

Harvard Law

Fall 2008

bulletin



Two Campaigns

AS I WRITE, two campaigns have just ended. The first, of course, is the historic and successful bid for the presidency by a graduate of Harvard Law School. As Barack Obama '91 prepares to take office, the law school community is proud of his accomplishments and wishes him the best in these difficult times. Preparing young people of awesome potential to take up positions of leadership in the world is what HLS is all about, and yet, as the President-elect and our nation's new First Lady, Michelle Obama '88, move to the White House, we feel a special sense of excitement and awe.

Meanwhile, on campus, we have just completed our own (even longer!) campaign—this one, to raise the resources necessary to support the school as it writes the next great chapter of its history. When we launched our campaign five years ago, we set an ambitious goal of \$400 million. The number was high, but it matched the importance of our purpose: to give our students and faculty everything they need to confront the problems and meet the challenges of the 21st century.

I'm grateful to report that we exceeded our target by more than \$76 million. And what's more, we achieved this result with an unprecedented level of participation by our alumni. In fact, the number of which I'm proudest is not \$476 million: It's 23,225. That's the tally of alumni and friends who looked closely at everything we're doing here—from curriculum reform to construction of a major building to the enhancement of our faculty to the strengthening of our commitment to public service—and joined us in the effort not just to maintain our traditional standards of excellence but to surpass them in exciting new ways.

I'm delighted that so many of you responded to our appeal. Although a common perception of Harvard—and, by extension, the law school—is that our endowment can pay for all of our aspirations, I can tell you from putting together a budget each year that this just isn't so. For the law school to improve, to innovate, to realize its fullest

potential—and so to make the greatest possible difference in the lives of our students and the greatest possible contribution to the world—we rely on our alumni to provide us with additional support. That is especially true in these days of financial turmoil; the contributions of our alumni have never been more important.

Of course, like all the law school's major achievements, this campaign was a team effort. It could never have succeeded without the superb leadership of Finn Caspersen '66, the campaign's chairman, and Jack Cogan '52, Gus Hauser '53, Rita Hauser '58 and Bill Walsh '55, the campaign's co-chairs. All of us at HLS—and especially our current and future students—are in their debt.

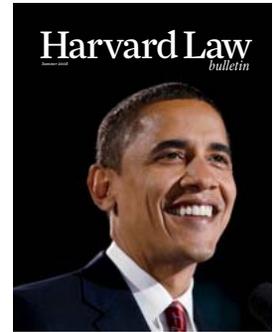
And I want to express my profound gratitude to my predecessor, Dean Robert Clark '72. Along with all Bob's other achievements, he will be remembered for planning and ensuring the success of this historic campaign.

In these pages, you will get a preview of what your generosity is making possible, including our new Northwest Corner project, which will transform the student experience at HLS. The Wasserstein family's historic gift—the most recent of that family's many contributions to HLS—literally enabled us to begin construction. And Finn Caspersen's gift—the largest ever made to the school—also will go toward the project.

You will read here, too, about the many other ways that your contributions are having a great and tangible impact—providing financial assistance to, and improving the education and experience of, our students; supporting the research and teaching of an ever deeper and broader faculty; and most important, enabling our students and faculty alike to contribute to the advancement of justice and human well-being around the world. My deepest thanks to you all.



DEAN ELENA KAGAN '86



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LETTERS

IT'S REAL!

THE SUMMER ISSUE of the Bulletin in its appropriately “green” paper arrived yesterday, and let me record how appreciated your efforts are. This does ratify that [HLS’s new environmental] program is real! The effort you put into this is really commendable—the depth and variety of articles and commentary, and portraits of alumni young and old, near and far.

Sadly, the environment also framed two of your obituaries, Peter A.A. Berle [’64] and Judge Jim Oakes [’47]. Peter’s legacy in the Adirondacks is one our family celebrates each summer. And Judge Oakes volunteered at his 50th reunion to be part of our 1996 25th reunion program on environmental law, which marked the beginning of our contemporary effort to create the environmental law program, and his presence and message then inspired us in the often frustrating days between then and now.

TONY ROSSMANN ’71

Partner at Rossmann and Moore, a San Francisco law firm, where he focuses on land use and water disputes

SUNNY SIDE DOWN

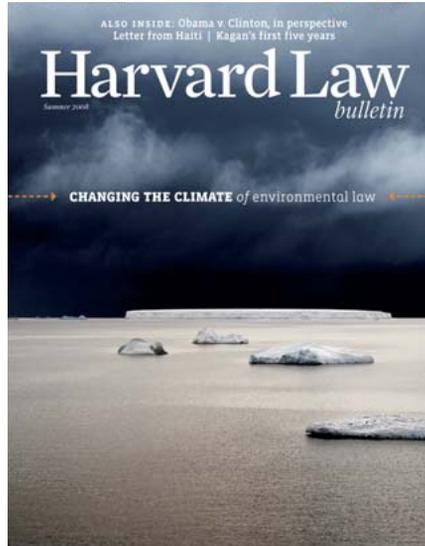
SO HARVARD LAW School has now jumped with both feet onto the global warming catastrophe bandwagon. Before committing a big part of the school’s resources to this effort, shouldn’t somebody have checked the evidence as to whether the earth is actually warming as predicted? You guys stand to have a lot of egg on your faces as this charade falls apart over the next few years.

FRANCIS J. MENTON JR. ’75
New York City

POLAR BEARS OCCASIONALLY DROWN

THE SUMMER 2008 issue wrongly imagines a global warming crisis and blames it on CO₂ released by combustion of fossil fuels:

Page 42: “Houses, roads and airports buckle because the permafrost is no



longer permanent.”

The permafrost melts because the ground is heated by the structures themselves, not by CO₂.

Polar bears “are drowning.” Like humans, polar bears occasionally drown because they spend a lot of time on the water. Polar bears survived warmer periods than the present, and their numbers worldwide are the highest in decades.

Back Cover: “The reefs are bleaching.” Some are, especially when people dump raw sewage on them. CO₂ is not the problem. Reef corals evolved hundreds of millions of years ago when both temperatures and atmospheric CO₂ were significantly higher than they are today.

“Kilimanjaro’s snow is melting.” A recent retreat was a function of reduced precipitation, not higher temperatures. As of May 2008, the Tanzanian government reported that snow cover on the mountain is increasing.

The “polar ice cap is retreating.” Which one? Antarctic ice sheets and sea ice are growing. The retreat of ice in the Arctic likely has been caused by ocean floor volcanic activity since 1999, wind patterns that have blown ice into warmer waters and heat-trapping soot from industry in Asia.

Page 20: Sea levels are “rising.” So they are, at the same rate as they have been for decades.

Storms are “frequent and

destructive.” No more than usual, except that we have put massive new coastal development in harm’s way.

Temperatures are “increasing.” Not since 1998 they’re not. After a very active period in recent decades, solar activity has begun to settle down, taking temperatures down with it even as atmospheric CO₂ levels continue to climb.

GREGORY A. INSKIP ’77
Delaware

CYBERONE AND THE ENVIRONMENT

I AM GREATLY encouraged to read about some of the innovative approaches undertaken by students in the new HLS Environmental Law and Policy Clinic. But the one crucial element missing from the clinical opportunities cited is direct civic engagement, such as what Antonio Oposa [LL.M. ’97] is courageously doing in the Philippines [“Visionary of the Visayan Sea”]. The greatest imaginable victory in the courts or government would be hollow indeed if not accompanied by a huge shift in the attitudes and habits of the people of the U.S. and the world. Working with investor groups and informing consumers are both laudable projects, but serve as poor substitutes for addressing the public directly.

Of every course I took at HLS, the most useful to my new career as an environmental activist was Professor Nesson’s *CyberOne: Law in the Court of Public Opinion*. I urge all students and graduates with an interest in the environment to take this course [which is available online], and so arm themselves with the tools necessary to make a difference. The American public needs to hear the case for the environment—who better to present it than us, the best-trained advocates in the world?

JEREMY DAW ’08
Director of development for BioTour, in Marion, Mass., an environmental education nonprofit

SHAPING SUSTAINABLE PATHS

AS THE SUMMER 2008 Bulletin illustrates so well in its “Changing the Climate of Environmental Law” special section, it certainly is a great time to practice environmental law. After 12 years working at the intersection of environmental law and public policy, including five years at the U.S. Environmental Protection Agency, I would encourage today’s students to focus their efforts on becoming constructive contributors to the debate and, ultimately, the path forward. There are many who talk, text and blog; but real progress requires the ability to navigate statutory and regulatory frameworks, identify drivers for change and forge initiatives that draw upon the interdisciplinary nature of environmental issues. From “green” buildings to developing renewable energy projects on brownfield properties, I can think of no better place than HLS, and the larger Harvard University community, to study—and to shape—sustainable paths forward to better protect the air, water and land, without compromising competitiveness on a macroeconomic level.

SCOTT A. SHERMAN ’91
Washington, D.C.

REMEMBERING BERMAN

I WAS MOTIVATED to write this short note after reading the memorial for Professor Harold Berman in the Summer 2008 issue. Professor Berman was all of those things mentioned in the article and more. Indeed, he was one of those professors who make Harvard proud. In addition to being intelligent and erudite, he was (perhaps even more importantly) approachable and concerned about his students as individuals. He certainly took a great interest in me, to the extent that he and I kept in touch for many years after my graduation. He will be sorely missed.

HOWARD M. LIEBMAN ’77
Brussels, Belgium

Volumes—Bound, and Unbound!



In addition to the **Harvard Law Review**, there are 13 student-produced scholarly journals published annually or semiannually at Harvard Law School, on a variety of substantive areas of the law—and from a variety of perspectives.

One of them—**Unbound: Harvard Journal of the Legal Left**—is available online (www.legaleft.org) without a subscription. To subscribe to the others, or to inquire about rates, visit the Web site of the Harvard Law School Student Journals Office at www.law.harvard.edu/students/orgs/journals/. Or call 617-495-3694 or e-mail journals@law.harvard.edu.

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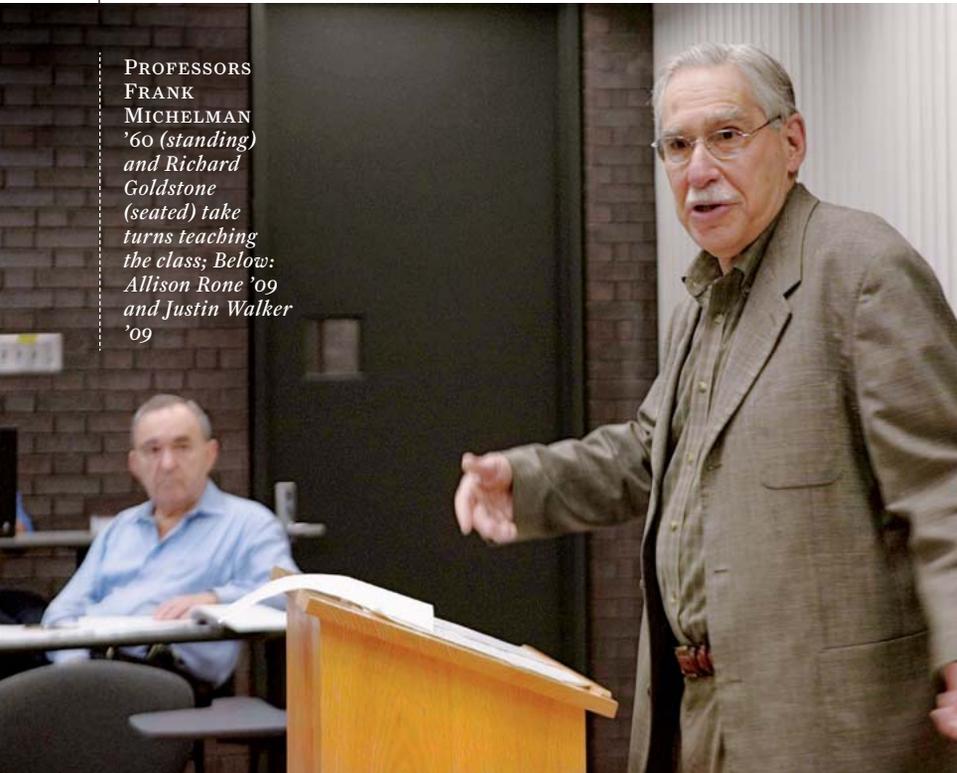
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Life, Liberty and the Pursuit of Dignity

*From Cape Town to Cambridge, exploring
some novel aspects of SOUTH
AFRICA'S BILL OF RIGHTS*

PROFESSORS
FRANK
MICHELMAN
'60 (standing)
and Richard
Goldstone
(seated) take
turns teaching
the class; Below:
Allison Rone '09
and Justin Walker
'09



By Robb London '86

JUST HOURS AFTER embattled South African President Thabo Mbeki announced that he would resign on Sept. 21, students in a Harvard Law School classroom are absorbing the reverberations from a hemisphere away.

For those enrolled in Comparative Constitutional Law: South Africa's Bill of Rights, the news from Cape Town adds to their sense that they are studying a fledgling democracy going through its earliest growing pains.

But for Professor Frank Michelman '60, the president's sudden resignation under a cloud of scandal offers more than just the drama of immediacy. "Notice how Mbeki seeks to lodge an appeal in a case to which he was not a party at the trial level," he tells the class. "This is new territory."

Mbeki—perhaps in a bid to salvage his reputation—has just asked the republic's highest constitutional court to undo the damage that many say forced his resignation: He is seeking the expungement of comments made on the record by a lower court judge suggesting that he improperly pressured prosecutors to pursue corruption charges against his chief political rival.

In lodging an appeal with the Constitutional Court of South Africa, Mbeki evidently means to claim that the judge's comments, which were made on the record, violated some right he has under the constitution. Such a claim might raise new constitutional issues. Michelman asks the class: What rights were violated? Where, in the bill of rights, are they set forth? South Africa's Constitution guarantees the



GOLDSTONE AND MICHELMAN (below); Vanessa MacDonnell LL.M. '09 and Justin Raphael '09 (top left); Visiting Professor Sanford Levinson, Joanna Nairn '09 and Alexis Wheeler '09

right to dignity, among other values. Is Mbeki relying on that?

Almost every case in the Constitutional Court, it seems, presents a matter of first impression.

Also in the classroom is a man who, until just five years ago, sat on that court. Justice Richard Goldstone, who is a visiting professor at HLS this fall and is teaching the course with Michelman, was one of the first appointees to the 11-member court when it was created in 1994 under South Africa's interim post-apartheid Constitution.

For the students (from the U.S. and other countries, including South Africa and Canada), the course offers an invaluable chance to spend a semester of weekly exploration with Michelman, a renowned scholar in comparative constitutional law, and Goldstone, an eminent jurist with unmatched experience in a variety of arenas in international law. While on

.....
Lessons from a court in which almost every case is a "first"

the court, Goldstone also served—from 1994 to 1996—as the chief prosecutor of the United Nations International Criminal Tribunals for the former Yugoslavia and Rwanda. And between 1999 and 2001 he was the chairman of the International Independent Inquiry on Kosovo. In October, he received the MacArthur Foundation Award for International Justice.

When South Africa's Constitution was drafted, Goldstone was literally present at the creation. "We were fortunate in having the advice and counsel of eminent scholars from a number of countries and especially the United States, Canada and Germany," he says. "As judges, we have also benefited much from foreign law clerks."

In classes like this one, Goldstone says, he is continuing to benefit. "Having students [from several countries] in the class is obviously

of significant value to me as a teacher," he says. "This is especially so with regard to Canadian students: Important provisions in the South African Constitution are modeled on the Canadian Charter of Rights [and Freedoms] and especially so the provisions that provide for legislative limitations of fundamental rights."

As the class embarks on its exploration of the pros and cons of what South Africa's framers decided to include (and not include) in their new constitution, Michelman offers an overarching observation: The biggest choice of all was to include a bill of rights that courts could uphold against the legislative and executive branches of a popularly accountable government—"a choice totally opposite to South Africa's prior constitutional history and tradition," he says.

"The country's basically peaceful transition from the old order to the new probably could not have been achieved without it." *

Harvard's Good Servant

JOHN H. MANSFIELD '56
retires after instilling a “*desire
to respond*” in generations of
Harvard Law students

By James A. Sonne '97

JOHN MANSFIELD HAS graduated from Harvard at last.

Beginning as a student over a half century ago—and with the notable exception of successive clerkships for Justice Roger Traynor of the Supreme Court of California and Justice Felix Frankfurter—Professor Mansfield’s journey in law has taken place entirely at *the* Harvard Law School, as he is fond of calling it. Impressive as such longevity is, he has left a mark on Harvard—and on my life as well—that is even deeper than it is wide.

When he retired from teaching in July, Professor Mansfield capped a rich chapter in his life and the history of our school. He is one of the last of a great generation, having shared the joys and struggles that marked the times with dearly departed friends and colleagues such as Mark Howe, Phillip Areeda and David Westfall. In many ways, he is a man of “the old school” who believes, as Professor David Rosenberg once observed, that “one good question is better than 10 good answers.” At the same time, his work in comparative and interdisciplinary areas exemplifies the cutting edge of legal thought.

Professor Mansfield is perhaps best known to former students for his evidence and church-state courses. He was a demanding yet warm teacher who embodied the “education by expectation” that he so admired in his hero, Justice Frankfurter, and honored in a 1965 Harvard Law Review tribute to the justice. In his scholarship, he has written landmark works on the jury system, scientific evidence, law and religion, and legal history, and has written extensively on the law of India. All his work shows the dexterity of mind and clarity of thought of a true teacher-scholar.

John Mansfield is among the most engaging, and engaged, men I’ve ever known. Many can remember sitting in the glow of their favorite professor’s office on a crisp Cambridge afternoon. With Professor Mansfield, such a meeting was an event. Always in coat and tie, he had a demeanor as refined as that of any 10th-generation Bostonian. Yet, as one born and raised in San Francisco, he possessed a curiosity of the most modern sort. Whether discussing Madison’s “Memorial and Remonstrance” or why people would want



tattoos, it mattered little. He was always thinking, and pushing you to do likewise.

A man of deep conviction, Professor Mansfield has never stopped seeking an understanding of what makes life so worth living. This pursuit of truth and goodness will continue in retirement in both scholarship and, even more important, his life away from campus. As his friend Jeff Meller told me, “John waiting until his seventies to marry in 2003 tells you everything. In his mind, it may have taken the world, or God to be more precise, decades to deliver Maria Luisa into his life, but here she is, and isn’t she just wonderful.”

John Mansfield inspired me to become a professor myself, and his guidance has been critical in my hope of helping to bring a passion for life and learning to another generation of lawyers. To borrow from his tribute to Justice Frankfurter, he is a teacher, mentor and friend who “knew of what poor stuff we were made. But his expectations of us did indeed arouse a desire to respond, to be what he assumed we were, to live as nobly and as usefully as he suggested we might.” *

James A. Sonne '97 is an associate professor at Ave Maria School of Law.

Langdell's Guardian Angel

Terry Martin, STEWARD OF A LEGACY, retires

By Sharon Hamby O'Connor '78

HAVING HARRY "TERRY" Martin at the helm of the Harvard Law Library was a comfort and an inspiration not only for me, when I was director of the Boston College Law Library, but also for the other law library directors in New England and in the profession generally.

Terry upheld the best traditions of the law library while seeing clearly the future it moves toward. He knew the treasure that had been entrusted to him—the most comprehensive collection of legal materials in any academic library in the United States—and he took seriously the law school's responsibility to preserve it and to share its richness with the world. Terry saw immediately how the digital age could make this sharing possible. Under his stewardship, the library's resources became accessible worldwide via the catalog; its major treatise collections were digitized for access by scholars anywhere; and documents like those from the Nuremberg Trials became accessible online.

Terry's most visible contribution to the law school was the renovation of Langdell, a renovation that returned the Reading Room to its historic grandeur. Bookcases that covered the floor-to-ceiling windows were removed, and natural light once again poured in. The Latin inscriptions were returned to their original locations on the walls; the ceiling was painstakingly restored. Even the creaky elevator into the stacks was preserved—the top of its cab, thanks to Terry's ingenuity, now a stately coffee table in the Reading Room. The old is new again.

It was for the future, though, that the renovation was undertaken—the collections needed climate-controlled protection, and, most important, students needed easy access to the vast array of new electronic resources. Today the notion of power and data access at every library seat seems obvious—not so when the renovation was being planned, but Terry knew the impact electronic information would have on libraries and learning. He was determined that the library be technology-friendly and responsive to faculty and student needs. Everyone should find a place in the library to fit his or her learning style—so the renovation ensured choice: a table in the Reading Room, a quiet alcove in the stacks, a comfy chair in Lehmann Lounge or, Terry's inspiration, even a beanbag chair, now a favorite type of seating in the library for study and, if truth be told, for the occasional nap.

For Terry, the professional was always personal. He maintained a deep connection to students—those he

taught in Advanced Legal Research and later in his Art Law seminar. He was attentive especially to the needs of international students, serving for years on the Graduate Admissions Committee. For students facing disciplinary action, he strove for evenhandedness and understanding as a member of the Administrative Board.

He was similarly connected to the library's staff—concerned about them personally and professionally. In addition to *smart*, *farsighted* and *articulate*, adjectives used by staff to describe Terry are *kind*, *supportive* and *caring*. There is not a better combination of characteristics in the profession of law librarianship—or in life. *

Sharon Hamby O'Connor '78 is now a member of the faculty (emerita) at Boston College Law School, where she directed the law library for 23 years.

TERRY MARTIN KNEW *the treasure that had been entrusted to him and took seriously the law school's responsibility to preserve it and share it with the world.*



HEARSAY

SHORT TAKES on the financial crisis

Who Will Bail Out American Families?

Professor Elizabeth Warren

CHICAGO TRIBUNE, SEPT. 22

“Lost in the headlines are the families who signed their names to subprime mortgages, not knowing or caring that the pieces of paper they signed would become one of the cards in the house of cards that now threatens the U.S. economy. No less visible are the people who have lost jobs as the economy reverses, the students who can’t pay for college without taking on ruinous loans and the millions of families who turned to credit cards and payday loans as they have been caught in the squeeze between declining wages and skyrocketing costs. They are casualties of a financial system that saw them not as customers, but as prey.

“The secretary of the Treasury and the chairman of the Federal Reserve have told us that now is not the time to assign blame and that we must concentrate on preserving the bedrock institutions of our economy. But the real bedrock of that economy is the American family, countless thousands now in or facing foreclosure, families falling further behind on credit cards or paying 400 percent interest to payday lenders just to keep groceries on the table. ...

“The Bush administration is intent on rebuilding a financial system that has been devastated by mindless deregulation and unchecked greed. So far, the plan is to increase the costs imposed on the very families that were victims of unconscionable practices that produced this crisis.”

Let’s Get the Bank Rescue Right

Professor Hal Scott, with Columbia Business School Dean R. Glenn Hubbard and University of Chicago Graduate School of Business Professor Luigi Zingales

THE WALL STREET JOURNAL, SEPT. 24

“Any solution [to the current economic crisis] should observe three guiding principles: It should (1) restore the stability of the financial system quickly and at the lowest possible cost to the taxpayer; (2) punish those who are responsible for losses; and (3) address the root cause of the crisis—the price collapse in the residential real-estate market. In doing so, the solution should respect the rule of law by spelling out the proposal in sufficient detail for the Congress and the electorate to pass judgment. To the extent possible, it should follow proven precedents. ...



“Efficient institutional design can reduce the share of costs borne by taxpayers, while repairing the financial system’s ability to match borrowers and lenders and provide risk-sharing, liquidity and information services. Keeping costs down is important, as such a large increase in taxpayer support will constrain significantly, if not overwhelmingly, the fiscal initiatives of the next president.”

Build a Better Bailout

Professor Howell Jackson '82

THE CHRISTIAN SCIENCE MONITOR, SEPT. 25

“At the heart of this crisis lie two sides of the same coin: Heads are the bad home loans. Tails are the toxic securities that financed these mortgages. The former is what’s pushing many homeowners into foreclosure. The latter is what’s sinking Wall Street. ...

“The Treasury Department’s chief strategy is to buy back large quantities of toxic mortgage-backed securities. These purchases would remove troubled assets from the balance sheets of selling institutions, and (hopefully) clarify the prices of similar securities held by other investors. ...

“A more effective strategy would be for the government to target the source of the toxicity by buying actual loans, not the securities that back them. It could do so by taking ownership of entire mortgage pools, starting first with the lowest quality (and most toxic) ones.”

How to Pay Less for Distressed Financial Assets

Professor Lucian Bebchuk LL.M. '80 S. J.D. '84

THE WALL STREET JOURNAL, SEPT. 26

“[T]he best way to infuse additional capital where needed is not by giving gifts to the firms’ shareholders and bondholders. Rather, the provision of such additional capital should be done directly, aboveboard. While the draft legislation permits only the purchase of pre-existing assets, the final legislation should permit the Treasury to purchase new securities issued by financial firms needing additional capital. With the Treasury required to purchase securities at fair market value, taxpayers will not lose money also on these purchases.

“Furthermore, this direct approach would do a better job in providing capital where it is most useful. Why? Because simply buying existing distressed assets won’t necessarily channel the capital where it needs to go. Allowing the infusion of capital directly for consideration in new securities can do so.”

In Crisis, Beware Illusion of Reform

Professor Jon Hanson

THE PROVIDENCE JOURNAL, OCT. 2

“The reforms that we see will be largely procedural, not substantive—check this, sign that, certify here, jump a hoop there—and they will not fundamentally change the situation that produced this crisis. The reform will look sweeping, because it will be broad-based and ballyhooed as ‘tough.’ Soon enough, the business elite will complain that, indeed, it is too tough. We will learn that small-business owners and entrepreneurs, not to mention Fortune 500 firms, are being tangled and tripped up in overregulation and needless compliance costs.

“The mantra of ‘markets good, regulation bad’ and the primacy of shareholders will return. Erstwhile concerns about third parties—such as the taxpayers who are bailing out companies—will gradually be eclipsed by claims that those very groups are the most harmed by the new regime. After all, these burdensome regulations go too far and ‘hurt American competitiveness,’ ‘drive business, jobs and tax revenues overseas,’ ‘increase costs for consumers’ and so forth.

“Such is the ‘law of unintended consequences,’ which apparently applies to only regulations and regulators, never markets.

“The reform, which might look promising initially, will

be rolled back, whittled away and watered down (corporate lobbyists are already positioning themselves to grab a piece of the \$700 billion bailout).”

Fight for the Family Home

Eric S. Nguyen '09

THE NEW YORK TIMES, OCT. 9

“Data that I have analyzed from Harvard’s 2001 Consumer Bankruptcy Project, a survey of 1,250 people who had recently filed for bankruptcy, indicate that a key reason families with children file is to keep from losing their houses. Having young children nearly doubles the likelihood that the average family in bankruptcy will continue making mortgage payments—to keep the children in the same school and stay in the same neighborhood.

“Bankruptcy laws should be flexible enough to allow some parents who will regain their financial footing to continue to make house payments, while denying the same relief to financially irresponsible investors. In addition to helping families, this would help reduce the depressing effect of foreclosures on house prices. And it would cost the taxpayer nothing.”

Protect Financial Consumers

*Professor Elizabeth Warren, with
Amelia Warren Tyagi*

FROM “HOW TO SAVE CAPITALISM,” A FORUM IN HARPER’S MAGAZINE, NOV. 7*

“Go into any appliance store in America and look for a toaster with a one-in-five chance of exploding. You won’t find one. But at any mortgage brokerage in the country it has been possible to purchase a loan with a one-in-five foreclosure rate. ...

“It is time we created the equivalent of a Consumer Product Safety Commission for financial products, an agency whose purpose would be to protect homebuyers and investors from the finance industry’s most dangerous offerings. The Financial Product Safety Commission could model itself after the best from the consumer regulatory agencies. For instance, the head of the new agency would be appointed by the president, and its staff of professionals would have civil-service protection and thereby be immune to changing political winds. Although the FPSC would have no hand in setting prices, it would be able to require that companies reveal the true cost of credit. This seemingly small requirement would force into public view essential information about terms and risks that has long been masked and withheld. To achieve this end, the agency could do something as basic as reviewing product disclosures, making sure they were easily comprehensible to the average reader.” *

Toiling in the Fields of Redemption

OFFERING COMFORT—legal and
otherwise—to prisoners with
nowhere else to turn

By Katie Bacon

“EACH OF US is more than the worst thing we’ve ever done.”

Those words, written by noted death penalty lawyer Bryan Stevenson ’85, were very much on the mind of Katie Wozencroft ’09 this summer, when she made the four-hour drive from Atlanta to an Alabama prison where condemned prisoners are executed. “Going to death row,” says Wozencroft, who spent the summer working at the Southern Center for Human Rights in Atlanta, “you realize that they’re not necessarily bad people, they’re not necessarily good people. They’re people.”

Since the center’s founding in 1976, its legal staff has worked primarily in Georgia and Alabama, monitoring

prison conditions and pursuing litigation to improve them. Over the years, the center’s lawyers have filed cases on overcrowding, excessive punishment methods and denial of proper medical care, among other prisoner-rights issues. They also represent defendants—especially those facing the death penalty—who otherwise wouldn’t have legal counsel. (Alabama, like other Southern states including Texas and Mississippi, has no statewide public defender system.) With only 10 lawyers on staff (William Montross ’94 and Lauren Sudeall ’05 are two of them), the center relies heavily on interns. Last summer, there were 13 of them, including Wozencroft, Sarah Belton ’09, Jacob Howard ’09 and Dominique Winters ’10.

“At the center they encourage you to do all the work the attorneys do—heavily supervised, with lots of feedback,” says Howard. “Interns have the opportunity to do investigations, write drafts of legal materials that will be filed and build cases for parole.” With all that responsibility comes pressure, says Wozencroft, “but it’s amazing to be able to do work that really affects people.”

The center is divided into a civil unit and a death penalty unit, and interns get a chance to work in both. In the death penalty unit, the center’s lawyers handle appeals for indigent defendants, taking on cases when they believe that a client was wrongly convicted, or that flaws in the judicial process led to a death sentence rather than one of life without parole. For this latter group, says Winters, “we aren’t trying to get them released. Some don’t even want to be released because they know they’ve done wrong. They were given a terrible life and they made bad choices as a result of the life that was dealt to them.”

When the interns visit their clients on death row, they go not only to build their cases but also just to help them pass the time. The visits tend to be more low-key than one might imagine, says Howard. “Some just want to talk about recent sports games and things that are going on in the news. One of the things you learn meeting with death row inmates is that sometimes it is very difficult to see the facts of the crime in the person you meet.”

Lawyers and interns in the civil unit interview inmates about problems in the prisons and then use the information they’ve gathered to push for reform—a process that tends to move much more quickly than the death penalty appeals. Wozencroft went to a Georgia prison to interview incarcerated women who weren’t getting proper treatment for cancer. “We were able to call the state and say, ‘We know what’s going on, it’s not OK, and you need to change it.’ And they did.”

Continued on page 72



Needed: A Regional Approach to the Israeli-Palestinian Conflict

A leading scholar says the U.S. should foster a multilateral process—including MORE INVESTMENT

Assistant Professor Gabriella Blum LL.M. '01 S.J.D. '03, an international law scholar, is a native of Israel, where, as a young officer in the Israel Defense Forces International Law Department, she was involved in Israeli-Arab peace negotiations. She later advised the IDF on counterterrorism operations, and the Israeli national security adviser on the planning and execution of the Israeli disengagement from Gaza and the northern West Bank. We asked Blum: As the next U.S. president faces the Israeli-Palestinian conflict, what should he aspire to?

The Israeli-Palestinian conflict was never a strictly bilateral dispute; it was always part of the broader Israeli-Arab relationship, and often manipulated to the advantage of many outside parties. By extension, it has become a centerpiece of global politics.

It is therefore surprising that, other than in the brief interval around the Madrid Conference of 1991, attempts at conflict management and resolution have never treated the conflict as anything other than bilateral. The formula is repeated in variation: Israelis and Palestinians are summoned to some confined venue, negotiate in various rooms while American officials, and sometimes the president himself, play hall monitor. The Arab countries either make a



FOR GABRIELLA BLUM, the solution involves reframing the problem: “turning what is perceived to be a zero-sum game into a promise of regional prosperity.”

token appearance or else are altogether absent.

In this setting, both parties play their self-constructed or assigned parts and their script is confined to what they can offer. For this reason, the script has seen few variations since the

Oslo process began 15 years ago.

A new U.S. president should rethink how the stage is set. Neither Israel nor Palestine is a floating island. Both are very much part of a continent that does not, however, fully include them politically or economically, but that

nonetheless shows a great interest in their conflict. If the dispute is not entirely bilateral, neither should the envisioned solution be. We must therefore begin to think and act regionally.

In negotiation terms, it means no longer imagining the conflict as a single problem to be “solved” by a deadline, but as part of a series of agreements which will be part of an ongoing deal, in which value is created with the addition of participants, issues, resources and tradeoffs—in essence, turning what is perceived to be a zero-sum game into a promise of regional prosperity.

In practical terms, this means, first, that Israel must be ready to commit to simultaneous negotiations and agreements with the Palestinians, Syria and Lebanon. In parallel, the Arab countries must be motivated to take a positive, active role in the process and its aftermath. The Saudi initiative in 2002, the first pan-Arab initiative for peace, merely stipulated that once Israel reaches agreement with both the Palestinians and the Syrians, the Arabs would (begrudgingly) recognize Israel’s existence. This is not nearly enough.

The Arab countries must be made accountable to the process. They should be responsible for some shepherding of the negotiation and for accepting some of its practical implications, including, for example, the absorption of Palestinian refugees, and even possible territory swaps. They should also take steps to aggressively overhaul the perception of Israel as a demonic entity.

With assistance from the international community, the region would be promised ambitious economic and development projects that would also lead to its further integration.

It is an ambitious plan, but not an impossible one. It is a plan that offers real change and hope, and that serves to strengthen the counterforces to Iran’s very different vision for the region. *

Intelligent Design

Cass Sunstein shows
how “*CHOICE ARCHITECTURE*”
can help people *make better decisions*



By Robb London '86

Faced with important decisions about their lives, people often make pretty bad choices—choices they would not have made if they paid full attention and possessed complete information, unlimited cognitive abilities and complete self-control.

To take just one example, many people never get around to joining their employer’s retirement savings plan, even when it is heavily subsidized.

The explanation, according to Harvard Law School Professor Cass Sunstein '78 and University of Chicago economist Richard Thaler, is rooted in some well-documented human behavioral quirks that are amplified by information overload. And, busy people trying to cope in a complex world can’t always afford to think deeply about every choice they have to make.

Sunstein and Thaler have spent a lot of time thinking about how people can be encouraged to make better

decisions, and they offer some intriguing ideas in a new book, “Nudge: Improving Decisions About Health, Wealth, and Happiness” (Yale, 2008). Their central thesis: People will make better choices if they are given a clear and well-designed set of options that acknowledge and offset human idiosyncrasies. Designing these options is what the authors call “choice architecture.”

“Choice architects have the responsibility for organizing the context in which people make decisions,” they write. The best choice architecture must take into account what behavioral science has taught us about ourselves.

Consider, for example, an energy-use study involving 300 households in San Marcos, Calif. When all of the households were informed about how much energy they and their neighbors had used in previous weeks, the above-average energy users significantly decreased their consumption. And, when their usage reports included a frowning emoticon, their subsequent energy use went down even more.

Conversely, a smiling emoticon seemed to prevent underusers from feeling that they were entitled to use more.

“One of the best ways to help people improve their performance is to provide feedback,” write the authors. “Well-designed systems tell people when they are doing well and when they are making mistakes.” And, as the San Marcos study also shows, “people are sometimes much affected by learning the practices of others.”

Choice architecture should also acknowledge that many people will take whatever option requires the least effort, Sunstein and Thaler say. “Human beings will often consider required choice to be a nuisance or worse, and would much prefer to have a good default,” they write. “And, these tendencies toward doing nothing will be reinforced if the default option comes with some implicit or explicit suggestion that it represents

the normal or even the recommended course of action.”

In addition to anticipating these tendencies, choice architects should make the information about various options more comprehensible—so that it becomes easier for people to make a decision. Choice architects, the authors argue, should also consider building incentives into their designs.

Because for Sunstein and Thaler, understanding what makes for better choice architecture is just a predicate to a broader goal—which is to nudge people in beneficial directions but without taking away their freedom of choice.

“A nudge ... is any aspect of the choice architecture that alters people’s behavior in a predictable way without forbidding any options or significantly changing their economic incentives,” they write. “To count as a mere nudge, the intervention must be easy and cheap to avoid. Nudges are not mandates. Putting the fruit at eye level [in a school cafeteria line] counts as a nudge. Banning junk food does not.”

Sunstein and Thaler acknowledge that nudging is paternalistic, but they believe it can be done without taking away freedom of choice. “We welcome you to our new movement,” they write, “*libertarian paternalism*.”

The libertarian aspect, they say, lies in the straightforward insistence that, in general, people should be free to do what they like—and to opt out of undesirable arrangements if they want to do so. “The paternalistic aspect lies in the claim that it is legitimate for choice architects to try to influence people’s behavior in order to make their lives longer, healthier and better.”

Much of “Nudge” is spent exploring possible applications of this kind of choice architecture to a variety of

subjects, from investment and savings plans to health care. The hope, say Sunstein and Thaler, is that their libertarian-paternalistic approach will offer a genuine “Third Way” as an alternative to the political gridlock of the liberal-conservative divide.

There are already some encouraging signs. “Many Republicans are now seeking to go beyond simple opposition to government action,” the authors note. “[T]here is all the difference in the world between senseless opposition to all governmental intervention

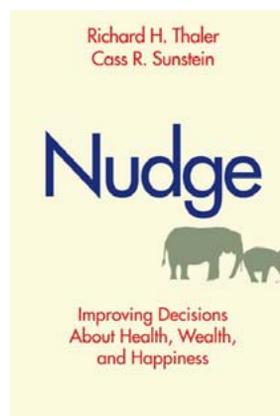
as such and the sensible claim that when governments intervene, they should usually do so in a way that promotes freedom of choice.”

In a similar vein, Sunstein and Thaler observe, many Democrats have come to agree that freedom of choice is a good and even indispensable foundation for public policy. Barack Obama ’91 embraced the ideas in “Nudge” and incorporated some of them in his

platform.

Sunstein and Thaler are especially heartened by the enthusiastic interest of Britain’s Conservative Party leader, David Cameron, who stands a good chance of becoming the next prime minister. In July, British newspapers reported that “Nudge” topped Cameron’s list of summer reading for political leaders, and that Cameron, whose policy team met with Thaler, had embraced the book for illustrating how governments can coax citizens into making better choices.

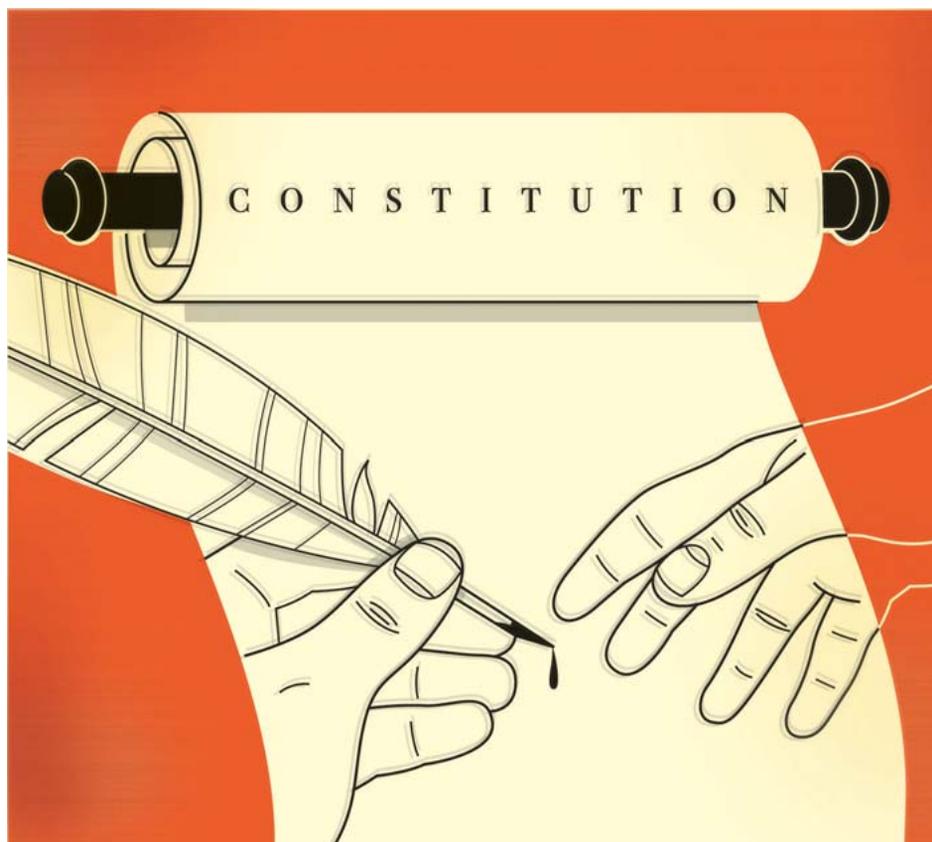
“By seizing on ‘Nudge,’” said The Guardian newspaper, “the Tory Party has projected itself as being the one with the fresh ideas.” *



.....
“We welcome you to our new movement: *libertarian paternalism*.”

Constitutional Ink— Visible, and Invisible

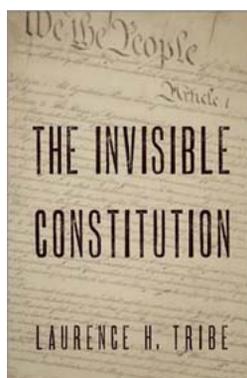
THE CONSTITUTION, writes
Laurence Tribe, *is more than* the
words on the parchment



By Dick Dahl

The U.S. Constitution is 219 years old now, and the revolutionary system of government it created has survived and spread across the globe. No wonder many Americans consider it an almost sacred document, the final say on governmental powers and individual rights.

But in a new book, “The Invisible Constitution” (Oxford University Press), HLS Professor Laurence H. Tribe ’66 argues that the reach and influence of the written Constitution is not as broad or conclusive as we think. On the contrary, Tribe writes, many of the bedrock principles Americans consider



constitutionally ordained are nowhere to be found in the document’s text. For instance, he writes, most educated citizens probably believe that the Constitution’s text forbids state secession from the union. It does not. That prohibition, Tribe explains, is written in blood on battlefields like Gettysburg, not in ink on parchment.

But the purpose of the book is not to expose such fallacies. Instead, Tribe explains how the real power of the Constitution rests in what we *don’t* see but nevertheless accept as “constitutional.” He argues that, despite the textual silence of the Constitution on many of the issues we believe it addresses, the unwritten beliefs we have come to accept are as binding as if they were spelled out in the text.

“The invisible Constitution undergirds and pervades what most people understand the Constitution to be,” he said in an interview. “When you look at the visible Constitution at the National Archives and draw the logical and linguistic inferences it supports, it doesn’t tell you very much about what matters in constitutional law.”

Tribe explains that the written Constitution “floats in a vast and deep—and, crucially, invisible—ocean of ideas, propositions, recovered memories and imagined experiences.”

He suggests that this seemingly ethereal state of affairs may have been precisely what the framers had in mind. To Tribe, they appear to have purposely built a skeletal structure for future generations to build upon. This notion of the Constitution as framework for partisan activity may be

troubling to many people, he admits. But he also believes it's a reality that people need to recognize and embrace.

"The invisible Constitution is not simply a mask for imposing a particular ideology on the Constitution, which is what people sometimes think," he said.

"What I'm hoping is that people will come to see that we're all engaged in the same game and that the political reality of the Constitution, which is not confined to a written text, is an equal-opportunity reality."

Tribe's book has received high praise from critics. Historian Doris Kearns Goodwin called it "breathtaking in its originality."

As if to underscore his argument that the Constitution is not confined to the written text, Tribe offers diagrams in the book to illustrate his points. His drawing of a geodesic dome, for example, is made up of interlocking segments representing separate, invisible constitutional principles (such as "protecting free speech by making it harder to sue critics of public officials" and "rights to sue government agents who violate personal rights") that align to form a protective shield around the core constitutional value of free speech.

For Tribe, the upshot—whether revealed through text or diagrams—is that, if we look closely enough, the invisible Constitution is there for us to see. "Calling it something mysterious like an aura or a shadow does it injustice," he said. "It's a set of fundamental beliefs and traditions that operate in a binding way. It's a living body whose existence is impossible to deny." *

Illustrations by HARRY CAMPBELL

Urban Legend

THE POWER OF CITY HALL is a myth sometimes, say Barron and Frug—and they explain why

By Michelle Bates Deakin

Last year, while waiting for a flight at Boston's Logan Airport, Harvard Law Professor David J. Barron '94 eavesdropped on the couple ahead of him in line as they complained about the airport's general disorganization. "Someone should call the mayor and get him to do something about this," he heard the woman say.

Her complaint—and how fruitless it would be if someone did call the mayor—goes to the heart of a new book Barron has co-written with his Harvard Law colleague Gerald E. Frug '63. "City Bound: How States Stifle

Urban Innovation," forthcoming from Cornell University Press in December, examines how state laws shackle cities. A call to Boston's mayor about the city's airport would be ineffective because the airport is owned and governed not by the city, but by a state agency. The Boston mayor would just add to the chorus of complaints.

In "City Bound," Barron and Frug look at how state law determines what cities can and cannot do to raise revenue, control land use and improve schools. The authors compare the laws of seven U.S. cities—Boston, New York, Atlanta, Chicago, Denver, San Francisco and Seattle—and analyze which legal structures stimulate city growth and autonomy and which ones stifle it.

The roots of the book are in



a Harvard Law seminar Frug and Barron, both experts in local government law, co-taught in 2001. The course examined the extent of home rule in 101 municipalities in the Greater Boston area and the legal powers the commonwealth of Massachusetts grants to those cities and towns. With support from the Rappaport Institute for Greater Boston, in 2004, the two professors, along with then 3L Rick Su (now an associate professor at the University of Buffalo Law School), published a book on the subject: “Dispelling the Myth of Home Rule: Local Power in Greater Boston.” By

2007, there was a follow-up study, “Boston Bound: A Comparison of Boston’s Legal Powers with Those of Six Other Major American Cities.”

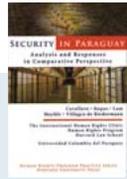
That report made waves in Boston, spurring local

policymakers and planners to examine 19th-century laws that limit the city’s ability to respond to modern problems. Gov. Deval Patrick ’82 is now exploring the creation of a state home rule committee to rethink local powers. He has also proposed a Municipal Partnership Act that would allow cities and towns to raise taxes and fees, among other measures.

In “City Bound,” Frug and Barron look beyond Boston to other cities. “The intent is to generalize the Boston project so people understand how city power is organized around the country and the world,” says Frug.

This fall, the authors are offering another government law class at HLS, a seminar called Green Cities: New York. Taught in conjunction with attorneys working for the environmental division of the New York City Law Department, including Amanda Goad ’05, the course examines environmental issues facing

RECENT FACULTY BOOKS



“Security in Paraguay: Analysis and Responses in Comparative Perspective” (Harvard University Press, 2008) is based on two years of research by the HLS International Human Rights Clinic and is written by **Clinical Professor James Cavallaro**, Jacob Kopas ’07, Yukyan Lam ’07, Timothy Mayhle ’08 and Paraguayan law professor Soledad Villagra de Biedermann LL.M. ’92. It addresses the growing sense of insecurity in Paraguay over the past decade as the country has continued its transition from authoritarian to democratic rule. The authors attempt to refute the view that the newly implemented criminal reforms and procedural guarantees are resulting in more crime.



In “The Case Against Israel’s Enemies: Exposing Jimmy Carter and Others Who Stand in the Way of Peace” (Wiley, 2008), **Professor Alan Dershowitz** takes to task those he considers Israel’s most dangerous foes, from individuals to foreign governments, “who wield the power—political, academic, religious and military—” to challenge the country’s existence. ----- “Legal Reasoning: Collected Essays” (Davies Group, 2008) features four of **Professor Duncan Kennedy’s** essays, written over the course of 20 years, that present accounts of legal reasoning as engaged in by lawyers, judges and academics. A leading theorist of the critical legal studies movement, Kennedy brings



together the insights of American legal realism with continental phenomenology and semiotics. The book also includes a critique of current European legal theory.

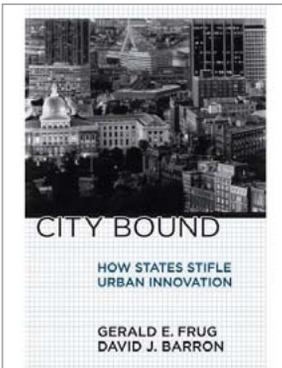
Vikram Amar and **Professor Mark Tushnet’s** “Global Perspectives on Constitutional Law” (Oxford University Press, 2008) provides a comparative view on constitutional issues, including property rights, abortion rights, regulation of hate speech, regulation of campaign finance, and religious freedom. It includes foreign case materials and selections by contributors from a variety of ideological and demographic backgrounds.

cities and how they can address them. In the spring, students will undertake the clinical part of the course, tackling projects of their own design to assist New York City’s environmental division.

Frug and Barron also envision a law school clinic, tentatively named the Program on Urban Law and Governance, to give students more opportunities to work with local governments. HLS is currently seeking

funding to underwrite such a project, which the two professors say would be the first of its kind in the country, and a natural for Harvard Law, which, according to Frug, has more students enrolled in local government law courses than any other school in the country.

Those courses played a role in Barron’s own career: His local government law professor in the early ’90s was Gerald Frug. *



Tax Policy, Writ Large

FROM LOUIS KAPLOW, an integrated theory of *taxation and public economics*



By Robb London '86

"MOST WORK ON issues of taxation and related questions in public economics is inevitably specialized," writes Professor Louis Kaplow '81. "On occasion, there is value in stepping back and considering explicitly the relationships among the parts. What is learned can then be used to refocus, redirect, or even realign subsequent research on particular subjects."

That is what Kaplow has done in "The Theory of Taxation and Public Economics" (Princeton, 2008). The book, more than a decade in the making, has its origins in Kaplow's early training in economics under such luminaries and mentors as Hugo Sonnenschein, Michael Spence, Martin Feldstein, Lawrence Summers and the late HLS Professor Richard Musgrave.

Kaplow's purpose, he writes, is not to champion particular policies or analytical results but rather to urge a new way of thinking. "This book develops and applies a unifying framework for the analysis of taxation and related subjects in public economics."

To that end, Kaplow offers what he calls "an integrated view" of how tax policy can best be analyzed.

"Together, completeness, comprehensiveness, and comparability are essential aspects of an integrated view of taxation, government expenditures, and redistribution. One can only understand each policy instrument—each piece of the puzzle—if the others are also on the table and the relationships among them are understood."

It is the case for more "comparability," in particular, that occupies Kaplow most. The most successful methods of policy analysis are those "that enable apples-to-apples comparisons, thereby permitting separate examination of each dimension of a policy, which in turn allows identification of the policy's intrinsic features," Kaplow writes. But traditional analysis is usually muddled by the distributive (and redistributive) effects of the policies being analyzed. Every tax has distributive effects, which complicate analysis by creating additional dimensions, reverberations and distortions. Ideally, Kaplow says, any proposed tax or instrument can

be better studied and evaluated in isolation from those effects—in what he calls a "distribution-neutral" manner. "Distribution-neutral analysis avoids these problems, and uniquely so," he writes.

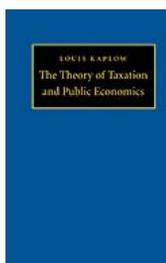
To that end, Kaplow offers a technique—the nucleus of his integrated approach—designed to isolate and study any given tax in a way that isn't clouded by its distributive effects or certain other complications. He says the best way to study the utility of a particular tax—for example, a proposed tax on luxury goods—is by postulating a corresponding, proportionate reduction in the income tax burden of the group that will be most affected (e.g., higher-income earners who can afford to buy luxury goods).

Analyzing a proposed tax—which is distributive by nature—in a distribution-neutral fashion seems counterintuitive. But as Kaplow answers, his method "does not disregard distributive effects but instead isolates them from other effects so that each may be brought into sharper focus."

Applying his distribution-neutral formula to a number of tax policy and revenue-raising scenarios, Kaplow arrives at (perhaps *confirms* is more accurate) his view that "it is not generally sensible to use various indirect forms of taxation, expenditure policies, or regulations to redistribute income if an income tax is available."

Policy tools other than the income tax system, he finds, tend to be advantageous in pursuing distributive and revenue objectives only when they are able to address particular shortcomings of a more direct approach, such as by mitigating evasion or reducing the labor-leisure distortion in subtle ways.

But Kaplow's purpose is less about advancing a particular view of tax policy than reframing the way tax policy is analyzed. As economists Feldstein and Peter Diamond have acknowledged, he has done just that. *





A Commander in Chief

BY SETH STERN '01

**IN LAW SCHOOL,
BARACK OBAMA
'91 ALREADY
LOOKED-AND LED-
LIKE A FUTURE
PRESIDENT**



FEBRUARY 2007
*Barack Obama
announces his candidacy
at the state Capitol in
Springfield, Ill.*

TANNEN MAURY/EPACORBIS

It was a frigid morning in February 2007 when Barack Obama '91 officially announced his candidacy for president in front of the old state Capitol in Springfield, Ill. Seated in the front row of that shivering crowd of thousands were half a dozen of Obama's law school friends, including Crystal Nix Hines '90.

The newly minted presidential candidate whom Nix Hines applauded that day looked and sounded just like the classmate she knew at Harvard Law School—minus the leather bomber jacket and frayed jeans he preferred back then.

Nix Hines, a Hollywood television writer and producer, would go on to canvass voters on Obama's behalf in Nevada and organize a fundraiser back home in Los Angeles.

As in Springfield, Obama and his wife, Michelle Robinson Obama '88, would find many of their law school classmates and professors standing beside them at every step of the campaign that followed.

They cheered the Obamas on from Des Moines to Denver and finally in Chicago's Grant Park,

celebrating his victory on election night.

In between, they manned phones and knocked on doors. They donated money—and raised even more. They filled his kitchen cabinet of informal advisers and his campaign's inner circle, offering both advice and quiet words of encouragement.

All shared a deeply felt dedication to a man many of them thought—even two decades ago in Cambridge—might one day be president.

"I WENT TO Harvard Law School spending most of three years in poorly lit libraries, poring through cases and statutes," Obama wrote in his memoir, *"Dreams from My Father."* Over the last two years, he hasn't dwelled publicly on his HLS days—not surprising during a campaign where the label "elitist" proved a potent political epithet.

But his time at HLS had an important impact on Obama, says David Mendell, who wrote the 2007 biography *"Obama: From Promise to Power."*

"I don't think you can discount how much that period helped educate him and played a big role in his development," says Mendell, a former Chicago Tribune reporter.

It was as a law student that Obama first made history—and national headlines—when he was elected the first black president of the Harvard Law Review in the spring of 1990.

And as a law student, Obama

met many professors and classmates who would prove helpful in his political rise from state senator to president of the United States in five years.

Each seems to have a story about how much Obama stood out.

Sure, Obama's unique and, by now, familiar personal history set him apart. He arrived on campus at the age of 27 in the fall of 1988, older than many of his classmates, after a stint as a community organizer in Chicago.

Professor Kenneth Mack '91, his classmate and friend, says Obama didn't speak much at first about other aspects of his unusual background, including a childhood spent in Hawaii and Indonesia or the fact that his mother was white.

Most remarkable, given his complex identity, was how comfortable Obama seemed with himself. "Barack's identity, his sense of self, was so settled," recalled Cassandra Butts '91, who met him in line at the financial aid office, in an interview with PBS's "Frontline." "He didn't strike us in law school as someone who was searching for himself."

Obama's performance inside and outside the classroom attracted more notice than his distinctive personal story.

In the spring of his first year at law school, Obama stopped by the office of Professor Laurence Tribe '66 inquiring about becoming a research assistant.

Tribe rarely hired first-year students but recalls being struck by Obama's unusual combination of intelligence, curiosity and maturity.

He was so impressed, in fact, that he hired Obama on the spot—and wrote his name and phone number on his calendar that day—March 31, 1989—for posterity.

Obama helped research a complicated article Tribe wrote making connections between physics and constitutional law, as well as a book about abortion. The following year, Obama enrolled in Tribe's constitutional law course.

Tribe likes to say he had taught about 4,000 students before Obama and has taught another 4,000 since, yet none has impressed him more.

Professor Martha Minow recalls: "He had a kind of eloquence and respect from his peers that was really quite remarkable." When he spoke in her class on law and society, "everyone became very attentive and very quiet."

Artur Davis '93 still vividly recalls how much Obama inspired him with a speech he gave during orientation week on striving for excellence and mastery.

Davis, now a United States congressman from Alabama, insists he left that speech by Obama convinced he'd just heard a future Supreme Court justice—or president.

Obama displayed other traits, besides eloquence, that would define his success as a presidential candidate.

"You could see many of his attributes, his approach to politics and his ability to bring people together back then," says Michael Froman '91, who worked with Obama on the Law Review.

HARVARD LAW CLASSMATES AND PROFESSORS STOOD BEHIND OBAMA AT EVERY STEP OF HIS CAMPAIGN.

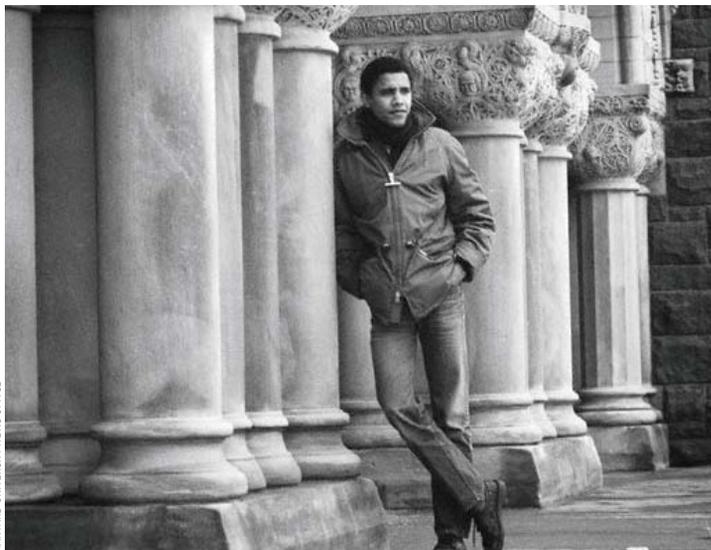
As a campus leader, he successfully navigated the fractious political disputes raging on campus.

By 1991, student protestors demanding that the school hire more black faculty had staged sit-ins inside the dean's office and filed a lawsuit alleging discrimination.

Obama spoke at one protest rally but largely preferred to stay behind the scenes and lead by example, recalls one of the protest leaders, Keith Boykin '92.

Obama opted against taking sides in the ideological disputes that often divided the politically polarized Law Review staff, casting himself instead as a mediator and conciliator.

That approach earned the enduring respect of Law Review



AS A LAW STUDENT, Obama had already made history when he was elected the first black president of the Harvard Law Review.



BROOKS KRAFT/CORBIS

SEPTEMBER 2008,
Nashua, N.H.

members, including those not necessarily inclined to agree with his political views today.

“He tended not to enter these debates and disputes but rather bring people together and forge compromises,” says Bradford Berenson ’91, who was among the relatively small number of conservatives on the Law Review staff.

DURING THE FLURRY

of media attention following his election as Law Review president, reporters often asked Obama about his future plans.

He would reply that he envisioned working at a law firm for a couple of years before looking for community work—and perhaps running for office down the road.

By the time he graduated, though, Obama had declined an offer from Sidley Austin and set out on a career path that would include stints in Chicago directing a voter registration and education program and working at a civil rights law firm. He kept in touch with many of those he got to know best during law school as he moved on in his career.

Minow, who’d come to consider Obama a friend rather than

just a former student, wound up serving with the then state senator on a national panel examining civic engagement in the late 1990s.

Obama proved just as engaging among the group of 33 distinguished and diverse panelists as he was in her class, Minow recalls.

After listening to him ably summarize everyone’s views at one meeting, Minow joined a group of

panelists who went up to Obama and asked when he might run for president. He laughed at the idea, prompting many in the group to start calling him “governor.”

Minow was in the audience a few years later, in September 2005, when Obama—by then a U.S. senator—returned to the HLS campus as the featured lunchtime speaker for the second Celebration of Black Alumni.

That was after his speech at the 2004 Democratic National Convention, and he attracted a standing-room-only crowd that spilled into the adjoining courtyard and onto the stairs of nearby buildings where students gathered to listen.

He criticized the Bush administration’s response to Hurricane Katrina, which had devastated New Orleans just weeks earlier. But then he emphasized that simply blaming the Bush administration “lets us off the hook.”

He challenged his listeners to think of their own collective failure to help the urban poor prior to the disaster.

“The truth is,” Obama said, “we haven’t been entirely on the case either.”

Minow recalls that you could hear a pin drop under the tent

as his emphasis on collective responsibility resonated with her and the rest of the audience.

LONG BEFORE OBAMA’S

Internet-based fundraising juggernaut began hauling in \$50 million each month, Harvard Law School’s alumni and faculty provided an important network of potential donors and fundraisers.

Professor Tribe co-hosted a fundraiser in March 2007, a few months before he appeared in one of Obama’s early television ads in Iowa.

That spring, Froman, Obama’s law school classmate, helped organize a fundraising event in New York, one of the many he was involved in during the next year and a half.

Froman, who served as chief of staff to former Treasury Secretary Robert Rubin during the Clinton presidency, was one of a number of law school colleagues who helped organize meetings for Obama around the capital after his election to the U.S. Senate and raised money for his political action committee.

Thomas Perrelli ’91 told *The New York Observer* last year that he was getting calls from classmates he hadn’t spoken with in years, saying, “Hey, I hear you’re still friends with Barack—what can I do?”

Jonathan Molot ’92, who, like Froman and Perrelli, served with Obama on the Law Review, hosted the first Washington, D.C., fundraiser for his presidential campaign at his home after having done the same in 2004 for his Senate campaign.

Molot, now a law professor at Georgetown University, hadn’t spoken with Obama in years but eagerly enlisted in the campaign of someone he, too, thought was presidential timber during law school.

“I’ve never in my life encoun-

tered anyone else about whom I said, 'This person should be president,'" Molot says.

So many alumni attended that 2007 fundraiser at Molot's home that Obama quipped, "I feel like I'm at a law school reunion."

Law school friends of Michelle Obama's pitched in too. She and Verna Williams '88 were in the same 1L section and became moot court partners that year.

Williams stayed in touch after graduation and remembers the telephone call when Michelle mentioned the new guy named Barack she met at her Chicago law firm. When Obama ran for the Senate, Williams, now a law professor at the University of Cincinnati, and her husband, David Singleton '91, helped raise money, and they did the same once he announced his bid for president.

"He's run a brilliant campaign, and she's been just amazing," said Williams before the election. "When you think about how difficult it must be to be married to this guy running for president and raising two young kids at the same time. But if anyone could do it, Michelle can."

Meetings of Obama's campaign policy advisers might have felt like a law school reunion too. His inner circle included several members of Harvard Law School's class of 1991.

He tapped his law school classmate Cassandra Butts as a principal domestic policy adviser during the campaign. A former top aide to Congressman Richard Gephardt, she'd previously helped Obama set up his Senate office in 2005.

Julius Genachowski '91 became a top adviser on technology policy, and Froman, a top Citigroup executive, was a key member of his economic team.

So, too, would Obama come

to rely on the advice of Harvard Law School faculty, many of whom he's known since his student days.

His roster of top legal advisers included Minow, Tribe, Charles Ogletree '78, Cass Sunstein '78 and Ronald Sullivan '94, director of HLS's Criminal Justice Institute. (Most were reluctant to discuss their roles in the campaign.)

Obama had turned to many of these professors for policy advice before. Sunstein, who first met him when both taught at the University of Chicago, was sitting in his office there one day when Obama called unexpectedly.

The senator wanted to talk about pending legislation regarding the warrantless surveillance program. For 20 minutes, he quizzed Sunstein on every aspect of the bill, pressing him with counterarguments for every point he raised.

Obama's mastery of legal details impressed Sunstein—as did his insistence on thinking through every aspect of an issue before he made a decision.

"He's just extremely thoughtful and open-minded and the farthest thing from an ideologue, especially when it comes to law," Sunstein says.

Several HLS professors offered more than policy advice once Obama announced his candidacy. For the first time in his life, Tribe wound up campaigning for a presidential candidate. He spoke before crowds of 50 to 500 undecided voters in libraries and cafeterias in New Hampshire and Iowa.

Sunstein signed up to be a campaign volunteer for Obama in Iowa in January 2008. After knocking on doors and manning a phone bank, Sunstein stood in the audience in Des Moines when Obama delivered his first victory speech of the campaign.

"Thank you, Iowa," Obama

began. "You know, they said this day would never come."

Sunstein listened to many more of Obama's speeches during the course of the campaign, but still thinks none topped that one in Des Moines.

"It had a kind of generosity and also a seriousness that I think defined the campaign at its best," Sunstein says.

MORE THAN NINE MONTHS

after the Iowa caucuses, and nearly 20 years after Obama walked into his office in search of a research assistantship, Tribe stood in Chicago's Grant Park, celebrating with nearly a quarter million others a victory many didn't expect to see in their lifetimes.

Amid the excitement, the Obamas made time to speak with him in one of the VIP tents just off stage. They hugged him and thanked him for his role in educating Barack. Tribe found

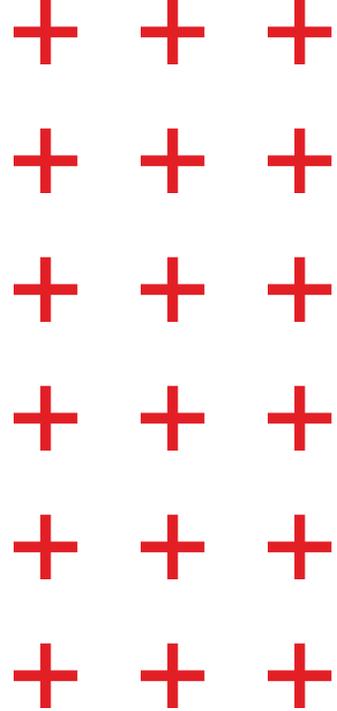
WHEN OBAMA SPOKE AT HLS AFTER HURRICANE KATRINA, HE CHALLENGED HIS LISTENERS TO THINK OF THEIR OWN COLLECTIVE FAILURE TO HELP THE URBAN POOR.

himself uncharacteristically tongue-tied—unable to express his thoughts and feelings. But the next morning, he put them into words.

"It was I," Tribe wrote in a column for Forbes.com, "who owed thanks to them, thanks for the journey on which they had embarked to reclaim America for all who dare to hope." *

As the Bulletin went to press, several alumni mentioned in this story were named to serve on Obama's transition team, including Cassandra Butts, Michael Froman and Julius Genachowski.

IN A WIDE-
RANGING
INTERVIEW,
PALFREY AND
ZITTRAIN
SURVEY THE
FUTURE OF
THE WEB

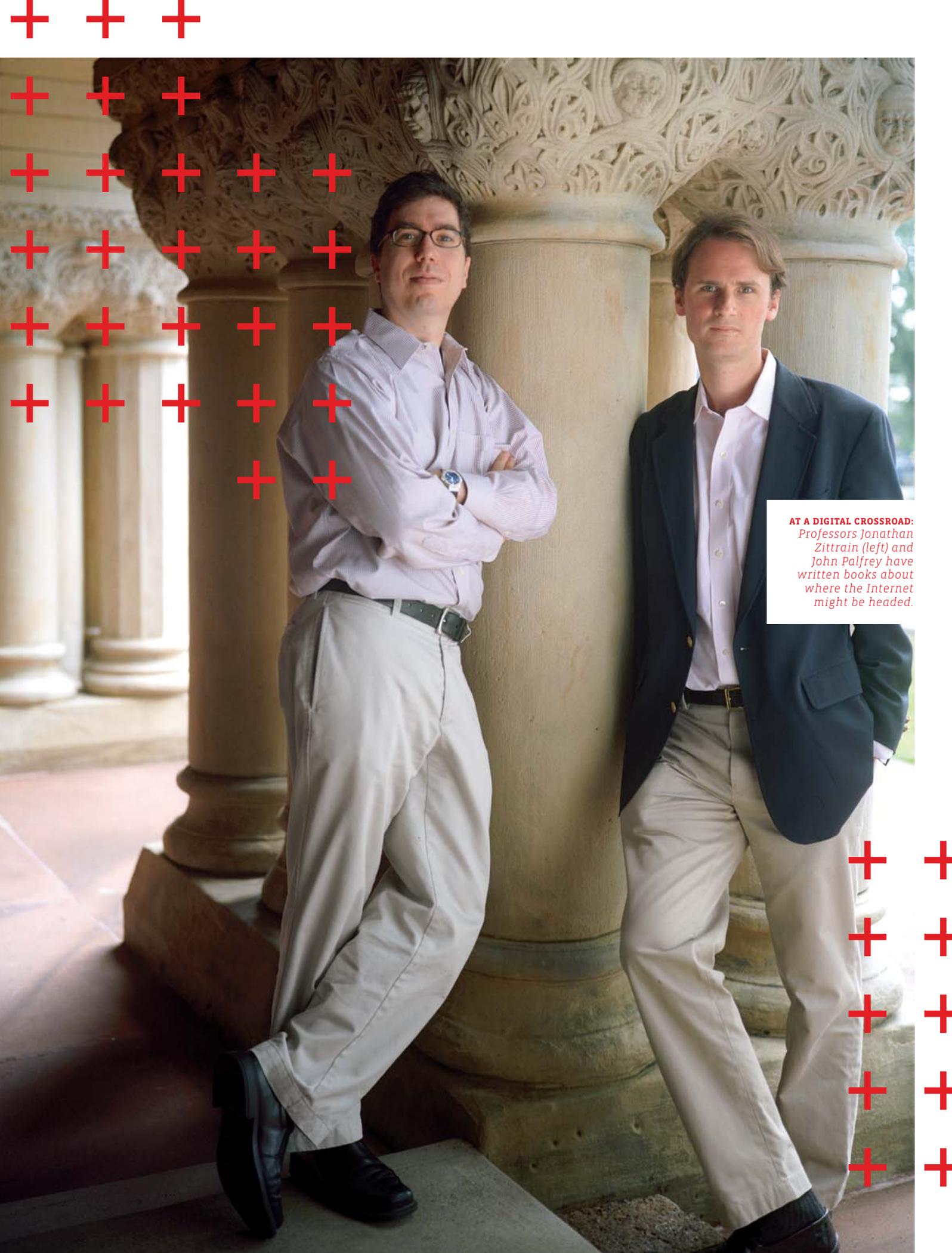


Rescuing the Internet

for Digital Natives and the

*Rest
of
Us*

Professor Jonathan Zittrain '95 is on the phone with his mother. "Are you online these days? Why not?" he asks, with genuine surprise. How can the parent of one of the world's leading Internet experts live an unconnected life? His mom pleads her case: too many e-mails. Zittrain suggests ways she can reduce spam and other nuisances without giving up



AT A DIGITAL CROSSROAD:
Professors Jonathan Zittrain (left) and John Palfrey have written books about where the Internet might be headed.



the many benefits of the Internet—the very topic, it turns out, that Zittrain and John Palfrey '01, faculty co-directors of the HLS Berkman Center for Internet & Society, are discussing in Zittrain's office.

If Zittrain's mother, let alone corporations and governments, becomes too frustrated or threatened by problems on the Internet, the solutions may destroy the very qualities that make the Internet a revolutionary medium. As concerns mount about everything from spam to piracy, from privacy to child safety, the Web is at a critical juncture, they argue, its future uncertain and perhaps in serious jeopardy. The wrong choices—toward overregulation or “closed” technologies—will stifle freedom and innovation, alienate young people and drive some users to options that are actually less safe.

Both faculty members have recently published highly regarded books that urge thoughtful responses to the Internet's challenges in ways that preserve the best aspects of the digital world. Zittrain's work, “The Future of the Internet—And How to Stop It” (Yale University Press), praises the “generativity” of the Internet and PCs—their ability to absorb new programs and technologies so the cyberworld is in a constant state of reinvention—but worries about the movement toward controlled technologies. Palfrey's book, co-written with Urs Gasser LL.M. '03, director of the Research Center for Information Law at the University of St. Gallen, in Switzerland, is titled “Born Digital: Understanding the First Generation of Digital Natives” (Basic Books). It examines the digital divide between children who accept the Internet as basic to relationships, learning, work, and more, and their parents who don't understand the cyberworld and often react in fear.

While Zittrain and Palfrey worry about losing what's best about the Internet, both books ultimately are optimistic, presenting reasoned solutions and urging parents, lawmakers, technology companies and others to assume a role in preserving the medium. And, they note, the optimal solutions are likely to come from those who are allowed to continue to use the Internet with as little interference as possible: the digital natives. They expanded on their views in a recent Q&A with Elaine McArdle:

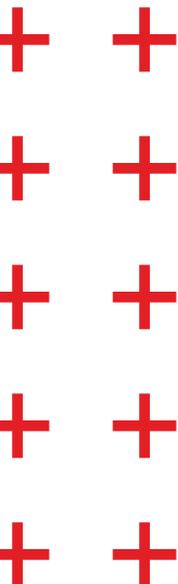
What are the problems that have brought the Internet to this critical juncture?

PALFREY: Some of the problems we see, at least from the perspective of parents and teachers, are that

kids are bad, kids are endangered, and kids are dumber than they were before [the Internet]. In each of those cases, there's some evidence that gives reason for that worry, but I think that fundamentally it's overstated. In terms of kids being bad, people worry about aggressive behavior and bullying, that kids are meaner on the Net. I don't think that's a fundamental trait in kids—it's how people have been using this set of technologies to mediate their relationships. And it's something parenting and common sense can address. In terms of danger, parents are worried their kids will get abducted. That does sometimes happen. But it doesn't happen any more frequently online, and it doesn't happen more today than 10 years ago. Again, that's something where common sense and a little help from technology can go a long way. Third, in terms of kids being dumber, that's again just fundamentally untrue. I do think they're learning in a really different way, and one of our biggest challenges as teachers is, how do we harness the most creative things that the most sophisticated kids are doing with this technology and how do we curb their worst excesses?

ZITTRAIN: The problem I see is that the openness of the Internet and of PCs—the “generativity” of these platforms—is too easily subverted. There are twin worries: one, that the essentially anarchist, we-don't-need-governance-we-can-build-this-barn-ourselves view of technology is starting to hit its limits. Worry two is that the most obvious reaction to that will be as bad as the problem or worse, that we're going to flee from the suddenly dangerous rain forest into suburbia, and suburbia is a new range of closed or managed networks or closed or managed software. Apple's iPhone is a great example. It's open to software, but Steve Jobs gets to approve every single piece of software and can reject any prospectively or retroactively that appears on the iPhone. If this becomes the prevailing model, we'll lose our shared technology platform where anything can happen from left field—where beneficial disruptions can arise and prove themselves before people have a chance to panic.

PALFREY: This is one of the connecting points of our books. One of the tenets of the Berkman Center, and a core tenet of “Born Digital,” is that kids can learn by doing something in ways that are transformative for



them and for society. But if Jonathan's story comes out the wrong way, all that goes out the window in terms of what young people can do.

ZITTRAIN: It's a great point of connection because some perceptions of kids today are that they're slack-jawed, with iPods in their ears, indifferent to what's going on. Others say no, they're out there doing cool stuff, making viral videos, honing their Facebook pages and MySpace accounts, and the nerds among them might be writing code. The second group can't thrive in a world where, at the level of code and content, the training wheels never come off, where there's always a gatekeeping figure. It's one of an interesting set of futures so different from each other, and we don't know which one will come about: the one where the training wheels are bolted on for life, and large-scale coding and expression are left to professionals, or the one where they aren't.

John, your book "Born Digital" is one of the first to say parents can't just come to their kids and tell them, "I don't understand this and so I'm going to make you turn off the computer."

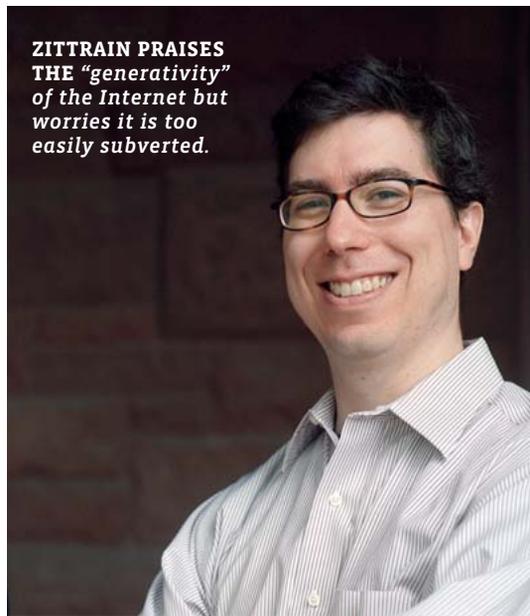
PALFREY: Nor should you say, "I don't understand this world, so good luck!" They're equally bad. The most interesting stories we heard in doing the research was about parents and teachers who truly let young people be their guides, for MySpace or Facebook or YouTube or something more dramatic like Second Life. It's not like parents are going to spend a lot of time there, but they can see that common sense really helps, that as foreign as it seems before they get in there, there are some pretty obvious ways parents can help. But you have to take the first step of getting in there.

Both of you are concerned that the Internet will be hijacked through misguided regulation or closed environments. What are the worst things that could happen?

ZITTRAIN: I have two worries. First, it's hard to tell people what innovations they will miss out on in a suburbanized environment, not only because it's hard

to visualize innovations that haven't happened—who would have thought Wikipedia was a good and plausible idea before it happened?—but also because at first many truly disruptive innovations seem stupid or illegal or dicey. It's not clear to me that Tim Berners-Lee would have had success with the World Wide Web if he'd had to persuade someone at AOL Time Warner that it was good idea at [that] time when there were no Web pages. My second concern is what happens when you have intermediaries who can, thanks to ubiquitous networks, reprogram the way their customers' devices work. We're starting to see examples, such as car navigation systems that get reprogrammed to surreptitiously turn on the microphone so law enforcement can listen in on conversations. It's weird to see us so casually, through home purchasing choices, building this infrastructure. And once it happens, I think it might be difficult to abandon it. Certainly once governments rely on it, they won't want to see it go.

PALFREY: My concerns are very similar to Jonathan's, in the sense that many of them are simply the things we can't imagine today that young people would do or be able to do that just won't happen if we restrict the environment more than is optimal. Lawmaking, like parenting, is about balance. We want to keep people from harm but don't want to do so in a way that constrains behavior unnecessarily. Another way to think about it, is [the danger of introducing] more acute harm, in the context of safety. I chair an Internet Safety Technical Task Force, formed by 49 attorneys general and MySpace, in which tech companies are coming together to try to figure out how to use technology to keep kids safe online. What I'm most concerned about is a situation where no one is helping young people, or where [adults are] doing so much that they push [kids] out into less safe environments. New environments in computing are created once a month. Why do young people go to Facebook? They don't want to be in the other public spaces we've created. What I'm worried about is if we say MySpace and Facebook are unsafe or otherwise constrain those environments so they're unpalatable or boring, young people will go to other spaces that are less safe.



ZITTRAIN PRAISES THE "generativity" of the Internet but worries it is too easily subverted.

What kind of responses to your books are you getting? Are lawmakers interested?

ZITTRAIN: Neither of our books claims to have the whole picture, and we advance some nicely contestable propositions. For example, people love their iPhones. They don't want to hear anything wrong about their iPhones, and I say that as a happy iPhone owner. Many people who might be thought of as fellow travelers on the wow-it's-great-that-the-Internet-is-open side of things don't think there's any action that ought to be taken to preserve it through compromise. I don't think that's good because, while it may end up preserving the Internet for those obsessive and nerdy enough to fend for themselves, the rest of us will end up with the equivalent of cable TV. On the other side, there are a lot of people who say, "It's about time the Internet or PCs became as or more capable of being regulated, tamed and predictable as every other information technology we've developed."

PALFREY: "It's grown-up, so act that way!"

ZITTRAIN: Exactly. I want the youthful, informal aspects of our information technology, but I also realize it's the 21st century. You can't just have a framework designed for people who would rather build their own clock than buy one.

Who shares responsibility for keeping the best of the Internet while addressing these valid concerns?

PALFREY: In most cases, the young people themselves are in the best position to solve the problems. "Born Digital" talks about concentric circles, where you start with the young people, and as you go rings out, parents are next because they have the trust of, and access to, the young people, and teachers and mentors have important roles, then tech companies. I'd push social network sites like MySpace and Facebook into this category. They can do a lot. And we should consider the law. There are a few places where the law should be changed and could help. But that should be the last resort and not the first, and I say that very respectfully as a lawyer who believes deeply in the power of law to organize our society.

Why should law be the last resort in this environment?

PALFREY: At a time of extremely rapid change, adopting a new law is very hard to do in a way that will achieve your public policy objectives for very long, if at all. The U.S. Code is riddled with things like the Audio Home Recording Act of 1992, which was seeking to regulate a particular technology, digital audiotape, which never took hold. And there are much worse examples. Jonathan and I have written a book on Internet censorship, "Access Denied." You can look across the world and see laws that were meant to address what may have been real problems but which have much greater ramifications than anyone who passed them could have imagined.

One of the issues John's book raises is digital overload, including multitasking. Can students—including law students—absorb information when they're doing two or five things at once? If not, how do you stop them?

ZITTRAIN: The studies are pretty clear that multitasking doesn't work. In my first-year torts class, I don't allow laptops. On the other hand, I've been working on a number of other real-time digital tools for less stylized classes as well as workshops and conferences. For example, as a class or event is unfolding, students enter questions into a simple Web page and it automatically appears on screen, and if it gets enough positive response from the other students tracking the page, it's introduced into the class itself—and students can answer each other's questions on the fly, including those that don't rise to the level of interrupting the class. That's been a lot of fun, and helped make class sessions more productive, especially when there are varying levels of expertise or language barriers in the room. So let's make [multitasking] topical and relevant, and we can make [classroom learning] better than without it. A law school is a fabulous place to think about this, since so much of the enterprise is to teach people in a participatory fashion—not, this is the law, here's what you need to obey. *

Preserving Free Speech on the Internet

In a cyberlaw clinic, students help litigate matters of first impression

For students looking for cutting-edge legal work in the realm of new technologies, there may be no better place than the Cyberlaw Clinic at the Berkman Center for Internet & Society. This fall, more than 40 students are involved in a wide range of projects that explore areas such as free speech, intellectual property, and online child safety in the context of the Internet and other rapidly developing technologies. Many of the projects the center undertakes involve issues being litigated for the first time.

In one case, the clinic assisted in the preparation of an amicus brief filed on behalf of almost a dozen organizations dedicated to preserving free speech on the Internet, including the Berkman Center's Citizen Media Law Project, the Los Angeles Times, the Reporter's Committee for Freedom of the Press and the Society of Professional Journalists. Legal action had been brought by Cayman Islands-based Julius Baer Bank and Trust and its Swiss parent company against Wikileaks, a Web site where individuals can leak documents without being traced. Julius Baer claimed the leaks included confidential bank documents. A federal judge issued an injunction that shut down the site, although the contested documents were but a small fraction of the more than 1.2 million in its online database.

"Under established First Amendment law, prior restraints, if constitutional at all, are permissible only in the

most extraordinary circumstances," says David Ardia LL.M. '07, director of the Citizen Media Law Project. "In this case, you have court orders that effectively shut down a Web site that has been at the forefront of exposing corruption in governments and corporations around the world and enjoin anyone who reads the order from publishing or even linking to the documents."

In a hearing two weeks later, the defendant prevailed, based in part on a brief written with substantial assistance from Savith Iyengar '09, a clinical student. In addition to writing portions of the brief, Iyengar participated in the editing process, and traveled to San Francisco for strategy sessions with counsel for amici before attending the hearings at the Federal District Court.

After lamenting a disconnect between modern technology and constitutional jurisprudence, the judge conceded that the court can do only what the Constitution and Congress permit it to do. He concluded that serious questions implicating prior restraint and the public interest had been raised regarding the injunctive relief issued earlier (and which the bank was seeking to extend at the hearing). The injunction was lifted, and five days later, Julius Baer abandoned its lawsuit, Iyengar notes.

"The case demonstrated the ease with which unsubstantiated prior restraints on online speech could be implemented," he says. E.M.

SAVITH IYENGAR '09
(right) worked with David Ardia LL.M. '07, director of the Citizen Media Law Project, on a case involving prior restraint and the Internet.



SPECIAL SECTION: Defining the *future*

A LOOK AT WHAT THE LAW SCHOOL'S "SETTING THE STANDARD" CAMPAIGN IS MAKING POSSIBLE

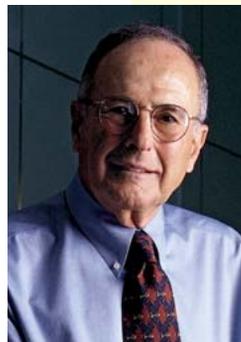
“Here,
HAVE A
Seat”

OFTEN, THERE'S
A BOND
BETWEEN THE
DONOR OF A
NEW CHAIR
AND THE
SCHOLAR WHO
OCCUPIES IT

HARVARD LAW SCHOOL'S faculty has expanded rapidly in recent years, reaching an all-time high of 101 full-time members. During the past five years alone, 40 professors were hired, including those who hold the newly created clinical professorships. That growth enables smaller classes, increased collaboration between faculty and students, and unprecedented breadth and depth in curricular offerings and research. It has been made possible in part by the generosity of alumni who have endowed chairs during the recent fundraising campaign. Here, the Bulletin looks at eight of those donors and the ties that connect them to the professors who occupy the chairs they endowed.

Howard Aibel '51 focused on plenty of areas of law as executive president and chief legal officer of ITT Corp. from 1968 to 1994 and then while developing the negotiation and mediation practice at LeBoeuf, Lamb, Greene & MacRae. His wife, Kathy, saw a different side of the legal system as a social worker and volunteer court-appointed guardian in Connecticut's juvenile courts. When they decided to endow a faculty chair, the Aibels made clear they had no preference about what area of law its holder might pursue. But Aibel found that

HOWARD AIBEL '51 (right) and his wife, Kathy Aibel, endowed a professorship held by criminal procedure expert Carol Steiker '86 (far right), whose work focuses on the death penalty.



JEFF ZELEWANSKY



KATHLEEN DOOHER

the choice of **Carol Steiker '86**, a criminal procedure specialist who focuses her scholarship on the death penalty and advises the dean on all matters related to the school's public service mission, was a perfect fit. "I have had a great interest in civil liberties, having been a long-term 'card-carrying' member and supporter

CHARLES HIEKEN '57 CREATED A CHAIR FOR THE PATENT LAW SPECIALIST HE NEEDED WHEN HE WAS AT HLS.

of the ACLU," says Aibel. "Then to discover that she is the dean's designee as faculty promoter to students of public interest legal practice was frosting on the cake."

"I'm very, very proud to be sitting in their chair," says Steiker of Howard Aibel and of Kathy Aibel (who died in 2006). "They really were committed to giving, not just in terms of money, but also with time, to make the world a better place."

Domenico De Sole LL.M. '72 chose business over law when he graduated from HLS. He nonetheless credits the school with preparing him for his future success. As president and CEO of the Gucci Group, De Sole would turn the company into an \$8 billion fashion industry giant, gobbling up luxury brands including Yves Saint Laurent and Boucheron. "I felt it was my duty to repay the school for the trust and the help," De Sole says. The one request De Sole made was that the chair benefit a professor who focuses on business law. The beneficiary is **Kathryn Spier**, an expert on law and economics and business strategy,

who joined the faculty in 2007 from Northwestern University's Kellogg School of Management and School of Law.

"This helps diversify the faculty in terms of research and course offerings," says Spier. "Law students really benefit from getting a business education."

Joseph H. Flom '48 gained wide renown as one of the nation's leading merger and acquisition specialists, at Skadden, Arps, Slate, Meagher & Flom in New York City. But his interests are much broader, extending to human rights and bioethics. He has recently made donations to Harvard Law School for programs in both of those areas, both individually and as a trustee of the Carroll and Milton Petrie Foundation. Flom was a friend of Milton Petrie, a New York philanthropist known for giving money to leading institutions such as the Metropolitan Museum of Art and also to needy individuals he read about in the *New York Post*. In 2005, the school established the Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics. When it came to endowing a related chair, Flom—with a professorship in commercial law already in his name—was happy to see the establishment of the Carroll and Milton Petrie Professorship of Law. The first professor to hold the chair is **Einer Elhauge '86**, who also directs the Petrie-Flom Center (see related story, p. 50).

"It's what one ought to do," Flom says of his support. "I thought the biotech revolution was running a lot faster than the legal underpinnings." And Harvard Law School, he says, is an ideal place for the study of these issues.

Rita E. Hauser '58 has been a longtime champion of human

rights, both as a U.S. representative to the United Nations' Human Rights Commission and as a board member of the Global Humanitarian Forum. Her interest in human rights generally and the laws of war in particular motivated her to support Harvard Law School's Human Rights Program (see story, p. 50). Hauser made it clear that if the right professor could be found to fill a chair in the field, she'd endow it. After **Ryan Goodman**, who had worked on the International Criminal Tribunal for the former Yugoslavia and at the U.S. State Department, joined the faculty in 2002, Hauser knew it was time to create the chair. Hauser has the highest praise for Goodman's scholarship and his leadership of the Human Rights Program, which he directs.

Goodman says, "The Rita E. Hauser Chair guarantees that the subject of human rights and humanitarian law will constitute a permanent priority at Harvard Law School. It is humbling to serve as the first occupant of this historically significant chair."

Charles Hieken '57 has wanted Harvard Law School to have a full-time patent law specialist on its faculty ever since he was a student looking for a professor to supervise his third-year paper on a section of the Patent Act of 1952. And in fact, his interest in the subject predated his time at Harvard Law. Hieken worked as an assistant to the patent attorney at an MIT laboratory for electronics after earning his bachelor's and master's degrees there. After graduating from HLS, he went on to a distinguished career practicing intellectual property law for the next 50 years, mostly at Fish & Richardson in Boston. So when he decided to endow a professorship, Hieken knew just what he



THE FAMILY OF current HLS Professor Alan Stone (left) endowed a chair in his name. Jon Hanson (below), the first occupant, calls it “an extraordinary honor to receive a chair celebrating a person whom I’ve admired so much [and worked with] over the last 15 years.”



PHIL FARNSWORTH

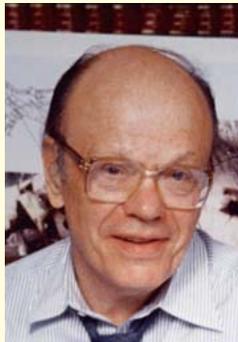
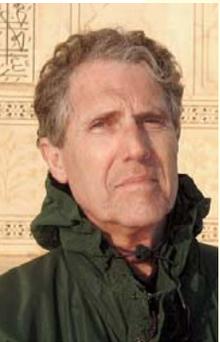
RITA E. HAUSER '58 (right) funded the school’s first endowed chair for a scholar focused on human rights and humanitarian law. Ryan Goodman (far right) is the occupant.



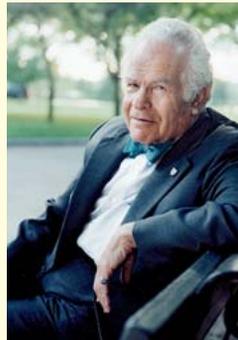
LEAH FASTEN



PHIL FARNSWORTH



LEE KREINDLER '49 (above) represented plaintiffs in airline disaster suits. Torts expert David Rosenberg (left) holds the chair created after Kreindler’s death.



KATHLEEN DODDER



MARTHA STEWART

CHARLES HIEKEN '57 (center-left) endowed a professorship in patent law. Benjamin Roin '05 (left), whose scholarship focuses on patent law and biotechnology, holds the chair.

MICHAEL KLEIN LL.M. '67 (right) endowed a chair occupied by Randall Kennedy (far right), who has written several acclaimed books on racial issues.



DAVID BEAL



RICHARD CHASE



PHIL FARNSWORTH

DOMENICO DE SOLE LL.M. '72 (far left), former CEO of Gucci, endowed a chair for a scholar focused on business law—a good fit for Kathryn Spier (left), an expert on business strategy.

wanted the focus to be. The result is Harvard Law's professorship focused on patent law—its holder a young faculty member who will make a perfect supervisor for a third-year paper on the subject.

“Having someone in practice

**“I WANTED TO
RECIPROCATÉ FOR
THE SUPPORT THE LAW
SCHOOL GAVE ME.”**
—MICHAEL KLEIN LL.M. '67

with Mr. Hieken's experience take an interest in my scholarship and introduce me to people in the field has been invaluable,” says **Benjamin Roin '05**, a specialist on the intersection between patent law and biotechnology, who joined the faculty earlier this year.

Michael Klein LL.M. '67 hasn't slowed down since retiring from law practice, which included partnership at WilmerHale in Washington, D.C. He co-founded the Sunlight Foundation, which aims to increase government transparency, and was president of the PEN/Faulkner Foundation, which supports literature and awards an annual prize for young novelists. In 2004, he decided he wanted to endow a professorship. “I got to a place, I was successful in life, and I wanted to do something to reciprocate for the support the law school gave me,” Klein says. He didn't specify any particular area of law, but he and the recipient of the chair, **Randall Kennedy**, discovered several ties, including a common interest in literature. Kennedy is the author of four well-regarded books on racial issues, including, most recently, “Sellout: The Politics of Racial Betrayal.” Kennedy grew up

in Washington and graduated from the same high school as Klein's sons. After graduating from HLS, Klein taught civil rights law—also a focus of Kennedy's work—at Louisiana State University.

“The law school has an interesting set of professorships, including some old historical characters,” says Kennedy. “It's a nice touch for me personally to occupy a chair named after somebody who is still with us—and still doing so much good in the world.”

Lee Kreindler '49, whose law firm represented plaintiffs after nearly every major airplane disaster of the last half century, was widely considered the founding father of air disaster law. So it is only natural that **David Rosenberg**, the first occupant of the Lee S. Kreindler Professorship of Law—endowed by Kreindler's family after his death in 2003—should share his interest in tort law. Ironically, Rosenberg notes, he and Kreindler were adversaries in a case not long ago. In a dispute over who should lead the plaintiffs' side of a complex litigation, Kreindler represented one group of victims in the 9/11 attacks in civil damage actions against several foreign countries, while Rosenberg served as a consultant to a different group of victims. “The professional attributes that enabled Kreindler to become a leading attorney were evident in our encounter,” Rosenberg recalls. “He mastered the whole skein of the questions and material circumstances and patiently played his hand with exquisite timing and poise.”

“The Kreindlers' decision to endow a chair is a remarkable moment for Harvard Law School and the profession it makes,” Rosenberg says.

Ruth Kreindler says the gift reflects her husband's feelings toward the school that gave him a great legal education and laid the foundation for his career. “He always felt a sense of pride and gratitude toward the professors and Harvard Law School,” she says.

When Harvard Law Professor **Alan Stone's** sons, Douglas and David ('84) Stone, wanted to honor their father, they had a great vehicle for doing so. They sit on the board of the Smart Family Foundation, a philanthropy that has funded educational reform efforts and the University of Chicago's art museum. And when asked, their father knew just where he wanted the money to go. “I wanted them to give a chair to Harvard Law School,” he says. “I just felt grateful to Harvard Law School. I've had my whole adult career here, and I wanted to give something back.” He has been a professor of law and psychiatry on the Harvard faculties of law and medicine since 1972, and after he retires, the chair will bear his name. In the interim, it's named for his father-in-law, Alfred Smart, the co-founder of an educational firm and publishing company whose magazines included *Esquire*. The first faculty member to hold the chair is **Jon Hanson**, an expert on torts and corporate law, who most recently has been delving into an exploration of ideology, psychology and law.

“Alan Stone is not only a remarkable scholar and teacher, he is one of the most insightful, genial and generous people I know,” says Hanson. “It is an extraordinary honor to receive a chair celebrating a person whom I've admired so much and with whom I have had the privilege of working over the last 15 years.”

SETH STERN '01

**OTHER
PROFESSORSHIPS
ESTABLISHED
DURING
THE CAMPAIGN**

- HARVEY GREENFIELD PROFESSORSHIP OF SECURITIES LAW, established in 2005 and held by Allen Ferrell '95, who joined the HLS faculty in 1999
- ONEIDA INDIAN NATION VISITING PROFESSORSHIP OF LAW, established in 2003 and currently held by Bethany Berger, associate professor at University of Connecticut School of Law
- WILLIAM K. JACOBS JR. VISITING PROFESSORSHIP OF LAW, established in 2003 and currently held by Kirk Stark, professor at UCLA School of Law
- SIDLEY AUSTIN VISITING PROFESSORSHIP OF LAW, established in 2006 and currently held by Gillian Lester, professor at University of California at Berkeley School of Law-Boalt Hall
- During the campaign, HLS received commitments for another eight professorships to be established in the future.



WORLD-CLASS Support



*HLS CONTINUES
TO EXPAND ITS
INTERNATIONAL
FOCUS—AND ITS
GRADUATES ARE
TAKING NOTICE*

AS HARVARD LAW School has increasingly emphasized the study of international, foreign and comparative law in the last several years, donations from international alumni and gifts to the school's international programs have been steadily mounting.

Support of international programs by U.S. donors has increased by more than \$27 million since the previous campaign was completed 13 years ago. And during the same period, gifts from international donors to the law school have increased by more than \$10 million.

"Harvard has had a long history of great strength in international, foreign and comparative law," says Professor **William Alford '77**, vice dean for the Graduate Program and International Legal Studies. "But over the past decade, and especially in Dean Elena Kagan's tenure, we have accentuated it even more."

One of the most important changes, he says, is in the first-year curriculum. Every 1L now takes one of several new foundational courses in international or comparative law. These are complemented by more than 65 upper-level offerings dealing with the opportunities and challenges of globalization, and by the increased inclusion of international, foreign and comparative law material in many other courses.

At the same time, the law school has established a joint-degree program with the University

of Cambridge and formal exchange programs with the University of Geneva Faculty of Law, the Graduate Institute of International and Development Studies in Geneva, the University of Sydney Law School, the Fudan University Law School in Shanghai, the University of Tokyo Graduate School of Law and Politics, the Fundação Getulio Vargas Schools of Law in Rio de Janeiro and São Paulo, the University of Chile School of Law in Santiago and the University of Witwatersrand School of Law in Johannesburg, as well as informal links with dozens of other foreign institutions and special human rights clinics in Argentina and Thailand. Through these and a range of summer and winter-term opportunities, several hundred HLS students annually study or work abroad. And students from more than 80 countries are now represented in the student body.

“Harvard Law School has evolved, and it’s a global presence now,” says **John F. “Jack” Cogan Jr. ’52**, co-chairman of the international component of the “Setting the Standard” campaign. A retired partner at WilmerHale in Boston, Cogan says he has an abiding interest in the concept of international practice, having worked in Africa, Poland, Russia, India, China and the Czech Republic during the course of his corporate law practice and as deputy chairman of Pioneer Global Asset Management (Italy) and president of the Pioneer Family of Mutual Funds (U.S.). “You can’t practice law with a parochial point of view,” he says.

Cogan co-chaired the international campaign with **Domenico De Sole LL.M. ’72**. A native of Italy, De Sole is chairman of the fashion design firm Tom Ford International and former president and CEO of the Gucci Group. He received his LL.M. from Harvard on a scholarship. “It helped me dramatically. I feel a moral commitment that I needed to return and be grateful to an institution that helped me from the very beginning.”

De Sole has been heartened by Harvard’s expansion of its international orientation. And he recognizes that “anytime you have an expansion, you have to be realistic about the need of funding these programs.”

Both Cogan and De Sole observe that the law school had never reached out to international donors as systematically as it has over the past five years. Part of the process is educating foreign alumni on the central role that alumni donations play in American higher education. “Not all alumni who have gone to the school

are aware of how much the school supplements the payment of fees,” says Cogan. “In many countries, university education is paid by the state.” Cogan also says that the United States offers expansive and helpful tax deductions for donations, which are not as common in other countries.

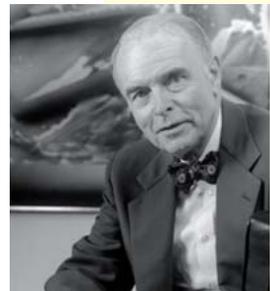
The international campaign has generated support from many corners of the globe. In Tokyo, the law firm Yanagida & Nomura, founded by **Yukio Yanagida LL.M. ’66**, contributed generously to the Ishikawa Memorial Fund, which will support Japanese legal studies at Harvard. Like De Sole, Yanagida and his partners see their contributions as a way to express gratitude. “The decision to support Harvard arose from the close ties our individual partners and associates have with the law school,” says Yanagida. “We are proud to have Harvard J.D.s, LL.M.s and former visiting professors among our number. We value the education and experience we received there. And while we cannot repay that debt, we were glad to contribute so that the next generation might benefit in turn.”

South African native **Tony Bloom LL.M. ’64** recalls how Harvard Law School opened his eyes to a wider world. Chairman of Cineworld UK and a veteran of the struggle against apartheid, Bloom now is helping provide opportunities to subsequent generations of international law students at Harvard. “HLS takes literally hundreds of people, most of whom don’t have the financial means to attend, and finds the money for them,” he says. “Then the students go back to virtually every country in the world and make a difference. There is a multiplier effect.”

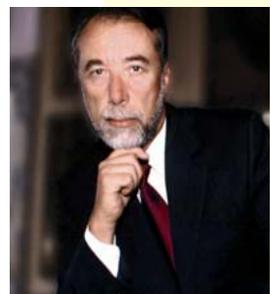
Donations to the international campaign have their own multiplier effect, says Alford. They make it possible for students to study or do research abroad, provide financial aid for international students (a donor challenge netted more than \$2 million for this purpose) and support initiatives with an international scope, such as the Harvard Project on Disability, which influenced the drafting and adoption of the U.N. Convention on the Rights of Persons with Disabilities. The gifts also help to sustain the law school’s burgeoning international clinical programs, such as the International Human Rights Clinic, funded by Rita Hauser ’58 (see story, p. 50), among other donors.

For all of this, says Alford, “the support of alumni has been crucial and we are immensely grateful.”

MICHELLE BATES DEAKIN



STEVE DUNWELL



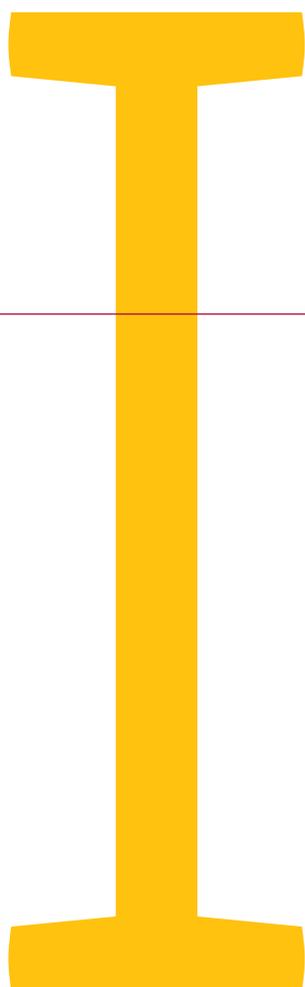
JOHN COGAN JR. ’52 (top) and DOMENICO DE SOLE LL.M. ’72 (above) co-chaired the international component of the campaign. A retired partner at WilmerHale in Boston, Cogan says: “You can’t practice law with a parochial point of view.”



YUKIO YANAGIDA LL.M. ’66 (top), whose Tokyo firm supported a fund for HLS Japanese legal studies **TONY BLOOM LL.M. ’64 (above)**, a South African native, who’d like to provide opportunities to future international HLS students

JONATHAN WORTH

A Growing Treasury of *PUBLIC SERVANTS*



In the five years since Elena Kagan '86 became dean of the law school, HLS's historically significant support for public service work has grown even stronger. The number of graduates choosing that field immediately after graduation has jumped nearly 25 percent. Services that the Bernard Koteen Office of Public Interest Advising provides to students have expanded dramatically, as has the school's Low Income Protection



THE SKIRNICKS—
Robert, Maria '69
and their daughter
Gabriella '07—have
created a fellowship
for alumni working
in public service.



JOY COVEY '89 has
created fellowships
for students and
alumni working in
environmental law.

THE LAW SCHOOL'S INVESTMENT IN PUBLIC SERVICE IS PAYING DIVIDENDS



SAMUEL HEYMAN '63
worked in the Justice
Department under
Robert Kennedy. As
he told the *Bulletin*,
“The psychic rewards
and job satisfaction
are incalculable
where you can
make a difference
on issues affecting
the direction of the
country.”

Plan, which helps qualifying graduates pay back their loans. And a new Public Service Initiative will soon pay the third-year tuition of any student who commits to five years of public service postgraduation. Equally important are fellowships to enable students and graduates to do public service work (many of which were created or expanded during the campaign). Snapshots follow—of some of the people who made the opportunities possible and some students and alumni who are benefiting.

As the recipient of the first fully funded **Maria, Gabriella & Robert A. Skirnick** Public Interest Law Fellowship, Lindsey Schoenfelder '07 was able to pick her “dream job”—providing legal services to immigrant workers, with a particular focus on women’s issues such as sexual harassment in the workplace. “For new attorneys it can be so difficult to make the jump from law school to public interest law,” she says. “I feel as though the Skirnick was a key bridge between me and what I wanted to do.”

A few other Skirnick Fellows each year receive income supplements to work at public interest organizations that otherwise couldn’t afford to hire them. Deborah Gordon Klehr '04, for instance, received a Skirnick along with two other grants to work at the Education Law Center in Philadelphia, where she focuses on school discipline law and the education of children emerging from the juvenile justice system. “This is why I went to law school,” says Klehr. “I love the work we do.”

Maria and Gabriella are mother-daughter graduates of HLS ('69 and '07), and Maria and her husband, Robert, practice together at Meredith Cohen Greenfogel & Skirnick in New York City. “The really exciting thing about this gift,” Gabriella explains, “is the residual effects. You’re helping people help other people. So the effects just continue to ripple outwards.”

When Thomas Cmar '04 received a Beagle Fellowship funding a two-year stint of litigation work at the Natural Resources Defense Council, he saw it

The Money Trail



DAVID DEAL

ADAM SZUBIN '99 is the director of the U.S. Treasury Department's Office of Foreign Assets Control.

as a “career-making” opportunity. Over the past two years, he’s litigated cases on climate change, endangered species protection, public health, and water and air pollution, among other issues. He recently took a permanent attorney position in NRDC’s Chicago office.

Established in 2003, the fellowship is awarded by the Beagle Foundation, a private environmental group run by **Joy Covey '89**, who is the former chief financial officer and strategist of Amazon.com. In the summer of 2008, for the first time, Covey also funded five summer internships in the field of public interest environmental law. One of them was awarded to Matt Wells '09, who explored the environmental and human rights impacts of rubber plantations in Liberia.

Livia França, who grew up in Brazil and received an LL.M. from Harvard in the spring, left this fall for a year in Angola. She’s funded by a Satter Human Rights Fellowship, established at the end of the 2006-07 academic year by **Muneer A. Satter J.D./M.B.A. '88**, a senior partner at Goldman Sachs in the Merchant Bank division. “In Brazil, you don’t find lots of funding for hu-

There’s a saying: Do what you love, and the money will follow. For **Adam Szubin '99**, it’s a little different: With some early help from a Heyman Fellowship, he’s been able to do what he loves—and follow the money.

Earlier this year, when President Robert Mugabe of Zimbabwe crushed his political opposition and declared himself the winner of an election that official observers called a sham, an important part of the U.S. government’s response was to cut off revenue to Mugabe and his inner circle through sanctions. A key figure behind that policy was Szubin, the director of the U.S. Treasury Department’s Office of Foreign Assets Control, which manages the country’s economic sanctions program against rogue countries, terrorist organizations, proliferators of weapons of mass destruction and narcotics traffickers.

THE GOVERNMENT’S TOP TRACKER OF TERRORIST ASSETS GOT HIS START WITH AN HLS FELLOWSHIP

Szubin never imagined he’d end up working in the Treasury Department, but it’s a job he finds “intellectually fascinating and personally rewarding,” he says. “I genuinely wouldn’t trade jobs with anyone on the planet.” Awarded a Heyman in 2000, Szubin started as a trial attorney in the civil division of the Justice Department, defending the government against lawsuits. “Part of the draw of working for the government is that as a young lawyer, you’re given a tremendous amount of responsibility,” he says. But after 9/11, he felt compelled to do even more, and ended up working for the Justice Department on two cases in which charities suspected of channeling money to Hamas and al-Qaida sued the government over the freezing of their assets. “That was the beginning of everything for me,” he says. For more than a year, Szubin worked intensively on the cases, both of which the government eventually won. Much of the evidence against the charities was classified, so Szubin spent hours at a time poring over material in a “sensitive compartmented information facility” with two locks, no windows or phone connections, and a special computer with no outside access.

Because of the expertise he gained from that experience, Szubin began attending meetings with officials in the CIA, the FBI and the Treasury Department, working to pinpoint financial targets in the terrorism world. That eventually led to his current job, which he started in 2006. He now manages an office of about 160, and implements more than two dozen sanctions programs—against countries like Sudan and Myanmar, against Iranian front companies trying to procure missile parts and against individuals known to be part of terrorist organizations. His work is aided by the fact that financial transactions often occur in U.S. dollars. A transfer of money between a company in China and one in Pakistan, for instance, might for a split second flow through the financial markets in New York, enabling the Treasury Department to identify the companies and freeze their assets.

For situations like the one in Zimbabwe, sanctions may be the most powerful tool in the U.S.’s arsenal. “Normally we use diplomacy and at the other end of the spectrum you have military intervention,” he says. “But what is there in between? When diplomacy fails, the main tool is economic or financial leverage, which hopefully can be used to promote good national security outcomes.”

Even though Szubin didn’t expect he’d end up in the Treasury Department, in a job where he’s not a practicing lawyer, he’s known since law school that he wanted to devote his career to public service, and the Heyman Fellowship was a helpful nudge along that path. “It made my first step all that much easier and more possible, and I remain very grateful to the fellowship not only for the assistance, but also for the continued mentorship opportunities it has given me, allowing me to be a part of a remarkable network of public servants.” **K.B.**

A New Deal for Public Service

Bernard Koteen '40

grew up during the Great Depression and went to law school during the New Deal. "There was great emphasis by the Roosevelt administration on serving the public, so it was natural for many of my classmates and me to have that concern and begin our legal careers in public service," said Koteen in a 2003 Bulletin interview.

After graduation, Koteen went to work for the Farm Credit Administration, where he found a way for Dutch farmers living in the Pacific Northwest to keep the mortgages on their land despite the fact that their country and its banks had been overrun by the Nazis. Koteen joined the Navy after Pearl Harbor and stayed in the military for the next four years. He then built his career in the telecommunications industry—first

with the Federal Communications Commission and then at his own telecommunications law firm, Koteen & Naftalin, where the work included encouraging clients to add "significant public service programming to their broadcasts," he says.

Since the Office of Public Interest Advising was founded in 1990, Koteen has been a strong believer in its mission and a generous funder. The office's staff is committed to helping HLS students and alumni find public service work that fits their values and inter-

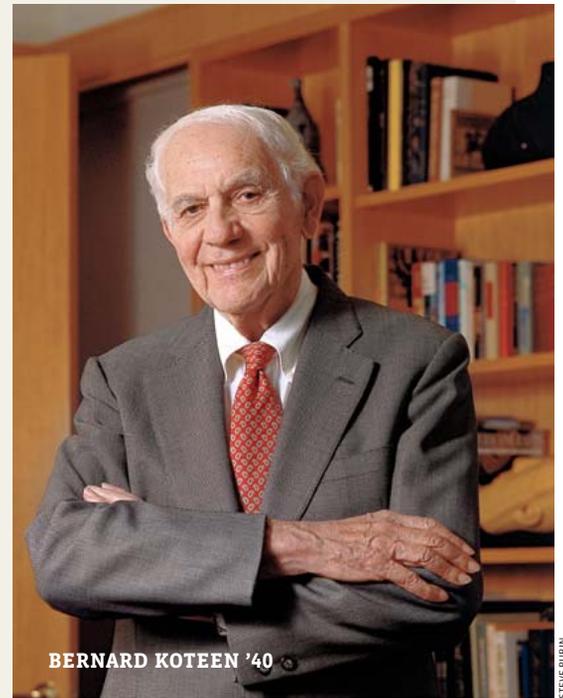
A LAWYER FOR MORE THAN SIX DECADES, BERNARD KOTEEN OFFERS INVALUABLE ADVICE

ests throughout their careers—from summer internships to full-time public interest jobs to incorporating significant pro bono work into a job in the private sector. "I have always been very enthusiastic about OPIA's purpose of encouraging students and graduates to avail themselves of the great opportunities to participate in public service," he says. In 2003, OPIA was renamed the Bernard Koteen Office of Public Interest Advising, to recognize the depth of his support.

Koteen recalls that when he graduated from HLS, the starting salary in a government job was \$2,000—only about a hundred dollars less than what law firms paid. Recognizing that today's students face a much starker

differential and much higher law school debts, Koteen has also contributed significantly to the Low Income Protection Plan, which provides debt relief to graduates in public ser-

vice work. "Those who preceded us ... made it possible for us to go to the law school, and we [have] both an obligation and an opportunity to help those who follow us," he says. **K.B.**



BERNARD KOTEEN '40

STEVE RUBIN

man rights work, so for me it's amazing to receive this scholarship," França says. In Angola, a country trying to rebuild after 30 years of civil war, she will work for the Association for Justice, Peace and Democracy, helping to reform the penal code, monitor the judiciary and educate the population about the workings of free elections.

Scott Paltrowitz '08, another recipient of a Satter Fellowship, is spending a year in Chad working for the refugee organization Mapendo International. He'll be interviewing refugees from Sudan and Central African Republic at 12 different camps, documenting their

stories and using his knowledge of international law to help improve their situations. Because it can be difficult to break into the human rights field without experience, the Satter Fellowship is "a good stepping stone, and a good opportunity to shape what I'd like to do in Africa," Paltrowitz says.

One of the largest fellowship programs at HLS, the Heyman Fellowships provide financial assistance to graduates who join the federal government. Since **Samuel Heyman '63** established the program in 2000, 150 alumni have received the grants.

Susanne Sachsman '02 and Dan-

iel Grooms '02, a couple throughout law school and now married with a daughter, decided early on that they wanted to work for the government after graduation. After clerkships in different cities, they ended up in the Department of Justice's tax division, both of them drawn by the opportunity to gain good litigation experience and both funded by Heyman Fellowships. Sachsman called the grants "a great incentive" that has facilitated their careers as public service lawyers—and even helped them save money toward the down payment on their first home. The network of Heyman Fellows in

the area has been helpful as well, especially when Sachsman was looking to switch jobs—becoming counsel to the House Oversight and Government Reform Committee, where she helped

FOR THOMAS CMAR '04, A TWO-YEAR BEAGLE FELLOWSHIP WAS A CAREER-MAKING OPPORTUNITY.

investigate waste, fraud and abuse by the federal government. Most recently, she joined the Internal Revenue Service, where she is now senior policy adviser to the deputy commissioner for services and enforcement. Grooms has stayed within DOJ and is now an assistant U.S. attorney for the Eastern District of Virginia, focusing on organized crime and drug enforcement. “I think we both would very much like to stay in public service law. We both like what we do and think we’re doing something good,” says Grooms.

Leo Wise '03 went to Harvard Law School knowing he wanted to be a prosecutor. But he couldn't have known that six weeks into his job as a trial attorney for the Department of Justice, he'd be in court examining a

witness in the biggest fraud case the government has ever brought. Wise was part of the litigation team that successfully tried Big Tobacco for fraudulent marketing of cigarettes, and other crimes. “What made this case so appealing to me was that it was about the government acting in an affirmative role as a plaintiff to affect society's problems.” His next case was just as high-profile: In 2006 he was assigned to the Enron trial, and he spent

eight months in Houston prosecuting Kenneth Lay and Jeffrey Skilling. These days, Wise is on detail as counsel to the head of the criminal division, serving as a liaison to other law enforcement agencies and as an adviser on legislation, policies, indictments and the like. He is planning to return to litigation later in the fall.

Wise calls the Heyman Fellowship, which he received in 2004, “an affirmation of the decision to go into government service that can't be underestimated.” It is also partly responsible for his decision to continue working for the government. “The financial boost extended my time horizon for my career in public service, maybe indefinitely,” he says.

In a sense, Katharine Buzicky '07

started working for the federal government while in college at Princeton, N.J., where she joined the Army ROTC program. During law school, she conducted research for DOJ's counterterrorism section through a special HLS clinical program. Buzicky joined the 1st Cavalry Division in Fort Hood, Texas, in December 2007 and anticipates deploying to Iraq. An Army captain, she serves as an operational law attorney, “scrubbing” the commanders' operation plans to ensure their legality and advising them on law of war and rule of law issues. “We try to make sure the commanders understand what's lawful and right, so they can set the tone for the young soldiers who have to make the split-second decisions on the ground,” she says.

Receiving the Heyman Fellowship, Buzicky says, “made it possible for me not just to serve in the Army but also to have a life—pay off some of my debts, own a car, those nuts-and-bolts-type things.” Because of her ROTC scholarship, she is committed to the Army for four more years—and she may stay longer still. “You can do it as long as you love it. I wake up every day and feel like I have a chance to take a hard problem and do the right thing.”

KATIE BACON

Prescription for Relief

When **Dennis Langer '83** heard about Harvard Law School's new Public Service Initiative this year, he knew it was something he wanted to support.

Langer chose an untraditional career path compared with many of his law school peers—medical school,

law school, and then jobs in the pharmaceutical and venture capital industries—and

A LAWYER-DOCTOR EASES THE PAIN FOR THOSE COMMITTED TO PUBLIC SERVICE

wanted to make sure HLS students today could choose their own paths, too, without being dissuaded by worries over debt or tuition bills.

Under the initiative, Harvard has committed to paying the full third-year tuition of any student who pledges

to work in the public or nonprofit sector for five years after graduation. For the many students who want to go into public service, Langer hopes the program will make it easier and “give them a little extra confidence in their choice.” **K.B.**



DENNIS LANGER '83



Northwest *PASSAGE*

A GREAT
BUILDING
BEGINS AS
A GLEAM
IN THE
EYE OF AN
ARCHITECT.
GETTING IT
BUILT MAY
REQUIRE THE
VISION OF A
LAWYER.

W

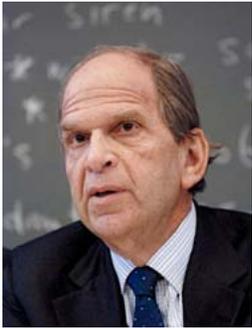
When Lazard CEO Bruce Wasserstein '70 came to Harvard Law School to speak to a corporate law class in 2006, the room was so packed that the floorboards creaked.

Austin Hall, where Wasserstein spoke, had been built in the late 19th century to meet the school's need for more space. Back then, Boston merchant Edward Austin had paid for the new structure, and the famed architect H.H. Richardson had designed it to be suitable for Dean Christopher Columbus Langdell's new "case method" of instruction.

Now, with the school once again bursting at the seams, Wasserstein could glimpse firsthand why HLS needed to

make yet another architectural leap, this time to accommodate the teaching of law in another new century.

Four months later, Wasserstein and his family agreed to make a \$25 million gift to the law school, to support the construction of a new academic center in its Northwest Corner project, a 250,000-square-foot complex being developed at the corner of Everett Street and Massachusetts Avenue.



"OUR FAMILY IS pleased to make a contribution to this dynamic institution which will continue to educate many of America's leaders," says Lazard CEO Bruce Wasserstein '70.

His gift came at an auspicious moment. The Northwest Corner project, which had been under design for two years, was about to break ground, and was still in need of funding.

THE LEAD-UP

By the mid-1990s, it had become obvious that some of Harvard Law School's core facilities needed substantial upgrading. There was also a significant space shortage on campus, due to a greatly enlarged curriculum, expanding research and clinical programs, and a steady increase in the number of faculty. And, the reduction in the size of the first-year sections had created a need for additional mid-sized classrooms.

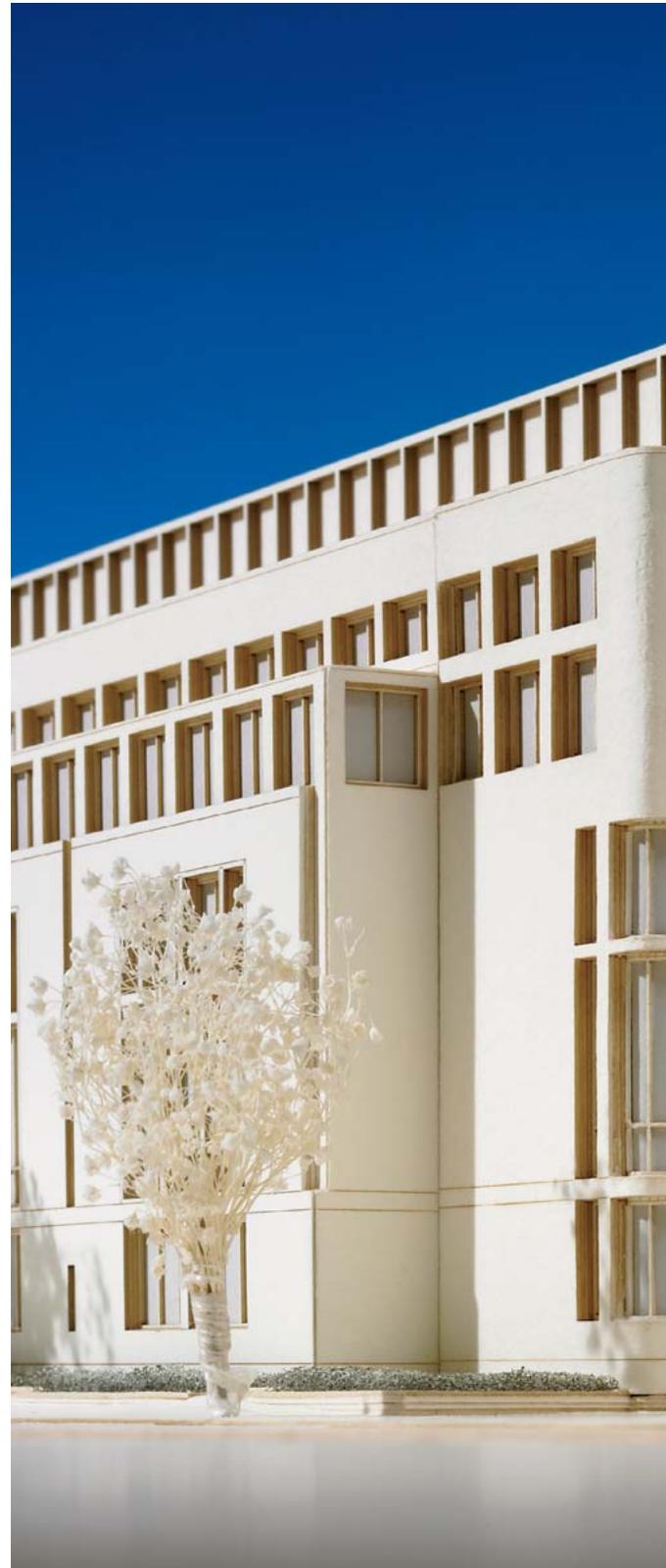
For a while, it looked as though the solution might be found across the river, in Allston, as part of Harvard University's planned expansion. But when the decision was made to keep the law school in Cambridge, a major reinvestment in the existing campus was warranted. School leaders began to develop a plan—and ultimately a building—that would keep the school on its current "footprint" but provide more and better spaces.

The selection of Robert A.M. Stern Architects was made in August 2004. Stern, who also serves as dean of the Yale School of Architecture, has earned international recognition and numerous awards. His firm has substantial experience with the design of buildings on historic college and university campuses, including the Spangler Campus Center at Harvard Business School, which many feel has transformed the student experience there.

THE DESIGN

Dean Elena Kagan '86 worked closely with Stern to ensure the Northwest Corner would incorporate both historic and modern aspects. As a result, the facade of the new building was designed to include features and materials reminiscent of Austin and Langdell halls alongside modern elements such as a glass curtain wall overlooking a courtyard. "Like the law itself, this project has solid grounding in the past but looks toward the future," says Kagan.

The new complex—scheduled for completion in 2011—will comprise an academic center, a student center and a clinical center. "It will literally transform the law school campus



FACING MASSACHUSETTS AVENUE, where the Everett Street parking garage once stood, the Northwest Corner complex will be the new gateway to Harvard Law School.



**NOW UNDER CONSTRUCTION,
THE NEW BUILDING WILL BE HOME
TO THREE CENTERS**

and, as a result, the law school experience,” Kagan says. “Like Austin Hall more than 120 years ago, it will dramatically improve the teaching environment, provide new spaces for student activities and significantly strengthen the learning community.”

THREE CENTERS

THE ACADEMIC CENTER, bordering Massachusetts Avenue, will feature a range of classrooms and other learning spaces designed for 21st-century legal education. These will include “cluster classrooms” with modular, breakout seating arrangements conducive to students huddling in small groups to complete exercises after prefatory lectures by their professors.

“We sized the classrooms, and came up with a correct inventory based on current teaching practices and where people imagine going in the future,” says Mark Johnson, director of major capital projects and physical planning. “We needed a range of sizes of classrooms, in different arrangements next to one another so that certain kinds of teaching can happen.”

THE STUDENT CENTER, adjacent to Harkness Commons, will be a central gathering place and will serve as a home for student organizations, journals and social activities.

“We have the most exciting and vibrant and diverse set of student organizations and activities going on right here on this campus—many more than other places,” says Professor Daniel Meltzer ’75, vice dean for physical planning. “But for years, we have lacked the facilities to really house those activities well, and we haven’t had a center that brings people together. This building is really going to serve both of those purposes. It will provide the facilities we need. It will also be a place where students hang out, where they run into each other, where they run into faculty—a great buzz of activity.”

The building will also include additional dining options to complement the newly renovated Hark, with which it will connect to form a seamless whole.

THE CLINICAL CENTER, on the Everett Street side of the site, will house the school’s expanding clinical programs. This past year, 697 students did clinical work of various kinds—an all-time high. The clinical programs currently are dispersed throughout the campus and beyond in overcrowded and inadequate spaces for the team-based and client-focused work they require. The clinical center will gather most of them together, giving them both the space they need and the opportunity for interaction and cross-fertilization, says Johnson.

Beyond adding classroom space and meeting pedagogical needs, the Northwest Corner is also expected to bring a cohesiveness and spatial improvement to the campus. “Many of our existing buildings face in different directions, and the various pathways through our campus don’t lead to an obvious central destination,” Johnson says. “But the Northwest Corner project will eventually help create one, by defining an important new boundary of what will be a new common



PHIL FARNSWORTH

TO MAKE WAY for the new complex, three historic structures had to be lifted off their foundations and relocated several blocks away.



outdoor area. By creating an open space fronted by Pound, Lewis, Langdell and the Hark, the new building will help define a kind of destination to which all the meandering paths lead.”

CONSTRUCTION

To make way for the new building, in June 2007 three wood-framed Harvard buildings—Baker House, Carriage House and the Ukrainian Research Institute—were lifted off their foundations and moved to a site to the north on Massachusetts Avenue, where they were converted into sparkling new residences for law students. In the summer of 2007, the Everett Street parking garage and the Wyeth Hall dormitory were demolished.

Last fall, crews began construction of an underground parking facility that will more than compensate for the parking that was lost when the Everett Street facility was razed. Perhaps most impressive of all, most of this work has been accomplished under a strict regimen of mitigation and noise-reduction measures, to minimize the disruption of campus life.

THE FUTURE

In addition to the Wasserstein gift, a number of other gifts were made in support of the Northwest Corner during the “Setting the Standard” campaign, including major gifts from Howard P. Milstein ’76 and Abby S. Milstein ’76, William D. Walsh ’55, Steven J. Kumble ’59 and the law firm of Wachtell, Lipton, Rosen & Katz.

Recently Finn Caspersen ’66, chairman of the campaign, designated his own gift—the largest ever made to the school—to the new building. The student center will be named in his honor. As a result, the Northwest Corner project is well on its way to a ribbon cutting in 2011.

But, despite the success of the campaign, the school is still in search of more major support for the project, and a number of named giving opportunities remain.

“This is going to be one of the great buildings on any campus, anywhere,” says Kagan. “I’m enormously grateful to Bruce Wasserstein, Finn Caspersen, and their families—and to all the other friends of the school whose vision is making it possible. But we still have a way to go, and we are continuing to invite people to help us and be a part of this project.”

ROBB LONDON ’86

CONTEMPORARY FEATURES, BUT WITH MORE THAN A NOD TO LANGDELL AND AUSTIN

PAY IT Forward

W

*FINANCIAL
AID IS
HELPING
THOSE
WHO WILL
HELP
OTHERS*

WHEN **Nasredeen Abdulbari LL.M. '08** came to Harvard Law School in the fall of 2006 as a visiting researcher focused on human rights issues in the Darfur region of Sudan, he was pleasantly surprised to find research materials that were barely two months old.

A member of the Fur tribe from Darfur, Abdulbari had used 30-year-old books from the United Kingdom when studying for LL.B. and LL.M. degrees at the University of Khartoum. Abdulbari, who was subsequently admitted to the HLS Graduate Program, could not have attended without a generous financial aid package.

"Harvard has made me a different person," he says. "It has prepared me academically to face any intellectual or professional challenge."

Because Harvard Law School offers need-based aid to all admitted J.D. candidates as well as graduate students, the school is able to enroll students from all 50 states and more than 80 countries.

Around the time he received his HLS degree, Abdulbari was also awarded the Human Rights Program's Satter Fellowship, and he is currently working at the Sudan Social Development Organization, an NGO in Khartoum. There, he is monitoring human rights programs and working to familiarize Sudanese people with the concept of human rights, especially in war-torn areas, which he has experienced firsthand. His uncle was killed in Darfur in 2004, and many other relatives have suffered abuses.

"Human rights pro-

tection is important not just to my tribe or to my country," the soft-spoken Abdulbari says. "It has the ability to unite all people. I plan to make Harvard Law School proud of me by reflecting the values and principles it stands for."

On the other side of the world, in the college town of Urbana, Ill., **Patrick Morales-Doyle '09** grew up the third of four sons born to a preschool teacher and a community organizer. Summer Public Interest Funding allowed Morales-Doyle to work this July and August for the National Consumer Law Center. He's also been a research assistant to Professor Lani Guinier, and he held an internship his 1L summer at the Harvard Legal Aid Bureau, representing clients on housing and benefits matters at the student-run legal



LEAH PASTER



CHRIS LAINE

CHANGING LIVES

(clockwise from left) Patrick Morales-Doyle '09 has studied and practiced public interest lawyering; Veena Iyer '05 has fulfilled her dream of using law to make a difference in low-income people's lives; Nasredeen Abdulbari LL.M. '08 has returned to his native Sudan to monitor human rights programs; Jessica Corsi '10 has worked for international justice organizations around the world.



DARRIN VANSELOW / GETTY IMAGES



JONATHAN KANWAR

services center, where he's since put in many hours during the school year.

"Working at the Legal Aid Bureau has given me experience working in low-income communities and the opportunity to develop hands-on lawyering skills. At the same time, I've been able to focus my studies on issues that affect public interest lawyers, learning from both renowned legal scholars like Professor Guinier and my fellow students."

Morales-Doyle feels it is "absolutely essential" that Harvard Law School offer financial aid to students who need it so that "the resources and opportunities that HLS

offers are not just available to the wealthy and financially secure."

Particularly critical is HLS's support of students who pursue public interest, says Morales-Doyle. "It's important that financial aid recipients are not only able to attend Harvard Law School, but that they are able to use what they learn here to pursue public interest work and give back to their communities."

Another recipient of Harvard's Summer Public Interest Funding, **Jessica Corsi '10** says financial aid has made her education possible. Corsi has made the most of that education, simulta-

neously pursuing a J.D. at Harvard and an LL.M. at the University of Cambridge in England.

"When your family doesn't earn as much money as it costs to attend a school like Harvard each year, the idea of taking on that much debt or of figuring out some way to manage that amount without the aid of the school can be quite daunting. The offer of an aid package and support from financial services provides the bridge between dreaming of attending and actually attending."

Corsi's education has included paid stints working for international justice around the world. This sum-

mer she interned at the United Nations Office of the High Commissioner for Human Rights in Geneva, providing legal research and writing for the Rule of Law and Democracy Unit. In January 2008, she interned at the Human Rights Law Network in Delhi, India, researching the aftermath of a ruling by the Supreme Court of India that found a constitutional right to food. Last summer it was the Documentation Center of Cambodia in Phnom Penh, an NGO that aims, in part, to record the history of the genocide under the Khmer Rouge.

After graduation, Corsi plans to seek a clerkship at

Easing THE Burden

Jerold Solovy '55, chairman emeritus of Jenner & Block, has been involved in pro bono work and public service throughout his career, but

he was recently moved to fund a scholarship at Harvard Law School, inspired by another alum's story. Having completed only the sixth grade, **George Leighton '43** was forced to leave school in order to support his family. He read extensively and taught himself history and math, and without a high school education was admitted to Howard University and later to Harvard Law School, receiving full scholarships to both institutions. Leighton went on to become president of the Chicago NAACP

FOR SOME BENEFACTORS, FINANCIAL AID IS THE PRIORITY

in the 1950s and later a U.S. district judge for northern Illinois. Solovy established The Honorable George N. Leighton Endowed Fund to honor the judge's accomplishments and in hopes of providing a boost to other promising students.

Professor Emeritus **David Shapiro '57** has given much to Harvard Law students through his more than 40 years of teaching and writing about areas including federal courts, statutory interpretation and civil procedure. Most recently, he and his wife, **Jane Shapiro**, decided to give in another way. They have established the David and Jane Shapiro Fellowship Fund to assist two graduate students each year—from Israel and an Arab country—to attend HLS.

Since **Sheela Murthy LL.M. '87** came to the U.S. from India in 1986, she has made immigration law her business. It's the focus of Murthy Law Firm, which she launched in 1994. She's also found immigration law to be something of a calling, and

an international court that deals extensively with human rights law. Eventually she would like to work for the United Nations and in academia as well as for civil society organizations.

"Harvard Law School is allowing me to enter the competitive international human rights job market with cutting-edge experience and training and a network of well-connected professors and alumni. I can't imagine being in a better position to start my law career."

Generous financial aid also made a Harvard education possible for **Veena Iyer '05**. The child of immigrant

parents from India, Iyer describes herself as "one of those kids who always knew they wanted to be a lawyer." A college internship at a women's rights organization in India cemented her desire to use law as a tool to make a difference in people's lives.

"When I got into Harvard, I was torn because I felt like I would thrive in that community, but I was afraid that I would end up having to give up my dreams." But financial aid officers explained that Iyer would be able to rely on the Low Income Protection Plan after she graduated and "not be stifled by [her] debt."

Iyer now does the kind

of work she once dreamed of, as an Equal Justice Works Fellow at the Legal Assistance Foundation of Metropolitan Chicago. She also started a legal clinic for low-income students in the adult education program at a local community college. She provides representation in immigration, family, and housing law and helps her clients "navigate the intersections between these areas of law," she says.

"What a program like LIPP does is allow you to do work you really believe in without worrying so much if you can support yourself and your family at the same time."

For Iyer and others, receiving need-based financial aid from Harvard Law School changes not just their own lives, but also the lives they, in turn, affect. Providing students and alums like Abdulbari, Morales-Doyle, Corsi and Iyer with the means to pursue public interest work was one of the principal goals of the campaign and continues to be an area of ongoing need. New generations of students will continue to rely on programs like LIPP and Summer Public Interest Funding to pursue work that they hope will change the world, one life at a time.

CHRISTINE PAKKALA



BENEFACTORS AND INSPIRERS Top row, from left: Jerold Solovy '55, Professor Emeritus David Shapiro '57, Michael Eisner. Bottom row, from left: George Leighton '43, Sheela Murthy LL.M. '87, Irwin E. Russell '49

through two gifts to Harvard Law School, she hopes to promote its study. "Immigration is a symbol of who we are as an American people, and we really need to do more to educate people about it," she said in a 2007 Bulletin interview. Murthy has established a travel fund at the school for teachers of immigration law. She has also endowed a financial aid fund for LL.M.s working in the area. Murthy recalled that holding a job as a security guard during her time at HLS made it harder to concentrate on her studies. "I want to make it easier for future students to take advantage of what the law school affords," she said.

Harvard Law School alumni are not the only people who give to the school. Recently **Michael Eisner**, the former CEO of Walt Disney Co., his wife, Jane, and their children established a financial aid fund in honor of their friend and attorney, **Irwin E. Russell '49**. Eisner, who most recently founded the Tornante Co. investment firm, has been represented by Russell for more than 30 years.

Infotopia!*

WITH A
CLUSTER OF
RESEARCH
PROGRAMS,
HLS IS A
COLLECTION
OF THINK
TANKS
ROLLED
INTO ONE



Rita Hauser '58 has been passionately dedicated to human rights and international conflict resolution, serving as chairwoman of the International Peace Institute board of directors, as former U.S. ambassador to the Human Rights Commission at the United Nations and most recently as a board member of the Global Humanitarian Forum, a new entity founded by Kofi Annan. One of her particular interests is the area of humanitarian law, “the formal name for the laws of war,” says Hauser, president of the nonprofit Hauser Foundation, co-founded with her husband, **Gus Hauser '53**, to provide support for a wide range of humanitarian causes.

*The title of the 2006 book by HLS Professor Cass R. Sunstein '78, describing how the efforts of many people coming together can help societies amass bodies of accurate knowledge. Sunstein is the director of the Program on Risk Regulation—the newest of the law school's research programs.

"I've always been interested in the Geneva Conventions," says Hauser, "as war is the most inhumane of any activity man has conceived ... whatever the reason." Humanitarian law "attempts to make something inhumane a little more humane."

It is this interest in human rights and the laws of war that inspires the Hausers in their ongoing support of the HLS Human Rights Program. Over the past two years, a clinical project at the law school funded by the Hausers and other donors has focused on the issue of cluster munitions—large bombs that spread many smaller bombs over broad areas—which often fail to explode on impact, remaining dangerous for years to come.

Under the guidance of Clinical Instructor **Bonnie Docherty '01**, HLS students in the International Human Rights Clinic have worked to secure the passage of the treaty that bans these munitions. They have conducted field research in Israel and Lebanon, attended treaty negotiations in New Zealand and Austria, and were in Dublin, Ireland, on May 30, when more than 100 states finalized the language of the treaty, which is expected to be formally ratified in December in Oslo, Norway. The students also drafted memos, jointly published with Human Rights Watch, that focused on key parts of the ban, and their contribution was critical in one important respect, says Docherty: They helped preserve a provision that would require nations to find and eliminate the cluster munitions that they have dispersed in the past.

Of course, global travel for these clinical students and Docherty is not cheap. The Hausers, who previously endowed a chair for the Human Rights Program, made a significant grant toward general programming, which has supported the cluster munitions project and many other initiatives.

"Traveling to the negotiating conferences would not have been possible without such support," says Docherty. "What the students helped produce is groundbreaking for the humanitarian effect it will have and also sets a precedent for future international law, particularly in the area of weapons treaties."

Throughout HLS, there are myriad exciting projects under way in other research and clinical programs, and, like the Hausers, there are many other donors whose generosity has been critical



LEAH FASTEN

GUS AND RITA HAUSER aspire to see the Human Rights Program continue to grow. They hope all HLS students will take a course on the subject, that more and more alumni will work in the field and that others will at least become knowledgeable about it.

in supporting the work of students and faculty. Below, a few examples are highlighted as representative of the many.

The Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics was founded in 2005 with a generous gift from **Joseph H. Flom '48** and the Petrie Foundation to address the lack of attention to these areas within the legal academy. Its goal is to bring together leaders from different disciplines to address health law and biotechnology, in part through conferences and workshops at the law school. In June, the center put on a conference to address problems in the U.S. health care system, drawing 25 of the nation's leading specialists in health care, economics, business



MARTHA STEWART

JOSEPH FLOM '48 (right) attended the Petrie-Flom Center's conference on health care policy this spring to see how the center he funded is progressing. "It is exceeding my expectations," he says.



DAVID ARDIA LL.M. '07 (far right) directs the Berkman Center's Citizen Media Law Project, to assist bloggers and others with legal issues that come up online.

and law, as well as leaders in the insurance and hospital industries.

"I was there because I wanted to see how the center was progressing," says Flom, one of the nation's most respected and successful corporate attorneys, a senior partner at Skadden, Arps, Slate, Meagher & Flom, and a member of the HLS Campaign Executive Committee. During the conference, in discussions with the Petrie-Flom Fellows and others, "I found [the center] is exceeding my expectations," says Flom. What does he hope for the future? "More of the same."

Einer R. Elhaug '86, the Carroll and Milton Petrie Professor of Law at HLS and director of the Petrie-Flom Center, is delighted by Flom's participation. "The generous support of Mr. Flom is invaluable to the work of the Petrie-

Flom Center," says Elhaug. "We are also honored by his ongoing interest in the research and programs of the center."

Joseph LaNasa

'94 and his wife, **Stephanie LaNasa**, represent the new, younger generation of significant donors to HLS, and they have focused their support on the HLS Environmental Law Program, founded and launched last year under the direction of Professor **Jody Freeman LL.M. '91 S.J.D. '95**. Joseph "Jody" LaNasa, who founded New York-based hedge fund Serengeti Asset Management, explains the thinking behind their support. "I love Harvard Law School and everything it has done for me," LaNasa says. "And my wife is an environmentalist, so it seemed like the perfect way to support a program that meant something to both

of us. Once we met Jody Freeman and saw her passion, energy, and commitment to educating and empowering the next generation of leaders, it was an easy decision."

He adds, "As someone who has started businesses, I understand how much goes into starting something from scratch. I can relate to the challenges Jody Freeman has faced throughout this process, from selling her idea to the school and potential supporters, to launching the program and now seeing it grow and evolve."

Currently, Assistant Clinical Professor **Wendy Jacobs '81** is leading a group of students in the Environmental Law and Policy Clinic as they assist the secretary of the Department of Health and Environment in Kansas with a novel and precedent-setting lawsuit related to global warming. The project was initiated by Jacobs, who offered to help the Kansas official fend off lawsuits challenging his denial of an application for a permit to build two coal-fired power plants because of their carbon emission impact. The permit denial was the first of its kind in the country and was highly controversial, and a team of students has been working on the case since December 2007, assisting with every aspect of the litigation and administrative hearings, including the filing of two briefs in the Kansas Supreme Court. They have landed a number of victories along the way, but the hard-fought case is ongoing, and, says Jacobs, the clinic "will continue to represent the Kansas Department of Health and Environment and support the secretary's denial of the permit."

Jody LaNasa says, "We love hearing about how the students have gone out and gotten involved in landmark court cases by offering to provide gratis legal advice to governments and companies that cannot afford to defend themselves against the challenges they are facing from better-funded, big-business interests which are often not taking a position that takes into account environmental impact."

Cutting-edge legal work is also under way at the Berkman Center for Internet & Society, which was founded in 1997 with a generous gift from **Jack N. ('29)** and **Lillian R. Berkman** and continues to benefit from the support of their son, **Myles Berkman '61**. The center was also the recipient of an institutional grant from the **John D. and Catherine T. MacArthur Foundation** and has received additional support from numerous technology- and Internet-related companies, including **Google, Lenovo, Microsoft** and many others. (It does not accept gifts that seek to influence its research and mission.)

FOR THE LANASAS, SUPPORTING THE ENVIRONMENTAL LAW PROGRAM WAS AN EASY DECISION.

One of the Berkman Center's current projects is its Citizen Media Law Project's Legal Guide—a free, online guide to assist bloggers, Web site operators and other citizen media creators in understanding defamation, privacy, access to government information, and other legal issues that journalists—traditional or not—may encounter in publishing online. The legal guide was funded by a grant from the **John S. and James L. Knight Foundation** (www.citmedialaw.org/legal-guide).

“Because many online publishers don't have a background in media law, we have tried to make the guide as approachable as possible and included dozens of practical tips for avoiding legal liability,” said **David Ardia LL.M. '07**, director and co-founder of the CMLP.

Phillip R. Malone, an HLS clinical professor of law and co-director of the cyberlaw clinic at Berkman, adds, “Without the support of the Knight Foundation, we would never have been able to launch this project, which we think will help untold numbers of bloggers and publishers of citizen media, as well as traditional journalists.”

As HLS continues the reinvention of its curriculum, including adding the study of real-world problems from legal practice, the school's Program on the Legal Profession is providing some key support. The program's case study project is developing study materials based on actual examples from various legal settings, to help students develop problem-solving skills for situations that lawyers are likely to encounter in practice. This method will be integral to the required problem-solving course for 1Ls to be launched this winter at HLS, and other courses already are using it, including the Professional Services course taught by **Ashish Nanda**, professor of practice and PLP research director. **David Wilkins '80**, professor of law and faculty director of PLP, too, is using the case study method in a seminar.

One of the case studies currently being developed for his Professional Services course, Nanda says, is titled “A Tale of Three Teams.” It is designed to help students deal effectively with real-world dynamics, including: team leaders who can't say no to unreasonable demands from clients; inadequate feedback and performance evaluation; issues surrounding time management and priority-setting; and efforts to persuade team leaders to recognize and deal with underperforming members. Nanda, formerly on the Harvard Business School faculty, says the lessons are applicable not just to law firm team dynamics, but also to those in other private- and public-sector environments.



ROBERT SHUFTAN '79, managing partner at Wildman Harrold in Chicago, is on the board of the Program on the Legal Profession.

“The case study approach captures elements of real-life decision-making that are important for effective practitioners,” says Nanda. “The cases expose participants to real-life situations with the objective that they will not only apply conceptual principles to the issues at hand but also address questions of implementation. Our goal in these case studies is to bring participants close to the practice of law.”

Although Nanda says the case study approach is an “extremely powerful” means of bringing students closer to the world of practice, it is also expensive, which is one reason why the program is so grateful for the support of its donors. “We have to go into the field, interview busy professionals, develop materials and get their input during the case development process,” he says. “The entire process is labor-intensive, so there are significant costs to developing case studies. Although they are more than covered in terms of value of learning, the costs have to be borne up front nevertheless.”

Robert Shuftan '79, managing partner at Chicago's Wildman Harrold, has known Wilkins since they were law students and respects his vision for the PLP generally. “The depth of the analysis related to important ongoing research projects on the legal industry, together with the opportunity to have input on those projects, attracted me to become a member of the board and to further support the program,” says Shuftan.

Shuftan had heard for years about Nanda's program at HBS and so decided to enroll in the inaugural class of the PLP's Leadership in Law Firms Program in 2007. He found it so valuable that he plans to send other leaders from his firm. “Ashish Nanda is a tremendous resource,” says Shuftan, adding that the program's research projects, including the “After the J.D.” surveys and other studies, are of tremendous interest to lawyers in leadership positions.

ELAINE MCARDLE

Research WITH Impact

Established by HLS Professor Charles J. Ogletree Jr. '78 in 2005, the **Charles Hamilton Houston Institute for Race and Justice** was designed to honor and continue the work of the celebrated civil rights lawyer. The institute engages in a variety of projects related to social and racial injustice. Some, like the Citizenship Project—which examines public opinion and socioeconomic conditions related to U.S. immigration policy—are research-based. Others, such as the Pathways Home project—which helps former prison inmates re-enter their communities—focus

on community assistance. The institute also sponsors the Race and the Death Penalty

project, in which students explore the causes of racial disparities in capital punishment, and sometimes intervene in individual cases. Ogletree says the work of the institute would not have been possible without the financial support it has received from alumni, particularly Michael Klein LL.M. '67, and from Arthur Chong '78, who orchestrated a Safeco corporate grant.

In 2003, the **John M. Olin Center for Law, Economics, and Business** received a \$10 million grant from the Olin Foundation. That support has been matched by several donors, including Finn Caspersen '66, chairman and CEO of Knickerbocker and chairman of the campaign; Sam Butler '54, special counsel, Cravath, Swaine & Moore; and Robert Haas '72, chairman and CEO of Haas Wheat & Partners. The Olin Center works to increase students' understanding of

law and economics, facilitate faculty research on the combined subjects, and raise awareness among lawyers and the general public about the relationship between economics and law. The center puts on seminars at HLS, and awards grants, prizes and fellowships, including the annual John M. Olin Prizes for the best papers by HLS students on economics and the law; the John M. Olin Fellowships in Law and Economics for students; and the Terence M. Considine ['71] Fellowships in Law and Social Sciences for recent HLS graduates—or Harvard Ph.D. candidates in the social sciences—planning academic careers combining law with economics, government or business.

Under the umbrella of the Olin Center is **The Program on Corporate Governance**, which was established in 2003 and is headed by Harvard Law Professor Lucian Bebchuk LL.M. '80 S.J.D. '84. With financial support from its Advisory Board members—leaders in corporate law, finance and business—the program hosts a variety of conferences, speakers and events on corporate stewardship, deal-making, securities law enforcement, business ethics and the role of the corporate lawyer. Scholarly work by Bebchuk and HLS's other corporate law experts has attracted international recognition as among the best and most widely cited in the Social Sciences Research Network database, and some of Bebchuk's proposals for changes in corporate bylaws (to increase the power of shareholders) have been adopted by several Fortune 500 companies.



THE IMPACT of Harvard research programs extends well beyond Cambridge. Above: Professor Charles Ogletree Jr. '78 (left), director of the Charles Hamilton Houston Institute, testifies before Congress on possible legislative responses to systemic racial violence.

The Program on International Financial Systems, under the

leadership of Professor Hal Scott, provides assistance to governments in drafting financial regulations and laws, and has trained foreign judges, prosecutors and lawyers about financial law reform and securities enforcement, among other topics. PIFS also hosts an annual series of symposia and other conferences designed to foster dialogue between the leaders of financial systems and capital markets in the United States and Japan, China, Europe and Latin America. The program offers guidance to LL.M. candidates focused on international finance, and it publishes major research and policy papers. Last year, Scott enlisted the help of HLS students in the research and drafting of a major report addressing the ebbing competitiveness of U.S. capital markets. The project resulted in a set of recommendations and proposed reforms that were embraced by U.S. Treasury Secretary Henry Paulson. Scott says PIFS and its mission have thrived because of the generosity of supporters like Wilbur Ross Jr., the chairman and CEO of W.L. Ross & Co.

**THE VISIONARIES
WHO SUPPORTED
THESE PROGRAMS CAN
ALREADY SEE RESULTS**

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ANTON BRASEL

FROM NEW
ALUMNI TO
RETIREES,
BROAD-BASED
GIVING
IS THE
LIFEBLOOD
OF HLS

A Fundamental ADVANTAGE



ARQUEE GIFTS GET the most attention, but the smaller, annual donations to the Harvard Law School Fund are just as or more important in enabling the school to create and run many new programs.

Each year, about 9,000 alumni and friends of the school give a total of more than \$8 million to the Fund. During the recently concluded campaign, the Fund raised \$62,695,801 (\$22,695,801 more than its goal), and the average gift was \$748.

Unlike many large gifts to the campaign that underwrite large-scale projects such as new building construction, these unrestricted donations support HLS's day-to-day operations. And they help keep tuition down, says **Peter Krause '74**, who recently completed a three-year term as Fund chairman.

They also give Dean Elena Kagan '86 flexibility to create new student

initiatives, both large and small, from new reading groups to morning coffee for students. In all, the contributions cover about 10 percent of the school's annual budget.

"Annual giving is the lifeblood of the school," says Kagan. "It's absolutely vital that it continue to grow."

Krause says he was just as happy to receive \$100 gifts from new alumni or retirees as he was to hear about larger gifts. "Everything counts," he says.

Part of the challenge, says **Mike Cooper '60**, a former chairman of the Fund, is overcoming the misperception that Harvard Law School already has all the money it will ever need in its endowment.

"It's a very common, widely held perception," says Cooper, who is serving as the vice chairman for Dean's Associates and Langdell Giving on the



new Fund Advisory Council.

The success of the Fund hinges on participation by hundreds of alumni volunteers, ranging from reunion gift committee members to class agents. At the top of the effort is the Fund chairperson, who helps recruit the army of volunteers and solicits gifts.

That position was held by **Susan Lytle Lipton LL.M. '71**, starting in 2003, who was one the Fund's most articulate and tireless advocates. Building on Lipton's work, Krause, who took over in 2005, led the Fund during its three most successful years—even as the school simultaneously continued a campaign primarily focused on larger gifts. In his first year, Krause guided the Fund to a one-year record of \$8.7 million.

"It's absolutely important that annual giving continue even when we have a campaign," says Krause.

Cooper says the Fund's success in recent years is a function of Krause's "very, very energetic" work on its behalf.

John '81 and Lynn Ashby Savarese '81 succeeded Krause as chairs in July.

SETH STERN '01

Teaching BY EXAMPLE

Harvard Law School's faculty are a diverse group—from their fields of expertise to their politics and their teaching styles. But one common theme, which became evident during the campaign, was support for the institution they are part of.

THE HLS FACULTY PROVE THAT CHARITY BEGINS AT HOME

At its close, the faculty campaign had achieved a 97 percent participation rate, raising \$1.7 million, with most gifts going toward the Harvard Law School Fund. **John F. "Jack" Cogan Jr. '52**, who chaired this effort, calls it "an extraordinary story."

During the previous campaign—completed in 1995—faculty gave, says Cogan, but this time the participation was even broader, including not just tenured faculty but assistant and clinical professors as well. "I don't think there is any school at Harvard that has such broad participation of the faculty," he says.

Professors who spearheaded the effort were **William Alford '77** as well as **John Coates, Andrew Kaufman '54, Robert Mnookin '68, Carol Steiker '86** and **David Wilkins '80**.

"I'm thrilled with this," says Cogan. "It's a statement of support. It brings the alumni and the faculty in a philosophical sense very much closer together."



ANDREA ARTZ

SUSAN LYTLE LIPTON LL.M. '71 (above left), one of the Fund's most articulate and tireless advocates

PETER KRAUSE '74 recently led the Fund to a one-year record of \$8.7 million raised.

A Sharp Lawyer, With Blades

GERHARDT BUBNÍK LL.M. '69 still likes the ice. The former competitive skater hung up his skates years ago but has kept his edge, as a skating judge and then a legal adviser to the International Skating Union—all while building a law practice that spanned three political regimes.

After practicing law in Prague for several years at the same time as he was working toward becoming an international skating judge, in 1968, Bubník became the first Czech to be admitted to HLS.

Only weeks after his arrival in the U.S., while taking a moot exam at an orientation program for foreign law students, Bubník learned that Russian troops had invaded Czechoslovakia. "It was such a blow to me," he says, "I almost broke down."



It was several weeks before he could reach his family. They reassured him that they were not in any danger and urged him to complete his LL.M.

Financially, the year was a challenge. With the Czechoslovak currency not convertible, there was "little cash for

extras"—even with the law school's \$4,100 scholarship and the generosity of friends. An "unexpected" help was the \$570 Addison Brown Prize that he received for best paper in conflict of laws. But, "I had to think twice whether I could take the subway or whether I had to go by foot," he says.

By the time Bubník returned to Prague in 1969, exit visas for travel outside the country and other freedoms were being denied.

Soon job opportunities for lawyers became limited.



AT THE 1994 WINTER OLYMPICS, in Lillehammer, Norway, assistant referee Bubník examines Tonya Harding's lace, after she claimed that it broke during a difficult jump. Bubník and the referee, ignoring audience sentiment against Harding, ruled that she could repeat her routine. (Harding was under suspicion for orchestrating a physical assault on rival Nancy Kerrigan.)

But his HLS degree opened doors. "I had learned a more analytical approach to problems," and colleagues "came to me for advice," says Bubník. An understanding of U.S. legal practices, and fluency in English and German, helped him get cases, particularly in the areas of international commercial transactions and litigation.

Meanwhile, Bubník also continued to climb the judging ladder, moving from being the ISU championships referee to serving on the ISU Appeals Commission. In 1996, he became one of the two ISU legal advisers, in charge of drafting and interpreting statutes and rules and handling tasks such as TV contract negotiations, contract and business transactions, protection of ISU intellectual property, litigations, arbitrations, anti-doping and other disciplinary cases.

In his legal practice, which was focused on commercial law and international arbitra-

tion, Bubník was well-served by his reputation for being tough but fair. That reputation was recognized in the international skating arena, too, where he was involved in several difficult cases.

Among them was a vote-swapping scandal at the Salt Lake City Winter Olympics in 2002, involving a French judge who was allegedly pressured to throw her vote to the Russians in a pairs skating competition. Bubník brought charges after feeling "satisfied that there was cheating—an illegal influence of the judge." As a result of the incident, the ISU revamped the judging system to prevent future abuses.

In 1990, just over 20 years after Bubník received his LL.M., his legal practice changed dramatically. With the collapse of communism, investors and big companies from around the world came knocking on his door. At the time, Bubník was the only U.S. law school graduate in Prague, and foreign companies such as Philip Morris and Bell Atlantic sought his help with investing or privatizing. He was also appointed an arbitrator in cases in Vienna, Paris, Zurich and elsewhere.

These days, Bubník, 73, still a partner in the law firm Bubník Myslíl & Partners, spends most of his time on work for the ISU. Last year he was honored by the International Olympic Committee with the Olympic Order—the highest award of the Olympic movement—for his years of service. "I also still do downhill skiing, golf, tennis and cycling," says Bubník, "and have been intensely learning bridge."

He laughs when asked how he's kept such a pace all these years. "Cold and ice preserve," he says.

—LINDA GRANT

Fields of Dreams, Fruitful Lands

LOUISA MAY ALCOTT once described a philosopher as “a man up in a balloon” tethered to the earth by his family. In his Pulitzer Prize-winning biography, “Eden’s Outcasts: The Story of Louisa May Alcott and Her Father” (Norton, 2007), John Matteson '86 chronicles the tension and affection in that vertical relationship.

Her father, Bronson Alcott, was a self-educated transcendentalist whose high-minded efforts too often ended in disaster. When he founded the innovative Temple School in 1834, it won him praise from Boston intelligentsia. But by 1837, a book he'd written about his classroom elicited such outrage and derision that he lost the school and his reputation.

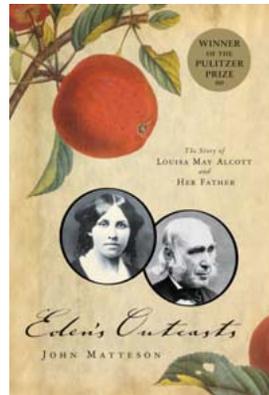
In 1843, he brought his family (including 10-year-old Louisa) to live off the land with a miscellany of reform-minded individuals. Fruitlands, their social experiment, ended seven months later, in hunger, cold and the near dissolution of the Alcott marriage and Bronson's mental health.

As Matteson tells it, the four Alcott girls experienced dazzling intellectual riches combined with material deprivation. Thoreau took them boating on Walden Pond and gave them “an easy, practical course on how to love the world.” Emerson opened up his library. Yet food was sometimes scarce and prospects for the next year's housing uncertain. In a moment of impatience, Bron-

son's saintly wife summed him up: “No one will employ him in his way; he cannot work in theirs. ... I believe he will starve and freeze before he will sacrifice principle to comfort. In this, I and my children are necessarily implicated.” For Louisa, that translated into an obsession with supporting the family, which abated only after “Little Women” made her one of America's most successful female writers.

Matteson, a former litigator, now a professor of English at John Jay College, paints a vivid picture of the period, from the years before the Civil War, when the Alcotts hid runaway slaves and received the wife of the executed abolitionist John Brown, to Louisa's war service—in a makeshift hospital in the capital. After the slaughter at Fredericksburg, she tended to wounded and feverish soldiers, eventually succumbing to typhoid herself. (She recovered from the disease, but never from the mercury-based treatment.) Her first big literary success, “Hospital Sketches,” came from what she saw in the ward. Her service also shifted her relationship with her father. He later wrote to his wife, “Our children are our best works.”

Despite Bronson's detachment from ma-



terial concerns, Matteson says he was an exceptionally present parent who “devoted more of himself to his children than almost any other man of his generation.” He chronicled their development, keeping detailed journals from the time they were born. Someday Matteson hopes to publish these “foundational works of child psychology and transcendentalism,”

which also offer a rare look at the infancy of a famous writer.

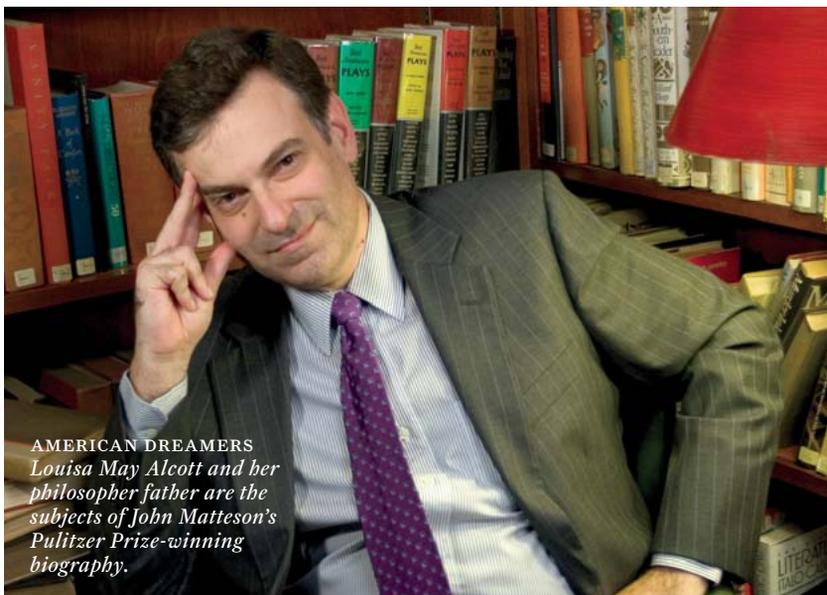
Matteson says there are moments of incandescence in Bronson's own writing—but they are the exceptions. Where Bronson was at his most eloquent, it seems, was in the ephemeral act of conversation. He traveled the country on speaking tours into his 80s, elevating conversation to a performance that Matteson likens to jazz.

On sabbatical this year, Matteson is happily at work on a biography of another transcendentalist, feminist Margaret Fuller, but the Alcotts hold a special place in his heart, in part because of their conflict—and closeness. On his deathbed, Bronson said to Louisa, “I am going up. Come with me.” And after the man in the balloon left this earth for good, she did—three days later.

Matteson himself has a daughter (now 14), and when he started the project, he felt he could apply what he knew about that relationship and perhaps learn something about being a better parent. The book's success, he believes, is related to the fact that it was such a personal journey.

Matteson says the Pulitzer has also been a validation of his decision nearly 20 years ago to leave the practice of law in pursuit of a much less certain career in the humanities. What helped him to take the plunge was not a text by one of the transcendentalists (whose work he'd come to love in a Harvard College seminar he took during law school). It was a movie about a man with seemingly unrealistic aspirations. “People think ‘Field of Dreams’ is about baseball,” he says, laughing. “But it's really about a character who follows his own moral compass.”

—EMILY NEWBURGER



AMERICAN DREAMERS
Louisa May Alcott and her philosopher father are the subjects of John Matteson's Pulitzer Prize-winning biography.

What Happens in Vegas Doesn't Always Stay in Vegas

WHEN SPEAKING TO JANE WILLIS '94, you can't miss her lawyerly intensity. "Strike that," she says midsentence, as though she were addressing a court reporter. But, although she is now a partner at Ropes & Gray in Boston, Willis credits much of her success as a litigator to a simple strategy she learned outside the law firm and the courtroom—at the blackjack table.

"Card counting involves making sure you have a significant bet at stake when the cards are in your advantage," Willis explains. "Likewise, in litigation strategy, you want to maximize opportunities when you have the advantage."

Willis should know. During college and law school, she played on the blackjack team composed of Harvard and MIT students that was recently portrayed in the movie "21." Spending many of her weekends in Las Vegas, unbeknownst to even her closest friends, Willis and her teammates used mathematics and logic to bet against the house—and win.

Recruited by a high school friend to join the team, Willis was a "spotter," keeping track of the deck's count. Once the deck became "hot"—when there was a large proportion of high cards left in the deck—she would give a secret signal to a teammate, who would place a large bet while the cards were in the team's favor.

"Card counting is not illegal," Willis is quick to point out. "But, if the casino suspects you are counting cards, they will ask you to leave."

Willis suspects that she helped the team escape detection. Casinos, she says, "don't necessarily think that women are good at math."

When Willis graduated from law school



TWO OF A KIND: Jane Willis '94 (left) with her on-screen alter ego, Kate Bosworth

and joined Ropes & Gray, she decided to put her card-counting days behind her. But in 2002, when a book based loosely on her team's exploits was published, she began telling her friends and family about the time she spent in Las Vegas.

And when the book was on its way to becoming a movie and the screenwriters contacted her, she was happy to relive part of her past and work with them on the script. Willis visited the set, and she admits being a bit "starstruck" after meeting her on-screen alter ego, Kate Bosworth—who, in turn, seemed a bit wowed by Willis and her math skills. Bosworth even urged the screenwriters to change the script when Willis pointed out a flaw in one of the explanations of a mathematical problem.

Even though the math in the movie is accurate, Willis says much of the drama is fictionalized. It is not common practice to be taken into the backroom of a casino

and beaten by a security guard, she says. Nor were she and her team ever held at gunpoint.

Still, Willis says she identifies with the main character who joins the blackjack team to earn enough money for medical school and, after a wild ride, pursues a traditional career.

Today, it's clear that Willis still enjoys an adrenaline rush. In representing high-profile clients such as the Red Sox, she says, a big part of what she loves about her job is thinking on her feet.

When asked if she ever regrets leaving the fast-paced, card-counting life behind, she quickly replies, "I can honestly tell you that my current career is just as fast-paced and exciting." But in explaining why she continues to return to Las Vegas, her response leaves a little more room for reasonable doubt: "Boston and Las Vegas are two very different places." —EMILY DUPRAZ

LOOKING FORWARD

Calendar

NOV. 17, 2008

HLS Leadership Conference
New York City
617-495-8160

JAN. 7, 2009

HLSA Law Teachers Dinner
San Diego
617-384-9523

JAN. 20, 2009

HLSA of New York City Annual Luncheon
Harvard Club of New York City
27 West 44th Street
New York City
617-384-9523



MICHAEL WALCZKO

MARCH 12-15, 2009

Alumni of the Americas
InterContinental Hotel
100 Chopin Plaza
Miami
617-384-9523

APRIL 23-26, 2009

Spring Reunions Weekend
Classes of 1959, 1969, 1974, 1984,
1999
Harvard Law School
617-495-3173

MAY 22-24, 2009

HLSA of Europe Annual Meeting
Marseilles
617-384-9523

OCT. 22-25, 2009

Fall Reunions Weekend
Classes of 1949, 1954, 1964, 1979,
1989, 1994, 2004 & Emeritus Club
Harvard Law School
617-495-3173

For the latest on Harvard
Law School Association
events, go to www.law.harvard.edu/alumni/association/calendar.htm.

Supreme Foresight

THE FIRST TIME (or two) Isaac Lidsky '04 was denied a Supreme Court clerkship, he didn't sweat it.

He had overcome other challenges and wouldn't let a few rejection letters get in the way of a dream he'd held since boyhood. "I used to joke that my rule for myself was that I'd continue applying until I was older than the youngest justice," he says.

Four years and 37 applications later, the 29-year-old received an offer from Justice Sandra Day O'Connor for a clerkship for the 2008-2009 term—becoming one of the elite few selected each year and the only blind clerk to serve in the history of the Court.

Since July, Lidsky has been assisting the retired justice, who sits on several appeals court cases a year, with casework and a full schedule of speaking engagements. He is also detailed to Justice Ruth Bader Ginsburg '56-'58. He manages the reading-intensive position with technology that translates text into voice.

At 13, Lidsky was diagnosed with retinitis pigmentosa—part of a family of retinal degenerative diseases that afflict millions of Americans. Two of his three sisters also have the condition.

Lidsky was already at the peak of a successful acting career, having starred in more than a hundred commercials and just landed a role as the class nerd in the popular sitcom "Saved by the Bell." The news was devastating, he says, but he didn't have noticeable symptoms and the problem seemed ages away.

Two years later, he began losing his vision. He graduated from Harvard with a degree in mathematics at 19, founded an Internet advertising company and applied to law school, a path he set for himself after watching his father, a Miami litigator, in court.

In law school, Lidsky's impairment went from being a nuisance to a disability. Harvard arranged for accommodations for note- and test-taking, as well as cane training—something he had previously resisted. "It was hard to view it as anything other than a surrender," he says. But he found the cane helped with safety and mobility, and it also let people know that he had vision problems, dispelling the awkwardness and uncertainty of interactions.

After HLS, Lidsky clerked for U.S. Court of



U.S. SUPREME COURT clerk Isaac Lidsky '04

Appeals Judge Thomas Ambro in Wilmington, Del. Later, as an advocate in the civil division of the U.S. Department of Justice, he argued more than a dozen cases before several courts. His father recalls watching in amazement as Lidsky handled a federal appeal—citing pages, footnote numbers and cases without a single piece of paper. Lidsky says he didn't have a choice: "If it's not in my head, it's not going to get out there."

In 2005, Lidsky founded Hope for Vision to raise money for the development of treatments and cures for blinding diseases. The organization (www.hopeforvision.org), initially established in Miami, has grown to 12 groups nationwide and has raised almost \$5 million for research. This summer, they launched a nationwide campaign to raise funds to support an ambitious goal: 20/20 vision for those with retinal degenerative

diseases by 2020.

By early 2008, six months after he'd submitted his latest application, his optimism about getting a Supreme Court clerkship faded. He resigned from the Department of Justice, took a position with Jones Day and prepared to move to London with his wife, Dorothy (Harvard College '02), who was scheduled to begin a master's in art business there. The week before his going-away party at Justice, the offer letter from Justice O'Connor arrived.

"I literally could not believe it," says Lidsky. "It took two weeks for me to actually really believe it happened." His first few months at the Court have been everything he'd hoped for and more.

"I am in a phenomenal place right now," says Lidsky. "I really feel blessed."

—CHRISTINE PERKINS



1. 1978 classmates Melanie Brimmer Samuels, Ralph C. Thomas III, Ronald Soiefer **2.** 1988 classmates Daniel Lawton, Alice Stowell Lawton **3.** 1948 classmates Harold Olsen, Fred Fishman **4.** 2003 classmates Ashley Vinson, Amanda Maher **5.** 1953 classmates Charlotte Armstrong, Thomas Schwab, Ann Pfohl Kirby **6.** Vandana Chak LL.M. '88, Su Ping Yin, Kai Lei LL.M. '88, Fernando Rodriguez-Marin LL.M '88 **7.** 2003 classmates Jeffrey Mensch, Hannah W. Mensch **8.** 1993 classmates Amy Gutman, Keith Wofford **9.** 1988 classmates Yoon-Young Lee, Barbara Hebenton Fielden, Holly G. Moetell **10.** Willem Stevens LL.M. '63, Eduardo Valencia-Ospina LL.M. '63





Early Returns

*Fall reunions buzzed with camaraderie—
and pre-election excitement*

PHOTOGRAPHS BY KATHLEEN DOOHER



In Memoriam

OBITUARY INFORMATION

Details may be sent to *Harvard Law Bulletin*, In Memoriam Editor, 125 Mount Auburn St., Cambridge, MA 02138

1920-1929 **WALTER H. SEWARD '24** of West Orange, N.J., died Sept. 13, 2008. The oldest living graduate of Harvard, Seward died one month before his 112th birthday, and at the time of his death, he was the third-oldest man in the United States and fifth-oldest man in the world. A title attorney, he practiced law in New Jersey from 1937 until well into his 90s. Earlier in his career, he practiced real estate law and later worked at Fidelity Union Title & Mortgage Guarantee Co. He was profiled in the Fall 2004 *Harvard Law Bulletin*.

1930-1939 **LYDON F. MAIDER '30** of Gloversville, N.Y., died June 2, 2008. For more than 70 years, he was a practicing attorney. He entered the practice of law with his father in 1930 in Gloversville. He served on the board of the Fonda, Johnstown and Gloversville Railroad and City National Bank, and was president of the Nathan Littauer Hospital Board during the construction of the present hospital. He joined the U.S. Navy in 1943 and attained the rank of lieutenant commander. He represented the Navy in labor relations matters in and around Boston.

JESSE W. CURTIS JR. '31 of Irvine, Calif., died Aug. 5, 2008. A federal judge, he held judicial positions in Southern California for 37 years before retiring at the age of 85 in protest of rigid federal sentencing guidelines. He later worked as an arbitrator. He began his law career in San Bernardino, where he worked for 22 years before he was appointed to the Superior Court. Nine years later, President Kennedy named him to the U.S. District Court in Los Angeles, where he served until retiring in 1990.

RICHARD L. BIRD JR. '33 of Salt Lake City died Feb. 15, 2008. A longtime Utah attorney, he began his career there as a law clerk in the Utah Supreme Court. He worked as a Utah State Tax Commission attorney before forming a law firm in 1944, which became known as Richards, Bird & Kump. Before moving to Salt Lake City in 1938, he spent three years working for the Department of Justice in Washington, D.C. Reputed to be the oldest practicing lawyer in Utah, he also was active in his church and was a Boy Scout and Explorer leader. He led many community service organizations, including the Community Services Council, the Mental Health Association of Utah, and Kiwanis International.

RALPH E. BUCKNAM '34-'36 of Hunting-

ton, N.Y., and Sarasota, Fla., died July 29, 2008. He founded the international patent law firm of Bucknam & Archer. Nominated to the All-American football team, he coached the Harvard football team while he was in law school. After retiring, he played viola in community orchestras, the University Orchestra at Hofstra and the Bay Area Symphony. He also played violin and cello—instruments that he made himself. He served in WWII as a lieutenant colonel in the U.S. Army Air Forces.

FREDERICK M. ENGLISH '34-'35 of Princeton, N.J., died June 21, 2008. He served as assistant prosecutor of Mercer County, was a legal analyst with the state of New Jersey's Division of Taxation, and later served as New Jersey's deputy attorney general. A longtime resident of Princeton, he was president of the Historical Society of Princeton and the New Jersey State Society of Sons of the Revolution. He was also the author of a biography of Gen. Hugh Mercer, a Revolutionary War hero. During WWII, he served in the U.S. Army, attaining the rank of lieutenant colonel.

EVERETT C. EKINGS '35 of Mount Arlington, N.J., died June 24, 2008.

MAURICE EPSTEIN '35 of Chestnut Hill, Mass., and Palm Beach, Fla., died Feb. 10, 2008. He specialized in labor relations and also pursued business and real estate ventures, playing a key role as the first attorney and first franchise owner for Dunkin' Donuts. Following law school, he worked in the Roosevelt administration during the New Deal, and he later returned to Boston, where he spent time in private practice. He participated in the same book group for 40 years and also belonged to a world affairs club. He was an active member of Temple Mishkan Tefila.

JOHN M. RICHARDSON '35 of Kennett Square, Pa., died Jan. 12, 2008. A longtime New York City attorney, he practiced corporate law with Cahill, Gordon & Reindel for almost 40 years.

JOHN G. COFFEY '36 of Warwick, R.I., died Feb. 12, 2008. A senior partner in the firm Coffey, McGovern, Noel and Novogroski, he also served as a state representative from East Providence from 1944 to 1948, a state senator from 1948 to 1952 and secretary of the Rhode Island Democratic State Committee from 1950 to 1963. He was also a director of Providence Washington Insurance Co., Providence Washington Life Insurance Co. and AAA of Rhode Island, and he was

a trustee of Old Stone Mortgage & Realty Trust and Kent County Memorial Hospital.

JOHN W. MYERS '36 of Beverly Hills, Calif., died Jan. 31, 2008. A leading civilian test pilot during WWII, he helped develop the first American fighter plane designed specifically for night combat, the P-61 Black Widow. He joined Northrop Aircraft as its chief engineering test pilot in 1941 and later became its senior vice president and director. Early in his career, he practiced law with O'Melveny & Myers and initiated the firm's entertainment law practice. He also later became chairman of Pacific Airmotive Corp. and formed Airflite, a fixed-base aviation services facility at Long Beach Airport. After retiring, he continued to fly, and he was 90 when he gave up flying his own jet. An active philanthropist in the Central Valley community, he donated a significant part of his cattle ranch in the Merced area to the Nature Conservancy. He also made pioneering financial contributions to the University of California, Merced, to assist in its early development. In 1944, while in New Guinea teaching pilots to fly the Black Widow, he gave a sightseeing ride to Charles Lindbergh.

LEONARD M. SALTER '36 of Newton Highlands, Mass., died May 24, 2008. Specializing in debtors' and creditors' rights and commercial law, he practiced law with the firm of Wasserman and Wasserman, which became Wasserman and Salter. He self-published 51 books, writing on themes such as arms control and disarmament. During WWII, he served as an interpreter in a medical unit.

FRANCIS HOSMER CULKIN '37-'38 of Oswego, N.Y., died March 28, 2008. A longtime Oswego attorney, he practiced law there for 50 years and was a trustee of the public library for 43. He was also a founding member of and served in executive positions for Operation Oswego County. He was a field artillery officer in the U.S. Army during WWII.

FRANK C. CHESTON JR. '38 of Warren, N.J., died March 25, 2008. For the majority of his legal career, he was an attorney for the Bell System. Most recently, he was the general counsel, secretary and treasurer for Bell Laboratories in Murray Hill, N.J. He was also a general attorney, secretary and treasurer for the Sandia Corp. in Albuquerque, N.M., and senior counsel for Western Electric Corp. He also served as a trustee of Central Presbyterian Church and a director of

the Summit Area Old Guard. During WWII, he was a captain in the U.S. Army's Office of the Judge Advocate General at Wright-Patterson Field, and during the Korean War he worked at the Pentagon.

SIDNEY C. LEVINE '38-'40 of Des Moines, Iowa, died June 22, 2008. For more than 60 years, he was an attorney in Des Moines, including serving as assistant attorney for Polk County. He was chairman of the Iowa Civil Liberties Union and served on the state Human Rights Commission. A U.S. Navy veteran of WWII, he served in the Judge Advocate General Office of the Naval Reserve and as a commander of the Iowa and Nebraska division of Jewish War Veterans.

WILLIAM H. PECK '39 of Southbury, Conn., died March 24, 2008. He practiced law in New York City and then in Oyster Bay, where he lived for many years. He was an active member of Planting Fields Arboretum, Theodore Roosevelt Sanctuary and Christ Church in Oyster Bay before moving to Southbury. A decorated veteran, he served in the U.S. Navy during WWII.

1940-1949 EDWARD TEFFT BARKER '40 of Sarasota, Fla., died March 22, 2008. He was a partner at Hiscock, Cowie, Bruce, Lee & Mawhinney in Syracuse, N.Y. He was a trustee of the Manlius Pebble Hill School and the Crouse-Irving Memorial Hospital and president of the Council of Social Agencies.

EDWIN D. EFROS '40 of New York City died Aug. 2, 2008.

JACOB N. GROSS '40 of Wilmette, Ill., died April 30, 2007. An attorney for 60 years, he was of counsel at Abramson & Fox in Chicago. He represented the international arm of Machinists District and local lodges for 50 years. In 1973, he was engaged as special counsel to a subcommittee of a congressional Small Business Committee to investigate the commodity futures market, principally the Chicago Mercantile Exchange and publicly and privately owned grain merchants. The investigation triggered the congressional movement that led to the enactment of the Commodity Futures Trading Act.

WAINO T. RAY '40-'41 of Scarborough, Maine, died Feb. 4, 2008. For 25 years, he served as manager of the Life, Accident and Health Department in Maine. One of the first in Maine to receive the Chartered Life Underwriters designation, he served as president of the Maine chapter of CLU and of the Maine General Agents and Managers Association. During WWII, he served in the U.S. Army Air Forces, stationed in Boca Raton, Fla., where he became the noncommissioned officer in charge of the officer's radar school.

MARVIN A. COHEN '41 of Cincinnati

died July 21, 2008. A longtime resident of Jackson, Miss., he was a partner at what is now known as Watkins Ludlam Winter & Stennis, and he instructed the Mississippi chancery clerks on filing the Uniform Commercial Code. During WWII, he served in the U.S. Navy, as captain of a landing craft tank in the Atlantic and later as a lieutenant in the Pacific. He was an active member of the Jackson Kiwanis Club and served on the board of the Kidney Foundation.

VICTOR COHEN '41 of Salem, Mass., and Delray Beach, Fla., died July 4, 2008. He spent much of his career as a managing tax partner at Grant Thornton, a national CPA firm. After retirement at age 70, he continued managing personal estates until he was 91. His professional career included 33 years as president of the Boston Tax Council. He was also a member of the Massachusetts State Board of Public Accountancy and president and later a director of the Jewish Rehabilitation Center in Swampscott, Mass. For more than 30 years, he was a moderator and lecturer at Massachusetts and federal tax forums held at Northeastern University and Bentley College.

JOHN J. DOWNES '41 of Larkspur, Calif., died Feb. 7, 2008. He began his career as an attorney for the U.S. government in Washington, D.C., and then relocated to San Francisco, where he worked for many years in law and banking, retiring as executive vice president and chairman of the trust department of Crocker Citizens Bank. Involved in Dominican College (now Dominican University) for 20 years, he was a board member of its Mother Mary Raymond Scholarship Fund and later served the college as a trustee. He also served on the board of the Catholic Social Service Agency. During WWII, he was a captain in the U.S. Army's department of transportation.

ROBERT H. LOEB '41 of Birmingham, Ala., died March 29, 2008. His legal career spanned more than 50 years and included arguments before the Supreme Court. He was a president of the Young Men's Business Club, the Speech and Hearing Clinic, Traveler's Aid, Temple Emanu-El and Hillcrest Country Club. During WWII, he served in the anti-aircraft division in North Africa and Italy, and was then a judge advocate in the U.S. Army, retiring as captain.

LOUIS J. METZGER '41 of Maplewood, N.J., died June 2, 2008. For 60 years he worked as an investment counselor, living in Maplewood. He was a president of Congregation Beth El. During WWII, he served as a captain in the U.S. Army in the China-Burma-India theater.

DWIGHT A. NEWELL '41 of Pasadena, Calif., died May 6, 2008. He was a longtime attorney with Burke, Williams and Sorenson of Los Angeles. During WWII, he served as

a U.S. naval officer in the Pacific.

JOHN P. SPARROW '41 of Oakland, Calif., died May 30, 2008. An attorney in the San Francisco Bay Area for many years, he served as deputy district attorney in Alameda County, U.S. attorney for the Northern District of California and general counsel for the Regents of the University of California. In 1972, he was appointed a judge of the Superior Court of Alameda County. He was also a part-time professor at Golden Gate Law School, San Francisco Law School and the University of San Francisco Law School. In 1983, he co-founded the Oakland College of Law, where he served as associate dean and professor. During WWII, he served in the U.S. Navy. He retired from the Naval Reserve with the rank of captain.

EDWIN M. WARNER '41 of Geneva, Ohio, died March 19, 2008. A longtime resident of and lawyer in Geneva, he started practicing there in 1941. He also worked at Thompson Aircraft Products Co. He was later appointed by the township's trustees to be justice of the peace, and he served as chairman of the zoning commission for 60 years. During WWII, his career was interrupted briefly when he served on the legal staff of the War Production Board.

HOWARD WOOD III '41 of Chestertown, Md., died April 5, 2008. For more than 42 years, he was a solo practitioner in Centreville, Md. From 1980 to 1984, he served on the statewide Attorney's Grievance Committee. A conservationist, he established, with his sisters, Riverbend Environmental Center in Gladwyne, Pa., and also helped to start the Chester River Association and the Eastern Shore Land Conservancy. In 1987, he was named Conservationist of the Year by the Chesapeake Bay Foundation. He and his wife, Mary, also developed the Spaniard Neck Foundation, which raised money to provide housing for low-income families in Queen Anne's County.

R. PALMER BAKER JR. '42 of New York City died March 3, 2008. He was instrumental in the creation of the Ludwig Institute for Cancer Research, of which he was chairman, and the Vera Institute of Justice, a nonprofit research and policy organization that examines issues such as prison violence and parole policies. He also helped to create the first of Vera's 17 spin-off corporations, a nonprofit that addresses addiction and addiction-related problems, now called Project Renewal. Throughout his career he specialized in legal work related to criminal justice issues and addiction. He was a chairman of Argus Community and a trustee of New York-Presbyterian Hospital and Rensselaer Polytechnic Institute. During WWII, he served in the U.S. Navy, attaining the rank of lieutenant commander.

JOHN E. BELLATTI '43 of Jacksonville,

Ill., died May 19, 2008. A longtime attorney and active community member in Jacksonville, he served as president of the Morgan County Bar Association and led many Jacksonville organizations, serving as president of the Jaycees, the Chamber of Commerce and the Jacksonville Area Industrial Development Corp. He was a senior warden and vestry member under two rectors of Trinity Episcopal Church and director of the former First National Bank. During WWII, he served as a U.S. naval officer aboard the USS Baltimore and retired with the rank of naval lieutenant. He was awarded one Silver Star and four Bronze Stars for combat duty in nine battles in the South Pacific, including the Marshall Islands, Iwo Jima, the Philippines and Okinawa.

BERNARD H. CANTOR '43 of Raleigh, N.C., died July 28, 2008. He practiced law in Johnson City, Tenn., from 1946 to 2005. Early in his career, he was an attorney for the Office of Scientific Research and Development. An active member of the Washington County Democratic Party, he represented Tennessee as a delegate to the 1972 Democratic National Convention and ran for Congress that same year. An arbitrator, he was a member of the Federal Mediation and Conciliation Service and the American Arbitration Association. He was also a guest lecturer and instructor in labor relations and political science at East Tennessee State University.

CLEVELAND C. BURTON '44 of Shreveport, La., died Feb. 22, 2008. An attorney with Lunn, Irion, Switzer, Johnson and Salley, he specialized in consumer protection law. He was an assistant attorney general for Louisiana and chairman of a committee that provided legal counsel for individuals charged with felonies who could not afford to pay for their defense. He was also a horse farmer and a member of many organizations, including the Harvard Club of Louisiana, the Shreveport and Texarkana country clubs, and the Civic Opera Association.

CHARLES H. WEILAND '45 of Aurora, Ill., died May 22, 2008. He was a partner at Lord, Bissell & Brook, where he practiced for more than 35 years. He was also admitted to practice in the U.S. District Court for the Northern District of Illinois, the U.S. Court of Appeals for the 7th Circuit and the U.S. Supreme Court. During WWII, he entered the U.S. Army and served 24 months in the European theater of operations with the 47th Replacement Battalion.

WALTER D. BOYLE '45-'46 of Hennepin, Ill., died April 13, 2008. He practiced in Putnam County for more than 70 years and served as state attorney for 40 years. A longtime civic leader in Hennepin, he was a trustee of the Foundation Board for Illinois Valley Community College and received numerous awards for his service to the town,

including Hennepin Citizen of the Year. He was inducted into the Hall of Fame for Illinois Valley Community College. During WWII, he served in the U.S. Navy.

ALAN T. NOLAN '47 of Indianapolis died July 27, 2008. For 45 years, he was an attorney at the firm that is now Ice Miller, where he was chairman of the management committee. He also was chairman of the Indiana Supreme Court's Disciplinary Committee. A Civil War lecturer and scholar, he wrote or co-wrote more than five books, including "The Iron Brigade: A Military History" in 1961, which was named by Civil War Times Illustrated as one of the "100 best books ever written on the Civil War." In 1993 he received an honorary Doctor of Humane Letters from Indiana University, and the following year he was given the Nivens-Freeman award by the Chicago Civil War Round Table. He was a founder of the Indiana Civil Liberties Union and the Civil War Round Table and a member of the Catholic Interracial Council. He was honored by two governors with the Sagamore of the Wabash award, the highest honor presented by the governor of Indiana.

PETER SHAN-CHING WANG '47 of Larchmont, N.Y., died April 20, 2008.

EUGENE A. DINET JR. '47-'48 of St. Marys, Kan., died May 19, 2008. He taught for 20 years at St. Mary's College as professor of French and Latin. He served as a tertiary in the Order of St. Dominic in the Catholic Church in St. Marys, where he was a longtime resident. During WWII, he served in the Office of Strategic Services, the predecessor to the CIA.

JAMES A. AVERY '48 of Canandaigua, N.Y., died Oct. 7, 2007. A solo practitioner in Canandaigua, he was a hospital trustee and, from 1959 to 1983, a city judge.

JAMES H. BARNETT '48 of Fall River, Mass., died Aug. 22, 2008. A longtime resident of Providence, R.I., he was a partner and worked in the trust department at Edwards and Angell for 54 years. He began his career at Grenough, Lyman and Cross in Providence. He was a board member of the Gordon School, Trinity Repertory Co., Beneficent House, the Westport River Watershed Alliance and the Westport Land Conservation Trust, among other organizations. During WWII, he was a meteorologist with the U.S. Army Air Forces in the Pacific theater.

MATTHEW J. BROWNE JR. '48 of Carrollton, Texas, died June 18, 2008. He was general counsel of Esperanza Oil and Gas. Early in his career, he served as an oil scout for Humble Oil and Refining Co., and he remained in the oil and gas business until retiring in 2000. Prior to his time at HLS, he served as a U.S. Marine in WWII.

LEWIS H. JOHNSON '48 of Medina,

Wash., died May 6, 2008. He served as the president and CEO for several tug and barge companies that operated to and from Alaska. During WWII, he first served as a combat medic and was assigned to the U.S. Army's foreign area and language program. He then served in the 81st Medical Battalion of the 11th Armored Division, which was involved in the Battle of the Bulge and fought across southern Germany to Linz, Austria, where it liberated a concentration camp and met advancing squadrons of the Russian army at the end of the war.

NOAH N. LANGDALE JR. '48 of Atlanta died Feb. 23, 2008. He practiced law in Georgia for seven years before becoming an instructor for the American Institute and a department chairman at Valdosta State College. He received an honorary doctorate from the University of Alabama in 1957 and went on to become president of Georgia State College, where he served for 31 years. He helped transform the college into Georgia State University by the time he retired in 1988. In 2005 he received the Paul W. Bryant Alumni-Athlete Award, in recognition of his outstanding character, contributions to society and professional achievements. He joined the U.S. Navy in 1942 and served in the Pacific during WWII.

BERNARD T. LOUGHRAN '48 of Belmont, Mass., and Juno Beach, Fla., died July 2, 2008. A specialist in civil litigation and workers' compensation matters, in 1971 he co-founded Loughran and Corbett Attorneys in Watertown, Mass., where he practiced law until his retirement in 1994. From 1951 to 1971, he worked for the Employers Mutual Liability Insurance Company of Wisconsin, becoming the New England branch legal manager. He was president of the Workers' Compensation Trial Bar of Massachusetts and president of what is now the West Suburban Bar Association.

WALTER H. MEDAK '48 of Walnut Creek, Calif., died Feb. 18, 2008. He practiced law in Oakland and Walnut Creek for 40 years, specializing in personal injury law. A litigator, he successfully argued a case before the Supreme Court.

ROBERT H. NATHAN '48 of West Hartford and Westbrook, Conn., and Venice, Fla., died April 27, 2008. For more than 40 years, he was a partner in the Hartford firm of Gilman & Marks, where he specialized in real estate law. He enlisted in the U.S. Army Air Forces in WWII, serving as a lieutenant and flying as a navigator on bombing missions over Germany.

GEORGE N. PRINCE '48 of Seattle died May 20, 2008. A Seattle lawyer, he first practiced law with Bogle & Gates and later in private practice. He then served with the U.S. Securities and Exchange Commission, where he rose to be the assistant regional

administrator for regulation. Representing himself, he obtained a Federal Court injunction requiring state election officials to conduct the 1974 elections for the state legislature and the U.S. House of Representatives in legislative and congressional districts of equal population. He served as a German translations officer in military intelligence near Washington, D.C., from 1944 until his release from active duty in 1946.

JACOB RAND '48 of Jamesburg, N.J., died Feb. 29, 2008. A longtime resident of Long Branch, he held many positions there during his legal career. He served as attorney for the board of adjustment and the library, assistant city attorney, municipal prosecutor, acting city manager, city representative for the Open Space park programs and, finally, magistrate judge, a position he held for 12 years. He was also involved in several charitable organizations, including the Congregation Brothers of Israel in Long Branch, the local Jewish War Veterans and B'nai B'rith. He served in the U.S. Army as a radio operator in North Africa during WWII.

SAMUEL STOREY '48 of San Francisco died Feb. 7, 2008. He was in private practice in San Francisco, where he had lived since 1953. He spent his summers in Chilmark, Mass., and was a regular attendee of events at the Martha's Vineyard Hebrew Center. During WWII, he served in the U.S. Army.

JERE N. SULLIVAN '48 of Bakersfield, Calif., died May 6, 2008. He was a partner at the law firm of West, Vizzard, Howden, & Baker, which later was renamed Vizzard, Baker, Sullivan & McFarland. At the time of his death, he had been of counsel with Borton, Petrini, & Conron for more than 20 years. He was president of both the Kern County Bar Association and the East Bakersfield Rotary. He received the Bench and Bar Award from the Kern County Bar Association in 1993 and was honored by Rotary International as a Paul Harris Fellow. During WWII, he enlisted in the U.S. Army and was sent to join the 45th Infantry Division in Africa. Captured by the Germans at Anzio, he spent 14 months as a POW in Germany until his escape on April 15, 1945. For his service, he was awarded the POW Medal, the Combat Infantryman's Badge with Clusters and the Bronze Star.

HENRY A. "HAL" TILGHMAN '48 of Norwich, Vt., died June 14, 2008. An Episcopal priest, he entered the ministry in 1957 and was pastor at St. John the Evangelist in Yalesville, Conn. He was later headmaster at St. Bernard's School in Gladstone, N.J., and at St. Anne's-Belfield School in Charlottesville, Va., and was a pastor in Norwich, Vt., from 1974 to 1986. While in Norwich, he worked as an attorney and was active in senior housing. Early in his career, he was in private practice in Southport, Conn., and

worked in the corporate law department at Aetna Life in Hartford. After retiring to Chappaquiddick Island, he was active in several conservation committees. During WWII, he served as a lieutenant on the USS Chauncey and remained in the U.S. Naval Reserve until 1963, retiring as a commander.

GORDON M. TUTTLE '48 of Darien, Conn., died May 8, 2008. A Connecticut attorney, he also was vice chairman of Avco Corp. and senior vice president of Textron. During WWII, he served as a staff sergeant in an artillery battalion of Patton's Army and was awarded the Silver Star, the Bronze Star and the Purple Heart.

MAX J. ALLEN '49 of Brookline, Mass., died Sept. 15, 2008. He practiced law in Boston much of his career, and for 10 years he served as the director of inmate legal services at the Plymouth House of Correction. He was appointed India's first honorary consul in New England. During WWII, he served in the Pacific as a naval officer during the Battle of Okinawa. He retired as a commander in the Naval Reserve after 27 years.

JOHN E. CORRIGAN JR. '49 of Kenilworth, Ill., died Aug. 29, 2008. He was a senior vice president of the First National Bank of Chicago and a founding partner of Hedberg, Tobin, Flaherty and Whalen. He was also a life member of the University Club of Chicago. He served in the U.S. Army in WWII and the Korean War.

DONALD A. DELAHUNT '49 of Providence, R.I., died May 22, 2008. For 54 years, he was a practicing attorney in Pawtucket and Providence until his retirement in 2003. During WWII, he was a bomber pilot in the U.S. Army Air Forces. He flew 37 missions over Germany and achieved the rank of captain.

WILLIAM D. EBERLE '49 of Concord, Mass., died April 3, 2008. A former U.S. special trade representative, he spent much of his career in Boise, Idaho, where he was a partner at Richards, Haga & Eberle and then served four terms in the Idaho House of Representatives. He was one of the founders of the Boise Cascade Corp., serving as its vice president for seven years, and was a chairman and CEO of American Standard. From 1973 to 1974, he was director of the Cabinet for International Economic Policy, and he was an active member of the Aspen Institute. He also served as a director of the International Chamber of Commerce for many years, chairing their commission on trade-related issues, and was a director of the United States-Japan Foundation from 1986 to 1994. He was an officer in the U.S. Navy during WWII.

NORMAN N. GRIFFITH '49 of Portland, Ore., died March 24, 2008. A Portland attorney in private practice for 58 years, he was president of Riverview Abbey Mausoleum

Co., a Portland-area business owned by his family for more than 75 years. He also wrote a book, "A Lawyer Looks at the Gospels," a comprehensive study of the words of Jesus, which Griffith worked on for 35 years. He was an active member of the Junior Chamber of Commerce, SW Kiwanis Club and Christian Businessmen, and he served for 20 years as a director of the Multnomah Law Library. During WWII, he served in the U.S. Army in France and Belgium.

J. RUDOLPH GRIMES '49 of Guttenberg, N.J., died Sept. 7, 2007. Formerly of Liberia, he was the country's secretary of state, its representative at various African and United Nations conferences, founder and first dean of the Louis Arthur Grimes Law School at the University of Liberia and chancellor of the Episcopal Diocese of Liberia. After earning degrees at HLS and Columbia University, he returned to Liberia in the 1950s and was appointed counsel of the Department of State. In 1958, he was appointed acting secretary of state, and he was elevated to full status in 1960 and played an important role in the formulation of the nation's foreign policy. In 1985, his life was threatened by then President of Liberia Samuel K. Doe. He was imprisoned and tortured for a month, and his wife, Doris, was wounded. He returned to the United States with the help of the Anglican Church, various top U.S. officials, and several of his HLS classmates and remained in the U.S. for the rest of his life.

ERICH W. MERRILL '49 of Memphis, Tenn., died April 20, 2008. A longtime attorney in Memphis, he practiced law until 2001. For his commitment to community service, he received the Sam Myar award from the Memphis Bar Association in 1964. During WWII, he served as a second lieutenant in the U.S. Army in the 42nd Infantry Division, 222nd Regiment, in which he led a rifle platoon through combat in France and Germany. He received a Silver Star for gallantry in action.

CORNELIUS J. PECK '49 of Seattle died June 10, 2008. For 39 years he was professor of law at the University of Washington. He helped organize the school's Asian Law Program in 1961 and later received a Ford Foundation International Law Fellowship to conduct research in the Philippines and Malaysia. He published the casebook "Cases and Materials on Negotiation" in 1972 and chaired a commission on tort reform whose recommendations led to several modifications in Washington's tort laws. Interested in wine production and business, he was a pioneer vintner in Washington and helped form Associated Vintners, now Columbia Winery. He served in the U.S. Navy for two years.

ANDREW PERL '49 of Minneapolis died

April 5, 2008. Formerly of New York City, he practiced law there for more than 50 years. He was also a Master Mason in Harmony Lodge No. 241 of the Grand Lodge of New York. Born in Romania (he came to the United States with his family as a teenager), he was fluent in many languages—Romanian, Hungarian, Hebrew, Yiddish and Spanish as well as English—and served as a translator in the European theater of operations during WWII.

MITCHELL S. RIEGER '49 of Vail, Colo., and Chicago died July 27, 2008. A longtime partner at Schiff Hardin, he specialized in insurance securities and futures litigation. Early in his career, he worked in the U.S. Attorney's Office and was chief of the tax and criminal divisions before becoming first assistant in 1958. A fellow of the American College of Trial Lawyers, he also served on its Legal Ethics Committee and its Illinois State Committee. He was president of the Chicago chapter of the Federal Bar Association and national vice president of its 7th District. He was an avid photographer, and his photos are displayed in the hallways at Schiff Hardin's Sears Tower offices. In 2007, he published a compendium of his work, "Faces and Places: 68 Years of Photography." During WWII, he served as a lieutenant in the U.S. Navy.

CHARLES C. SMITH '49 of Greenwich, Conn., died July 15, 2008. For 32 years, he worked for New York Life Insurance Co., retiring as associate general counsel in 1981. He served in WWII in the Pacific.

P. ARTHUR SPENCE JR. '49 of Omaha, Neb., died Feb. 16, 2008. He began his career with Carpenter Paper Co. in Omaha in the early 1950s before moving to Minneapolis to become operations manager for Champion International Paper. After seven years in that position, he returned to Carpenter Paper, where he worked until he retired as the vice president of finance. He belonged to the Nebraska Society of Certified Accountants, the Omaha Lions Club and the American Legion. He served in the U.S. Army from 1944 to 1946.

DOUGLAS F. STEVENSON '49 of Lisle, Ill., died April 15, 2008. Formerly of Medinah, he was a partner at Rooks, Pitt and Poust in Chicago for 35 years and later became a senior partner at the firm of Stevenson, Rusin, and Friedman, also in Chicago. Specializing in the field of workers' compensation, he was later appointed to the Industrial Commission of Illinois. During his career, he was chairman of the Illinois Joint Employers Legislation Committee, executive director of the National Council of Self-Insurers from 1984 to 1998, and a trustee of the National Foundation for Unemployment Compensation and Workers' Compensation in Washington, D.C. He was also director of Better

Government Association of Chicago for two decades, including a term as its president. During WWII, he served in Europe as a member of the Counter Intelligence Corps team that recovered Hitler's will.

JOHN R. SCHORGER '49-'50 of Tallahassee, Fla., died May 6, 2008. He was a city commissioner in Appleton, Wis., and taught English at several colleges before retiring to Tallahassee. In the mid-1990s, he helped spearhead a citizens committee to replace ramshackle holding pens near a landfill that served as the county animal shelter. The committee ultimately persuaded the city to build a \$3 million animal shelter on six acres of land donated by the county, and the facility opened in 1996. During WWII, he volunteered to serve in the American Field Service, attached to the British 8th Army in North Africa, and he later joined the U.S. Navy.

1950-1959 JOSEPH BARE '50 of Mill Valley, Calif., died June 30, 2008. A longtime partner at Pillsbury Winthrop Shaw Pittman in San Francisco, he joined the firm in 1952. He began his legal career in Frankfurt, Germany, in the High Commissioner's Office, assisting in the rebuilding of West Germany's legal system. During WWII, he served in the U.S. Army Air Forces.

WALTER A. BATES '50 of Tucson, Ariz., died Feb. 26, 2008. A resident of Shaker Heights, Ohio, for many years, he was a member of the former Cleveland law firm Arter & Hadden, where he specialized in antitrust and corporate trial law for 44 years. He was president of the Harvard Club of Cleveland and a member of the Ohio State, American and Cleveland bar associations, as well as many other civic associations. Bates, an avid boater, raced his 35-foot sailboat on Lake Erie for 19 years, and won flags and trophies in the Roberts Race, Lake Erie Race, Falcon Cup and Brown Race. He received his commission from the Naval Reserve Officers' Training Corps in 1945 and served one year aboard a destroyer in the Atlantic. He was recalled by the Navy in 1951 and served on a destroyer in the Korean theater and as an aide to the chief of the Military Assistance Advisory Group in Oslo, Norway, until 1953.

FRANCIS H. GEORGE '50 of Spencer, Mass., died July 12, 2008. He was a presiding judge of what is now the East Brookfield Court from 1984 to 1989. He started his practice in Pittsfield, Mass., but later joined the Worcester firm of Stobbs, Stockwell and Tilton, specializing in insurance defense work. Later, he moved to private practice until 1974, when he was appointed to the District Court bench as an associate justice by Gov. Sargent. He served for 20 years as a trustee of the Worcester County 4-H Center and was

president his last six years.

DANIEL NEAL HELLER '50 of Miami died Aug. 3, 2008. Early in his career, he was an assistant prosecutor in Miami, and later, a lawyer in private practice. General counsel for several Miami newspapers, he was involved in many high-profile cases, including a protracted tax-evasion dispute with the Internal Revenue Service. The case grew out of a 1973 exposé the Miami News ran of an IRS operation in which the agency collected information on the activities of politically powerful Floridians. Heller refused to divulge reporters' sources. Several years later, he was audited, was convicted of tax evasion and served four months in prison. That case ended with Heller winning a \$500,000 settlement from the agency. In the 1960s, he served as national commander of the Jewish War Veterans.

G. JOHN KETO '50 of Chevy Chase, Md., died May 5, 2008. An official at the Atomic Energy Commission for 26 years, he served as its assistant director of military application. After his service at the commission, he practiced law with Alvord & Alvord in Washington, D.C., until his retirement in 2001. During WWII, he served in the U.S. Navy, based in the U.S. and later in Germany.

LOUIS A. LEESTINSKY '50 of Perrysburg, Ohio, died Feb. 24, 2008. He retired from R&D Electrical in Chicago in 1962, after working in several companies throughout the United States.

DONALD R. LEVY '50 of Tuckahoe, N.Y., died June 29, 2008. An attorney and benefits consultant, he served as vice president and employee benefit consultant to Johnson & Higgins, vice president of human resources and director of employee benefits at the United States Tobacco Co., and senior consultant with William M. Mercer Inc. He also taught at the University of Connecticut, served as a panelist for the Practising Law Institute in New York City and lectured for professional groups. He published books with Prentice Hall and wrote several books, including the "Pension Handbook."

JACK B. PURCELL '50 of Mill Valley, Calif., died March 28, 2008. He was corporate vice president and West Coast counsel of CBS. He began his career in 1953 in the CBS law department, where he worked until his retirement in 1986. A member of the bar in both California and New York, he spent much of his career in Los Angeles, where his work included serving as a board member for the 28th Street YMCA in Watts for 20 years. He also did full-time pro bono legal work for La Raza Centro Legal in the Bay Area for six years following his retirement. He spent the last 10 years of his life volunteering with Youth in Arts in Marin County. In 1972, he won a gold medal in the 400m

race at the Senior Olympics at the age of 51. He enlisted in the U.S. Army Air Forces in 1942, rose to the rank of major and served as a flight instructor.

JEPHTHA H. WADE '50 of Bedford, Mass., died Aug. 8, 2008. A senior partner at Choate, Hall and Stewart in Boston, he began his career as an intellectual property attorney for the Massachusetts Institute of Technology. A longtime resident of Bedford, he was a member of Bedford's Historic District Commission and the Town Planning Board. He was an assistant in the formation of the U.S. Arms Control and Disarmament Agency during the Kennedy administration and an advocate for nuclear arms control, heading up the Lawyers Alliance for Nuclear Arms Control, now known as Lawyers Alliance for World Security. He was a trustee of both the Museum of Fine Arts and the Museum of Science in Boston, among other institutions.

ERLINDA A.I. ESPIRITU LL.M. '51 of Mindoro, Philippines, died June 24, 2008. For 32 years, she was president of a family-owned bank in Mindoro. Early in her career, she was corporate legal counsel for one of the biggest land developers in the Philippines. In 1951, she was the first woman to graduate from Harvard Law School. She was profiled in the Spring 2007 Harvard Law Bulletin.

IRWIN GOSTIN '51 of Las Vegas died March 20, 2008. During his early years as an attorney, he was active in civil rights and free speech litigation, often in conjunction with the American Civil Liberties Union. He moved to San Diego in 1956 and lived there for many years. He was a president of the San Diego chapter of the ACLU and spent 20 years in partnership at Gostin & Katz before forming his own practice. After the mid-1960s, he focused primarily on personal injury law. He retired in 1994 and moved to Las Vegas in 2002. He also owned and bred thoroughbred racing horses. He served in the U.S. Army after the end of WWII.

HARRISON B. MCCAWLEY JR. '51 of Fort Washington, Md., died March 8, 2008. A tax attorney, he began his career in government as a staff attorney for the Joint Committee on Internal Revenue Taxation, eventually becoming the committee's chief counsel. Following his retirement from government in the late 1970s, he joined the Washington, D.C., firm of Silverstein and Mullens and wrote and edited tax management portfolios that were published by the Bureau of National Affairs. He retired from law practice in 2001 but continued to edit and write management portfolios and provide tax advice. He served in Europe with the U.S. Army's 78th Division during WWII and relocated to Europe after the war following hospitalization there for hearing loss.

WALLACE O. TANNER '51 of St. Johns,

Ariz., died June 11, 2008. He was an Apache County attorney, a member of the law firm Jennings, Strouss, Salmon & Trask in Arizona, and general counsel for the James Stewart Co. He was also involved in real estate ventures, including the development of Mesa General Hospital. During WWII, he served in the U.S. Army Air Forces as an instructor.

TARRIDGE P. ANDREWS '51-'52 of Naples, Fla., died Aug. 3, 2008. Formerly of Northborough, Mass., he was national sales manager at Amphenol, Westinghouse, ITT and Phalo Corp., before forming United Wire and Cable Corp. in Worcester, Mass., in 1966. He went on to acquire Electroweave in 1976 and General Wire Products in 1985. He was a member of the Worcester Club and a founding member of the Copper and New England Wire and Cable Clubs. He was a veteran of the U.S. Army's Signal Corps, having served in Korea during the Korean conflict.

STUART E. KEEBLER '52 of Patterson, N.Y., died June 14, 2008. He was a partner at Milbank, Tweed, Hadley & McCloy in New York City.

EMMANUEL W. "MICHAEL" METZ '52 of New York City died Aug. 6, 2008. A chief investment strategist and five-decade Wall Street veteran, he was an analyst for Oppenheimer & Co., where he had worked since 1969. He attained the position of chief strategist in 1990 and initially retired in 2002, but he returned to his role at Oppenheimer less than a year later. He began his career with Standard & Poor's in 1959. He was often featured in major publications and on television during his career, and in recent years, he was one of the first analysts to raise red flags about the dangers of deteriorating housing and credit markets.

HARVEY L. SCHEIN '52 of New York City; Washington, Conn.; and Sanibel, Fla., died May 13, 2008. A longtime figure in the entertainment industry, he served as president of CBS Records International in the 1960s and president and CEO of Sony America in the 1970s. A protégé of William S. Paley at CBS, he negotiated an agreement for a new record company, CBS/Sony Records. He joined Sony in 1972 and was credited with doubling its size and increasing annual sales to \$750 million, in spite of championing the failed Betamax video recording system. He later served as an executive at Warner Communications and then head of PolyGram Corp. Devoted to the support of the arts, he helped build a performing arts center on Sanibel Island in Florida. He also was president of the broadcasting service Skyband. He briefly served in the U.S. Naval Reserve.

FRANK DAVID GORMAN '53 of Pinehurst, N.C., died March 23, 2007. He was general counsel of Kennecott Copper Corp. He also

served on President Reagan's Private Sector Commission on Cost Control. He was active in civic affairs in Pinehurst and surrounding Moore County.

JAMES S. GRATTON '53 of Worcester, Mass., died July 23, 2008. A partner at Thayer, Smith and Gaskill, now Bowditch & Dewey, for many years, he retired as a senior partner in 1991. He served on the City of Worcester Human Rights Commission and was a trustee of Worcester Junior College and Central New England College, as well as a director of United Way of Central Massachusetts and the Social Service Planning Council. He was a lieutenant in the U.S. Navy.

A. JOHN "JACK" MAY '53 of Berwyn, Pa., and Hobe Sound, Fla., died March 23, 2008. Following his graduation from HLS, he joined the law firm of Duane, Morris and Heckscher (now Duane Morris) in Philadelphia. He was made partner in 1962 and served as vice chairman from 1985 to 1990, chairman and CEO from 1990 to 1995, and then counsel to the firm. He was also a director of the Pennsylvania Manufacturers' Association and the PMA Foundation and a director and then chairman of the PMA Capital Corp. An active member of his community, he served on Easttown Township's Zoning Board of Adjustment, Planning Commission, School Board and Board of Supervisors. He served in the U.S. Army as a second lieutenant with the 18th Airborne Corps and 45th Infantry Division in Korea from 1951 to 1952. He was then a reserve officer in the Pennsylvania National Guard until 1957.

CARL A. SPATZ '53 of Coconut Grove, Fla., died April 23, 2008. A lawyer in Florida for 50 years, he specialized in contracts and real estate.

ROBERT L. WISE '53 of Belmont, Mass., died Jan. 4, 2008. A labor lawyer, he negotiated salary and work condition contracts for statewide police departments as well as for those of cities and towns. He was vice president of the Hebrew Immigrant Aid Society in Boston and was recently honored by the Boston Bar Association for 50 continuous years of law practice. He served as a cryptologist in Germany in the U.S. Army's Counter Intelligence Corps.

DAVID N. BARUS '54 of New York City and South Yarmouth, Mass., died March 2, 2008. He held several executive positions at Stevens Institute of Technology, including assistant to the president, vice president for university relations and senior counsel. Earlier in his career, he was special legal adviser to the U.S. commissioner of education on implementing the Civil Rights Act of 1964. He was also a special consultant to the New Jersey commissioner of education and founding director of the Project

on Educational Planning, based at Rutgers University. For 10 years, he was director of the Association of Independent Colleges and Universities in New Jersey.

R. GORDON HARRISON '54 of Coupeville, Wash., died June 27, 2008. Formerly of Honolulu, he was a minister of the United Methodist Church. He served churches across the state of Washington, most recently Coupeville United Methodist Church. He was active in the HIV/AIDS ministry of the church's Pacific Northwest Conference as well as a member of the AIDS task force in Island County. Prior to studying at Garrett-Evangelical Theological Seminary, he was a bank trust officer in Ohio. He served two years in the U.S. Army's Judge Advocate's Office at Tripler Army Medical Center.

RICHARD H. STRODEL '54 of Cotuit, Mass., and Atlantis, Fla., died May 4, 2007. A communications lawyer in Washington, D.C., he was a partner in the law firm Wheeler and Wheeler. In 1990, he joined Haley, Bader & Potts, and he stayed until retiring in 1997. A member of the National Presbyterian Church, he was a trustee, an elder and a chairman of Ingleside Presbyterian Home. He served in U.S. Army military intelligence.

ALAN H. WRIGHT '54 of Muttontown, N.Y., died Feb. 25, 2008. He spent the majority of his career with the New York City law firm of Shearman & Sterling, where his principal client was Citigroup. He specialized in the leasing of commercial aircraft and is credited with a number of innovations that facilitated purchases of airline equipment. He was also a village justice for the Village of Muttontown. He served in the U.S. Army from 1954 to 1956.

ROBERT C. BOOZER '55 of Atlanta died April 14, 2008. After graduating from HLS, he studied in Rotterdam, Holland, on a Fulbright Scholarship. When he returned to Atlanta, he became an associate and then a partner at the firm Alston, Miller, Spann, & Shackelford. He then established the firm Ashmore & Boozer, now Troutman Sanders, and served as a senior partner there until retirement in 1992. Passionate about music, he performed as a bass vocalist with the Choral Guild of Atlanta, the Huff 'n' Puffs and the Atlanta Symphony Chorus.

ALAN M. BREITMAN '55 of Teaneck, N.J., died Feb. 23, 2008. He was a former resident of Livingston, N.J., where he spent 42 years prior to his move to Teaneck. He was director of taxes at the American Cyanamid Co. in Wayne, N.J. Earlier in his career, he was an assistant treasurer at Pfizer and vice president of tax at Revlon. He was also a president and trustee of Temple Beth Shalom. He served in the U.S. Navy from 1953 to 1955.

EARL L. CROMAN '55 of San Antonio died

April 25, 2008.

WILLIAM C. SMITH '55 of Portland, Maine, died April 23, 2008. A longtime tax law, trusts and estates lawyer at Pierce Atwood in Portland, he served as its managing partner from 1983 to 1993. He was admitted to the U.S. Tax Court in 1960, and for 38 years, he served on the executive committee of the Federal Tax Institute. He was listed in "The Best Lawyers in America" for many years.

HERMAN L. TRAUTMAN '55 of Nashville died Feb. 25, 2008. A professor at Vanderbilt Law School, he began his career practicing law in Evansville, Ind., and also taught at the University of Alabama Law School before joining the faculty at Vanderbilt, where he remained until his retirement in 1980. He later practiced law with his son as Trautman and Trautman for eight years before retiring a second time. He was a member of many professional organizations, including the American Law Institute and the American, Tennessee and Nashville bar associations. During WWII, he served as a lieutenant in the U.S. Navy.

STANLEY L. COHEN '56 of New York City died May 9, 2008. An international corporate banking attorney, he worked for the U.S. government in the early part of his career as a lawyer for the State Department under John F. Kennedy's administration. He traveled worldwide on behalf of the State Department and then moved to New York to work in legal finance, first at Bankers Trust for more than 25 years and then for Donaldson, Lufkin & Jenrette. Before starting his law career, he served in the U.S. Army.

ROBERT S. JONES '56 of Sandwich, Mass., died March 11, 2008. He began his career in private practice in Boston before moving to Louisville, Ky., to become corporate counsel for General Electric. He later moved to Tyler, Texas, where he was executive vice president and general counsel/secretary for the Curtis Mathes Corp., and then relocated to New Jersey to work in the same position for Kremetz & Co., before retiring to Sandwich in 1989. Following his retirement, he worked as a real estate agent with Dugan Realty. He also served as a town selectman, chairman of the Sandwich Finance Committee, chairman of the Cape Cod Commission and a founding member of the Cape Light Compact. During the Korean War, he fought on the front lines with the U.S. Army. He attained the rank of major and received the Bronze Star. He was also a member of the Army Reserve.

ELI D. SCHOENFIELD '56 of New York City died Feb. 5, 2008. He practiced law at Kay Collyer & Boose for more than 20 years. He was later a partner at McLaughlin & Stern in New York City.

RICHARD S. SPRAGUE '56 of Bellevue,

Wash., died May 28, 2008. He practiced law for 40 years with Bogle & Gates, where he served as managing partner. He later was senior vice president at Kemper Development Co. in Bellevue. He served as president of the University of Washington Alumni Association, the Washington Athletic Club, the University of Washington Tyee Board, Greater Seattle (Seafair), the local March of Dimes chapter and Ronald McDonald House. A football standout at the University of Washington and captain of the 1952 team, he turned down an opportunity to play for the NFL's Chicago Cardinals in order to attend HLS.

HAROLD K. ABE '57 of Peabody, Mass., died June 7, 2008. After practicing law in Washington early in his career, he went to Japan and became a lecturer at Tokyo University, Graduate School of Law. He had a 30-year career there with IBM.

GEORGE G. GREGORY '57 of Capistrano Beach, Calif., died March 31, 2008. A Los Angeles attorney for more than 40 years, he practiced at Gibson, Dunn, and Crutcher and Hughes, Hubbard, and Reed. He also served as general legal counsel for H.F. Ahmanson, a holding company for the major savings and loan institution Home Savings of America, for several years.

ARNOLD H. KLAU '57 of Avon, Conn., and Naples, Fla., died May 10, 2008. He practiced and lectured on geriatric law in Connecticut. In Manchester, Conn., he helped establish the Manchester Interfaith Social Action Committee. The committee took advantage of a government housing program to create the first subsidized rental apartments for families in the area. He was also active in the Democratic Town Committee, served as assistant town counsel and was head of the local United Jewish Federation.

BRICE M. CLAGETT '58 of Washington, D.C., died April 8, 2008. He was an attorney with Covington and Burling for more than four decades, specializing in public and private international law, foreign claims, international arbitration and Middle Eastern law. In 1960 he served as a juridical counselor with the Cambodian delegation to the International Court of Justice at The Hague, and in 1975, he argued before the Supreme Court in *United States v. Maine*. He was a lifelong advocate of historic and land preservation and environmental protection, and he was a chairman of the Maryland Historical Trust and the Maryland Environmental Trust.

ARTHUR Y. MURAOKA '59 of Honolulu died May 10, 2008. He was an attorney and president of Imperial Finance Co. He served in the U.S. Air Force.

1960-1969 **GEORGE J. DUNN '60** of Cleveland died Feb. 17, 2008. He began his career in private practice before joining

the oil company Sohio's in-house legal department in 1968, rising to the position of general counsel and senior vice president in 1974. He played a major role in the merger between Sohio and BP America in 1987, and remained with BP until his retirement in 1998. During the 1970s, he contributed to the development of the Alaska Pipeline. He was also a sailing enthusiast and spent much of his retirement sailing Europe, the Caribbean, the Mediterranean and South America. A trustee of the Cleveland Orchestra, the Museum of Contemporary Art Cleveland, the Cleveland Institute of Music and the Cleveland Institute of Art, he was also a trustee of the Council on World Affairs and the Great Salt Lakes Science Center.

JEROME B. GRACEY '60 of Granby, Conn., and Harpswell, Maine, died April 3, 2008. He was a partner at Reid & Reige in Hartford, Conn., and played a key role in developing Connecticut's Professional Corporation Act, which permitted professionals to incorporate and improved the method of funding retirement plans. He lived in Granby for 45 years and was a founding member of the Granby Ambulance Association, a director of the Granby Community Fund, a member of the Granby Planning and Zoning Commission, and a baseball coach in the Granby Little League and Babe Ruth Association.

ROBERT H. JOOST '60 of Bethesda, Md., died Feb. 19, 2008. An expert on no-fault auto insurance, he was also well-known for his struggle with bipolar disorder, which almost prevented him from taking the bar exam in Massachusetts at the start of his career. He was editor of the Law Review while at HLS and taught briefly at the New England School of Law following graduation. He then went on to work for a New York City law firm before relocating to Capitol Hill in the early 1970s to join the staff of the U.S. Senate Commerce Committee. A staunch advocate of the no-fault system of automobile insurance, he published the book "Automobile Insurance and No-Fault Law" in 1992. He drafted a number of pieces of legislation on the topic and went on to work with the D.C. Law Revision Commission. He was also a judgment officer with the Commodity Futures Trading Commission and a chairman of the board for Correction of Military Records of the Coast Guard Court. Just prior to his retirement, he continued to advocate for public policy issues, including the prevention of political restrictions on scientific inquiry, stem-cell research in particular.

MATTHEW S. PERLMAN '60 of Potomac, Md., died Dec. 5, 2007. A longtime partner in the Arent Fox law firm, he specialized in government contract law. He worked on many projects in Washington, D.C., including the building of Verizon Center and the

Ronald Reagan Building. From 1967 to 1969, he was assistant general counsel with the Department of Transportation. He served on President Ronald Reagan's transition team for the General Services Administration, was a member of the advisory board of the publication "Federal Contracts Report" from 1970 to 1997 and was general counsel to a presidential commission on the postal service. A legal officer in the U.S. Air Force from 1960 to 1965, he later became a judge on the Armed Services Board of Contract Appeals.

MICHAEL E. FREEMAN '61 of Whitefish Bay, Wis., died July 15, 2008. He practiced with Quarles, Herriott & Clemons, now Quarles & Brady, Manpower Inc. and Michael Best & Friedrich before becoming a solo practitioner. He served on the boards of Jewish Family Services and the American Jewish Committee. He also committed time to the Milwaukee Bar Association and the Milwaukee Jewish Federation and volunteered as a reading tutor in the Milwaukee Public Schools.

SETH D. ZINMAN '61 of Arlington, Va., died May 6, 2008. He was a lawyer at the Department of Labor's Office of the Solicitor for 45 years. He joined the office in 1961, and in 1975, he was appointed associate solicitor for legislation and legal counsel. He was responsible for drafting significant federal laws designed to protect American workers, including the McNamara-O'Hara Service Contract Act, amendments to the National Labor Relations Act that broadened coverage to the nonprofit hospital care industry, and the black lung provisions of the Federal Coal Mine and Safety Act. He also served as the department's senior career ethics officer and the principal legal adviser to the Bureau of Labor Statistics. He received the Philip Arnow Award, the Labor Department's highest honor, and the Justice Tom C. Clark Award, given by the Washington chapter of the Federal Bar Association.

STEPHEN CHRYSTIE '62 of Santa Monica, Calif., died July 23, 2008. He pursued a long legal career in bankruptcy and entertainment in Los Angeles. He was also involved in the Anti-Defamation League.

DAVID A. DIAMOND '62 of Great Neck, N.Y., died Sept. 7, 2008. In 1964 he was practicing with the Wall Street law firm Hughes Hubbard & Reed but took time that summer to serve as a civil rights worker in Mississippi. He was part of a support unit that helped with voter registration and assisted community farmers and sharecroppers who were being cheated by their landlords. Soon afterward, he left Wall Street for an antipoverty program in Manhattan, serving as chief welfare attorney at the Mobilization for Youth Legal Services, and he later headed the Law Reform and Test Case Unit. He was

a professor both at Syracuse University College of Law and later at Hofstra University Law School, where he taught procedure, trial practice and family law.

PAUL S. HOFFMAN '62 of Croton-on-Hudson, N.Y., died March 24, 2008. He was the acting village justice for Croton-on-Hudson and was previously a member of the village board of trustees and the Croton-Harmon Board of Education. A pioneer in the field of computers and the law, he was the author of "The Software Legal Book," a standard reference guide that he updated annually. He was a veteran of the 82nd Airborne.

SHULAMITH BERLE '63 of Boston died June 21, 2007.

JACQUES C. FEUILLAN '63 of Washington, D.C., died Jan. 3, 2008. In his 22 years as an attorney with the Federal Trade Commission, he had many accomplishments in the international division, including negotiating competition agreements with Japan and Australia. At the Office of Policy Planning, he pioneered analysis of the FTC's role in protecting consumer privacy, now a major part of the FTC mission. Prior to joining the FTC, Feuillan was an attorney with the Department of Health, Education and Welfare, the Lawyers' Committee for Civil Rights, the Legal Action Support Project at the Bureau of Social Science Research and the Council for Public Interest Law.

BRIAN J. BRUNDIN '64 of St. David, Ariz., died Feb. 26, 2008. A longtime resident of Anchorage, Alaska, he began his career there as an attorney with Hughes, Thorsness and Lowell. He practiced in the commercial law division and became a partner there before relocating to Arizona and going into private practice. As an attorney and CPA, he specialized in estate planning and tax law, and served on many boards, including the World Trade Center of Alaska, and the University of Alaska Foundation, Board of Regents and Alumni Association. From 1964 to 1966, he served as a captain in the U.S. Army Finance Corps.

MARK W. MURPHY '64 of Indianapolis died Feb. 19, 2008. He practiced law in Indianapolis prior to his retirement several years ago. Active in his community, he was a member of Grace Community Church, the Christian Men's Business Club, the Indiana Bar Association, the Columbia Club and the Riviera Club.

MICHAEL JAMES O'GRADY LL.M. '64 of Ottawa died May 17, 2008. For 46 years he practiced law in Ottawa with Solway, Wright, Houston, Greenberg, O'Grady & Morin and O'Grady & Associate. He was with the firm of Burke-Robertson at the time of his death. In 1998, he was elected a fellow of the American College of Trial Lawyers. He served as president of the Consumers Association of Canada and as a member of

the executive committee of the International Organization of Consumers Unions.

ROBERT SUGARMAN '64 of Pineville, Pa., died June 27, 2008. An environmentalist, attorney and activist, he was a solicitor for several municipalities, with law offices in Doylestown and Philadelphia, and represented citizens groups in many zoning and land-use legal proceedings, including opposing the Point Pleasant pumping station, which sought to transfer water from the Delaware River to cool a nuclear power plant in Montgomery County, and an expressway which would have destroyed homes and businesses. In 1978, President Carter appointed him to the International Joint Commission for U.S.-Canada border environmental protection. To establish support for citizen activists and public interest organizations, he co-founded the PennFuture Center for Grassroots Support earlier this year. He served as president of Americans for Democratic Action in Philadelphia, chairman of the Montgomery County Democratic Party and a director of many organizations, including the Public Law Center of Philadelphia, Community Legal Services and the Foundation for Architecture. He was also a legal consultant to the Water Quality Association.

PATRICK HARDING LANE S.J.D. '65 of New South Wales, Australia, died Dec. 25, 2007.

JAMES J. UNGER '67 of Washington, D.C., died April 3, 2008. He was a debate coach at Georgetown and American universities and was director of American University's National Forensics Institute, which brought thousands of high school students to Washington to study competitive speech. A national champion debater at Boston College, he coached debaters while at HLS. In 1968, he became a debate coach at Georgetown, where his teams were ranked first in the national coaches poll five times. In a 1970s poll of leading intercollegiate coaches and debaters, he was named Outstanding Debate Coach and Outstanding Debate Judge of the decade. In 1985, he became director of forensics at American University. He retired from AU in 1996. He also served as a debate consultant to NBC, ABC, the Associated Press and United Press International, commenting on debates such as the Clinton-Dole presidential election debate.

THOMAS I. ATKINS '69 of Boston died June 27, 2008. A civil rights lawyer, he worked on the challenges of school desegregation in Boston and beyond and was associate trial counsel for the plaintiffs in *Morgan v. Hennigan*, a Boston school desegregation case. He was the first African-American to become a city councilor and mayoral candidate in Boston, and the first to serve as a state Cabinet member in Mas-

LOUISE SANDBERG '08

of Miami Beach died July 9, 2008. A third-year student at Harvard Law School, she was a graduate of Emory University, and Palmetto High School, where she was a champion debater. She recently accepted a position with Davis Polk & Wardwell in



the summer of 2008, Harvard Law School has announced the creation of the Louise M. Sandberg Memorial Fund. For information about donating, contact Dean of Students Ellen Cosgrove: cosgrove@harvard.edu.

New York City. She lived in Miami, Boston, Atlanta, California, London, Brazil, Switzerland and Australia. Since Sandberg's death from breast cancer

sachusetts. At the NAACP, he served the Boston branch as executive secretary in the mid-1960s and as president beginning in 1974, and he was later its lead lawyer at the national level.

PETER W. RODMAN '69 of Washington, D.C., died Aug. 2, 2008. A lawyer, government official and foreign policy expert, he was a senior fellow at the Brookings Institution. His most recent book, "Presidential Command: Power, Leadership, and the Making of Foreign Policy from Richard Nixon to George W. Bush," is scheduled for release in 2009. Prior to his work as a Brookings Fellow, Rodman had a career in public affairs, serving on the National Security Councils of four Republican presidents and most recently serving as assistant secretary of defense for international security affairs from 2001 to 2007 under then Secretary of Defense Donald Rumsfeld. He was also deputy assistant to the president for national security affairs and a director of the State Department's policy staff during the Reagan administration, as well as special assistant to former National Security Adviser and Secretary of State Henry Kissinger. He was a trustee of Freedom House and a director of the World Affairs Council of Washington, D.C.

1970-1979 JOHN C. QUALE '71 of Bethesda, Md., died June 29, 2008. A long-time communications attorney and partner at Skadden, Arps, Slate, Meagher & Flom in Washington, D.C., he counseled broadcast, satellite and wireless companies as well as venture-capital and investment firms and

wrote about communications law in publications such as the *Federal Communications Law Journal*. Before joining Skadden Arps in 1996, he worked for Kirkland & Ellis and Wiley Rein, where he helped to start and headed up the mass media communications group. He and his wife founded the Bladder Cancer Advocacy Network to raise awareness about the disease and to help provide funds for research and treatment.

BRADLEY C. DIGGS '73 of Seattle died July 25, 2008. He joined the law firm Davis Wright Tremaine in Seattle after law school, went on to chair the firm's commercial transactions practice and was named managing partner in 1994. He served on the board of the YMCA of Greater Seattle, as president of the Legal Foundation of Washington and as a board chairman of Washington.

THOMAS C. RUSSLER '74 of New York City died Jan. 9, 2008. He was a securities attorney at Kirkpatrick & Lockhart in New York City.

DAVID J. DACQUISTO '79 of Davidsonville, Md., died April 26, 2008. For 18 years, he served at the National Association of Home Builders research center as its vice president of technology. Most recently, he was a co-owner of Newport Partners.

1990-1999 RODRICK J. REID '90 of Jersey City, N.J., died July 18, 2008. He spent his career in law and business, first with Kirkland & Ellis and later with Eli Lilly Pharmaceuticals. He also was vice president of Manor Care. In 2002 he founded his own company, Metropolitan Development Group, a Chicago-based home building organization specializing in luxury homes, mixed-use condominiums and commercial buildings. Until the time of his death, he was serving as managing director and co-founder of the Renovo Development Group of Philadelphia, a housing development corporation specializing in constructing affordable housing. He volunteered in several civic endeavors, including Big Brothers and mentoring programs for youth in Indianapolis and Chicago.

MELISSA C. "MISSY" BROOKS BATTEN '97 of Renton, Wash., died July 29, 2008. She was a developer in Microsoft's games division in Seattle. Prior to moving to Washington, she was a public defender at the Mecklenburg County Public Defender's Office in North Carolina, where she handled hundreds of cases and worked in the domestic violence court. On July 21, Batten filed an emergency temporary protection order against her husband. Eight days later, he killed her before killing himself. Donations in Batten's memory can be made to the Eastside Domestic Violence Program in the Seattle area: www.edvp.com.

“THE NEXT GENERATION IS WELL-PREPARED TO TAKE OVER”

Finn M.W. Caspersen '66 is chairman of the board and CEO of Knickerbocker Management, a private management firm that oversees the assets of various trusts, foundations and individuals. He is also chairman of Harvard Law School's Dean's Advisory Board, and he led the school's "Setting the Standard" campaign. The drive raised \$476,475,707, blowing past its goal and making it the largest and most successful campaign in the history of legal education.

Why did you agree to lead the campaign?

I view campaigns as not only a way of accomplishing certain things—i.e., endowments, professorships and so on—but also a way of drawing people together. And, there were a lot of things that the Harvard Law School needed to do. Clearly, the need for scholarships and increased endowment was there, and the physical plant was lacking. Meanwhile, the necessary campaign infrastructure was in place. The administration, led at the time by Dean Bob Clark, was very strong. Economic times were reasonably good. All in all, it was clear that we should go ahead.

You came up with the campaign's name—“Setting the Standard”—when you posed a question: “If this place doesn't set the standard, who will?” Now that the campaign is over, is the school in a position to meet that goal?

You always have to do more. You never get to perfection. That said, the school is in much, much better shape today than it was back then. And I think by any important measure, it is setting the standard.

That phrase helped overcome the biggest objection that Harvard faces in fundraising, which is, “You're already the richest law school, and the richest university, in the world.” The response to that is, “Well, somebody has to set the standard, and we believe it should be us.”

The success of this campaign will allow us to continue being the best law school in the world.

Early on in the campaign, you made the largest gift in the history of the school. Recently, you designated it for a student center in the Northwest Corner. Why?

I left it undesignated initially, in order to allow others to step up and say what they were willing to support. Then I could see what was left over, and put my gift there. I made the gift early on because I wanted to provide a spur to my fellow



alumni. I also wanted to redefine the parameters for “major gifts,” and, to a large extent, it accomplished that.

Now that the campaign is over, I have decided to designate it for the student center because I believe interaction with one's peers is one of the most critical aspects of the law school's education. Further, I have had a history of such gifts, doing much of the same at the Peddie School in New Jersey, and I enjoy following in the footsteps of one of my mentors, Walter Annenberg, who did the same for Harvard.

One of the unusual aspects of this campaign was that at the outset, it wasn't clear whether HLS would move to Allston or stay where it was, so about a quarter of the overall campaign goal—the building component—had to remain an unknown. True. That was a complicating factor. And in the end, the Northwest Corner—which is what most of the building component turned out to be—is going to cost much more than a quarter of the campaign receipts, so we still have more to raise there.

How do you personally feel about the outcome: staying put, and investing in that corner of the existing law school campus?

I was open to both outcomes, but moving the whole school would have delayed everything significantly. This way, we were able to decide what we needed and get on with business.

Frankly, I was a little worried that the city of Cambridge might impose tight strictures on the law school's expansion, but in fact, the city has been extremely reasonable in terms of the Northwest Corner. The project has gone better than anybody could have hoped for, and it will benefit both the city and the school.

Many alumni wanted the school to stay where it was . . .

Yes, surprisingly so. That was brought home very early on, when a poll of the alumni indicated quite clearly that they wanted us to stay where we were. And of course, in fundraising terms, that's the ocean, and that's where you're going to have to fish. If the alumni want something, and if it's reasonable, then you'd better listen to them.

You were not only the chairman of the campaign, but also of the Dean's Advisory Board. Can you contrast those two roles?

In the longer term, chairing the Dean's Advisory Board is a far more important job, because that board provides a systematic way for alumni leaders to have a say in the future of the school. It provides the dean and the faculty with a sounding board based in the reality of the practice of law, business and public service. It enables the school's leadership team to bounce new ideas off a group of very sophisticated people who have no hesitation about saying, "You're wrong."

When Larry Summers became president, one of the first meetings he had was with the Dean's Advisory Board of the law school. Similarly with Drew Faust. To me, that suggests that they find it a useful forum.

Over the course of this campaign, some of the key players—deans, presidents and fundraisers—have changed, while you and your alumni colleagues have been the continuing presence. Do you think of it as a kind of stewardship role?

Absolutely. The alumni really are there forever. They're the stewards of this institution.

You helped Jack Cogan when he led the school's previous campaign, so in a sense, you were groomed to lead this charge. Do you see a similar grooming going on, in terms of the next generation of alumni leaders?

Yes, I do. I think one of the great things about the campaign was the number of energetic younger people who were drawn into it—and in the process, really learned about the school, about campaigning and so on. Through an effort like this, it really becomes a cohesive whole, I think, and that's extremely important. But the short answer is "yes": I think there's a very, very deep bench for the future.

THE ULTIMATE SOUNDING BOARD

FINN CASPERSEN '66 is chairman of Harvard Law School's Dean's Advisory Board, a brain trust of leading lawyers who, in addition to advising Dean Elena Kagan '86 on a wide variety of matters, helped ensure the success of the "Setting the Standard" campaign. The board's members are as follows:

- | | |
|-----------------------------|---------------------------------|
| Frederick R. Adler '51 | Lewis B. Kaden '67 |
| Howard J. Aibel '51 | Robert J. Katz '72 |
| Peter A. Atkins '68 | Donald G. Kempf Jr. '65 |
| Lloyd C. Blankfein '78 | George H. Kidder '50 |
| Anthony H. Bloom LL.M. '64 | Michael R. Klein LL.M. '67 |
| David Bonderman '66 | Peter C. Krause '74 |
| Samuel C. Butler '54 | Steven J. Kumble '59 |
| Truman S. Casner '58 | Joseph A. LaNasa III '94 |
| Finn M.W. Caspersen '66 | Temitope O. Lawani '95 |
| Kenneth I. Chenault '76 | David M. Mandelbaum '60 |
| John F. Cogan Jr. '52 | Morris Mark '64 |
| William T. Coleman Jr. '43 | Michael W. Michelson '76 |
| Joy D. Covey '89 | Abby Sniderman Milstein '76 |
| Bryan C. Cressey '76 | Howard P. Milstein '76 |
| Domenico De Sole LL.M. '72 | Robert J. Morrissey '63 |
| Fred N. Fishman '48 | J. Robert S. Prichard |
| Joseph H. Flom '48 | Cornelius B. Prior Jr. '62 |
| Roy L. Furman '63 | Charles J. Queenan Jr. '56 |
| Robert B. Haas '72 | Sumner M. Redstone '47 |
| Jane Lakes Harman '69 | John F. Savarese '81 |
| Gustave M. Hauser '53 | Jenö C.A. Staehelin LL.M. '65 |
| Rita E. Hauser '58 | Stephen R. Volk '60 |
| Roland A. Hernandez '82 | Barry S. Volpert '85 |
| Samuel J. Heyman '63 | William D. Walsh '55 |
| Jerome E. Hyman '47 | Bruce Wasserstein '70 |
| Robert D. Joffe '67 | Eric T. Wu LL.M. '77 S.J.D. '90 |
| Suzanne M. Nora Johnson '82 | Yukio Yanagida LL.M. '66 |

You and your wife have been extraordinarily committed to HLS and also to other schools and colleges that are important to you. Is that part of a bigger picture, and a philosophy?

If there's any one area of charitable endeavor that should be highlighted, it's education, because it's an investment in the future—an investment in human capital. I've been active in a range of other things, but education's always been my particular love, which is why I'm so pleased with the outcome of the HLS campaign.

We reached our goal, and then went well beyond it. I am confident that the law school is in very good hands today with Elena Kagan, and I think the next generation is well-prepared to take over.

GALLERY

ROMANCING IN STONE

*A valentine in granite
outside Lewis
International Law
Center*





“If there is anyone out there who still doubts that America is a place where all things are possible; who still wonders if the dream of our founders is alive in our time; who still questions the power of our democracy, tonight is your answer.”

Barack Obama '91, president-elect of the United States



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