

Q^{LAW}uadrangle

NOTES FROM MICHIGAN LAW

**GUNS
ON
CAMPUS
?**



The University of Michigan Law School
Volume 53, Number 2
FALL 2010

Cover Illustration by Patricia Claydon,
Ballistic Design

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Law Quadrangle (USPA #144) is issued by
the University of Michigan Law School.
Postage paid at Ann Arbor, Michigan.

Publication Office: Law Quadrangle,
University of Michigan Law School,
Ann Arbor, MI 48109-1215. Published
two times a year.

Postmaster, send address changes to:
Editor, Law Quadrangle
University of Michigan Law School
B38 Hutchins Hall
Ann Arbor, MI 48109-1215

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Printing: Phoenix Innovate



[O P E N I N G]

A Snapshot of the Entering Class

5 Things About the New 1Ls

1. Let's start with Antarctica. Yes, the home of the South Pole. We have finally gotten a student from the Earth's southernmost continent (granted, she simply worked there for six months, but I am absolutely going to count it). In general, this is the most geographically diverse class we've ever matriculated—at least, since 1960, which is the earliest year for which we have records. We have students from 45 states and 11 countries. In 1960, we had representation from 33 states, Washington, D.C., Puerto Rico, and Canada; 160 of the 386 students that year came from Michigan, and four from California. This year, we have 90 students from Michigan and 40 from California.

2. Our applications increased nearly 20 percent this year, to almost 6,500. But we have yet to beat the Law School's all-time record of 6,666, set in 1991. The large increase in applications in a year when the national increase was only about 3 percent made me think that we might also have a decrease in yield—which is the percentage of people accepting our offer—since, presumably, we were of marginal attractiveness to some big chunk of the pool. In fact, our yield increased by 1 percent—with the result that we overshot our target of 360, and matriculated a class of 377. Undershooting the target, however, generally garners a bigger frown from the dean.

3. One of my favorite statistics is the percentage of people who have one or two parents with no degree beyond high school: 30 percent of the entering class have at least one parent with no degree beyond high school, and 13 percent have two parents in that category.

4. But data only get you so far. As alumni know better than anyone, being surrounded by smart people you actually want to talk to is part of the Michigan Law difference. This looks like a great group: We have one Truman Scholar, and three Peace Corps, seven AmeriCorps, and six Teach for America alumni; eight military veterans; and seven Fulbright Scholars. One incoming student voiced the male lead in Disney's *The Princess and the Frog*; one was an NRC-certified Nuclear Reactor Operator; one was deputy vetting director for John McCain's presidential campaign; one was a caretaker for the Great Lakes Rabbit Sanctuary (if that doesn't sound like a gentle soul, I don't know what does). We have a fifth-generation farmer, and someone who never saw stars in the night sky until she got to college. One student worked for Human Rights Watch, the United Nations High Commission on Refugees, and the U.S. Embassy in Cairo; another worked as a military police officer, an EMT, and a firefighter.

5. And early signs are that they're going to be fun to have around—one brought the Admissions Office banana muffins on the first day of class.

—Sarah Zearfoss, Assistant Dean and Director of Admissions, and Special Counsel for Professional Strategies

The average undergraduate GPA of the entering class is the highest it has ever been: 3.73. While the median LSAT is the same as it has been for several years, the 25th and 75th percentiles are historic highs: 168/169/171.

CONTRIBUTORS

Carolyn Reed Barritt worked as a graphic designer at U-M and as an art director in the Seattle area before pursuing a career in illustration. In addition to her editorial projects, Carolyn has illustrated a picture book, *The Day the Dragon Danced* (Shen's Books, 2006), and works as a fine artist. Her watercolors have been commissioned by a number of local clients, including the U-M Alumni Association and Food Gatherers.



Carolyn Reed Barritt

Edward (Ted) Parson is Joseph L. Sax Collegiate Professor of Law, and professor of Natural Resources & Environment. The second edition of his acclaimed book with coauthor A. E. Dessler, *The Science and Politics of Global Climate Change* (Cambridge University Press), was published this year. Formerly a professional classical musician, he has worked for the U.S. Congress Office of Technology Assessment and the White House Office of Science and Technology Policy. On pages 34–35, he shares his insights about the Gulf oil spill.



Edward (Ted) Parson



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Patricia Claydon (cover and interior illustrations for “Guns on Campus”) is an award-winning designer who is the art director of the alumni magazine for the College of LSA at U-M. She founded Ballistic Design in Ypsilanti in 1996. Her web and print clients have included Dow Corning, Fair Housing, Ypsilanti Freighthouse, and Avadhi Finance and Technology.



Clarissa Sansone

Clarissa Sansone is a communications specialist at the Law School. While an undergraduate at U-M, she won a Hopwood Award in poetry. Since receiving her M.F.A. in poetry from Emerson College, Clarissa has written about authors, trout farms, and Americana music, among other topics. She once had the distinct and rare pleasure of being the person on the other end of Bob Newhart's phone conversation.

Linda W. Fitzgerald is an award-winning copywriter and editor specializing in academic, health care, and business-related topics. After receiving her M.A. in English from U-M, Linda spent five years as senior copywriter for a Detroit-area advertising agency before launching Fitzgerald Communications LLC in Ann Arbor. Among her most recent journalistic projects is “For More Than 200 Years: One Family's Farm” (*Michigan History Magazine*, September 2010).



Linda W. Fitzgerald

James Tobin is a journalist and historian whose books include *Ernie Pyle's War* and *To Conquer the Air: the Wright Brothers and the Great Race for Flight*, both of which received national awards. A former reporter for *The Detroit News*, he is an associate professor of journalism at Miami University in Ohio. He is working on a book about Franklin Roosevelt's experience of disability. On pages 18–21, he provides his latest installment in this magazine's series about the Law School's intellectual history.



James Tobin



Sheryl James

Sheryl James is a writer in Brighton, Michigan, who won a 1991 Pulitzer Prize for feature writing for a series of articles in the *St. Petersburg* (Florida) *Times* about a mother who abandoned her newborn child. She also worked at the *Detroit Free Press* and *Hour Detroit* magazine. She freelances regularly for several magazines and teaches journalism at Eastern Michigan University. In this issue, she has written the cover story about guns on campus.



David M. Uhlmann

David M. Uhlmann is the Jeffrey F. Liss Professor from Practice and the director of the Environmental Law and Policy Program. He was a federal prosecutor for 17 years and served from 2000 to 2007 as chief of the Environmental Crimes Section at the U.S. Department of Justice, which is the office leading the criminal investigation of BP and other companies involved in the Gulf oil spill. On pages 31–32, he weighs in on the legal aspects of that continuing ecological tragedy.

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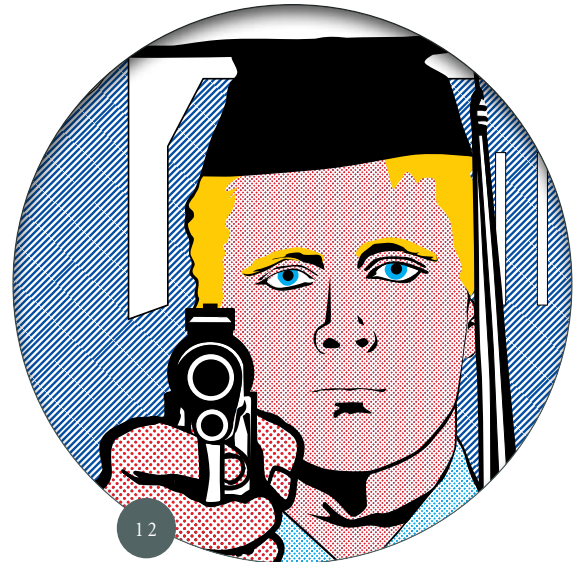
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The Most Critical Legal Leadership

Who would have guessed that Americans would be discussing credit default swaps over the breakfast table?

I am struck by how many of today's major global and national issues hinge on serious legal considerations. Complex issues of law have extended beyond the boundaries of conversations among attorneys or politicians to become page one, above-the-fold headlines: The potential for criminal liability in the aftermath of the BP oil spill; the balance of states' rights in the hot-button issues of gun control and immigration; the ins and outs of bankruptcy in the auto industry bailout debate.

Alexis de Tocqueville famously said that "there is hardly a political question in the United States which does not sooner or later turn into a judicial one." Well, the 19th century political thinker may have cast the point too narrowly; legal implications permeate wide swaths of public debate and discourse, not just the political sphere. This makes for a remarkable



and lively time to study the rule of law, consider policy development, and practice law in a global context.

As complex legal and financial issues have taken center stage in our national dialogue, I have watched an interesting dynamic emerge: The media are reaching out to Michigan Law faculty in droves. Newspaper, television, radio, and web-based media outlets have tapped our legal experts for serious, critical analysis and for the translation of legal tenets into a layperson's language.

For years cable news networks have featured legal talking heads on the sensational issues and criminal trials that make the news. We've all heard plenty of analysis on Bernie Madoff's shocking Ponzi scheme or of famous trial moments such as, "If it doesn't fit, you must acquit." But it seems that these days there is an enormous volume and breadth of inquiry from the media as they attempt to dive into multi-pronged and sensitive issues cutting across public,

corporate, criminal, and civil issues: bankruptcy, corporate criminal liability and settlements, tax law, health care law, environmental policy, international corporate law, voting rights, national security, and the like.

If you read our monthly e-newsletter, *Amicus*, you get a good sense of the breadth and depth of topics and media outlets in which Michigan Law faculty members are asked for critical analysis—from *The New York Times* to the *International Herald Tribune*, from huffingtonpost.com and Slate.com to the *National Review*. I believe our faculty fulfill an important public service in their efforts to help the public understand legal concepts that influence policy development and encourage an informed debate.

I hope you will spend some time with this issue of *Law Quadrangle*. You'll read more about the emerging debate over gun control on college campuses, reflect on Michigan Law's historic influence in tax law, and hear from Professors David Uhlmann and Ted Parson about the potential criminal liabilities and new energy strategies that could result from the Gulf oil spill.

Perhaps, in these times, it is more important than ever that our Law School is distinguished in its capacity for theoretical insight

and scholarship, but also deeply engaged with the challenging questions our lawmakers and citizens face each day. Michigan Law has long been known for this balance between leading scholarship and the well-honed skills of legal practice in the real world; in the days ahead we will focus even more effort on skills-based opportunities for our students who will take their legal knowledge into an increasingly complex global society.

Michigan Law is providing legal leadership of the most critical nature.

Sincerely,



Evan Caminker

(By the way, if you haven't opened our *Amicus* e-mails, I hope you will click on the next issue we send to you via e-mail, due in November. We have spent considerable time refreshing our alumni communications—both this magazine and our relatively new e-newsletter—over the past two years. The stories and images are engaging and capture interesting aspects of the legal landscape as well Michigan Law's unique contributions.)



BRIEFS

Syverud, '81, Named a Trustee of \$20B BP Gulf Fund

When Kent D. Syverud, '81, received a call asking him to be one of two trustees of the \$20 billion fund through which BP will compensate victims of the Gulf oil spill, he understandably felt mixed emotions.

"I feel very fortunate to have been chosen, and also very daunted," says Syverud, a former Michigan Law professor and associate dean, and current dean of the Washington University in St. Louis School of Law. "It's a unique legal obligation to ensure that promises are honorably kept."

The other trustee is John S. Martin Jr., a retired federal judge in New York. While the trustees will administer the account—which was established to fund legitimate claims resulting from the Deepwater Horizon explosion and subsequent oil and gas spill in the Gulf of Mexico—the eligibility of the claims will be determined in other forums, including the courts and in a Gulf Coast Claims Facility administered by Kenneth Feinberg.

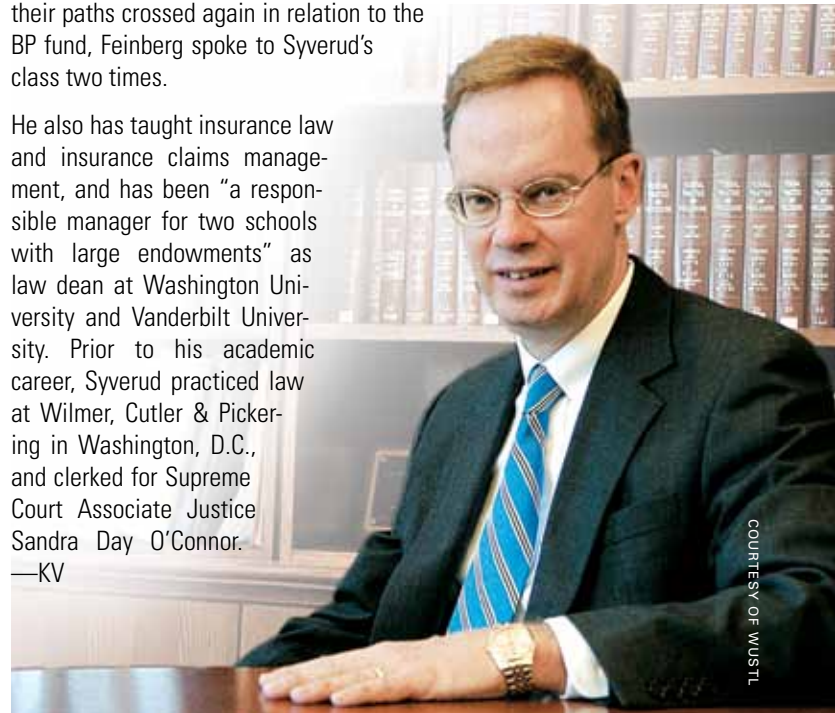
In addition to claims made by individuals, Syverud notes that the fund may be used to cover lawsuits in state and federal courts, state and local government response costs, and natural resource damages.

"The trust is not in charge of the legal assessment of the claims; it's an attempt to ensure that, no matter what might happen in the

future, there is a fund available," Syverud explains. "Our obligation as trustees is to make sure that the assets of the trust are secure and protected from adverse effects," such as bankruptcy, falling oil prices, and the changing value of assets.

Syverud's background prepares him well for the daunting task. At Michigan Law, he taught complex litigation for a decade, from 1987 to 1997, with an emphasis on mass disasters. Long before their paths crossed again in relation to the BP fund, Feinberg spoke to Syverud's class two times.

He also has taught insurance law and insurance claims management, and has been "a responsible manager for two schools with large endowments" as law dean at Washington University and Vanderbilt University. Prior to his academic career, Syverud practiced law at Wilmer, Cutler & Pickering in Washington, D.C., and clerked for Supreme Court Associate Justice Sandra Day O'Connor. —KV



Kent Syverud, '81

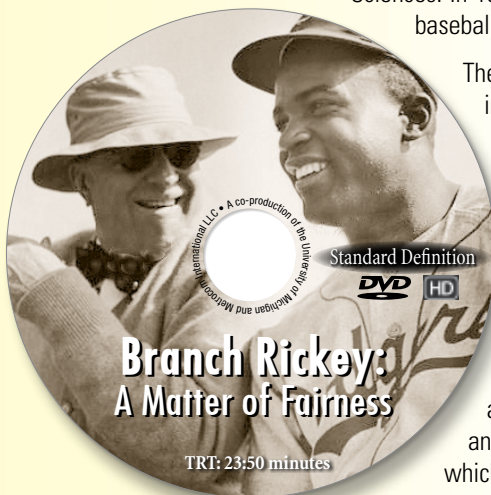
COURTESY OF WUSTL

The Envelope, Please Branch Rickey Video Wins an Emmy

A 30-minute documentary on the life of former Brooklyn Dodgers General Manager Branch Rickey, 1911, won a 2009 Emmy award from the Michigan Chapter of the National Academy of Television Arts and Sciences. In 1947, Rickey made history—and broke the color barrier in professional baseball—by signing Jackie Robinson.

The video, *Branch Rickey: A Matter of Fairness*, was commissioned by U-M in honor of the Law School's sesquicentennial. Produced by Christopher Cook of Metrocom International and funded by U-M's Office of the Vice President for Communications, the film was featured for several months on the Big Ten Network.

Commenting on the award, Dean Evan Caminker noted that "Branch Rickey and Jackie Robinson changed sports and society with the courageous integration of Major League Baseball which, in turn, paved the way for integration of the military and schoolhouses across the land. This film tells the story of Rickey's life and accomplishments, including his time as a Michigan Law student and as the University's baseball coach. It is a story, and a legacy, of which we are very proud."—Linda W. Fitzgerald



TISH HOLBROOK

South Africa Externship Turns 15

A momentous year, 1996 saw the adoption of South Africa's first democratic constitution. That same year, Michigan Law began sending students to South Africa for semester-long externships.

Now, in 2010, South Africa marks the 20th anniversary of apartheid's end and hosted the FIFA World Cup; and the Law School marks the 15th anniversary of its unrivalled overseas program.

Thanks to founder David Chambers, Wade H. McCree Jr. Professor Emeritus of Law, students have the opportunity to earn a semester's worth of credits working in nonprofit and government agencies, and within a new jurisprudence. "What was distinctive about this program from the outset," Chambers says, "was that the students went over not to go to school, but to work as lawyers."

Karthy Govender, LL.M. '88, who was involved with the program from its early years, agrees: "Students have said the things they've done here [such as drafting regulations], they would have done only 20 years into practice." Govender, a law professor at the University of Kwazulu-Natal and, until November 2009, a member



COURTESY OF BARBARA HOU

Barbara Hou, '06, in Cape Town, where she worked for the South Africa Human Rights Commission. Hou's externship "helped me contextualize the knowledge I gained [in Law School classes], and to apply my knowledge in a real world setting," she wrote in this magazine in 2006.

of the South Africa Human Rights Commission (HRC), helped place students at the HRC. He also has taught and co-taught Constitutionalism in South Africa at Michigan Law, a prerequisite for the externship.

Assistant Dean for Student Affairs Christine Gregory, '96, has run the program for

four years and says that when externs complete it, "they see the power they have as attorneys to make a change in a person's life."

"You could have an impact on a burgeoning democracy," says former extern Dana Thompson, '99, now a clinical assistant professor at Michigan Law. For Thompson, the experience "reinforced how the law could be used in a favorable way and positively affect people's lives."

Clearly, students value the experience. But client organizations also value the students. "Because of our longstanding relationships, sites have come to rely on Michigan students," Gregory says. Govender reinforces that view, adding that "Michigan students, almost without exception, are hardworking, clever, and have advanced legal skills."

As the program evolves, the School is "beefing it up and offering more support to students," Gregory says. Bridgette Carr, '02, externship faculty supervisor and a clinical assistant professor who directs the Human Trafficking Clinic, is facilitating a new externship course. Beginning in the 2010–11 academic year, the program will be offered in the winter semester, to accommodate employment interviews in the fall.

"This is a transitional year," Gregory notes. "We're refining what's really been a great idea and a great relationship."—Clarissa Sansone

Scirica, '65, Receives Devitt Award



Anthony J. Scirica

Judge Anthony J. Scirica, '65, of the U.S. Court of Appeals for the Third Circuit has been selected as a joint recipient of the 28th Annual Edward J. Devitt Distinguished Service to Justice Award, along with Judge Ann Claire Williams of the U.S. Court of Appeals for the Seventh Circuit.

They were chosen by a panel chaired by Associate Justice Sonia Sotomayor of the U.S. Supreme Court.

Of Scirica, Sotomayor said, "During his long tenure on the state and federal bench, [Scirica] has made enormous contributions to the administration of justice. His critical role in designing Pennsylvania's sentencing statutes, his dedicated service to the U.S. Judicial Conference, and his exemplary opinions

and prolific public service activities make him an ideal recipient of the Devitt Award."

The Devitt Award honors Article III judges whose careers have been exemplary, measured by their significant contributions to the administration of justice, the advancement of the rule of law, and the improvement of society as a whole. It is administered by the American Judicature Society.

In a nominating letter, Judge Scirica's Third Circuit colleagues noted the long arc of his career in public service and his continuing contributions "to the administration of justice, his advancement of the rule of law, and his improvement of society as a whole."

President Reagan appointed Judge Scirica to the U.S. District Court for the Eastern District of Pennsylvania in 1984, and to the Third Circuit in 1987, where he served as chief judge from 2003–10. In 2008, Chief Justice John G. Roberts, Jr. named Judge Scirica to be chairman of the executive committee of the Judicial Conference of the United States.

BRIEFS

Jarrett on Senior Day: 'Do Not Fear Trying'

Senior White House advisor Valerie Jarrett, '81 (right), spoke to 310 graduating Michigan Law students on May 8 at Hill Auditorium. Jarrett heads four White House departments: intergovernmental affairs; urban affairs; public engagement; and Olympic, Paralympic, and youth sports. Before Senior Day, she met with members of the Black Law Students Association and the Frank Murphy Society. Her address stressed that graduates maintain their self-confidence in the face of setbacks. "Learn from your mistakes, but do not quit. And certainly do not fear trying," she said.



Jarrett participates in an informal discussion session with students in Hutchins Hall.



Dean Caminker congratulates one of the 310 graduates.

Joan Jung Won Lee prepares for the Senior Day ceremony.

Jarrett strolls the Law Quad paths she walked as a student.



LL.M. Akihiro Terai poses with his daughters, Michi and Sato.



Jarrett peruses plans for new Law School construction with U-M President Mary Sue Coleman and Dean Evan Caminker.



In the Big Leagues

Lifelong Love of Baseball Leads Greenberg, '85, to Part Ownership of Rangers

Chuck Greenberg, '85, attended his first Pittsburgh Pirates baseball game at age 4. By the time he was 6, he was watching at least 20 Pirates' games a season at the team's stadium.

"I was kind of a fanatic," he recalls. "I was into all kinds of statistics and history and played [baseball board game] Strat-O-Matic for hours on end. I fell in love with baseball as far back as I can remember."

The first baseman at a suburban Pittsburgh high school knew by the time he reached college that he wanted to be involved in professional baseball. He went out for the team at Tufts University in Medford, Massachusetts, but quit when he realized that when he batted, a curve ball thrown by a pitcher was a mystery he'd never solve.

Greenberg still had no idea how he'd find work in professional baseball in 1985 when he graduated from Michigan Law. Having acquired excellent analytic and problem-solving skills at Michigan, he practiced law in Pittsburgh with Cohen & Grigsby, P.C. and, later, Pepper Hamilton LLP. Along the way he kept the baseball dream alive by buying three minor league baseball teams, two of which he still owns.

He also sought several times to buy the Pirates, who politely rejected his overtures. But his ultimate fantasy of involvement in professional baseball came true this summer. In August an 18-person group headed by Greenberg and Hall of Fame pitcher Nolan Ryan purchased the Texas Rangers for \$593 million, Major League Baseball.com reported.

"To grow up loving baseball as I did, and to hope to have an opportunity to be involved on the professional level, but not have any set plans how to do this, and then to...have this opportunity is beyond my wildest dreams," says Greenberg. "I can't believe how fortunate I am, and can't think of anyone I'd trade places with."

As the managing partner and CEO of the Rangers' new ownership group, Greenberg focuses on the team's business operations. One



COURTESY OF TEXAS RANGERS/BRAD NEWTON

Chuck Greenberg, '85, and Nolan Ryan have purchased the Texas Rangers, managed by Ron Washington (right).

of his first moves, according to MLB.com, was to cut the price of cash parking by \$2. He reduced the prices of jumbo hot dogs from \$5 to \$4 and of 16-ounce bottled beer from \$7 to \$6. The team also lowered prices on some caps and T-shirts.

As Greenberg oversees the business concerns, Ryan will run the baseball side of the operation as team president. Ryan held the same job under the previous ownership and functioned "exceptionally well," Greenberg says.

Greenberg did not meet Ryan until 2009, when a former law client advised Greenberg that the Rangers might be for sale. That May in Dallas, Greenberg met with then-Rangers' owner Tom Hicks and his management team, including Ryan. In July Greenberg and Ryan spent three days together in Dallas and decided to bid for the team.

Greenberg's gateway for pursuing a major league team came when he began doing legal work for Hall of Fame hockey player Mario Lemieux of the Pittsburgh Penguins in the late 1980s. He later helped Lemieux buy the Penguins and get a new arena built in downtown Pittsburgh.

The opportunity to do Lemieux's legal work, Greenberg says, "was the first real break I got because it got me immersed in the sports industry. From that came opportunities, including representing franchise owners and operators, and those opportunities led to what I'm doing now."—Gary Libman



White House Visit

When she visited the Law School this spring to deliver her Senior Day address, Senior Adviser to the President Valerie Jarrett, '81, met with small groups of students from the Black Law Students Alliance and the Frank Murphy Society. She gave both groups an invitation to stop by the White House and see her sometime, so in August, that's just what they did.

Here, Dean Evan Caminker and Latoya Antonio, '10, stroll toward the northwest gate of the White House for a meeting with Jarrett.

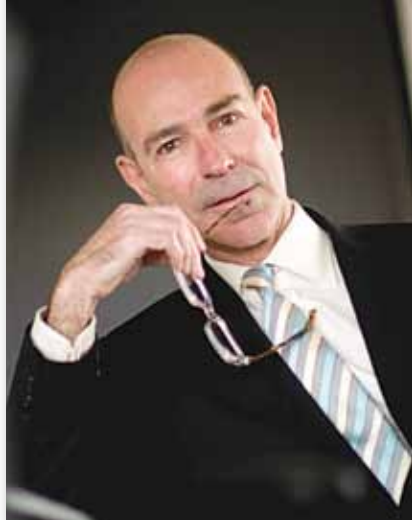
BRIEFS

Back from Down Under

Hathaway Resumes Leadership of Program in Refugee and Asylum Law

This fall marked the return of Professor James C. Hathaway to Michigan Law and its acclaimed Program in Refugee and Asylum Law, which he founded in 1998. For the past two years, Hathaway has been on leave at the University of Melbourne, serving as dean of Australia's oldest law school. While there, he helped the school make a remarkable transition by instituting graduate-level legal training in a country where legal education has been conducted at the undergraduate level.

Throughout the process, Hathaway said, he kept the Michigan Law model constantly in mind. "I took the best of what Michigan does and transposed it to an environment that had never seen a law school remotely run on the Michigan model," he noted. "I find it telling that, when a school



James C. Hathaway

in Australia decided to leap out of the pack, it chose to emulate Michigan."

Among the changes instituted at Melbourne during Hathaway's deanship: The library was reorganized with the expert assistance of Margaret Leary, director of the Michigan Law Library; the offices of career services and alumni affairs were structured in a manner similar to those at Michigan; and the school launched a series of informal faculty lunches, which in Ann Arbor are instrumental in creating Michigan Law's collegial atmosphere.

"What's best about Michigan is its collegiality, the way people engage each

other routinely across discipline areas," Hathaway said. "One of the things I wanted to take to Melbourne was that spirit. The school was already the most research-intensive law school in Australia, with a dozen organized research units. I wanted to create a means for colleagues in a very large faculty regularly to hear about and contribute to each other's research."

During Hathaway's absence, the Program in Refugee and Asylum Law was directed by Penelope Mathew, a visiting professor. A prominent expert in refugee and asylum law, Mathew came to Michigan from the Australian National University College of Law.

"Jim's return to Michigan Law marks an important moment as we continue our commitment to a dynamic and influential refugee law program," said Michigan Law Dean Evan Caminker. "Our successful Program in Refugee and Asylum Law is an integral part of the School's strong international law offerings, and we look forward to Jim's continuing creativity in the program he founded."—LWF

Under Oath

Chief Justice John G. Roberts, Jr., administers the Constitutional Oath to new Supreme Court Associate Justice Elena Kagan, while Jeffrey P. Minear, '82, Counselor to the Chief Justice, holds the Bible.

Minear, a veteran government lawyer who has argued 56 cases before the Supreme Court, was named to his current post in 2006 after serving as senior litigation counsel and assistant to the Solicitor General.

A onetime chemical engineer, Minear also earned an M.S. degree in 1982 from the U-M School of Natural Resources.



STEVE PETTEWAY, SUPREME COURT

Ratner Named to UN Panel on Human Rights

Steven R. Ratner, Bruno Simma Collegiate Professor of Law, was one of three experts appointed in June to a United Nations panel that will advise Secretary-General Ban Ki-moon on human rights issues related to alleged violations of international human rights and humanitarian law in the Sri Lankan conflict that ended last year.

Ratner, chair Marzuki Darusman of Indonesia, and Yasmin Sooka of South Africa are tasked with examining “the modalities, applicable international standards, and comparative experience with regard to accountability processes, taking into account the nature and scope of any alleged violations in Sri Lanka,” according to a UN statement.

“It will be available as a resource to Sri Lankan authorities should they wish to avail themselves of its expertise in implementing the commitment. In the conduct of its mandate, the panel hopes to cooperate with concerned officials in Sri Lanka.”

Government forces declared victory over the rebel Liberation Tigers of Tamil Eelam

last year after a conflict that had raged on and off for nearly three decades and killed thousands of people. The conflict ended with large numbers of Sri Lankans living as internally displaced persons, especially in the north.

B. Lynn Pascoe, the Under-Secretary-General for Political Affairs, said political solutions that tackle the underlying grievances that fueled the conflict are necessary to heal the wounds left by the civil war.

“The Sri Lankan government has committed to the UN to address the accountability issue, and our task is to give the Secretary-General ideas to share with them to fulfill their responsibilities and promote national reconciliation,” said Ratner. “It’s vitally important for the future of that state to address these questions. And our group has personal experience with other situations involving civil strife, including Indonesia, South Africa, and Cambodia.”

—Adapted from a press release by the United Nations



U-M PHOTO SERVICES

Innocence Clinic Tackles 10 Cases, Proposed Rule Change After Proviencce Exoneration

In addition to the 10 cases on which they are seeking exonerations, the codirectors of the Michigan Innocence Clinic have another fight on their hands: responding to a proposed rule change before the state Supreme Court that would place a limit of one year on relief-from-judgment motions.

“There would not be an innocence exemption,” notes David Moran, ’91, codirector of the Clinic. “Obviously, we are going to make a strong case against the rule change.”

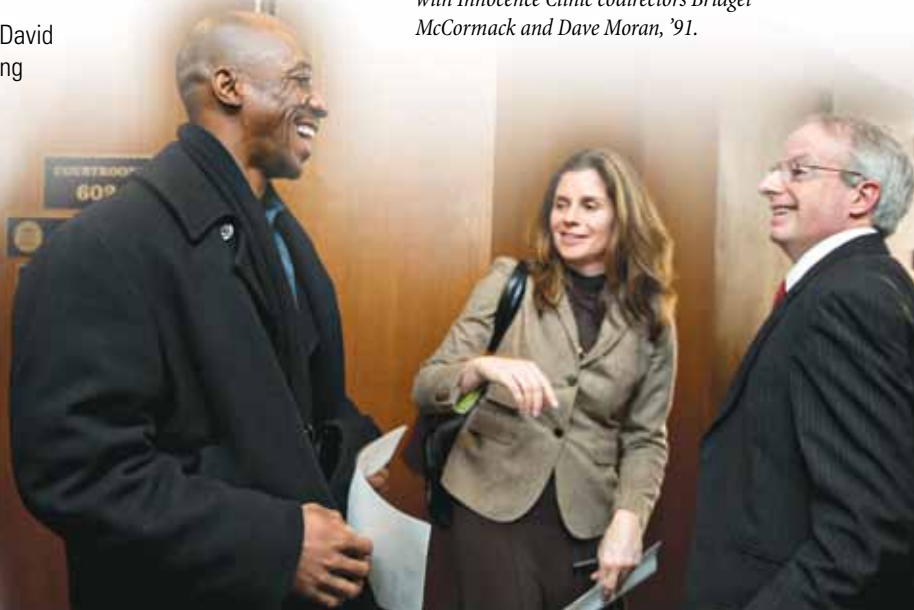
Meanwhile, exoneree Dwayne Proviencce, who was featured in the cover story of the last issue of the *Law Quadrangle*, is pursuing a wrongful-prosecution civil case against Detroit, Wayne County, and a homicide detective for his 2001 murder conviction.

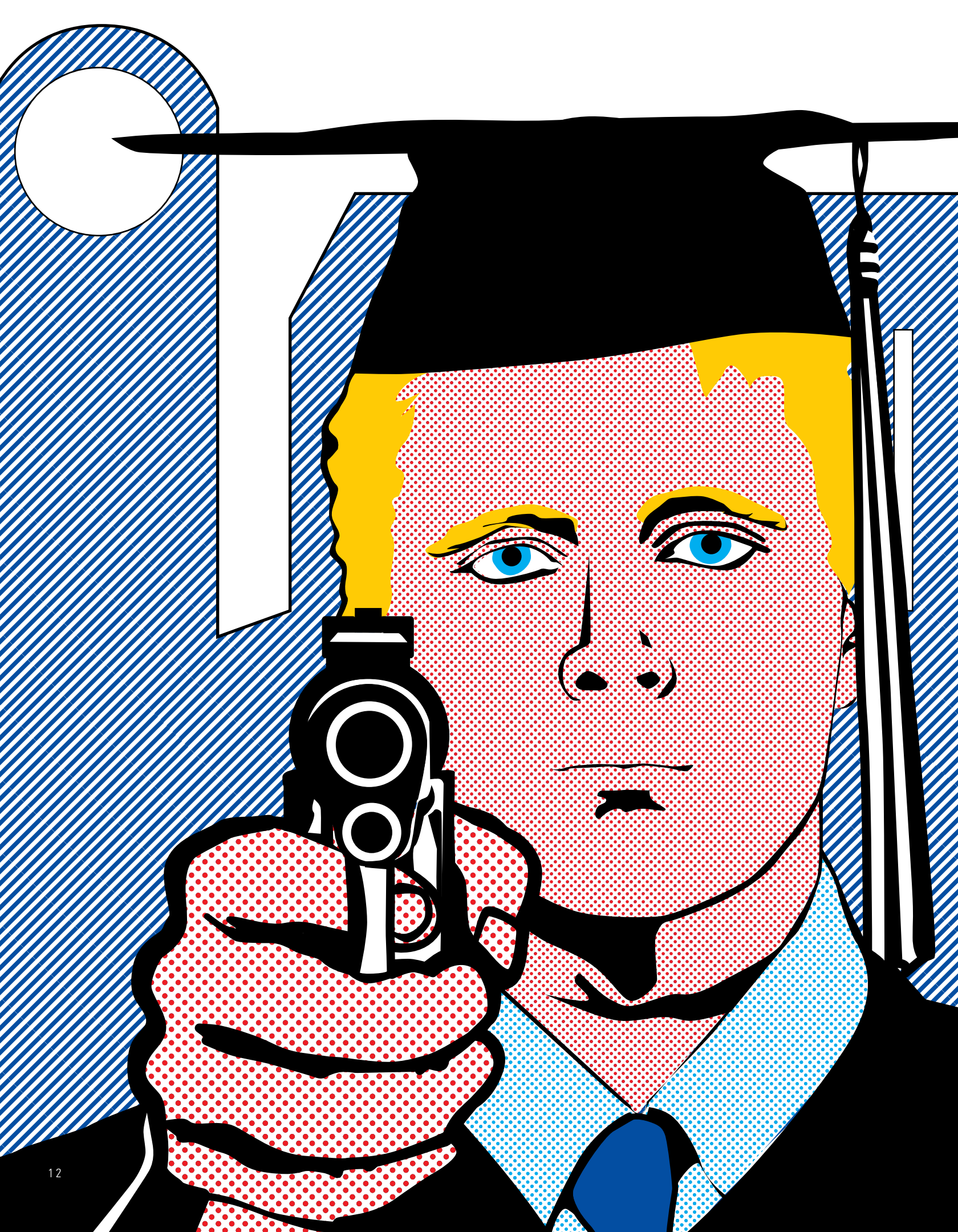
Proviencce also had a very important appointment on May 8. A court date? No, not this time. He had to be in Ann Arbor to watch the Senior Day ceremony of Judd Grutman and Latoya Antonio, the first two

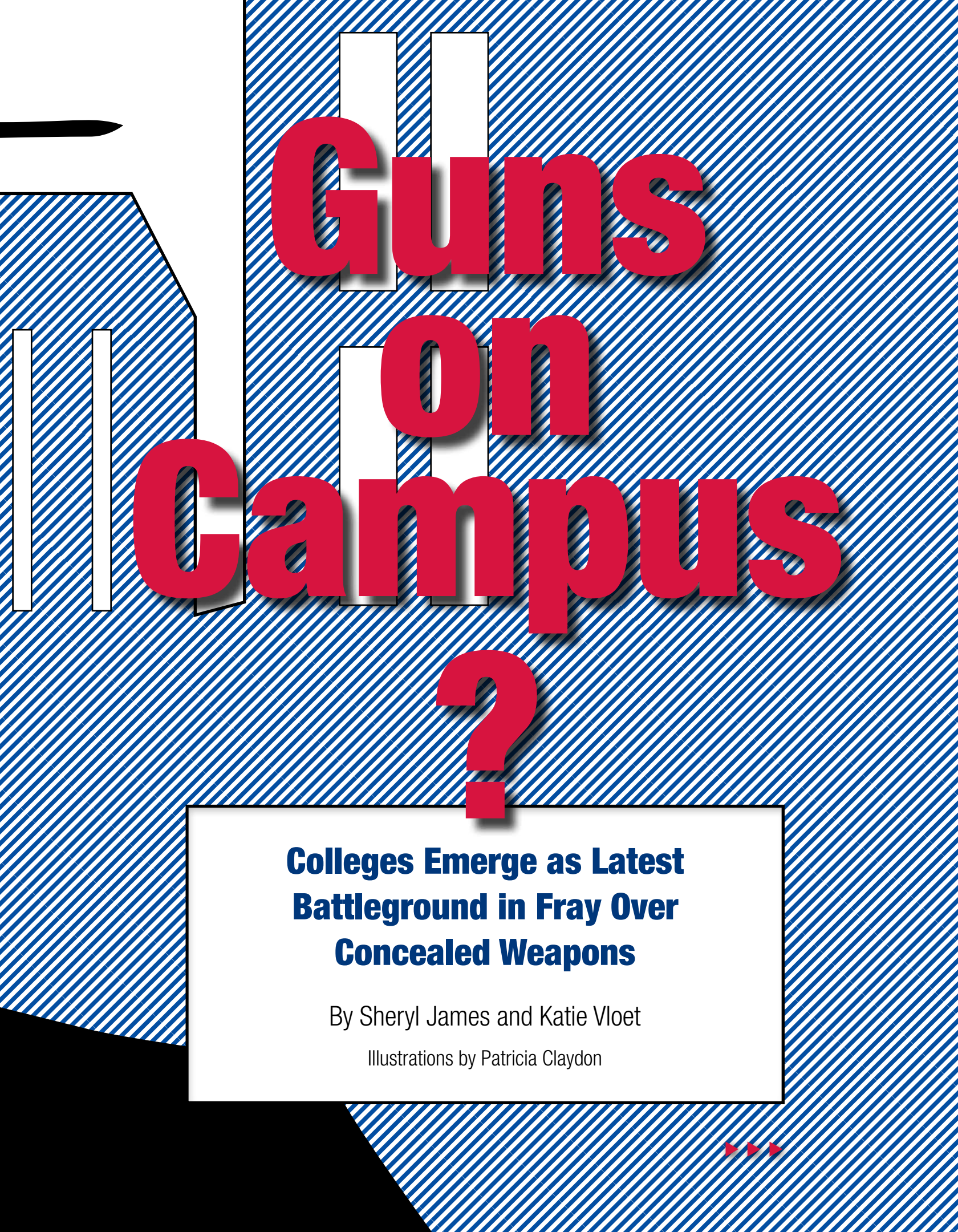
students who worked on the case that led to his exoneration. While he was there, Grutman introduced Proviencce to Valerie Jarrett, ’81, the Obama aide who spoke at the ceremony.

For the Clinic’s directors and student attorneys, Proviencce will always be a favorite client. “He’s a pretty special person,” notes Bridget McCormack, codirector of the Clinic and associate dean for clinical affairs. “He’s kind, smart, and he’s really grateful to have his life back.” —KV

Dwayne Proviencce celebrates his exoneration with Innocence Clinic codirectors Bridget McCormack and Dave Moran, ’91.







Guns on Campus ?

**Colleges Emerge as Latest
Battleground in Fray Over
Concealed Weapons**

By Sheryl James and Katie Vloet

Illustrations by Patricia Claydon



In Colorado, the Court of Appeals recently ruled in favor of allowing students with concealed weapons permits to carry guns on campus, prompting the University of Colorado regents to fight to keep the school's longstanding gun ban in place.

In Texas, the state Senate has passed a bill that would allow students and faculty members to carry concealed weapons on college and university campuses. The sponsor of the bill contends that such a measure could protect students in situations like the mass shootings at Virginia Tech in 2007.

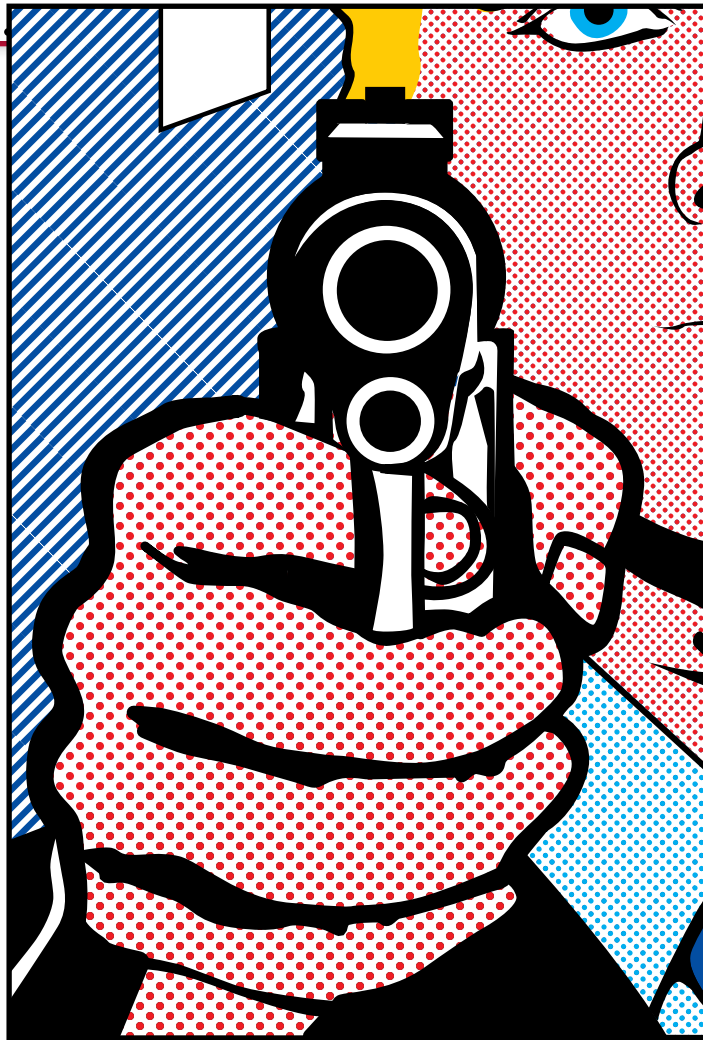
And in Michigan, proposed legislation would allow concealed firearms on campuses, superseding ordinances such as U-M's existing ban. At campuses

around the state, advocates of repealing gun bans have worn empty holsters as displays of protest against campus restrictions, while groups such as the Michigan Student Assembly have fought against the proposed legislation.

These snapshots of changes and potential alterations to campus gun laws around the country illustrate a growing battle between those who think that allowing concealed weapons at colleges and universities would make students feel more secure, versus those who believe it would diminish student safety.

The campus clash is a microcosm of the larger gun debate in the nation, which rarely has been more contentious than earlier this year, when the U.S. Supreme Court ruled in *McDonald v. Chicago* that an individual's right to keep and bear arms applies not just to federal jurisdictions but also to states. The ruling gave renewed focus to advocates and opponents alike, with both sides claiming a measure of victory.

The debate about concealed weapons on campuses "reflects the discussion nationally off campus," says Suellen Scarnecchia, '81, U-M's vice president and general counsel. "Is it that you're improving your own individual safety if you can carry, or, in fact, is it making your life more dangerous because you're carrying? And how should the law respect your right to make that decision on your own? On the other hand, should the government be able to say that, at least in some contexts, it's not safe for people to carry weapons at all?"



Silent Protest, Noisy Debate

One day last year, a handful of U-M students strode around campus to and from classes wearing empty gun holsters. It was a protest, albeit a small, silent one, against University ordinances prohibiting students, including those with concealed weapons permits, from carrying guns on campus.

Senior Julian Lizzio, 23, was one of the holster-wielding students—and it was he who gathered the other protest participants. "When I found out you couldn't carry concealed weapons on campus, that really bothered me," says Lizzio. "I saw that as an

inappropriate restriction, so I started to get to work."

He joined a relatively new group active on many campuses in the United States, including at least 11 in Michigan, called Students for Concealed Carry on Campus (SCCC). The group's official contention is that the Second Amendment overrules local and state authority on gun rights, thus nullifying city or county ordinances that prohibit guns.

Lizzio concedes that Michigan's state gun laws do not mention universities one way or another. The SCCC contends that this omission opens up the door for guns on campus.

Others, of course, disagree—notably most Michigan universities, including U-M. Legal experts representing these institutions say they have the right as separate and autonomous entities to establish and enforce gun laws in the face of less restrictive state and federal law. This issue of the autonomy of universities and colleges has arisen in other guns-on-campus efforts, notably in the University of Colorado's defense of its right to ban concealed weapons.

At U-M, an ordinance that is similar to those in place on other campuses prohibits "any firearm or any other dangerous weapon as defined or interpreted under Michigan law," and it does not exempt those with concealed weapons permits, or others authorized by law to possess or use weapons (other than law enforcement officials).

When the legislation came before the Michigan Legislature last year, representatives from some colleges and universities made the case that reversing the ban would be potentially harmful to students. During a committee hearing, U-M Police Chief Ken Magee called a reversal of the ban a “recipe for disaster.”

“The overwhelming majority of our campus members, including students, faculty, and staff, as well as parents of our students, demand a safe and secure campus and would not endorse the idea of having firearms on campus,” Magee said, according to annarbor.com news coverage. “The only guns and weapons I would like to see on campus are those held by law enforcement officers specially trained in the use of weapons.”

And Scarnecchia notes that Michigan law does not expressly prohibit universities from adopting firearm possession or use policies.

It is precisely the lack of express prohibition, some contend, that opens up enough of a gray area to leave U-M’s gun policies vulnerable. David Burnett, SCCC public relations director, contends that since Michigan’s law states “that the only places where state statute forbids students from carrying concealed weapons are stadiums, dorms, and classrooms, that basically means everyone else on campus can carry.”

The organization references a state law that says: “A local unit of government shall not impose special taxation on, enact, or enforce any ordinance or regulation pertaining to, or regulate in any other manner the ownership, registration, purchase, sale, transfer, transportation, or possession of pistols or other firearms, ammunition for pistols or other firearms, or components of pistols or other firearms, except as otherwise provided by federal law or a law of this state.”

The SCCC website concludes: “The above is referred to as ‘preemption’ and means that no other forms of government can make their own firearms laws. SCCC believes that colleges who then regulate firearms—by banning them on their entire campus, for example—are thus in violation of this act.”

Some proponents of gun prohibitions on campuses note that colleges and universities are not “local unit[s] of

government,” as the SCCC suggests, and therefore would not be subject to this law.

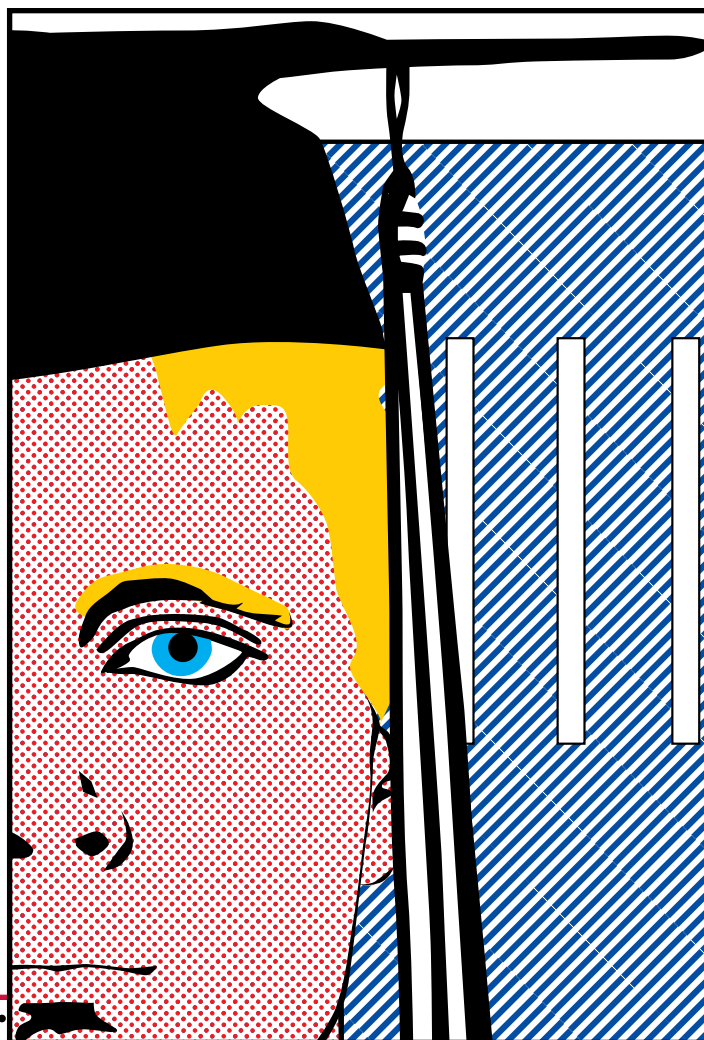
In addition to U-M, other Michigan colleges and universities are grappling with the same quandary. Michigan State University, Eastern Michigan University, and Oakland University, for instance, have policies similar to U-M’s. Wayne State University’s student code of conduct prohibits “unauthorized use, possession, or storage of a weapon,” and WSU leadership has made clear its opposition to guns on campus.

OU President Gary Russi, facing pro-gun group campus demonstrations, issued a campus-wide e-mail in April saying that while the university stands by its anti-gun ordinance, “regrettably, we cannot interfere with an individual carrying a weapon on campus in accordance with state law.”

Meanwhile, three bills have been introduced in the Michigan Legislature seeking to broaden gun rights. All were proposed in 2009; none has progressed very far—at least not yet. One bill would eliminate the expressed prohibition in Michigan’s law barring guns in dorms or classrooms. Another essentially would eliminate all gun-free zones. The third proposed law would prohibit public higher education institutions from establishing any gun ordinances of their own.

Groups such as the Brady Campaign to Prevent Violence, Students for Gun Free Schools (SGFS), and The Campaign to Keep Guns Off Campus are fighting efforts to allow guns on campus. The latter group offers a resolution that has already appeared on several Michigan campuses. The American Association of State Colleges and Universities and at least 130 individual university presidents have signed this resolution.

SGFS maintains that guns would “detract from a healthy learning environment,” according to its website, and would create additional risk. The group also argues that “shooters will not be deterred by concealed carry permit holders.” Dennis Henigan, vice president for law and policy at the Brady Center to Prevent Gun Violence in Washington, D.C., and author



of *Lethal Logic* (Potomac Books, 2009), contends that “a very persuasive argument can be made that guns are particularly inappropriate in or near institutions of learning, especially college campuses, where there are issues of drinking, drug use, fairly high-density living.”

SCCC states that 11 colleges and universities in the United States that currently allow concealed carry on campus have not seen any increase in crime or gun violence. That guns would increase crime is a misconception, says SCCC’s Burnett: “Just because a criminal uses a gun to kill somebody doesn’t mean that everyone should stop carrying guns.”

Both sides of the debate reference the carnage at Virginia Tech University and Northern Illinois University and argue that a gun-bearing student could encourage or deter such violence. It’s an issue full of complications and emotion—and likely to remain so, since recent Supreme Court decisions have not fully clarified the issue of who has a right to carry a gun, where, and when.

‘How Big Constitutional Change Happens’

Before the Supreme Court announced its decision in the *McDonald v. Chicago* case in June, observers were hoping for clarity that was not provided by *District of Columbia v. Heller*, a 2008 case in which the Court decided the Second Amendment allowed an individual to possess a firearm for private use within the home in federal enclaves. They may not have gotten the clarity they wanted, but observers certainly were reminded that the Second Amendment is open to many different interpretations.

The *McDonald* decision is historic, says Richard Primus, U-M professor of law and a constitutional law expert. When asked who at this point is an expert on the Second Amendment, he replies that right now, “nobody is. I mean it seriously. Because until the last couple of years, there has been no law of the Second Amendment; it’s all brand new. People who are described as

Second Amendment experts, or even worse, describe themselves as Second Amendment experts, are just people who are imagining things at this point.

“It’s a very interesting case for constitutional law,” Primus continues. “It’s not often in constitutional law that we get doctrine under a clause of the Constitution where there was no doctrine before. It’s a new departure under constitutional law.”

Some say *Heller* was still being digested when the Court was considering *McDonald*, which is why some of the many amicus briefs filed for both sides urged judicial restraint in its *McDonald* ruling.

Leonard Niehoff, attorney at Butzel Long in Ann Arbor and a Michigan Law lecturer, was principal author of one of those briefs, filed by the Anti-Defamation League (ADL), in support of the City of Chicago.

“The ADL did this primarily because they were concerned the Supreme Court might restrict the ability of states to adopt useful and lawful gun control laws,” Niehoff says. “Most people have the misconception that most gun regulation is at the federal level. But most are at the state and local level.”

Within that context, the ADL’s specific concern was the ability of local and state laws to keep guns out of the hands of “extremists, terrorists, and hate criminals,” and the organization urged the Court to use judicial restraint.

Niehoff says that, like some of the other amicus briefs, the ADL brief assumed that the Court might incorporate the Second Amendment against the states. So the ADL brief focused on a different question: What standard should be used to decide whether state laws are valid under the Second Amendment?

“The ADL brief asked the Court to save that question for another day,” he says. “And that is precisely what the Court did. In fact, the Court was very careful to steer around the question of the standard that now applies to state regulations.”

One of the most interesting, and historic, aspects of the opinion, says Primus, is that it “shows that a mobilized political movement can sometimes change how constitutional law works. These



decisions actually illustrate the idea that the Constitution is a living, evolving set of laws, because 30 years ago, no court would have done this. But over the last 30 years a political movement has changed the way people think about the Constitution." Earlier such cases include *Roe v. Wade* and *Brown v. Board of Education*, Primus points out.

"This is how big constitutional change happens. Social, political movements put forward their vision of an ideal, and they convince people, including officials, including judges, that that ideal is part of what that Constitution requires, even if in a previous generation it was settled ... that that isn't what the Constitution requires. But ideas change over time, and constitutional law changes over time."

The Effect of *McDonald* on Campuses

U-M and other colleges and universities may face challenges to their gun ordinances in the future. If that happens, they may be able to argue that a university remains a special type of organization that can constitutionally prohibit weapons, predicts the Brady Center's Henigan. The *Heller* case established that, and *McDonald* essentially reaffirmed it, he says.

Legal challenges to campus gun bans "are very likely to fail, first of all, because the right that was recognized in *Heller* is a right to have a gun in the home for self defense; it in no way recognized the right to have a gun in a public place, much less on a college campus," Henigan says. "Secondly, *Heller* also explicitly recognized that the decision throws no doubt at all on long-standing restrictions on firearms, and one of the categories of restrictions the Court mentioned is having guns in sensitive places, and it said, 'like schools.'"

States that have laws preempting local governments from enacting gun laws stricter than the state law raise the question, "Is a university a local government?" The Colorado case is

addressing that, but that affects only Colorado. If the same challenge occurred in Michigan, it would depend on how Michigan courts rule.


Primus predicts that, "most likely, *McDonald* will have very little effect at U-M, because the Court said in this decision, just as it said in *Heller*, that the outcome they reached doesn't mean that states and localities cannot enact reasonable restrictions on firearms. It means that they can't enact complete bans on certain kinds of firearms, including handguns.

"But they can still enact all kinds of reasonable regulations, including regulations about where firearms can be used and regulations preventing certain kinds of people, like the mentally ill or felons, from possessing firearms, and restrictions about where firearms can be possessed and carried. For example, we can say people can't carry firearms near schools or government buildings, and it's possible that it will be reasonable to restrict the concealed carry of firearms."

Of the opinion, SCCC's Burnett says, "We don't expect to rely on any one specific element of the *McDonald* ruling to make our case, since the ruling was somewhat narrow and not tailored to the colleges. However, it does raise the question, if the mayor of Chicago cannot enact a complete ban on guns, what makes an unelected panel of college bureaucrats think they can?"

It's difficult to predict whether courts will go beyond this decision and limit the ability of states and localities to regulate firearms in ways that are short of a complete ban, Primus notes, adding that the Supreme Court says existing regulations of firearms in most states and localities "are mostly fine."

"Whether *McDonald* is a good or bad thing depends mostly on whether it's a good or bad thing for guns to be more freely available. That's a public policy question. This ruling will probably further embolden the people who want to get rid of all gun restrictions.

"A lot will depend also on whether people who want to stick up for gun regulation roll over or stand up and fight politically." 



TAXATION WITH REPRESENTATION

L. Hart Wright's Far-Reaching Impact on U.S. Tax Law Policy and Education

By James Tobin

Editor's note: This is the third in a series of articles about the intellectual history of the Law School, and the far-reaching impact our scholars have had in the realms of academe, law, business, and government.

Born in 1917 and raised in Chickasha, Oklahoma, L. Hart Wright professed equally fierce loyalty to his home state and his adopted home, the University of Michigan, which he served with the same passion he gave to every endeavor from mowing the lawn to analyzing the U.S. tax code.

Indeed, Wright's combination of expertise and intensity was so formidable that it once led his Law School colleague Robben W. Fleming to observe that "it was frequently difficult to get into the conversation at all unless you were quick about anticipating the slightest pause."

No legal authority likely made a greater contribution to the understanding and application of U.S. tax law. When the Internal Revenue Code was



ILLUSTRATION BY CAROLYN REED BARRITT



L. Hart Wright, Paul G. Kauper Professor of Law and leading authority on U.S. federal and European tax procedures, served on the Law School faculty from 1946 until his death in 1983.

overhauled in the 1950s, Wright became its preeminent interpreter—a job that one federal circuit judge said required “the mind of a Talmudist and the patience of Job.”

A TAXING CHALLENGE

At the IRS’s Advanced Training Center, established at U-M in 1954, Wright was the only law professor appointed to join a squadron of accounting professors on its faculty. He became the most popular and influential figure in the vast training apparatus—“the driving force,” said Mortimer Caplan, IRS commissioner from 1961 to 1964, “in creating the modern professional training programs in the IRS.”

Wright’s prime goal, Caplan remarked, was to help IRS auditors understand the tax code’s many “gray areas, the twilight zones,” which had been deliberately included to allow flexibility and judgment in its application. He wanted “to inculcate in them a sense of intellectual humility when they undertook to test these complex statutory provisions against the varying fact patterns reflected in millions of tax returns.”

When the IRS was reorganized in the late ‘50s—after Wright had turned down an invitation to become chief counsel to the IRS—he was asked to write some basic training materials for IRS agents. Instead, he spent many years designing and updating a comprehensive course in tax law for the agency.

He trained the first generation of IRS instructors, too, combining the Socratic method with his own emphasis on problem-based teaching—“the Hart Wright Method,” as it came to be called. He developed a second IRS course in corporate tax matters, and “his zeal for a fairer world” led to a book on the need to improve the means by which the IRS resolved disputes with taxpayers.

Wright’s prime goal was to help IRS auditors understand the tax code’s many “gray areas, the twilight zones.”

THE HART WRIGHT METHOD IN ACTION

Wright also made an imprint on the way law is taught. Since the earliest days of American law schools, faculties had put case law at the center of the curriculum. Wright became a leading innovator of a new era in teaching, insisting that the legal sphere was now shaped as much by statutes as by judges. To reinforce the point, Wright, with his Michigan colleague Paul G. Kauper, '32, assembled a major casebook on federal tax law that supplemented key cases with "a careful, painstaking analysis of the statute itself [the Internal Revenue Code], as it is, after all, the basic datum of study in federal income tax affairs."

At home in Ann Arbor, Wright's national influence in tax law was sometimes overshadowed by his reputation in the classroom.

"He was an absolutely magnificent teacher," said Douglas A. Kahn, the Paul G. Kauper Professor of Law. "For him, a class was a dramatic piece, and his classes were very carefully designed. He was extremely clear. He had a great sense of humor, and students loved him. He was a model for a lot of people."

Asked once why he had become a law professor rather than a practicing lawyer, Wright replied: "Because I like to profess." But his students remembered him less as a grandiloquent lecturer than as one who coaxed and hectored them into learning how to think. "He somehow managed to open our minds to the drama and excitement of the law"—even tax law, recalled Warren Elliott, '52.


Elizabeth Gaspar Brown, who worked closely with Wright on research, remembered his command to "'think about it! Think about it! Think!' Well, I started—not always inwardly graciously—to think. And I'm a far better lawyer than I ever would have been if I had not dealt with Hart Wright. He would badger me until I came out where he thought I ought to come out. It was like climbing mountain peaks."

ONE OF THE TOUGHEST, ONE OF THE BEST

Upperclassmen warned newcomers that Wright was the Law School's toughest professor—and urged them to take his classes. He liked to teach early in the morning, and he had no sympathy for those who stumbled in unprepared.

At the end of one class on a Saturday morning in autumn, with the clock ticking toward kick-off at Michigan Stadium, Wright posed a spectacularly difficult question and asked for volunteers. Predictably, no hands rose. Wright then turned to his eight-year-old daughter, who was sitting in the front row. Well prepared by her father, Robin Wright proceeded to deliver a textbook answer that shamed the room. She also went on to become not only the first female journalist ever admitted to the U-M football team's locker room after a game, but also one of the leading foreign correspondents of her generation.

To Hart Wright, the work of a law professor was all of one piece. He refused to draw the conventional line between teaching and research.

"I do not understand what people mean when they say they are so busy in preparing for class that they cannot engage in research," he once wrote, "for the very thing you are trying to teach is *understanding*, and you can acquire this yourself only through research and, ultimately, research of all kinds. This inseparable link between good teaching and research is the reason the Law School's first obligation . . . is to cater to the individual research needs—that is, to the training program—of each individual professor." 

*Well prepared
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Summer Placements Take Students Around the Globe

GOING THE DISTANCE

Seeking justice for Cambodians whose loved ones died at the hands of the Khmer Rouge. Searching for remedies for Mississippians whose rents doubled. Reviewing refugee claims in New Zealand. Examining police brutality cases at the Department of Justice.

This past summer, Michigan Law students worked in venues ranging from Kentucky to Cambodia, and from New York to New Zealand. Curious about their day-to-day experiences, we invited four of them to blog about their summer positions. Here, we offer excerpts and photos from those postings.

[See video interviews.](#)

JENNIFER FORD WALKER

Documentation Center of Cambodia–Phnom Penh

After receiving a B.A. in philosophy from the University of Michigan in 2007, Jennifer Walker (2L) taught high school English in Nagano-ken through the Japan Exchange and Teaching Programme. This fall, she is continuing her volunteer work with the Family Law Project and the Human Trafficking Project. The Documentation Center of Cambodia (DC-Cam), where Jennifer interned, seeks to chronicle the history of the Khmer Rouge and is currently working with the Khmer Rouge Tribunal, officially known as the Extraordinary Chambers in the Courts of Cambodia (ECCC).



June 3

To date, DC-Cam has amassed a large collection of materials on the Khmer Rouge era, including photographs, confessions, internal party communications, survivor interviews, and maps of mass grave locations. The ECCC has relied on these materials in its investigations. In addition, DC-Cam is active in public education and outreach.



As a summer legal associate, my main task is to research and write a memorandum on a problem relating to the trials. Because the ECCC is a hybrid tribunal that draws on both Cambodian and international law, many novel legal questions have arisen, and the court has addressed only some of the issues. Summer associates also have the opportunity to write articles for DC-Cam's magazine, *Searching for the Truth*, and to assist outreach teams.

June 8

For my memorandum, I'll be writing about the extent to which Ieng Sary's prosecution in the Extraordinary Chambers is barred by his prior conviction by the People's Revolutionary Tribunal in 1979. Ieng Sary was the deputy prime minister and minister of foreign affairs during the Democratic Kampuchea period. There is evidence that he played a role in the arrests and detention of Foreign Ministry members at the S-21 prison in Phnom Penh.

Prisoners at S-21 were tortured and forced to confess to various crimes against Angkar (the Organization), such as involvement with the CIA. After writing their confessions, prisoners were "smashed," in the language of the regime, and buried in mass graves. Of the more than 14,000 prisoners sent to S-21, only a handful are known to have survived.

In 1979, after Vietnamese forces captured Phnom Penh and drove the Khmer Rouge to the western part of the country, the People's Revolutionary Tribunal convicted Pol Pot and Ieng Sary in absentia, and sentenced them to death and the confiscation of their property. In 1996, the king pardoned Ieng Sary, who defected to the government and left the Khmer Rouge, bringing a number of soldiers with him.

June 15

Recently I visited Tuol Sleng, also known as S-21, the former school complex used by the Khmer Rouge as a secret prison.

Tuol Sleng is now a museum. The buildings are open to visitors, and some of the cells still contain the rusted bed frames, chains, and small boxes prisoners were forced to use as toilets. On the walls of each cell is a picture of a prisoner following his execution in the same cell, as photographed by the Vietnamese upon the discov-

ery of S-21. Officials also photographed all prisoners upon their arrival, and hundreds of these images are displayed across several rooms. In one particularly haunting photo, a woman holds a sleeping baby.

Early on, prisoners were executed and buried near S-21, but cadres soon ran out of room. From then on, prisoners were loaded into trucks and driven to Choeng Ek, a site outside the city. There, prisoners were killed, often by a blow to the head, and buried in mass graves.

Though Choeng Ek is the most widely known killing field, it is only one of the many that have been found across Cambodia. Now it is a quiet, grassy area, with trees shading many of the mass graves. The graves have been exhumed, but fragments of bone are still found on the grounds. I came across a tooth on the path. The graves have not been filled in, and the shallow pits are numerous, one next to the other. A sign marks the tree cadres used to hit babies against, holding them by their feet. In the center is a memorial stupa filled with skulls.



Jennifer Ford Walker's work in Cambodia over the summer included a visit to Tuol Sleng, once a secret Khmer Rouge prison (above and left). She also attended a gathering at which villagers—many of whom were elderly survivors of the Pol Pot regime—viewed the announcement of a verdict against the former head of the prison (far right). Walker, a 2L, interned at the Documentation Center of Cambodia, which is chronicling the history of the Khmer Rouge, the ruling party in the country from 1975 to 1979.

PHOTOS BY JENNIFER FORD WALKER AND NATHAN WALKER

June 30

Over the last couple weeks, the legal interns made a few visits to the ECCC to meet with members of the Office of the Co-Prosecutors, Office of the Co-Investigating Judges, and Defence Support Section. It was a great opportunity to get an inside view of the workings of the court and to ask questions.

Currently, the two-year judicial investigation for Case 002 has ended, and the judges will announce in the Closing Order, expected in September, whether they have decided to indict Khieu Samphan, Nuon Chea, Ieng Sary, and Ieng Thirith.

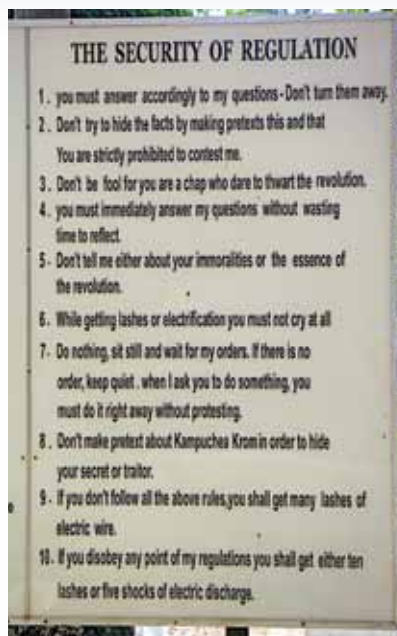
The verdict for the court's first case, against "Comrade Duch," the former head of S-21, will be announced July 26. DC-Cam will screen the verdict live in seven provincial locations, and the legal interns will have the opportunity to assist with the screenings.

The location of each site is of special significance, and the screenings will be followed by a discussion where villagers can voice their opinions on Duch, the decision, and Case 002. At the screening I'm attending, the program will be led by a former S-21 prison guard. The verdict will be replayed for two days, so that all interested villagers are able to see it.

July 26

More than 200 people were gathered at Wat Por Andet, in a small village in southern Kandal province. Most of them were elderly, survivors of the Pol Pot regime, wearing krama (traditional checkered scarves) and sipping tea. A large screen hung at the front of the room, along with a television, projector and sound system, powered by a car battery and a diesel generator.

A handful of young children crowded at the front, wanting to be near the screen. They were awaiting DC-Cam's live screening of the first verdict from the Extraordinary Chambers in the Courts of Cambodia, against Kaing Guek Eav (alias Duch). Duch is the former head of S-21 prison (Tuol Sleng), where it is estimated that more than 14,000 people were interrogated, tortured, and executed. The sentence (19 years in jail) seemed to satisfy most people, as they assumed Duch would not live to be released.



Him Huy, a former S-21 guard who worked under Duch, addressed the audience, saying that Duch is cruel, but since he is already old, he will not go free and will be of no harm others. A woman agreed: "We won't torture him; he can die in prison."

However, another survivor, whose siblings died during the regime, said that her neighbors would likely be unhappy with the sentence. They remain so full of anger and pain that they want to kill the perpetrators with their hands. As for her, "It is no use to kill Duch. It will not bring my brothers and sisters back."



ZACH DEMBO

Mississippi Center for Justice (MCJ)
—Jackson, Mississippi



COURTESY OF ZACH DEMBO

Zach Dembo (2L) graduated from Stanford University in 2007 with a B.A. in history. Pursuing his longtime interest in public service, he joined Teach For America and spent two years teaching eighth-grade English in the Mississippi Delta. At Michigan Law, he is chair of the Organization of Public Interest Students and founder of the Frank Murphy Society, a group dedicated to supporting law students interested in politics and policymaking. For his first of two summer internships, he worked as a legal assistant at the Mississippi Center for Justice.

May 30

The fact that I have only two summers in which to experience a particular kind of law before choosing a career path is intimidating. That's why I decided to split this summer between two areas of interest.

For the first half of the summer, I'll be working at a nonprofit called the Mississippi Center for Justice (MCJ). Having done pro bono work with MCJ through Michigan Law, I knew I wanted to intern there.

This image of damage in Mississippi caused by Hurricane Katrina was captured by Michigan Law students who spent their spring break in 2006 working with the Mississippi Center for Justice's (MCJ). Over the summer, 2L Zach Dembo worked for MCJ, and he wrote about his experience for us.



LAW QUADRANGLE ARCHIVES

For the second half of the summer, I'll be working in my native commonwealth of Kentucky for the Attorney General's office. The current AG, Jack Conway, whom I admire, is busy running for a seat in the U.S. Senate against Rand Paul, but his office still has plenty to do, helping Kentuckians. I look forward to experiencing the contrast between nonprofit and government realms.

June 4

MCJ focuses on social justice issues such as foreclosures, Medicare access, and Katrina recovery. One of the biggest projects right now is a lawsuit the center is bringing against a public housing authority in the Delta.

The director of the authority decided to raise rents, which she's empowered to do. Problem is, she increased the rates by more than 100 percent for every single tenant. Many of the residents are retired or unemployed, making it impossible for them to afford the increase. With over 200 plaintiffs, this is a huge undertaking, so some of us interns signed on to help.

Right now, we're in the discovery phase. My boss succeeded in holding off the evictions for a few months. Nevertheless, the authority attempted to evict nonpaying residents in defiance of a court order, stopping only when MCJ moved to hold them in contempt of court.

Much of my time has been spent getting answers to the interrogatories submitted by the defense. While filling out forms has been monotonous, I've enjoyed talking to the many plaintiffs in the Delta. Hearing their myriad problems and remembering my own

students there reminds me just how desperately lawyers with a sense of civic duty are needed in America.

In other news, my boss returned from a meeting on the coast, where she met with legal services groups from Florida, Alabama, Mississippi, and Louisiana with regard to the BP oil spill. Like everyone, I've watched with horror and disbelief as the situation worsened. My on-again, off-again attraction to environmental law has waxed in the light of this crisis.

June 15

Today, with the discovery deadline behind us, I began researching my own project involving housing law.

Some of the tenants who have been evicted in our suit have subsequently had their homes destroyed, and I'm looking into any possible remedy.

The most amusing and overwhelming aspect of the work has been dealing with the byzantine Department of Housing and Urban Development. Still, it's great that all these HUD lawyers are so excited about housing law.

June 21

It's been a wonderful experience, but I've decided that the nonprofit world might not be for me. Guess I'll have to do internships for a few years out of law school before figuring out what I want to do when I grow up.

ELIZABETH ANNE CAMPBELL

The New Zealand Refugee Status Appeals Authority (RSAA)—Auckland, New Zealand



While earning a B.A. in English and Women's Studies at U-M, Elizabeth Anne Campbell worked at SafeHouse Center, a Washtenaw County nonprofit that provides shelter, counseling, and advocacy services for victims of domestic violence and sexual assault. After graduating in 2005, she continued her position with SafeHouse and later worked as a counselor and teacher at a leadership school for teenage girls. Prior to starting law school, she was a paralegal for a small

law firm in New York City. Elizabeth spent this past summer as a fellow with RSAA, an independent body established to determine appeals from decisions of the Refugee Status Branch of the New Zealand Immigration Service in cases where refugee status has been declined.

May 24

After a tour of the office, my supervisor, Michael Timmins, and I met with Rodger Haines, who has produced so much of the scholarship I've read and admired. Rodger seemed truly excited to continue RSAA's relationship with the University of Michigan's Program in Refugee and Asylum Law. He explained that, during the course of my fellowship, I will be observing many different parts of the refugee system in New Zealand (NZ) and will complete a research project on extraterritorial jurisdiction in refugee law. Afterward, I met Michael and the other legal associates to discuss NZ government and the basic procedure for refugee claims. In the afternoon, I read the case files for the hearing I was set to observe on Wednesday and met with Allan Mackey, the Member hearing the case.

May 25 and 26

Observed the entire hearing. The appellant was a man of African descent from Darfur. His claim, which was based on ethnicity and real or imputed political opinion, was denied at first instance because of credibility



issues. Afterward, Allan and I discussed issues of credibility, the quality of counsel, the importance of country information, and what he would be writing in the opinion.

May 27

I had the honor of spending the day at Refugee Status Branch, where Rodger was conducting a training on protections under the Convention Against Torture (CAT) and International Covenant on Civil and Political Rights. We discussed the necessary elements of torture, as defined in the convention, and the standard of proof required for a CAT claim.

June 1

Began collecting and reviewing articles and cases for my project on extraterritorial jurisdiction. This is a compelling topic, and I'm hopeful that the project will not only be of assistance to RSAA but may also turn into a note or article for publication.

June 2

Attended the Legal Associates team meeting, where we discussed the intersection between refugee law and human trafficking law. I was able to contribute

much to this discussion because of my time in the Human Trafficking Clinic.

June 10

Spent today observing the Supreme Court hearing from *Tamil X v. RSAA*. This is a refugee case regarding the exclusion clauses. I was wildly impressed with the judges. Although much of the applicable international human rights law is not familiar to them, they came to the bench with a sophisticated understanding of the law and had prepared appropriate questions to make a determination. One of the counsel asked where I was from and, when I told him, complimented the University of Michigan Law School. It's good to know my education carries so much weight, even across the ocean.

June 21

General impressions: My coworkers are great. The judges are equally considerate and open to my presence. It is fascinating, inspiring, frightening, and a real privilege to better understand what happens to people outside the safe, secure confines of the United States. This may well be one of the most phenomenal experiences of my life. And it certainly doesn't hurt to be working with such sophisticated legal thinkers.



The skyline of Auckland, New Zealand

ROB SWENSON

Department of Justice—Washington, D.C.

A summer starter 2L, Rob Swenson planned to work in the Michigan Innocence Clinic this fall and serve as the incoming president of the Law School Student Senate. Before enrolling at Michigan Law, he spent four years in New York as the business director of an interior design firm. Rob graduated in 2005 from Boston College with a B.S. in finance and economics. He spent his summer as an intern in the Civil Rights Division of the Department of Justice.

June 8

Following an early morning wake-up call, a quick shower, and some much-needed coffee, I found myself back at Union Station, my point of arrival in D.C. at 12:45 a.m. that morning. At the designated rendezvous, I introduced myself to my fellow interns, and together we boarded the 8 a.m. train to Baltimore. Ninety minutes later, I was observing pre-trial motions followed by opening arguments in a police brutality case being prosecuted by attorneys in my section.

Even though I knew such a day would be a rarity, I couldn't believe this was my first day of work at the DOJ. I'm in the Criminal Section of the Civil Rights Division, and police brutality cases such as this one compose a healthy portion of the caseload. Other statutes prosecuted by the Criminal Section include: human trafficking, damage to religious property, and the new Matthew Shepard Hate Crimes Prevention Act. (Later that week the jury returned guilty verdicts on all counts.)

June 10

As I returned to my desk after finishing the office tour and introductions, it hit me: I must be the only intern without any work and am therefore the next one up for an assignment. Somehow I hadn't contemplated it would involve an area of law I had never studied. Being a summer starter, I've taken non-1L classes—but I have yet to take Evidence or Crim Pro.

My instructions came. I was to research what "evidence will overcome the detention presumption in a 924(c) and 242 case, with death resulting." Desperately trying to hide my panic, I scribbled down the instructions and statutes. Next, I needed to learn what the assigning attorney was talking about.

After some initial research, I discovered the assignment lay squarely at the crossroads of Evidence and Crim Pro. After more research, I started mapping the issue. The panic subsided. Thankfully, there are two Michigan



SAM HOLLENSHEAD PHOTOGRAPHY

Rob Swenson worked as a summer intern in the Civil Rights Division of the Department of Justice, just down the street from the U.S. Capitol.

Law 3Ls also interning in my section who are willing and able to offer support. I handed the memo off, on time and complete. The first assignment was over. But all the credit goes to my legal research professors and helpful upperclassmen.

June 21

My first time at the Hall of Justice, I arrived with my boss's boss's boss for a Gay Pride event and am seated front and center. Attorney General Eric Holder spoke passionately of the administration's commitment to Civil Rights, and how proud he was to have passed the Matthew Shepard Hate Crimes Prevention Act. The entire experience made me especially "prideful" to be interning at the DOJ.

June 29

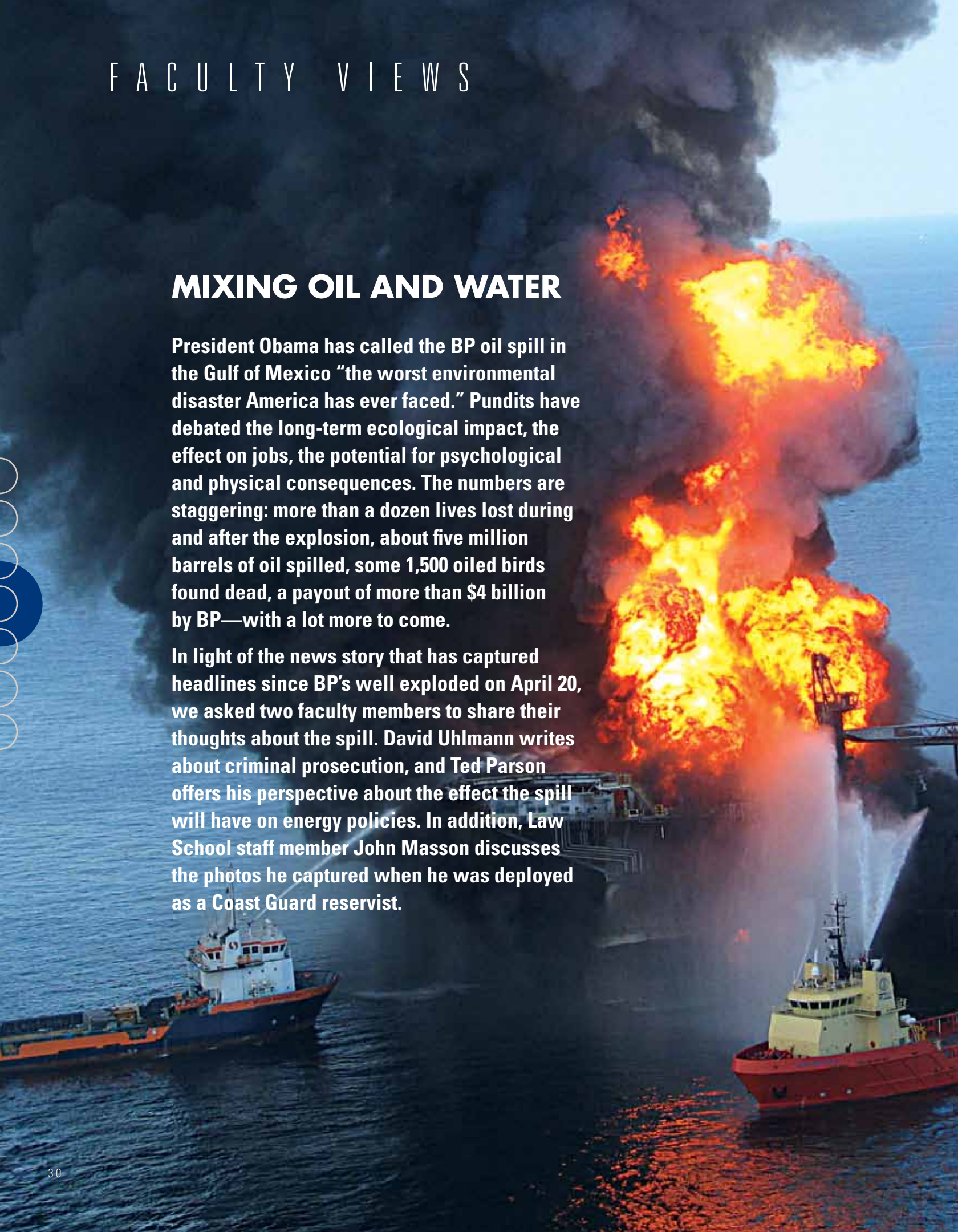
Earlier today, a senior attorney from my section spoke to the interns about his experience prosecuting the officers involved in the Rodney King beating. I was awestruck to discover the man I had frequently chatted with over lunch was the lead prosecutor in that legendary trial.

The presentation was enlightening. I realized how fortunate I am to have access to such an experienced litigator. I also realized that every attorney within the section likely has similar, albeit less public, stories, but they are too humble, hardworking, and discreet to call attention to themselves. 🇺🇸

MIXING OIL AND WATER

President Obama has called the BP oil spill in the Gulf of Mexico “the worst environmental disaster America has ever faced.” Pundits have debated the long-term ecological impact, the effect on jobs, the potential for psychological and physical consequences. The numbers are staggering: more than a dozen lives lost during and after the explosion, about five million barrels of oil spilled, some 1,500 oiled birds found dead, a payout of more than \$4 billion by BP—with a lot more to come.

In light of the news story that has captured headlines since BP’s well exploded on April 20, we asked two faculty members to share their thoughts about the spill. David Uhlmann writes about criminal prosecution, and Ted Parson offers his perspective about the effect the spill will have on energy policies. In addition, Law School staff member John Masson discusses the photos he captured when he was deployed as a Coast Guard reservist.



CRIMES ON THE GULF

By David M. Uhlmann

Editor's Note: This article is an expanded version of Professor Uhlmann's op-ed, "Prosecuting Crimes Against the Earth" (New York Times, June 4, 2010).



The explosion that rocked the Deepwater Horizon oil rig on April 20, 2010, killed 11 workers and triggered the worst environmental disaster in U.S. history. After six weeks of failed efforts to stop the gushing oil and protect the fragile ecosystem of the Gulf of Mexico and the communities along its shores, President Obama pledged on June 1 that "if our laws were broken . . . we will bring those responsible to justice."

President Obama's words may have been political damage control; efforts to contain the spill could not have been going worse. Behind the scenes, however, federal prosecutors had been working since the first days of the spill to determine whether BP (the owner of the well), Transocean (the owner of the Deepwater Horizon rig), and Halliburton (the company that did the cementing job on the deep-ocean well) should be charged with crimes.

The Justice Department's investigation is focusing on criminal charges under the Clean Water Act and the Migratory Bird Treaty Act, two of the environmental crimes charged in the Exxon Valdez case. The Clean Water Act requires the government to show negligence, but the Migratory Bird Treaty Act is a strict liability offense that was committed as soon as oil coated migratory birds. The Justice Department also is weighing charges under the Marine Mammal Protection Act, the Endangered Species Act, and the Outer Continental Shelf Lands Act, to highlight the oil spill's effect on aquatic life and the role of offshore drilling, and may pursue charges under the Seaman's Manslaughter Statute to address the worker deaths. Finally, if evidence develops that corporate officials misled the government about the integrity of the well or the amount of oil spewing into the Gulf of Mexico, the Justice Department will bring obstruction of justice and false statement charges.

Some may question whether criminal prosecution is appropriate based on the Gulf tragedy. Soon after the spill began, Texas Governor Rick Perry called the explosion "an act of God." Tea Party activist and U.S. Senate candidate Rand Paul argued that we should avoid the blame game in the Gulf because "accidents happen." After President Obama convinced BP to establish a \$20 billion escrow fund for victims of the spill—which could become a restitution fund if a criminal prosecution occurs—U.S. Representative Joe Barton called the agreement a "Chicago-style shakedown" and apologized to BP.

If the Gulf oil spill had resulted from an act of God, such as a hurricane or a lightning strike, it might be appropriate to seek only civil penalties. If the spill occurred due to an unavoidable accident—an unanticipated or unpreventable equipment failure—we might prefer that the government decline criminal charges. Criminal prosecution should be reserved for cases where there is evidence of wrongdoing, which is why prosecutors avoid strict liability charges like the Migratory Bird Treaty Act except in cases of negligence. Fairness demands that we resist opportunistic criminal prosecutions: We should not prosecute criminally simply because a tragedy has occurred, even one as awful as the Gulf oil spill.

It appears nearly certain, however, that there was negligence and perhaps worse in the events leading to the Gulf oil spill. Congressional hearings and news reports have

The more difficult question for the Justice Department will be whether there is sufficient evidence to charge felonies, which the public will expect.

identified numerous warning signs that went unheeded and deviations from standard industry practice that occurred before the explosion on Deepwater Horizon. Gas was seeping into the well. The blowout preventer was leaking. Concerns were raised about the well casing. There were signs of trouble with the cement in the well. Less than one-third of the necessary stabilizing rods were used. Mud circulation was limited. A final concrete plug was not installed properly. And when disaster struck, the blowout preventer failed.

Prosecutors must examine all witness statements, internal documents, and any physical evidence that remains after the explosion. Their decisions must be based on the sufficiency of the evidence to prove guilt beyond a reasonable doubt, which is a more demanding standard than applies to Congress and the media. But if the negligence claims prove accurate, the Justice Department should bring criminal charges against BP, and possibly Transocean and Halliburton, and the fines should be in the billions of dollars, far more than the criminal fine of \$125 million paid by Exxon for the 1989 Valdez oil spill (until now the largest for environmental crime).

The more difficult question for the Justice Department will be whether there is sufficient evidence to charge felonies, which the public will expect. All of the environmental laws that may have been broken in the Gulf oil spill provide for criminal penalties, but only the Clean Water Act includes felony charges. For the government to prove a felony violation of the Clean Water Act, it must prove the defendant acted knowingly, which means the defendant must have known at the time of the illegal act that a pollutant would be discharged into protected waters. A knowing violation may be easy to prove when a business intentionally dumps waste into a river, but it is much harder in the case of an oil spill.

No one thinks BP, Transocean, or Halliburton intended to spill oil into the Gulf. The government may argue, however, that the companies deviated so much from standard industry practice that they knew a blowout could happen. Or the government could argue that, even if the initial discharge involved only negligence (a misdemeanor under the Clean Water Act), each additional day of discharge represented a knowing violation. The first approach would track more closely our traditional understanding of knowledge requirements but might be difficult to sustain factually, particularly since the Minerals Management Service approved many of BP's decisions. The second approach might be easier to prove—BP and the other companies have known since the early days of the spill that more oil would be discharged with each passing day—but would be a tenuous legal theory, since it would decouple knowledge from the act (the blowout) that caused the discharges to occur.

Another difficult question for the Justice Department will be whether individuals should be charged based on the Gulf oil spill, leading to jail time, which might inspire more careful drilling in the future. Prosecutors prefer to charge individuals in corporate cases because the deterrent value of a prosecution is greatest when corporate officials

face incarceration. Absent false statements or obstruction of justice, however, the Justice Department may struggle to identify culpable individuals with sufficient management authority in the Gulf oil spill case. Only those directly involved in misconduct can be charged with crimes, and it is likely that executives of BP, Transocean, and Halliburton played no such personal role in the disaster. Stated differently, it may be difficult to identify individuals with enough supervisory responsibility and personal involvement to be blamed for the Gulf tragedy, particularly if the most culpable decisions were made by relatively low-level officials stationed

on the drilling rig.

Whether to charge BP, however, will not be a tough issue. BP has a history of criminal violations, offering evidence of a culture that puts profits before the environment and worker safety. After a 2005 explosion at its Texas City refinery, which killed 15 workers, BP pleaded guilty to violating the Clean Air Act by failing to maintain a safe facility. It also pleaded guilty to violating the Clean Water Act by having corroded pipelines that caused oil spills in Alaska's Prudhoe Bay in 2006. BP will argue that those convictions involved different BP subsidiaries, but they raise questions about the effectiveness of its commitment to safe drilling.

Nor will it be difficult for the Justice Department to conclude that the Gulf oil spill warrants both criminal and civil enforcement. In most cases, the government chooses between criminal and civil penalties depending upon the seriousness of the violation, the complexity of the underlying law, and the exercise of prosecutorial discretion. Electing remedies promotes principles of fairness (a defendant generally should not face criminal and civil sanctions for the same conduct) and serves the public interest in deterring violations (the government can address more violations if it does not dedicate criminal and civil personnel to the same case). But the Justice Department has a long-standing policy of seeking both criminal and civil penalties in the most egregious cases, and the Gulf oil spill easily meets that test.

The Justice Department can and should seek record criminal and civil penalties for the Gulf oil spill. The goal should not be to put BP and the other companies out of business; they need to remain viable to pay the claims against them, and we should not lose sight of the fact that their risky drilling occurred with our acquiescence, a high-wire effort to quench our insatiable thirst for more oil. But the fines should hurt, disgorging an amount that approximates the aggregate costs to the ecosystem and the economy, in addition to the compensation that BP and the other companies involved pay to the government and the victims of their crimes for cleanup costs, natural resource damages, and economic losses.

Criminal prosecution cannot restore the Gulf or end the suffering of the people who live along its shores. But a criminal penalty would ensure just punishment—and criminal prosecution would send a clear message that an environmental disaster of this magnitude cannot be allowed to happen again. **Q**

Guardians of the Gulf

By John Masson



Night falls over the “city at sea” near the BP oil spill. More than 60 ships worked at the site every day to contain and clean up the spill.

It occurred to me, as I hung out the door of a blaze-orange Coast Guard helicopter about 100 feet above the surface of the Gulf of Mexico, that this ought to make a pretty good picture.

For one thing, there was a vortex of fire several hundred feet tall, merging dramatically with a hammerhead cloud of thick black smoke. For another, there was a hazy blue sky that bespoke the day’s crushing heat and humidity. And finally, for context, there was what appeared to be a toy shrimp boat at the base of the plume, demonstrating just how massive the tower of flame and oily smoke really was.

Snap.


The BP oil spill resulted in the recall of a couple of thousand Coast Guard reservists, including me. My military role—I’ve been a Coast Guard public affairs specialist since 1999—closely mirrors my civilian job as Michigan Law’s media relations officer. And given the scope of the disaster in the Gulf, it was obvious that there would be plenty of work to do, both for me and for the legal scholars I left behind in Ann Arbor.

The most rewarding—and exhausting—portion of my 60-day tour occurred aboard the 210-foot Coast Guard Cutter Resolute, after the brass decided the best way to help Americans understand what was going on was to take them to the scene of BP’s broken well. Considering that scene was nearly 50 miles offshore, in a

heavily trafficked area choked with more than 60 response ships, access had been problematic for the media. So the Resolute—already on patrol with search-and-rescue, hurricane safety, and command-and-control responsibilities—began hosting a rotating cast of journalists from national and international news outlets. Reporters helicoptered out from New Orleans and stayed overnight, sleeping wherever they could find enough space to unfold a cot.

The daunting task of making sure they got what they needed and stayed safe fell to two of my fellow Coast Guard media specialists and me. We answered their questions. We made sure they were close enough to the busted well to get strong video at sunrise—and again at sunset. We got them on helicopters, and we took them out in Resolute’s small boats so they could smell the oil, see it up close, and experience first-hand some of the problems that made the response so difficult.

Along the way, because we’re also the Coast Guard’s documentarians, we took plenty of pictures of our own. And when our helicopters lifted off the flight deck for the last time July 18, the flow of oil into the Gulf—as high as 60,000 barrels a day when we came aboard July 3—was finally down to zero.

There’s still a lot of work to do, but that made coming home all the sweeter. 

ABC News correspondent Jeffrey Kofman is the first reporter to capture nighttime images from the site of the spill July 8.



John Masson, media relations specialist at Michigan Law, served as a Coast Guard reservist for two months during the cleanup of the Gulf oil spill. These are some of the photographs he captured while working as a Coast Guard public affairs specialist.



THE GULF SPILL CONTEXT:

Peak Oil, Risky Oil, and Energy Strategy

By Edward R. Parson

I'm going to begin this discussion of the Gulf oil spill by backing up and placing this catastrophe in the context of larger-scale problems with current energy policy, in the United States and globally.

As shocking as the situation in the Gulf of Mexico may be, in this broader context it must be regarded as a normal event. That's not to say that it's normal in relation to past experience. Rather, the Gulf spill is "the new normal," in the sense that our current energy strategy—or lack thereof—will make such events increasingly likely, even if we assume conditions of effective regulation and

responsible compliance that evidently were not present on the Deepwater Horizon.

The BP operation was 40 miles offshore, in water 5,000 feet deep, and yet it was far from being the most extreme of today's drilling locations. Plenty of wells are operating and in development deeper and farther offshore. The current record holder is in 10,000 feet of water, nearly twice the depth of BP's well.

Why are we pursuing resources in such difficult places? Partly because technology makes it possible; and partly because oil prices and supply constraints, current and anticipated, make it worth going after these resources.

The U.S. and world economies depend on fossil fuels for more than 80 percent of their total energy supplies, and for almost 100 percent of their transportation fuels. Yet even as world demand grows, particularly in the economies of Asia, production of easily extractable oil from easily reached places is in decline. Consequently, market conditions are forcing production toward increasingly remote, sensitive, and dangerous places, continually pushing the limits of advancing technology.

Absent a concerted move in a different direction, these trends will continue, bringing ever smaller extensions to the lifespan of these finite resources, at the price of increasing risk and environmental harm. On this trajectory, events like the Gulf spill may well become commonplace.

This is a global energy crisis—but we appear not to be noticing, largely because it is so unlike the energy crises of the 1970s. Those came on fast, triggered by individual acts and political events such as the OPEC embargo of 1973 and the Iranian supply disruption in the 1979 revolution.

This one, by contrast, is slow and structural, driven by the gradual but inexorable divergence between growing global demand and increasingly scarce and difficult supply, and it will have no simple or quick resolution. It cannot be reversed by any single act, such as persuading OPEC to lift its embargo, or by increasing U.S. domestic production, since there simply isn't enough available.

Rather, the only possible response is to reduce dependence on scarce energy sources through large-scale shifts in both demand (using less energy through efficiency improvements and other adjustments) and supply (developing new resources). This will mean higher—but not necessarily unreasonable—energy prices. Given a strong program of research, technology development, and investment, there are plenty of opportunities to achieve the required new energy supplies and demand reductions.

But there are perils on this path. We face not just one slow-moving energy crisis but two: the crisis of energy supply security as conventional oil and gas sources decline, and the crisis of climate change from the carbon dioxide (CO₂) emissions that are tightly linked to fossil-fuel use. These two crises are related, but they are not the same, and we must solve them both. Unfortunately, some widely supported solutions to the problem of energy supply security would not only fail to solve the problem of climate change but would make it much worse.



COURTESY OF THE U.S. COAST GUARD

Whether we successfully navigate both crises will depend on where we turn for new energy sources as cheap oil declines. The simplest path would be to continue obtaining liquid fuels from fossil resources, chasing oil in ever more remote locations, and shifting to unconventional resources such as oil sands and liquids processed from coal or shale, which require intensive upstream processing.

From the viewpoint of present energy industries and regulatory approaches, this is the familiar path, with incremental development of existing technologies. There are plenty of these resources to meet world demand for decades, and the approach has strong proponents. But this path would make climate change much worse, not only because it would continue using carbon-based fuels to meet growing demand, but because the required upstream processing sharply increases the CO₂ emitted in delivering each unit of energy, nearly doubling that number for some sources.

Attempting to extend the energy supply in this way would commit us to a high-CO₂ pathway for much of the century, or a wrenching and costly adjustment if we later realize our error and change course after major investments are made.

Ultimately, the route to a climate-safe future is not compatible with large-scale movement toward liquids from coal, oil sands, or other heavy hydrocarbons as replacements for declining cheap oil. Avoiding dangerous climate change requires that, as cheap oil declines, we shift instead to new energy sources that do not emit greenhouse gases: renewables such as solar, wind, hydro, and nuclear power. This option does not require the sudden stoppage of fossil fuel use. There can be an extended transition period, provided new fossil investments include technologies to separate the carbon and store it underground, rather than emitting it into the atmosphere.

Taking this path would require sensible market incentives to develop and invest in climate-safe sources by making greenhouse gas emissions costly, such as emission taxes or cap-and-trade systems. With such policies steering investors toward low- and non-emitting technologies, the most dangerous routes to meeting energy demand as cheap oil declines would be priced out of the market.

If we develop these incentives sensibly—and implement them gradually—it's likely that we can still limit climate change at a modest cost. Most analyses suggest the price of avoiding the worst (but not all) risks of climate change to be about one percent of future GDP. The problem is, we've been waiting on the starting line for more than 20 years, and the time for such a low-pain fix is running out. The longer we wait, the harder it will be.

The BP oil spill is not merely a symptom of the destructive direction current energy policy is heading. It is an attention-grabbing event that will influence the broader politics of energy, for good or ill.

To his credit, President Obama has used the crisis to promote comprehensive energy and climate legislation. But the current congressional bills and administration proposals, although better than nothing, are too weak to drive the required reorientation of investment and research throughout the energy sector. Also, the president's June address to the nation was distressingly ambivalent as to the policies needed to end our dependence on fossil fuels.


While the spill may provide an opportunity to change the direction of America's dangerously unsustainable energy strategy, the opportunity to craft a more sustainable strategy poses many challenges and risks. It is hard to get the policies right, providing strong enough long-term incentives to move investment and R&D toward a radically different energy future while limiting short-term disruptions. It is perhaps even harder to get the politics right, because, with the possible exception of reducing federal entitlement programs, there is nothing in American politics more dangerous than raising the price of gasoline (just ask anyone involved in attempts to increase federal fuel taxes during the Carter or Clinton administrations).

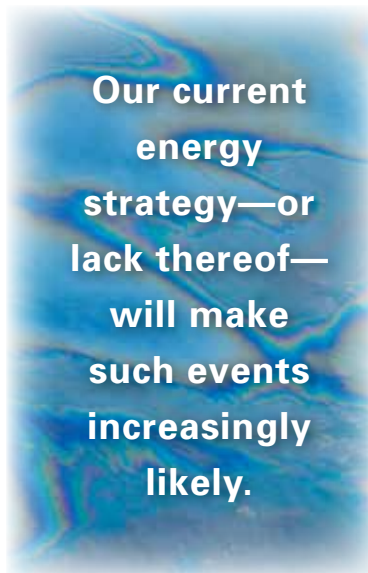
Energy prices can only increase as the end of the cheap-oil era approaches; and they must increase a little more to move us to the energy path that limits climate change.

Explaining this fact persuasively is among the jobs of the president and congressional leaders. Unfortunately, there are many ways for them to get it wrong.

They could, for example, draft legislation that gives away too much to current fossil interests (e.g., by over-reliance on "clean coal") or to other claimants (e.g., by building complex credit and offset systems that reward short-term trading and weaken incentives for long-term investments). Or they could subscribe to magical thinking about the ability of technology to solve the climate and energy problems, without policy incentives.

Perhaps most dangerous, reaction to the spill could trigger short-term energy price spikes. This could be caused by several factors, including the direct regulatory response to the spill, proposed new climate and energy policies, world market conditions, and strategic behavior by firms. (If you doubt the last possibility, recall Enron's role in the California electricity crisis of 2000.) Such a price spike, in turn, could lead to a backlash against long-term climate and energy policies and a panic to develop new fossil resources.

This is a real risk. If such a scenario unfolds, the resultant weakening or blockage of urgently needed climate and energy policies would be an even more damaging consequence of the spill than its direct harm to the Gulf region. 



Our current energy strategy—or lack thereof—will make such events increasingly likely.

A New Era Begins



Your generosity to Michigan Law during the Michigan Difference campaign is making a visible difference on our campus.

A great example is our building expansion and renovation project, comprising the new academic building rising across Monroe Street, the Robert B. Aikens Commons

now under construction on the Quad, and the removal of aluminum siding and the bridge from the Legal Research Building (replaced by an architecturally compatible material and a new, re-sited bridge).

Our corner of the University has become a bustling construction zone, and every day we see measurable progress. This is an exciting time, and I hope you can visit during the construction period to see the beginning of a new era at Michigan Law.

This month, we had the pleasure of honoring donors who have made building gifts of \$25,000 and more at a special Capstone Ceremony. After dinner with Dean Caminker, the honored donors signed a piece of stone that was placed in the new building the following morning. The event was both enjoyable and meaningful.

The ceremony also marked the midpoint of construction. And just as a great deal of work remains before the Law School can make use of the wonderful new facilities, so there is fundraising yet to do. Our goal for private support for the building project is \$70 million prior to the end of construction. If you haven't yet made your gift, I encourage you to consider doing so.

Less visible, but no less significant, is the difference you make in students' lives through your support of our Debt Management Program. Under any circumstances, this loan repayment assistance program is important in helping our graduates pursue the legal jobs of their dreams, regardless of salary. But in these uncertain economic times, demand on the program's resources has increased steadily. We don't expect that to change as law firms continue to reexamine their hiring needs and more graduates pursue options other than large-firm practice. Your support helps the Debt Management Program remain a dependable source of much-needed assistance.

While the Michigan Difference campaign ended nearly two years ago, the Law School's need for private funding did not. In response, Dean Caminker has created a new Development and Alumni Relations Committee, a group of high-level alumni fundraising volunteers who will assist the Law School in this critical area. We are fortunate to have as our chair Bruce Bickner, '68, under whose tremendous leadership our last campaign achieved spectacular success. We are grateful for the service of this new committee.

Sincerely,

Todd M. Baily
*Assistant Dean for Development
and Alumni Relations*



Building Support

Jane and Ronald Olson, '66

In giving back to Michigan Law, as with most important endeavors in their lives, Jane and Ronald Olson, '66, are a team—a solid, close-knit team that knows what it stands for and why.

Since 1992, and through an endowed fund since 1997, the Olsons have made gifts to the Law School totaling \$1 million to benefit international human rights work, particularly the Program in Refugee and Asylum Law. Now the two are endorsing the Law School's future with a gift of \$500,000 for the building project, a gesture they say represents their firm belief in Michigan Law and its mission.

"Jane and I understand how critically important the building project is to the Law School's work," says Ron Olson. "Michigan has always been an important philanthropic priority for us. Our new gift expresses our conviction that the Law School will remain among the world's top educators."

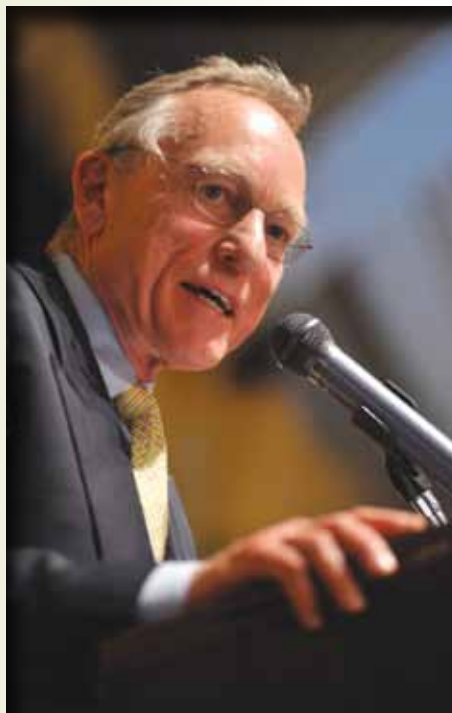
Both Ron and Jane, who reside in Pasadena, California, have also given generously of their time to the Law School. Ron was a featured alumni speaker at the Sesquicentennial Gala in September 2009. And last March, Jane, speaking in the International Law Workshop series, delivered a potent message on the healing power of international justice.

"For nearly two decades, Ron and Jane Olson's passion and generosity have been associated with helping to make Michigan Law's Program in Refugee and Asylum Law the finest of its kind," says Dean Evan Caminker. "We are thrilled that they will also be among those permanently honored for ensuring the completion of our building project."



Jane Olson

LEISA THOMPSON PHOTOGRAPHY



Ron Olson

PETER SMITH PHOTOGRAPHY

The Olsons' service to the University extends even further. Ron has served on the advisory groups of two U-M presidents and represented U-M at two college presidential inaugurations in California. In addition, the two co-chaired the University's Los Angeles Major Gifts Committee and are frequent hosts and volunteer fundraisers in Southern California on behalf of the Law School and the University.

Ron and Jane have achieved great things individually as well. Ron, a partner with Munger, Tolles & Olson, has a practice that combines litigation and corporate counseling. Known for his wise and creative problem solving, he has been the lead attorney on many high-profile cases. Jane, a journalist and lifelong human rights activist, chairs the boards of Human Rights Watch and Survivor Corps (formerly Landmine Survivors Network) and is a member of the Council on Foreign Relations.

Together, the Olsons have received numerous awards for public service, including the Humanitarian Award from the National Conference for Community and Justice.

The Olsons' proudest team effort, however, is their family. That includes their children—Kristin Olson McKissick, a mother and international economist; Amy Olson Duerk, B.S. and B.A. '94, J.D. '99, a mother and a partner with Phillips Law Firm in Missoula, Montana; and Steve

Olson, J.D. '95, a father and a partner in O'Melveny & Myers' Los Angeles office—as well as eight grandsons.

Michigan Law is proud to have all the Olsons in its family of alumni and friends.



GIVING

Planned Giving

Sallyanne and Harold Rosenn, '41

Every fall when he returns to the Law Quad, Harold Rosenn, B.A. '39, J.D. '41, sits in his favorite seat in the Reading Room, the spot where he studied throughout law school. This small ritual, he says, brings him luck. Since Rosenn's nearly 93 years have provided him ample opportunities to serve his country, his profession, and his community, he considers himself a lucky man indeed.

The key to all that, Rosenn declares, has been his Michigan education. In appreciation, he and his wife, Sallyanne, have remembered the Law School in their estate plan, capping a lifetime of generous giving to support the Law School's work.

"I owe not merely my livelihood but my lifestyle to Michigan," says Rosenn, of Kingston, Pennsylvania. His current home lies just across the Susquehanna River from Wilkes-Barre, the town where he practiced law for nearly five decades.

Rosenn arrived in Ann Arbor in the depths of the Depression, ready to make the most of Michigan. He wrestled under the guidance of legendary coach Cliff Keen, despite his small stature. He enrolled in the "combined curriculum," which allowed him to complete his undergraduate and law degrees in six years. As a working law student of limited means, he lived off campus to save money, but spent class, social, study, and meal time on the Quad, paying one dollar a day to eat lunch and dinner at the Lawyers Club. "That was important to me," he recalls. "I soaked up the environment."

Rosenn returned home after graduation and was admitted to the Pennsylvania bar the day after the attack on Pearl Harbor. During World War II, he served in England as intelligence officer to the Air Force a B-17 bomb group that led the first raid on Berlin—"the most memorable day in my life," he says.

Immediately after the war, Rosenn and his elder brother, Max, joined their legal talents as Rosenn & Rosenn. In 1954, the brothers and two partners established Rosenn, Jenkins & Greenwald, which became northeast Pennsylvania's largest law firm. Max Rosenn was appointed to the Third U.S. Circuit Court of Appeals bench in 1970, serving until his death in 2006. Harold Rosenn continued to enjoy a successful career in corporate and estate law, retiring from active practice at 70.

Early in their 62-year marriage, Harold and Sallyanne Rosenn, a former field director for the Girl Scouts, discovered a mutual passion for travel. They have since crisscrossed the globe many times, on their own, with groups from the U-M Alumni Association, and with their son, Scott.

Service has been a joyful constant through Rosenn's life, for organizations like the United Way and the American Legion, for his temple, and also through countless kind deeds done for individuals and families at home and abroad. Through such generous acts, he and Sallyanne have built a worldwide network of warm relationships.

As one Dutch friend wrote, "Never in the field of human kindness was so much given at such generous volume by such a small, great man like Harold Rosenn."



PETER SMITH PHOTOGRAPHY

Sallyanne and Harold Rosenn

Building Support

Nancy and Arn Tellem, '79

Arn Tellem's love for baseball is in his DNA. As a kid in Philadelphia, he spent Sundays playing chess with his grandfathers and watching their beloved Phillies. Never mind that those were dismal days for the Phils. For Tellem, his grandfathers' enthusiasm trumped the loss column and made him a lifelong fan.

Today Tellem, '79, is a major player off the field. A sports agent of the first rank, he oversees the management division of Wasserman Media Group, which includes soccer, golf, broadcasting, Olympic sports, and marketing in addition to baseball. His baseball clients have included Hideki Matsui, Jason Giambi, and Chase Utley, while his roster of basketball clients is peppered with names like Pau Gasol, Derrick Rose, and Tyreke Evans.

Tellem and his wife, Nancy, a senior executive with CBS Television, have committed \$250,000 to the Law School's building project. The couple previously endowed a fund supporting faculty research and has provided generous support for the Law School Fund as well.

"To remain among the best in the world, the Law School must address the needs of its students and keep apace of the competition," Tellem says. "Nancy and I feel it's a singular honor to support the University of Michigan Law School."

A graduate of Haverford College in Philadelphia, Tellem says Yale Kamisar and Jerry Israel were the law professors who influenced him most, teaching him critical-thinking skills and the nuances of legal issues. Outside the classroom in Ann Arbor, Tellem vividly remembers taking star Wolverine athlete Rick Leach to several dinners, a recruitment ploy that Tellem, who never got to represent Leach, has since used to far greater success.

"In the years since, I've sometimes wondered if I should have baited my hook with cheeseburgers instead of submarines," he says.

After law school graduation, Tellem took a job doing commercial litigation for a Los Angeles law firm at which Steve Greenberg, son of baseball great Hank, was an associate.

"I worked every angle in my book—and it's a long book—to get Steve to take me on in his sports law practice," Tellem recalls. "Eventually Steve let me do some statistical analysis for one of his clients. That's how I got my start as an agent."

The Tellems live in Pacific Palisades, California, and have three sons. The youngest, 18-year-old Eric, is a Michigan freshman and "a born player agent," says his father. "By the time he graduates, I'd be surprised if he didn't have half the Michigan baseball team's infield and the basketball team's entire frontcourt lined up as clients."

Eric, Nancy, and Arn Tellem at the Sesquicentennial Celebration.

SAM HOLLENSHEAD PHOTOGRAPHY



GIVING

Law School Fund

John Hoyns, '79

Financial support made it possible for John Hoyns to attend Michigan Law. Now, through his own philanthropy, he's opening doors for students today.

Every year since Hoyns graduated in 1979, he has made a gift to the Law School Fund. Most recently, he gave \$25,000 in honor of his 30th class reunion, which he co-chaired. He feels he owes it to the Law School to give back, and scholarships are one of the areas the Law School Fund supports.

"Michigan offered me a generous aid package so that I didn't have to work while I was going to law school," says Hoyns, of New York City. "Having the scholarship support made it much easier for me—and easier to do well."

Raised in a working-class family north of the city in Monsey, New York, Hoyns knew little about legal work, but nevertheless was attracted to the practice of law. "Whenever I argued with my parents, they'd say I should save the arguments until I became a lawyer. I couldn't wait to get my license to argue," he jokes.

He majored in history as an undergraduate at Colgate University before attending Michigan Law, where he got his first taste of practice as a summer associate with a big firm and found he liked the work. Interviewing for permanent positions, he encountered Amalya Kearse, '62, the first woman partner and the first African American partner with Hughes Hubbard & Reed in New York.

"She recruited me, and she was hard to resist," Hoyns says of Kearse, who was appointed to the Second U.S. Circuit Court of Appeals in 1979 and took senior status in 2002.

Hoyns has been with Hughes Hubbard since graduation and is co-chair of the Corporate Department and chair of the Equipment Finance Group. He started as a corporate generalist and developed



MARIAN GOLDMAN

John Hoyns

a specialty of representing airlines. Today his clients include Continental Airlines, Republic Airways, and Azul Linhas Aéreas Brasileiras. His firm has pioneered increasingly sophisticated financing mechanisms for aviation finance, and Hoyns has enjoyed being in the thick of the work.

His memories of Michigan include the year-long contracts class with Emeritus Professor John Jackson, learning about issues that are still central to his practice today. "Professor Jackson was analytical, logical, unflappable, and the master of his subject," Hoyns says. "He was inspiring."

HOW TO MAKE A GIFT TO MICHIGAN LAW

Your gift directly benefits the students, faculty, programs, and facilities that continue to distinguish Michigan Law.

Online credit card gifts: Visit www.law.mich.edu, click on Giving to Michigan Law on the left side of the page, and make your gift to the Law School Fund or another purpose you designate.

Gifts of securities: Call toll free 877.647.9090 or e-mail umgiftsec@umich.edu.

For assistance: Call the Office of Development and Alumni Relations at 734.615.4500.

Have you remembered Michigan Law in your estate plan?

Student Support

International Society of Barristers



John Reed

The International Society of Barristers has made a gift to the Law School in honor of John Reed, the Thomas M. Cooley Professor of Law Emeritus and the Barristers Society's retiring administrator and editor.

The commitment supports student participation in litigation-based competitions and includes a \$100,000 gift creating a fund for endowment, as well as an additional \$20,000 in expendable funds for immediate use.

This year, the gift funded participation by three Michigan Law students in the annual Jean Pictet Competition in International Humanitarian Law. Uzma Burney, Jessika Croizat, and Raphaëlle Monty, all May 2010 graduates, traveled to Orford, Quebec, to compete in the weeklong event in April. Burney observed that participation was "an invaluable experience" and one she would recommend to any interested students.

Many individual members of the Barristers contributed to the gift. Among them were several Michigan Law alumni, including the group's current president, William F. (Rick) Martson, '72, a litigator with Tonkon Torp LLP in Portland, Oregon.

"John Reed is universally admired by our membership," says Martson. "Making a gift to the institution he admires, and which has meant so much to John, is our way of publicly honoring our friend, who is also one of the great teachers of our time."

The Barristers Society comprises about 650 top trial lawyers from both sides of the courtroom, chosen for membership by their peers. Reed is also an Academic Fellow of the society.

"The gift will enhance Michigan's excellent trial advocacy program, in keeping with one of the Barristers' stated purposes: to encourage, by example and otherwise, the entry of younger lawyers into the specialty of advocacy," says Reed. "Both personally and on behalf of the Law School, I am deeply grateful to the generous trial lawyer friends who have provided this useful endowment."

The Barristers' gift is the third endowment gift made to the Law School in honor of Reed, who joined the Michigan faculty in 1949, formally retired in 1987, and has been called out of retirement to teach evidence, most recently in 2004. In 1997, the class of 1952 established the John Reed Scholarship, and in 2006, an anonymous donor created a fund in Reed's name to support the Debt Management Program.

Clinical Law Program/Planned Giving

Former Inmate Remembers Clinics with Bequest

The prisoner's letter read: "I'm desperate."

The plea, which reached the Clinical Law Program in 2001, was nearly identical to hundreds the program receives every year. But the facts of the inmate's situation were not. Replete with Kafkaesque issues of procedure, substance, and human rights, the plea appeared to be an ideal vehicle for the real-world practice experience that clinics offer Michigan Law students.

Clinic faculty said yes. The client was deeply grateful—so grateful, in fact, that, upon his death in 2008, it came to light that he had remembered the Clinical Law Program in his will.

His bequest will support the Program's work in representing prison inmates, helping to pay fees for expert witnesses, depositions, filing, and discovery, as well as funding travel, conferences, and speakers associated with prisoners' rights issues.

"We are deeply appreciative of this gift, which will help any of our clinics doing work which affects prisoners," says Bridget McCormack, associate dean for clinical affairs.

The bequest will be put to good use. The General Clinic's prisoners' rights cases are among the most complex that it undertakes,

sometimes involving the work of dozens of students and consuming thousands of hours over several years.

"There are some intense semesters," says Paul Reingold, clinical professor of law, who handles part of the prisoners' rights docket. "The students do an amazing job. They take depositions, they write briefs, they argue motions, and they do immensely valuable organizational work. Sometimes they conduct jury trials in federal district court and even argue in the Sixth U.S. Circuit Court of Appeals. The records in these cases can be unbelievably complex, and the students have to know it cold. Year after year, issue after issue, our prisoners' rights cases provide us with as rich a set of material as you can get in a clinical law setting."

GIVING

Building Support and Law School Fund

Beverly Bartow, '80, and James Stengel, '80

If the class of 1980 is getting together, it's certain that Bev Bartow and Jim Stengel will make every effort to be there, and the class's 30th reunion on October 15–17 was no exception.

"We have a lot of lifelong friends in the class," says Stengel. "It has been nice to go back and reassemble the group."

Bartow and Stengel came to Michigan Law after receiving undergraduate degrees from the University of Illinois. He's a native of Decatur, Illinois, while she was born in Dearborn, Michigan. They have always held the Michigan faculty in high regard—Stengel was inspired to consider an academic career—and they warmly remember classes with Charles Donahue, Tom Kauper, Doug Kahn, J.J. White, Harry Edwards, and Lee Bollinger, then a professor.

After law school graduation and a move to New York, where they still live, the couple's career paths diverged. Bartow pursued a career in the nonprofit world, fundraising for such organizations as Third Street Music School Settlement, the New York Council for the Humanities, and Lawyers Alliance for New York. She is currently an independent consultant. Stengel joined Donovan, Leisure, Newton & Irvine as a litigator. When the firm dissolved in 1998, he and 60 other Donovan litigators joined the New York office of Orrick, Herrington & Sutcliffe. He is currently Orrick's senior litigation partner and serves on the firm's executive committee.

Neither is a stranger to construction projects at Michigan Law. Bartow lived in the southern end of the Lawyers Club during the building of the underground Smith Law Library Addition. Realizing the need for new facilities, they have given substantial support for the new academic building and Aikens Commons.

"From a functionality perspective, the Law School's physical plant was falling behind," says Stengel, "with the danger that the School would be less competitive with its peers."

Stengel was also instrumental in directing a \$250,000 gift from Orrick for early support of the Innocence Clinic, a great fit for the firm's pro bono interests, he says. And the couple has provided generous support for the Law School Fund, giving at the Cavaedium Society level for many years.

"We both got very good educations at Michigan, and we feel indebted to the Law School," Stengel says.

The couple's daughter is a sophomore at Wesleyan University. But whether a legal career is in her future, her father says, is "too soon to tell."



PHILIP DATTILO PHOTOGRAPHY

The Law School's new academic building reaches its full height as a final steel tower is put in place. Beverly Bartow and James Stengel, both '80, have given substantial support for the new academic building as well as the Aikens Commons.

Recent Gifts



Janet Cassebaum, B.A. '56, and William Cassebaum, J.D. '56, of Ann Arbor, have made a gift of \$50,000 to the building project. Bill is the retired president of the firm of Cassebaum, McFall, Layman & Jordan in Bangor, Pennsylvania.



Gretchen Dresser, B.A. '54, and Raymond H. Dresser Jr., J.D. '56, of Sturgis, Michigan, have made a gift of \$50,000 to the building project. Ray is chairman of Dresser, Dresser, Haas & Caywood in Sturgis.



Joan and Clyne (Ted) Durst, B.A. '52, J.D. '54, of Adrian, Michigan, have made a gift of \$25,000 to the building project, bringing their total giving to the project to \$50,000. Ted is retired from practice with the Adrian firm of Baker, Durst, Nelson, Benz & Baldwin.



Mary Ann and Robert Gorlin, Ph.D. '73, J.D. '77, of Northville, Michigan, have made a gift of \$109,500, of which \$99,500 is designated for the building project (bringing their total giving to the project to \$352,000), and \$10,000 for the Law School Fund, continuing their support at the Cavaedium Society level. Bob is a member of the Dean's Advisory Council.



Barbara Jane Irwin, '80, and Robert Romo, of Wilmette, Illinois, have made a gift of \$100,000 to the building project in honor of Jane's 30th class reunion, for which she serves on the committee. She is senior vice president, administration, for PotashCorp in Northbrook, Illinois.



Ludmila and Simon Lorne, '70, of New York City, have made a gift of \$50,000 to the building project in honor of Simon's 40th class reunion. He is vice chairman and

chief legal officer of Millennium Partners LP in New York City.

S. Noel Melvin, '51, of Columbus, Ohio, has made a gift of \$40,000 to the building project, bringing his total giving to the project to \$100,000. Noel is retired from practice with Kegler, Brown, Hill & Ritter in Columbus, where his practice focused on litigation representing insurance companies.



Margie and James P. Shaughnessy, J.D. '79, M.P.P. '80, of Greenwich, Connecticut, have made a gift of \$50,000 to the building project and \$12,500 to the Law School Fund in honor of Jim's 30th class reunion, for recognition at the Cavaedium Society level. He is senior vice president, chief administrative officer, and general counsel for Orbitz Worldwide in Chicago.



Keith C. Wetmore, '80, of New York City, has made a gift of \$50,000 for the building project in honor of his 30th class reunion. He is chair of Morrison & Foerster LLP. Keith served on the steering committee for the Law School in the Michigan Difference campaign.

Head to Head

Two Former Classmates Prepare for a Supreme Court Battle

Several years ago, Benjamin Mizer, '02, and David Mills, '02, had a prophetic telephone conversation. "I had asked Ben to help me brainstorm career options," Mills recalls. "At one point I said in a half-joking way, 'Who knows? Maybe we'll end up on opposing sides of a case one of these days.'"

How could he have known?

On April 26, the U.S. Supreme Court granted certiorari in *Ortiz v. Jordan* (No. 09-737), based on a petition submitted by Mills. He'll represent Michelle Ortiz, whose successful case against Ohio prison officials was overturned by a 2-1 decision of the U.S. Court of Appeals for the Sixth Circuit in Cincinnati. Mizer, who is solicitor general for the State of Ohio, will present the defense.

The Details

In 1996, Michelle Ortiz reported being sexually molested by a prison guard in the Ohio Reformatory for Women, where she was serving a 12-month sentence. After filing a formal complaint and discussing the incident with other inmates, Ortiz says, she was reprimanded by an institutional investigator and placed in solitary confinement.

Ortiz brought suit against two officials, who attempted to have the case dismissed on the grounds of qualified immunity, a doctrine that protects state employees and officials from lawsuits except in instances in which the clearly established legal rights of individuals have been violated.

Ortiz won the case, along with \$625,000 in damages. But in 2009, the appeals court ruled 2-1 that the defendants had not violated her civil rights.

The case hinges on a procedural issue. "The defendants raised the qualified immunity defense at the summary judgment phase," Mizer explains. "The case went to trial. The plaintiff won. So the question now is whether or not the appeals court could look back at that summary judgment denial after the jury had rendered a verdict, or whether it was too late."

An 11th-Hour Filing

By the time Michelle Ortiz contacted the Mills Law Office in October of last year, she was—unbeknownst to her—14 hours away from her deadline for filing an extension of time for her certiorari petition. After doing some quick research and discovering how little time there was (the application to extend the petition deadline had to be postmarked by midnight of that same day), Mills had only one thought: to keep the case alive.



David Mills, '02

"It was a wild start," he admits. Once the petition was granted, he turned his attention to framing an argument that would pique the interest of the U.S. Supreme Court.

"I knew that I had to find something big, like a circuit split," he says. "I thought it was odd that the defendants attempted to get qualified immunity before the trial, and didn't appeal it immediately. So I began to wonder if there

were circuit courts that didn't permit such a procedure."

Mills was on the right track. He discovered that different rules prevailed among circuit courts nationwide as to whether the denial of summary judgment could be appealed after a full trial. "So I wrote the petition in a way that offered the Court an opportunity to clarify that disparity," he says.

An Amicable Showdown

The *Ortiz* case will mark Mizer's third appearance before the U.S. Supreme Court. For Mills, it will be a debut performance.

Mizer describes his relationship with Mills as "friendly and professional." Likewise, Mills has high regard for the colleague he recalls as "a superstar of the class of 2002." And however the case is decided, Michigan Law can claim a big win—having two of its alumni in the national spotlight.

—LWF



Benjamin Mizer, '02, Solicitor General of Ohio, works with Emily Schlesinger, a deputy solicitor in the office.

MITCH CASEY

Ortiz v. Jordan, which is scheduled to be heard this fall, will decide the following question: "May a party appeal an order denying summary judgment after a full trial on the merits if the party chose not to appeal the order before trial?"

SAM HOLLENSHEAD PHOTOGRAPHY

1954



The Fort Wayne-Allen County (Indiana) Economic Development Alliance presented its Community Spirit Award to retired Baker & Daniels attorney

Mac Parker, who has been a leading proponent of economic development in the greater Fort Wayne area. The Alliance renamed the honor The Maclyn Parker Swagger Award for Community Spirit after its initial recipient.

1958

Jochen A. Frowein, M.C.L., presented oral statements on behalf of the Republic of Albania at the International Court of Justice in The Hague, Netherlands. The public hearings, which opened on December 1, 2009, addressed the question of the Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo. Frowein is professor emeritus of the University of Heidelberg and director emeritus of the Max Planck Institute of International Law in Heidelberg, Germany.

Guy B. Maxfield, senior counsel in Fox Rothschild's West Palm Beach, Florida, office was a co-presenter at an American Law Institute-American Bar Association live course and video webcast, "Estate Tax Repeal: The Impact on Estate and Small Business Planning," held at the New York City Bar Association's office in Manhattan.

1961

Former U.S. Congressman **John Porter** (R-Illinois) has completed two years as chair of PBS and now leaves the PBS board of directors, which he has served since 2001, in accordance with the organization's term-limit policies. He continues as chair of Research!America and as vice chair of the Foundation for the National Institutes of Health. He is a partner in the Washington, D.C., law firm of Hogan Lovells.

1962

Stuart D. Shanor, retiring president of the Foundation of the American College of Trial Lawyers, was recognized for his leadership at the organization's annual meeting in Boston. Shanor, who resides in Roswell, New Mexico, was cited for his professionalism and devotion to the ideals of the College.

1970

Richard J. Erickson has been elected to the national board of directors of the Florida State University Alumni Association. He also was elected a trustee of Post 2, American Legion, and junior vice commander of Post 96, Veterans of Foreign Wars, both in Montgomery, Alabama.



James A. Samborn, a commercial litigator specializing in construction law and alternative dispute resolution, was elected a chairman of Dickinson Wright

PLLC, along with Edward H. Pappas, '73. A member of the firm's Detroit and Ann Arbor offices, he has served as Dickinson Wright's CEO for the past 10 years.

1971



The Michigan Defense Trial Counsel honored Butzel Long attorney and shareholder **Edward M. Kronk** with one of two annual Excellence in Defense Awards at a presenta-

tion in Bay City, Michigan. Based in the firm's Detroit office, Kronk is past co-chair of Butzel Long's litigation department.

Abraham Singer, a partner with Pepper Hamilton LLP in Detroit, was honored by the Fair Housing Center of Metropolitan Detroit (FHCMD) at its third annual Attorney Appreciation Awards Reception, at the Detroit Historical Museum. The FHCMD recognized

Singer with its Attorney Appreciation Award for his ongoing efforts to ensure full compliance with state and federal fair housing laws.

Robert A. Stein was a panelist for a workshop entitled "The Role of the Psychologist in Civil and Criminal Litigation," presented at the American College of Forensic Psychology's 26th Annual Symposium in Forensic Psychology. He is the principal of Robert Stein & Associates, PLLC, of Concord, New Hampshire.

1972

Richard C. Simpson has been appointed dean of Capital University Law School in Columbus, Ohio. Simpson, who until recently served as managing partner and chair of the executive committee at the Columbus, Ohio, law firm of Bricker & Eckler LLP, began his appointment on June 1.

1973



Edward H. Pappas has been elected a chairman of Dickinson Wright PLLC, along with James A. Sanborn, '70. As a member of the firm's Bloomfield Hills, Michigan, office, Pappas

specializes in complex commercial and business litigation, arbitration, and mediation.

1974

Michael C. Haines, a member of the law firm of Mika Meyers Beckett & Jones PLC in Grand Rapids, Michigan, was reappointed as chair of the Legal and Legislative Committee of the Michigan Oil and Gas Association.

1975

Elyse Fox of Charlotte, North Carolina, has written the *Jury Instructions Drafting Manual and Resource Guide*, published in February. This is her sixth publication.



CLASS NOTES

1976

Lydie A. Hudson of Madison, Wisconsin, has founded MapWise Software to help corporate counsel use the power of technology to manage trademark inventory. Among the product's features is a dynamic mapping function indicating where specific brands are protected.

Elizabeth L. (Betsy) Snider has been published in *Love Over 60: an anthology of women's poems*, edited by Robin Chapman and Jeri McCormick and published by Mayapple Press (2010). In addition to serving on the board of the Poetry Society of New Hampshire and the Center for the Book at the New Hampshire State Library, Snider volunteers as a CASA guardian ad litem for abused and neglected children.

1978

Joanne R. Lax, a member of Dykema's health care practice group in Bloomfield Hills, Michigan, has been reappointed vice chair of the American Health Lawyers Association Long-Term Care, Senior Housing, In-Home Care, and Rehabilitation Practice Group for the 2010–11 year.

Michael G. Oliva was elected president of Loomis, Ewert, Parsley, Davis & Gotting P.C. in Lansing, Michigan. He focuses his practice on the areas of business and corporate law, acquisitions and divestitures, and administrative and regulatory law, principally in the energy and telecommunications industries.



firm of Barris, Scott, Denn & Driker, PLLC.

Morley Witus has been installed as president of the Detroit Metropolitan Bar Association. A specialist in commercial litigation, he practices with the Detroit law

1979

Lawrence A. Gross has joined Blank Rome LLP as a partner in the public companies and capital formation group of the Philadelphia office.



Kenneth L. Mickens has been elected to the board of directors of the Sustainable Energy Fund, a private non-profit corporation based in Allentown, Pennsylvania, that promotes energy efficiency, renewable energy, and energy conservation. Mickens maintains a private legal practice in Harrisburg, Pennsylvania.



Rosie Rosenbaum has joined the Chicago office of Quarles & Brady LLP as a partner in the firm's commercial litigation practice.



Susan Segal has been appointed to a second term as the Minneapolis City Attorney. Segal and her 103-member staff provide legal advice to the mayor, city council, and city departments, as well as various independent boards and commissions.

1980

G. A. Finch, a senior partner at Hoogendoorn & Talbot LLP in Chicago, has launched the Your Executive Life Blog (yourexecutivelife.wordpress.com), which focuses on executive employment contracts, compensation, advancement, and ethics.

Barbara Garavaglia, assistant director of the University of Michigan Law Library, has been elected secretary of the International Association of Law Libraries.

1981



Charlie Denton, a partner in the Michigan office of Barnes & Thornburg LLP, has been nominated to chair the State Bar of Michigan Environmental Law Section. He previously served as vice chair of the section and as past chair of the American Bar Association Environmental Litigation Committee.

Doug Levene is a visiting professor at Peking University School of Transnational Law in Shenzhen, China, during the fall 2010 semester. In addition to teaching corporate finance, Levene serves as lead instructor in the clinical contract drafting program.



Spouses and law partners **Gary C. Robb** and **Anita Porte Robb**, '82, recently commemorated the 25th anniversary of their Kansas City, Missouri, law firm, Robb & Robb LLC. The firm represents plaintiffs in high-profile air crash and other transportation-related cases nationwide.

1982

David J. Lauth has joined UnitedHealth Group in Minnetonka, Minnesota, as senior associate general counsel for employment law.

C. Daniel Motsinger, a partner at the Indianapolis office of Krieg DeVault LLP, has been elected president of the board of directors for the American Board of Certification of Bankruptcy and Creditors' Rights Attorneys. Motsinger has been certified in business bankruptcy by ABC since 1994.



A Fish Story

Alumnus and Visiting Professor Noah Hall, '98, Does His Part to Defend the Great Lakes from Asian Carp

They can weigh up to 100 pounds and grow to a length of four feet or more. They are ferocious eaters that consume as much as 40 percent of their body weight daily. They are known colloquially as “flying fish” for their tendency to jump out of the water and into the path of boaters. And after a decades-long migration up the Mississippi River, they are dangerously close to establishing permanent residence in Lake Michigan.

“They” are bighead and silver carp, two species of Asian carp that have been the focus of recent litigation in the U.S. Supreme Court. Noah Hall, '98, has been involved in that litigation on behalf of State Senators Patty Birkholz (R–Saugatuck) and Rebekah Warren (D–Ann Arbor).

An associate professor of law at Wayne State University, a visiting professor at Michigan Law, and founder and former executive director of the Great Lakes Environmental Law Center, Hall also has continued to chronicle the unfolding saga of the Asian carp invasion—and subsequent legal maneuvers—on his popular blog, Great Lakes Law (greatlakeslaw.org).

Making the Case

Hall, who also holds a degree from U-M's School of Natural Resources and Environment, sounded the alarm in November 2009 when news broke of DNA evidence indicating that bighead and silver carp had breached electric barriers constructed in the Chicago Sanitary and Ship Canal by the U.S. Army Corps of Engineers. In operation for more than a century and the source of ongoing litigation for much of that time, the canal artificially links the Mississippi River with Lake Michigan.

In one of his earliest postings on the Asian carp crisis, Hall called for “aggressive legal action” that would accomplish three key goals: immediate closure of the Chicago locks, a shutdown of the Chicago Canal and restoration of “the natural separation of the Great Lakes from the Mississippi River,” and an in-depth study of governmental failures in protecting the Great Lakes ecosystem. He went on to point out that while financial losses from closing the locks might run into tens of millions of dollars, the potential damage to Great Lakes fisheries could jeopardize \$16 billion in annual revenues as well as an estimated 107,000 jobs.



JOHN PATSCH, SUN-TIMES

Southern Invaders

Imported Asian carp began their migration up the Mississippi River during the 1970s. Many of the fish escaped from southern catfish farms, where they were used to clean ponds. Other sources included university research facilities, private aquaculture businesses, and federal and state government facilities, which were experimenting with carp as a means of wastewater treatment. Hardy, adaptable, and voracious, the carp have ravaged entire areas of the Mississippi, virtually eliminating some native species.

LEISA THOMPSON PHOTOGRAPHY



Swimming Against the Current

Hall has praised Michigan Attorney General Mike Cox, '89, for his decisive action in December of 2009, filing suit in the U.S. Supreme Court against the State of Illinois. In his blog, Hall notes that “technically, this is not a new lawsuit, but a petition for a new Supreme Court decree under the old Chicago diversion case, *Wisconsin v. Illinois*.” That case, he explains, which “has gone on for nearly a century and primarily involves Chicago’s diversion of Lake Michigan water out of the Great Lakes basin, expressly allows the parties [including Michigan] to petition the Supreme Court for a new decree.”

The petition filed by Cox was the catalyst for supportive legal actions on the part of Minnesota, Wisconsin, Ohio, New York, and the province of Ontario. Leading the opposition were the State of Illinois, the United States in support of the Army Corps of Engineers, and the Metropolitan Water Reclamation District of Greater Chicago.

A Judicial Defeat

On April 26 of this year, the Supreme Court denied “the motion of Michigan to reopen [*Wisconsin v. Illinois*] and for a supplemental decree.” The Court also denied an alternative motion for leave to file a bill of complaint. In late June, an Asian carp was discovered in Lake Calumet, just six miles from the entrance to Lake Michigan.

Hall’s assessment of the situation is bleak. “While other legal options are open,” he says, “it is doubtful that any new legal case would be resolved in time to prevent the Asian carp from spreading into the Great Lakes.” He goes on to suggest that, at this point, “the pressure should be on federal agencies and Congress to take effective action immediately.”—LWF

Congressional Connections

Michigan Law Grads Form a Dynamic Duo on Capitol Hill

In a mid-April special election, Florida State Senator **Ted Deutch**, '90, emerged victorious over his Republican opponent in his bid to succeed retiring U.S. Congressman Robert Wexler in the state's 19th district. Soon after, one of his first official acts was to hire fellow Michigan Law graduate **Joshua Rogin**, '05, as his chief of staff.

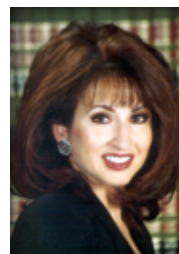
As it happens, Deutch and Rogin have a lot more in common than politics. Both received undergraduate as well as law degrees from the University of Michigan, and both met their wives—also U-M grads—at the University.

But the Michigan connection goes even deeper. Rogin's father, Edward, received his B.A. ('67) and J.D. ('70) from Michigan, and his grandfather, who taught classes on union education at U-M in the 1950s, was assigned an office in the Law School.

Rogin served as deputy chief of staff for Deutch's predecessor, and he and Deutch first became acquainted through Florida politics. "Once I found out that Josh had received his B.A. and J.D. from Michigan, I had no choice but to hire him," Deutch jokes. On a more serious note, he adds, "The knowledge and experience I gained during my time in Ann Arbor and at the Law School were truly formative. My wife and I are now working very hard to convince all three of our children to keep the tradition alive and attend U-M."—LWF



U.S. Representative Ted Deutch, '90 (right), hired Joshua Rogin, '05, as his chief of staff.



Spouses and law partners **Anita Porte Robb** and Gary C. Robb, '81, recently commemorated the 25th anniversary of their Kansas City, Missouri, law firm, Robb & Robb

LLC. The firm represents plaintiffs in high-profile air crash and other transportation-related cases nationwide.



Daniel B. Tukel has been elected a Fellow of The College of Labor and Employment Lawyers, in recognition of distinguished service in the field of labor and employment law

for more than 20 years. His practice is based in the Detroit office of Butzel Long.

Sara Zivian Zwickl, a principal in the law firm of Zivian & Zwickl in Bingham Farms, Michigan, has earned a certificate of completion in family law from the Institute of Continuing Legal Education, in cooperation with the State Bar of Michigan.

1983



Michael R. Lied of Howard & Howard Attorneys PLLC has been appointed an *ex officio* member of the Illinois State Bar Association's Labor and Employment Law

Section Council, following his year-long service as chair of that section. He also was reappointed as a member of the Federal Civil Practice Section Council and the Standing Committee for Continuing Legal Education. Lied practices out of the firm's Peoria office.

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Associate Professor **Gerry Prokopowicz** has been appointed chair of the Department of History at Thomas Harriot College of Arts and Sciences at East

Carolina University. He was recruited to ECU in 2003 and had held the position of interim chair in the Department of History since 2007.

1984

Winstead PC in Houston has hired **Michael C. Blaney** as a shareholder in the Corporate, Securities/Mergers and Acquisitions practice group.



Anita G. Fox, shareholder with the Lansing, Michigan, office of Fraser Trebilcock Davis & Dunlap, P.C., has been selected as the state representative for Michigan by the Federation of Defense and Corporate Counsel.



Leonard M. Niehoff was elected to the governing board of the American Bar Association Forum on Communications Law. He also was elected to the board of directors of the National Association of College and University Attorneys. He is an attorney and shareholder with Butzel Long's Ann Arbor office and an adjunct professor at Michigan Law.



Lynn C. Tyler, a partner with Barnes & Thornburg LLP in Indianapolis, has been honored with a 2010 Burton Award for Legal Achievement in the category of Distinguished Law Firm for his article, "Recent Supreme Court Decision Heightens

Pleading Standards, Holds Out Hope for Reducing Discovery Costs." Burton Awards are given in association with the Library of Congress.

1985



Robert A. Boonin, attorney and shareholder of Butzel Long of Ann Arbor, will serve on the newly formed Ann Arbor/Ypsilanti Regional Chamber Board of

Directors. The new 1,500-member entity represents the merger of the former Ann Arbor Area Chamber of Commerce and the Ypsilanti Area Chamber of Commerce.



Robin Walker-Lee has joined TRW Automotive Holdings Corp. of Livonia, Michigan, as executive vice president, general counsel, and secretary. She also will serve as a member of TRW's Management Committee. She previously held executive positions at General Motors.

1986

James Lee Beller Jr., formerly in practice with the Pension Benefit Guaranty Corporation of Washington, D.C., is now writing and directing plays in Bethesda, Maryland. His work *Ethan Now* was named best drama at the 2008 Capital Fringe Festival. *The Memory of a Dream*, his latest play, was staged in Chevy Chase, Maryland, earlier this year.



Robert S. Bick, a shareholder with Williams, Williams, Rattner & Plunkett, P.C. in Birmingham, Michigan, received the U.S. Cross-Border Deal of the Year (Europe)

Award at the M&A Advisor 8th Annual Mergers and Acquisitions Awards reception

in New York. He was honored for his work in connection with the \$314 million sale of a Michigan aerospace tooling company to a publicly traded European company.

Christopher J. Caywood of Chicago has been named president of Kaplan Legal Education (KLE), a division of Kaplan Higher Education. In that capacity, he will oversee online legal education, as well as public policy and public safety-related certificate and degree programs. Caywood previously served as chief operating officer of KLE, which includes Kaplan University's School of Legal Studies, School of Criminal Justice, and Concord Law School.



William J. Kohler, a corporate and transactional attorney and co-chair of the Butzel Long's Global Automotive Practice Group in Detroit, has been named a shareholder.

Two short stories authored by **Ken Schneyer** and featuring the law or lawyers will appear in print and online formats this year. "The Whole Truth Witness" will be published by Analog, while "Conflagration" will appear online at newportreview.org.

Steven M. Taber, of Chevalier Allen & Lichman LLP of Costa Mesa, California, was named to the Advisory Board of Oceanic Defense, an international nonprofit organization dedicated to promoting healthy aquatic ecosystems that are free from human abuse and neglect. Taber will advise the organization on issues related to environmental law.

1987

Varnum LLP attorney **Jeff Beswick** was the recipient of the G.W. Haworth—Strength of the Community Award. Presented at the Greater Ottawa County (Michigan) United Way annual banquet, the award honors an individual who "most embodies and exemplifies United Way's leadership spirit of volunteering, philanthropy, and community decision-making."



CLASS NOTES

Glenn Oliver was selected as a Champion of the New Economy for Southeast Michigan, an award given by Junior Achievement of Southeastern Michigan that recognizes business leaders in the metro Detroit area. Oliver is president of h2bid.com, a company that facilitates communication between water utilities and their vendors.



Butzel Long has elected **Jordan S. Schreier** to serve a two-year term on the firm's board of directors. A vice president and shareholder based in the firm's Ann Arbor

office, Schreier represents clients primarily in the areas of ERISA, employee benefits, and compensation.

1988

Marty Castro has been appointed chair of the Illinois Human Rights Commission. Castro, a prominent advocate for the Latino community of Chicago, is president of Castro Rioja Enterprises. Before launching his own business, he was an attorney at Baker & McKenzie and worked as partner at a number of other firms, including Sonnenschein, Nath & Rosenthal.

1989



Catherine J. Courtney has joined Briggs and Morgan, PA, in Minneapolis. A member of the public finance section, she practices principally in the areas of public finance, nonprofit and charitable organizations, employment, and corporate law.

In May, **Sam Silver** led a team of lawyers who won the acquittal of 74-year-old William J. Barnes following a week-long jury trial in a case that was widely observed in part because prosecutors attempted to link the defendant's shooting of Philadelphia police officer Walter

Barclay in 1966 with the officer's death in 2007 from a urinary tract infection. Barnes spent 16 years in prison for attempted murder; the Philadelphia district attorney argued that the illnesses leading to Barclay's death were a direct outcome of the attack by Barnes and had resulted in crippling spinal injuries. Silver and his colleagues asserted that Barclay's death was instead the result of several car accidents, falls from his wheelchair, and neglect on the part of caregivers. Silver commented that the jury's ability to sort out the difficult causation issues and return a not guilty verdict was particularly gratifying because of the emotional nature of the case and the possibility that an adverse verdict would serve as a precedent for future prosecutions of alleged "delayed deaths." Silver practices with the Philadelphia office of Schnader Harrison Segal & Lewis LLP, which took the case on a pro bono basis.

1990

Geoff Genth has been elected to a one-year term as president of the Maryland Chapter of the Federal Bar Association. Genth is a principal with the Baltimore law firm of Kramon & Graham, PA, where he concentrates his practice on commercial litigation.

David Kaufman, a partner in the Chicago office of Duane Morris LLP, has been elected vice chair of the governing board of American InterContinental University. He also chairs the board of directors for Colorado Technical University.



Randall E. Kay joined Jones Day's San Diego office as a partner in the intellectual property practice. Specializing in patent and trade secret litigation, his practice is focused largely on technology, biotech, and medical device disputes.



Ronald Wheeler accepted the position of director of the Dorraine Zief Law Library and associate professor of law at the University of San Francisco School of Law.

1992

Butzel Long attorney **Thomas L. Shaevsky** has been named a shareholder. Previously a senior attorney with the firm's Bloomfield Hills, Michigan, office, he concentrates his practice in the area of employee benefits.



Nancy Brigner Waite has returned to Schottenstein Zox & Dunn Co., LPA of Columbus, Ohio, where she serves the firm's health law and intellectual property practice groups in an of-counsel capacity. In addition to representing physicians, hospitals, and other health care organizations, Brigner Waite advises life sciences companies.

1993

David Kravitz will make his New York City Opera debut in Richard Strauss's *Intermezzo* during the 2010-11 season and his European debut at l'Opéra de Monte-Carlo in the world premiere of Tod Machover's *Death and the Powers*. Two of Kravitz's most recent recordings are scheduled for release in 2010 on the BMOP/sound label.

Butzel Long attorney **Jeffrey D. Moss** has been named a shareholder. Previously a senior attorney with the firm's Bloomfield Hills, Michigan, office, he specializes in transactional law with an emphasis on tax planning.

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Visit www.law.umich.edu/alumniandfriends/DAA



John W. Rees has been appointed practice group leader of Dykema's intellectual property transactional practice area. Rees, who practices out of the firm's Bloomfield Hills, Michigan, office, specializes in a broad range of technologies, including medical devices, machine-based inspection systems, and automotive-related products.

1994



Jeffrey J. Brookner of Bridgewater, New Jersey, has launched his own firm, Brookner Law Offices, LLC. His practice focuses on appellate and business litigation as well as

wills, trusts, and estates. Recently, Brookner was elected to his second three-year term on the Bridgewater-Raritan Regional Board of Education and his second one-year term as the group's president.

Jenny L. Klitch has joined Gunster in its West Palm Beach, Florida, office, where she will lead the firm's newly formed sports law practice and advise on representation, marketing, licensing, and publicity rights issues. Klitch also will concentrate on business, employment, and financial services litigation and counseling.

Cynthia Leitich Smith's Gothic fantasy novel, *Eternal* (Candlewick, 2009), debuted at #5 on the *New York Times* Best-Seller List in the category of children's paperbacks.

The W.K. Kellogg Foundation has announced the appointment of **Daniel Varner** to the post of program officer. In this role, Varner will be responsible for identifying and nurturing innovative programming in the foundation's education and learning area, its largest portfolio, in support of vulnerable children, families, and communities. In addition, Varner will continue to represent the foundation in partnerships with Detroit-area organizations.



Crisis as Opportunity

New Deputy Mayor for NYC is No Stranger to Economic Challenges

During two terms as mayor of Indianapolis, **Stephen Goldsmith**, '86, earned national acclaim for his no-holds-barred reforms and tough cost-cutting measures. Thanks largely to his guidance, and with the help of \$400 million in municipal savings, a dying downtown became a thriving urban center, and America's 14th largest city became a model for urban renewal.

After stepping down from the mayorship in 2000, Goldsmith served as chief domestic policy adviser to the George W. Bush campaign. Following the election, he was appointed special adviser to President Bush on faith-based and not-for-profit initiatives.

Until recently, Goldsmith was the Daniel Paul Professor of Government and director of the Innovations in American Government Program at Harvard University's John F. Kennedy School of Government. He has also authored six books on city governance, including *The Twenty-First Century City: Resurrecting Urban America* (Regnery, 1997) and his latest, *The Power of Social Innovation* (Jossey-Bass, 2010).

In early 2010, a new challenge—an irresistible one—presented itself when New York City Mayor Michael Bloomberg offered Goldsmith the post of deputy mayor for operations. He accepted and was officially introduced to his colleagues and the city at large at an April 30 press conference.

At the event, Bloomberg explained his choice of Goldsmith as an opportunity to reinvigorate the rank-and-file and bring new ideas to city government. As the mayor observed, "In Steve Goldsmith, we have found someone who—perhaps better than anyone—understands the power of innovation. Lots of people talk about 'reinventing government.' Steve Goldsmith has actually done it."

In his new post, Goldsmith will have plenty of occasions to exercise his vaunted skills in regulation reform, cost cutting, and business attraction. At his public debut, he thanked Bloomberg for the opportunity to help continue moving the city forward. "For nearly 20 years, I've worked to challenge conventional wisdom and develop innovative new approaches to old problems," he said. "It is an honor to join this team."—LWF

Stephen Goldsmith, '86 (left), is NYC Mayor Michael Bloomberg's deputy mayor for operations.



EDWARD REED

Genser Honored With Humanitarian Award



While he was a student at Michigan Law, **Jared M. Genser**, '01, spent a life-changing summer working for a human rights organization in London. Within a year, he had co-founded Freedom Now, a nonprofit organization dedicated to securing the release of international prisoners of conscience.

On June 7, he was awarded The Charles Bronfman Prize, which seeks "to bring public recognition to individuals whose Jewish values infuse their humanitarian accomplishments."

SAM HOLLENSHEAD PHOTOGRAPHY

Genser, a partner in the Washington, D.C., firm of DLA Piper LLP, has donated the \$100,000 prize to Freedom Now.

Where in the World Are You?

Are you practicing law in London? Consulting in Cambodia? Working on a *pro bono* case in Cairo? Volunteering with a nonprofit in New Delhi?

Whether you're one of our international or U.S. alumni, if you're currently working or volunteering abroad, we'd like to know about it. We'd also like to include your story in a new e-newsletter that will be launched in November.

So what in the world are you waiting for?

Send an e-mail today to Dora-Maria Sonderhoff, assistant director of admissions, Advanced Legal Studies Degree Programs, at dmsonder@umich.edu.



Rhonda D. Welburn, a member of Dickinson Wright PLLC in Bloomfield Hills, Michigan, was named to the City of Detroit's Elected Officials Compensation Committee and serves on the board of directors of the Detroit Institute of Arts.

1997



Anthony S. Baish, a shareholder with Godfrey & Kahn, S.C., has been selected as the recipient of the 2010 Judge John W. Reynolds Community Building Award by the Eastern District of Wisconsin Bar Association.

Matthew J. Hayek has been elected mayor of Iowa City after serving as a member of the city council since 2008. Hayek is a partner with Hayek, Brown, Moreland & Smith, LLP, where he specializes in business, real estate, and litigation.



Stephen M. Ryan, who serves in the Texas Air National Guard, was promoted to the rank of colonel. He has served as the chief legal officer of the Texas Air National Guard since August 2008. He also was named of counsel at DLA Piper in Houston.



Hardy Vieux, of counsel at Blank Rome LLP in Washington, D.C., has received the District of Columbia Bar Association's 2010 Pro Bono Lawyer of the Year Award in recognition of his pro bono service. In addition to his many hours of community service, he maintains a successful practice in Blank Rome's white-collar defense and investigations group.

1998



Eleanor Chin has been named a partner in the Portland, Oregon, office of Davis Wright Tremaine LLP. In her practice, she concentrates on litigation and alternative dispute resolution, with an emphasis on electronic discovery.



Jones Day has named **Brent D. Knight** a partner in its Chicago office. Day represents clients in labor and employment law disputes and counsels them on compliance matters.

1999

James M. Carlson has accepted a position as trial counsel for the Enforcement Division of the SEC in Miami.

Jennifer A. Diamantis has joined the U.S. Commodity Futures Trading Commission as a trial attorney in the Division of Enforcement in Washington, D.C.

2000

Kim Kiley-Strong Pagotto has been named a partner at the Washington, D.C., office of DLA Piper. Her practice is concentrated in the areas of commercial real estate leasing, finance, government leasing, and development.

2001



Clifford S. Mendelsohn has joined the Cleveland office of Tucker Ellis & West LLP as counsel. A member of the trial department, he specializes in defending pharmaceutical and medical device manufacturers in product liability cases.

Sereno, LL.M. '93, Named to Supreme Court of Philippines

Maria Lourdes Aranal Sereno, LL.M. '93, has been named an associate justice of the Supreme Court of the Philippines, making her the newest member of the country's highest court.

At her August swearing-in ceremony, she thanked President Benigno S. Aquino III "for giving me the opportunity to serve my country within its highest judicial institution, whose decisions are crucial to our development as a democratic nation. It is an honor to be granted this responsibility, and I will strive to fulfill it to the utmost of my ability."

Aquino told local media that he chose Sereno over other associate justice candidates recommended by the Judicial and Bar Council for her "awe-inspiring" resume, including her instrumental role in winning cases involving the Ninoy Aquino International Airport in favor of the Philippines. Sereno was co-counsel in significant cases before the International Centre for the Settlement of Investment Disputes in Washington, D.C., and the International Chamber of Commerce-International Court of Arbitration, Singapore.

Senator Miriam Defensor Santiago, '75, LL.M. '76, praised the appointment and predicted big things for her fellow Michigan Law alumna: "She will earn the necessary seniority and eventually become the first female chief justice of the Philippine Supreme Court."

Until her appointment to the Supreme Court, Sereno was executive director of the Asian Institute of Management Policy Center. Beginning in 2000, Sereno taught Civil Law, Negotiable



President Benigno S. Aquino III chats with Supreme Court Associate Justice Maria Lourdes Aranal Sereno following her swearing-in ceremony in August.

Instruments Law, and International Trade law as a faculty member of the Philippine Judicial Academy. She also was on the faculty at the Hague Academy of International Law, Cambodia, in 2004. She was a TOWNS (Ten Outstanding Women in the Nation's Service) Awardee for Law in 1998.

"The strengthening of governance by the rule of law needs to be guided by a deep and unadulterated pursuit of truth in all its various dimensions—seeking to uphold what is fundamentally right and fair," Sereno said. "I humbly accept this responsibility and by God's grace commit myself to help fulfill the Filipino's quest for true justice."—KV

Karun D. Naga was promoted to vice president, intellectual property and legal affairs, at Ardian Inc., an emerging medical device company based in Palo Alto, California. Currently, the company is developing a minimally invasive technology for treating hypertension.

Samir Parikh has joined the faculty of Northwestern School of Law of Lewis & Clark College in Portland, Oregon, as an assistant professor.

Butzel Long attorney **Bethany Steffke Sweeny** has been named a shareholder. Previously an associate attorney with the firm's Ann Arbor office, she concentrates her practice in the area of labor and employment law, focusing on employment litigation involving state and federal claims of harassment, retaliation, and discrimination, as well as FMLA and whistleblower claims.

2002



Zachary R. Davis has joined the Philadelphia office of Stevens & Lee in the firm's litigation and labor and employment departments.

Eric Goodman has become a partner with Baker & Hostetler LLP in Cleveland. A member of the firm's business group, he concentrates his practice in the areas of bankruptcy, restructuring, and creditors' rights.

Hamid M. Khan has been named a postdoctoral fellow for the Afghanistan Legal Education Project at Stanford Law School, in association with the American University of Afghanistan.

Jordan L. Lipp has been named partner at Davis, Graham & Stubbs, LLP, in Denver.

Jack Ormond has joined the Collin County (Texas) District Attorney's office as an assistant criminal district attorney.

Erin Webb and her husband, Aaron, welcomed Sarah Sophia Webb into the world on August 8, 2009.

Emily J. Zelenock has joined Honigman Miller Schwartz and Cohn LLP as a partner in the intellectual property group. Specializing in patent litigation and other complex technology-related disputes, she works out of the firm's Bloomfield Hills, Michigan, office.



CLASS NOTES

An Ethical Decision

John B. Schwemm's Major Gift Makes an Impact

Over the past four years, hundreds of entering 1Ls have attended a Commitment to Integrity Ceremony during which they take this pledge:

Because the strength of the legal profession depends on the character of its members, during my career as a law student and as a professional after law school, I commit to comport myself honorably and with integrity. Specifically, I promise to maintain high standards of academic conduct in all academic relationships with the Law School and the University; professional conduct while functioning in a lawyer-like capacity during my law school and professional careers; and personal conduct in all matters that touch or affect the Law School, the University, and their community members and guests.

At the conclusion of the ceremony, each student receives a pocket-sized, leather-bound copy of the U.S. Constitution, compliments of John B. Schwemm, '59. The keepsake Constitutions are part of a larger set of Michigan Law initiatives that are funded by a major gift made by Schwemm in 1992.

Along with financial support for the Commitment to Integrity Ceremony, the endowment is used to purchase textbooks for all first-year students enrolled in the Legal Practice Program. It also provides financial support for faculty engaged in teaching ethics-related classes.

"I deliberately linked my gift to the affirmative promotion of ethics within the Law School," Schwemm explains, "because at the time we were in an era, in my opinion, when colleges and universities were at best neutral on the subject of professional and personal ethics. And I found that posture to be very troubling."

Schwemm goes on to note that his long career, which spanned both law and business, demonstrated to him repeatedly the importance of professional ethics.—LWF

1Ls review pocket-sized copies of the U.S. Constitution—gifts of John B. Schwemm, '59—at the Commitment to Integrity Ceremony.



PETER SMITH PHOTOGRAPHY

2003

Elizabeth Locker has joined Chase College of Law at Northern Kentucky University as director of externships.



Benjamin "BJ" McComas has joined Gunster in West Palm Beach, Florida. His practice is focused on business, construction, and financial services litigation.

Jonathan Prokup has been promoted to shareholder at the Philadelphia office of Chamberlain Hrdlicka. Prokup specializes in tax planning and tax litigation, with significant expertise in transfer pricing and cross-border financial transactions.

2005



Dickinson Wright PLLC attorney **Tammy L. Helminski** received a Horizon Award from Fusion, a young professionals program coordinated by the Detroit Regional Chamber of

Commerce. She is an associate in the firm's Detroit office.

2006

Christian Grostic married Joslyn Kaye May 22 in Shaker Heights, Ohio. Daughters/new step-daughters Sophia and Audrey excelled in their roles as a junior bridesmaid and flower girl, respectively.

Nominate a fellow
alumnus/a for the
Distinguished Alumni Award.
Visit [www.law.umich.edu/
alumniandfriends/DAA](http://www.law.umich.edu/alumniandfriends/DAA)

Making Peace on the Court

Ron Garber Trades in His Briefcase for a Coach's Whistle

When **Ron Garber**, '07, began practicing law, he expected to make court appearances. But as one of the newest recipients of a PeacePlayers International (PPI) fellowship, he now finds himself in a very different kind of court—coaching youth basketball teams in Israel and the West Bank.

Founded in 2000 by Brendan and Sean Tuohey, PeacePlayers International is a not-for-profit organization that uses the game of basketball to unite, educate, and inspire young people in divided communities around the world. During the past 10 years, PPI programs in South Africa, Northern Ireland, Israel, the West Bank, and Cyprus have touched the lives of more than 45,000 young people.

According to Brendan Tuohey, "The premise of PPI is that children who play together can learn how to live together." He goes on to note that Garber will work with the organization's branch in the Middle East, which builds mutual respect and understanding between Arab and Jewish young people.

Garber's two-year stint with PeacePlayers is being made possible by a Ron and Kathryn Shapiro Family Fellowship. Attorney Ronald M. Shapiro has been active with PPI since its inception and served as the organization's first chairperson.

Garber, who as an undergraduate played basketball for U-M, joins PPI from Davis Polk & Wardwell in New York City.

Fluent in Hebrew and conversant in Arabic, Garber is eager to begin his volunteer work in the Middle East: "I'm very excited to see a basketball team where there are both Israeli and Palestinian players, where they're passing together and operating like any other team, communicating on the floor, giving each other high-fives, and playing as a unit. I think it will be amazing." —LWF and PeacePlayers International



COURTESY OF PEACEPLAYERS INTERNATIONAL

Once a forward for U-M, Ron Garber, '07, is taking to the court again with PeacePlayers International.

2008



Lyzzette M. Bullock has joined the commercial litigation practice group of Quarles & Brady at the firm's Phoenix office.

Simone Colgan Dunlap was among the recipients of this year's Top 50 Pro Bono Attorneys in Arizona award, conferred by the Arizona Foundation for Legal Services

& Education. She practices in the health law group of Quarles & Brady LLP's Phoenix office.

Leticia Kimble has joined the Los Angeles office of Brownstein Hyatt Farber Schreck. Formerly an associate at O'Melveny & Myers in Los Angeles, Kimble has broad experience in white-collar criminal law, entertainment law, and general litigation.

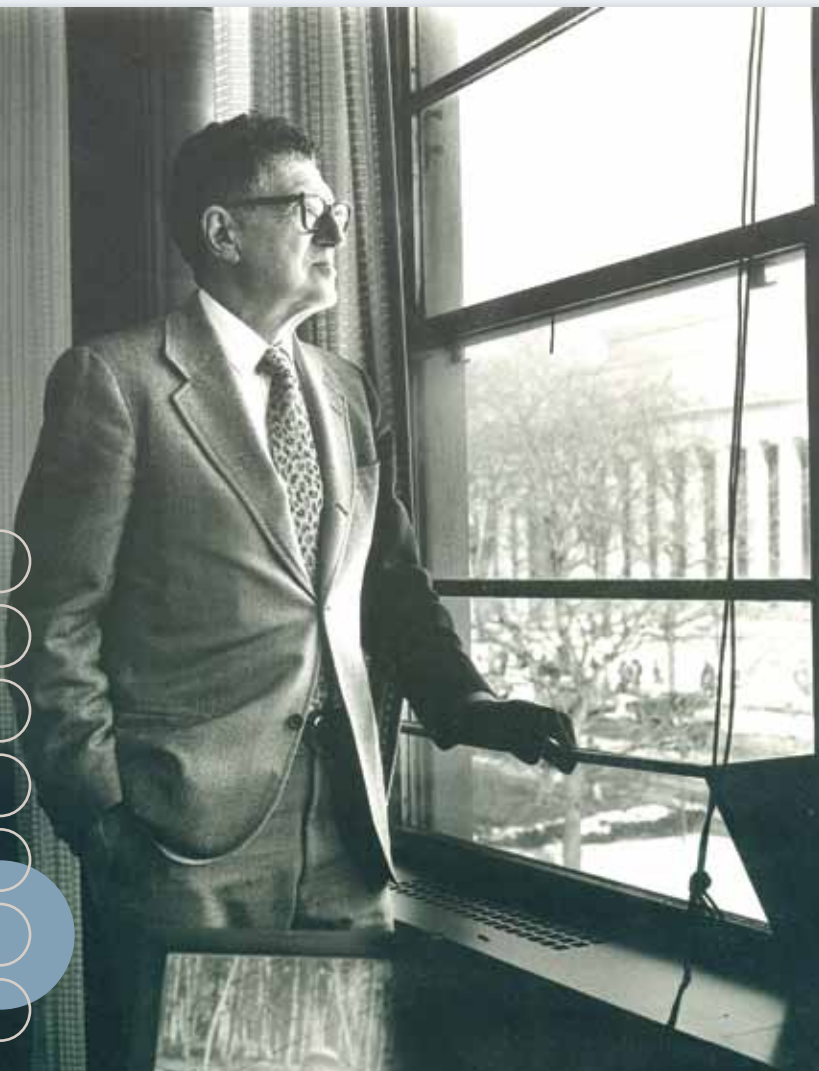
2009

Jane M. Feddes has joined the Ann Arbor office of Dickinson Wright PLLC.

Candace L. Gaston has joined Pepper Hamilton LLP of Detroit, where she will serve as associate attorney in the litigation group.



Michael B. Raines is an associate in the litigation department of Dykema's Chicago office, where he will focus on general litigation matters. Raines was a summer associate at Dykema in 2008 and a legal intern at Johnson Controls in 2007.



COURTESY OF ALISON STEINER

Professor Emeritus Peter Steiner, 1922–2010

Peter Steiner, an internationally recognized scholar of law and economics and a former dean of the College of Literature, Science, and the Arts, died June 26 at his home in Ann Arbor. He was 88.

Steiner joined U-M in 1968 with a dual faculty appointment in the Law School and the Department of Economics, which he chaired from 1971 to 1974. During that time, he created the joint J.D./Ph.D. program in Law and Economics. As dean of LSA from 1981 to 1989, Steiner is credited with improving the undergraduate college amid a national recession that fell hard on the state of Michigan.

Known as a champion of academic freedom, Steiner served as president of the American Association of University Professors (AAUP) from 1976 to 1978 and was a member of several AAUP committees following his retirement from active faculty status in 1991.

Born in New York City in 1922, Steiner received his A.B. in economics, *magna cum laude*, from Oberlin College as a member of the U.S. Navy's V-7 program. He served on active duty during World War II and, after the war, in the Navy Reserve.

Steiner received his Ph.D. in economics in 1950 from Harvard University. He taught at the University of California, Berkeley, from 1949 to 1957, and at the University of Wisconsin from 1957 through 1968.

At Michigan, Steiner was instrumental in revising the core graduate and undergraduate economics courses. He also taught industrial organization at the graduate and undergraduate levels. At the Law School, he taught antitrust law and took a leadership role in developing the Law and Economics program as well as the dual degree program.

"Peter Steiner was an important scholar of the places where law and economics intersect, and he left an indelible imprint on the Law School through creating a joint degree program for students of both disciplines," said Dean Evan Caminker. "As a teacher, he was an inspiration to his students; as an administrator, he guided the University's largest college with skill and dedication. We are fortunate to have known him and to have had him as our colleague."

Steiner's many honors include memberships in Phi Beta Kappa and the Order of the Coif, and he was the recipient of fellowships from the Guggenheim, Ford, and Rockefeller foundations, among others.

Steiner was the author of numerous scholarly publications and several books, including eight American editions of the textbook *Economics* (coauthored with Richard G. Lipsey), *Economic Status of the Aged* (with Robert Dorfman), and *Mergers: Motives, Effects, Policies*.

His favorite book, however, was written in retirement. *Thursday Night Poker: How to Understand, Enjoy—and Win* was both a guide and tribute to his favorite non-academic pastime. Steiner's interest in poker dated back to his Navy days, and after leaving military service, he was seldom far from a weekly, friendly, but not necessarily low-stakes poker game.

Steiner is survived by his wife, Patricia, six children, six grandchildren, and three step-grandchildren.

—College of LSA and Alison Steiner

I N M E M O R I A M

1930s

Albert J. Silber, '32	8/14/09	Kenneth O. Shively, '52	1/30/10	Richard H. Leukart II, '67	5/2/10
Milton M. Howard, '37	12/3/09	Neil A. McLean, '53	6/20/10	David L. Miller, '67	6/15/10
Edward J. Wendrow, '38	3/3/09	Carl A. Hasselwander, '54	12/15/09	G. Tim Martin, '69	1/26/10
John Gumina, '39	3/3/10	Lawrence J. Hicks Jr., '54	3/21/10	Douglas S. Scarff, '69	5/7/10
The Hon. Gerald J. Van Wyke, '39	2/6/2010	Joseph C. Hooper, Jr., '54	12/18/09		

1940s

George H. Goldstone, '40	4/22/10	William R. Luney, '54	4/3/10		
The Hon. Harold E. VanDomelen, '41	2/14/10	Malin VanAntwerp, '55	4/30/10		
The Hon. Horace W. Gilmore, '42	1/25/10	Irving L. Halpern, '56	11/8/09	David S. Bowman, '72	6/12/10
Eben H. Cockley, '43	3/4/10	John B. Huck, '56	3/15/10	Mark Murray Rosenthal, '73	2/3/10
James Edward Dunlap, '46	4/16/10	Alan F. Neidle, '56	4/3/10	Gregory M. Coggis, '74	5/2/10
Milton D. Solomon, '46	3/25/10	Kirby A. Scott, '56	5/11/10	Jean McMonigle Waggett, '75	3/23/10
The Hon. J. Robert Smolenski, '47	2/12/10	William P. Whitfield, '56	2/8/10		
The Hon. John D. Strausbaugh, '47	3/18/10	Robert G. Clayton Jr., LL.M. '58	5/25/10		
Kenneth A. Brighton, '48	4/28/10	Richard J. Langs, '58	4/1/10	Hubert Forbes, '81	2/10/10
The Hon. Kenneth A. Fricke, '48	4/16/10	Joel Ivan Mills, '58	3/3/10	Joseph Frederick Wackerman, '81	4/5/10
Eldin H. Glanz, '48	5/21/10	H. James Abdella, '59	6/17/10	Rodney S. Edmonds, '87	6/11/09

1960s

Floyd A. Rappaport, '60	2/28/10				
Galen D. Powers, '62	5/24/10				
Frank G. Reeder, '62	2/19/10				
Thomas C. Shearer, '62	3/12/10				
Paul W. Green, '63	1/15/10				
Ronald K. Huyck, '64	12/5/09				
Jerome D. Farmer II, '65	6/13/10				
Frederick K. Hoops, '66	4/8/10				
John J. Flynn, SJD '67	4/11/10				
Robert R. Lennon, '67	5/7/10				

1950s

Stephen A. Bryant, '50	1/18/10				
Stuart J. Dunning Jr., '50	3/10/10				
Ross D. Netherton, J.D., LL.M. '50	4/30/10				
John W. Steinhauer, '50	2/22/10				
Kenneth P. Stewart, '50	3/18/10				
Ashman C. Stoddard, '50	2/21/10				
John J. Duffey Sr., '51	5/8/10				
Burton L. Ansell, '52	5/31/10				
Besondy E. Hagen, '52	6/11/10				
The Hon. Carl L. Horn, '53	1/29/10				
Patrick J. Ledwidge, '52	5/19/10				

1970s

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1980s

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1990s

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NEW FACULTY

New Faculty Provide Expertise in Administrative, International, Environmental, and Antitrust Law

Four legal professionals with interests in administrative law, international law, environmental law, and antitrust law joined the Law School faculty this fall. They have experience clerking for a Supreme Court justice, working for the UN, advising the Environmental Protection Agency, and arguing numerous major antitrust cases.

Nicholas Bagley, who was an attorney in the Civil Division at the United States Department of Justice, is an assistant professor. Bagley's research and teaching interests include administrative law, regulatory theory, and health law. He has published articles in the *Columbia Law Review*, the *Harvard Journal on Legislation*, the *New York University Law Review*, *The Washington Post*, and *Slate.com*.

Bagley's article "Centralized Oversight of the Regulatory State," which he coauthored with Richard Revesz, was selected as the best article in the field in 2006 by the American Bar Association's Section on Administrative Law and Regulatory Practice.

Bagley graduated *summa cum laude* from New York University School of Law, where he was awarded several honors and served as notes editor for the *New York University Law Review*.

After receiving his J.D., he clerked for Judge David S. Tatel of the U.S. Court of Appeals for the District of Columbia Circuit as well as Justice John Paul Stevens of the U.S. Supreme Court.



Nicholas Bagley

As an attorney with the Department of Justice, Bagley served as lead counsel in more than two dozen civil appeals on behalf of the federal government and argued nine cases before the U.S. Courts of Appeals.



Kristina Daugirdas

U.S. State Department attorney-adviser **Kristina Daugirdas** has joined the Law School faculty as an assistant professor. Daugirdas received her J.D., *magna cum laude*, from New York University School of Law, where, in addition to earning several awards, she was staff editor and later senior articles editor for the *New York University Law Review*. After graduation, she interned at the Office of the Solicitor General, then clerked for Judge Stephen F. Williams, U.S. Court of Appeals for the District of Columbia Circuit.

At the Department of State, Daugirdas worked in the Legal Adviser's Office for Diplomatic Law and Litigation, where she evaluated the appropriateness of U.S. participation in lawsuits with foreign policy implications and provided guidance on immunity and other diplomatic law issues. Most recently, she served in the Office for UN Affairs, where she advised on the negotiation and implementation of UN Security Council sanctions.

Daugirdas' teaching interests include foreign affairs law, international law, administrative law, and environmental law. Her student note, "Evaluating Remand Without Vacatur: A New Judicial

Remedy for Defective Agency Rulemakings,” appeared in the *New York University Law Review* (2005), received the Paul D. Kaufman Memorial Award for the most outstanding note published in the *Law Review* that year, and subsequently was cited in several court cases. Another article, “International Delegations and Administrative Law,” published in the *Maryland Law Review* (2007), earned an award from the American Constitution Society’s 2008 Richard D. Cudahy Writing Competition on Regulatory and Administrative Law. Before starting law school, Daugirdas coauthored several publications about welfare and child support programs.

Rachel E. Deming, ’82, who was a partner and environmental mediator in the New York firm Scarola Ellis LLP, is a professor from practice, adjunct clinical assistant professor, and director of the International Transactions Clinic. Her practice includes mediation, counseling, and litigation in commercial matters, with expertise in dispute resolution, environmental, real estate, and finance legal matters. Deming teaches an environmental dispute resolution course and has coached mediation and negotiation competition teams at Pace University School of Law. She also was co-chair of the Substantive Advisory Committee at Pace’s Kheel Center for the Resolution of Environmental Interest Disputes.

Deming has served on the U.S. Environmental Protection Agency Environmental Financial Advisory Board since 2005. She has been a mediator for the U.S. District Court for the Southern District of New York and the U.S. Bankruptcy Court for the Southern and Eastern District, the Commercial Division of the Supreme Court of the State of New York, New York County, and the Civil Mediation Program for the state courts of New Jersey. In addition, she is a member of the ABA’s Litigation Section and is vice-chair of the Alternative Dispute Resolution Committee, Section on Environment, Energy and Resources.



Rachel E. Deming

Deming completed a post-graduate fellowship with the International Research & Exchanges Board at Moscow State University, where she researched the application of international law by the Soviet legal system.


Damien Geradin, professor of competition law and economics at Tilburg University in The Netherlands, is a William W. Cook Global Law Professor at Michigan. He is also the director of the Global Competition Law Center (GCLC), a think tank devoted to analytical research in the area of antitrust and based at the College of Eu-



Damien Geradin

rope in Bruges (Belgium). Over the years, he has held visiting professorships at a number of leading U.S. law schools, including Columbia Law School, Harvard Law School, Michigan Law, and UCLA School of Law. He also has taught at the law school of Peking University.

Geradin is the co-editor-in-chief of the *Journal of Competition Law and Economics*, a faculty-edited journal published by Oxford University Press. His areas of research include antitrust, with a particular focus on high-tech industries and intellectual property law. He has authored or edited 15 books and published more than 60 legal and economic papers. His most recent book is *Global Antitrust Law and Economics* (Foundation Press, 2007), which he coauthored with Professor Einer Elhauge of Harvard Law School.

Geradin is a practicing lawyer at Howrey LLP and has been involved in a number of major antitrust cases, including mergers and abuse of dominance cases. He also has advised a number of competition and regulatory authorities and has been involved in international arbitrations. He holds an LL.M. from King’s College London and a Ph.D. from Cambridge University. He was a Fulbright research scholar at Yale Law School. 

FACULTY NEWS



Reuven S. Avi-Yonah



Edward R. (Ted) Becker



Bridgette Carr, '02

Nicole Appleberry, professor from practice and adjunct clinical assistant professor, served as a judge for the International Law School Mediation Tournament sponsored by the International Academy of Dispute Resolution. Held in Chicago, the tournament drew law student participants from Ireland, Germany, and Australia, as well as the United States and Canada. In addition, Appleberry made a presentation on "Tax Issues of Concern for Survivors of Domestic Violence" as part of an audio conference sponsored by the University of Southern Maine Muskie School of Public Service for the Building Economic Security for Survivors Consortium. She also gave a teleconference presentation on domestic violence and taxes for Michigan's Family Law Task Force.

Alicia Alvarez, clinical professor of law and director of the Urban Communities Clinic, spoke at the Association of American Law Schools' 2010 Workshop for New Law School Clinical Teachers in June. She was a presenter during a mini-plenary session entitled "Nuts and Bolts—What Do We Mean by Outcomes and Assessment?" at the Association of American Law Schools Conference on Clinical Legal Education in May. She also was a panel presenter on "Legal Resources for Community-Based Organizations to Help Improve Their Neighborhoods," part of the Michigan Conference on Affordable Housing in April.

Reuven S. Avi-Yonah, the Irwin I. Cohn Professor of Law, presented a paper on tax implications of cap and trade at the University of San Diego Law School in San Diego in April. In May, he chaired the American Bar Association (ABA) Tax Policy Committee panel on state VATs

held during the ABA tax meeting in Washington, D.C., and presented a paper on convergence in comparative tax law in Salvador, Brazil. The following month, he participated in a conference on allocating income tax base at the Oxford University Centre for Business Taxation and participated in a steering group meeting for the Organisation for Economic Co-operation and Development International Network for Tax Research.

Edward R. (Ted) Becker, clinical assistant professor of law, Legal Practice Program, is the assistant editor of the *Journal of the Legal Writing Institute* and a member of the Legal Writing Institute's Professional Development Committee. In June, he spoke on "Rookie Mistakes to Avoid" as part of the panel presentation, "Legal Writing Professors Morphing into Contract Drafting Professors," held during the Transactional Education: What's Next? conference in Atlanta. He also published "If I Had a Hammer: Can Shepardizing, Synthesis, and Other Tools of Legal Writing Help Build Hope for Law Students?" in *Duquesne Law Review*, Vol. 48, No. 2 (Spring 2010).

Professor **Laura Beny**, in collaboration with economist Melody Atil, has cofounded Peace Dividend, an online lending platform that facilitates direct lending to Southern Sudanese entrepreneurs. In March, Beny spoke about the potential for and obstacles to economic development and the rule of law in pre- and post-referendum Southern Sudan at the Way Forward on Darfur and South Sudan Pittsburgh Summit, organized by the Pittsburgh Darfur Emergency Coalition and hosted by Carne-



Alicia Alvarez

FACULTY NEWS



David Chambers



Steven Croley



Richard D. Friedman



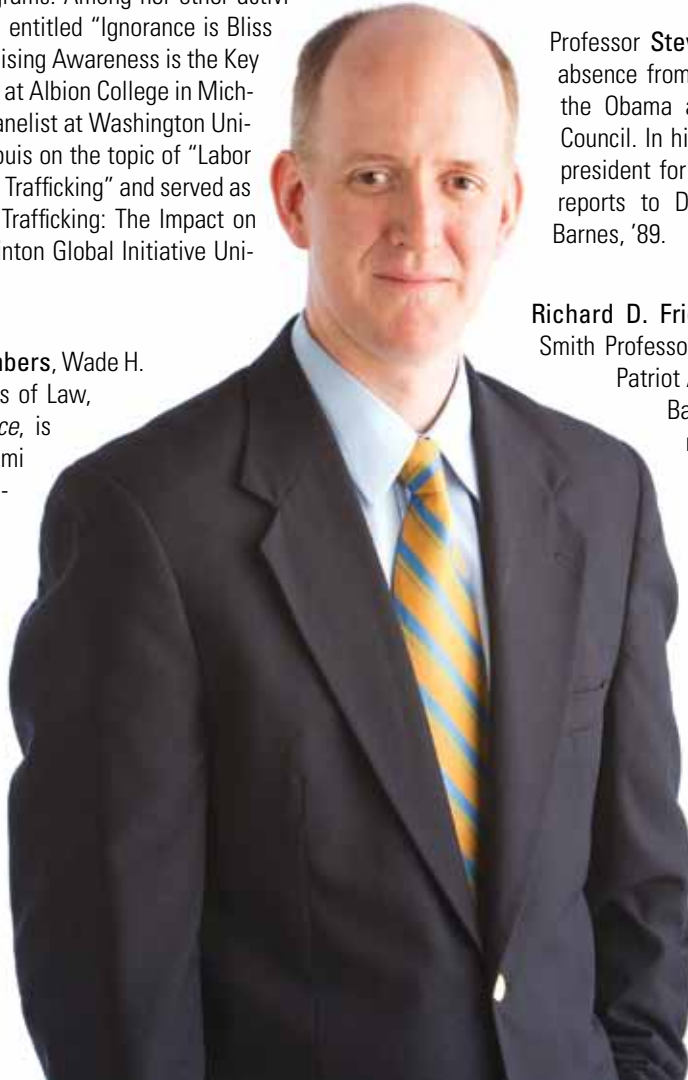
James Hathaway

gie Mellon University. At that same event, she co-delivered the Southern Sudanese Diaspora's recommendations to General Scott Graton, U.S. envoy to Sudan. She also wrote a peer review for the *Journal of Financial Economics*.

Bridgette Carr, '02, director of the Human Trafficking Clinic and public interest/public service faculty fellow, traveled to Alexandria University in March to assist with the opening of Egypt's first law school legal clinic. The clinic will focus on human trafficking and domestic violence. While in Egypt, Carr met with law students, professors, and administrators to train them in the teaching methods used by U.S. clinical programs. Among her other activities, she made a presentation entitled "Ignorance is Bliss for Human Traffickers: Why Raising Awareness is the Key to Fighting Human Trafficking" at Albion College in Michigan. In addition, she was a panelist at Washington University School of Law in St. Louis on the topic of "Labor & Migration Effects on Human Trafficking" and served as panel moderator for "Human Trafficking: The Impact on Local Communities" at the Clinton Global Initiative University in Miami.

A new novella by **David Chambers**, Wade H. McCree Jr. Professor Emeritus of Law, called *The Old Whitaker Place*, is co-winner of the 2009 Miami University Press Novella Contest. The novel takes readers through the closing years of narrator Tom Whitaker's life, chronicling his relationship with his son, with other people who love or at least tolerate him, and with the Green Mountain soil in which his life is grounded.

Daniel Crane



Chambers retired to write fiction in 2002 after three decades of teaching law. *The Old Whitaker Place* is his first novel.

Professor **Daniel Crane** presented "Toward a Unifying Theory of Exclusionary Vertical Restraints" during the Conference on Vertical Restraints at the Norwich Law School Centre for Competition Policy, the University of East Anglia, Norwich, England. He also was the keynote speaker at the Conference on Multi-Agency Governance at Hokkaido University in Sapporo, Japan, in June, and lectured on merger review at Universidade Católica Portuguesa in Lisbon, Portugal, in July.

Professor **Steven Croley** is taking a leave of absence from his teaching duties to serve on the Obama administration's Domestic Policy Council. In his role as special assistant to the president for justice and regulatory policy, he reports to Domestic Policy Adviser Melody Barnes, '89.

Richard D. Friedman, the Alene and Allen F. Smith Professor of Law, was honored with the Patriot Award by the Washtenaw County Bar Association. The award recognizes "outstanding service in promoting a better understanding of our Constitution and Bill of Rights, encouraging greater respect for law and the courts, stimulating a deeper sense of individual responsibility so that citizens recognize their duties as well as their rights, contributing to the effective functioning of our institutions of government, and fostering a better understanding and appreciation of the rule of law."

FACULTY NEWS



Robert E. Hirshon, '73



Jill R. Horwitz



Nicholas Howson



Ellen D. Katz

James Hathaway, the James E. and Sarah A. Degan Professor of Law and director of the Program in Refugee and Asylum Law, was invited to Oslo in April to provide three days of refugee law training to 500 members of Norway's Immigration Appeals Board, Immigration Directorate, and Department of Justice. In addition, he made a presentation entitled "The Influence of the U.S. Legal Education Paradigm on Legal Education Abroad" during the Harvard Law School and New York Law School Conference on the Future of Legal Education (see related story, page 10).

Robert E. Hirshon, '73, the Frank G. Millard Professor from Practice, presented "Ethical Dilemmas Confronted" at the Maine State Bar Association Annual Meeting in January. He also moderated the Pogue Firm Leaders Panel on Law Firm Practice in March, and, in April, wrote an article for CNBC.com on "Legalizing Marijuana: An Issue that Just Won't Go Away."

Jill R. Horwitz, the Louis and Myrtle Moskowitz Research Professor of Business and Law, presented "Nonprofit v. For-Profit Health Care: What's at Stake?" during a policy forum on Vanguard's proposed purchase of the Detroit Medical Center at the Wayne State Law School in May. She convened the Louis and Myrtle Moskowitz Conference on Empirical Health Law and Business Research in Ann Arbor on May 20–21. In addition, she presented "U.S. Hospi-

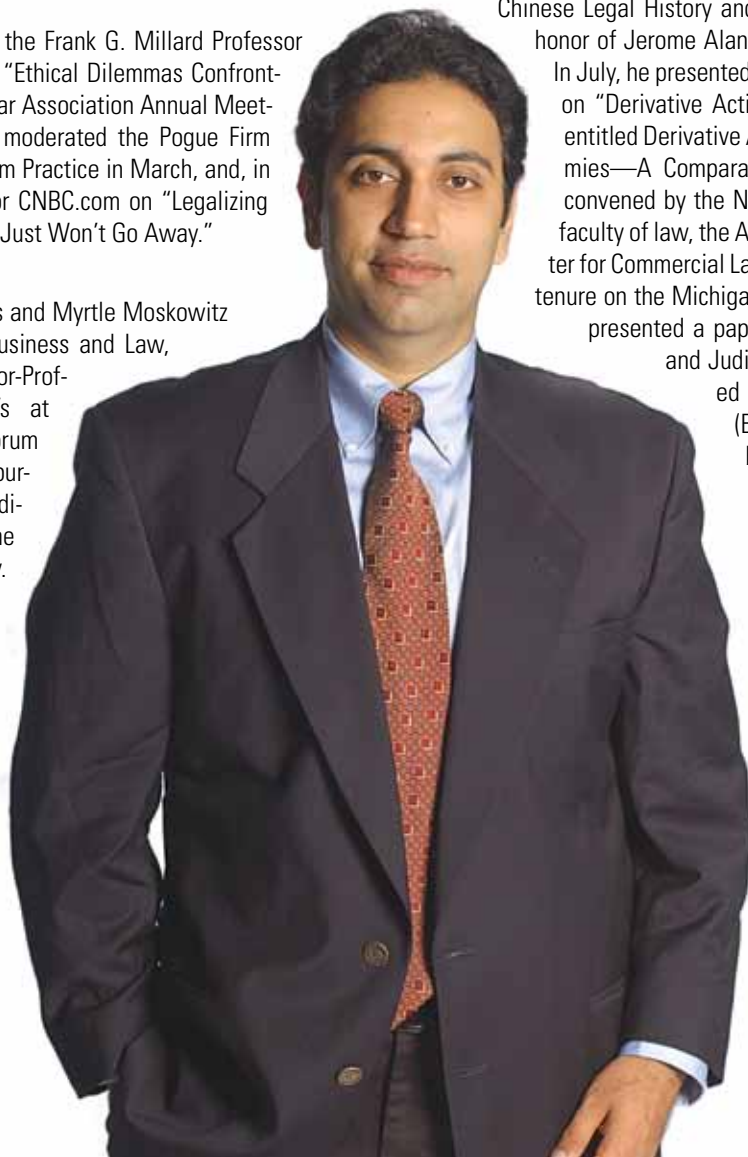
tal Ownership and Medical Service Provision: Implications for the Korean Service Economy" at the Korea Development Institute in Seoul last February.

Professor **Nicholas Howson** presented a paper on "Fiduciary Litigation in the People's Courts: Competence, Autonomy and Independence" at the 12th Annual Overseas Young Chinese Forum, entitled China's Legal Reform at the Crossroads, at the University of Chicago in May. The following month, he participated in the Chinese Legal History and Japanese Law Conference in honor of Jerome Alan Cohen at Harvard Law School.

In July, he presented a paper (with Donald C. Clarke) on "Derivative Actions in China" at a conference entitled Derivative Actions in Asia's Miracle Economies—A Comparative and Functional Approach, convened by the National University of Singapore faculty of law, the Asian Law Institute, and the Center for Commercial Law Studies. He also was granted tenure on the Michigan Law faculty. In July, Howson presented a paper on "China's Judicial System and Judicial Reform" at the China-United States Rule of Law Dialogue (Beijing Conference), convened by Tsinghua University School of Law and the China-United States Exchange Foundation.

Professor **Ellen D. Katz** presented "Engineering the Endgame" to the Berlin Law and Society Institute at Humboldt University in May.

Vikramaditya S. Khanna



FACULTY NEWS



Jessica Litman



Catharine A. MacKinnon



Bridget M. McCormack



William Ian Miller

Professor **Vikramaditya S. Khanna** presented “Corporate Governance, Enforcement, and Firm Value: Evidence from India” at the UCLA Law School, and “Symposium on Corporate Criminal Liability: What, Where and How?” at Yale Law School in the spring. He gave two talks at Michigan Law on “New Financial Regulations and Risk Management Models in the U.S., Brazil, and India: One Size Won’t Fit All” and “Exploring the Effects of Legal Process Outsourcing to India.” In addition, he is a term member of the Council on Foreign Relations and a member of the American Bar Association Criminal Justice Section Ad Hoc Task Force on Corporate Monitors.

Jessica Litman, the John F. Nickoll Professor of Law, presented “Play Right in America” at the Copyright@300 Symposium: Looking Back at the Statute of Anne and Looking Forward to the Challenges of the Future, held at the UC Berkeley School of Law in April. In March, she spoke on “Copyright and Libraries: The Challenge” at the Dean Laura N. Gasaway Tribute Symposium presented by the *North Carolina Journal of Law & Technology*. She also was a panelist during OnCopyright 2010: The Collision of Ideas symposium presented by the Copyright Clearance Center. In addition, she’s a member of the Copyright Principles Project, an international working group of 20 copyright experts led by Pam Samuelson from UC Berkeley School of Law, which met for three years to discuss proposals for improving the copyright law. The group’s report, released in the spring, will be published in the *Berkeley Technology Law Journal*.

Catharine A. MacKinnon, the Elizabeth A. Long Professor of Law, was the keynote speaker at a conference on prostitution and trafficking at the University of Witwatersrand in Johannesburg, South Africa. She lectured on trafficking and prostitution at Tulsa Law School and gave a videotaped presentation during the International Gender Crimes Conference in Puerto Vallarta, Mexico. In June, she lectured on the evolution of gender crime at the Law School of the University of Buenos Aires and gave the keynote at the International Conference on Gender Crimes. She also participated in a public meeting with survivors and activists on prostitution at the Law School of San Andrés in Buenos Aires.

Bridget M. McCormack, associate dean for clinical affairs, clinical professor of law, and codirector of the Michigan Innocence Clinic, is serving on the Association of American Law Schools (AALS) Committee on Academic Freedom and Tenure and is co-chair of the AALS Clinical Section’s Political Interference Group. She spoke on the topic of recantation and exoneration at the Innocence Network Annual Conference in April. In March, she and Michigan Law colleague David Moran, ’91, received the Justice for All Award, the highest award bestowed by the Criminal Defense Attorneys of Michigan.

Professor **Nina Mendelson** published “Disclosing Political Oversight of Agency Decision-Making” in *Michigan Law Review*, Vol. 108, No. 7. Following the Gulf oil spill, she was quoted in *American Prospect*, and was interviewed by media outlets that included *The Miami Herald* and *The Washington Post*.

William Ian Miller, the Thomas G. Long Professor of Law, addressed the topic of “Fleeing Suitors in Saga Iceland” at Aarhus University in Denmark in March. He also made several presentations to the Department of Medieval History at the University of St. Andrews in Scotland. His essay, “Threat,” appears in *Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White* (Ashgate, 2010).



Nina Mendelson

FACULTY NEWS



David Moran '91



Julian Davis Mortenson



Mark K. Osbeck



Edward A. (Ted) Parson

David Moran, '91, clinical professor of law and codirector of the Michigan Innocence Clinic, was named the 2010 Lawyer of the Year by *Michigan Lawyer's Weekly*. In addition, along with Bridget McCormack, he was the recipient of the Justice for All Award, the highest award bestowed by the Criminal Defense Attorneys of Michigan. His recent presentations have included "Litigating Before the United States Supreme Court," Michigan Chapter of the American Constitution Society; "The Wrongful Conviction Problem in Michigan," Kent County Bar Association Law Day keynote speech, Grand Rapids; and "Obstacles to Non-DNA Exoneration," "Investigative Tools in Non-DNA Cases," and "Fighting Abusive Prosecutorial Subpoenas," Innocence Network Conference, Atlanta.

Julian Davis Mortenson, assistant professor of law, presented "The Travaux of Travaux" at the Junior International Law Scholars Association Conference. In addition, he was an invited commentator at the University of Texas National Security Law Workshop.

Mark K. Osbeck, clinical assistant professor of law, Legal Practice Program, authored the book *Impeccable Research: A Concise Guide to Mastering Legal Research Skills*, published by West Publishing earlier this year. In addition, he served as moderator for a program on teaching law to students from other countries at the annual meeting of the American Association of Law Schools.

Edward A. (Ted) Parson, the Joseph L. Sax Collegiate Professor of Law, participated in the Asilomar International Conference on Climate Intervention in Pacific Grove, California, in March. In April, he addressed a public forum, Climate Change and the Ethics of Responsibility, at the University of Toronto Centre

for Ethics, and participated in a workshop on Sustainability and the Law at the Sandra Day O'Connor School of Law at Arizona State University. He also spoke on "Governance and Risks of Geo-engineering" at the annual Electric Power Research Institute workshop on climate change held in Washington, D.C., in May. In addition, he served on the National Academy of Sciences Panel on Advancing the Science of Climate Change, which published its report in May.

J.J. Prescott, assistant professor of law, published "The Challenges of Calculating the Benefits of Providing Access to Legal Services" in the *Fordham Urban Law Journal* as part of an American Bar Association Symposium on Access to Legal Services, held in March. That same month, he discussed work on the effects of sex-offender notification and registration laws at the combined Rice–University of Houston Applied Economics Workshop and presented new work on DNA exoneration at a conference on the Law and Economics of Crime at the University of Virginia School of Law. In May, he presented a paper on high-low agreements at the American Law and Economics Association's Annual Meetings at the Woodrow Wilson School in Princeton, and via the Internet to the faculty of law at the University of Haifa in Israel.



Professor **Richard Primus** was awarded the L. Hart Wright Prize for Outstanding Teaching by the Law School Student Senate. He also presented "The Future of Disparate Impact" during the Public Law Workshop at Columbia Law School, made a presentation on textual interpretation to the Negligence Law Section Council of the Michigan Bar Association, discussed "The

J.J. Prescott

FACULTY NEWS



Richard Primus



Adam C. Pritchard



Donald H. Regan



Vivek S. Sankaran, '01

Perils of Ethical History” at The Constitution in 2020 conference at Yale Law School, and was an invited commentator at the George Washington Law School’s symposium on judicial review.

Adam C. Pritchard, the Frances and George Skestos Professor of Law, made two presentations in May: “Does Delaware Entrench Management?” at the 18th Mitsui Finance Symposium: Governance and Markets at the University of Michigan Ross School of Business, and “The Supreme Court’s Impact on Securities Class Actions: An Empirical Assessment of Tellabs” at the annual meeting of the American Law and Economics Association.

Donald H. Regan, the William W. Bishop Jr. Collegiate Professor of Law, is teaching a seminar on “The Philosophy of Free Trade” in the new master’s program in Law in a European and Global Context at the Catholic University of Portugal in Lisbon.

Mathias W. Reimann, LL.M. '83, the Hessel E. Yntema Professor of Law, participated in the Fifth Comparative Law Works in Progress Workshop at the University of Illinois School of Law in May. In addition, he served on the Organizing Committee for the XVIIIth World Congress of Comparative Law, held in Washington, D.C., from July 25 to 31.

Vivek S. Sankaran, '01, clinical assistant professor of law, presented two talks at the State Court Administrative Office Annual Child Welfare Services Conference in Lansing, Michigan, in April. He spoke on “A Paradigm Shift in Child Welfare: Supporting Families to Prevent Unnecessary Removals: The Work of the Detroit Center for Family Advocacy” and “Bringing Back the Dads: Effective Practice for Engaging Nonresident Fathers in the Child Welfare System.” In May, he presented an ad-

dress on “How the Child Welfare System Disempowers Parents and Why We Should Care” at the 2010 Children and the Courts Conference in Little Rock, Arkansas.

David A. Santacrose, clinical professor of law, is a participating author of “Report and Recommendations on the Status of Clinical Faculty in the Legal Academy,” which appeared in the *Journal of Legal Education*, March 2010. He also presented “Toward Universal Clinical Legal Education” at the AALS Clinical Legal Education Conference in Baltimore in May.

Theodore J. St. Antoine, '54, the James E. and Sarah A. Degan Professor Emeritus of Law, received the George W. Taylor Award during the American Arbitration Association’s annual meeting, held in New York City in April. The award honors an individual “who has contributed in lasting and significant ways to industrial peacemaking and the efficacy of the collective bargaining process.”

Sonja B. Starr, assistant professor of law, participated in the Junior International Law Scholars Roundtable at UC Hastings earlier this year, and discussed “The Changing Status of Human Rights Law Before International Criminal Tribunals” during the Vanderbilt International Law Roundtable. She also spoke about “The Effects of Sealing Criminal Records” at the Law & Economics Brown Bag Lunch and the Criminal Justice Lunch at Michigan Law last spring.

Dana Thompson, '99, clinical assistant professor of law, is a member of the Detroit Regional Chamber’s Small Business Advisory Council. She presented “Uncovering: When and

Sonja Starr



FACULTY NEWS



David A. Santacroce



Theodore J. St. Antoine, '54




Dana Thompson, '99



David M. Uhlmann

How to Incorporate Our Personal Critical Perspectives and Experiences in Clinical Teaching Across a Range of Critical Theory” at the Association of American Law Schools’ Conference on Clinical Legal Education, in Baltimore in May.

David M. Uhlmann, the Jeffrey F. Liss Professor from Practice and director of the Environmental Law and Policy Program, provided

media outlets with detailed insight and expertise into the legal consequences of the BP oil spill in the Gulf of Mexico. In addition to his *New York Times* op-ed, Uhlmann, who served for seven years as head of the Justice Department’s environmental crimes section, appeared on CNN, NPR, and *Countdown with Keith Olbermann*, and was quoted in *Time* and *The Wall Street Journal*, among other publications. (An article by Uhlmann appears on pages 31–32 of this issue.) 

Waggoner Completes 20 Years of Drafting ALI Restatement for Wills, Trusts



Imagine, if you will, that a 17th-century man named Samuel Hinckley created a perpetual or near-perpetual trust. Today, the more than 100,000 beneficiaries would fill Michigan Stadium and would include descendants who don’t see eye-to-eye on a number of issues: President Barack Obama and his predecessor in the White House, George W. Bush.

That’s the kind of scenario that a project of the American Law Institute (ALI)—led by Lawrence Waggoner, the Lewis M. Simes Professor of Law at U-M—intends to avoid. The *Restatement (Third) of Property: Wills and Other Donative Transfers* was

ALI Director Lance Liebman, Associate Reporter John H. Langbein, ALI President Roberta Cooper Ramo, and Reporter Lawrence W. Waggoner of Michigan Law at the ALI Annual Meeting after the approval of the Property (Wills and Other Donative Transfers) project.

COURTESY OF ALI

In the News

Michigan Law faculty members were quoted in news stories about everything from the Gulf oil spill to the foster care system to drone attacks. Here are some of the highlights.

SEPTEMBER

James C. Hathaway, director of the Program in Refugee and Asylum Law, wrote in Canada's *National Post* that human smuggling is vital.

AUGUST

Reuven Avi-Yonah was quoted in the *Wall Street Journal* about tax cuts on dividend income.

The New Republic turned to **Nina Mendelson** to explain a judge's ruling that fed-

eral funding for embryonic stem cell research was illegal.

Vivek Sankaran, '01, helped explain to Slate.com why most of us aren't allowed to intervene and take a child from someone we think is an abusive parent.

JULY

Jim Hines was quoted in UK's *The Lawyer* in a story about international financial centers.

John Pottow talked to the *Detroit Free Press* about benefits for Visteon retirees.

Adam Pritchard was quoted in *The New York Times* and *U.S. News & World Report* about the government's settlement with Goldman Sachs.

The Voice of America quoted **Richard Friedman** about the Arizona immigration law.

Steve Ratner was quoted on PolitiFact.com on the legality of drone attacks.

JUNE

David Uhlmann has become one of the go-to experts for the media regarding the BP oil spill. He was quoted in stories in the *New York Times*, *Washington Post*, *Wall Street Journal*, *Time* magazine, NPR, MSNBC, CNN, and other news outlets.

Bridget McCormack spoke with FOX 2 Detroit about the prospect of the death penalty being reinstated in Michigan.

The *Detroit Free Press* sought **Eve Brensike Primus**, '01, take on the Supreme Court decision affecting *Miranda*.

approved unanimously in the spring by the ALI (ali.org) at its annual meeting and includes a two-generational limit on trusts.

As the Reporter for the project, Waggoner—who is retiring from Michigan Law at the end of the fall term after 36 years—wrote the *Restatement*. The first half of the third volume was published in 2006, and with the approval of the second half in the spring, Waggoner completed his 20-year term as Reporter.

Restatements by the ALI are accepted by many courts in the United States and are heavily cited in case law. Waggoner says that his goal was to lay out a *Restatement* that would prevent unworkable situations with wills, trusts, and other donative transfers in the future.

A recent movement in the states supports the passage of legislation that would allow

transferors to create trusts that can last forever, or at least for several centuries. This movement, Waggoner contends, is ill advised. The Bush-Obama scenario noted above is just one example of a way in which things could go awry. The beneficiaries of a trust could far exceed 100,000 in 350 years, and 1.8 million after 450 years.

The *Restatement* will only have its desired effect, Waggoner notes, if Congress changes existing tax laws that encourage the establishment of perpetual trusts. Congressional adoption of a federal generation-skipping transfer tax, or GST tax, in 1986 omitted a time limit on an exemption to the GST in favor of relying on state law. This has led to a successful perpetual-trust movement in many states.

Waggoner's work was praised widely by his ALI colleagues. "This is an historic moment," ALI President Roberta Cooper Ramo

said at the annual meeting. "We are finishing a project that is so important in every way. In fact, while I have been sitting here I have noticed a stream of people come up to our Reporters to say thank you for this document, both in terms of teaching and in terms of understanding the key elements of what is not such an easy subject to talk about."

Waggoner has posted two short articles about the project online: "Curtailling Dead-Hand Control: The American Law Institute Declares the Perpetual-Trust Movement Ill Advised," U-M Public Law Working Paper No. 199 (2010), available at ssrn.com/abstract=1614934; and "The American Law Institute Proposes a New Approach to Perpetuities: Limiting the Dead Hand to Two Younger Generations," U-M Public Law Working Paper No. 200 (2010), available at ssrn.com/abstract=1614936.—KV

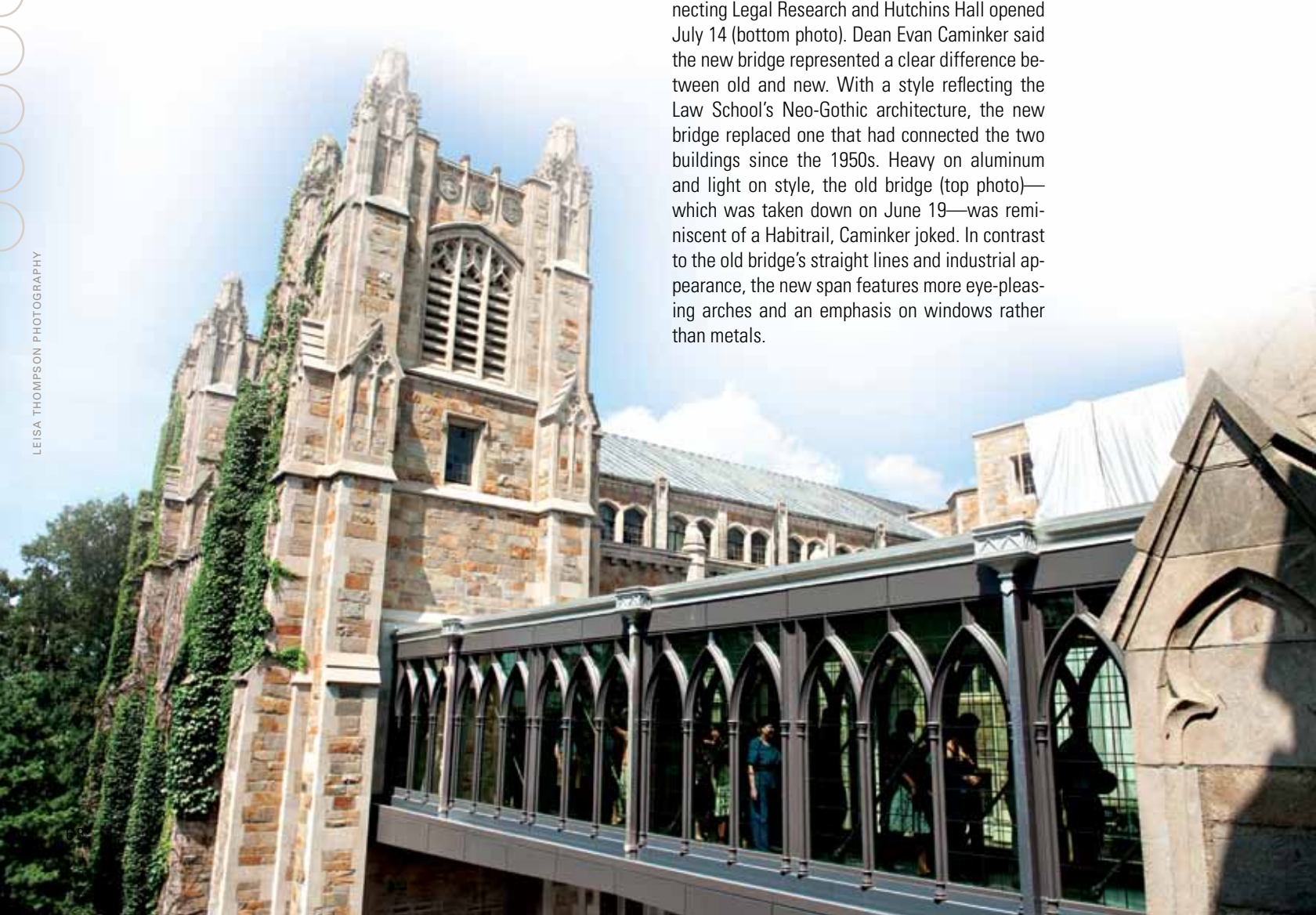
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Out With the Old, In With the New



PHILIP DATTILO PHOTOGRAPHY

A new, more architecturally pleasing bridge connecting Legal Research and Hutchins Hall opened July 14 (bottom photo). Dean Evan Caminker said the new bridge represented a clear difference between old and new. With a style reflecting the Law School's Neo-Gothic architecture, the new bridge replaced one that had connected the two buildings since the 1950s. Heavy on aluminum and light on style, the old bridge (top photo)—which was taken down on June 19—was reminiscent of a Habitrail, Caminker joked. In contrast to the old bridge's straight lines and industrial appearance, the new span features more eye-pleasing arches and an emphasis on windows rather than metals.



LEISA THOMPSON PHOTOGRAPHY

Save the Dates ...

What: **Success and Failures in International Human Trafficking Law Symposium**

Who: Sponsored by the *Michigan Journal of International Law (MJIL)* and the Human Trafficking Clinic

When: Feb. 4–5, 2011

Where: Hutchins Hall

Discussion topics will focus on the current status of international law as it applies to both labor and sex trafficking. For details, contact Linda Jong (ljong@umich.edu) or Barry Price (bwprice@umich.edu). Information will be available at the *MJIL* website: students.law.umich.edu/mjil.

What: **The Green Technology and Economic Revitalization Symposium**

Who: Sponsored by the *Michigan Telecommunications and Technology Law Review (MTTLR)*

When: March 24–26, 2011

Where: Hutchins Hall

Discussion topics will include sustainable development in the state of Michigan; legal, regulatory, and economic incentives in green technology development; and possibilities of a sustainable future in Michigan. For more information, contact Jill McFarland (jillmcf@umich.edu) or Naomita Yadav (naomita@umich.edu), or visit www.mttl.org.

www.law.umich.edu

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