT people facing discrimination based on their sexual orientation or gender identity and conducts advocacy projects to advance LGBT equality. This semester, students represented a 14-year-old transgen-

der girl who had been turned away from foster care on account of her gender identity, a young woman seeking asylum because she faced violent anti-gay persecution in her native Jamaica, and a transgender woman in a maximum security men’s prison who has been denied adequate medical care. Students also conducted a workshop for LGBT seniors on how advance planning documents like living wills and healthcare proxies could protect their rights in the event of disability.



During the spring semester **Michael Heise** participated in the Empirical Health Law

Conference, organized by Professor Frakes and sponsored and hosted by Cornell Law School. Heise’s comments focused on settlements in drug patent litigation. In June, Heise spent one week in Brazil where he presented papers at two Brazilian law schools and delivered the keynote address at the second annual Brazilian Jurimetrics Conference. Heise’s comments described developments in empirical legal studies. Finally, Heise’s recent studies of judicial decisions in the religious context (coauthored with Gregory Sisk), “Religion, Schools, and Judicial Decisionmaking: An Empirical Perspective” and “Ideology All the Way Down? An Empirical Study of Establishments Clause Decisions in the Federal Courts,” were recently published in the *University of Chicago Law Review* (vol. 79) and the *Michigan Law Review* (vol. 110), respectively.

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Robert A. Hillman, the Edwin H. Woodruff Professor of Law, completed work on his portion of volume 2 (leases and commercial paper) of the treatise, *White, Summers, and Hillman, Uniform Commercial Code* (6th ed.), which will be published in early 2013. Volume 1 of the treatise (sale of goods) is scheduled for publication this fall. The two volumes are part of an over 2000-page, four-volume treatise on commercial law. On February 3, Hillman was an invited guest at the invitational conference on consumer protection, "Making Consumer Protection Work: Regulatory Techniques for Enforcing Consumer Protection Law," sponsored by the American Law Institute (ALI) and New York University School of Law. The ALI has invited Hillman to be an advisor on its new project, *Restatement of the Law Third, Consumer Contracts*.



William A. Jacobson, associate clinical professor of law and director of the Securities Law Clinic, was elected treasurer of the Public Investors Arbitration Bar Association (PIABA), a bar association of approximately 450 attorneys who represent investors. Jacobson also is a member of the PIABA board of directors and executive committee.



Sital Kalantry, clinical professor of law and faculty director of the Avon Global Center for Women and Justice, was a Fulbright-Nehru Senior Research Scholar in New Delhi, India, during the spring semester where she co-taught a class at the Jindal Global Law School and Cornell Law School using videoconferencing technology. While in India she delivered several lectures at venues including the National Law School in New Delhi, a conference on judicial reform at the Aziz Premji University, and a conference on Good Rural Governance at the Jindal Global Law School.

An article Kalantry wrote on the importance of women

In the article Kalantry presents statistics on the number of women in the judiciary globally, assesses empirical studies that attempt to determine whether women judges decide cases differently than their male counterparts, and argues that there must be gender parity in the judiciary to further equality of opportunity for all people, enhance courts' legitimacy, and strengthen the rule of law.

judges was published in the Summer 2012 issue of the *Americas Quarterly*. In the article she presents statistics on the number of women in the judiciary globally, assesses empirical studies that attempt to determine whether women judges decide cases differently than their male counterparts, and argues that there must be gender parity in the judiciary to further equality of opportunity for all people, enhance courts' legitimacy, and strengthen the rule of law. In July, Kalantry edited a report released by the Cornell International Human Rights Clinic and Jindal Rural Governance Clinic entitled "Promoting Clinical Education in India: A Case Study of the Rural Governance Clinic." She was also asked to be an expert witness in a Tompkins County trial involving acid violence and alleged sexual violence in August.



During the spring semester, **Anne Lukingbeal**, associate dean and dean of students, completed her fourth year of service on the American Bar Association Section of Legal Education and Admissions to the Bar Accreditation Committee. She traveled to California in January, to Illinois in April, and to Vancouver, British Columbia, in June to attend regular meetings of the group. In April she, along with other experts in the field, presented a plenary session entitled "Candor in Disclosing Character and Fitness Issues" at the National Conference of Bar Examiners' annual Bar



*In April Lukingbeal, along with other experts in the field, presented a plenary session entitled “**Candor in Disclosing Character and Fitness Issues**” at the National Conference of Bar Examiners’ annual Bar Admissions Conference held in Savannah.*

Admissions Conference held in Savannah.

In February, she hosted the ALSA reception (Associations of Asian Pacific American Law Students, Native American Law Students, Black Law Students, Latino American Law Students, South Asian Law Students, and Lambda) for students and faculty at her home. She served on two university committees, chairing the search committee to fill the position of judicial codes counselor, and serving again on the Truman Scholarship Selection Committee, a prestigious national scholarship funding graduate school as preparation for a career in government or public service.



Peter W. Martin, the Jane M.G. Foster Professor of Law Emeritus, began the process of converting his Social Security treatise and online Social Security Law course to formats aimed at making them more widely accessible. In March he released the treatise and course readings as Social Security Law Wiki, social-security-law.wikispaces.com.

In May Martin posted the first presentations adapted from the online course on a YouTube channel, “Understand Social Security,” [YouTube.com/user/p2mar10](https://www.youtube.com/user/p2mar10).

The full series is designed “to help individuals understand how Social Security bears on important decisions they make long before retirement, how to relate its benefits into their insurance and retirement plans, how to apply for benefits and navigate Social Security Administration procedures, and what to make of concerns over the program’s future.”

Martin’s essay, “Changing Social Security to Achieve Long-Term Solvency and Make Other Improvements—Background Factors, Issues, Options,” was posted on SSRN as: ssrn.com/abstract=2039481.

Martin was labeled “dean of the legal internet” and one of “the law’s smartest, most

courageous innovators, techies, visionaries, and leaders” by Fastcase.com when it selected him for one of 2012’s Fastcase 50 awards.



On February 27, **Muna B. Ndulo**, professor of law and director of Cornell University’s Institute for African Development, received the Distinguished Africanist Award from the New York Africana Studies Association (NYASA) in a ceremony held at Pennsylvania State University. Former recipients of the award include:

Chinua Achebe, Joseph Harris, Mahmood Mamdani, Molefi Kete Asante, and Ali Mazrui.

On March 31, Ndulo was the keynote speaker at the Liberian Studies Association Forty-Fourth Annual Conference held at Cornell University. In his keynote address, Ndulo examined the challenges of building a democratic and inclusive Liberia. He cautioned that post-conflict state-building exercises must be rooted in the state’s historical, political, and social contexts and must recognize that states are not built in a vacuum, but emerge from complex interactions and processes. These include legacies from the pre-conflict period, attributes of the conflict period, and new elements like emerging configurations of political power arising in the post-conflict period. He

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urged Liberia to transform the inherited undemocratic and non-inclusive state into a democratic, nondiscriminatory, and inclusive state, and offered best practices from elsewhere that could prove useful in the transformation.

On April 14, at Albany Law School's conference, "Africa and International Law: Taking Stock and Moving Forward," Ndulo presented a paper, "The Role of International Actors in Constitution Making in Post-Conflict Societies." He argued that international actors have a useful role, providing needed expertise and comparative approaches to constitution making, but that international participation should be well structured and should focus more on the process than substantive outcomes.

On May 9, the Cornell Graduate and Professional Student Assembly honored Ndulo as an award recipient at the first annual Awards for Excellence in the Teaching, Advising, and Mentoring of Graduate and Professional Students. This university-wide award was established to recognize the work of faculty in mentoring graduate and professional students.

On May 24, Ndulo spoke on the theme of constitution making in post-conflict societies at an event jointly hosted by the Canadian Ministry of Foreign Affairs and Canadian International Development Agency. During the past two decades, new constitutions have ap-

peared in many parts of the world, often in the aftermath of civil wars, but also in response to demands for more democratic political systems or for the resolution of institutional crises. Ndulo examined the challenges involved in developing constitutions for countries emerging from conflict, as well as the approaches that have been used.

On August 7, 8, and 9, Ndulo participated in a workshop in Harare, Zimbabwe, organized by the Institute for Democratic Alternatives for Southern Africa (IDASA). The workshop discussed the theme, "Government of National Unity as a Tool for National Unity." It considered among other things: the management of security dilemmas and spoilers, alternatives to Government of National Unity, and enforcement mechanisms built into power-sharing agreements.



During the spring semester, **Jeffrey J. Rachlinski** continued his research on the decision-making processes of trial judges. The basic theme of the work is that judges rely to excess on intuitive reasoning to decide cases. Rachlinski presented

Because misleading cognitive strategies can also affect how cases settle, Rachlinski has begun applying his research to alternative dispute resolution and mediation. He presented some of these conclusions to the annual American Bar Association Alternative Dispute Resolution conference in Washington, D.C., in April, and at an international conference on mediation in Munich in March.

the results of this work to several prestigious groups of judges including the annual Ninth Circuit Appellate Judges Conference and the annual Sixth Circuit Conference. He also presented this work to workshops at Stanford Law School and the American University Washington College of Law, as well as at the e-annual meeting of the Cornell Law School Advisory Council.

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Rachlinski also presented papers at academic conferences at: the University of Alabama School of Law, the Royal Netherlands Academy of Arts and Sciences in Amsterdam, and at the Faculty of Law at the University of Copenhagen.

Along with Professors Hans and Eisenberg, Rachlinski also helped co-organize a conference on Asian empirical legal scholarship at the University of Hawaii William S. Richardson School of Law in Honolulu, in connection with the annual meeting of the Law and Society Association. The conference was cosponsored by Cornell's *Journal of Empirical Legal Studies* as an outreach effort to connect with a growing body of empirical work on legal issues being done in East Asia.



Annelise Riles, the Jack G. Clarke Professor of Far East Legal Studies, director of the Clarke Program in East Asian Law and Culture, and professor of anthropology, published *"After Multiculturalism: Feminism, Culture, and the*

Studies conference and participated in the "Global Liquidity and Capital as Legal Institutions" workshop at Harvard Law School. In May she gave a presentation at the University of Copenhagen, with Knop of the University of Toronto, at a conference entitled "New Frontiers of Legal Realism." At Cornell, she presented "Market Totalitarianism" at the conference, "The Japan Earthquake and Tsunami One Year Later," which marked the ten-year anniversary of the Clarke

At Cornell, Riles presented "Market Totalitarianism" at the conference, "The Japan Earthquake and Tsunami One Year Later," which marked the ten-year anniversary of the Clarke Program in East Asian Law and Culture.

Surprising Attraction of a Conflict of Laws Approach" (with Karen Knop and Ralf Michaels) in the *Stanford Law Review* in March. At the Law and Society Association annual meeting in June, she chaired a panel about financial regulation and participated in a panel about her book *Collateral Knowledge: Legal Reasoning in the Global Financial Markets*.

This spring Riles also participated in a panel at the Harvard Law School Graduate Legal

Program in East Asian Law and Culture. She also celebrated the ten-year anniversary at an event at the Johnson Museum of Art, which observed the official launch of the program's latest initiative, Meridian 180, an online community of leading intellectuals in Asia, Europe, and North America, featuring discussions of current policy issues in three languages—Chinese, Japanese, and English. More information about Meridian 180 is available at meridian-180.org.



Professor Emeritus **E.F. Roberts** spent the summer pottering about updating the judicial notice material for the upcoming seventh edition of McCormick's hornbook, taken aback a bit himself when he realized that this task had begun with the second edition in 1972. Age does have its rewards. The American Law Institute this year initiated a new gong, a medallion for members chalking up fifty years on the rolls. Roberts was one of twelve recipients and he could not help but be reminded of Viscount Melbourne's remark: "I like the Garter; there is no damn merit about it."

All this brought to mind Satchel Paige's advice not to look back because someone might be gaining on you. Roberts would amend this quote to read something instead of someone. The something is climate change, a topic this summer's unusual weather has made a popular one. Environmental law, after all, began as an academic topic with a conference at Airlie House in 1969, and Roberts was foolish enough to deliver a paper there entitled "The Right to a Decent Environment: Progress along a Constitutional Avenue." Obviously the courts were not

going to find such a thing as a personal right, and rightly so given conventional wisdom that the balancing of economic, environmental, foreign policy, and national security interests are concerns within the domain of the political branches. Sed quaere, given the Supreme Court is in fact a supra political branch given to adjusting the grundnorms underlying the Republic, whether there is not some populace right to a duty by the other two branches to take the steps necessary to begin seriously to deal with what we address as climate change, alias global warming. Admittedly this notion is even more Quixotic than the original one given that, beset by depression and growing disparity between the classes, the industrial nations are not likely to do much until such time as it may be too late to ameliorate the problem. Imagine then how relevant will be T.S. Eliot's "The Hollow Men," and how prescient was C.S. Peirce's observation: "If man were immortal he could be perfectly sure of seeing the day when everything in which he had trusted should betray his trust, and, in short, of coming eventually to hopeless misery. He would break down, at last, as every great fortune, as every dynasty, as every civilization does. In place of this we have death."



Faust F. Rossi, the Samuel S. Leibowitz Professor of Trial Techniques, was on sabbatical leave during the spring term. He is collaborating with Glenn Altschuler, Cornell University's Thomas and Dorothy Litwin Professor of American Studies, on a book to be published by the American Bar Association. The tentative title of this work is *Great American Trials of the Twentieth Century*. The book will combine a discussion of the historical impact of twelve celebrated cases with the lessons that each one teaches about effective trial advocacy. The premise explored in this work is that unexpected results in famous cases are seldom the result of jury bias or ignorance. Instead, unexpected victories often can be explained by the skill of advocates in the creation of the correct theory or narrative: the story that plausibly explains the evidence. The cases also will present examples of skillful jury selection, cross-examination of experts, the use of rebuttal evidence, classic summations, the value of analogies, and other facets of advocacy.

In July, Rossi again taught at the Cornell Law School Summer Institute of International and Comparative Law in Paris,

France. His course, entitled Introduction to the American Legal System, was taught to foreign lawyers and students enrolled in the program.

During the spring and summer Rossi lectured on evidence to law students in Los Angeles, Chicago, Miami, Philadelphia, Pittsburgh, and Denver.



Emily L. Sherwin published a new remedies textbook entitled *Ames, Chafee, and Re on Remedies*, which builds on materials assembled by Dean James Barr Ames, Professor Zechariah Chafee, and Judge Edward Re. She published two law journal articles: an article on tort theory for a symposium in the *Florida State University Law Review*, and an article on constructive trusts and creditors' rights for a symposium in the *Boston University Law Review*. She also published a comment on the nature of judicial remedies in the *Harvard Law Review Forum*. Meanwhile, she is working her way through a series of graduate courses in philosophy at Cornell.



Steven H. Shiffrin, the Charles Frank Reavis Sr. Professor of Law, together with his coauthors, published the 2012 *Supplement to the Eleventh Edition* of the casebook, *Constitutional Law*; the 2012 *Supplement to the Fifth Edition* of the casebook, *The First Amendment*; and the 2012 edition of the casebook, *Leading Cases in Constitutional Law*.

Shiffrin continues to work on a book entitled *What's Wrong with the First Amendment?* He serves as the chair of the Admissions Committee and is the president of Loaves and Fishes of Tompkins County. He blogs at religiousleftlaw.com.



Lynn Stout is delighted to join Cornell Law School as the Distinguished Professor of Corporate and Business Law in the Clarke Business Law Institute. This past spring she published a new book, *The Shareholder Value Myth: How*

This past spring Stout published a new book, The Shareholder Value Myth: How Putting Shareholders First Harms Investors, Corporations, and the Public. She has been invited to talk about the book at a variety of public events sponsored by investors, business executives, and corporate lawyers . . . and her arguments were the subject of a recent article in the New York Times.

Putting Shareholders First Harms Investors, Corporations, and the Public (Berrett Koehler Publications, 2012). She has been invited to talk about the book at a variety of public events sponsored by investors, business executives, and corporate lawyers (including a book talk at the Cornell Club June 20), and her arguments were the subject of a recent article in the *New York Times*.



This past spring, **Chantal Thomas** oversaw two scholarly workshops in her role as director of the Clarke Initiative for Law and Development in the Middle East and North Africa. The first, “Labor and Migration in the Middle East,” was held at the University of Toronto Faculty of Law, which also cosponsored the workshop. Supported by a grant from the Canadian Social Sciences and Humanities Research Council, the workshop featured articles which will be published in a forthcoming volume of *Middle East Law and Governance* (Brill Publishers). Participants in the symposium included scholars from North America as well as the Middle East, and also representatives from international organizations (such as the International Organization for Migration) and civil society. The second workshop was held at the Cornell Club in New York City on the topic of “Law, Revolution, and Reform in the Arab World.” The workshop brought scholars together from across the country as well as from the Middle East, to consider the constitutional, legal, and political aspects of ongoing transitions in the Arab world.

Thomas also traveled to Doha, Qatar, twice in the course of the spring to advise the Qatar Foundation on the establishment of a new law school.

In June, Thomas delivered remarks to the U.S. State Department’s Advisory Committee on International Law on the topic of “Law and Development in the Middle East: Priorities for the Next Few Years.” Her remarks focused on the ways in which political transitions in the region may affect the economic regulatory framework related to international economic law. For example, in the past few months, domestic courts in Egypt have nullified foreign investment contracts executed under the Mubarak regime, and these actions have in turn led to disputes now pending in international arbitration. A major challenge for the region, and particularly the post-revolutionary countries of Egypt and Tunisia, will be how to address the problem of unemployment, particularly among youth, and other well-founded economic grievances, while maintaining a legal and regulatory environment conducive to sustainable development.

Finally, Thomas served as a core faculty member at Harvard Law School’s Institute for Global Law and Policy Summer Workshop in Cambridge, Massachusetts, from May 31 through June 9, where she taught Law and Development.



Charles K. Whitehead was the faculty speaker at the Law School’s 2012 Convocation. His paper, “Destructive Coordination,” published in the *Cornell Law Review*, was selected from over 500 papers as one of the top ten corporate and securities articles of 2011 by a vote of academics in the field, polled by the *Corporate Practice*

that he organized. In addition, Whitehead authored the chapter, “Creditors and Debt Governance,” in the recently published *Research Handbook on the Economics of Corporate Law*.

Whitehead was invited to speak at a number of schools in the United States and abroad, including the Indian School of Business (at a conference cosponsored by Vanderbilt University School of Law) in Hyderabad, India; Brooklyn Law School; the University of Florida Fredric G. Levin College of Law; and Tulane University School of Law. He also participated in the Cornell

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Commentator. Another paper, “The Goldilocks Approach: Financial Risk and Staged Regulation,” which proposes the staged implementation of new financial reforms, was also published in the *Cornell Law Review* in 2012, following presentation at a conference on financial regulatory reform

Law School-Paris I Summer Institute, co-teaching a course on comparative corporate governance and acquisitions. In addition, Whitehead was a visiting professor at the School of Law, University of Paris 1 Panthéon-Sorbonne, and in the Ph.D. Program, Law and Economics of Money and

Finance, at Goethe University in Frankfurt, Germany. His course focused on the intersection between the financial markets and corporate governance, with particular attention on financial regulatory reform.



On March 15 **Xingzhong Yu**, the Anthony W. and Lulu C. Wang Professor in Chinese Law, gave a talk on the topic of “Human Rights Advocacy in China” during the Cornell Human Rights Advocacy Week. On March 24, he presented a paper on subsidiarity at the Global Legal Education Forum celebrating the 100th anniversary of the S.J.D. program at Harvard Law School.

In early June, Yu attended the 2012 Law and Society Association annual meeting in Honolulu, Hawaii, and presented a paper entitled “The Emerging Constitutional Identity of Hong Kong.” On June 23, he attended a conference at Tsinghua University Law School, presenting a paper entitled “Can Epistemological Rupture Reduce the Path Dependency in the Development of Legal Philosophy?” That evening, Yu gave a talk to students at the Beijing Forestry University on the topic, “Usefulness of Law

At the invitation of the Information Office of the Guangzhou Municipal Government, Yu delivered a public lecture, “Rule of Law and China,” at the Lingnan Public Forum on July 14. More than 500 civil servants, lawyers, students, and retired cadres and workers attended the lecture voluntarily after seeing the newspaper announcement.

and Legal Research for Social and Human Development.” On June 26, at a summer program held at the East China University of Politics and Law, he gave a lecture, “Empirical Jurisprudence: From Bacon to Hobbes,” to young teachers and research students.

On July 9 Yu gave a lecture entitled “Rule of Law as a Civil Order” at the International Summer Camp for postgraduate law students held at the Zhejiang University Law School. At the invitation of the Information Office of the Guangzhou Municipal Government, he delivered a public lecture, “Rule of Law and China,” at the Lingnan Public Forum on July 14. More than 500 civil servants, lawyers, students, and retired cadres and workers attended the lecture voluntarily after seeing the newspaper announcement. On July 15 at the invitation of the Information Office of the Shenzhen Municipal Government, Yu delivered a public lecture, “Legal Civil Order and China’s Rule of Law

Construction,” at the Nandu (Southern Metropolitan) Public Forum to an audience of more than 500 people from all walks of life.

Yu published a number of pieces in the spring, including: “A Preliminary Study of Francis Bacon’s Legal Thought” in the *Journal of Hangzhou Normal University* in May; “Academic Discourse, Ideology, and the

Transformation of Institutions” in *Culture and Social Transformation*, published by Zhejiang University Press, edited by Xueping Zhong et al.; “Knowledge is Protest” in the *Window of Southern Wind* in July; and “Legal Civil Order and China’s Rule of Law Construction” in the *Metropolitan News of Southern China*, July 21, 2012. ■

Class Notes are Online

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

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

lawschool.cornell.edu/alumni/classnotes/index.cfm

Robert S. Summers Student Research Assistant Fund

Heartfelt appreciation for the teaching and scholarship of **Robert S. Summers**, the William G. McRoberts Research Professor in Administration of the Law Emeritus, has prompted an alumnus of Cornell Law School to create an endowed fund in his name. Beginning in the fall term of 2012, the Robert S. Summers Student Research Assistant Fund will

that the named fund will encourage former research assistants and students of Summers to make gifts to it in his honor.

Robert A. Hillman '72, the Edwin H. Woodruff Professor of Law, recalls working for Summers as “a marvelous experience” largely for the relationship it inspired: “Bob became a mentor and true friend to each of his research assistants and he was dedicated to ensuring their success in

Stewart J. Schwab, the Allan R. Tessler Dean and Professor of Law, emphasized the important role the Summers Fund will play in enhancing the education of Cornell Law students. “Being a research assistant for a faculty member is one of the most valuable educational experiences a law student can have. This fund is aptly named in honor of Professor Summers, because he had a wonderful rapport with his many student research assistants over the years and was able to give them an outstanding intellectual experience while in return learning so much from them.”

Known by his colleagues as an exemplary scholar of extraordinary productivity—a career of more than fifty years included the publication of 55 books and more than 100 articles—Summers was beloved by Cornell Law students for his intellectual generosity and personal kindness, qualities partly masked by an old-school Socratic method that gave more than one IL a case of sweaty palms. His students perceived, however, that this rigorous approach taught them to “think smarter”—with sharper focus and concision—to the end of achieving keener verbal facility in extemporaneous legal argument. These skills have served alumni of Cornell Law School well for several decades, thanks to the teaching of Robert Summers.

Former students, this donor included, are grateful for the intelligence and dedication Summers brought to his professional activities. The donor's hope is that the named fund will encourage former research assistants and students of Summers to make gifts to it in his honor.



Professor Summers

provide compensation for Cornell Law students who work as research assistants for members of the Law School faculty.

The alumnus (who prefers to remain anonymous) established this endowment to recognize the supportive and fruitful working relationships that Summers, who retired from teaching in December 2010, maintained with his research assistants. Former students, this donor included, are grateful for the intelligence and dedication Summers brought to his professional activities. The donor's hope is

all of their endeavors. Nor did the relationship between Bob and his assistants end upon their graduation. Bob and his assistants have become lifelong friends.” Betsy Summers Allehaut '91 spoke for the Summers family in thanking the donor and said that her father “is honored and humbled by the creation of the fund. He dedicated his life to teaching, research, and scholarship. His student assistants were invaluable to him. My dad loved his students and the classroom. His family is grateful for this recognition.”

Latin America Alumni Symposium

Springtime in Coral Gables, Florida, usually means eighty degree highs and frequent oceanic drizzle for the “City Beautiful.” This year, it also brought a showering of over ninety Cornellians and friends celebrating the third biannual Cornell Latin America Alumni (CLAA) Symposium. On Thursday, April 19, **Stewart A. Merkin, M.B.A. ’71/J.D. ’72** and his wife Corinne welcomed to their home alumni and friends from Columbia, Venezuela, Puerto Rico, Nicaragua, Brazil, and various regions of the United States. Cosponsored by the Law School, Cornell’s Johnson Graduate School of Management, and the Alumni Affairs Office of Diversity and International Programs, the CLAA Symposium showcases Cornell’s Latino American, Latino Caribbean, and Latino European alumni, which collectively comprise about ten percent of the total alumni population.

This year, the symposium kicked off Friday morning with a presentation, “Future of Free Trade Agreements in the Western Hemisphere after NAFTA, CAFTA, and Columbia and Panama FTAs,” jointly given by **Santiago Concha, LL.M. ’94**, partner, Pinilla González & Prieto (Columbia); **Les Glick ’70**, partner, Porter Wright Morris & Arthur (United States); and **Jose Evenor Taboada, J.S.D. ’76**, chairman, Consortium



LEFT: Barbara Alonso; Muhammad Iskandarani; Jose Evenor Taboada, J.S.D. ’76; Claire Germain, the Edward Cornell Law Librarian (retired) and Professor of Law Emerita; and Professor Barceló
BELOW: Carlos Garcia



Centro America (Nicaragua). **Pedro Urdaneta, LL.M. ’94** of Imery Urdaneta Calleja Itriago & Flamarique (Venezuela) moderated while the panelists discussed the advantages and disadvantages to various agreements being developed throughout Latin American countries and how these agreements affect business, imports, exports, the political landscape, and the likelihood of future free trade agreements.

After a coffee break sponsored by CLAA and Diversity Alumni Programs, **Eileen T. Higgins**, desk officer at the U.S. State Department Office of Southern African Affairs (United States), moderated the second presentation of the morning. Together, **Andre Bhatia**, partner at Acon Investments (United States); **Miguel A. Ferrer**, chair of

UBS Financial Services (Puerto Rico); and **Peter L. Gianulis**, president of Carrelton Asset Management (United States) presented “Foreign Investments in Latin America,” which focused on the “historic

record” number of investments currently occurring in Latin America, China, and elsewhere. The panelists analyzed the good performance of Latin American economies, despite the common scenario of economic turbulence.

*The two-hour event, **Café con Leche**, gave alumni the opportunity to network with an international group of Latino professionals and industry leaders, including Gustavo Arnavat, U.S. executive director of the Inter-American Development Bank (IDB), who spoke about his experiences both as a Cornellian and within the IDB, where he believes CLAA’s goals of representing and fostering the interests of a broad and diverse Latino constituency are paralleled.*

Carlos D. Garcia, president of Novartis Pharmaceuticals Latin America and Canada Region (United States) and keynote speaker during the lunch program, talked about the outlook of business in Latin America. His remarks were moderated by **John J. Barceló**, the William Nelson Cromwell Professor of International and Comparative Law and Elizabeth and Arthur Reich Director of the Leo and Arvilla Berger International Legal Studies Program. For the rest of the afternoon, guests enjoyed an open networking time until the evening reception, hosted by **Lee I. Weintraub '70** and his wife Teresa at their home in the Gables Club.

Saturday morning began with a presentation on commercial real estate markets, moderated by **Jonathan Kracer**, managing principal at Sion Capital (United States). Panelists **Edgar Garin**, director of franchise development for Latin America La Quinta Inns & Suites (United States); **Santiago Concha, LL.M. '94**; and **Enrique J. Vila-Biaggi**, president of Iedifiko (Puerto Rico) presented "The Outlook for Commercial Real Estate Markets in Latin America, Mexico, and the Caribbean," discussing the advantages and disadvantages of real estate investments in these rapidly growing markets and identifying key opportunities in the sector.

Weintraub moderated the presentation, "Latin American



Jonathan Kracer

The Symposium proved to be a valuable forum for alumni to come together and discuss the key trends and opportunities in the rapidly growing Latin American region . . . I made several meaningful Cornell alumni connections I know will positively impact my business and philanthropic activities in the U.S. and Latin America.

— Jonathan Kracer

”

Competition Law: Developments and Trends." Panelists **George A. Hay**, the Edward Cornell Professor of Law and professor of economics at the Law School, and **Alfonso Miranda Londoño, LL.M. '87** of Esguerra Barrera Arriaga (Columbia) explored benefits and challenges in the emergence of multilateral cooperation as an aid to national competition enforcements throughout the Americas.

Breaking for lunch, **J. R. Murray**, cofounder and managing partner of Pan American Risk Management (United States), gave a keynote lecture, "The

Intersection of Healthcare and Economic Expansion in Latin America and the Caribbean." Afterwards, alumni and guests had the opportunity to meet the new board members of the Cornell Latino Alumni Association (President **Jonathan Kracer**, Secretary **Sasha Lopez**, External Relations Chair **Nicholas Diaz**, Vice President **David Suriel**, and Webmaster **Kervin Pillot**). The two-hour event, Café con Leche, gave alumni the opportunity to network with an international group of Latino professionals and industry leaders, including **Gustavo Arnavat**, U.S. execu-

tive director of the Inter-American Development Bank (IDB), who spoke about his experiences both as a Cornellian and within the IDB, where he believes CLAA's goals of representing and fostering the interests of a broad and diverse Latino constituency are paralleled.

The weekend concluded with the Winemaker's Dinner at the Raleigh Hotel, sponsored by the South Florida chapter of the Cornell Hotel Society.

Reflecting on the weekend, one participant praised the event, "Cornell at its best! Very educational. Enjoyed seeing old alumni friends and meeting new ones." Panelist, Kracer, summarized the experience, "The Symposium proved to be a valuable forum for alumni to come together and discuss the key trends and opportunities in the rapidly growing Latin American region. This event undoubtedly provides an engaging platform for strengthening Cornell's relationships with its Latino alumni as well as bolstering Cornell's leadership and intellectual and capital base. I made several meaningful Cornell alumni connections I know will positively impact my business and philanthropic activities in the U.S. and Latin America."

Special thanks were given to **Jamie A. Bianchi '91** and White & Case for sponsoring the Continuing Legal Education credit for the State of Florida.

CLS Alumni Association Welcomes New Board Members

The Cornell Law School Alumni Association executive board of directors is composed of eighteen alumni and two student representatives that give voice to the interests of alumni at large. They work to:

- ensure alumni participation is a key component of the Law School,
- foster a closer association between the Law School and its alumni and among its alumni,
- promote the interest and welfare of the Law School,
- promote the practice of law and the highest standards of learning and ethics in the legal profession.

On July 24, Cornell Law School's Alumni Association executive board of directors held its first official meeting for the 2012–2013

fiscal year. In his new role as board president, John Vukelj '03 (DLA Piper) officiated the meeting and welcomed six new members to the board.

Joining the board for a three-year term (July 1, 2012–June 30, 2015) are: **William A. Barrett '92** (Ernst & Young); **Theresa L. Concepcion '07** (Archer & Greiner); **Lisl J. Dunlop, LL.M. '97** (Shearman & Sterling); **E. Eric Elmore '89** (Federal Trade Commission); **Mary B. Griffin '88** (Massachusetts Department of Fish & Game); and **Kevin T. Haroff, J.D./M.B.A. '81** (Marten Law).

Allison Harlow Fumai '02 (Dechert) will serve as vice president.

A complete listing of the Cornell Law School Alumni Association executive board of directors can be found on the alumni website under "Connect" and then under "Volunteer Opportunities": lawschool.cornell.edu/alumni/index.cfm.



John Vukelj '03



William A. Barrett '92



Theresa L. Concepcion '07



Lisl J. Dunlop, LL.M. '97



E. Eric Elmore '89



Mary B. Griffin '88



Kevin T. Haroff, J.D./M.B.A. '81



Allison Harlow Fumai '02

CLS Alumni Activity: A Year in Review

With more than 10,000 graduates from Cornell Law School, there is always a city, town, or home where alumni are gathering. The Law School's Alumni Affairs Office hosts a variety of events throughout the country and has increased its international activity outside U.S. borders.

Between July 1, 2011 and June 30, 2012, the Cornell Law School Alumni Affairs Office organized over forty activities and events engaging more than 2,500 alumni, students, faculty, and their guests. "The Law School's alumni programming is often substantive and moreover highlights the exceptional proficiency of our constituency in their respective fields of work as our alumni participate on panels. In fact, this past year," Kristine S. Hoffmeister, director of alumni affairs reports, "we promoted more than 100 alumni and CLS faculty members as speakers and volunteers for our programming. The passionate nature of our alumni toward the school makes our job easy as we develop these programs."

If you are interested in hosting or want to share an idea for an alumni event, contact Hoffmeister at 607-255-3037 or email her at ksh54@cornell.edu.

~ KRISTINE HOFFMEISTER



TOP LEFT: Seattle TOP RIGHT:
New York City ABOVE: Thomas
Brown '94, Suzanne Dressler
Brown '94, James Dugan '93,
Don Shacknai '93 in New York
City RIGHT: Washington, D.C.
BELOW: New York City





This past year, we promoted more than 100 alumni and CLS faculty members as speakers and volunteers for our programming. The passionate nature of our alumni toward the school makes our job easy as we develop these programs.

— Kristine S. Hoffmeister

”



TOP LEFT: Kevin Haroff, J.D./M.B.A. '81 and Senator Joe Dunn, (retired), CEO/executive director, the State Bar of California in San Francisco
UPPER LEFT: Denver UPPER RIGHT: Chicago ABOVE: Karen Comstock, assistant dean for public service, in New York City BELOW: Santiago Concha, LL.M '94; Lee Weintraub '70; Barry Weiss '82; Ruth Weiss '82 in Miami LOWER LEFT: Boston LEFT: James Patterson '82; Hon. Anne Patterson '83; Katherine Ward Feld, M.B.A. '82/J.D. '83; Jeffrey Feld '83 in Maplewood, New Jersey



Cornell Law School Reunion 2012

"As a mayor, it's actually good to be in a room full of lawyers who are none of them actively suing you at the moment," joked the City of Rochester mayor **Thomas S. Richards '72**, and in doing so opened his keynote address to 350 Cornell Law School alumni and guests at the 2012 Alumni Reunion held June 7, 8, and 9. As Richards delivered his talk, "Always in Transition," he

skillfully eased his audience into the topic of some much-needed transitioning in political economics. In fact, the mayor's recollection of personal transitions seemed thematic, as the reunion weekend yielded some significant changes of its own.

For the Class of 1962, this reunion marked fifty years as Cornell Law School alumni. Thus, Thursday night's annual Welcome Reception honored their golden transition into

the Half Century Club. Held this year in the Berger Atrium, the reception was attended by a lively and robust gathering of alumni intent on kicking off the weekend in proper fashion.

For the early bird alumni, Cornell's Lab of Ornithology offered a guided bird walk before breakfast Friday morning—as well as a second walk following breakfast (for the not-so-early birds). Shortly after the official start of the scavenger hunt, the first of two Continuing Legal Education (CLE) programs got underway. **Amy Emerson**, assistant director of Law Library access services and foreign and international law specialist, reviewed the most reputable and

reliable online sources of the law and taught the skills necessary to use them effectively.

Myron Taylor Hall Library welcomed alumni to an open house Friday morning. Participants gathered in the Dawson Rare Book Room and met with **Femi Cadmus**, the new Edward Cornell Law Librarian and Associate Dean for Library Services. Assistant director for collections and rare books curator **Thomas Mills** introduced alumni to some of the Rare Book Room's many treasures, including the Donovan Nuremberg Trial Collection. In the Gould Reading Room, faculty visited with alumni, introducing some of the many strong programs underway at

For the Class of 1962, this reunion marked fifty years as Cornell Law School alumni. Thus, Thursday night's annual Welcome Reception honored their golden transition into the Half Century Club. Held this year in the Berger Atrium, the reception was attended by a lively and robust gathering of alumni intent on kicking off the weekend in proper fashion.

LEFT: Class of 1962 celebrating their 50th reunion at the home of classmate Jon Minikes BELOW: Saturday night keynote speaker, Thomas S. Richards '72, mayor of Rochester LOWER RIGHT: David A. Pierce '92, Dean Schwab, and Michael E. Toner '92





CLOCKWISE FROM LEFT: Mary Curtiss (widow of Professor Curtiss); Stephanie Sharron '92, Amy Weissman '92, and Lisa Udell '92 pose under the peace tower; Teresa Lew '12, Anne Marie Beisler '12, Priscilla Fasoro '12, and Mary Bigloo '07; Norma Schwab and Jack Clarke, LL.B. '52 tearing up the dance floor



ABOVE: Class of 2012 receives applause at the Saturday night dinner dance BELOW: Pepi Levene, Samuel (Kim) Levene '62, Jerry Friedman '62, and Lisa Friedman.



the Law School including the Avon Global Center for Women and Justice, Berger International Legal Studies Program, Career Services, Clarke Business Law Institute, Clarke Center for International and Comparative Legal Studies, Clarke Initiative for Law and Development in the Middle East and North Africa, Cornell Death Penalty Project, Cornell e-Rulemaking Initiative, Cornell Law Library, Legal Information Institute, Office of Public Service, and Society for Empirical Legal Studies.

The first big announcement of the weekend was made during Friday's Alumni and Faculty Lunch, when the Allan R. Tessler Dean and Professor of Law **Stewart J. Schwab** publicized an anonymous donation of \$25 million made to Cornell Law School. "This is a truly monumental gift that will enhance the quality of Cornell Law School for generations to come," said Schwab. "It is one of the most generous gifts in the history of American legal education, and will enable us to implement our vision of Cornell Law School as a small law school with a world-class faculty sending out a fair number of graduates who lead lives of distinction and service in numerous fields and arenas throughout the world. It inspires all of us in the Cornell Law School community to redouble our efforts to be a

RIGHT: George K. Bernstein, LL.B. '57 and his wife Caryl S. Bernstein
BELOW: Paul Swanson '12 and Antonio Haynes '12



ABOVE: Dean Schwab, Hon. Debra James '78, Professor Clermont, Professor Rana, and E. Eric Elmore '89 LEFT: Scavenger Hunt winner Carina De Simone and her father Michael De Simone '92



minute change, everyone found a place in the Atrium and Hughes Dining Hall to enjoy the great Dinosaur Bar-B-Que. Meanwhile, **Catrina DeSimone (Michael DeSimone '92)** and **Alexander Green (Pamela Smith '92)** were announced winners of the Reunion scavenger hunt, and gladly traded in their foraged items for some real bounty.

The afternoon continued with guided tours of Cornell's Herbert F. Johnson Museum of Art and Milstein Hall, featuring vast collections of art, scenic views of the surrounding area, and new structural additions. Back at Myron Taylor Hall, the Cornell Black Alumni Association (CBAA) partnered with the Law School to provide a panel discussion on issues of race and law, which attracted a large crowd of undergraduate alumni and demonstrated a dynamic partnership between the Law School, CBAA, and the university.

Another significant transition took place Saturday afternoon

center of excellence for legal education."

After lunch, **Robert A. DuPuy '73**, partner at Foley and Lardner and a Law School adjunct professor, moderated the second CLE event, "Ethical Issues in Securities Litigation," which featured **Lynda J. Grant '82**, partner at TheGrantLawFirm; **Barry W. Rashkover '86**, partner at Sidley Austin; and **C. Evan Stewart '77**, partner at Zuckerman Spaeder. The panel discussed, from the perspectives of the defendant, plaintiff, and the government, ethical issues frequently at play in securities litigation.

As the first full day of the reunion drew to a close, alumni dispersed into town for dinner with their classmates and faculty guests. This year's Half Century Club inductees,

the Class of 1962, continued their longstanding tradition of dining together against the backdrop of Cayuga Lake's shoreline at the lovely home of **Jon Minikes '62** and his wife Barbara Backstrom. Other classes enjoyed themselves at some of Ithaca's finest local establishments including the Statler Hotel (Classes of '52, '57, and '72), the Heights Cafe and Grill (Class of '67), the A.D. White House (Class of '77), Madeline's (Classes of '82 and '97), Simeon's on the Commons (Class of '87), Willard Straight Hall Terrace (Class of '92), and the Boatyard Grill (Class of '02 and '07). Following dinner, the Arts Quad brimmed with Reunion 2012 button-toting alumni, who danced the night away to big band and R&B music.

Saturday morning held various activities and events including a Reunion run, a volunteer recognition breakfast honoring the class committee members who helped to organize and plan the reunion festivities, the State of the University Address given by President David J. Skorton, and a presentation by **Michael E. Toner '92**, co-chair of the election law practice at Wiley Rein, who spoke on the latest developments in campaign finance law, the rise of Super PACs, and the impact they may have on the upcoming presidential election.

Saturday's traditional barbeque, which had been moved inside due to impending (but teasingly absent) thunderstorms, showcased the flexibility and organization of CLS alumni and staff. Despite the last-



Rachel Sparks Bradley '12, Dean Holden-Smith, Jack Clarke, LL.B. '52, Franci Blassberg '77, President David J. Skorton, and Dean Schwab all dig in.

as Schwab and a team of diggers, including **Rachael Sparks Bradley '12**, Vice Dean **Barbara J. Holden-Smith, Jack G. Clarke, LLB '52**, university president **David J. Skorton**, and **Franci Blassberg '77**, broke ground on Phase I of the Law School renovation and expansion. Schwab spoke on the first structural transformation of Myron Taylor Hall in twenty-five years. "The law must be stable, and yet it cannot stand still... This multi-faced expansion and renovation of Cornell Law School will certainly meet our practical needs for more space but it will also address our grand aspirations in being open, in being accessible, and

in being forward-looking." Blassberg emphasized some of these forward-looking qualities, including the new addition's environmental friendliness, state-of-the-art classrooms, and "a real front door—something it [Myron Taylor Hall] hasn't had in a very long time." After a few supporting words from Skorton and a toast to the future, the six diggers—donning Cornell-red construction hats and brandishing commemorative shovels—agreeably endured posing for an extensive photo shoot before finally digging in.

Reunion goers had their own chance to dig in during the 'ground-breaking' All-Class Reunion Dinner Dance following the ceremony. Chocolate shovels in hand, alumni and guests representing classes from 1950 to 2012 listened to fellow alumnus and Rochester mayor, Richards, as he referenced the earth-moving that

preceded his keynote address and reflected on personal transitions when "the earth sort of moved underneath." Richards discussed the current challenges that governments are facing around the nation, saying, "The escalating government expense base has collided with our capacity and willingness to pay for it." Despite the seriousness of the situation, the mayor pointed to Rochester's strong community and institutional base as a model for developing economic and political sustainability, and encouraged listeners to share in his optimism and "recognize that we need to begin another transition here, a transition to a new politics of governing and a transition in which you will need to play a leading role."

As alumni and their guests concluded the weekend with more dancing and reminiscing, Law School associate director of alumni affairs **Deborah Stillman** reflected, "The reunion this year was a success. I hope when our alumni look back on their time spent at Cornell, that they will remember this weekend fondly." Surely, whatever transitions the attendees of Reunion 2012 still have before them, all are looking forward to the next gathering in (renovated) Myron Taylor Hall.

Law School Advisory Council Welcomes New Members

With an eye on its November meeting in Ithaca, the Cornell Law School Advisory Council announced its "Class of 2012" this past summer. This year's new members include alumni in private law firm practice and others in public sector legal positions, as well as some who provide liability insurance and handle private-equity investments. They are: **Valerie Ford Jacob '78**, **Leonard J. Kennedy '77**, **Hon. Allison J. Nathan '94**, **Mark D. Nozette '74**, **Victor J. Paci '80**, and **Jia "Jonathan" Zhu '92**.

In welcoming the new members, Advisory Council chair **Franci Blassberg '77** said, "These alumni are a diverse group in terms of the decade of their respective graduations, as well as their current geographical locations and career paths. We are grateful and very pleased that they are willing to contribute their wisdom and insight to the mission of Advisory Council. The success they have achieved in widely differing professions demonstrates that a Cornell law degree is valuable to one's performance in a range of endeavors, in addition to those within the legal profession."

All members of Advisory Council state a desire "to give something back to the Law School" as their motive in agreeing to participate in this very "hands-on" alumni organization. Valerie Ford Jacob,

The reunion this year was a success. I hope when our alumni look back on their time spent at Cornell, that they will remember this weekend fondly.

— Deborah Stillman



a corporate partner of Fried Frank since 1986, describes herself as a “die-hard supporter of Cornell Law School,” where she says she received “an outstanding education that has led to a great career.” Jacob is chair of Fried Frank and head of its global capital markets group. Although she declined to mention it, she was named “Finance Lawyer of the Year” at Chambers USA’s 2012 Women in Law Awards, and is consistently named a leading lawyer by Legal 500 in multiple finance categories. Not surprisingly, her clients regard her as “a legend in the business.” In joining Advisory Council, however, humility is her watchword: “I want to learn what the Advisory Council’s focus has been. I have to learn before I can contribute.”

Other members advocated a similar approach of “watch and learn,” looking to contribute advice and guidance based on wisdom, knowledge, and problem-solving skills acquired through their Cornell educations and life experiences. As counselors, the “Class of 2012” brings varied and far-reaching insights to the issues the Law School asks Advisory Council to address. Len Kennedy helped to establish the newly formed Consumer Financial Protection Bureau (CFPB), which exercises broad authority over consumer financial services, and until recently he was its first general counsel. Kennedy is now the senior advisor and counselor to CFPB director Richard Cordray. In



Valerie Ford Jacob '78

the private sector, Kennedy has served as general counsel, corporate secretary, and chief government affairs officer for the Sprint Nextel Corporation. For his accomplishments in this role, he received the Corporate Board Member’s Outstanding General Counsel Award in 2008. Before joining Sprint, Kennedy was a leading telecommunications lawyer and partner in the Washington, D.C., law firm of Dow Lohnes.

Alison Nathan is a U.S. District Judge for the Southern District of New York, nominated by President Barak Obama and confirmed by the Senate in 2011. Nathan was previously an associate White House counsel, in which capacity she advised Obama on judicial and legal affairs, and immediately prior to her judicial confirmation, was special counsel to the solicitor general of New York. She clerked on the Ninth Circuit Court of Appeals for Judge Betty Fletcher and on the U.S. Supreme Court for Justice John Paul Stevens.

Victor Paci is managing director of Equity Resource Investments (ERI), a real estate private-equity firm that invests in real estate projects on behalf of investment funds it has



Leonard J. Kennedy '77



Mark D. Nozette '74

formed and continues to manage. Paci joined ERI in 2005 after practicing corporate and securities law as a partner in the Boston office of Bingham McCutchen. He had for many years served as outside counsel to ERI, as well as counsel to its investment funds.

Jia “Jonathan” Zhu is managing director of the Hong Kong office of Bain Capital, having previously served as an investment banker at Morgan Stanley and CEO of its China business sector. With approximately \$65 billion in assets under management, Bain Capital is among the world’s leading private investment firms. Zhu has demonstrated his support of the Law School’s priorities by establishing, with his spouse Ruyin (Ruby) Ye, the Jia Jonathan Zhu and Ruyin



Allison J. Nathan '94



Jia “Jonathan” Zhu '92

Ruby Ye Sesquicentennial Faculty Fellowship in Cornell Law School as a means of promoting faculty recruitment.

Similarly engaged is Mark Nozette, who established the Mark D. Nozette '74 Scholarship in 2011. Nozette is vice chair, president, and CEO of Attorneys’ Liability Assurance Society (ALAS) in Chicago. ALAS is the largest lawyer-owned mutual insurance company in the United States; its current membership includes some 230 major law firms and approximately 60,000 lawyers based in forty-eight states and the District of Columbia. Before joining ALAS twenty-two years ago, Nozette was in private practice in Washington, D.C., and also served as a law clerk to U.S. District Judge

Joseph L. Tauro '56. As a member of the board of trustees at Colgate University, his undergraduate alma mater, Nozette has gained a particular sensitivity to the issues facing higher education, including faculty renewal, tuition costs, and the resultant challenge of attracting a diverse and academically well-qualified class every year. This awareness led Nozette to establish the aforementioned scholarship in the Law School. Of his service on Advisory Council, he said, "I am honored to have been considered for membership. To give something back to the Law School is very important to me."

Advisory Council members whose terms ended with the 2012 fiscal year are Freddy Dressen, LL.M.'72, a partner of Lussan Firm in Paris, who has served on Advisory Council since 1995; Monica Otte '78, an attorney in the Washington, D.C., office of Bevan, Mosca, Giuditta & Zarillo and a member of Advisory Council since 2002; and Shinya Watanabe, LL.M. '84, an Advisory Council member since 1997 and a partner in the Tokyo office of Jones Day. Joel Hartstone '70 has become an emeritus member, having served on Advisory Council since 1993. Hartstone is managing director of Stonegate Capital Group.

Disrobed: An Inside Look at the Life and Work of a Federal Trial Judge by Frederic Block, LL.B. '59

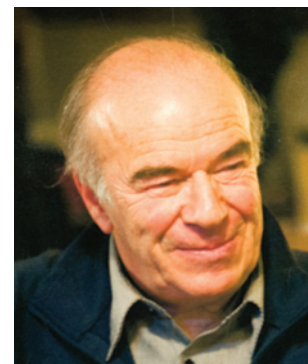
On his way up the ladder from practicing attorney to federal

judge, **Frederic Block, LL.B. '59**, started pursuing a sideline as a writer. After handling a lawsuit for a community theatre in Port Jefferson, New York, he wrote a revue of his own that satirized the lives of lawyers, doctors, and teachers. Then, with a taste of off-Broadway success, he branched into country music, writing a dozen songs that came close to being recorded in Nashville. Now, having assumed senior status on the U.S. District Court for the Eastern District of New York, he's completed *Disrobed: An Inside Look at the Life and Work of a Federal Trial Judge*, published this summer by Thomson Reuters Westlaw.

"*Disrobed* is my attempt to demystify what judges do," says Block. "Great books have been written about the law, but the public doesn't read them, so there's a schism between what we do and what the public knows about what we do. Over my years on the bench, it welled up in me that there was a need to communicate to readers in a user-friendly way. This book is the way I'm trying to educate and entertain at the same time."

The book traces Block's path to federal court, beginning with his childhood in Brooklyn, his undergraduate career at Indiana University, and his years as a student at Cornell Law. On his first day at Cornell, he blurted out the wrong answer to a question by Dean **Gray Thoron**, who responded that Block would undoubtedly

flunk out of school after his first exam. Instead, Block buckled down on schoolwork, limiting himself to two beers a week, never missing a class,



Frederic Block, LL.B. '59

What book have you ever read that has both Judge Judy and the president of the United States on the cover? I'm cautiously optimistic that it's not just another book, because I know you won't find anything else like it.

— Frederic Block, LL.B. '59



and earning the respect of his favorite professors, including Thoron.

Block followed law school with a clerkship on the New York State Supreme Court, thirty-two years as an attorney in Centereach, Patchogue, Port Jefferson, and Smithtown, and eighteen years on the U.S. District Court, where he presided over the trials of mobster **Peter Gotti**, drug kingpin **Kenneth "Supreme" McGriff**, and Bear Stearns hedge fund managers **Ralph Cioffi** and **Matthew Tannin**. The book recounts all of his high-profile cases in chapters titled "Death," "Racketeering," "Guns," "Drugs," "Discrimination," "Race Riots," "Terrorism," and "Foreign Affairs." So far, the response has been very favorable. President **Bill Clinton**,

who nominated Block for the judiciary, called it "a compelling introduction to the life of a federal judge," and Judge Judy Sheindlin described the memoir as "a must read for any court buff."

"What book have you ever read that has both **Judge Judy** and the president of the United States on the cover?" asks Block. "I'm cautiously optimistic that it's not just another book, because I know you won't find anything else like it. So let's keep our fingers crossed and hope I've accomplished what I set out to accomplish." ■

Class Notes are Online

lawschool.cornell.edu/alumni/classnotes/index.cfm

In Memoriam

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Edward J. Beiderbecke, LL.B. `60

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FORUM

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

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