



TRAILBLAZING
Women
Lawyers
of
CORNELL LAW
SCHOOL

FORUM
CORNELL
LAW
FORUM



Cornell Law School

Lawyers in the Best Sense

Spring 2020

SPECIAL FEATURE

The Law School Responds
to the COVID-19 Crisis

Our First Five Alumnae

Trailblazing Women Graduates
of the Past Century

A Faculty Essay by Cynthia Bowman



The Cornell Tech LLM

A first-of-its-kind Master of Laws (LLM)
in Law, Technology, and Entrepreneurship
at Cornell Tech in New York City.



Cornell Law School

For more information and to apply, visit
<http://bit.ly/CornellTechLLM>



**Finally, a law degree
for the Digital Age**



FORUM

Spring 2020
Volume 45, No. 1



A Note from the Dean.....	2
<i>Special Feature</i>	
Cornell Law School Moves to Online Classes	4
by SHERRIE NEGREA	
Legal Clinics Step Up to Address COVID-19	6
by SHERRIE NEGREA	
Our First Five Alumnae	
by KEVIN M. CLERMONT and LYNDSEY Y. CLARK.....	8
Trailblazing Women Graduates of the Past Century	18
Jack Barceló Retires after Fifty-One Years at Cornell Law School	28
by KENNETH BERKOWITZ	
“Reasonable Bob” Hillman Retires after Four Decades	32
by IAN MCGULLAM	
<i>Faculty Essay:</i>	
Women in the Legal Profession from the 1920s to the 1970s	36
by CYNTHIA GRANT BOWMAN	
Profiles	40
Kate Cameron Atkinson '92.....	40
Natalya Johnson '10.....	42
Jacque Duval '92 and Rosalind Major '21.....	44
Briefs	46
A Passing of the Torch in the Clinical Program.....	46
Transactional Lawyering Competition Celebrates Ten-Year Anniversary.....	48
Eisenberg Fellows Delve into Empirical Legal Research.....	50
Cornell First Amendment Clinic Wins Grant from Legal Clinics Fund.....	51
Halloween Happenings at the Law School.....	54
Faculty Scholarship	58
Alumni	62



Dear Alumni and Friends:

One hundred years ago, the 19th Amendment was ratified and added to the Constitution, guaranteeing women the right to vote. Like many institutions across the country, the Law School was planning to commemorate the centennial in a variety of ways, one of which was to dedicate this issue of the magazine to the pioneering role of our alumnae in advancing women in the legal profession and in society in general. Another was to hold an inaugural Women's Summit in New York City on March 13.

However, by mid-March, all our plans for the spring semester had been completely upended by the COVID-19 global pandemic. Over the span of a few weeks, in-person classes were suspended, the Cornell campus was closed, the Law School transitioned to online instruction, and countless events were cancelled or postponed, including the Women's Summit, now slated for March 2021.

Even our plans for the magazine were affected. While the overall theme remains the "Trailblazing Women Lawyers of Cornell Law School," we have added two articles following this letter about how the Law School has responded to the current crisis.

The first article (page 4) explains how we successfully transitioned to online instruction despite the enormous logistical challenges for everyone involved. Our students had to pack up and relocate on short notice and

and job descriptions and worked together to ease the burden on our students. And, of course, our students have borne a tremendous disruption of their professional education with patience and grit.

Our second article (page 6) describes how our legal clinics have continued running strong during this chaotic time, even while shifting their focus to helping individuals and businesses in the region impacted by the pandemic. Under the leadership of



Above all, Cornell Law School's response to the coronavirus pandemic illustrates the powerful sense of community that has always defined this place.



are now spread over a dozen time zones. Our faculty and staff had to learn new technologies, set up home offices, and navigate interruptions to their childcare and work routines. Everyone confronted these challenges while processing rapidly changing—and often alarming—news about a global pandemic. Fortunately, the Law School's faculty, staff, and administrators ventured outside their comfort zones

Beth Lyon, who in January was named associate dean for experiential education and director of the Law School's Clinical Program, faculty and students in a range of clinics have been stepping up to meet the challenge. Working remotely from a variety of makeshift home offices, they have been helping small businesses access new benefits, supporting families in detention centers at risk for the virus,





working with low-income residents remotely to finalize their wills, collaborating with the business school to create webinars for local small businesses, and much more.

Above all, Cornell Law School's response to the coronavirus pandemic illustrates the powerful sense of community that has always defined this place. When we could have withdrawn from one another in resignation or fear or selfishness, members of our community have reached beyond themselves with generosity and good humor. Over these past few months, I have watched this community—over and over again—live up to A.D. White's hope that Cornell's lawyers would be "a blessing to the nation."

Another defining feature of Cornell Law School is our especially rich history of producing pioneering women lawyers, which is highlighted in the theme of this issue. In the 126 years since **Mary Kennedy Brown** became the Law School's first woman lawyer, there has been no shortage of notable women graduates who went on to remarkable careers, many despite, or because of, the persistent discrimination

they faced. In the first two feature articles, the faculty essay by **Cynthia Bowman**, and the three Profile articles, we celebrate a truly remarkable group of alumnae who were—and are—trailblazers in law, business, and education.

In the first feature article (page 8), **Kevin Clermont**, the Robert D. Ziff Professor of Law—and the Law School's unofficial historian—chronicles the lives of our first five alumnae. With courage, resolve, and belief in their own abilities, these pioneering lawyers helped pave the way for generations of women to enter the legal profession. The second feature article (page 18) spotlights some of the Law School's most notable female graduates of the past century, from **Jane Foster** (1918) to **Connie Cook** (1943) to **Tsai Ing-wen** (LL.M., 1980) to **Sharice Davids** (2010). I call your attention to the write up on **Mary Donlon** (1920) on page 20, whose achievements are especially relevant to this issue. In addition to being the one-hundredth anniversary of the nineteenth amendment, this year is also the centenary of Donlon becoming editor in chief of the *Cornell Law Quarterly* (later the *Cornell Law Review*). In doing so, she became the first woman editor in chief (EIC) of a law review in the United States—decades before any other law journal elected a female to this post. In fact, the second, third, and fourth "first" women EICs were all from Cornell Law School as well (page 24).



The history of women at Cornell Law School, I should point out, is still being written. It is being written by the record number of women enrolled (e.g., the Class of 2022 is 52 percent women) and the record number of women assuming leadership roles (e.g., last year the *Cornell Law Review* became the first law review in the nation to elect a senior editorial board made up entirely of women). And this history is also being written by the Law School itself as we continue to research and discover amazing alumnae whose achieve-

ments have been overlooked or simply forgotten.

As we look back at our history, I take comfort in remembering that, in its 133 years, our Law School has seen plenty of challenging times, including two world wars, the Great Depression, and a flu epidemic. Like the past generations of Cornellians who experienced their own times of crisis, we will get through this one and come out the other side with a deeper appreciation of the blessing that this law school community represents.

Please continue to care for yourselves and for one another.

Respectfully,

Eduardo M. Peñalver

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

Cornell Law School Moves to Online Classes

by SHERRIE NEGREA



Emily Van Dyne, a first-year law student, was expecting to return home to Brooklyn when Cornell Law School announced it would transition to on-

line classes in mid-March. But after driving to her apartment in New York, she and her husband decided it would be safer to quarantine with her in-laws in Orlando.

Despite moving twice over a distance of more than 1,200 miles during spring break, Van Dyne did not miss a class at the Law School when instruction resumed online. “While it’s been a little difficult in terms of being able to focus and stay present,” she said, “I feel lucky, knowing that there are people who are in different time zones, that at least I get to be on the class live.”

Just ten days after classes across campus were suspended due to the coronavirus pandemic, the Law School launched virtual instruction on March 23. Faculty members who had never taught online quickly transitioned to classes on Zoom and turned to live-polling and virtual breakout rooms to keep students engaged.

Before online classes began, the Law School’s Academic Programs and Planning Committee (APPC) recommended that courses during the spring semester be graded as satisfactory or unsatisfactory on a mandatory basis. After the faculty approved the recommendation, Cornell became the first top-ranked law school in the country to switch to a mandatory pass/fail grading system for the semester.

Thomas Chapman, a second-year law student and voting member of the APPC, said the committee wanted to address the diverse challenges students would face when they left campus. “There was a lot of concern about students going to unstable home situations,” he said. “There may be a lack of internet access or



While it’s been a little difficult in terms of being able to focus and stay present. I feel lucky, knowing that there are people who are in different time zones, that at least I get to be on the class live.



students unable to focus on their courses the way that they normally would because of family situations or a health crisis.”

As faculty began teaching online, they had to revamp some of the pedagogical techniques they had used in the physical classroom for virtual learning. In her Contemporary American Juries class, for example, **Valerie Hans**, the Charles F. Rechlin Professor of Law, split up the sixteen students in the seminar into breakout rooms to work on issues, such as negotiating a damage award, so they could have small group discussions.

“One of the shocks for the students is they’ve been part of the community at the Law School,” Hans said. “Now the students are all over the world—many across the United States and some in other countries. The opportunity to have some moments to connect one-on-one with other students is something that you can preserve, but you have to

think about how to use the technology to facilitate it.”

In his Civil Procedure course, **Kevin Clermont**, the Robert D. Ziff Professor of Law, asked the sixty-five students to answer questions during class using a platform called Reef Polling. While the polling helped students stay engaged, Clermont said creating an interactive environment in a larger class on Zoom was a challenge.

Switching to online classes was less of an obstacle for students in the LL.M. in Law, Technology, and Entrepreneurship program at Cornell Tech. The students were already familiar with Zoom and many had participated in a multimedia classroom using videoconferencing with law students in Ithaca.





“These are students who are comfortable being in a technological environment,” said **Matthew D’Amore**, associate dean at Cornell Tech and professor of the practice. “I think they made the switch as seamlessly as they could have.”

While classes went online, students continued to participate in an array of organizations and activities at the Law School with Zoom. One group of students even offered a guided meditation class, which had been held on campus, to their classmates online.



Their concern for their classmates is one of the hallmarks of Cornell Law School.

— *Markeisha Miner*



“Their concern for their classmates is one of the hallmarks of Cornell Law School,” said **Markeisha Miner**, the dean of students. “This collegial

community rose to the challenge, which was not surprising. It was incredible to see their concern for one another when they could have focused only on themselves. It demonstrated who we are as a community.” ■

Legal Clinics Step Up to Address COVID-19

by SHERRIE NEGREA



From dining-room tables and childhood bedrooms, faculty, students, and staff at Cornell Law School are responding to the coronavirus pandemic by helping businesses

and workers in the region access new benefits, supporting families in detention centers at risk for the virus, and working with low-income residents remotely to finalize their wills.

The effort to address the legal implications of the crisis has been coordinated by the Law School's Clinical Program, which works with clients who cannot afford legal services. Faculty leading seven clinical programs have counseled clients with the help of students working remotely from their homes.

"The clinical program is an entire, miniature law office imbedded in the Law School that has been running for sixty years, and within a matter of days, the Law School staff converted it into an online enterprise," said **Beth Lyon**, associate dean for experiential education and Clinical Program director at the Law School.

As dozens of businesses in Tompkins County were forced to close or drastically reduce their operations, the Law School's Entrepreneurship Law Clinic helped develop a series of eight webinars to educate local companies about how they could accommodate employees' needs and comply with new state and federal laws. The webinars, which began on March 25, are cosponsored by Cornell's College of Business and the Tompkins County Chamber of Commerce.

"There are businesses in Ithaca that have just been devastated by this," said **Celia Bigoness**, associate clinical professor of law who directs the Entrepreneurship Law Clinic. "A lot of

them don't have in-house human resources departments to help them with their compliance, which under the best of circumstances is complicated, and now the federal government and state are enacting new regulations."

A dozen students enrolled in the Entrepreneurship Law Clinic helped research and

write the content for the webinars, which are free and are accessible on the chamber's website.

On April 13, students and faculty from the Law School's 1L Immigration Law and Advocacy Clinic, taught by Professor **Jaclyn Kelley-Widmer**, presented a webinar on "Immigrants, Public Benefits, and COVID-19." Over 1,000 attendees tuned into the webinar from around the country to get answers to questions surrounding the "public charge rule" that took effect at the end of February 2020. First-year



"The clinical program is an entire, miniature law office imbedded in the law school that has been running for sixty years, and within a matter of days, the law school staff converted it into an online enterprise..."



Professor Kelley-Widmer

students **Sarah DeYoung '22** and **Camilah Hamideh '22** led the presentation, which also featured Professor **Stephen Yale-Loehr '81**, an immigration law expert.

In a rapidly moving case seeking a temporary restraining order from the U.S. District Court for the District of Columbia, three faculty members filed a friend of the court brief on March 30 supporting release of families held in Immigration and Customs Enforcement detention centers. The brief was filed on behalf of nine public health experts, including **Basil Safi**, executive director of Cornell's Office of Engagement Initiatives, as well as the American Academy of Pediatrics.



“The continued detention of immigrant families is a recipe for a public health disaster,” said **Ian Kysel**, a codirector of the Asylum and Convention Against Torture Appellate Clinic, who filed the brief with Lyon and **Chantal Thomas**, the Radice Family Professor of Law. “By the time the first cases are diagnosed in family detention, they will almost certainly have become COVID-19 hotspots.”

Also responding to this threat, **Estelle McKee**, a clinical professor of law who is codirector of the asylum clinic, is working with her students to secure the release of individual clients from federal detention centers.

Many of the clinics are pivoting in response to the pandemic. The Immigration Law and Advocacy Clinic is preparing a best-practices document for remote representation for a national nonprofit, and the Gender Justice Clinic is addressing the impact of COVID-19 in Kashmir in a submission to the United Nations.

Meanwhile, as the state’s family courts began to shut down, Lyon and her students in the Farmworker Legal Assistance Clinic, over the course of twenty-four hours, developed and filed an emergency motion to appoint a guardian for a young farmworker who just lost his U.S.-based family.

Days later, a judge signed the order, giving the young man stability and putting him on a path to citizenship. “It’s a real turnaround in his life,” Lyon said.

Another clinical program, the Estate Planning Practicum, created a system for remote will execution with

low-income clients in Tompkins County. The faculty who teach the practicum—**Jill Miller ’91**, **Michael O’Connor**, and **Andrew Stamelman ’83**—are adjunct professors living outside of Ithaca, and many of their students had to leave town.

“They could have said, ‘Sorry, we can’t finish your will and we’ll call you when this is all over,’” Lyon said. “But they know that having a will is especially important at a time like this, so the faculty, students, and community partners are bending over backwards to get this done. As lawyers and lawyers-in-training, we have the privilege and a special responsibility to extend our efforts to mitigate inequality as this crisis unfolds.” ■

Our First Five Alumnae

by KEVIN M. CLERMONT & LYNDSEY Y. CLARK



Imagining the experiences of the early alumnae of Cornell Law¹ would be difficult for any man or woman in the twenty-first century. Certainly, general studies of early

women college students exist,² including accounts with a focus on women students at Cornell University in its early years.³ The existence of the latter is not surprising, as Cornell was one of the first coeducational colleges in the United States, enrolling its first woman student in 1870 and considerably expanding its roster of women students after the opening of Sage Hall in 1875 as a residence for women. By 1895, 224 women were enrolled at Cornell University. Yet women students lived separate lives, and were opposed or ignored by most male students and some faculty.⁴



As to life for early women students at Cornell Law specifically, a close look at the lives of the school's first five alumnae will give us some sense of their experiences. In what follows we shall chronicle the lives of these alumnae:

Mary Kennedy Brown, LL.B. 1893⁵

Mary practiced law intermittently in Chicago and Boston, while living what appeared to be a glamorous life. She married three times, but had no children.

Helen Mae Colegrove (Nichols), LL.B. 1896

Although admitted to the New York State bar in 1897, Helen Mae did not practice. She married and had two children.

Frances Alice Kellor, LL.B. 1897

Frances became a national figure as a social activist and is probably the most famous of Cornell's early law graduates. Her life partner was Mary E. Dreier.

Abbie "Gail" Hill Laughlin, LL.B. 1898

Gail was a prominent suffragist and advocate for women's equal rights. Her life partner was Mary A. Sperry.

Elva Hulburd Young (Van Winkle), LL.B. 1898

Elva practiced law briefly in Massachusetts. She married and had four children.

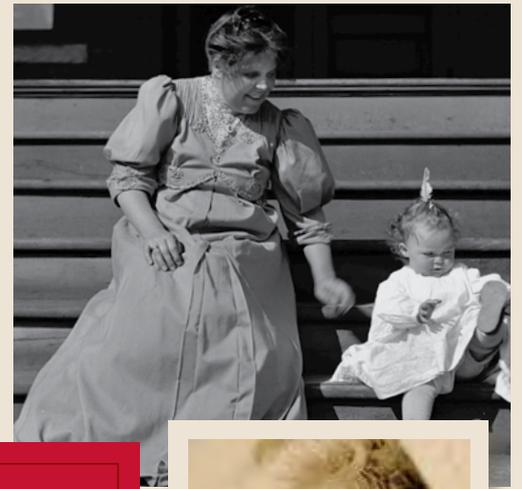
We begin with Elva Hulburd Young, even though she is the last listed. Although we know relatively little about her life, she left her impressions of women's life at Cornell Law in a form preserved as history.







Elva Hulburd Young and her daughter Elva, around 1908 in Silverton, Colorado



[When college men and women] work together, the result is satisfactory to neither.

— Elva Hulburd Young

Elva Hulburd Young was born in Columbus, Ohio, on September 5, 1873, the first of two children of **Charles L. Young** (1850–1926) and **Cora E. Richardson** (1852–1908). On November 15, 1905, she married an 1897 graduate of Yale named **Charles Thorne Van Winkle** (1872–1954), who had taught for a few years at a private school in Ossining, New York, but was then working as a mining engineer in Silverton, Colorado. Elva moved to Silverton, and around 1910 she and her husband moved to Salt Lake City. They had four children: **Elva** (1906–1996), **Charles, Jr.** (1908–1974), **Frances** (1910–2006), and **Richard** (1913–1993). She died in Salt Lake City on March 31, 1951.

Elva came to Cornell Law with an 1896 B.A. from Wellesley College, where she was president of her class. (She also earned an M.A. at Wellesley in 1898, with a thesis entitled “The Influence of Seasons on Conduct.”) Students with a college education were then relatively rare at Cornell Law. Both Welles-

ley College and Cornell University offered four-year B.A. programs. Operating then as a separately administered undergraduate department of the university, Cornell Law was much less demanding. It had opened in 1887 as a two-year LL.B. program,⁶ and a student could skip the first year by passing an advanced placement examination.⁷ All that was required for admission was a “reputable” high school diploma or a successful oral entrance examination. This leniency resulted from competition with the then-predominant alternative route into the law: reading law in a law office.

Elva loved Wellesley, but Cornell not so much. In 1898 she compared the two experiences in an essay entitled “Coeducation and Education.” A brief summary of the essay with relevant quotations follows here:⁸

In the first sentence of the essay, Elva notes a circumstance of a Cornell professional school—“women are present only in ones and twos”—that surely colored her experience. In the next paragraph, she calls Wellesley “the College Beautiful.”

She observes: “In coeducation the girl is the coded. The man is educated; the woman is educated with the man.” Her analysis of the differences between her education at Wellesley and coeducation at Cornell concludes that the

assumed benefits of coeducation are overstated, while the real costs are discounted.

Among the costs she tallies, coeducation reduces the opportunity for the woman to develop her own individuality: “[When college men and women] work together, the result is satisfactory to neither. Class banquets that are not class banquets,—the men going to a hotel, the women to their gymnasium; . . . class meetings where only men speak . . .,—all this may be trivial, but it proves pleasant to no one.”

Elva then went out in the world or, more precisely, back with her family who had moved to Springfield, Massachusetts. In 1899 she was the first woman to win admission to the bar in western Massachusetts. Soon thereafter, she was appointed a special commissioner by Massachusetts governor **Roger Wolcott**. But making her way was not easy, as she recounted in a 1902 article entitled “The Law as a Profession for Women.”⁹

After noting that there were probably no more than 200 women in active practice in the country, Elva points out that popular prejudice still stands in the way. But most importantly, practicing law is likely not going to help one meet living expenses. The money lies in corporate and commercial work, wherein personal con-



St. Johnsbury Academy, circa 1872

nections and business experience, a man has an advantage over a woman, “no matter what her experience or ability . . . I also find that women do not, as a whole, prefer women as lawyers. In fact they quite prefer men . . .”

Nonetheless, Elva closes on a more positive note: “However, outside of strict professional duties, there is unquestionably a real need for women with a legal education. All women need to know more of the law of contract and property; it is needed for the woman’s protection, it is needed for the good of the community.” Moreover, “when a woman is made to suffer unjustly, it is the woman attorney who has the most effective power to ask for a change. A tremendous power for good lies in her hands if she only have the preparation and courage to exercise it.”

... I also find that women do not, as a whole, prefer women as lawyers. In fact they quite prefer men...

— Elva Hulburd Young

Yet Elva dropped out of law after marriage. She continued to serve as bursar of the American Association of University Women from 1901 to 1915. She was head of the Utah Wellesley Club and gave a lecture in 1911 to the Ladies’ Literary Club on the topic “Education and the Higher Life.” The photo on the previous page from the 1928 yearbook for Salt Lake City’s West High School shows Elva—Mrs. Van Winkle—as a teacher of history and debate.

We know more about Elva’s predecessors’ lives than about their Cornell Law experiences. But their lives speak volumes.

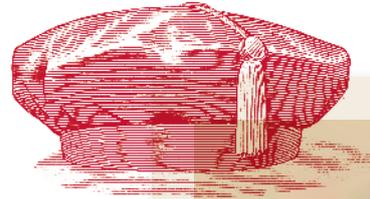
Mary E. Kennedy¹⁰

was born on July 19, 1864, outside tiny Troy, Vermont, near the Canadian border, one of four children of **Michael Kennedy** and **Amanda Melvina Webber**. Michael was a first-generation Irish American and a farmer who grew hops and maintained a 400-tree sugar maple orchard on his 225-acre farm. One of Mary’s brothers, **James Carroll Kennedy** (1852–1924; B.C.E. 1879 Cornell), became a very successful mining engineer, working in Colorado and elsewhere in the West.

In 1884 Mary graduated from the “classical department” of St. Johnsbury Academy in Vermont. She went to Colorado to teach, and also served as the first assistant principal, at Colorado Springs High School. She soon met and, about 1888, married **Dr. Frank P. Brown** (1857–1889). The newlyweds lived the high life, traveling throughout the United States and Europe, until Dr. Brown died, leaving his wife a large fortune. In 1890 Mary Kennedy Brown enrolled as a special student at Wellesley College for one year to study history and English literature.

Litigation over her own business matters, and presumably her brother’s Cornell experience, led Mary in 1891 to enter Cornell Law. Despite the demanding workload, she did well in the class of sixty-two students, writing her required thesis¹¹ and receiving her LL.B. in 1893.¹²

The Rookery Building in Chicago, which housed the law firm of Collins, Goodrich, Darrow & Vincent, where Mary Kennedy Brown worked for several years as a lawyer



Through competitive orations, she was selected as one of seven university students to deliver an address at Cornell University's graduation ceremony.

After graduation Mary stayed on in Ithaca for a while, teaching a SUNY course entitled Evolution and Present Condition of the Laws Affecting Women. Mary then moved to Illinois, where she was admitted to the bar in 1894. She practiced in Chicago for three years, at the notable firm of Collins, Goodrich, Darrow & Vincent. In addition, she was active in Republican women's groups and supported woman suffrage. From Chicago, Mary moved to Boston and practiced law there. In 1899, she married the well-to-do **Lt. Alan Wyldbore Bosworth-Smith** (1870–1901), heir to an English baronetcy, at Pembroke Church in Hamilton, Bermuda. Soon the couple moved to England, and Mary became a British subject. Soon thereafter, she experienced another marital tragedy when, in a North Sea storm, Alan went down with the ship

he commanded. Yet Mary was to marry again. Her third husband was **Count Dumolin** of Munich. Mary moved to Germany, living for several years as Countess Dumolin in Munich and Berlin before the war.

However, it seems that Mary's third marriage did not end well, for she returned to the United States, where she lived at a series of not-so-posh addresses in lower Manhattan. No longer a U.S. citizen, she could not enter the New York State bar. Instead, she took a clerical position at the American Book Company in Washington Square. Mary died on April 29, 1932, in her apartment at 223 W. 17th Street in New York City. She had been ailing for about a year. She had no children and lived alone. Her kindly landlady, **Mrs. Nora Lamy**, had been taking care of her but did not know what to do with the body. She contacted Mary's lawyer, but he refused to take responsibility and "said to let the City bury her."¹³ The Cornell Club interceded and tracked down Mary's niece in Vermont to make final arrangements.



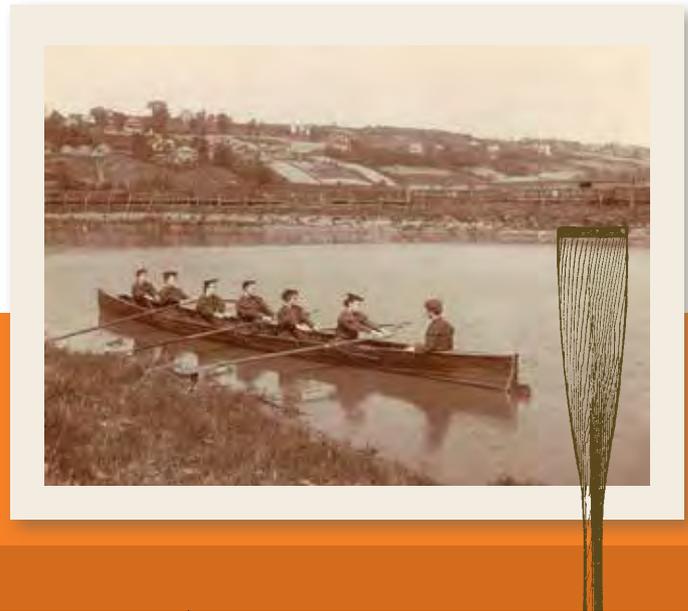
Helen Mae Colegrove

was born in Salamanca, New York, on April 18, 1873, one of two children of **John P. Colegrove** (1833–1916) and **Salina Parker**, who were both doctors. She went directly from Salamanca High School to Cornell Law. While at Cornell, she engaged in all kinds of activities, including the Cornell Congress, the Cornell Chorus, the Sage Parliament, and the Wayside Club for women, and she also served as class secretary! She was a Delta Gamma sister. Her thesis was on trademark law.¹⁴

After graduation, Helen Mae returned to her hometown of Salamanca, and on April 19, 1898, married Buffalo native **Walter Charles Nichols** (1867–1965), who had come to her door as a door-to-door salesman. The couple moved to Buffalo, where they had two children: **Phillips** (Cornell '23) and **Helen** (Cornell '24).

Helen Mae was very active in Buffalo-area woman suffrage and political groups, serving as director of the Women's Education and Industrial Union, a member of the Political Equality Club, chair of the Executive Committee for Woman Suffrage in Buffalo, and a charter member of Buffalo's League of Women Voters. Helen Mae seemed to have some money;¹⁵ she and her husband would later spend summers and winters in Canada and Florida. In her last two years, Helen Mae was wheelchair-bound and lived

The Cornell women's six-oared crew with Kellor in stroke position



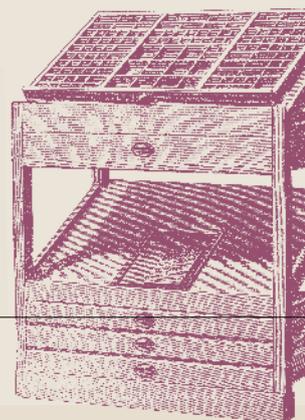
across the street from her daughter in Waverly, Pennsylvania. She died on June 1, 1964.

Helen Mae certainly instilled Cornell loyalty in her family. Both her son and her daughter graduated from Cornell. Her daughter, **Helen Nichols '24**, had three children, members of the Classes of 1950, 1952, and 1955 at Cornell; Helen Nichols' husband, Cornell Class of 1923, was a famous architect who designed Lynah Rink. Helen Nichols and her daughter, **Gretchen Von Storch** also pledged Delta Gamma. Gretchen and her son, well-known architect **Whitney Sander**, describe this line of families as "matriarchal." Helen Mae, whom they further describe as being modest, remained connected with Cornell until late in her life, through both the Delta Gamma sorority and the Buffalo Club of Cornell Women.

Frances Alice Kellor,¹⁶

one of Cornell Law School's first LGBTQ+ students, was born in Columbus, Ohio, in 1873. Soon after her birth and her father's abandonment, she and her mother moved to Coldwater, Michigan. As a child, "Alice" hunted with a slingshot and rifle and helped her mother, who was a laundress. When financial hardship forced Alice to drop out of high school to find a job, she became a newspaper typesetter, and then worked as a reporter. At sixteen, she moved in with the wealthy Eddy sisters, who were local social activists and took on the task of homeschooling her.

In 1895, she, and perhaps **Frances Eddy**, moved to Ithaca, where she enrolled in Cornell Law after passing an entrance exam. Now known as "Frances," Kellor became president of the Women's Debating Club. In 1897 she founded the Women's Boating Club, which lasted until 1933, when it went into hiatus until being revived in 1974 and becoming a varsity sport in 1975. She got a shell and a boathouse built.



Later, with a former girlfriend, Frances would coauthor *Athletic Games in the Education of Women* (1909), which championed the importance of physical exercise in the emancipation of women.

Frances wrote an impressive senior thesis at Cornell,¹⁷ which argued for incorporating the lessons of the new social science of criminal anthropology into criminal law. The die was cast. Although she would use her legal training on a daily basis, she would not be a practicing lawyer. Instead, she was off to the University of Chicago for graduate studies in sociology. There she would rail against the genetic theory of crime being pushed by the dominant Italian school of criminal anthropology. Frances's field studies in local and southern prisons yielded her first book, *Experimental Sociology* (1901), which stressed the socioeconomic influences on crime. She lived and worked in Hull House, the famous settlement house founded by **Jane Addams**. She also earned extra money as a gymnastics instructor and basketball coach at the university.

In 1902 Frances moved to New York City, a permanent change of location, for further studies at what is now known as the Columbia University School of Social Work. She lived and worked at the Henry Street settlement house. In 1904 she began her lifelong partnership—passionate, playful, and mutually supportive—with the well-to-do progressive **Mary E. Dreier** (1875–1963). A happier personality emerged after she moved in with Mary, but Frances remained the same brusque,



CLOCKWISE: Kellor reclines on the deck of the Bremen crossing the Atlantic, probably in 1920; Kellor at work; Mary E. Dreier is in the passenger seat as Kellor drives; Kellor (on the right) with members of the 1916 Women's Committee for Hughes.

independent-minded, persistent, pragmatic, down-to-earth, and modest person.

Frances moved into hands-on social work and eloquent social advocacy on behalf of the oppressed—blacks, women, migrants, domestic workers, immigrants, the unemployed, prostitutes, prisoners. She wrote dozens of books and uncounted articles—including classics such as *Out of Work* (1904, revised 1915), the first empirical (and undercover) study of unemployment and labor conditions in America. And having a gift for organization, she started movements—as director of the new Inter-Municipal Committee on Household Research, as the first executive secretary of the National League for the Protection of Colored Women (one of three organizations that later consolidated to form the National Urban League), as secretary and treasurer of the New York State (NYS) Immigration Commission, as chief of the NYS Bureau of Industries and Immigration (first woman head of a NYS bureau), as managing director of the

North American Civic League for Immigrants, and as chair of the National Service Committee of the Progressive (Bull Moose) Party. Indeed, she became part of **Theodore Roosevelt's** "Female Brain Trust," with **Jane Addams** and **Florence Kelley**. It is notable that her heavy political involvement preceded women's right to vote. Roosevelt admitted in his autobiography: "I always favored woman's suffrage, but only tepidly, until my association with women like Jane Addams and Frances Kellor, who desired it as one means of enabling them to render better and more efficient service, changed me into a zealous instead of a lukewarm adherent of the cause . . ." Later Frances chaired the Women's Committee for the National [Charles Evans] Hughes Alliance, directed the National Americanization Committee, ran the Inter-Racial Council, and was president of the powerful American Association of Foreign Language Newspapers.

In addition to her service-based work and legislative reform on behalf of immigrants, Frances shifted the focus of her scholarship, which culminated in *Immigration and the Future* (1920). She was identified with "Americanization," meaning assimilation and protection. Today that might be controversial, but there is no doubt as to the goodness of her intentions. In fact, her aim has been better called Multicultural Nationalism. She was concerned with the material well-being of immigrants and believed that they could better fight against exploitation and for their eco-

nomical interests once they adopted some aspects of American life. More specifically, she provided newly arrived immigrants with leaflets and brochures in their native language informing them about the associations and networks that they could rely on to start their new life in America, encouraged immigrants to learn English and civics, and fought prejudice and sought cooperation and understanding between immigrants and long-term Americans.

In the early 1920s, as Congress stopped the inflow of immigrants, she again shifted her main attention to a newer passion: arbitration. In 1926, she would be a founder of the American Arbitration Association, effectively running the organization as its first vice president under male figureheads for the rest of her life. She worked tirelessly to educate about arbitration and to expand its use as an alternative dispute resolution mechanism in the new industrial society, for labor and international conflicts but also for all disputes as a matter of peaceful self-regulation. As part of this work, Kellor shepherded the publication of the *Code of Arbitration Practice and Procedure of the American Arbitration Tribunal* (1931).

Frances died in 1952 in New York City. As a *New York Times* editorial then put it, "She could look back over long years of life and feel sure that civilization in this country had grown more humane and intelligent during that time; she could feel sure, too, that she had had a part in making it so."



Ten National Woman's Party members from New England states in Washington, D.C. in 1924 (L to R): Jessica Henderson, Anne Archbold, Mrs. William Draper, Sallie Hovey, Hazel Mac Kaye, Gail Laughlin, Mrs. Ernest Schelling, Mary Kelly Macarty, L. W. E. Havemeyer, Elsie Hill.



**Dr. Mary A. Sperry
Leaves Estate to
Woman Companion**
Mother and Relatives of
Physician Receive
No Bequests

Abbie "Gail" Hill Laughlin

was born in Robbinston, Maine, on May 7, 1868, next to youngest of nine children of **Robert C. Laughlin** (1820–1876) and **Elizabeth P. Stuart** (1829–1899). Gail's family was poor, especially after the death of her Irish-born, iron-worker father. At the age of twelve she supposedly vowed to commit her life to the cause of women's emancipation. She served that cause until her death on March 13, 1952, in Portland, Maine.

Gail came to Cornell Law after graduating first in her class at Portland High School in 1886 and then earning a B.A. from Wellesley College in 1894. Registered at Wellesley, over her objections, as "Abigail" rather than "Abbie," she began to be called Gail by friends and soon after took Gail as her legal name. As a first-year student at Wellesley she founded the Agora Society for the study of civics and politics, then

served as president all four years of her college career.¹⁸ To pay for her education, Gail worked for four years as a bookkeeper at \$4 a week before entering Wellesley, and for two years after college graduation as an editorial writer for the *American Economist*.

Admitted to the New York State bar in 1899, she opened a law office in New York City to deal specifically with women's issues. That venture was unsuccessful, so she moved on to the U.S. Industrial Commission from 1900 to 1902 as an expert agent conducting research on the working conditions of women in domestic service. She spent 1902 to 1906 campaigning for the National American Woman Suffrage Association as a "gospel laborer." In 1906 she moved to Denver, where women had the right to vote and where she opened a law office and assumed several political offices. In 1914 she moved with **Dr. Mary A. Sperry** (1863–1919) (pictured above) to Mary's hometown of San Francisco, where Gail opened another law office. There she continued her activism, inter alia drafting the law that allowed women to serve on California juries and defending it in the state supreme court,¹⁹ and also serving as a judge in the police court. After Dr. Sperry's death, Gail became homesick and moved in 1924, with Mary's ashes, back to Portland,

where she practiced law with her younger brother, Frederick. In 1929, she was elected to the first of three terms in the Maine House of Representatives, followed by three terms in the Maine Senate. During her years in office she worked ceaselessly and effectively for women's rights; for example, she passed bills raising the minimum marriage age for girls from thirteen to sixteen and preventing the commitment of women to mental institutions on their husbands' say-so. During her last two terms in the Senate, she was chair of the Judiciary Committee, the first woman to hold that position. Afterwards she served as Maine's first woman Reporter of Decisions. In 1931, a visiting Cornell University alumna described her as being "very successful" and living well.²⁰ Her career, which also included being vice chair of the National Woman's Party and the founder and president of the National Federation of Business and Professional Women's Clubs, warranted her induction into the Maine Women's Hall of Fame. On the side, she was an avid golfer and angler.

The big picture here is that Gail was a very significant figure, nationally and in Maine. She characterized her lifelong work as being for "absolute equality in custom and law."²¹ After all her successful work for suffrage, she turned



Members of the 200-car motorcade that Gail Laughlin led in 1927 to South Dakota, where they met with President Coolidge and asked for his support of the Equal Rights Amendment.

The big picture here is that Gail was a very significant figure, nationally and in Maine. She characterized her lifelong work as being for “absolute equality in custom and law.”

her attention to the Equal Rights Amendment, which was first introduced in Congress in 1923. A highlight was her leading, as vice chair of the National Woman’s Party, a 200-car motorcade in July 1927 from Kansas to South Dakota over dirt roads in order to corner President **Calvin Coolidge** where he was summering in the Black Hills National Forest and to beg his support in passing the ERA. She advised the president that if he wanted his name to rank alongside Lincoln’s, he should back the proposed amendment. Referring to the fact that many women opposed the amendment out of fear of losing legal protections, Coolidge condescendingly reassured her that when most women



unmistakably supported eliminating all legal differences between the sexes, they would prevail: “Men have a habit of giving women what they want.” Nonetheless, her protest garnered a massive amount of attention in the media. In sum: “The colossal feats and deeds of Gail Laughlin with regards to women’s emancipation and enfranchisement need no introduction. As an attorney-at-law, suffragist, legislator and feminist, Gail Laughlin has earned a monumental standing . . . She pioneered the worthy crusade for equality for women and inspired them to take up challenges hitherto confined to men alone.”²²

Conclusion

Did traditional marriage or children mesh with a legal career in the old days? The answer is no, and this answer seems not an imagined effect of those life choices. A study of thirty early women students at Cornell Law shows that 43 percent never put their degree to use.²³ Of those women, all but one were married.²⁴ Of those who did use their law degree, 65 percent were married, but “there was a tendency to discontinue practicing before or after the birth of their first child.” Moreover, “it was found that the women who remained single and practice[d] law had the most successful careers in law” among their women law peers.

At the time, a mother’s place in society was fixed, and largely incompatible with a law-based career. Even the interim goal of more equal educational opportunity awaited substantial social and legal evolution.

Helen Mae Colegrove and Elva Hulburd Young made their mark outside the law, and their lives as mothers were just as meaningful as the others’. The entire Cornell Law School family owes an eternal debt to each one of these five trailblazers—our first five alumnae. ■



The Inaugural Mary Kennedy Brown Society Women's Summit

Nearly 128 years after Mary Kennedy Brown became Cornell Law School's first female graduate, the alumni network named in her honor will host its inaugural Women's Summit in March 2021 in New York City. The summit will celebrate the school's trailblazing women, foster connections among diverse graduates, and present panel discussions about entrepreneurship, leadership, networking, and advocacy. Originally scheduled for March 13, 2020, the event was postponed because of the COVID-19 pandemic.

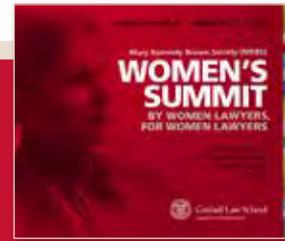
"There's such a long history of pathmaking women graduates at the Law School, and this gives us a chance to celebrate them as a group," said Jacqueline Duval '92,

of counsel at Herrick Feinstein LLP and incoming president of the Mary Kennedy Brown Society. "The program highlights areas where women and people of

color have had a harder time getting traction, and we feel that's a great focus for our first summit."

The event is open to anyone and registration information will be available in the fall.

While tackling modern challenges, the inaugural Women's Summit—originally planned to coincide with the centennial of the 19th Amendment's ratification—will also reflect on progress made over decades.



"Because there's such a history of pioneering women, it's less of a big deal for women to feel like they can see themselves in leadership roles here," said Rosalind Major, a second-year law student and alumni relations chair of the Women's Law Coalition, who served on the summit's planning committee.

FOOTNOTES

1. Recall that "Cornell Law" was merely the undergraduate Law Department of Cornell University at that time. It adopted the name College of Law in 1898 and Cornell Law School in 1925.

2. See Barbara Miller Solomon, *In the Company of Educated Women: A History of Women and Higher Education in America* (1985).

3. See Charlotte Williams Conable, *Women at Cornell: The Myth of Equal Education* 7 (1977) ("The concept of coeducation implies not only similarity in education but also equality of educational opportunity without regard to sex.").

4. See "Co-education at Cornell," *New York Herald*, June 24, 1894, § 4, at 1. After quoting a male Cornell student who had belittled his female classmates for lacking style in *The Cornellian* 228 (1894), "there's one now as old as the hills," the news article observes: "It has already been intimated that there is little social intercourse between the students and the 'co-eds.' ... On the campus the social ostracism of the unfortunate 'co-eds' is striking. ... There are two main reasons for the existence of these conditions, and each of the reasons, in part, accounts for the other. First, there is a strong feeling among the [male] students against co-education. ... Second, ... it is perfectly patent that the men do not [regard the women as their equals socially]." The iconic Goldwin Smith resigned as a Cornell professor in 1872, telling President Andrew Dickson White that admitting women would cause Cornell to "sink at once from the

rank of a University to that of an Oberlin or a high school" and that all "hopes of future greatness" would be lost by admitting women.

5. In addition to the women listed, Julie Regula Jenney, a graduate of the University of Michigan Law School who in 1920 would become the first woman deputy attorney general of New York, did postgraduate work at Cornell Law in 1893–1894.

6. The program was increased in 1897, prospectively, to three years.

7. By 1898 admission required a four-year high school education. Cornell Law became a graduate program requiring an undergraduate degree in 1924.

8. Elva Hulburd Young, "Coeducation and Education," 7 *Wellesley Mag.* 76 (1898). She had earlier compiled a book entitled *Cecilia Docta: A Collection of Songs from Women's Colleges* (1895).

9. Elva Hulburd Young, "The Law as a Profession for Women," *Publications Ass'n Collegiate Alumnae*, Feb. 1902, at 15. Interestingly, there is an identically titled article from Australia, by the first woman lawyer in Victoria, Flos Greig, in 6 *Commonwealth L. Rev.* 145 (1908–1909). It is less gloomy, even though progress was slower there than in America.

10. See Kevin M. Clermont and Lyndsey Y. Clark, "Mary Kennedy Brown: Our First Woman Lawyer's Dramatic Life," *Cornell L.F.*, Fall 2015, at 10, http://forum.lawschool.cornell.edu/Vol41_No2/Feature-3.cfm.

11. "The Statutory Liability of Stockholders for Corporate Debts" (1893) (unpublished LL.B. thesis, Cornell Law), http://scholarship.law.cornell.edu/historical_theses/334/.

12. "The Cornell Law School enjoys the distinction of its first female student. She stood in line on registration day with the male students and proved her courage by announcing her age in the hearing of everybody." *Elmira Daily Gazette & Free Press*, Sept. 30, 1891, at 4 (entire report).

13. Letter from Jessamine S. Whitney to Mrs. W.W. Rogers, May 2, 1932, in Cornell University's alumni files (wherein a representative of the Cornell Club reaches out to Mary's niece).

14. A Glossary of Terms Passed Upon in American Trade Mark Cases" (1896) (unpublished LL.B. thesis, Cornell Law), https://scholarship.law.cornell.edu/historical_theses/367/.

15. See In re Colegrove, 221 N.Y. 455 (1917) (construing the will of her father). He had been a director/owner of the Seneca Oil Co.

16. See Kevin M. Clermont and Clotilde Le Roy, "A Photo Essay: Frances Kellor, LL.B. 1897," *Cornell L.F.*, Fall 2017, at 12, <http://forum.law.cornell.edu/fall2017-chapter-3284779>.

17. "Criminal Anthropology in Its Relation to Criminal Jurisprudence" (1897) (unpublished LL.B. thesis, Cornell Law), http://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=1327&context=historical_theses. The last year Cornell Law required a thesis was 1897.

18. See <https://theagorasociety.net/>. In 1894 she gave an Agora speech attacking the Wilson tariff bill. It was published to the tune of 100,000 copies, attracting great attention and getting her a job at the *American Economist*.

19. Ex parte Mana, 178 Cal. 213 (1918) (amicus brief in case upholding the law).

20. Memo from Eunice Stebbins '97 to Cornell Alumni News, Dec. 4, 1931.

21. See Phyllis Herrick vonHerrlich, "Absolute Equality for Women in Law and Custom": Gail Laughlin's Fight for Gender Equality in the Maine Legislature," https://www.researchgate.net/publication/304124684_Absolute_Equality_for_Women_in_Law_and_Custom_Gail_Laughlin%27s_Fight_for_Gender_Equality_in_the_Maine_Legislature (2010) ("She was informed, determined, confident, eloquent, and courageous in her legislative work.").

22. "Gail Laughlin Biography," <http://lifestyle.iloveindia.com/lounge/gail-laughlin-biography-10506.html>.

23. Kathleen M. Best, "Women Lawyers: A Case Study of Early Female Graduates from the Cornell University Law School" (1979), Kroch Library Rare & Manuscripts Archives 700-95.

24. The unmarried woman was Mary Chandler Lowell, who already had an M.D. before spending a year at Cornell Law in 1899–1900.



Trailblazing Women Graduates OF THE PAST CENTURY

CORNELL
TRAILBLAZERS



JANE FOSTER

Jane Foster '18, for whom an addition to Myron Taylor Hall, a scholarship, and an endowed professorship are named, was one of two women in her graduating class, having served as an editor of the law review and having been awarded the Order of the Coif. However, no law firm would hire her as a lawyer. The only offer she received upon her graduation was a job as a legal assistant with the New York City firm of Davies, Auerbach, and Cornell. Foster worked at the firm from 1918 to 1929, helping to restructure companies, and developing expertise in that area.

When Foster left Davies, Auerbach in 1929, Dean **Charles Burdick**, who had been faculty editor of the *Cornell Law Quarterly* when Foster had served on its editorial board, offered to help her find a job as a lawyer. He contacted law firms, banks, and the Securities and Exchange Commission in Washington, D.C., on her behalf, but to no avail. One response, from a prominent New York City firm, was typical: "Here in this office we have steadfastly refused to take women on our legal staff, and I know that we will continue to adhere to that policy."

With no prospect of advancement, Foster dropped out of law and put her business and financial skills to work elsewhere. Foster had invested wisely, though; she held stock in companies such as the Computing-Tabulating-Recording Company—the company that was to become IBM. She continued to live in Brooklyn Heights, and focused her considerable legal and business skills on the affairs of her friends, her community, Cornell Law School, and her own growing financial interests. In the 1950s, she returned to the family home in Portsmouth, Ohio, to care for her ailing mother. She lived there until her own death in 1993.

"By the time of her death in 1993, a week shy of her one-hundredth birthday, Ms. Foster had done more to support legal education at Cornell than any other person in the school's history..."

The Foster Professorship was first held by **Peter Martin**, who joined the faculty in 1972 and served as dean from 1980 to 1988. In a biography that appeared in an issue of the *Cornell Law Review* dedicated to Foster in 1995, Martin wrote: "By the time of her death in 1993, a week shy of her one hundredth birthday, Ms. Foster had done more to support legal education at Cornell than any other person in the school's history—despite a career scarred and shaped by overt and ugly discrimination that most of us may like to forget, but she never could. . . . In life, she was uncomfortable with public attention, but she was proud of what she was able to do for legal education at Cornell."

At the dedication of the Jane Foster addition to Myron Taylor Hall in 1989, then Dean **Russell K. Osgood** said "This house . . . built with the generosity of a careful, humble woman, to whom many opportunities were closed because of her sex . . . will remind us that our society, and our legal system, are not built and should not operate to confirm the powerful in their privileges, but to empower all people, to unlock the potential in the mass of us, to do something and to do it well."



The Jane Foster
addition to
Myron Taylor Hall.





MARY DONLON

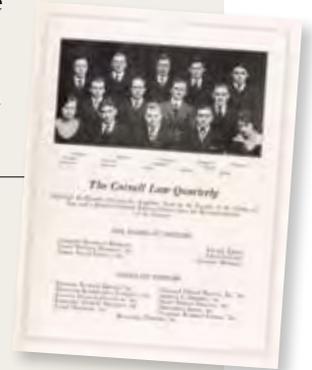
Mary Donlon '20 was the first woman to be editor in chief of a law review in the United States, decades ahead of any other claimant to that honor. Even more impressive, she was the first woman to become a partner at a Wall Street law firm. Donlon's credo that every successful woman should provide "a strong pair of shoulders" on which other women could climb was expressed through her personal example, her active encouragement of other women, and her constant campaigns on behalf of the women of Cornell.

Donlon was born and grew up in Utica, New York, and graduated from the Utica Free Academy. She was clearly an outstanding student in her four-year program at Cornell, and was elected to Mortar Board, the senior honor society, based on grades. Most unusual of all, after two years of service on the *Cornell Law Quarterly*, she was elected editor in chief, the only woman on a board of fourteen editors and the only woman elected editor in chief at any law school in the United States prior to World War II. Other schools were slow to follow, with the first woman editor in chief at Columbia in 1952, at Stanford in 1964, and at Harvard in 1977. Cornell Law School stood out in 1920 as very much ahead of its time.

Donlon's story is even more remarkable because she found employment as a lawyer upon graduation from law school at the Wall Street law firm of Burke & Burke. Women law graduates at that time were largely frozen out of the market for attorneys in New York City. Moreover, in 1928 Donlon was made a partner, becoming the first woman partner at a Wall Street firm. This distinction has almost universally been attributed to **Soia Mentschikoff** in 1944, followed by a long hiatus. Most Wall Street firms did not have a single woman partner until the late 1970s and early 1980s, and women are still underrepresented in this role.

Donlon worked at Burke & Burke for almost twenty-five years and was the only woman attorney at the firm during that entire period. Her work there apparently included serving as counsel to a number of foreign corporations and their American affiliates and handling legal matters concerning importation of goods to the United States.

Donlon remained very involved in Cornell after her graduation and was elected to the Cornell University Board of Trustees in 1937 and 1942 and was the only woman on the board until 1944. Moreover, she was the only woman later to be reelected by the board itself, and she served in this capacity from 1946 to 1966. She was the first woman chosen to be on the Executive Committee and served for a time as its vice chair.



"...every successful woman should provide 'a strong pair of shoulders' on which other women could climb..."

Donlon also played an active role in the Republican Party of New York State, serving as a delegate to the national party convention numerous times and as a New York member of the Committee on Resolutions that drafted a national party platform. She was the first woman to head a resolutions subcommittee at a Republican National Convention.

Because of her Republican Party connections and service as a Cornell trustee, Donlon was instrumental in the establishment of Cornell's School of Industrial and Labor Relations. The idea of starting such a school at Cornell was conceived by Donlon's friend **Irving M. Ives**, at that time the majority leader in the New York State Assembly. Donlon acted as an intermediary between Ives and Cornell president **Edmund Ezra Day** and helped Ives convince members of the board of trustees to establish the ILR School.

In 1944 New York governor **Thomas E. Dewey** appointed Donlon chair of the New York State Industrial Board, and a year later chair of the New York State Workmen's Compensation Board, in which capacity she served until 1955. Dewey would later proclaim that "few women, and, indeed, few men, have done as much for government as Mary Donlon."

In 1955 President **Dwight D. Eisenhower** appointed Donlon judge of the United States Customs Court, his first appointment of a woman to the federal judiciary. In a *Washington Post* article about her appointment, she expressed her hope that the honor given her would stimulate further appointments of women to the federal and state benches.

In short, Donlon did not conform to the stereotype of early women achievers who saw their success as a reflection of individual merit and did not use their positions to ease the way for other women to join them. She was active all her life helping other women. In 1953 she went to Germany at the invitation of the German government to advise women leaders on citizenship training. In 1956, following the crushing of the uprising in Hungary, she established a scholarship to provide aid to any young Hungarian women accepted at Cornell; and in 1974 she established the Mary Donlon Professorship, to be filled only by a woman. Fittingly, in 1961 one of the new women's residences built on the developing North Campus was named Mary Donlon Hall.



CLOCKWISE FROM TOP RIGHT: Donlon on the Cornell women's baseball team, top row, right; Donlon meeting students; and Donlon in 1966 when she became a Cornell trustee emerita.





CONNIE COOK

As one of only three women in the New York State Assembly from 1962 to 1974, **Connie Cook '43** led extraordinary efforts—against the odds—to create change within a male-dominated government. As a Republican assemblywoman for New York's 125th district, she fought for women's rights and authored legislation in 1970 that decriminalized abortion in New York State, which paved the way for *Roe v. Wade* in 1973.

Cook's groundbreaking tenure in the state legislature wasn't the first time she was in the vanguard, and it wouldn't be the last. She was one of only three women in the Cornell Law School Class of 1943. After graduating, she worked as one of the first female lawyers in a New York City corporate firm, at a time when such firms did not even have women's bathrooms.

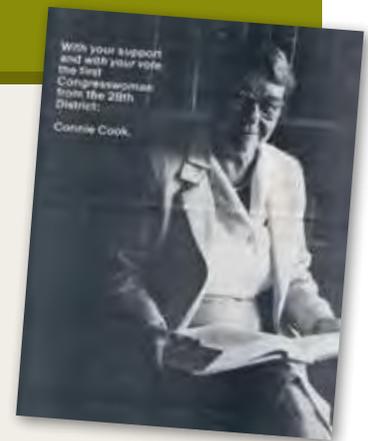
"Cook challenged the status quo not only as a political representative and candidate but also as a litigator."

She went on to serve as confidential legal aide to New York governor **Thomas Dewey** and as legislative and administrative aide to **R. Ashbery**, state representative from New York's 125th district. When Ashbery retired, Cook ran for his seat, taking on a four-way Republican primary before facing and defeating her Democratic opponent. This was the first of multiple trailblazing campaigns for public office that Cook undertook over the

course of her career. In 1974 she became the first woman in her district to run for U.S. Congress. Though she lost then, and in a second campaign in 1980, her efforts set a precedent.

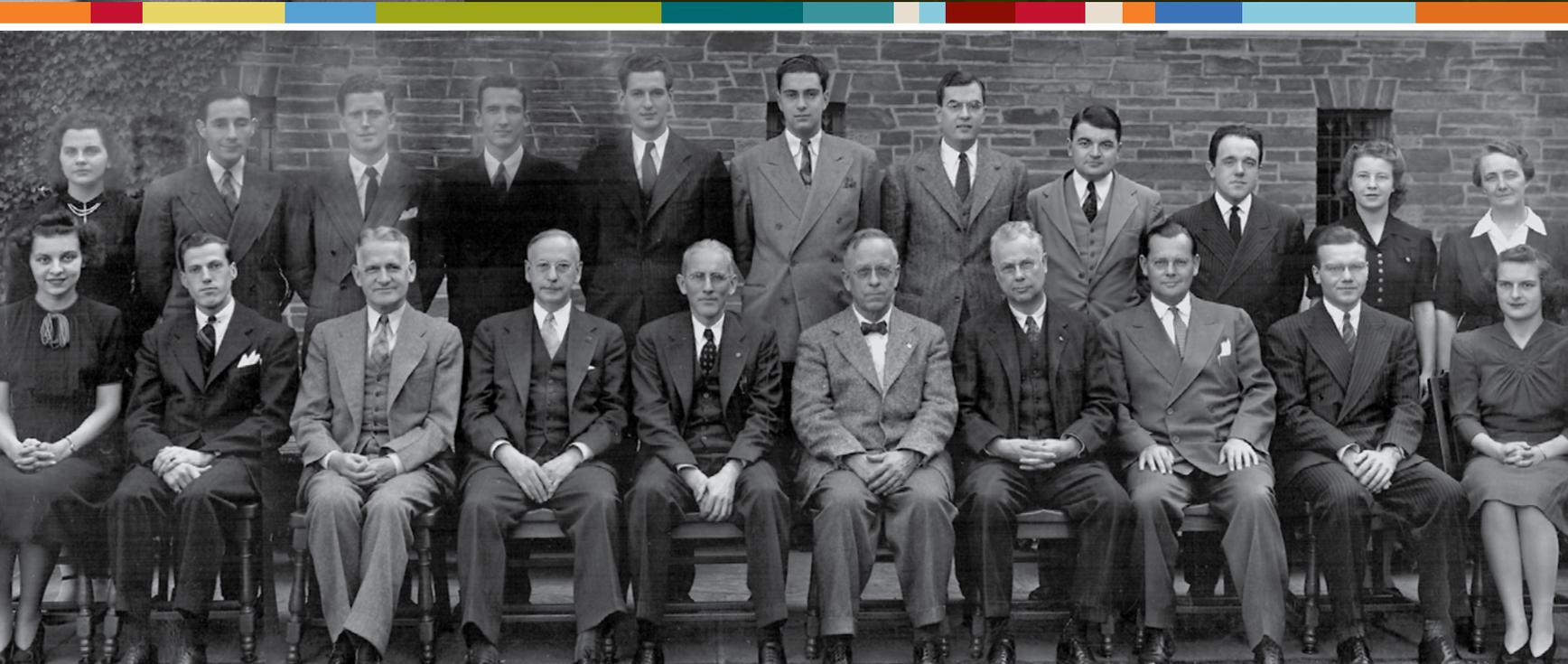
Cook challenged the status quo not only as a political representative and candidate but also as a litigator. In 1976 she represented Rev. **Betty Bone Schiess**, one of the first female Episcopal priests in the United States. When the Central New York diocese refused Schiess a license, Cook brought suit to the Equal Employment Opportunity Commission (EEOC). The EEOC ruled in Schiess's favor, compelling the Episcopal Church of the United States to allow the ordination of female priests nationwide. This was the same year that Cook became the first female vice president of Cornell University; she presided over land grant affairs from 1976 to 1980. In 1987, she joined the Ithaca firm of True, Walsh, and Miller, where she worked tirelessly until her retirement in 1992.

In 2015, Ithaca-based filmmaker **Sue Perlgut** released *Connie Cook: A Documentary*, which celebrates Cook as "a woman ahead of her time." The fifty-five-minute, interview-driven documentary focuses principally on Cook's fight to decriminalize abortion and includes a diverse cast of politicians and Cook's family, friends, and colleagues, along with archival footage of Cook's life and work.





CLOCKWISE FROM TOP LEFT: Connie Cook (left) with British Labour Party politician Barbara Castle in 1978; Cook on the floor of the New York State Assembly; Connie Cook in an Assembly meeting; Cook's Cornell Law School graduating class of 1943; and a Cornell yearbook portrait.





DORIS BANTA PREE ELIZABETH STOREY LANDIS JEAN RIPTON PETERSON

Although **Mary Donlon '20** was the first woman to head a law review, she was followed by the second, third, and fourth “first” women editors in chief in the 1940s, long before any other law journal got around to electing a woman to this post. In the spring 2014 issue of this magazine, **Cynthia Bowman**, the Dorothea S. Clark Professor of Law, recounted the rich lives of three of these women—**Doris Banta Pree '46**, **Elizabeth Storey Landis '48**, and **Jean Ripton Peterson '49**—and the challenges they faced as they pursued careers as lawyers. All of them went on to employment as lawyers for their entire working lives and succeeded at a time when women lawyers were not welcomed into the profession.

Doris Banta Pree practiced with a St. Louis firm and its successor for thirty-five years, although she was not made a partner until the early 1960s, almost twenty years after she'd started there. Initially, the firm would not put her full name on the firm stationery, referring to her as D. J. Banta. It also regularly held meetings in men-only clubs, some of which would not allow women even to come in for a meal. Although she had gone into law because she was interested in trying cases, she spent most of her career doing appellate work, with very few trials in lower courts on the side, while she watched young male associates get assigned to work on litigation. In 1980, Banta—now Doris Banta Pree—left the law firm to become vice president and general counsel at the St. Louis Water Company, a client for which she had worked at the firm. She worked there for eleven years.

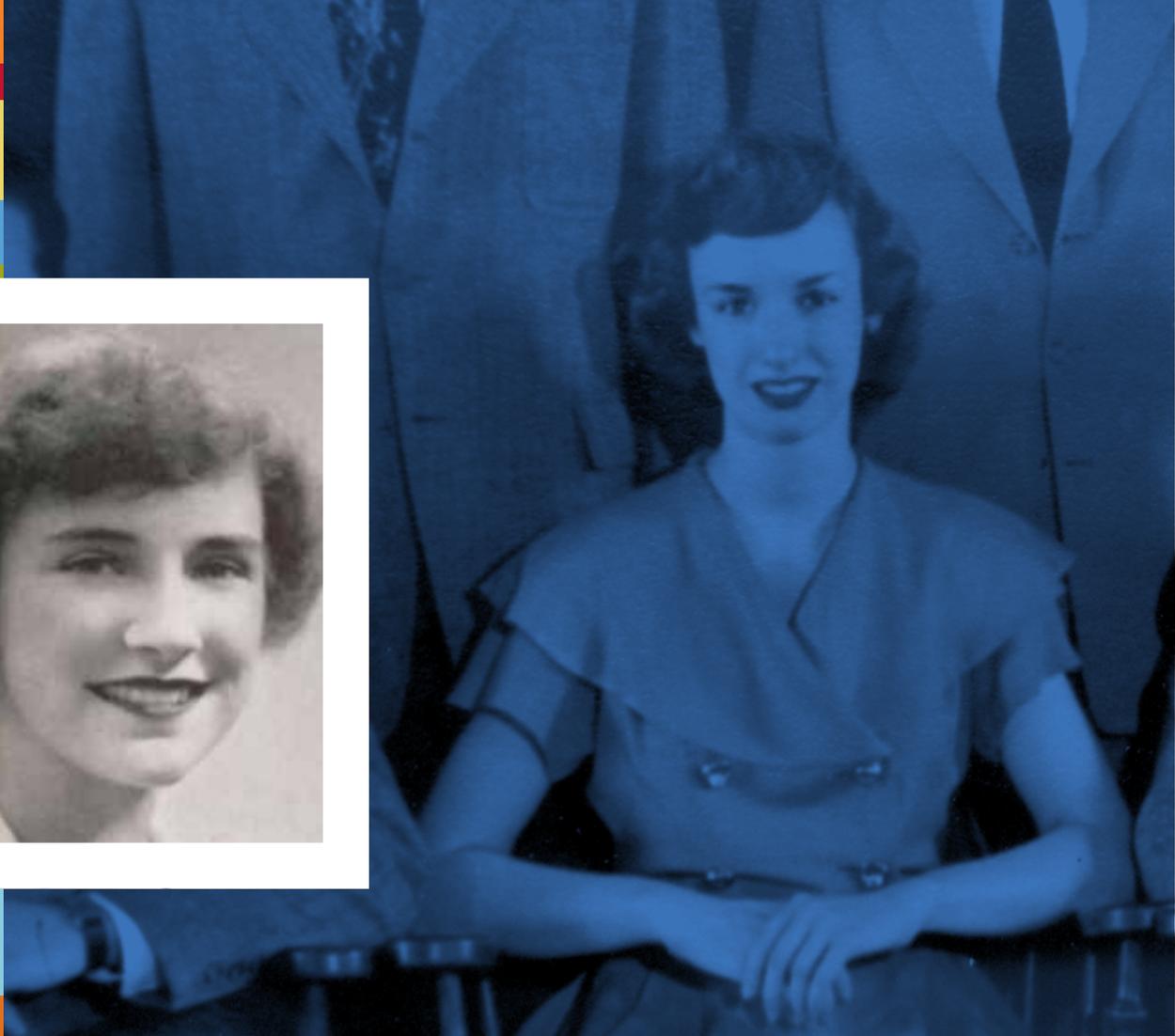
Elizabeth Storey Landis '48 dedicated her life's work to African law and independence. Throughout her career, Landis, who died in 2015, was a consistent supporter of the Annual Fund and made a bequest to the Law School in her will. In honor of that bequest, the Law School's newest and largest lecture hall was renamed the Elizabeth Storey Landis Auditorium in a ceremony on March 24, 2017. To mark the historic occasion, **Eduardo M. Peñalver**, the Allan R. Tessler Dean and Professor of Law, unveiled a portrait to be hung in the auditorium. In spite of her qualifications, Landis faced a problem many women law school graduates encountered in the 1940s: she couldn't find a job. Instead, Landis



Elizabeth Storey Landis Auditorium

earned a doctorate in law from the University of Lyon, and began work on a project to codify the laws of Liberia, which was adopted by the Liberian legislature in 1956; the following year, she was awarded the Liberian Humane Order of African Redemption. In the 1960s, she began to publish widely on law, human rights, and southern Africa, and remained closely connected to liberation struggles in Africa, working for the United Nations Council for Namibia as its senior political affairs officer from 1976 to 1981.

Following graduation, Jean Ripton Peterson '49 went to work at the Buffalo law firm of **Stanley Falk**, who had become a mentor to her during summer internships. Following the birth of Peterson's first of eight children, Falk, who was on the New York State Board of Law Examiners, hired her as an assistant law examiner to write exam questions and grade exams, a job that could be done from home. Peterson worked at this job from 1951 to 1981, when her youngest child was in middle school. From 1977 until 1984 Peterson also served as the chief attorney for the Erie County Court, and from 1984 to 1988, she was the attorney for the Town of Hamburg. She also served as counsel for the New York State Industrial Development Agency, in Hamburg, from 1984 until 2001, when she finally retired from the practice of law.



CLOCKWISE FROM TOP LEFT: Doris Banta Pree; Jean Ripton Peterson; and Dean Peñalver and Ithaca artist Bill Benson unveil a portrait of Elizabeth Storey Landis to be hung in the auditorium renamed in her honor.



TSAI ING-WEN



CLOCKWISE FROM TOP LEFT:
President Tsai at her reelection
celebration in January 2020;
Professor Jack Barcelo (left) with
Tsai during her 2008 visit;
President Tsai on her way to vote
in the 2020 election; and Tsai
with then Dean Stewart Schwab
in 2008 prior to her presentation
of that year's Clarke Lecture.



In a landmark election in 2016, **Tsai Ing-wen, LL.M. '80**, was elected president of Taiwan—the first woman to hold the island nation's highest office. In January 2020, Tsai was reelected in a landslide victory that was widely interpreted as a protest against China's attempts to exert control over the island.

After receiving her law degree from National Taiwan University, Tsai earned her Master of Laws degree at Cornell Law School. While the LL.M. program is one year, Tsai stayed at Cornell for two years, before earning a doctorate in law from the London School of Economics.

Tsai was one of the prime negotiators for Taiwan's membership in the World Trade Organization in the 1990s, and she once served as national security adviser to President **Lee Teng-hui, Ph.D. '68**, the first Cornell alumnus elected Taiwan's president, who served from 1988 to 2000.

Upon Tsai's reelection, **Dean Peñalver** noted that "the Law School cannot realistically claim any credit for President Tsai's tremendous success leading Taiwan for the past four years. That said, Tsai Ing-wen stands out among an illustrious list of Cornell Law School alumni who have gone on to distinguished careers in public service."



SHARICE DAVIDS



LEFT: Sharice Davids receives the Steven W. Siegel '68 Award from CUGALA, Cornell's LGBT Alumni Association. RIGHT: Davids delivers a talk at the Women's Law Coalition's Career Day in March 2018.



In November 2018, **Sharice Davids '10** made history when she became one of the first two Native American women elected to Congress and the first openly gay representative from Kansas. A Democrat and member of the Ho-Chunk Nation, Davids defeated four-term incumbent Republican U.S. representative **Kevin Yoder** in Kansas's 3rd district, which includes the Kansas City area.

At a ceremony on March 30, 2019, in New York City, Davids received the Steven W. Siegel '68 Award from Cornell's LGBT Alumni Association, CUGALA. The annual award recognizes an individual who has made a significant impact in the LGBTQ+ community.

"Last year, we reset expectations nationally around politics," she told the audience. "In the 116th Congress, there are more women and more people of color than ever before. Our members come from different religious backgrounds and different socioeconomic situations. . . . We are people

who understand the everyday lives and struggles of our constituents. Because we are living them ourselves."

Davids shares the distinction of becoming the first Native American woman elected to Congress with **Debra Haaland**, another Democrat who won a House seat, from New Mexico's 1st district. Both were part of a record number of ninety-eight women who were elected to the House of Representatives in 2018.

Raised by a single mother who was an Army drill sergeant, Davids attributes her success to hard work and a focus on education. Davids was in training to be a mixed martial arts (MMA) fighter while attending the Law School and would drive to Cortland and Syracuse to train with coaches. She later became a professional MMA fighter and traveled around the country competing in the women's division.

Jack Barceló Retires after Fifty-One Years at Cornell Law School

by KENNETH BERKOWITZ



Jack Barceló, who led the International Legal Studies Program for more than forty years, was the longest-serving faculty member in the history of the Law School.



reparing for the final lecture in a fifty-one-year career, **John J. Barceló III** thought back to his student days at Harvard Law School.

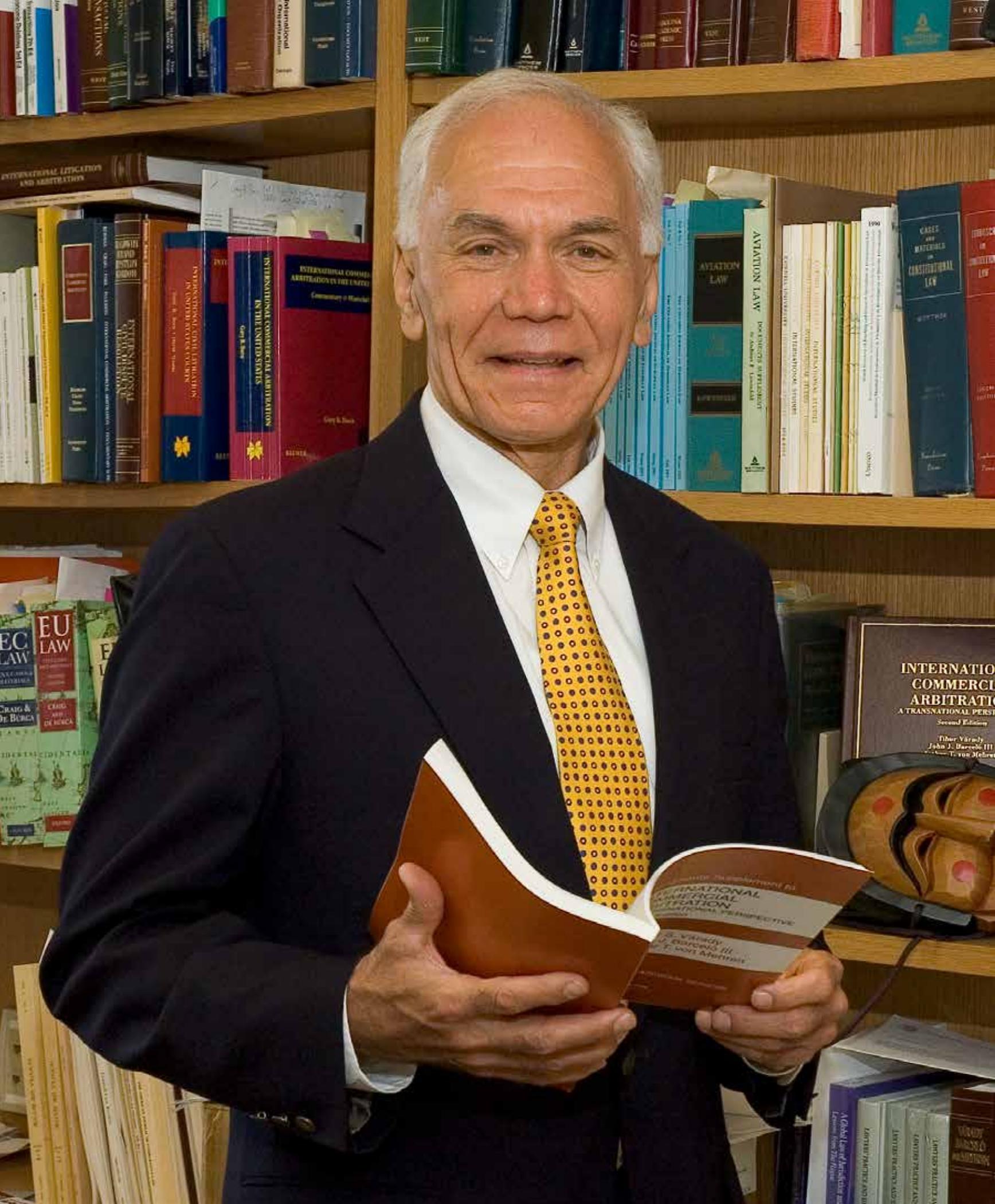
“It was our last class in Conflict of Laws, which I knew I’d be teaching at Cornell the following spring,” says Barceló, who

retired at the end of 2019. “In the middle of the lecture, the professor referred to a case and mentioned that the judge who wrote the opinion had been in his first law class. ‘And you,’ he said, ‘are in my last.’ That was it. I thought that was so elegant, I might try something similar. So I said, ‘Professor Hillman is retiring today. He was in the first class I ever taught. You are in my last.’ And I enjoyed that last class as much as I enjoyed the one before that and the one before that.”

Barceló arrived at Cornell Law School as a twenty-eight-year-old in 1969, having earned a J.D. from Tulane University, spent a year as a Fulbright Scholar at the University of Bonn, and com-

Barceló arrived at Cornell Law School as a twenty-eight-year-old in 1969, having earned a J.D. from Tulane University, spent a year as a Fulbright Scholar at the University of Bonn, and completed course and research work for an S.J.D., which he received from Harvard Law School.





INTERNATIONAL COMMERCIAL ARBITRATION: A TRANSNATIONAL PERSPECTIVE
Tibor T. von Mehren and John J. Honnold III

INTERNATIONAL COMMERCIAL ARBITRATION: A TRANSNATIONAL PERSPECTIVE
Second Edition
Tibor T. von Mehren and John J. Honnold III

INTERNATIONAL LITIGATION AND ARBITRATION

INTERNATIONAL COMMERCIAL ARBITRATION IN THE UNITED STATES
Commentary of Marshall
Gary B. Born

AVIATION LAW
DOCTRINE AND PRACTICE
BY ANDREW P. LAMBERT
LAWRENCE

CASES AND MATERIALS ON CONSTITUTIONAL LAW
WYTHE

EU LAW
CRAIG & DE BURCA
CRAIG AND DE BURCA



Global Law of Arbitration and
Lessons from The Process
LAWRENCE
LAWRENCE
LAWRENCE
LAWRENCE



Jack Barceló (front left) with (clockwise from left) Professor Robert A. Green; former Professor David Wippman; Professor of Law Emeritus Gary J. Simson; Dean Emeritus Russell K. Osgood; and Claire M. Germain, Edward Cornell Law Librarian and Professor of Law, Emerita.

“Cornell’s international program is spoken of very highly around the world, and a lot of that credit goes to Jack,” says **Muna Ndulo**, who succeeded Barceló as the Elizabeth and Arthur Reich Director of the Leo and Arvilla Berger International Legal Studies Program. “Jack laid the foundations of the program. He carried on the spirit of his mentor, **Rudy Schlesinger**, and brought a new depth to comparative legal studies at Cornell.”

Looking to expand international opportunities for Cornell Law School students, Barceló founded the Cornell-Paris I summer institute, which led to dual-degree programs that now link Cornell to Paris I, Sciences Po, and Berlin’s Humboldt University. He coauthored *International Commercial Arbitration: A Transnational Perspective* (West), which remains essential reading in law schools around the world, and in 2012, in recog-



pleted course and research work for an S.J.D., which he received from Harvard Law School. He started as an assistant professor, probably the first entry-level professor in Cornell Law School history, and joined a small, close-knit international and comparative law faculty led by **Rudolf Schlesinger** and **Robert A. Anthony**.

Over the next half century, Barceló taught nine courses—Administrative Law, Admiralty Law, Conflict of Laws, European Union Law, International Business Transactions, International Commercial Arbitration, Public International Law, Torts, and WTO Law—along with founding the Cornell-Paris I Summer Institute of International and Comparative Law, leading the Law School’s LL.M. and J.S.D. programs, and serving as an arbitrator under the United Nations Commission on International Trade Law rules.

“Jack touched countless generations of Cornell Law students,” says **Eduardo M. Peñalver**, the Allan R. Tessler Dean and Professor of Law. “He’s one of the pillars of this academic community, a key figure for all of us, and it’s hard to exaggerate his impact. From the latter part of the twentieth century through the first two decades of the twenty-first, he carried the torch of international law at Cornell, taking a field we’d always been known for, creating new strengths, and building an international reputation.”

Jack touched countless generations of Cornell Law students. He’s one of the pillars of this academic community, a key figure for all of us, and it’s hard to exaggerate his impact.

— Eduardo M. Peñalver



nition of a lifetime spent working toward international cooperation, Barceló was inducted into France's Legion of Honour, the highest award the nation gives to noncitizens.

At the time, Dean **Stewart J. Schwab** called Barceló "the center of the Law School's growth in international and comparative law." More recently, **Chantal Thomas**, the Radice Family Professor of Law, describes Barceló as a man of many accomplishments, singling out the summer institute as "one of his crowning achievements," along with a talent for welcoming and supporting colleagues. For **Mitchel Lasser**, the Jack G. Clarke Professor of Law, Barceló's legacy "is that he helped to construct one of the most internationally oriented institutions of higher legal education in the world. He's an enormously important figure, a pioneer in international collaboration, but what's less talked about is the graciousness, the elegance that continues to be an absolutely essential feature of who he is."



For Barceló, who's taught in Aix-en-Provence, Barcelona, Berlin, Bonn, Budapest, Buenos Aires, Hamburg, Heidelberg, Munich, New Orleans, Paris, Tempe, and Turin, the most satisfying part of his career has been teaching students about the importance of the rule of law in advancing freedom across the globe. "I was in a good mood for that last class, and oddly, it was not a sad day," he says. "I focused on substance, which is what has always been most fun for me. Now, many people might think international commercial arbitration doesn't sound exciting. But for me, it

[Barceló's legacy] is that he helped to construct one of the most internationally oriented institutions of higher legal education in the world. He's an enormously important figure, a pioneer in international collaboration, but what's less talked about is the graciousness, the elegance that continues to be an absolutely essential feature of who he is.

— Mitch Lasser



LEFT: Then Dean Stewart Schwab presents Ambassador Delattre with a gift from the Law School as the dean of the Sorbonne Law School Hélène Ruiz Fabri and Jack Barceló look on. RIGHT: French Ambassador to the U.S. François Delattre after presenting Jack Barceló with the French Legion of Honor medal in 2012.

always was. Because it's closely related to globalization, to the idea of bringing people all over the world closer and closer together, of bringing nations together to focus on advancing human prosperity.

"Teaching that always had an extra level of excitement for me, and I loved it," continues Barceló, who looks forward to spending his retirement traveling, researching, and lecturing. "I always loved it." ■

“Reasonable Bob” Hillman Retires after Four Decades

by IAN MCGULLAM



Robert A. Hillman, the Edwin H. Woodruff Professor of Law and a 1972 graduate of the Law School, retired in June after thirty-eight years of teaching.



On the last day of **Bob Hillman's** final Contracts class, his colleagues crowded into the classroom to wish him a happy retirement. Cornell Law School was losing an incisive legal mind and an engaging classroom teacher.

But for his fellow faculty members, the Law School was also losing a kind friend who would take care of you when you were sick. A genial regular at the lunch group who would regale you—repeatedly, it must be said—with the story about the time he was sued for reckless parking. The “soul of the Law School,” according to Professor **Kevin M. Clermont**.

“He’s certainly the most loved professor in the Law School,” said Clermont, the Robert D. Ziff Professor of Law. “We’re losing Norm from Cheers.”

“The ‘reasonable person’ standard is one that we use in a number of areas of law,” said **Eduardo M. Peñalver**, the Allan R. Tessler Dean and Professor of Law. “Bob is the most reasonable person I’ve ever met. And this is a commonly held view.”



On the last day of Bob Hillman's final Contracts class, his colleagues crowded into the classroom to wish him a happy retirement. Cornell Law School was losing an incisive legal mind and an engaging classroom teacher.





“One of Bob’s Contracts classes felt that way as well. And as an end-of-semester gift, they presented him with a nameplate for his desk that says simply ‘Reasonable Bob.’”

Robert A. Hillman, the Edwin H. Woodruff Professor of Law, retired in June after thirty-eight years of teaching at Cornell Law School. A 1972 graduate of the Law School, he joined the faculty in 1982 after clerking for two federal judges in the Southern District of New York, working at Debevoise & Plimpton in New York City, and teaching for seven years at the University of Iowa College of Law. In the nearly four decades since he returned to Cornell, Hillman taught and conducted research on contracts and contract theory, the Uniform Commercial Code, and related jurisprudence.



I used the Socratic method, which I’m a total believer in. But I wasn’t trying to scare the students to death. I was just trying to establish a dialogue, first with one student, and then get other students engaged and part of the discussion.

— Robert A. Hillman



In addition to authoring numerous articles in prominent journals, Hillman has written many books, including *Contract and Related Obligation: Theory, Doctrine, and Practice*, now in its seventh edition, with his mentor and fellow Law School professor, the late **Robert S. Summers**, and University of Pennsylvania law professor **David A. Hoffman**; the four-volume treatise *Uniform Commercial Code*, now in its sixth edition, with Summers and University of Michigan law professor emeritus **James J. White**; *Principles of Contract Law*, now in its third edition; and *The Richness of Contract Law*. Over the last decade, he has taken a particular interest in the law pertaining to software contracts, and was the Reporter for the American Law Institute’s *Principles of the Law of Software Contracts*. In March 2019, Hillman received a lifetime achievement award for his scholarship at the International Conference on Contracts.

In the classroom, Hillman used humor and a conversational touch, rather than dry lectures, to connect with students. “I used the Socratic method, which I’m a total believer in. But I wasn’t trying to scare the students to death. I was just trying to establish a dialogue, first with one student, and then get other students engaged and part of the discussion.”



Gregory S. Alexander, the A. Robert Noll Professor of Law, Emeritus, was one of Hillman's close colleagues. Whenever Alexander's specialties of property law and trusts and estates came up in Hillman's Contracts class or vice versa, they would rib each other about supposedly not knowing anything about their own areas of study. But when Alexander actually had a question about contract law, he knew where to turn.



LEFT: Peter W. Martin, Jane M.G. Foster Professor of Law, Emeritus (left) and Bob Hillman (right) talk with Gregory Alexander at his retirement celebration in 2019. RIGHT: Bob Hillman speaks at Gregory Alexander's retirement celebration.

Bob's response never was, 'I'm gonna have to get back to you.' Bob always had the answer off the top of his head. He didn't have to look anything up, because he knew it already.

— Gregory S. Alexander

”

“Bob's response never was, 'I'm gonna have to get back to you,'" Alexander said. “Bob always had the answer off the top of his head. He didn't have to look anything up, because he knew it already.”

Hillman's collegial nature also made him a natural fit for the administrative side of academic life. Hillman served as the Law School's associate dean for academic affairs for seven years, as well as chairing the Appointments Committee three times and serving on two dean search committees, including the committee that interviewed and recommended Peñalver. “Bob Hillman was just incredible at getting in the middle and mediating things and keeping the Law School together” despite the sometimes fractious nature of academic politics, Clermont said. “Nobody ever wants to argue with Bob.”

Peñalver recalled how Hillman and his wife, Betsy, sold Peñalver on Ithaca as a place to live and raise a family, taking Peñalver and his wife, **Sital Kalantry**, out to dinner and regaling them with tales of time on their boat. “And so when Sital and I moved to Ithaca, our first house was over on the west shore of the lake,” Peñalver said.

In retirement, Hillman is looking forward to the snowbird's life shuttling between Ithaca and Florida. He plans to spend his time enjoying the outdoors, serving on volunteer boards, and updating his books. He's not ruling out teaching a class here or there, either. “Honestly,” Hillman said, “I am not completely sanguine about the idea of not teaching anymore.” ■

Women in the Legal Profession from the 1920s to the 1970s

FACULTY
ESSAYS
on
TIMELY
LEGAL TOPICS

by CYNTHIA GRANT BOWMAN



Owen Lubozynski prepared this summary of Cynthia Grant Bowman's paper, "Women in the Legal Profession, 1920–1970s: What Can We Learn from Their Experience about Law and Social Change?," 61 *Me. L. Rev.* 1 (2009).



Jane Foster, for whom a Law School building, scholarship, and endowed professorship are named, graduated from Cornell Law School in 1918, having served as an editor of the Law Review and been awarded the Order of the Coif. But no law firm wanted her services. She obtained employment not as a lawyer but as a legal assistant, a position she held from 1918 to 1929, with no prospect of advancement. Ultimately, she dropped out of law and put her business and financial skills to work elsewhere, amassing the fortune that made her benevolence to Cornell Law School possible.

Foster entered the legal field during a complicated period: the 1920s, and then through the 1970s, after women had been admitted to the bar in every state, but before the passage of

the civil rights laws that forced law firms to admit women into practice on allegedly equal terms with men. What can we learn from their experience? Women's experiences in law varied with the decade they graduated from law school.

1920s

The 1920s were the postwar era of optimism, the New Woman, and economic expansion. By 1920, all states admitted women to the bar.¹ While women were admitted at a number of elite law schools as well, most attended part-time law schools for women, often at night. The top twelve law schools attended by women had 84 women students in 1920 and 370 in 1939.² Yet these women found it virtually impossible to find employment in law offices. They took whatever jobs they could find, often working as stenographers or librarians in law firms; or they went into practice with their husbands or fathers in small local or ethnic firms; or, like Jane Foster, they got discouraged and dropped out.³

1930s

The situation worsened during the Depression, when women were made to feel guilty if they applied for positions that could go to a man with a family to support.⁴ The only bright spot was the New Deal, which created new bureaucracies and therefore a demand for more lawyers.⁵ Many women law graduates found employment with the federal government during this

1970s

1960s

1950s

1940s

1930s

1920s



period, though typically in nonprofessional positions. A number of Wall Street firms hired their first women associates in the 1930s and 1940s, but a path to partnership remained effectively closed to them.⁶

1940s–1960s

During World War II, both law schools and law firms turned to women to fill the vacancies left by enlisted men. With the return of the veterans at war's end, however, women saw their new opportunities at law firms evaporate. By the end of the decade, women law graduates were largely back where they had started.

In the 1950s, women continued to face discrimination at firms, where partners feared that women would leave when they had children or that clients would not want to work with them. The 1960s brought little improvement. New York University School of Law reported that 90 percent of the law firms contacting its placement office refused even to interview women.⁷

1970s

By the 1970s, women law students were fed up with repeated rejection. A women's rights group at NYU Law teamed up with women from Columbia Law School and, under the supervision of Harriet Rabb, the new director of the Employment Rights Project at Columbia, gathered evidence about discrimination against women at New York law firms.⁸ In 1971, they filed a complaint with the New York City Commission on Human Rights against ten major firms.

At this point, the persistence of some extraordinary women within the legal profession in the previous decades proved important. Eleanor Holmes Norton, a 1964 graduate of Yale Law School who was then chair of the Human Rights Commission, investigated the complaint. When her investigation confirmed a pattern of discrimination, the cases went to the federal district court, and the case against the law firm Sullivan & Cromwell was assigned, by the luck of the draw, to Judge Constance Baker Motley, a 1946 Columbia Law School graduate and zealous advocate for civil rights.

The hard-fought litigation, transformed into a class action, was settled by 1977, with the named firms agreeing to guidelines that would assure the hiring of women associates.⁹ The lawsuits in New York were accompanied by others throughout the country.

As a result of these developments, women poured into the legal profession. The number of women lawyers jumped from 13,000 (4 percent) in 1970 to 62,000 (12.4 percent) in 1980.¹⁰ The percentage of women in large law firms increased from 14.4 percent in 1975 to 40.3 percent by 2002.¹¹ Still, partnerships remained elusive.

Three Women, Three Experiences

The trajectories of three women who joined the Washington, D.C., law firm Covington & Burling in the 1940s and 1950s convey some of the commonalities and differences of women lawyers' experiences during this time.

Amy Ruth Mahin was the first woman hired by the firm, during the shortage of male lawyers caused by World War II.¹² She was joined by eight other women lawyers during the war, but shortly after it ended, only she remained. She worked at Covington & Burling from 1942 until her retirement in 1974, but she never became a partner. Yet the firm's history explains that it hired women later in part because of its experience with Mahin: "Steadily, reliably she had cultivated, among other things, a virtually autonomous practice in customs litigation and, generally, in Court of Claims work; she had especially won the confidence and respect of that court's judges."¹³

Dawn Clark came to Covington & Burling as its first female summer associate in 1951 and joined the firm full-time in 1952.¹⁴ During her first two years, she worked on major litigation that was on appeal before the United States Supreme Court, developed a subspecialty in immigration law, and became known for her ability to handle the "ogre," a notoriously difficult partner at the firm. After two years, she left to clerk for a federal district court judge and eventually entered politics. She served for eighteen years in the Illinois Senate, was elected state comptroller, and was the first woman to run for governor of Illinois.

Virginia Watkin started at Covington & Burling as an associate in 1952 and became the first woman partner there in 1974.¹⁵ Unlike Mahin, who never married, and Clark, who married much later in life and never had children, Watkin married right after graduating from college and became a mother of four over the course of her career.

Watkin became friends with Clark, partly because of their shared refusal to be excluded from lunching with their male colleagues. Still, Clark had to navigate a male-centered culture where work events were sometimes held at men-only clubs, and partners were ignorant of the demands faced by working mothers.

After the birth of her fourth child, Watkin resigned, traveled to follow her husband’s career, and eventually began working for a Boston law firm, where she was made partner. Not long after, Covington & Burling offered her a position as its first woman partner, following a *Washingtonian Magazine* note highlighting sexual discrimination at the firm. Watkin believed that the firm waited until Mahin retired in 1974 before making its first woman partner, perhaps because Mahin “had a lifetime companion [a woman].”

When women began to flood into Covington & Burling in the 1970s, Watkin took the new arrivals under her wing, nurturing the women who are now power players at the firm.

Lessons

The law has been extremely important to any progress women have made in the legal profession. Title VII, Title IX, and the lawsuits brought against law firms, law schools, and law school placement offices were central to breaking down the persistent barriers to women’s entry into the profession.

Historical, economic, and social conditions were equally, if not more, important. Women lawyers were accepted into the legal profession in the prosperous 1920s, sent home in the Depression, sought out during World War II when men were unavailable, and dispatched again when the veterans returned.

This process was also influenced by changing norms about the role of women in society, from the 1920s notion of the New Woman to the “We Can Do It” ideal of Rosie the Riveter. The lawsuits and breakthroughs of the 1970s and 1980s were powered by the reawakening of the women’s movement in the 1960s and the activism and feminist lawmaking of the 1970s. The role of media pressure—primarily by female journalists—should also be noted.

Interconnections among gender, sexual orientation, class, and race have also played crucial roles. The relationship between Mahin’s lesbianism and her career trajectory is obvious in retrospect. The close relationship between elite law firms and the elite law schools from which they preferred to recruit sustained racial and class homogeneity. Racism continues to be a barrier for women of color at large law firms. In 2004, minority women made up fewer than 1 percent of equity partners and 2.1 percent of income partners in sixty-four large Chicago law firms.¹⁶ Their attrition rate from large law firms has been reported to be as high as 100 percent after eight years.¹⁷

Numerous issues confronted by the women whose stories appear above are still with us. Law firms are a quintessential example of a male-structured working environment; they exist in a male-dominated society, and women are still required to fit into that model if they are to succeed. It has been worse in the past, however, and might still be if it were not for the incredible determination of these women who went before. ■

FOOTNOTES

1. Ronald Chester, *Unequal Access: Women Lawyers in a Changing America* 8 (1985).
2. Virginia G. Drachman, *Sisters in Law: Women Lawyers in Modern American History* 256 (1998).
3. Chester, 98.
4. Karen Berger Morello, *The Invisible Bar: The Woman Lawyer in America, 1638 to the Present* 203 (1986).
5. Robert MacCrate, “What Women Are Teaching a Male-Dominated Profession,” *57 Fordham L. Rev.* 989, 992 (1989).
6. David M. Margolick, “Wall Street’s Sexist Wall,” *Nat’l L.J.*, Aug. 4, 1980, at 60.
7. Erwin O. Smigel, *The Wall Street Lawyer: Professional Organization Man?* 46 (1964).
8. Dawn Bradley Berry, *The 50 Most Influential Women in American Law* 210 (1996).
9. Morello, 213.
10. Cynthia Fuchs Epstein, *Women in Law* 5 (2d ed. 1993).
11. U.S. Equal Employment Opportunity Comm’n, “Diversity in Law Firms” (2003), www.eeoc.gov/stats/reports/diversitylaw/index.htmls.
12. Howard C. Westwood, *Covington & Burling, 1919–1984*, 161–67 (1986).
13. Westwood, 161–67.
14. Source for Netsch section is Bowman’s interviews with Dawn Clark Netsch, in her office at Northwestern University School of Law, over a period from late 2005 through early 2007.
15. Source for Watkin section is Bowman’s interview with Virginia Watkin, in Washington, D.C. (Nov. 4, 2006).
16. Elizabeth Chambliss, A.B.A. Comm’n on Racial and Ethnic Diversity in the Legal Profession, *Miles to Go: Progress of Minorities in the Legal Profession* 2 (2004).
17. A.B.A. Comm’n on Women in the Profession, *The Unfinished Agenda: A Report on the Status of Women and the Legal Profession* 23 (2001).





Kathryn Cameron Atkinson '92 Makes Her Mark at D.C.'s Miller & Chevalier

Her first job out of law school twenty-eight years ago turned out to be exactly what she wanted to be doing—which may be why **Kate Cameron Atkinson '92** has spent her entire legal career in international anticorruption work at Miller & Chevalier Chartered, in Washington, D.C.



The international area of law is where business and public policy intersect—where companies are trying to navigate all the different legal and cultural environments they have to work in.

— Kathryn Cameron Atkinson '92



In July 2019 she became chair of the firm, which celebrates its 100th year this year.

“The international area of law is where business and public policy intersect—where companies are trying to navigate all the different legal and cultural environments they have to work in,” she explains. “We help clients navigate those varying and sometimes conflicting environments.”

Atkinson says her practice at Miller & Chevalier has been a mix of compliance and investigation work in relation to the U.S. Foreign Corrupt Practices Act (FCPA).

“Typically I’ve worked with companies to assess their corruption risk and then designed and implemented compliance programs to mitigate those risks,” she explains.

“We help our clients anticipate where problems might arise and devise safeguards to make it really difficult for someone to do things they shouldn’t do—to get their company’s money for an improper purpose,” says Atkinson.

“Increasingly we monitor and audit to test those safeguards,” she asserts. “We go on the ground, interview personnel, and test transactions to see whether the policies and procedures we designed to

prevent corruption are in fact working. We also investigate potential failures and represent clients before enforcement agencies.”

In a unique component of her practice, Atkinson has in addition twice served as an independent compliance monitor—by appointment of the U.S. Securities and Exchange Commission and Department of Justice “pursuant to negotiated resolutions of criminal enforcement actions,” she says.

“If a company is charged with violating the FCPA,” she explains, “and the problem is big, long-lasting, and indicative of systemic issues within the



company, you can't just turn that around on a dime. A monitor goes in, tests, provides recommendations to guide the company's remediation, and certifies—usually at the end of three years—that the company has an effective anticorruption compliance program."

Atkinson calls the compliance and investigation space in the practice of law "a perfect combination of business and human nature," as well as the perfect fit for her interests and skill set.

The FCPA had its roots in the aftermath of the Watergate investigation, she says. "The illegal campaign contributions that were revealed typically were made from off-book accounts maintained by public companies," Atkinson notes.

"That was appalling to then president Carter, who felt it presented a significant risk to the average investor, and that it was imperative for investors to know whether the companies they invested in used their money for improper purposes," she says.

She calls the statute unique—and possibly more effective than other anticorruption statutes around the world—in that it combines internal controls on accounting typical of public companies with behavioral concepts of prohibiting bribery.

"In many countries those concepts are held separately," she notes.

"Kate Atkinson's legal career at Miller & Chevalier is quite a success story," says **Homer Moyer**, architect of the firm's international practice and a leading authority on the FCPA.

"She came to our international department as a fresh-out-of-law-school junior associate," he recalls, "and rose to become chair of the firm this past year. Along the way she developed expertise in the antibribery area under the FCPA. That helped lead to a global wave of anticorruption laws," Moyer notes.

"She has been recognized in the leading rankings and journals for her intellectual and professional skills as a lawyer," he points out. "And all those accomplishments are complemented by her uncommonly good judgment, no-nonsense approach to hard issues, good business sense, prodigious memory, and irreverent sense of humor."

Atkinson says she has been intrigued by international business since she was nine years old.

"My father worked with a U.S. subsidiary of a French company, and I accompanied him on a business trip to Europe for a week. I tagged along, watched him do business in these different countries, and was fascinated by that."

As she got older she knew she wasn't interested in becoming a business executive, however, so she looked for other career opportunities with an international component.

After earning her undergraduate degree from Johns Hopkins, she considered going for a Ph.D. in history, but decided instead on law school because it offered her the chance to work in international law.

"Back when I was looking for the right law school, few of them had well-defined curriculums on international law or their own international law journal," Atkinson recalls. "Cornell Law School was an exception. And Professor **Jack Barceló**, who directed the international law program, was one of the folks who stood out."

She applied to the Law School's J.D. program, was accepted, and became a student of Professor Barceló's as well as executive editor of the school's *International Law Journal*.

"It was exciting," Atkinson recalls. "I especially liked working on the journal and seeing the different areas of focus in the international space, which is obviously broad."

But the significant experience that "topped my list was meeting my future husband," she says. **Michael Atkinson '91**, also a J.D. student at the Law School then, was the Inspector

General of the Intelligence Community of the United States until early April.

The couple now live in the Washington, D.C., area with their two sons, one a Cornell undergraduate, and one attending Skidmore College.

"Prioritizing family has been foundational to my professional development," Kate Atkinson declares. "It has helped me be a better lawyer and has driven a certain discipline in my practice that I otherwise wouldn't have had."

"What I'm most proud of and grateful for today," she says, "is having had the opportunity to build a practice and career that are personally satisfying and also be a positive role model for my kids and show the younger lawyers coming up that it is possible to have this kind of law practice and feel good about it."

Of the many awards she has received for her career accomplishments, she says: "I see them as a byproduct of what really matters, and that is respect will come from being committed to doing really good work and helping my clients." ■

~LINDA BRANDT MYERS



Young Lawyer of the Year Natalya Johnson '10 Champions Networking

At five feet nine inches, **Natalya Johnson '10** makes an impression, whether she is running a workshop on employment law for a client or running a 5K road race—running being one of her lifelong passions and talents.

A commercial litigator in labor and employment law with Riker Danzig Scherer Hyland & Perretti, one of New Jersey's largest law firms, she won the Young Lawyer Award from the Garden State Bar Association in 2018.

Receiving the award was special, she says, not only because it was unexpected but also because she was able to share it with her entire family at the award ceremony, including her father, who died the following year.

It was also meaningful because back when she graduated from Cornell Law School in 2010, in the wake of the financial crisis, neither she nor her fellow graduates were assured of becoming lawyers at all, recalls Johnson.

"I had classmates whose job offers were rescinded, who were paid by law firms to stay away," she recounts.

Happily, the law firm that offered Johnson a job back then placed her with Volunteer Lawyers for Justice and paid her salary there.

"VLJ remains dear to my heart because it was technically my first job after law school," she says, and also because the nonprofit is one of the largest providers of free legal services in New Jersey, which matters a great deal to many.

"Its work, mission, and reach are incredible," she says.

recalls. "In one day, I provided pro bono representation to multiple individuals with outstanding warrants for nonviolent offenses; especially as a new attorney, it was a unique opportunity to make a tangible difference in people's lives. Individuals walked in with warrants and walked out free and able to continue with their

force and implement workplace policies appropriately. She also has written employee handbooks, crafted codes of conduct, and even conducted trainings.

Johnson credits her Cornell education with helping her not only learn new things but also "share that information with clarity with the people who need it."

"I don't know of anything that Natalya doesn't do," says classmate and friend **Adeola Adejobi '10**, founder of Avant-Garde Network, an organization that promotes economic advancement and diversity for professionals of color in the New York City area. "She exemplifies a model attorney—over, above, and beyond that because in addition to her work and giving her highest to her clients, she gives back in every way she can as a volunteer. She is one of the original members of the Cornell Black Lawyers Alumni Network and its current president. She serves on many boards. She helps people get jobs and internships. She shares her network with others. And she is a great person, very genuine and selfless with her time and energy."

Johnson aspired to be a lawyer from an early age.

The daughter of immigrant parents who had attended higher education institutions in the West Indies and who encouraged her to pursue college too, she grew up in [South Brunswick, New Jersey].

We helped indigent clients, some of them homeless, tackle issues like child support modification, driver's license restoration, and expungement of criminal records, which typically led to significant community reintegration.

— Natalya Johnson '10

"Under the ReLeSe program within VLJ, we served the reentry population, by helping individuals with criminal records to address civil legal matters."

"We helped indigent clients, some of them homeless, tackle issues like child support modification, driver's license restoration, and expungement of criminal records, which typically led to significant community reintegration," she says.

"While at VLJ, I participated in a statewide program called Fugitive Safe Surrender," she

lives," says Johnson, who now does volunteer fundraising for the program in her spare time.

What she likes best about her job today as a labor and employment lawyer at Riker Danzig is its range and variety.

Her assignments can include everything from training clients and employees in different workplaces to educating employers as well as the public about changes in the law, says Johnson. Among other things, she has counseled clients on how to attract the best work-



“My mother and father really instilled the values of hard work and of being productive in me from the time I was young,” she says. “They also could see I was very focused and intentional about my future trajectory, very much a planner. My mom would laugh because when my parents would take me to, say, an amusement park on the weekend, I literally would have already planned every ride that I thought we should go on.”

She first enrolled at Cornell as an undergraduate in the College of Arts and Sciences in 2003, majoring in government

and graduating magna cum laude. She managed to do it all while competing as a Division I athlete—a triple and long jumper—as a walk-on to the team from her sophomore year while also holding down a job as a supervisor of a research call center in the Ithaca community for work study.

She credits the rigor of her schedule as an undergraduate athlete with “giving me self-discipline and the focus that has continued to help me, not only at the Law School but in life in general.”

Her senior year as a Cornell undergraduate she took the course *The Nature, Function, and Limits of Law* at the Law School with Professor **Kevin Clermont**.

“It was a great experience and solidified my interest in law,” Johnson relates. She ended up applying to several top-tier law schools, including Cornell.

“When I got into Cornell Law I was elated,” she says. “Although I had other offers, I thought it was advantageous to pursue something as intellectually challenging and intense as a law degree in a familiar environment that I’d grown to love. And because I had done well academically as an undergrad, I was offered some great financial incentives to attend.”

Her law school experience was completely distinct from her undergraduate one, she says.

“I felt I was more mature and focused. I also loved that class sizes were small enough for me to get to know most of my classmates, particularly those I worked with in BLSA [Black Law Students Association], some of whom are still my closest friends. Today I’m in awe at how talented and accomplished my classmates are and how much they’ve achieved,” she says.

Professors also made a difference, including **Sheri Lynn Johnson**, the James and Mark Flanagan Professor of Law.

“Her body of work has been inspirational,” Natalya Johnson says, “and she is always there, caring for Law School students and traveling to attend BLSA and Cornell Black Lawyers Alumni Network events and programs. She wants to be part of them, which shows her genuine commitment.”

Another is **Muna Ndulo**, the William Nelson Cromwell Professor of International and Comparative Law and Arthur Reich Director of the Leo and Arvilla Berger International Legal Studies Program.

“His real-world experience in international law really gave me a perspective about how international law operates, about the role of NGOs, and about human rights,” says Johnson. “That foundational knowledge has just been good to have as an attorney.”

Johnson’s career advice to current law students: “I’d tell everyone, irrespective of their practice, that relationships matter and can have a transformative impact on your career trajectory as well as make your time practicing law more enjoyable.

“Many of my former classmates are valued allies today,” she reports. “Not only are they supportive in day-to-day life, but they offer guidance and provide a continued sense of community. Just pick up a phone and call, and Cornellians will welcome you with open arms.” ■

~LINDA BRANDT MYERS

Jacquie Duval '92 and Rosalind Major '21: Mother and Daughter Forge Connections

What drew **Jacquie Duval '92** to Cornell Law School in 1989, in addition to the school's academic excellence, was the sense of personal connection she felt upon visiting. Her own connection to the school has endured over the years in a variety of ways and includes her three children: her eldest daughter, who was born in Ithaca during her 2L year; her son, who is now about to graduate from the Law School; and her youngest, **Rosalind Major**, a current 2L.

As the alumni relations liaison of the Women's Law Coalition, Rosalind is the WLC connection to the Mary Kennedy Brown Society, Cornell Law School's women's alumni network, of which Jacquie is a founding member and the incoming president. Both mother and daughter have been integrally involved in the planning of the Society's inaugural Women's Summit, which was originally scheduled for March 2020 but has been moved to March 2021.



Jacquie

Jacquie is of counsel in Herrick Feinstein's Tax Department with a special interest in family office organization, investments, and operations. She also serves on Cornell Law School's Dean's Advisory Council.

Her involvement with her alma mater is a continuation of foundational connections she formed with her peers, professors, and administrators as a law student. She mentions Dean of Students **Anne Lukingbeal** as an important influence on her life both during and after law school and also notes that many professors she remembers from her law school days are still there, now teaching her children. "There's a special continuity at Cornell," she says. "Faculty commit to teaching there. They raise their families in Ithaca and are part of the community."

After graduation, Jacquie began a traditional path that took some unusual turns. She started as a tax lawyer at Cleary Gottlieb Steen & Hamilton and then moved to work inside investment banks, including a couple of years structuring derivatives on the trading desk at Goldman Sachs.

After almost twelve years in London, England, Jacquie moved back to New York to work for Cornell Law School classmate **Robert Ziff '92** at



Ziff Brothers Investments, a multistrategy family wealth management platform, where she was tax counsel, deputy general counsel, and later partner at a related law firm. Subsequently, she spent seven months with **Jennifer Justice '96** and **Anjali Kumar** cofounding a women's accelerator law firm and a business consultancy before joining Herrick Feinstein's Tax Department.

Rosalind

"Because my mom is a lawyer, I was around conversations about the law for my entire life, and CLS in particular, which gave me a lot of good insider knowledge, like the Capital Punishment Clinic being the best in the world, when I was considering law schools," says Rosalind.

As a 2L, Rosalind has already taken part in both the Capital Punishment Clinic and the Women's Decarceration Practicum. "Working with clients has been fulfilling in more



ways than I could express," she says, "and it is wonderful that I have been able to be engaged in the clinics from the earliest possible point in my legal academic career and legal career."

She adds, "One of my clinic teams was able to successfully get our client parole from a state system in the first semester this past year, and it was an incredible outcome that was a great reminder of why advocates are important."

Rosalind identifies her clinic directors, Professor **Amanda Bashi** and Professor **John Blume**, as champions who have supported her in furthering her academic and professional goals. "They have both provided endless encouragement and support in pursuing the exact form of compassionate, trauma-informed, post-conviction defense work I want to be doing for a living, and they ensure that I am continuously being exposed to new facets of that work," she says.

"I have also been fortunate enough to have Professors

Sheri Johnson, Sanda Babcock, and Keir Weyble as role models and professors. They have been wonderfully supportive and helpful, and I am so thankful for the amazing clinical faculty at Cornell Law for all they do for their students, both in and out of the classroom."

This summer, Rosalind will be interning at the Federal Community Defenders for the Eastern District of Pennsylvania's Capital Habeas Unit, doing death row post-conviction work. She hopes, after graduation, to continue her work in capital post-conviction and decarceration.

Connecting across Generations

Jacquie notes that the creation of the Mary Kennedy Brown Society and its first Women's Summit represent the culmination of a long-standing dream to celebrate the community and accomplishments of Cornell Law School women. Working with her daughter on the project, she says, has been wonderful. "She's been an integral connection to the current students, and because of her efforts, we've had a great response from them."

Observes Rosalind, "We work well together, and it is great to see her bring her idea to fruition and be supported by so many wonderful alums, administrators, professors, and students. Also, she always made space to allow for stu-

dent interest to be heard and considered. I was really happy about the way we were brought into the conversations and planning."

Rosalind adds, "I was extremely fortunate to have a current 3L J.D./M.B.A., **Jennifer Chu**, who is a member of the Entrepreneurship Clinic that Professor **[Celia] Bigoness** runs, work alongside me and also agree to speak as a panelist about the work that she has done with the clinic over the last two years."

It is just such connections, between and among current students and past ones, that Jacquie hopes to cultivate through the event. She looks forward to the Women's Summit instilling alumnae with a renewed excitement in celebrating their connection to the Law School and to the future generations of graduates.

"Cornell is relatively small for a law school of its stature, and that's part of what makes it so special. I know alumnae not only from my class but from across the decades," she says. "The character of Cornell as a community-based, small law school of excellence has continued, and that character permeates how the students connect and how the alumni connect. It's kind of an amazing thing."

~OWEN LUBOZYNSKI

A Passing of the Torch in the Clinical Program

In January 2020, **John Blume**, the Samuel F. Leibowitz Professor of Trial Techniques, stepped down from his post as Cornell Law's Director for Clinical, Advocacy and Skills Programs. During his nine-year tenure in the position, Blume built up the Clinical Program by adding eleven new



Professor Beth Lyon

clinics, six practicum courses, three affiliated Centers, and multiple interdisciplinary initiatives. "The Clinical Program has grown exponentially, in no small part because of John's tireless advocacy for the program and its faculty," said Clinical Professor **Estelle McKee**.

"John has been a true servant leader, a gracious colleague, and a generous staff manager," said **Beth Lyon**, the new clinical director. "His dedication and generosity really prevented the growing pains we could have seen from all this growth. He managed to expand the program while maintaining its identity as one in-house law office. Attempting to fill John's shoes (or boots, this being Ithaca) is an honor."

In January, the Law School named Beth Lyon, the founder of Cornell's Farmworker Legal Assistance Clinic and co-founder of the Low-Income Taxpayer Law and Accounting Program, as its new associate dean for experiential education and Clinical Program director.

The Law School named Beth Lyon, the founder of Cornell's Farmworker Legal Assistance Clinic and cofounder of the Low-Income Taxpayer Law and Accounting Program, as its new associate dean for experiential education and Clinical Program director.



Professor John Blume with students

Blume will continue to serve as director of the Cornell Death Penalty Program and cosupervisor of the Capital Punishment Clinic, one of the most popular clinics at Cornell Law School. He will also continue his deep collaboration

very much believes in the overall clinical mission of the school," Blume said. "She has a broad vision of what a good clinical program should look like and she's just a passionate, collegial person who has the respect of all the faculty in the

externships, and learning outcomes and assessments.

"All of these recent regulatory changes are encouraging law schools to show how their students are getting experiential education and how they're serving the community," Lyon said. "It's exciting to work with a program that serves more than 70 percent of the J.D. class."

"We are training law students to be client-centered and reflective lawyers, to represent clients zealously, and provide excellent service to the community."

Since its inception, the farmworker clinic has offered legal services to seventy farmworkers—including forty in New York state—and given hundreds of referrals and free consultations. Working with a faculty colleague in the S.C. Johnson School of Business, Lyon also cofounded the Low-Income Taxpayer Law and Accounting Practicum, an interdisciplinary clinical course open to both law and accounting students.

Over time, Lyon hopes to see even more Cornell Law



One of the new clinical programs offered at Cornell Law School is the Farmworker Legal Assistance Clinic, which Lyon established after joining the faculty. Lyon previously founded the nation's first law school farmworker clinic as a professor at Villanova Law School.

with Justice 360, the South Carolina NGO he founded to promote fairness, reliability, and transparency for individuals facing the death penalty.

Lyon, who joined the law school in 2015, said the clinical programs have grown not only to provide legal services to underserved groups but also to meet changing requirements for law schools. All law students must now earn six hours of experiential education, and graduates who want to practice in New York must spend fifty hours performing pro bono work to be admitted to the New York bar.

"I think Beth was a great choice for the position because she



clinical programs. The dean made an excellent decision appointing Beth and I believe the best days of the program lie ahead of us."

In a new administrative role at Cornell Law School, Lyon will also serve as associate dean for experiential education, and will oversee and coordinate the curricular aspects of the experiential education program, which includes the clinics and practicum courses, the Lawyering Program, the Clinical Fellows program, the



"The Cornell Law faculty appointed me to engage students in matters that would give them a hands-on litigation experience, as well as the policy advocacy that many of our alumni go on to do" Lyon said.

students in clinical courses, and to facilitate the launch of additional courses focused on racial discrimination and community development.

Transactional Lawyering Competition Celebrates Ten-Year Anniversary

Most Cornell Law grads are destined for business. Aspiring trial lawyers have moot court—shouldn't future deals lawyers have the same opportunity to try out their skills in a setting that resembles the real world?

In 2010, **Charles K. Whitehead**—now the Myron C. Taylor Alumni Professor of Business Law and director of the Law, Technology, and Entrepreneurship Program—founded the Transactional Lawyering Competition to solve that imbalance. A decade later, it's still going strong under the leadership of **Celia Bigoness**, associate clinical professor of law.

As deals were being negotiated at the tenth-annual Transactional Lawyering Competition, held November 2 and 3, the anniversary presented an opportunity to both honor the stalwart support that has helped the contest grow, and

to look to the competition's future. The competition has seen interest shoot up year after year. "This course has now become a fundamental part of our transactional curriculum," said Bigoness.

In the 2019 competition, forty-eight law students divided into two-person teams representing the buyers or sellers in a transaction involving a troubled hotel property in upstate New York. The students received feedback in between rounds of negotiations from thirty-eight alumni instructor judges, and were scored based on their mark-ups of a modified purchase agreement and on their ability to represent their clients.

"It's a good exercise. It's the closest thing to practice that they'll see," said **John R. Alexander '71**, managing partner at Sayles & Evans, who was recognized at the weekend for having judged at every Transactional Lawyering Competition since the beginning. "What you're really trying to teach is negotiation

technique, both in the form of writing as well as actual discussion, in a room where you are horse-trading on various provisions of the agreement."

Jennifer Chu, J.D./M.B.A. '20 and **Kelley Chandler '20** were the highest-scoring buyer team in 2019, and **Rafa Agundez '20** and **Boaz Goldwater '20** made up the winning seller team. Because the scores were so close, the organizers took the unusual step of naming runners-up: **Aldo Mayro '20** and **Ben Weber '20** on the buyer team, and sellers **Andrew Kingsbury '21** and **Sam Steiger '21**.

The competition is the culminating experience of the Introduction to Transactional Lawyering class. While Bigoness has taught the class in the past, she had her hands full in 2019 with the Entrepreneurship Law Clinic, which she had founded the previous year. **Mark Underberg '81**, a recently retired partner at Paul, Weiss, Rifkind, Wharton & Garrison who had already been teaching at Cornell Tech

as an adjunct professor of law, stepped in to take over the class.

Bigoness pointed out that having an instructor with recent experience as a working deals lawyer in the classroom brings more benefits than simply freeing up her schedule.

"When I started teaching the class, I was relatively fresh out of practice," she said. "To make this class really work, you don't need an academic up there in front of the classroom, you need a practitioner who understands what the market is, and who can really speak from a practical perspective."

This year, for the first time, the competition judges included two alumni who participated in the competition as students. Besides participating as judges, **Dunia Rkein '13**, associate general counsel at Fortitude Re, and **Milson Yu J.D./M.B.A. '13**, associate at Cooley, gave students advice on the twists and turns of an early career in deals at a Q&A session on Sunday.

"I think it's really important for students to be able to see that,



just five years or six years out, they can expect to have a strong foundation that allows them to operate confidently," Rkein said. "You know what you're doing, and you don't have to practice for twenty or

thirty years in order to negotiate well."

The Transactional Lawyering Competition is sponsored by the Clarke Business Law Institute and the Cornell Business

Law Society. The BLI was established in 2007 by a founding gift from **Jack G. Clarke LL.B. '52** and his wife, **Dorothea S. Clarke**. It provides a locus for law faculty with particular expertise in

such areas as securities regulation, financial institutions, international economic law, intellectual property, transactional lawyering, business organizations, and ethics and corporate culture.



TRANSACTIONAL LAWYERING COMPETITION ALUMNI INSTRUCTOR-JUDGES

JOHN ALEXANDER '71
SAYLES & EVANS

TODD BECK '88
ZEBRA TECHNOLOGIES

WILLIAM CASAZZA '85
FORMERLY, AETNA

VITO CASONI '69
SMG COMPANIES

SANDRINE COUSQUER-OKASMAA '00
MARCUS BY GOLDMAN SACHS

ROBERT DAVIS '78
CLEARY GOTTLIEB STEEN & HAMILTON

KARL EGE '72
PERKINS COIE

SHANA ELBERG '01
SKADDEN, ARPS, SLATE, MEAGHER & FLOM

ROBERT FEINER '85
FEINER WOLFSON

TODD FEINSMITH '91
PEPPER HAMILTON

ALISON FRASER '07
NEX GROUP

SHAWN GALEY, M.B.A '85/J.D. '86
BRAMBLES

MICHAEL GERARD '05
SANDOZ

GEORGE GONZALEZ '05
LEXISNEXIS RISK SOLUTIONS

JOEL HARTSTONE '70
STONEGATE CAPITAL GROUP

DENISE HAUSELT '83
FORMERLY, CORNING INC.

ADELE HOGAN '85
HOGAN LAW ASSOCIATES

VALERIE FORD JACOB '78
FRESHFIELDS BRUCKHAUS DERINGER

GARTH JANES '83
DOHERTY, WALLACE, PILLSBURY & MURPHY

JIM KAPUT '86
FORMERLY, ZEBRA TECHNOLOGIES

JEFFREY KOCHIAN '98
AKIN GUMP STRAUSS HAUER & FELD

MELISSA LEWIN, B.A. '00
TWO SIGMA INVESTMENTS

THOMAS MALONE '05
LATHAM & WATKINS

STEPHEN MALOY '76
JINCHENG TONGDA & NEAL

BRUCE MEISEL '73
BRUCE M. MEISEL ESQ.

BRENDAN O'CONNOR '05
GARRETT MOTION

J. BRETT PRITCHARD '90
LOCKE LORD

DUNIA RKEIN '13
FORTITUDE RE

RICHARD ROSS, J.D./M.B.A '99
PERKINS COIE

IRA ROXLAND '67
FORMERLY, DENTONS

PAT SHEA '95
WASTE CONNECTIONS

LINDSAY SILBER '04
HOLLAND & HART

BRANDON SMITH '05
TENNECO

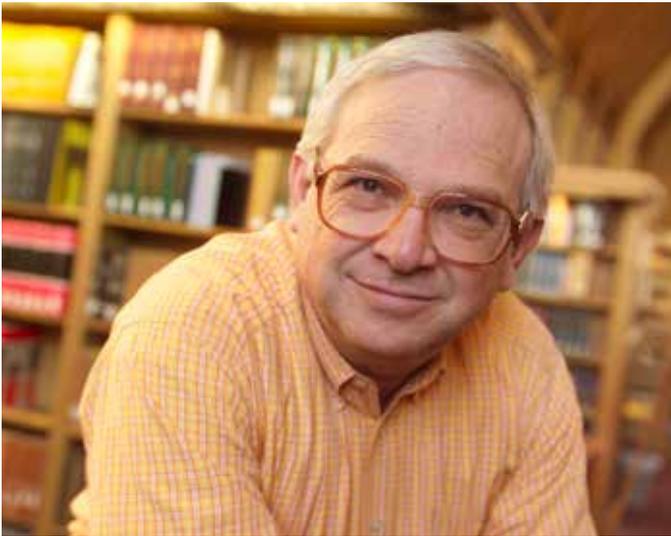
ANDREEA STAN '07
RALPH LAUREN

ALLAN TESSLER A.B. '58/LL.B. '63
INTERNATIONAL FINANCIAL GROUP

AL ULUATAM '91
STATE STREET BANK AND TRUST COMPANY

ANNIE (GUOHUA) WU '01
JINCHENG TONGDA & NEAL

MILSON YU, J.D./M.B.A. '13
COOLEY



Professor Ted Eisenberg

Eisenberg Fellows Delve into Empirical Legal Research

Six years after the untimely death of Professor **Theodore “Ted” Eisenberg**, a group of students is carrying on his pioneering legacy of empirical legal research in a new fellowship program. The Eisenberg Research Fellows program was created after more than fifty donors contributed to a memorial fund honoring Eisenberg, one of the founders of the field of empirical legal studies. The fund was endowed by **Drew Ranier**, the founding partner of Ranier Law Firm LLC, in Lake Charles, Louisiana, who worked with Eisenberg on numerous legal cases using his data-driven approach to litigation.

Over the past year, the inaugural group of Eisenberg Research Fellows has been working with Law School faculty on empirical legal studies projects, ranging from an

analysis of the decline in cases heard by the U.S. Supreme Court to a survey of lay participation in criminal trials around the world.

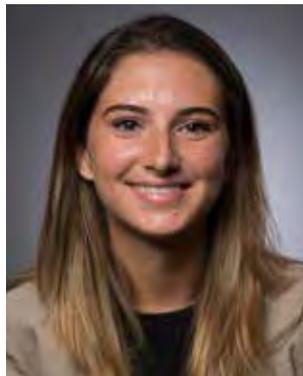
“We thought Ted would have really liked the idea of naming Eisenberg Research Fellows, which represents a commitment to empirical research and also the training of the next generation in these methods,” said **Valerie Hans**, the Charles F. Rechlin Professor of Law. “That seemed like a perfect use for the memorial fund.”

Eisenberg, who died at the age of sixty-six from a heart attack, was the Henry Allen Mark Professor of Law and Adjunct Professor of Statistical Sciences at Cornell. In a career of more than thirty years at the Law School, his groundbreaking applications of statistical methods to legal processes earned him the unofficial yet universally recognized moniker of “grandfather of empirical legal studies.”



We thought Ted would have really liked the idea of naming Eisenberg Research Fellows, which represents a commitment to empirical research and also the training of the next generation in these methods.

— Valerie Hans



Alessandra Scalise '20



Kasaundra Riley '21



Professor Valerie Hans



Professor Dawn Chutkow

The fellowship program created in his honor was developed by a group of six Cornell Law School faculty members and the chair of Cornell’s Department of Statistical and Data

Science, who are all editors of the *Journal of Empirical Legal Studies*, which Eisenberg founded in 2004.

“This has been a tremendous benefit for any of the empirical

legal scholars at Cornell because we get to involve very talented young people in our work, and even more important than that, it exposes our students to a really vibrant area of legal research, which they might not normally get exposed to," said **Dawn Chutkow, Ph.D. '09**, a visiting professor of law and executive editor of the *Journal of Empirical Legal Studies*.

Alessandra Scalise '20 became one of the first Eisenberg Research Fellows last spring after taking a class with Hans and using empirical research on a paper exploring how many countries in the International Criminal Court have a jury system. Since then, Scalise has been helping Hans to develop the first comprehensive empirical survey of lay participation in criminal trials worldwide.

The focus of Scalise's research is determining the existence and types of lay participation in the criminal court system in the fifty-four countries of Africa. "It's not that often that you get to look into something that you're really interested in and have someone there as a field guide when you have questions," Scalise said. "That's why it's been really wonderful to work with Professor Hans."

Kasaundra Riley '21, another Eisenberg Research Fellow, began working with Chutkow last fall on a project analyzing the causes of the Supreme Court's shrinking docket. Since the 1980s, the number of cases decided by the Supreme Court

has dropped from 150 a year to 68 for the 2017–2018 term.

"The research made it very clear that this is a continuing and sustained decline," Chutkow said. "We really don't know why, but the fact that it's happening in and of itself—that's why we're researching it."

"I think it's really interesting to say, 'Let's look at the data and make sure that there's not something else going on that we might not be aware of,'" Riley said. "I just think it's cool to verify these hypotheses with data."

Cornell First Amendment Clinic Wins Grant from Legal Clinics Fund

In the fall of 2019, the Cornell First Amendment Clinic received a multiyear grant to ex-

dom of information laws to unlock critical public records, defend journalists against retaliation from policymakers, and represent newsgatherers who are sued for defamation by defendants attempting to chill expression. This grant will allow the project to expand both the number and the geographical reach of the mat-

clinic conducts research, policy analysis, and advocacy, and also sponsors free-speech-related programming aimed at the wider campus community. The clinic is led by nationally renowned experts **Mark Jackson '85**, director, and **Cortelyou Kenney**, associate director.

Providing legal services to local journalists is of special interest



Cortelyou Kenney



Mark Jackson '85

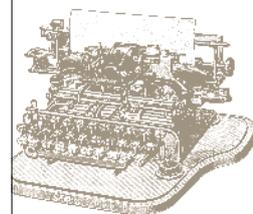
The First Amendment Clinic litigates and support cases that further the cause of free speech and aid the news-gathering process.

pand its Local Journalism Project, a special initiative of the clinic that serves local and regional newsgatherers in New York, Vermont, Pennsylvania, and nearby states who cannot otherwise afford representation. The project will help journalists leverage free-

ters it can handle on behalf of local journalists and media outlets.

The First Amendment Clinic litigates and support cases that further the cause of free speech and aid the news-gathering process. In addition, the

to the Legal Clinics Fund, which is a collaboration among the Democracy Fund, Heising-Simons Foundation, and The Klarman Family Foundation. The fund is designed to support legal clinics at universities around the country that focus on defending the First Amendment and serving local journalists.



Making the Turn

In February, **Joe Margulies**, professor of law and government, was featured prominently in “Making the Turn: From Inmate to Scholar,” the *Cornell Chronicle’s* in-depth, multimedia article on the Cornell Prison Education Program. Margulies teaches classes in writing and law at the program, which gives incarcerated men the chance to earn an associate degree from Cayuga Community College, part of the State University of New York; qualified students are selected to pursue a Certificate in Liberal Arts from Cornell. The Ivy League’s largest prison education program, CPEP has educated more than 675 men incarcerated in New York prisons.

“These guys have been told all their lives that they were

worthless, that they were garbage,” says Margulies in the article. Yet incarcerated people often look back with astonishment and revulsion at what they did and who they were, he continues. Education enables them to take a candid,



To become someone else takes extraordinary courage, determination, and resilience. This is what is happening in my classroom.

—Joe Margulies



painfully clear-eyed look at their past and evaluate it, with the prospect of a different identity in their future.

“To become someone else takes extraordinary courage, determination, and resilience,” Margulies says. “This is what is happening in my classroom. We talk about it all the time. We call it ‘making the turn’—away from one life toward another. This is the reconstruction of a different identity.”



The article and accompanying video can be found at <https://news.cornell.edu/stories/2020/02making-turn-inmate-scholar>.

A Fireside Chat with Judge Amy St. Eve '90 and Law Clerk Zoe Jones '15

On November 1, 2019, the Office of Judicial Engagement presented “An Inside Look into the Judge/Clerk Workplace Partnership,” featuring Judge **Amy St. Eve '90**, of the U.S. Court of Appeals for the Seventh Circuit and **Zoe Jones '15**, a recent clerk to Judge St. Eve and current clerk to Judge Virginia Kendall of the U.S. District Court for the Northern District of Illinois.

Diverging from the usual format of the series, the guests were interviewed not by Assistant Dean for Judicial Engagement **Elizabeth Peck** but by each other. They covered a slew of practical topics, from what law school classes provide the most helpful preparation for a clerkship (Jones’s top pick was Civil Procedure) to advice on applying for clerkships (“Know your judge,” exhorted St. Eve).

Jones’s number one piece of advice to aspiring clerks was, “You need to be decisive, and



you need to have confidence in your decisions.” St. Eve added that the clerks who have distinguished themselves the most for her have been proactive. Clerk and judge also touched on some of the benefits of clerkships, including well-honed writing skills, “behind-the-scenes” insights into the workings of the court, and the chance to create networks and form relationships with judges and fellow clerks.

They also discussed the difference between clerking at an appellate court and clerking at a district court, emphasizing the intellectual rigor demanded by the former and the sheer volume of cases and motions a judge and their clerks encounter at the latter. St. Eve said of district court, “Human nature—the good, the bad—plays out in the courtroom every day.”

Asked which clerking experience she preferred, Jones told attending students, “If you can, do both.”

The Judge and Clerk Fireside Chat was sponsored by the Henry Korn '68 Lecture Series.

Cuccia Cup Moot Court

On Saturday, November 2, 2019, members of the Law School community gathered in the MacDonald Moot Court Room for the final round of the 2019 Cuccia Cup Moot Court Competition. After weeks of preliminary rounds, it came down to the final teams comprised of **Jimmy**



2019 Cuccia Cup Moot Court Finalists and Judges

Pinchak '21 and **Jennifer Yu '21** (back row, right), arguing on behalf of the petitioner, and **Corby Burger '20** and **Brianna Weaver '20** (back row, left), who argued on behalf of the respondent. In the end, Weaver and Burger were named Cuccia Cup champions. At the end of the competition, the Moot Court Board announced the winners of the Louis Kaiser Best Brief Competition: **Joseph Grosser '21** (back row, middle) and **Brandon Hanley '21**.

The final teams presented their final debates in front of an esteemed panel of guest judges (L to R): Hon. **Solomon Oliver, Jr.**, U.S. District Court for the Northern District of Ohio; Hon. **Richard Wesley '74**, U.S. Court of Appeals for the Second Circuit; Hon. **Jeffrey Sutton**, U.S. Court of Appeals for the Sixth Circuit; Hon. **Amy St. Eve '90**, U.S. Court of Appeals for the Seventh

Circuit; and Hon. **Pamela Pepper '89**, U.S. District Court for the Eastern District of Wisconsin.

Faust Rossi Moot Court

On February 15, **Morgan Anastasio '20** was declared the winner and **Jareb Gleckel '20** the runner up of the 2020 Faust F. Rossi Moot Court Competition, which took place in the MacDonald Moot Court Room before a panel of esteemed federal judges: Hon. **Michael Chagares**, U.S. Court of Appeals for the Third

Circuit; Hon. **Sidney Stein**, U.S. District Court for the Southern District of New York; Hon. **Lucy Koh**, U.S. District Court for the Northern District of California; Hon. **Andrea Wood**, U.S. District Court for the Northern District of Illinois; and Hon. **Jeremiah McCarthy**, U.S. District Court for the Western District of New York. At the end of the competition, the Moot Court Board announced that **Miranda Herzog '20** was the winner of the Louis Kaiser Best Brief Competition.



Morgan Anastasio '20



Jareb Gleckel '20



Professors Dorf and Kreps Discuss Impeachment

As the impeachment trial of President **Donald Trump** unfolded in the U.S. Senate, followed live by people across the country and around the world, two Law School professors offered their perspectives on the event and what it says about the current state of American politics.

In the panel discussion “The Law and Politics of Impeachment,” January 29 in Cornell’s Physical Sciences Building, **Michael Dorf**, the Robert S. Stevens Professor of Law, and **Sarah Kreps**, professor of government and adjunct professor of law, looked beyond the daily details of the trial to consider the causes and ramifications of the Trump impeachment. **David Bateman**, assistant professor of government in the College of Arts and Sciences, moderated the event, sponsored by Cornell’s Institute of Politics and Global Affairs.

“Our constitution was written by people who neither expected nor wanted there to be political parties,” Dorf said. “What you’re seeing now is that the Senate has a Republi-



Our constitution was written by people who neither expected nor wanted there to be political parties. What you’re seeing now is that the Senate has a Republican majority, so they’re closely aligned with the president, and they are serving the interest of the Republican party as an institution, rather than [of] the Senate.

— Michael Dorf



can majority, so they’re closely aligned with the president, and they are serving the interest of the Republican party as an institution, rather than [of] the Senate.”

Dorf thinks the current high degree of political polarization is a “logical end point of a party system,” something the framers of the Constitution feared. “We’ve reached Hamilton’s and Madison’s nightmare,” he said, “in that the party system has taken over the separation of powers system.”

There is consensus, Kreps said, that the executive branch has gained power, particularly in the current administration. She wondered: Could the Trump impeachment trial check this power?

“If anything, I think it puts on notice the executive branch that there is a more watchful eye than there has been,” she said. “Whether that has staying power, time will tell.”

~KATE BLACKWOOD

Halloween Happenings at the Law School

On October 31, the Halloween spirit glowed bright at the Law School as nearly all administrative units took part in an office decorating competition held during the school’s annual trick-or-treat event for the children of staff, faculty, and students. The competition was stiff among the twelve offices that participated, with decorative themes that ranged from Harry Potter to a circus to the Walking Dead to Candy Land, which was deemed the winner following online voting by the Law School community.

Created by the Legal Information Institute and the faculty administrators, Candy Land came to life with a pink and white balloon archway, giant gumball machine, lollipop lane, giant cupcakes, and many other sugar-themed items.

“Our goal was to use as many items from home as we could,” said **Rachel Liseno**, a faculty administrator involved in the planning. “The lollipop sticks were recycled PVC pipe railings from a pool deck and we all brought in toilet paper and paper towels rolls, Christmas lights we weren’t using, tissue paper, tablecloths, blankets, wrapping paper leftover from last Christmas, and more. The whole day was a lot of fun. We were surprised how it all came together and exceeded our expectations.”

The Office of the Dean and the Judicial Engagement and Professional Development Office jointly produced an impressive display featuring various themes from the Harry Potter books. With music, a set of potions, a Chamber of Secrets, an Azkaban prisoner, platform 9 ¾, and Dean Peñalver dressed as Dumbledore himself, visitors to the display were transported straight to Hogwarts.



Jeffery H. Boyd '81 Shares Insights from a Career in Law and Business

When **Jeffery H. Boyd '81** applied to Cornell Law School, it was with a romanticized idea of litigation shaped by courtroom dramas like “Perry Mason” and “LA Law.” His own experiences have turned out to be far more varied and wide-ranging, as he recounted during a discussion with Dean Peñalver during the presentation “From 1L to the C Suite: Reflections on Two Decades of Leading a Travel Industry Giant” at the Law School on October 1, 2019.

Boyd is the chairman and past president and CEO of Booking Holdings, formerly the Price-line Group, which runs Price-line.com and other popular travel websites. His journey there began at the Wall Street firm Sullivan & Cromwell, where, during his second year of associateship, he cut his teeth in business development as one of two lawyers tasked with establishing the firm’s office in Melbourne, Australia.

He later worked as general counsel at Oxford Health Plans—and found himself helping to steer the company through a nearly fatal crisis. Later, that experience with corporate turnaround



“Everyone who saw it was in shock!” said **Hilary Warren** of Judicial Engagement and Professional Development. “One student even started tearing up because she was so impressed with the detail of the hallway.”

Staff at the Law School went all out for Halloween this year. Dean Peñalver even dressed up as Dumbledore (TOP).





Jeffery H. Boyd '81 (left) and Dean Peñalver

equipped him to take on the role of COO at Priceline, where he had once again been working as general counsel, when that company faced its own struggles. Now retired from his subsequent position as CEO, Boyd has used his free time to buy a small fly-fishing business and guide it into online retail.

Asked by Peñalver what his favorite type of work has been, Boyd observed, "There is nothing more rewarding than to work with a group of people—whom you like and trust, with whom you have shared values and strong work ethic—to, as a team, accomplish something good [...] That can happen in a law firm; that can happen in a company; that can happen in a fishing store."

Aided by Legal Clinic, Ghana Native Rebuilding Life in the United States

More than four years after surviving an attack by a mob that believed he was gay, a Ghanaian man recently won asylum in the United States with help from partners including Cornell Law School students and faculty.

"It's great news," said **Adam Kassner '16**, who worked on the case as part of the Asylum and Convention Against Torture Appellate Clinic. "It's an instance of justice in a system that's becoming increasingly difficult for asylum applicants."

As third-year law students, Kassner and **Eunice Leong '16**, under the supervision of

clinic codirector **Stephen Yale-Loehr '81**, professor of immigration law practice, drafted an appeal of a California immigration judge's ruling against asylum.

Identified in court records by the initials "M.A.," the client's trouble began with a visit to a friend's home in Accra, Ghana, in May 2015. They were awakened by a



Professor Yale-Loehr '81

gang of young men banging on the door. Led by a local imam, the gang believed that M.A.—then thirty-one and a married father of one child—and his male friend were gay, and broke down the door. M.A. later testified that he was beaten with sticks by more men than he could count before managing to flee through a window, "running for my life." His friend was killed.

Within two days, his brother paid for him to fly to Turkey and then Ecuador, beginning

a two-month journey through nine countries spanning four continents. He crossed the border from Tijuana, Mexico, on July 14, 2015, applied for asylum, and was detained in California. That December, an immigration judge ruled that M.A., who then had no legal representation, could relocate to another part of Ghana without fear of persecution.

That's where Cornell entered the picture. After a referral from the Catholic Legal Immigration Network Inc., Yale-Loehr took on the case's appeal to the Board of Immigration Appeals, an administrative tribunal. Though the appeal was unsuccessful, it laid the foundation for later victories in federal appeals court and finally before a New York immigration judge, who granted asylum in August.

More than four years after surviving an attack by a mob that believed he was gay, a Ghanaian man recently won asylum in the United States with help from partners including Cornell Law School students and faculty.



“The groundwork was there from Cornell,” said **Claire Thomas**, director of the Asylum Clinic at New York Law School, which handled the case’s final phase. “The client is thrilled.”

Started in 2003, the Law School’s Asylum and Convention Against Torture Appellate Clinic wins about half of its cases—well above the national rate, Yale-Loehr said. The clinic has about a half-dozen active cases.

Capital Punishment Clinic Client Granted Parole after Three Decades in Prison

In September, long-time Capital Punishment Clinic client James “Rusty” Cain was released from prison after more than three decades behind bars. Clinic codirector **John Blume**, assisted by clinic fellow **Amelia Hritz ’17** and students **Victoria Inojosa ’19**, **Sam Macomber ’20**, and **Molly Rochford, B.S. ’19**, appeared before the South Carolina Parole Board on Cain’s behalf. The Board unanimously voted to grant Cain parole, and he was released several weeks later.

Among the more than fifty capital cases that Blume has litigated, Cain has been the client he has represented the longest. Blume, who is the Samuel F. Leibowitz Professor of Trial Techniques, the director of Clinical, Advocacy, and Skills Programs, and the director of the Cornell Death

Penalty Project, took the case back in 1987, following Cain’s initial conviction on two counts of murder and his death sentence. At the time, Blume was the executive director of the South Carolina Death Penalty Project. Cornell Law students worked on the case as interns at Blume’s office and, after he joined the

for years, so it’s rare for law students in a clinic to get to see a positive result come to fruition. An outcome like Rusty’s is especially rare in the Capital Punishment Clinic, because the clinic normally aims to prevent executions. To work on a case that Professor Blume had seen from start to finish was a real privilege.” ■



An outcome like Rusty’s is especially rare in the Capital Punishment Clinic, because the clinic normally aims to prevent executions. To work on a case that Professor Blume had seen from start to finish was a real privilege.

— Victoria Inojosa ’19



Cornell faculty in 1997, as clinic participants.

Assisted by students, Blume uncovered evidence of prosecutorial misconduct during Cain’s trial, resulting in an investigation of his convictions. After those convictions were ultimately overturned on the basis of ineffective assistance of counsel, Blume and his interns negotiated a settlement with the prosecution for a sentence of life with parole. Over the past few years, clinic students have also assisted Blume in the preparation for Cain’s parole hearings.

“I am very grateful to have worked on this case,” says Inojosa. “Cases can drag on



John Blume (left) and James “Rusty” Cain with his dog Allie



**Daniel Awrey,
Professor of Law**

“The Puzzling Divergence of the Lender of Last Resort Regimes in the US and UK,” 45 *Journal of Corporation Law* (forthcoming)

Central bank lender of last resort (LOLR) regimes are the last line of defense before governments are forced to resort to taxpayer-funded bailouts of the financial system. Yet despite this important role, along with a rich theoretical literature examining the function and design of LOLR regimes, there has been remarkably little comparative research examining the design of these regimes across jurisdictions. This article seeks to close this gap by tracing the historical development of the LOLR regimes in two jurisdictions at the heart of the global financial system: the United States and the United Kingdom. This historical record reveals an important and intriguing puzzle. Despite deeply rooted similarities in their legal, political, and economic systems, the LOLR regimes in the United States and the United Kingdom have evolved at remarkably different speeds and, increasingly, in different directions. Even more remarkably, cutting against the global trend toward greater regulatory harmonization, this divergence has actually accelerated in the decade following the global financial crisis.

Having traced the historical development of the LOLR regimes in the United States and the United Kingdom, this article seeks to explain this puzzling divergence. Three potential explanations stand out. First, while debates about the function and design of LOLR regimes almost universally revolve around the writings of nineteenth-century journalist Walter Bagehot, the subsequent 150 years have witnessed the emergence of two distinct schools of thought on financial crisis management. While U.S. policy makers have been heavily influenced by the highly theoretical “monetarist” school, their counterparts in the United Kingdom have been influenced by the more pragmatic “financial stability” school. Second, differences in the political culture of the United States and the United Kingdom, along with the domestic political economy of financial regulation, have put very different pressures on policy makers responsible for the design and use of LOLR regimes. Third, and perhaps most importantly, the United States and the United Kingdom have vastly different historical experiences with financial crisis management. Most importantly, while the frequent crises of the nineteenth century left the Bank of England deeply skeptical of strict legal constraints on LOLR regimes, U.S. policy makers have embraced precisely these types of con-

straints in response to the financial crisis. This last explanation has potentially enormous implications for U.S. policy, suggesting that its new LOLR regime will buckle—and potentially break—under the strains of the next crisis.



**Maggie Gardner,
Assistant Professor
of Law**

“Foreignness,” 69 *DePaul L. Rev.*, no. 2 (2019)

What does it mean for a case to be “foreign-cubed”? More specifically, when is a plaintiff, defendant, or course of conduct “foreign”? The answer is not as straightforward as it may initially appear. Different doctrines draw the line differently when it comes to legal permanent residents, interrelated corporate entities, or conduct that occurs across multiple countries (or perhaps—in cases involving international waters or Bitcoin transactions—in no country). This article, written for the twenty-fifth annual Clifford Symposium, considers the meaning and relevance of “foreignness” across procedural doctrines. The variability of foreignness underscores how the concept of foreignness is not a simple binary distinction. Rather, what counts as “foreign” depends on the question



being asked, with the line between “here” and “there” varying depending on the doctrine and the context.

The complexity of foreignness should in turn challenge judges, litigants, and observers to question what rhetorical work the concept of “foreignness” is doing in judicial reasoning. The concept of foreignness, particularly when unmoored from specific doctrines, is not self-explanatory. Labels like “foreign-cubed” are not objective determinations as much as tropes that signal the author’s gestalt conception of a case. The goal of this article is thus twofold: to map some of the different meanings of “foreignness” in procedure in order to encourage its more precise invocation, and to caution against the rhetorical use of “foreignness” as a self-explanatory shorthand for dismissing, or dismissively treating, cases in U.S. courts.

**Stephen P. Garvey,
A. Robert Noll
Professor of Law**

“Insanity,” in *The Palgrave Handbook of Applied Ethics and the Criminal Law* 385 (Larry Alexander & Kimberly Kessler Ferzan, eds., 2019)

This chapter in *The Palgrave Handbook of Applied Ethics and the Criminal Law* critically dis-

cusses the traditional law of insanity, according to which an accused is insane if, as a result of mental disease or defect, he lacks the capacity to know the law or to conform his conduct to it. It then critically discusses an alternative proposal, according to which an accused is insane if he is in some sense irrational. The chapter is intended as a useful resource for law students and teachers.



**James Grimmelmann,
Professor of Law,
Cornell Tech**

“Listeners’ Choices,” 90 *U. Colo. L. Rev.* 365 (2019)

Speech is a matching problem. Speakers choose listeners, and listeners choose speakers. When their choices conflict, law often decides who speaks to whom. The pattern is clear: First Amendment doctrine consistently honors listeners’ choices for speech. When willing and unwilling listeners’ choices conflict, the willing listeners win. And when competing speakers’ choices conflict, listeners’ choices among them break the tie. This article provides a theoretical framework for analyzing speech problems in terms of speakers’

and listeners’ choices, an argument for the centrality of listener choice to any coherent theory of free speech, and supporting examples from First Amendment case law.



What do civil jurors think about when they are asked to make damage award decisions? Given the secrecy of the jury deliberation process, often we are unaware of jurors’ thought processes.



**Valerie Hans, Charles F. Reclin
Professor of Law**

“Accounting for Awards: An Examination of Juror Reasoning behind Pain and Suffering Damage Award Decisions,” 96 *Denv. U. L. Rev.* 841 (2019)

What do civil jurors think about when they are asked to make damage award decisions? Given the secrecy of the jury deliberation process, often we are unaware of jurors’ thought processes. This article presents the results from three studies in which mock jurors explained the reasoning behind their damage awards for

pain and suffering. The article highlights the most common explanations and distinguishes between reasons justifying high and low pain and suffering awards. It concludes with a discussion of what this means for attorneys during trial.



**Michael Heise,
William G. McRoberts
Professor in the
Empirical Study of
Law (with coauthor
Nancy J. King)**

“Misdemeanor Appeals,” 99 *B.U. L. Rev.* 1933 (2019)

Misdemeanor cases affect far more people than felony cases, outnumbering felony cases by



more than three to one. Yet little empirical information exists on many aspects of misdemeanor prosecutions. This article provides the first quantitative look at appellate review in misdemeanor cases nationwide. It uses data drawn from a random sample of direct criminal appeals decided by every state appellate court in the nation, unpublished aggregate data on misdemeanor trial court cases provided by the Court Statistics Project, and published state court statistics.

Heise and King provide the first estimate of the rate of appellate review for misdemeanors, concluding that appellate courts review no more than 8 in 10,000 misdemeanor convictions and disturb only one out of every 10,000 misdemeanor cases; and that particularly in prosecutions for the lowest-level offenses, courts may need to provide mechanisms for judicial scrutiny outside the direct appeal process.

Additional findings include new information about the rate of felony trial court review of lower court misdemeanor cases; ratios of appeals to convictions for various misdemeanor-crime categories; descriptive information about misdemeanor cases that reach state appellate courts; the re-

sults of a complete statistical analysis examining which features are significantly associated with a greater or lesser likelihood of success, including crime type, claim raised, judicial-selection method, and type of representation; and the first quantitative look at how misdemeanor appeals differ from felony appeals.

how we perceive contract law today. Previously, Hillman presented three illustrations of contract lore. First, expectancy damages put the injured party in as good a position as if there were no breach. Second, the reasons for a breach, “whether willful, negligent, or unavoidable, are irrelevant to the rules of performance and

When pressed, most people with knowledge about contract law would admit that contract lore is not law. Nevertheless, why do these people invoke these “traditional beliefs” if they are, in reality, nothing more than myths? Hillman reckoned that “contract lore represents contracts people’s aspirations—their strong preference for how contract law should operate if realities did not preclude it.” Further, people tend to seek consistency in their beliefs, which “leads them to believe things that are not true and to avoid conflicting information.” As such, contract lore represents an example of the psychological phenomenon of cognitive dissonance.

In this symposium article, Hillman delves deeper into the phenomenon of contract lore. He offers additional examples that focus on the contract lore of consent in the context of standard-form contracting, “intention of the parties” in the context of gaps in contracts, and the requirement of a “bargained-for exchange” in the context of promise enforcement. Based on these examples, he does not abandon cognitive dissonance as one explanation of contract lore, but offers additional explanations and shows that context plays an important role in explaining contract lore. His ultimate goal is to show how contract lore sheds light on possible areas of contract law in need of reform.

Contract lore consists of “traditional beliefs” about contract law that judges, lawyers, and scholars applying and writing about contract law employ so routinely and confidently that the principles demonstrate how we perceive contract law today.



**Robert A. Hillman,
Edwin H. Woodruff
Professor of Law**

“More Contract Lore,” *Tul. L. Rev.* (forthcoming)

Contract lore consists of “traditional beliefs” about contract law that judges, lawyers, and scholars applying and writing about contract law employ so routinely and confidently that the principles demonstrate

remedies.” Third, contract formation and interpretation focus on the parties’ intentions.

None of these principles are factually or historically even close to true and are nothing more than myths. For example, expectancy damages rarely if ever make the injured party whole. Important remedial rules, such as the obligation of injured parties to pay their lawyers win or lose, the bar to the recovery of prejudgment interest, the preclusion of unforeseeable and unquantifiable damages, and the high bar to recover emotional distress damages, mean that injured parties usually recover well short of their lost expectancy.



Andrei Marmor, Jacob Gould Schurman
Professor of
Philosophy and Law

“Soft Law, Authoritative Advice, and Non-binding Agreements,” 39 *Oxford Journal of Legal Studies*, no. 3, 507–25 (2019)

One of the most fascinating developments in the domain of international law in the last few decades is the astonishing proliferation of non-binding legal instruments or soft law, namely, norms or directives explicitly avoiding the imposition of legal obligations on the relevant parties. From a philosophical perspective, this is rather puzzling: How can we explain the idea of a non-binding directive or a non-binding contract? In this article Marmor provides an account of the rationale of soft law from the perspective of the practical reasons in play. First, he analyzes the idea of authoritative advice, suggesting that when authorities advise their putative subjects, they purport to give the subject presumptive reasons for action. He explains what presumptive reasons are. Secondly, Marmor suggests the possibility that something very similar is at work in cases of non-binding agreements, coupled with special accountability relations that such agreements invariably constitute.



Laura Underkuffler, J. DuPratt White
Professor of Law

“Why Sub-State Groups Are Endowed with Rights,” in *Resolving Conflicts in the Law: Essays in Honour of Lea Brilmayer* 181 (Chiara Giorgetti & Natalie Klein, eds., 2019)

When should international law recognize sub-state groups and, consequently, their demands? Surprisingly, in the new and vast literature dealing with the questions of sub-state groups and their rights in international law, there is little discussion of this question. Usually it is assumed that certain cultural, racial, or religious groups qualify for international recognition, and others (implicitly) do not. Those scholars who have more deeply studied this question generally identify general abstract criteria for group-rights recognition, such as the permanency and involuntariness of group identity, the importance that members of the group ascribe to group identity, the numerical inferiority of group members, and so on. In this chapter, the author concludes that the identification of such abstract criteria for sub-state group qualification is of limited usefulness, and can exclude otherwise deserving groups. Rather, the recognition

of a sub-state group as a rights-bearing entity is necessarily a function of deeper normative questions, and what international legal recognition in fact seeks to achieve.



W. Bradley Wendel,
Associate Dean for
Academic Affairs and
Professor of Law

“The Promise and Limitations of Artificial Intelligence in the Practice of Law,” 72 *Okla. L. Rev.* 21 (2019)

Artificial intelligence has demonstrated the ability to outperform humans at tasks that were previously thought to offer a decisive advantage to human intelligence. Computer technology has already changed the practice of law in many ways. Lawyers may therefore wonder whether they will soon be replaced by com-



puters. This article looks at that issue from another direction, beginning with the nature of law as a means to enhance the human ethical capacity for reason-giving in response to demands for accountability. Moral reason-giving reflects the mutual recognition of two agents as free and equal. The law merely enables the process of giving reasons on a much larger scale, given background conditions of disagreement and uncertainty. The core function of lawyers is to facilitate the law’s practical authority, by interpreting and applying the law to give reasons that suffice to justify actions that affect the interests of others. The article reviews the current state of research on machine ethics and the development of artificial moral agents and concludes that human technology is a long way from being able to design a computer system that can satisfy the demand for authority and accountability that is constitutive of the core function of lawyers in a liberal democratic political community. ■

Computer technology has already changed the practice of law in many ways. Lawyers may therefore wonder whether they will soon be replaced by computers.



Alumni and Students Honored at 15th Annual Public Service Awards

On February 7, 2020, members of the Cornell Law School community convened at the Association of the Bar of the City of New York to celebrate the 15th Annual Public Service Awards. This year, nine current Law School students and seven alumni were honored for their outstanding dedication to public interest law.



Grace Brososky '20 (left) and Emily Szopinski '20

On February 7, 2020, members of the Cornell Law School community convened at the Association of the Bar of the City of New York to celebrate the 15th Annual Public Service Awards.

Candidates for the awards are nominated by Law School alumni, faculty, and administrators, and are reviewed by the faculty-student Public Service Committee.

The alumni awardees, listed below, represent a range of graduation years and special-

izations. **Stephanie Delgado '14**, a Rising Star Award winner, is a senior attorney at Kids in Need of Defense in Los Angeles, where she represents unaccompanied immigrant children in removal proceedings. **Carolyn Wald '16**, also a winner of a Rising Star Award, is an ACLU staff attorney in Chicago who heads up the LGBTQ & HIV Project.

This year, the event featured a new award, the Champion for

Public Service Award, which recognizes individuals or organizations that promote and expand the scope of public service opportunities for Cornell Law School students. **Susan A. Rubinstein** and **Frederic A. Rubinstein, LL.B. '55**, were the recipients of this new honor, for their generosity in establishing a fund to assist Law School graduates in public interest careers with loan repayment.



Stephanie Delgado '14



Pradine Saint-Fort '10



Linda J. Slamon '93

**2020 ALUMNI
AWARD RECIPIENTS**

Stephanie Delgado '14

RISING STAR AWARD
Kids in Need of Defense,
Los Angeles, CA

Pradine Saint-Fort '10

PRO BONO AWARD
Hunton Andrews Kurth,
New York, NY

Geoffrey B. Schmits '94

Volunteer New York!,
Tarrytown, NY

Linda J. Slamon '93

New Hampshire Public
Defender, Portsmouth, NH

Carolyn M. Wald '16

RISING STAR AWARD
ACLU—LGBTQ & HIV
Project, Chicago, IL

**STUDENT PUBLIC
INTEREST PRIZES**

Steven J. Yeager '04

Atkinson, Watkins &
Hoffmann, Las Vegas, NV

**FREEMAN AWARD FOR
CIVIL-HUMAN RIGHTS**

The Freeman Award for
Civil-Human Rights was
established from the estate of
Professor Emeritus Harrop
A. Freeman, J.D. '30, J.S.D. '45.

*A cash prize is awarded to the
law student or students who have
made the greatest contribution
during their law school career to
civil-human rights.*

Emily Armbruster '20

Diana Caraveo Parra '20

Arielle Wisbaum '20

**STANLEY E. GOULD
PRIZE FOR PUBLIC
INTEREST LAW**

The Stanley E. Gould Prize
for Public Interest Law was
established by Stanley E.
Gould '54.

*A cash prize is awarded each year
to a third-year student or students
who have shown outstanding
dedication to serving public inter-
est law and public interest groups.*

Grace Brososky '20

Emily Szopinski '20

**SEYMOUR HERZOG
MEMORIAL PRIZE**

The Seymour Herzog
Memorial Prize was endowed
in honor of the late Seymour
Herzog, LL.B. '36.

*A cash prize is awarded each year
to a student or students who*

*demonstrate excellence in the law
and commitment to public inter-
est law, combined with a love of
sports.*

Carey Buxton

Samuel Macomber

Austin Vance



Geoffrey B. Schmits '94



The 2020 student and alumni Public Service Award winners.

**New York Annual
Luncheon Hosts Judge
Douglas Ginsburg**

On January 31, while the United States Senate argued over impeachment, Cornell Law School alumni met for lunch with Hon. **Douglas H. Ginsburg, B.S. '70**, whose new PBS series, *A More or Less Perfect Union: A Personal Exploration*, makes the case for an originalist understanding of the Constitution.

“We had a packed house,” said **Kris Kully '94**, who was attending the New York Annual Luncheon for the first time. “It was an honor to have Judge Ginsburg join us. He addressed challenging, thought-



The Hon. Douglas H. Ginsburg, BS '70

provoking questions from the audience. It was almost like being in school again—in the best way.”

Ginsburg, a senior circuit judge on the United States Court of Appeals for the District of Columbia Circuit and professor at the Antonin Scalia Law School at George Mason University, screened parts of *A More or Less Perfect Union*, which is expected to reach millions of viewers via PBS and millions more in middle school and high school classrooms around the country. “In recent decades, civics education has suffered, and it really shows when you see survey data about college freshmen and what they do or do not know about our system of government,” said Ginsburg, talking after the presentation. “My effort is part of a larger campaign to get civics back in the curriculum.”

“This series lets you take a step back and figure out why we as a country do the things we do,” said **Geoffrey G. Young '06**, who sat at a table with Ginsburg and **Eduardo M. Peñalver**, the Allan R. Tessler Dean and Professor of Law, along with alums he hadn’t met before.

“The whole event was fantastic, and it was a great way to bring the Cornell legal community together. Being part of it gave me some warm, fuzzy feelings and some nostalgia for my years in Ithaca.”

The 2020 New York Annual Luncheon was sponsored by Fried Frank; Morrison & Foerster; Proskauer Rose; Sidley Austin; Skadden, Arps, Slate, Meagher & Flom; Urban American; White & Case; Willkie Farr & Gallagher; and the Cornell Law School Admissions Office.



Development News

The first half of the 2020 fiscal year featured strong giving to the **Annual Fund** for Cornell Law School, thanks to generous Law School alumni. Through December 31, 2019, 1,062 donors had given more than \$1.63M to the Law School Annual Fund. The dollar figure is an increase of almost 7 percent from the prior year’s end,

and dollars since the previous year.

The Law Firm Challenge also returned good results through the first half of fiscal 2020, with four firms participating in the friendly annual contest. Total combined giving stood at more than \$148,000 at the end of business on December 31. Skadden, Arps was setting the pace for highest alumni participation, and Latham & Watkins was maintaining a lead in gift dollars. Giving through the Law Firm Challenge can be directed to any fund or designation at the Law School.

The first half of the 2020 fiscal year featured strong giving to the Annual Fund for Cornell Law School, thanks to generous Law School alumni. Through December 31, 2019, 1,062 donors had given more than \$1.63M to the Law School Annual Fund.

and total donors are about a half percent fewer. However, neither figure includes donors and gifts to the Law School’s new “Impact Funds,” instituted at the outset of fiscal 2020 to offer benefactors several options to earmark gifts to specific designations. Eighty donors chose one or more of those options and directed current-use gifts variously to the Law School’s clinical programs, public service programs, and LL.M. degree program, respectively. Thus, overall annual giving to the Law School increased in donors

Many steadfast benefactors stepped up again with new gifts and gift commitments. Whether it supports the Annual Fund or one of the Law School’s Impact Funds, builds an existing endowment, or creates a new endowed scholarship, professorship, or program, each gift benefits Law School students and enhances their educational experience at Cornell Law School. A remarkable gift from **Louis Pepe '70** at Ezra Cornell Circle level to the Law School Annual Fund for Scholarship is providing Dean’s Circle scholarship

grants to various Law School students during the current academic year. **Susan** and **Fred Rubinstein '55** continued to build the Frederic and Susan Rubinstein Fund for the Public Interest Low-Income Protection Plan with additional giving at Ezra Cornell Circle level. The Rubinsteins established their dedicated PILIPP fund during 2018 to aid Law School graduates who are working in government jobs and repaying student loans. **Franci Blassberg '77**, a Foremost Benefactor of Cornell and past chair of the Law School Dean's Advisory Council, directed a Founder's Circle gift to the Law School Annual Fund. **John L. Whittle '95** and **Sarah H. Whittle '96** supported the Law School Annual Fund at President's Circle level, as did **David L. Russo '85** and **Mary Gail Gearns '85**; **Valerie Ford Jacob '78**; **Bernard Berkowitz '56**; **Doris Banta Pree '46**; **Denise A. Hauselt '83**; and **Brian E. Pastuszanski '81** and **Erin S. Pastuszanski '81**. **John S. Brown '65** directed a President's Circle gift to the Law School Annual Fund for Scholarship, and classmate **Peter B. Webster '65**, evidently of like mind, also supported the Law School Annual Fund for Scholarship at President's Circle level. **David Litman '82** directed President's Circle level support to the ongoing Tel Aviv University-Cornell Law School Exchange Program, which he

has funded in partnership with classmate **Robert B. Diener '82** since 2010. **Charles P. Eddy '70** made a new President's Circle gift to the endowment of the Charles and Brenda Eddy Dean's Discretionary Fund for Public Interest Law, which benefits the PILIPP program, and **Jerold R. Ruderman '67** and **Hon. Terry Jane Ruderman '66, M.A.T. '67** named a second distinctive space in the new Hughes Hall with a gift to facilities. Cornell Law School is

grateful to receive such generous philanthropy from these alumni and all the others who made gifts at all giving levels during the first half of fiscal 2020. Consistent annual giving to the Law School's many current-use and endowed funds ensures that our students continue to experience a premier legal education in a collegial environment of mutual respect and support. Every gift at any level helps sustain that ideal.

Scholarship grants are especially important to Cornell's educational mission. Making a Cornell law degree more accessible to a greater diversity of students continues to be a priority goal, and gifts to endowed scholarship funds make that goal more fully achievable today and in the future. During the first half of fiscal 2020, several endowed scholarship funds received new gifts. The Frank and Blythe Baldwin Scholarship for Native American Law Students was awarded for the first time in the fall of 2019, courtesy of **Dr. Frank Baldwin** and his wife, **Blythe**, both friends of the Law School, who bolstered their scholarship's annual grant with an additional current-use gift. The Baldwin Scholarship is awarded at the discretion of the Allan R. Tessler Dean of the Law School, with a preference for Native American students. The Cornell Law School Class of 1985 Scholarship continued its drive to become a full-tuition Law School scholarship by receiving several new gifts to endowment, including an Ezra Cornell Circle commitment from **John M. Schwolsky '85**, who is among the fund's leading donors. **Joseph Calabrese '81** made a new Ezra Cornell Circle gift to the endowment of the Gerard R. and Anna M. Calabrese Scholarship, in honor of his mother, Anna, on the occasion of her one-hundredth birthday. The Calabrese Scholarship is awarded with a preference for a Law School student who is

Making a Cornell law degree more accessible to a greater diversity of students continues to be a priority goal, and gifts to endowed scholarship funds make that goal more fully achievable today and in the future.



the first in his or her family to attend law school. **Neil A. Torpey '85** continued to build the Cornell Law School Class of 1985 Scholarship with a Founder's Circle gift, and **Arthur M. Siskind '62** did the same for the Dean's Scholarship endowed by Arthur M. and Mary Ann Siskind by directing a new Founder's Circle gift to it. At Dean's Circle level, **Yvette Harmon '69** bolstered the endowment of the Rose and Sol Grossman Memorial Scholarship, which she named for her parents in 2011. Also at Dean's Circle level, **M. Carr Ferguson '54** enhanced the endowment of the M. Carr and Marian Ferguson Law Scholarship, and **Marcia Goldstein '75** did the same for the Marcia and Mark Goldstein Scholarship. Additional Dean's Circle gifts came from, respectively, **Jay Waks '71** and **Eric Fastiff '95**, to the Law School Annual Fund for Scholarship; **Mark**

Evans '68, to the Class of 1968 Walter E. Oberer Memorial Scholarship; **Charles W. Wolfram**, to the Carl P. and Dona M. Wolfram Public Interest Fellowship; **John Mangan '67**, to the John J. Mangan Scholarship; **Richard Mason**, to the Virginia and Thomas Tilley Adams J.D. 1957 Scholarship; **Henry Edelman '73**, to the Practitioner-in-Residence Fund; **Michael Zuckerman '09**, to the Lawyering Program; and **Neil Getnick '78**, **Paul Salvatore '84**, **John Schwolsky '85**, and **Arthur Siskind '62**, respectively, to the Immigration Service and Advocacy Fund, a public-service resource fund that underwrites the costs of basing current Law School students at the U.S.-Mexico border to work as legal representatives and advisers to immigrants and persons seeking asylum.

The Legal Clinic Fund—a consortium that includes the

Democracy Fund, the Heising-Simons Foundation, and the Klarman Family Foundation—has awarded a gift to the **First Amendment Clinic** to support the clinic's Local Journalism Project (LJP). LJP is a special initiative within the clinic that provides free legal services to journalists and local media outlets in New York, Vermont, Pennsylvania, and surround-

play their critical watchdog function. We are essentially telling our clients to pursue those important stories. We will have your back." The Legal Clinic Fund gift will help fund an LJP managing attorney who will oversee the operation of LJP and supervise student-attorneys working on those matters.

The Legal Clinic Fund—a consortium that includes the Democracy Fund, the Heising-Simons Foundation, and the Klarman Family Foundation—has awarded a gift to the First Amendment Clinic to support the clinic's Local Journalism Project (LJP).



ing geographies to aid them in their news-gathering activities and to defend them against efforts to suppress their free speech rights. "It is inspiring—and so important to the very functioning of our democratic institutions—how much good work is being done by local media outlets and journalists in the face of their own serious business challenges," said **Mark H. Jackson '85**, the clinic's director. "LJP provides these outlets with the legal services they need to continue to

The Bank of America Foundation expanded its support of the Bank of America Institute for Women's Entrepreneurship at Cornell. The institute is an online resource that offers a twelve-week executive certificate program on women's entrepreneurship for free via the eCornell education platform. While the institute had initially planned to bring 5,000 students through the program during the four years of the gift, exceptional demand led to

Bank of America’s additional funding to expand the program to include more than 20,000 students. At present, more than 19,000 students are enrolled in the program, and more than 27,000 students are on the notification list. Student satisfaction averages 9.4 on a ten-point scale.

Planned gifts continue to serve many Law School alumni as an advantageous and convenient means of directing their philanthropy to the Law School while providing for their own needs and the needs of their families. Cornell Law School benefits from estate bequests, charitable remainder unified trusts, and other planned giving instruments every year. **Daniel Emery ‘80** advised the Law School of

specializing in Social Security disability law and based just outside Portland, Maine. A realized bequest from the estate of the late **Lloyd A. Portnow ‘64** is funding the Alice J. Rothenberg and J. Stuart Zahniser Scholarship, which will make an annual tuition-aid grant to a Law School student with financial need and in good academic standing.

Justia’s support of the Legal Information Institute at Cornell Law School continued at impressive levels. **Timothy Stanley**, cofounder of Justia with **Stacy Stern**, has championed the LII for many years. Through Justia, they have demonstrated their conviction repeatedly that free and open access to law, and information about the law, is an essential

Planned gifts continue to serve many Law School alumni as an advantageous and convenient means of directing their philanthropy to the Law School while providing for their own needs and the needs of their families.

such a gift in the form of a future bequest from his estate. At a future date, Mr. Emery’s bequest gift will augment the Law School’s general scholarship endowment. Mr. Emery is founder and principal of the Daniel Emery Law Office, spe-

service to citizens of the United States and the world. Among the LII’s numerous worldwide supporters, Justia’s philanthropy is unprecedented, and Cornell Law School is most grateful for such generosity.



From left to right: Jennifer Chu ‘20, Divij Kadan ‘21, Ashley Gillespie ‘01, Julianna Debler ‘19, Marisa Werner ‘22, Ethan Everett ‘22, and Isaac Syed ‘20

J.D./M.B.A. Alumni and Student Reception

On October 14, 2019, J.D./M.B.A. alumni and students took time out of their busy schedules to gather at the Ainsworth in New York City for drinks, hors d’oeuvres, and an opportunity to connect. The event organizers, **Jennifer Chu, J.D./M.B.A. ‘20**, and **Isaac Syed, J.D./M.B.A. ‘20**, were pleased with alumni representation from classes across three decades.

“Alumni traded stories from juggling Securities Regulations with Intermediate Accounting to the herculean task of setting up the three-year J.D./M.B.A. program back in 2009,” said Chu. “We all have benefited from the interdisciplinary skill set we acquired in the dual-degree program to pursue diverse successful careers.”

“Besides serving as an opportunity to relax and have great conversations, the J.D./M.B.A. Ainsworth event was a testament to the value and flexibility that the dual degree offers,” added Syed. “Alumni have gone on to serve various roles, both in business and in the law, and have seen consistent success in their careers.”

Chu added, “We plan to host more J.D./M.B.A. alumni events to bring together and grow our small community.”

Nine Sworn into the United States Supreme Court Bar

This past November's Supreme Court Bar group admission, hosted by the Office of Alumni Affairs, featured a small group of nine alumni who took part in the swearing-in ceremony. Newly admitted to argue before the nation's highest court of last resort are **Harry Day '73**, **Valerie Ford Jacob '78**, **Sally Anne Levine '73**, **David Moran '73**, **Kathryn Murtagh '89**, **Andrianne Payson '00**, **Euwyn Poon '07**, **Suzanne Segal '87**, and **Bill Verhelle '98**. Also present was **C. Evan Stewart '77**, admitted to the Supreme Court Bar on October 7, 1981, who moved the group's admission. Despite a winter storm that moved across the Northeast and the ceremony taking place

on December 2 and 3 (the Monday and Tuesday after Thanksgiving), alumni variously brought spouses, children, and other family members to share the experience. The large number of guests and the range of their respective ages created a "family feeling" that was most welcome during the holiday season.

The two-day event included a special dinner for alumni inductees and their guests on the eve of the ceremony, a breakfast on the morning-of at the Court, an opportunity to attend the day's oral arguments, and a private docent lecture in the courtroom afterward. These activities were enjoyed by everyone and were roundly praised. Harry Day wrote, "It was an honor to be admitted to the Supreme Court, and an immense privilege to be present

for the two cases. I must say that what we witnessed was an assembly of unsurpassed brain power evidenced by our justices and the attorneys presenting their cases. It was inspiring to observe the obvious collegiality and mutual respect and friendship among and between the justices in the course of their questioning and discussion." Euwyn Poon, who arrived just in time from California, added, "It was a wonderful and humbling experience to be sworn in by the Court—I'd highly recommend it to all Cornell Law graduates, whether newly minted lawyers or seasoned veterans." And Evan Stewart said, "Remembering my own experience years ago, when Chief Justice Burger was so gracious to my father (who moved my admission) and me, I was happy and honored to

participate in helping my fellow Cornellians experience this professional high point."

Alumni Group Updates

LATINO LAWYERS OF CORNELL

On September 27, 2019, the Latino Lawyers of Cornell (LLOC) held a breakfast at the Hispanic National Bar Association's annual conference in New York City to celebrate **Irene Oria '99**, who was appointed the 42nd President of HNBA. The event also signified the passing of the LLoC presidency from **Maria Fernandez '92**, to **David Shimkin '97**, who assumed the role effective October 1, 2019.

STUDENTS AND ALUMNI OF COLOR MIXER IN NEW YORK CITY

On January 31, 2020, Cornell Law School alumni, students, and staff gathered at Sidley Austerlitz to celebrate the ninth annual Students and Alumni of Color Mixer in New York City. **Melissa Colón-Bosolet '07**, Advisory Council member, hosted the event.



LEFT: Bill Verhelle '98, Suzanne Segal '87, Sally Anne Levine '73, C. Evan Stewart '77, David Moran '73, Andrianne Payson '00, Harry Day '73, and Valerie Ford Jacob '78. (Not pictured is Kathryn Murtagh '89 who was unable to attend the swearing in due to the winter storm. Murtagh was inducted through a written motion by C. Evan Stewart.) RIGHT: Euwyn Poon '07 being sworn in.



CORNELL BLACK LAWYERS ALUMNI NETWORK

The Cornell Black Lawyers Alumni Network (CBLAN) hosted its annual breakfast during the National Bar Association's 94th Annual Convention at the Sheraton Times Square Hotel in New York City on July 24, 2019. Dean Peñalver delivered remarks to the more-than fifty alumni and friends in attendance.

CBLAN's third annual Having Our Voices Heard Reception, held during the Congressional Black Legislative Caucus Legislative Conference in September 2019 in Washington, D.C., attracted 400-plus attendees, a record number. CBLAN part-

TOP LEFT (L TO R): David Shimkin '97, Dean Peñalver, Maria Fernandez '92, and Irene Oria '99 at the Latino Lawyers of Cornell breakfast TOP RIGHT (L TO R): Josh Rhee '19, Heejin Kim '19, Andrew Hahn '86, and Hyun (Christine) Kim '19 at the ninth annual Students and Alumni of Color Mixer in New York City BOTTOM LEFT: Elizabeth Moore, B.S. '75 is interviewed by Natalya Johnson '10 (right) BOTTOM RIGHT: Members of the Cornell Black Lawyers Alumni Network at its 3rd Annual Having Our Voices Heard Reception in Washington, D.C.

nered with diverse alumni groups from Harvard, GW, UPENN, Syracuse, Rutgers, Yale, Georgetown, Howard, and Northeastern to organize the event, which featured remarks from **Lucy Kay McBath**, U.S. Representatives of Georgia's 6th congressional district.

A dynamic crowd of Cornell Black lawyers and friends gathered on May 31, 2019, to honor distinguished alum **Elizabeth Moore, B.S. '75**, at CBLAN's 5th Annual Soirée held at the Cornell Club of New York. Speaking to a captivated audience, Moore, senior vice president and general counsel at

Consolidated Edison, provided insight on alumni engagement, leadership, mentoring, branding, her role as general counsel, as well as her other leadership roles in government and private practice. Moore was interviewed by CBLAN President **Natalya Johnson '10**. ■

In Memoriam

Donald R. Adair '68

Arthur A. Agnello '53

Thomas B. Albertson '62

Raymond L. Balfour, LL.B. '64

Hon. William C. Barrett '63

Robert L. Beerman, LL.B. '62

William V. Buccella '68

Bruce M. Cormier '82

Edmund M. Davis, LL.B. '57

John T. DeGraff Jr., LL.B. '56

John E. Griffiths '52

Russell J. Guglielmino '68

Mark J. Haberberger '85

Diana Marie Hastings '86

James V. Heffernan '52

Robert Beecher Hunter, LL.B. '62

Marc Joseph '50

Dewitte T. Kersh Jr., LL.B. '57

Robert W. Letendre '61

Robert P. Lipton '52

J. Stewart McLaughlin, LL.B. '62

Ronald S. Lockhart '58

Martin Karl Miller, LL.B. '63

Richard C. Mitchell Jr. '69

James Watson Northrop '62

Richard J. Orloski '71

Danford William Rogers '62

Alan Ross Jr. '48

William G. Ruger '61

Lawrence C. Salameno '69

Raymond W. Smith '52

Roger Burdette Sovocool '49

David B. Stackpole, LL.B. '62

Sean E. Stanton '86

David G. Stearns '58

Bernard Tannenbaum '53

David L. Teeter, LL.B. '51

Charles J. Urstadt, LL.B. '53

Henry H. Wallace '66

George H. Wang '78

Peter L. Wolff, LL.B. '62

Christopher David Brouwer
EDITORMartha P. Fitzgerald
ASSOCIATE DEAN FOR COMMUNICATIONSMarian Rogers
COPY EDITORJason C. Otero, Shannon Williamson
DESIGNERSKenneth Berkowitz, Cynthia Grant Bowman,
Christopher Brouwer, Lyndsey Y. Clark, Kevin M.
Clermont, Susan Kelley, Owen Lubozynski, Ian
McGullam, Linda Brandt Myers, Sherrie Negrea
CONTRIBUTING WRITERSRobert Barker (p. 55); Cornell Law School Archives (pp.
11, 12, 13, 19, 23, 24, 25); Cornell University Photography
(pp. 24, 25, 26, 27, 29, 30, 31, 34, 35, 46, 50, 52, 54, 56);
Cornell University Library Rare and Manuscript
Collections (pp. 13, 14, 20, 21, 22, 23); Library of
Congress (pp. 14, 15, 16); Jon Nicholls/Alamy Stock
Photo (p. 7); Joseph Sorrentino (p. 7); Sheryl Sinkow
(pp. 48, 49, 62, 63)
PHOTOS AND ILLUSTRATIONSQMC Group
PRINTERThe editors thank the faculty, staff, alumni, and
students of Cornell Law School for their cooperation
in the production of this publication. Select articles
in the "Briefs" section reprinted courtesy of
Cornell Chronicle.Cornell Law School publishes *Cornell Law Forum* two
times per year. It is an eco-friendly publication. Business
and editorial offices are located in 119 Myron Taylor
Hall, Ithaca, NY 14853-4901 (phone: 607-255-6499;
email: brouwer@cornell.edu).On the Web: www.forum.law.cornell.edu

©2020 by Cornell University. All rights reserved.





Support Scholarship at Cornell Law School

My scholarship allows me to pursue my dream of being an attorney, while lifting some of the financial pressure that comes with law school. I am able to focus my attention on my studies, not my finances.

Obtaining this scholarship solidified my decision to attend Cornell Law School and pursue my interest in international law. Being a student here has allowed me to form bonds with professors who inspire me, and find a community of support from my peers.



Destiny Reyes '21
Recipient of the
Serafini Family Scholarship

