

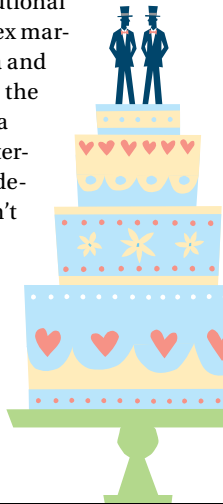
Notes & Renderings

The State of Matrimony

LAST MAY, NEAR THE END OF A YEAR-LONG PERIOD IN which six states legalized same-sex marriage, David Boies (LL.M. '67) teamed with *Bush v. Gore* rival Theodore Olson to challenge Proposition 8, the ballot measure ending gay marriage in California. "This is not something that is a partisan issue," but one of civil rights, said Boies in the *New York Times*.

Not all proponents applauded the bold move. Jennifer Pizer '88, marriage project director for Lambda Legal, told the *Times* the federal suit was "risky and premature" and that a Supreme Court loss could set the cause back decades. But Olson, a Dwight D. Opperman Institute of Judicial Administration board member, countered, "We studied this very, very carefully," adding that it was hard to tell clients, "Why don't you...wait another five years?"

Meanwhile, antidiscrimination law expert Kenji Yoshino, Chief Justice Earl Warren Professor of Constitutional Law, weighed in on the sanctioning of same-sex marriage rights in multiple states—including Iowa and Vermont in the span of four days last April—in the *Times*, on NPR, and in other media outlets. In a podcast for the NYU Law Web site, Yoshino interpreted the Iowa Supreme Court's unanimous decision: "A 7-0 decision says that there really isn't an argument we can credit on the other side, and this manifests a movement away from thinking about the same-sex marriage issue as being up for debate and toward the idea that to be against same-sex marriage is like being against interracial marriage." (Listen to the full interview at law.nyu.edu/news/yoshino_podcast_marriage/)



Reframing Sotomayor

In July, the Bickel and Brewer Latino Institute convened an informal discussion regarding the coverage of Sonia Sotomayor's nomination to the U.S. Supreme Court. Sotomayor has strong ties to the Law School: She attended the New Appellate Judges Seminar offered by the Dwight D. Opperman Institute of Judicial Administration in 1998, her rookie year as judge of the U.S. Court of Appeals for the Second Circuit, and she was an adjunct professor of law from 1998 to 2007.

"We want to take stock of how Latinos have helped shape the law in the United States," said the institute's faculty director, Professor Cristina Rodriguez. **"A lot of the media focus has been on how Sotomayor would add demographic diversity to the Court, but without a meaningful discussion of the historical contributions of Latinos, including advancements in civil rights."**

Rascoff Wins Carnegie

In just his first year in academia, Assistant Professor Samuel Rascoff has won a grant from the Carnegie Foundation of New York. One of 24 Carnegie Scholars who will receive up to \$100,000 for research projects to "enrich the quality of the public dialogue on Islam," Rascoff will examine how the U.S. understands Islam, drawing on comparisons to the United Kingdom and the Netherlands, as well as with Cold War-era Sovietology.

Before joining the Law School faculty, Rascoff was the NYPD's director of intelligence analysis and special assistant to Ambassador Paul Bremer with the Coalition Provisional Authority in Iraq. He is the fifth academic from NYU Law to score a grant since the program began in 1999;



no other law school has won more than two. Previous winners include professors Noah Feldman (now at Harvard Law School), Stephen Holmes, and Richard Pildes, as well as Aziz Huq, former deputy director of the Brennan Center for Justice.

ILLUSTRATION: DAVID NIEDENTHAL

A Baker's Dozen of Food for Thought

This fall, University Professor Jeremy Waldron delivers one of the most prestigious lectures in the academy, the Oliver Wendell Holmes Lecture at Harvard Law School. It will be the 13th major lecture that Waldron, a legal philosopher, will have given at top universities throughout the world.

"These famous lecture series are great events in academic life, and the universities that sponsor them are understandably anxious to match the quality and reputation of each year's speaker to the high importance of the occasion," said Ronald Dworkin.

"It is a wonderful tribute to Jeremy that so many of the best universities have turned to him for that purpose."



October 2009
**Oliver Wendell
 Holmes Lecture**
 Harvard Law School,
 Cambridge, MA

SOTOMAYOR: AP IMAGES/WHITE HOUSE

Voting Rights Endure—for Now

WHEN DEBO ADEGBILE '94 appeared before the Supreme Court in April to argue against a constitutional challenge to Section 5 of the Voting Rights Act of 1965, it was the climax of several years' effort to win congressional reauthorization of provisions of the VRA. Adebile, director of litigation at the NAACP Legal Defense and Educational Fund, had testified in both the House and Senate and made appearances across the country to educate the public and engage in debate about VRA issues.

On the surface, the case was a simple one. A small Texas utility district with an elected board wanted the opportunity to "bail out" of its obligations under Section 5, which requires that certain local jurisdictions with a history of voting rights discrimination seek Justice Department preapproval before changing their voting

procedures. Since the district does not register voters, it was deemed ineligible to bail out, and so brought suit to win that right or, alternatively, to overturn Section 5 entirely. The latter possibility made *Northwest Austin Municipal Utility District Number One v. Holder* the most highly anticipated opinion of the last term.

The tone of the oral argument on April 29 led most observers to believe the Supreme Court might declare Section

5 unconstitutional. Adebile faced skeptical questioning from several justices; one of the most prominently raised questions was whether the mix of covered jurisdictions was now outdated. Many legal analysts predicted a 5-4 decision.

The Court surprised both sides on June 22 when it ruled 8-1 to address the case narrowly, leaving Section 5 intact. The Court gave non-voter-registering entities the right to seek bailout relief, but also implied that Section 5's constitutional status might be under threat.

Professor Richard Pildes, whose congressional testimony on Section 5's 2006 reauthorization was quoted in the opinion, said, "Congress had thrown down a gauntlet to the Court by not updating the Act in 2006, and the Court responded in its own more gentle way by essentially throwing the gauntlet back down to Congress and saying the Act is in serious constitutional jeopardy."

Agreeing with Pildes, Professor Samuel Issacharoff, whose law review article on Section 5 was cited in the

ruling, said, "If we look at where the problems have taken place in recent elections, Ohio and Florida come to the fore, and neither one is a covered jurisdiction under Section 5."

Adebile, on the other hand, considers the continued



relevance of Section 5 a legislative matter rather than a judicial one: "Where you have a statute that has withstood the test of time and has been a transformative piece of legislation...that system should not lightly be set aside."

Acknowledging that no system is flawless, Adebile said, "Section 5 has never been a perfect metric of all of the places where discrimination is happening, but it's been a very effective one at getting at some of the most entrenched discrimination." He added, "In my work I travel near and far to hear from those folks about whether or not they need Section 5.... Their experience has been such that they understand that the struggle for equality is not done yet."



Adebile, left, with other LDF counsel, emerging after arguments at the U.S. Supreme Court.

2009
Tanner Lectures on Human Values
University of California, Berkeley

2008
Space for Thought
London School of Economics, England

2007
Storrs Lectures
Yale Law School, New Haven, CT

2006
Julius Stone Address
Sydney Law School, Australia

2006
Jonathan I. Charney Lecture in International Law
Vanderbilt University Law School, Nashville, TN

2005
F.W. Guest Memorial Lecture
University of Otago Faculty of Law, Dunedin, New Zealand

2005
Daniel Jacobson Lecture
The Hebrew University of Jerusalem, Israel

2004
Robert G. Wesson Lectures
Stanford University, Palo Alto, CA

2001
Kadish Lecture
University of California, Berkeley, School of Law

2000
Sir Malcolm Knox Memorial Lecture
University of St. Andrews, Scotland

1999
Carlyle Lectures
University of Oxford, England

1996
John Robert Seeley Lectures in Social and Political Studies
Cambridge University, England

Experts in the House



Who: Barry Adler, Bernard Petrie Professor of Law and Business
Where: House Committee on the Judiciary, Subcommittee on Commercial and Administrative Law
When: September 26, 2008
What: In a hearing titled “Lehman Brothers, Sharper Image, Bannigan’s, and Beyond: Is Chapter 11 Bankruptcy Working?” Adler noted that, independent of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, there has been a “sea change” in bankruptcy reorganization for large, publicly traded companies. The shift has been from debtor to creditor control of bankruptcy, with a trend toward more meaningful changes to the organization’s management structure as firms attempt to address the roots of fiscal difficulties. The shift has also resulted in a greater number of firms being liquidated, which can be a better solution, Adler said, than a futile capital restructuring that fails to solve the real problem.



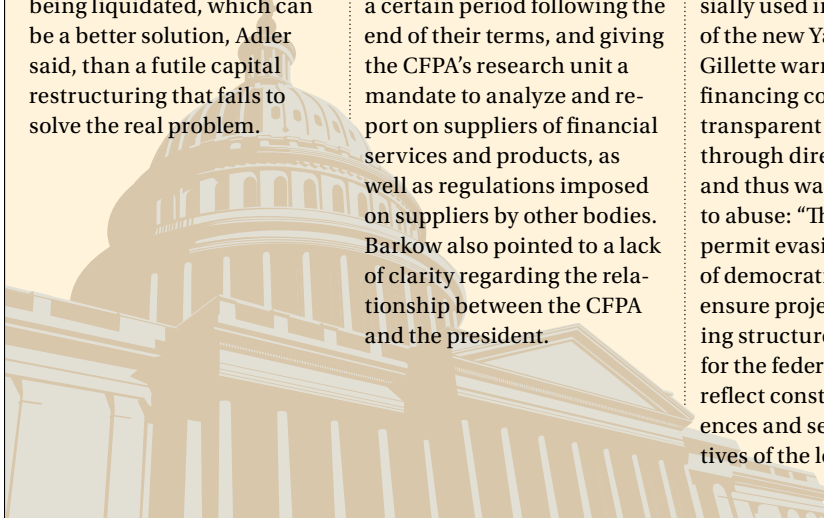
Who: Rachel Barkow, Professor of Law
Where: House Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection
When: July 8, 2009
What: In the hearing “The Proposed Consumer Financial Protection Agency: Implications for Consumers and the FTC,” Barkow gave her take on the structure of the CFPA, which would protect and inform consumers in the complex market of financial services and products. She recommended limiting the CFPA’s five-member board to no more than three members of any political party, ensuring that consultation is at the CFPA’s discretion and not subject to judicial review, modifying the statute of limitations provision, limiting the ability of agency board members to practice before the CFPA for a certain period following the end of their terms, and giving the CFPA’s research unit a mandate to analyze and report on suppliers of financial services and products, as well as regulations imposed on suppliers by other bodies. Barkow also pointed to a lack of clarity regarding the relationship between the CFPA and the president.



Who: Clayton Gillette, Max E. Greenberg Professor of Contract Law
Where: House Committee on Government and Oversight Reform, Subcommittee on Domestic Policy
When: September 18, 2008
What: Gillette testified about the appropriate scope of the federal tax exemption on municipal bond interest. He suggested that the exemption should be limited to those projects that have beneficial consequences beyond the jurisdiction that issues the bonds. Gillette also argued that while projects funded by payments in lieu of taxes (PILOTs) may be desirable for the state or municipality in which the projects are located, the proper availability of the federal tax exemption should depend on other factors. Municipal projects funded by PILOTs have become popular in recent years, and were controversially used in the funding of the new Yankee Stadium. Gillette warned that PILOT financing could be less transparent than financing through direct expenditures, and thus was susceptible to abuse: “These payments permit evasion of the kinds of democratic scrutiny that ensure projects and financing structures that qualify for the federal tax exemption reflect constituent preferences and serve the objectives of the local economy.”



Who: Linda Silberman, Martin Lipton Professor of Law
Where: House Committee on the Judiciary, Subcommittee on Commercial and Administrative Law
When: February 12, 2009
What: Silberman addressed the problem of “libel tourism,” in which plaintiffs sue American authors and publishers for defamation in countries where U.S. First Amendment protections do not apply. One such venue is England, where the burden is on the defendant to prove that allegedly defamatory statements are benign. Silberman pointed out that the U.S. has no bilateral or multinational treaty regarding the recognition and enforcement of foreign judgments and called it “curious” that such cases are considered a matter of state, rather than national, law: “As a result, the judgment of a...German or Japanese court might be recognized and enforced in Texas, but not in Arkansas, in Pennsylvania but not in New York.” She prescribed a comprehensive federal statute concerning the recognition and enforcement in the U.S. of foreign judgments. On June 16, the House passed H.R. 2765 prohibiting recognition and enforcement of foreign defamation judgments not consistent with the First Amendment; the bill’s accompanying report cited Silberman’s testimony.





In the majority opinion written by Justice Anthony Kennedy, Pildes's "Is Voting Rights Law Now at War with Itself? Social Science and Voting Rights in the 2000s" from the 2002 *North Carolina Law Review* is cited four times.

In a decision last March, the Supreme Court cited an article by Richard Pildes numerous times in both the majority opinion and two dissents.

In his dissent, Justice David Souter cited the article five more times. And Justice Stephen Breyer, also dissenting, once again cited Pildes. Clearly, one thing the justices could agree on in their 5-4 decision was the significance of Pildes's work.



Pildes V. Pildes

The Court held in *Bartlett v. Strickland* that a part of the Voting Rights Act aimed at helping minorities elect their preferred candidates applies only in electoral districts where minorities make up at least half of the voting-age population.

KENNEDY: GETTY/DAVID PAUL MORRIS/STRINGER SOUTER: GETTY/CHIP SOMODEVILLA/STAFF BREYER: GETTY/CHARLES OMMANNEY/CONTRIBUTOR

A Million for His Thoughts

University Professor Thomas Nagel won a 2008 Balzan Prize and one million Swiss francs (roughly \$885,000) for his work in moral philosophy. Nagel was honored last December, in part "for the originality and fecundity of his philosophical approach to some of the most important questions in contemporary life."



"Thomas Nagel is one of America's most distinguished living philosophers," says University Professor Samuel

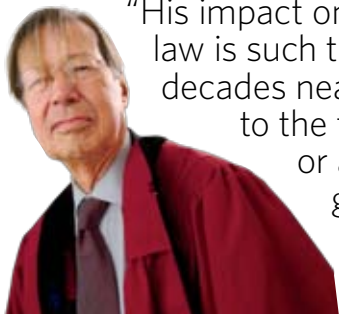
Scheffler, once Nagel's student. "He has an uncanny ability to cut to the heart of a complex issue without in any way oversimplifying it."

The Balzan is just the latest in recent honors for Nagel. Last year, Oxford University gave him an honorary doctorate, and the Royal Swedish Academy of Sciences awarded him a Rolf Schock Prize in Logic and Philosophy—and 500,000 Swedish kronor (then roughly \$82,000).

A Crimson Feather in His Cap

Legal philosopher and University Professor Ronald Dworkin received an honorary doctorate of laws at Harvard University's 358th commencement on June 4. A graduate of Harvard College and Harvard Law School, Dworkin stood onstage in crimson and black robes as Provost Steven Hyman enumerated the quandaries of legal philosophy that Dworkin has tackled, including the role of morality in constitutional interpretation, the core principles citizens share in a polarized democracy, and how to determine an individual's political rights. Hyman observed:

"His impact on the philosophy of law is such that over the past three decades nearly every contribution to the field is either directly or at least indirectly an engagement with his work."



Two Alumni Clear a Painful Docket

WHEN ARTICLES ARE WRITTEN ABOUT HOW THE THOUSANDS of victims of the 9/11 terrorist attacks were compensated, there will be one interesting footnote: All but three claimants reached out-of-court settlements with the help of two Law School alumni—Sheila Birnbaum '65 and Kenneth Feinberg '70.

Feinberg, the Obama administration's new "pay czar" overseeing executive compensation for companies receiving federal aid, was the special master of the September 11th Victim Compensation Fund established by Congress 10 days after the attacks as an administrative alternative to litigation. The vast majority—98 percent—of eligible victims and families submitted claims to the fund, and by June 2004 Feinberg had supervised payouts of more than \$7 billion to 5,560 claimants.



The 95 remaining victims and families filed suits against the airlines, security companies, and others in the U.S. District Court for the Southern District of New York. That court, in turn, appointed Birnbaum, a specialist in mass torts and a partner at Skadden, Arps, Slate, Meagher & Flom, as mediator. From February 2006 to March 2009, she settled all but three wrongful death and personal injury lawsuits for a total of \$500 million.

In her concluding report to Judge Alvin Hellerstein, Birnbaum wrote that many families had not had a chance to "tell the story of their loss." So, she arranged for the families to address airline representatives in face-to-face sessions that were "heart-wrenching and emotionally draining." In Hellerstein's order accepting the report, he praised Birnbaum's "extraordinary work": "She absorbed their losses and their pain with empathy.... She gained plaintiffs' confidence. Without her assistance, most of these cases, in my opinion, would not have settled."



Attorney and Client, Fortitude and Impatience

Ensuring the right to rest one's weary head

Steven Banks '81, attorney-in-chief of the Legal Aid Society, may have developed a new appreciation for Charles Dickens's *Bleak House* after brokering a deal with New York City to shelter the homeless. But unlike the long-running fictional case *Jarndyce and Jarndyce*, this 25-year legal battle had a hopeful ending.

In 1983 the Legal Aid Society filed the primary lawsuit in the matter, *McCain v. Koch*, to obtain better shelter for families. Subsequent lawsuits concerned questions of shelter eligibility and services for the homeless. By 2008, more than 40 court orders were in play. In an attempt to end the quarter-century legal conflict, the city made reforming the shelter system a top priority.

The settlement between the Legal Aid Society and New York City explicitly guarantees the right to shelter and formalizes qualifying standards for shelter, assisting individuals with obtaining necessary documents and helping them find somewhere to go in the event that shelter is denied.

In a September 2008 news conference with Mayor Michael Bloomberg at City Hall, Banks said the hard-won development made this "a historic day for homeless children and their families," adding, "An enforceable right to shelter for homeless children and their families is now permanent, no matter what administration is in office, no matter who is mayor."

Félicitations to Bellamy

In an April 7 ceremony in Paris, Carol Bellamy '68 was made a chevalier in the Legion of Honor in recognition of her service from 1995 to 2005 as executive director of UNICEF, the children's agency of the United Nations. Created by Napoleon Bonaparte, the Légion d'honneur is France's oldest and highest distinction. In recent years, Law School professors Theodor Meron and Ronald Noble as well as NYPD Commissioner Raymond Kelly (LL.M. '74) have also received the medal.

Bellamy has crisscrossed the private and public sectors throughout her career, having worked as a corporate lawyer for Cravath, Swaine & Moore, a managing director at Bear Stearns, a principal at Morgan

Stanley, a New York state senator, president of the New York City Council, and director of the U.S. Peace Corps.

French Secretary of State Alain Joyandet presented the medal "to pay tribute to [Bellamy's] commitment to the cause of children all over the world." He praised Bellamy for her "intense and tireless contribution...at the head of UNICEF to fight discrimination against children and advocate for the recognition of their rights."

Bellamy is president and CEO of World Learning, a Vermont-based nonprofit organization that seeks to help Americans become more effective global citizens through study abroad, graduate education, and community projects.

"Being at the head of UNICEF was an honor and a privilege. I can think of no work that is more vital to humanity than ensuring that children everywhere survive their early years and grow up with health, dignity, and peace."



Opening Argument

"Clients have long hated the billable hour, and I understand why....

The clients feel they have no control, that there is no correlation between cost and quality.... The billable hour makes no sense, not even for lawyers. If you are successful and win a case early on, you put yourself out of work.... That is frankly nuts."

From "Kill the Billable Hour" by Evan Chesler '75, presiding partner at Cravath, Swaine & Moore, and a trustee and adjunct professor at the NYU School of Law, in *Forbes*, January 12, 2009

Plugging Into a Powerful Partnership

A three-year effort by the editors of seven top law journals culminated with the April launch of the *Legal Workshop*, an online magazine featuring ideas found in the law reviews of NYU, Cornell, Duke, Georgetown, Northwestern, Stanford, and the University of Chicago.

The intent is to provide free legal scholarship in a readable, accessible format, said Matthew Lawrence '09, former managing editor of the *NYU Law Review*, whose efforts were integral to the Web site's launch. The *Legal Workshop* presents short, plain-English articles written by an author whose related, full-length work of scholarship appears

in one of the participating law reviews. In June, for instance, Senior Circuit Judge Harry Edwards of the U.S. Court of Appeals for the D.C. Circuit, a visiting professor at NYU School of Law, published an engaging editorial about judicial politics that uses personal experience to illustrate the ideas in a *Duke Law Review* article that he co-authored with Michael Livermore '06, "Pitfalls of Empirical Studies That Attempt to Understand the Factors Affecting Appellate Decisionmaking."



A not-for-profit joint venture, the *Legal Workshop* is operated by current and former student editors. The idea came about at a 2006 meeting of editors in chief of top law reviews who shared how they were struggling to make their individual Web sites viable. Erin Delaney '07 embraced the idea of a collaboration, and the editors of the *NYU Law Review* took the lead in cutting through the legal red tape to form a multi-state consortium of private and public entities. "It was a simple vision," said Lawrence, "but it took a lot of hard work to make it happen."



"Sor"ing High

Maribel Hernández '10 is one of 31 immigrants or children of immigrants chosen to receive a Paul and Daisy Soros Fellowship for New Americans, which provides tuition assistance for graduate studies.

Hernández is currently a joint J.D./M.P.A. candidate at NYU and Princeton University. A Bickel & Brewer Scholar, she is an articles editor of the *NYU Law Review* and a student advocate in the Immigrant Rights Clinic. She plans to continue her work in immigration law as both a lawyer and a policy advocate. "I want to represent immigrants and at the same time push for humane immigration reform," she said. "I want to help families stay together."

Born in Mexico, Hernández came to Texas with her family when she was 13 years old. She graduated magna cum laude from Harvard University and has interned with the U.N. High Commissioner for Refugees in Mozambique and the Clinton Foundation HIV/AIDS Initiative.

Committed to Diversity

AT A TIME WHEN LEGAL education is moving further out of reach for those with big career ambitions but small financial means, the NYU School of Law has expanded or created outreach and support programs.

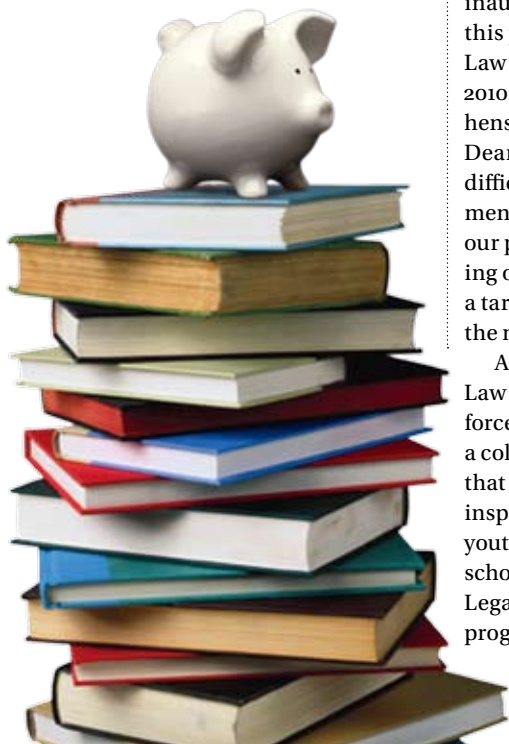
Launched through a partnership of the Law School, Harvard Law School, and the Advantage Testing Foundation,

the Training and Recruitment Initiative for Admission to Leading Law Schools (TRIALS) is a five-week summer residential program for socio-economically disadvantaged students that offers rigorous preparation for the LSAT, lectures by legal luminaries, and opportunities to meet with and observe lawyers in the field. Harvard hosted the inaugural year of TRIALS this past summer, and NYU Law will host the program in 2010. "This is part of a comprehensive diversity effort," said Dean Richard Revesz. "In a difficult economic environment, we are not scaling back our programs but are expanding our commitment through a targeted approach that does the most with each dollar."

As part of this effort, the Law School has also joined forces with Legal Outreach, a college prep organization that uses the law as a tool to inspire and prepare urban youth to succeed in high school, college, and beyond. Legal Outreach's four-year program begins the summer

before a student's ninth-grade year with an intensive criminal justice course, which was held at NYU this summer; almost every day an alumnus engaged students in discussions on compelling legal issues.

The Law School has also expanded its AnBryce Scholarship Program, founded in 1998 by Anthony Welters '77, chairman of the NYU School of Law board of trustees, and his wife, Beatrice, to provide full scholarships and other support to outstanding students who are the first in their families to pursue a graduate degree. The program, which began with one student per year, is now fully funded and has 30 students—10 per class—annually. "When I was in school, I never considered the need to work a hardship," Welters recently told *Diverse Issues in Higher Education* magazine. "But there were lots of opportunities I missed in law school because of the need to work. My wife and I facilitated these scholarships so that others could take advantage of the full school experience."



Theodor Meron,

Charles L. Denison Professor of Law Emeritus and Judicial Fellow, will be inducted as a fellow into the American Academy of Arts and Sciences in October, along with 211 other fellows and 19 foreign honorary members, including

Nelson Mandela, Dame Judi Dench, Colin Powell, Robert Caro, Bono, and Marilyn Horne.

Green Team

Joining forces, law students from the Environmental Law Society and administrators from the dean's office, residential services, operations and administrative services, and student affairs are working together to make sustainability an ingrained part of campus life.

"We see our sustainability efforts and conversations as part of an important culture change at the Law School," says Angela Gius '10, who, along with Joy Sun '10 and Maron Greenleaf '10, were invited to join the NYU Law Sustainability Committee supervised by Lillian Zalta, assistant dean for operations and administrative services.

"We're hoping to make a 'green' lifestyle the norm on campus

by ensuring that green habits are easy and accessible, that our facilities—and how we use them—become increasingly energy efficient and waste-free, and that sustainability is a priority in our decisions as individuals and as an institution," says Gius.

The Law School has already undertaken several significant steps, such as composting waste, improving recycling, reducing energy use, replacing plastics in dining halls, and producing "Green Guides" to educate students, faculty, and staff. Facilities Manager Ken Higgins says the Law School buildings have also been upgraded, switching to low-flow toilets and ditching halogen light bulbs in favor of compact fluorescents.

Ideas flow from all parts of the Law School, says Zalta, who appreciates the passion of the student committee members. "They push the agenda," she says. "They are extremely committed—you don't have to ask them for buy in. They're in."

A Growing Problem: Hungry Farmworkers

A BRIEFING PAPER WRITTEN by members of Law Students for Human Rights and solicited by Olivier De Schutter, U.N. special rapporteur on the right to food and former Hauser Global Visiting Professor, became recommended reading at an international conference held in June.

Aaron Bloom '11, Colleen Duffy '11, Monica Iyer '10, Aaron Jacobs-Smith '11, and Laura Moy '11 spent seven months analyzing the interplay of commodity traders, food processors, global retailers, and fast-food companies to investigate the role played by transnational corporations in the global food supply chain. The research, supervised

by Lama Fakhri '08, a fellow at the Center for Human Rights and Global Justice, and Professor Smita Narula, CHRJG faculty director and legal adviser to De Schutter's U.N. mandate, indicated that a shrinking number of large traders control a growing proportion of the supply chain; their demand for cheap, uniform food products pressures poor, small-scale farmers who lack the clout to contest low compensation. As a result, farmers must reduce the wages of their laborers, adversely



affecting workers' right to food. The first sentence of the paper puts it starkly: "It is both ironic and tragic that 80 percent of the world's hungry are food producers."

The two-day June meeting was the first of several planned this year that will culminate in a report to the U.N. Human Rights Council. Participants representing agribusiness, farmers, agricultural workers, and NGOs as well as academic experts received a synopsis of the students' paper as one of three documents that formed the basis for discussion. "I really hope that what we created was a foundation for a good conversation there," Iyer, the project leader, said, "and that people who were coming to the conference learned from it and were able to build from that toward actually finding solutions."

A Prized Fighter for Equal Justice

Bryan Stevenson, professor of clinical law and director of the Equal Justice Initiative, has won a 2009 International Justice Prize from the Peter and Patricia Gruber Foundation. The award is given to those who have "advanced the cause of justice as delivered through the legal system." Judge Thomas Buergethal '60 of the International Court of Justice was one of last year's recipients.

Stevenson is one of two awardees who will each receive \$250,000 during a ceremony this fall. The EJI represents indigent defendants, death row inmates, and juveniles who it believes have been denied fair and just treatment in the legal system. This term, the U.S. Supreme Court has agreed to decide the case of EJI client Joe Sullivan, who was convicted

of rape at the age of 13 and sentenced to life in prison without the possibility of parole. In December, Stevenson filed a petition in *Sullivan v. Florida* asking the Court to determine whether Sullivan's sentence violates the Eighth Amendment's prohibition on cruel and unusual punishment.

"In securing access to justice for those most in need of protection from discrimination—including, at times, discrimination within the legal system itself—Bryan Stevenson ... assist[s] oppressed minori-

ties in developing the voice and arguments they need to demand equal justice under law," said U.S. District Judge Bernice Donald of the Western District of Tennessee,

who was a member of the prize committee. "[His] work is a model for human rights

advocacy and presents a compelling case for the necessity of focusing on and developing public interest law in legal education and practice."

Stevenson's share of the prize money will be contributed to EJI's budget.





IGNACIA MORENO '90
Assistant Attorney General for Environment and Natural Resources Division, Department of Justice*



NIA PHILLIPS '99
Deputy General Counsel for Departmental and Legislative Services, Department of Education



PHILIP WEISER '94
Deputy Assistant Attorney General for International, Policy and Appellate Matters, Anti-Trust Division, Department of Justice

DAVID KAMIN '09
Special Assistant to Peter Orszag, Director of the Office of Management and Budget



JUDITH HALLE WURTZEL '88
Deputy Assistant Secretary in the Office of Planning, Evaluation, and Policy Development, Department of Education

ERIC P. SCHWARTZ '85
Assistant Secretary of State for Population, Refugees and Migration, Department of State



JON LEIBOWITZ '84
Chair of the Federal Trade Commission



ALISON NATHAN, 2008-09 ALEXANDER FELLOW
Associate White House Counsel



RAYMOND KELLY (LL.M. '74)
Homeland Security Advisory Council



CYNTHIA MANN '75
Director of the Center for Medicaid and State Operations, Department of Health and Human Services

M. PATRICIA SMITH '77
Solicitor of the Department of Labor*



MIRIAM SAPIRO '86
Deputy U.S. Trade Representative*



Painting the White House Violet



BRUCE ORECK (LL.M. '80)
U.S. Ambassador to Finland*



SETH HARRIS '90
Deputy Secretary of Labor

LOUIS FREEH (LL.M. '84)
Homeland Security Advisory Council



LAURIE MIKVA '83
Member, Board of Directors, Legal Services Corporation



The historic election of the first African American to be chief executive of the United States is also the return of a lawyer—and law professor—to the White House. In the first six months of the new presidency, more than a dozen Law School alumni said, “Yes, I can!” and have been nominated, confirmed, or appointed to a wide variety of influential roles in the Obama administration.

*Awaiting confirmation as of July 30, 2009

Prepping and Priming:
Faculty and alumni, and the agency review teams they served on during the transition

PROFESSOR CYNTHIA ESTLUND
Catherine A. Rein Professor of Law, National Labor Relations Board

ADERSON FRANCOIS '91
Commission on Civil Rights

PAMELA GILBERT '84
Consumer Protection & Safety Commission

KEITH HARPER '93
Department of the Interior and Indian Gaming Commission

ALAN HOUSEMAN '68
Legal Services Corporation

Also, Obama administration members **HARRIS, MANN, SCHWARTZ, SMITH,** and **WEISER** served on the transition team.