Dear Alumni of Harvard Law School,

What a pleasure it is to report to you about this exciting and productive school year - also a year in which many here are engaging in what Justice Stephen Breyer ’64 has called “active liberty,” vigorously exercising the responsibilities of citizenship in our own community and communities around the world. The school works hard to serve others. A sterling example: Our library recently announced our “Free the Law” initiative, a partnership with Ravel Law, a legal research and analytics platform, to digitize our entire collection of federal and state court decisions from our complete set of reports. We will, for the first time anywhere, make these cases available online, for free, to anyone with an Internet connection. Driving this effort is our belief that the law should be accessible and open to all because transparency and equal access promote justice.

Planning for Our Third Century

In October, we launched our Campaign for the Third Century, which will enable us to expand student financial aid and our support for graduates working in the public sector, and also to provide even greater opportunities for clinical education, pursued now by 80% of our students. We are so very grateful for magnificent gifts already made to the campaign! Michael R. Klein LL.M. ’67, the co-founder and chairman of the Sunlight Foundation and a longtime supporter of the School, has made a $15 million gift to support and extend the path-breaking work of our world-renowned Berkman Center for Internet & Society, which will soon include his name. Mitchell R. Julis JD/MBA ’81 has made a gift establishing the Julis-Rabinowitz Program in Jewish and Israeli Law; I am delighted to announce that Noah Feldman, the Felix Frankfurter Professor of Law at HLS and one of the nation’s leading public intellectuals, will serve as the program’s inaugural director.

With these gifts and others, our campaign is off to a terrific start, and I salute the great work of campaign co-chairs James A. Attwood Jr. JD/MBA ’84, Morgan Chu ’76 and Adebayo Ogunlesi JD/MBA ’79 and the leadership of alumni including Lloyd Blankfein ’78, William T. Coleman Jr. ’43, Dan A. Emmett ’64, Steven Klinsky ’81, and Sumner Redstone ’47.
New Faculty Appointments

This year we enthusiastically welcomed terrific new faculty members and announced wonderful promotions:

- award-winning teacher and scholar of tax Thomas J. Brennan ’01;
- legal historian Elizabeth Papp Kamali ’07;
- Daphna Renan, administrative governance expert;
- technology and innovation expert Susan Crawford;
- Susan Farbstein ’04, practitioner in the field of human rights;
- Dehlia Umunna, criminal defense advocate for indigent defendants; and
- Emily Broad Leib ’08, national leader in food law and policy.

Distinguished Visitors

A recent visitor remarked to me how wonderful it would be simply to be in residence at HLS to participate in the daily discussions with distinguished leaders who come to share their perspectives with our community. Some recent highlights:


- U.S. Attorney General Loretta Lynch ’84 presented new criminal justice initiatives launched by the federal government; her assistant attorney general for national security, John P. Carlin ’99, examined the wave of new cyber security threats. Vanita Gupta, principal deputy assistant attorney general and head of civil rights at the U.S. Department of Justice, delivered a talk on “Cultivating Justice.”

- Retired general and former Secretary of State Colin Powell shared lessons from his service as a close adviser to three presidents, as a negotiator with foreign leaders, and as a steadfast advocate for strengthening families and supporting children. Ray Mabus ’75, Secretary of the Navy, delivered the 2015 Disabled American Veterans Distinguished Lecture, on transformations in naval operations and the opportunities to lead.

- Commissioner of Major League Baseball Rob Manfred ’83 offered our community some “inside baseball” - and displayed his lawyering skills in
detailing challenges and opportunities in the game, the media, and labor relations.

- **Alan Jenkins ’89**, executive director and co-founder of the Opportunity Agenda, examined the power of using communication, culture, and connection for transformative social change.

- The Harvard Association for Law and Business hosted conversations with leading executives, including: **Jim Koch JD/MBA ’78**, founder and chairman of the Boston Beer Company and creator of Samuel Adams brew; **Brackett Denniston ’73**, senior vice president, secretary and general counsel for General Electric Company; **Marc Granetz ’86**, COO and CFO of the Corporate Sector at JPMorgan Chase; **Marc Wolpow JD/MBA ’84-’85**, co-founder/co-CEO of Audax Group, a leading investor in middle market companies; **James A. Attwood Jr. JD/MBA ’84**, managing director and head of the Global Telecom, Media and Technology group at Carlyle; **Anthony Scaramucci ’89**, founder/co-managing partner of SkyBridge Capital and the host of "Wall Street Week"; and **Tom Nides**, managing director and vice chairman of Morgan Stanley.

**Advocacy**

Students and faculty have been working to pursue justice and public policy improvements. Their work animates clinics, research programs, and conversations across the school. Here are some recent examples:

- A **study** co-authored by **Kate Konschnik**, director of the Harvard Environmental Law Policy Initiative, documented failures by companies to disclose the chemicals they use while fracking. Our Emmett Environmental Law and Policy Clinic also filed an **amicus brief** in the U.S. Supreme Court on behalf of the Union of Concerned Scientists, in *State of Michigan, et al. v. Environmental Protection Agency, et al.*, addressing the EPA’s regulations limiting emissions of hazardous air pollutants from power plants. **James Zhu ’16** wrote the brief with Clinic Director **Wendy Jacobs ’81** and Senior Clinical Instructor **Shaun Goho ’01**. Professors **Jody Freeman LL.M. ’91 S.J.D. ’95** and **Richard Lazarus ’79** will submit an amicus brief in the U.S. Supreme Court on behalf of past EPA administrators backing the EPA’s Clean Power Plan.

- Our **Center for Health Law and Policy Innovation** launched a **campaign** to promote federal reforms for type 2 diabetes prevention and management as part of CHLPI’s “Providing Access to Healthy Solutions” initiative. Students and faculty at the Center also submitted an **amicus brief** to the U.S. Supreme Court in *Gobeille v. Liberty Mutual Insurance Company*, arguing that the Employee Retirement Income Security Act (ERISA) does not preempt state laws requiring all in-state health care payers to report claims and health care
services data to the state in order to create an All Payer Claims Database.

- **Our Veterans Legal Clinic** launched the **Veterans Justice Pro Bono Partnership** to refer cases, offer training, and provide support to attorneys who agree to provide pro bono representation to veterans petitioning to upgrade their discharge status.

- **Our International Human Rights Clinic** produced investigative reports, including “Mind the Gap: Lack of Accountability for Killer Robots,” detailing hurdles to assigning personal accountability for the actions of fully autonomous weapons under both criminal and civil law; “Crackdown at Letpadan,” which found that police used excessive force against protesters in Myanmar; and “Righting Wrongs,” which examined a major gold mining company’s defective methods for compensating women for rapes in Papua New Guinea.

- **Our International Human Rights Clinic** and partners submitted briefs in *In re South African Apartheid Litigation*, in the Second Circuit, and just this week filed a petition for writ of certiorari in the U.S. Supreme Court. The case brings claims under the Alien Tort Statute against several businesses that allegedly assisted and supported the apartheid government's oppression of black South Africans.

- The **Cyberlaw Clinic** filed an amicus brief in the Supreme Judicial Court of Massachusetts on behalf of the American Civil Liberties Union of Massachusetts and the Electronic Frontier Foundation addressing whether law enforcement officers can gather large amounts of cell phone location information if they only plan to use a small fraction of that information in a prosecution. The clinic also filed an amicus brief in the SJC on behalf of the ACLU seeking clarification about when law enforcement may glean information from a cell phone to advance a criminal investigation.

- **Louis Fisher ’16**, a student attorney in the **Harvard Legal Aid Bureau**, argued before the Massachusetts Supreme Judicial Court that a landlord’s violation of the security deposit law provides a defense for a tenant facing summary process eviction. As part of the **Harvard Prison Legal Assistance Project, Tucker DeVoe ’15** argued in the Massachusetts Superior Court that the denial of parole to an inmate with disabilities was discriminatory because it was based on the disabilities.

- Professor **Charles Fried** co-authored an amicus brief in the U.S. Supreme Court on behalf of former Justice Department attorneys, in *Harris v. Arizona Independent Redistricting Commission*, arguing that the Commission was fully justified in drawing districts, with minor population deviations, that complied with Section 5 of the Voting Rights Act; and Professor **I. Glenn Cohen ’03** co-authored an amicus brief supporting the petitioners in *Whole Woman’s Health v. Cole* (set for Supreme Court argument in March), challenging the
constitutionality of provisions of Texas’ abortion statute severely reducing access to abortion.

- With Yale Law School Dean Robert Post, I submitted an amicus brief to the Court through our pro bono lawyers at Sidley Austin in Fisher v. University of Texas, addressing the use of race in university admissions processes.

Initiatives, Conferences, and Collaborations

This is a year of many productive initiatives and gatherings at the School. Highlights include:

- Professor Jon Hanson’s innovative course on Systemic Justice engaged students in developing solutions to large problems, explored in a conference last spring; another conference will take place this spring.

- The Edmond J. Safra Research Lab, launched in 2010 by Professor Lawrence Lessig, capped off five years of original work with a conference, “Ending Institutional Corruption,” summarizing the lab’s research and recommendations.

- The first Food Law Student Leadership Summit brought together national experts and 100 law students from 50 law schools nationwide to build a law student network pursuing contributions to food security, safety, accessibility, and quality. This spring, the HLS Food Law Conference will explore the legal, moral, policy, health, and environmental aspects of the domestic and international food system.

- We launched a new program, the Criminal Justice Program of Study, Research & Advocacy, aimed at advancing criminal justice reform. Led by Professors Carol Steiker ’86 and Alex Whiting, and director Larry Schwartztol, the program conducts legal and policy analysis and convenes stakeholders to develop workable solutions to challenges in criminal justice in the United States. The program hosted “New Ledes: The Media & Criminal Justice Reform,” a conference of experts to enhance communication and prospects for reform. Following over 40 events on criminal justice at HLS in the past year, this program, along with the Black Law Students Association, the Charles Hamilton Houston Institute for Race and Justice, the Criminal Justice Institute, the Bernard Koteen Office of Public Interest Advising, and the Systemic Justice Project, will sponsor talks this month on "Race, Place, and Policing: What We Can Learn from Baltimore" and will soon host a meeting on “The New Politics of Criminal Justice Reform.”

- Community policing is also the focus of a new initiative of our Harvard Negotiation and Mediation Clinical Program, in partnership with the City of
Everett Police Department, assessing perceptions of current police practices and addressing sources of tension between police and local youth. This clinic is also working with the Boston Police Department to develop a process for mediating some grievances against police officers.

- In March, our Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics will observe its tenth anniversary with a conference on “The Future of Health Law and Policy;” and in May it will sponsor a conference on “Big Data, Health Law, and Bioethics” in collaboration with the Berkman Center for Internet & Society and the Health Ethics and Policy Lab, University of Zurich.

- In February, the Harvard Immigration Project held a symposium on “Refugee Voices” and the refugee crisis.

- Throughout the year, a lecture series on election law has convened experts from HLS and around the country to address difficult issues affecting voting rights, political activity by corporations, and the regulation of money in elections, and in April, a conference led by Professor Mark Tushnet will bring lawyers and political scientists together to tackle timely issues about the scope, limitations, and violations of “Presidential Power.”

- At the end of April, HLS will join with the World Trade Organization to mark the WTO’s 20th anniversary with a global conference on the future of WTO dispute settlement. Appellate body chairman Thomas Graham ’68 and Assistant Professor Mark Wu are organizing the event.

And next September 16-18 we will host our fourth Celebration of Black Alumni! Judging from the past celebrations, the program will be spectacular and the opportunity to connect alumni across the generations so memorable; please save the date!

Fostering Greater Diversity and Inclusion

Students, faculty, and staff here and at many universities and colleges have called upon their communities to think anew about how to improve the inclusiveness and diversity that should rightly be expected at institutions dedicated to learning. One of the issues raised here is whether Harvard Law School should continue to use the shield that is modeled on the family crest of Isaac Royall, Jr., an 18th-century slaveholder.

In November, amid calls for the abandonment of the shield, the framed photographs of several of our Black faculty members in Wasserstein Hall were defaced with strips of black tape. It was and still remains a deeply troubling incident. The Harvard University Police Department investigated the matter but was unable to identify the person or persons responsible, and we continue to ask anyone with knowledge
about the incident to share information.

Many in our community responded with an outpouring of support for our professors by placing notes of appreciation alongside their portraits. These heartfelt messages exemplified the strength of this community, and our Library staff has now collected and preserved them for our permanent collection and reflection.

The HLS shield was commissioned and adopted pursuant to plans of the Harvard Corporation in 1936. Its future lies with the Corporation. At my request, Professor Bruce Mann is leading a committee of faculty, students, staff, and alumni to examine the issues, collect all views, and propose recommendations that will be made to the Corporation. Please convey any views you would like to share with the committee at royall@law.harvard.edu.

In a message to our on-campus community recently, I observed: “Our community has never been as diverse as it is now, and our shared commitments are to welcome and support students, staff, and faculty from all backgrounds, and to work hard - every day - to make each encounter with one another as good and meaningful as it can be. This means engaging in rigorous discussion, listening well and with compassion, and manifesting the respect and the civility of professionals.” In addressing a variety of ideas for enhancing diversity and inclusion here, our students, faculty, and staff are now engaged in discussions of that kind, and I am proud of their collaborative spirit.

Among other initiatives, we are creating a new position for a Director for Community Engagement and Equity. Together with student leaders, we are encouraging participation in a campus-wide climate survey and focus groups on diversity; promoting training across our community on prevention of sexual assault; launching a new mentoring program during Spring Reunions in April, focused on life at law school and on aspirational goals; and adding more emphasis in our 1L orientation program on the particular needs and concerns of students from diverse backgrounds.

Together, we will accomplish great things. Please accept my best wishes for a healthy and productive spring - and please come visit us whenever you get the chance.

Warmly,

Martha Minow
Morgan and Helen Chu Dean and Professor