A Place in the World
We asked new LLMs, SJDs, and research scholars to pose with items from their home countries to help us illustrate the Law School’s global reach. Here, new LLM Alan Wallis displays the flag of South Africa. A law graduate of the University of Cape Town, Wallis (holding his country’s flag) is a human rights lawyer who worked in Southern Africa.
María José Villalvazo González (holding a Mexican doll) studied law at Instituto Tecnológico Autónomo de México (commonly known as ITAM). She has worked as a law clerk assistant for the Mexican Supreme Court and is particularly interested in constitutional law.
Young Hei Jo, a JD student and LLM orientation leader from South Korea, wears a soccer jersey of his favorite team, FC Seoul. He plans to practice in the area of litigation after his December 2014 graduation.
A CONVERSATION WITH DEAN WEST

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Pedro Guilherme Lindenberg Schoueri (with a map of his home country) holds a bachelor’s degree from the University of São Paulo and expects an LLM from the University of Munich. He was an intern and associate in the tax consultancy team at a firm in Brazil. As an LLM student at Michigan, he intends to study American and international tax law.

Chloë Bell (with tea from her homeland) was born in Belfast and holds a law degree from Trinity College, University of Cambridge. She held several internships with firms in Dublin and London, and her most recent work was at the European Court of Justice in Luxembourg. She is most interested in labor and employment law, and European Union law.

Thius Vogel earned his law degree from Georg-August-University Göttingen in Germany and was a research assistant while working on a doctoral thesis about a German private law issue. Vogel (holding a loaf of German brown bread along with a soccer ball) has taught law students in German contracts and torts law for one and a half years. He hopes to become a professor of national and comparative private law.

PHOTOS BY MARTIN VLOET, MICHIGAN PHOTOGRAPHY
5 Quotes You’ll See…

…In This Issue of the Law Quadrangle

1. “She’s one of those people you meet and immediately feel like you’re an amateur at conversation.” (p. 11)

2. “The genie is out of the bottle with respect to corporate social responsibility. It’s not as though consumers are likely to suddenly conclude that ‘it’s OK for children to make my shirts.’” (p. 21)

3. “I said I’d quit my job and feed myself, if they bought the wood and rented the building space.” (p. 37)

4. “[In the book], I am as a shyster lawyer. Those who know me know it’s a spoof. Those who don’t know me—what difference does it make?” (p. 61)

5. “Our food system is broken. Inefficient. It’s devastating to the environment and bad for our health. Our approach is to use technology to leap over the older ways of thinking and develop a new world of food—a world 10 times more sustainable and 10 times more affordable.” (p. 64)
Mark D. West began his tenure as the 17th dean of the University of Michigan Law School on September 1. He sat down with the Law Quadrangle to talk about his background, the School’s long history of greatness, and the future of legal education.

Dean West: I Found My Home at Michigan Law

Q. What was your first encounter with Michigan Law? Did you know immediately it was the right place for you?

A. My first in-person encounter was in 1997 in Washington, D.C., at a faculty recruitment conference. The conference is structured a lot like the on-campus interviews that employers conduct with our students; schools send hiring committees, and candidates visit their interview rooms. The nature of the interview depends a lot on the expertise of the members of the hiring committee. My primary areas of expertise were corporate law and comparative law—Japanese law. This made some of my interviews unusual; I remember being asked questions about sushi and Chinese history.

Visiting the Michigan room was a very different experience. The committee was stellar—they were truly brilliant faculty members who had an amazing range of expertise. They had read my work, and they were able to ask questions that cut right to the core. I had worked with great lawyers who could do something similar, lawyers who could take pages and pages of documents and reduce them to a perfect question on which the entire matter was hinged. Now I was among professors who were doing the same, and they were doing it as a matter of casual conversation. It wasn’t question-and-answer; it was an exchange among all of us—though, of course, I was the interviewee. They were critical and demanding, but it was a lot of fun, a very different atmosphere from other interviews. We laughed a lot. I knew then that this was the place I wanted to be even though I had never been to campus.

Q. Did you always plan to be a professor?

A. I wasn’t completely convinced that I wanted to be a lawyer when I went to law school. I didn’t know any lawyers, but I knew that I was interested in studying law, and I thought I would figure things out along the way.

I had a teaching career in the back of my mind. I thought I might teach Anglo-American law in a Japanese university after graduating. At the time, I didn’t know what it meant to teach in a U.S. law school. But I soon learned that I liked law school, and I thought a teaching career could be fulfilling. In order to teach the courses I was interested in, I thought I needed to practice as an attorney first. After clerking, I went to a large firm, where I did corporate work but occasionally dipped into the litigation side because of my experience in Japan. I enjoyed working with clients. I enjoyed the work, particularly the search for creative solutions to structural problems. I still remember a night I spent drafting exit rights provisions for a three-party joint venture, and I’m grateful that my mentors at the firm allowed me to take the lead on projects like that.
Q: So what ultimately led you to make the career change?
A: I had questions that I wanted to research—questions that I had in law school that had now been shaped and honed by my experience as an attorney. At a basic level, those questions were about comparative corporate governance, but they really were part of a set of broader questions about how people—in Japan, the U.S., and elsewhere—structure their interactions, how they respond to law, and the role of law in society. At that point my career path was absolutely clear.

When I came to Michigan, I really wanted to wrestle with those questions, so I was most excited about research and writing. But when I got into the classroom, I loved it; the students here are the best of the best, and they welcomed the same kind of interchange I had with the faculty members. I expect the best of my students, and I want them to wrestle hard with thorny issues, but I also want us to have fun in the classroom.

Q: How important is it for you, as a professor, to get to know students outside of the classroom? Will you have the same kinds of interactions as dean?
A: I think it’s important for students to have personal connections with faculty. I’ve taught our students for 15 years, and I’d like to think I’ve gotten better over time at making those connections. My lunch hour is usually packed, and so are the usual lunch spots; I prefer to get together a group of students at the end of the day [as in the photo below]. I’ve especially enjoyed getting together with 1Ls in my criminal law class who are just beginning their three years here.

As dean, I’ll make sure to find ways of meeting with students. I believe that the connections faculty and administrators make with students shouldn’t just take place inside the classroom, though I do hope to spend some time in the classroom even as dean. Those connections take place all over campus, all over the city, all around the world. One thing I look especially forward to as dean is reconnecting with former students.

Q: What is your take on the current public scrutiny of legal education?
A: People have asked me, “Why would you want to be a dean now?” There are some schools at which that might be a difficult question to answer. But this is Michigan. I realize when I say those words that, to some people, it might sound as if I’m just repeating a slogan. But really, this is Michigan. I know people who get chills from those words; I’m one of them.

I fully understand that challenges await any law school dean, but Michigan is a world-class institution like no other, and we are well-positioned to face changes in the legal profession. We have an enthusiastic and loyal alumni base—more than 20,000 people who share a lifelong connection to the Law School. And our expertise along so many dimensions of legal education positions students for a wide variety of careers across a wide geographic range.

Q: How do you think the Law School might change over the course of your term as dean?
A: We face new challenges, and of course we will be both proactive in anticipating change and flexible as we respond. I have established a strategic planning committee to help us plan for the future while remaining true to our mission.

But I don’t anticipate fundamental changes in who we are. We are a world-class institution with longstanding traditions and a global reputation for excellence. I will build on the foundation that the previous deans, in particular Dean Caminker, created.

Something that certainly will not change is this: Students do not come to Michigan simply to get a degree, or even to get a first-rate legal education. Students come to Michigan to enter into a lifelong relationship with everything that makes this place special—the students, the faculty, the staff, the buildings, the city—all the things that have led me to call this place home. 📖
**MLaw Hits 100 Clerkships for 2013**

**By John Masson**

For the second time in a decade, at least 100 recent Michigan Law graduates have secured coveted clerkships in judges’ chambers across the country and around the world.

Many of those chosen will serve as “elbow clerks” in courts including the Supreme Court of the United States; federal appellate, district, and bankruptcy courts; and state supreme courts. Michigan grads are also heading to the European Court of Justice, the Federal Constitutional Court of Germany, and the International Court of Justice.

For students and recent alumni who were selected—this year’s breakdown was 49 students and 51 graduates from 2012 or earlier—it’s a chance to earn priceless experience, an influential, lifelong mentor, and a built-in network of older and younger attorneys who share similar experiences with the same judge.

“The process of applying and interviewing for a Supreme Court clerkship was both exciting and a bit nerve-wracking, and I felt that no matter what happened afterward, it was a remarkable experience to sit down with a Supreme Court justice and talk about the law,” says Michael Huston, ’11, who clerked for Judge Raymond Kethledge, ’93, of the U.S. Court of Appeals for the Sixth Circuit, and recently began clerking for Chief Justice John G. Roberts Jr., of the U.S. Supreme Court.

“Michigan Law provided tremendous assistance throughout the process,” Huston adds. “Joan Larsen is surely one of the most effective clerkship advisers at any American law school, and she provided invaluable guidance.” Larsen is counsel to the associate dean for student and graduate activities, as well as a lecturer.

Teamwork is the key to placing so many students so successfully, says Attorney-Counselor Robin Kaplan of the Office of Career Planning (OCP).

“The professors know how to do this. They know how to advocate for students by writing very personalized letters of recommendation, as well as calling judges on students’ behalf,” Kaplan says.

Sarah Zearfoss, ’92, the senior assistant dean for admissions, financial aid, and career planning, agrees. “This is a satisfying achievement precisely because it’s a team effort,” says Zearfoss, who began her career at Michigan Law as the school’s judicial clerkship adviser. “Our career staff worked with students to help them identify opportunities and perfect their materials; students and alumni worked diligently to pursue these great opportunities; and faculty and their assistants worked hard to make sure judges got strong and detailed letters of support. And of course our alumni clerks and judges have shown their usual dedication in seeking out great Wolverine candidates.”

The Law School also provides support in several ways beyond letters of recommendation, Kaplan says. Larsen, a former clerk for Supreme Court Justice Antonin Scalia, draws on her own experience in working closely both with OCP and with students who are seeking positions.

Larsen says one significant advantage for Michigan is its culture of collegiality. Cooperation, not competition, is key in the close environment of a judge’s chambers, where both brilliance and diplomacy are valued qualities.

“Our students are interested in, and certainly attain, academic excellence, but at the same time they’re amazingly supportive of one another,” Larsen says. “They collaborate more than they compete, and if you’re a judge, that’s exactly what you’re looking for: three or four extremely bright people who will do the work in a cooperative fashion and make your day-to-day interesting and pleasant. Our students are just made for that kind of environment.”

Furthermore, Larsen says, each year’s placements build even more success in the future because judges remember their exceptional clerks—and they remember where those clerks went to law school.

“The judges who hire our students come back to us, year after year, because our students are just different,” Larsen says. “We’ve got this unique culture that makes them not only exceptionally bright, but exceptionally pleasant, as well. So this year’s 100 will beget more.”

But this year’s success doesn’t mean it’s time to relax, says Susan Guindi, ’90, former assistant dean for career planning.

“It was fun to have the sense that we were heading toward this major milestone of 100 clerkships,” Guindi says. “Of course, now that we’ve hit that milestone—and maybe especially since it’s the second time we’ve hit it—the challenge is how to go for 200.”
When he got the call advising him he’d been selected to clerk for Sandra Day O’Connor, Eli Savit, ’10, began his metaphorical launch into lunar orbit.

“I’m absolutely over the moon,” says Savit, who starts work next summer, in time for the October 2014 Supreme Court term.

Part of the reason for the elation: the special circumstances that attend clerking for a retired Supreme Court justice. Generally, clerks in those positions—each retired justice gets a single clerk—spend part of their time working directly for their retired justice, and the rest of it working as a fifth clerk for one of the active justices.

It’s the best of both worlds. Retired justices sit by designation on courts of appeal, so there’s plenty of work for a clerk supporting that role. Then there’s the opportunity to participate in the work of the active justices, such as helping determine which cases are heard by the high court, preparing for oral argument, and assisting in preparation of opinions on the merits.

Retired justices maintain chambers in the Supreme Court building, so that is where their clerks spend the bulk of their time. “Because they get ‘adopted’ by a sitting justice, they actually get to build a strong, personal connection with two justices. There are certainly advantages to that kind of position,” says Professor Joan Larsen, who coordinates clerkship applications for Michigan Law and who was a clerk herself, for Justice Antonin Scalia.

Josh Deahl, ’06, who clerked recently for Justice O’Connor, agrees. “Justice O’Connor stays very busy,” says Deahl, now an appellate attorney in the D.C. Public Defender’s Office. “She sat with four different circuits during my year, and I ended up traveling with her to Arizona, Chicago, Florida, and New York.”

He adds: “She’s got a great personality. She’s one of those people you meet and immediately feel like you’re an amateur at conversation. You also feel that she’s immensely more interested in things you have to say than she should be.”

Savit, who already has clerked for two Court of Appeals judges—Judge Carlos Bea of the Ninth Circuit and Judge David Tatel of the D.C. Circuit—is now with Williams & Connolly in Washington. He also spent two years in the Bronx with Teach for America, so he’s particularly excited about helping Justice O’Connor promote civics education, one of the justice’s top priorities since she retired from the Court.

“She uses computer games to show how different branches of government work, or how to argue cases in court; there are a dozen games right now that kids can play,” Savit says. “I’m sure it’s going to be a really exciting and incredibly busy year.”—JM

Alum Earns Coveted Clerkship with Justice O’Connor

Eleven alumni from around the country were inducted into the Supreme Court Bar in April. Their membership on the Bar was sponsored by then-Dean Evan Caminker. The day began with a continental breakfast at the Supreme Court and a visit from Jeff Minear, ’82, counselor to Chief Justice John G. Roberts Jr. The inductees are (front row, from left): Kerry A. Galvin, ’86, Seth E. Jacobson, ’88, former Dean Evan Caminker, John Rayis, ’80, Jack A. Molenkamp, ’79, and Steven T. Hoort, ’75; (back row, from left): Stephen G. Tomlinson, ’84, Rex L. Sessions, ’84, Stuart M. Finkelstein, ’85, Sanford E. Perl, ’90, Barry A. Adelman, ’69, and James C. Melvin, ’90.
Michigan Law presented the 2013 Distinguished Alumni Awards at a ceremony held during Reunion Weekend on Oct. 4. This year’s recipients of the annual award—which highlights individuals who have made an exceptional impact on their profession, community, and/or Michigan Law—are Valerie Jarrett, ’81, John Nannes, ’73, and Ted St. Antoine, ’54.

“Valerie, John, and Ted are wonderful examples of the very best of Michigan Law,” says former Dean Evan Caminker, who announced the award recipients and oversaw the selection process. “Not only have they excelled at their careers, but they have chosen very different career paths, all while maintaining an unwavering commitment to the Law School.”

Jarrett, of Washington, D.C., is a senior adviser to President Barack Obama and also is the chair of the White House Council on Women and Girls. Prior to joining the Obama administration, she was CEO of the Habitat Co., based in Chicago. She also served as co-chair of the Obama-Biden Presidential Transition Team and was senior adviser to Obama’s presidential campaign. Jarrett has held positions in both the public and private sectors, including chairman of the Chicago Transit Board, commissioner of planning and development for the city of Chicago, and deputy chief of staff for Mayor Richard M. Daley. She also practiced law with two private firms. Jarrett has served as a director of several corporate and nonprofit boards, including chairman of the board of the Chicago Stock Exchange, director of the Federal Reserve Bank of Chicago, and chairman of the University of Chicago Medical Center’s Board of Trustees. In 2013, she was named one of Time magazine’s 100 most influential people as well as the National Newspaper Publishers Association’s Newsmaker of the Year. Due to the government shutdown, Jarrett was unable to attend. Jarrett’s friend Broderick Johnson, ’83, accepted the award on her behalf.

Nannes, of Washington, D.C., is a partner in Skadden, Arps, Slate, Meagher & Flom LLP. He has served on numerous Law School alumni committees over the past 40 years, including the National Committee for the Law School Fund, the Committee of Visitors, the Dean’s Advisory Council, and multiple campaign steering committees. He currently chairs the Development and Alumni Relations Committee. Nannes conceived and funded the 3L Challenge, which annually offers third-year students the chance to designate $250 to the Law School student activity of their choice in exchange for their commitment to contribute to the Law School in each of their first four years after graduation and thus introduces students to the importance of alumni support. Following graduation from the Law School and a clerkship with Justice William Rehnquist, Nannes was a special assistant to Tom Kauper in the Antitrust Division of the U.S. Department of Justice before becoming the first associate in the new Washington office of Skadden. He has remained at Skadden, except for when he served as deputy assistant attorney general and then acting assistant attorney general in the Antitrust Division from 1998 to 2001.

St. Antoine, of Ann Arbor, is the James E. & Sarah A. Degan Professor of Law Emeritus at Michigan. He practiced labor law in Washington, D.C., with Woll, Mayer & St. Antoine before joining the Michigan Law faculty in 1965, with teaching specialties of labor and employment law and contracts. He was dean of the Law School from 1971 to 1978. St. Antoine has been a labor arbitrator for more than 40 years and is a past president of the National Academy of Arbitrators. For his writing and activities in the labor and human rights fields, St. Antoine received the State Bar’s Champion of Justice Award and the Labor Law Section’s Distinguished Service Award. He is co-editor of a leading labor law casebook, now in its 12th edition, and editor of the National Academy of Arbitrators’ publication, The Common Law of the Workplace: The Views of Arbitrators (2d ed. 2005). St. Antoine has been a visiting professor at universities in the United States and abroad, and has taught at the Salzburg Seminar in American Studies. He also has lectured widely on labor and employment law in Europe and China.

To submit a nomination for the 2014 Distinguished Alumni Award, visit www.law.umich.edu/alumniandfriends/Pages/DistinguishedAlumniAward.aspx.
Adjunct, Alum Valenstein Honored for Work with ITC, Habitat for Humanity

Adjunct Professor Carl Valenstein, ’83, says two important messages were delivered when his firm, Bingham, recently honored him with a public-service award for his work setting up a microfinancing fund with the Law School’s International Transactions Clinic (ITC) and Habitat for Humanity.

Those messages? Pro bono: It’s not just for litigators anymore—and it’s not just for associates, either.

“I think I have pro bono work in my DNA,” says Valenstein, a Bingham partner. “But I’m a deal lawyer, and it seems so many pro bono opportunities are for litigators. So when I found this microfinance space, it became clear that this is something a transaction lawyer can do to give back.”

Bingham agreed, recognizing with its John J. Curtin Public Service Award the complex legal work done by Valenstein and his Bingham pro bono team in collaboration with the student lawyers from the ITC. The award is named after a Bingham of counsel and public-service advocate who served a term as president of the American Bar Association.

In his role as a Michigan Law adjunct, Valenstein was the ITC’s supervising attorney—in addition to his pro bono role at Bingham—on a groundbreaking Habitat for Humanity deal that could help thousands of under-housed families in countries around the globe. The deal established MicroBuild, a microfinancing fund for people in developing countries that’s designed to help low-income families improve and maintain their homes, or even build new ones.

MicroBuild is tailored to make small loans through financial intermediaries to people living in places where traditional financing is unavailable—about 95 percent of the developing world, as it turns out—and where home construction is often incremental and ad hoc. It was established with $45 million in financing and $5 million in equity from Habitat for Humanity, the Omidyar Network Fund, and Triple Jump, a Dutch fund manager. Valenstein’s team spent years on the project, and student attorneys from the ITC helped create the legal documents that brought MicroBuild to life.

“I think the ITC is unique in that respect,” Valenstein says. “There are a lot of other experiential learning clinics, of course, but they’re not doing deals like this. The deals in most clinics tend to be local projects and not as big in terms of the dollars involved or potential impact. That’s what makes the ITC different.”

Valenstein and a team from Bingham and the ITC, where Valenstein has taught for five years, collaborated on the work. The Bingham team filled in when the ITC students were out of school.

Valenstein had co-taught courses at his alma mater before, but was drawn to do more teaching after Professor Deborah Burand founded the ITC with Professor Michael Barr five years ago. “Deborah had been a pro bono client of mine years before, when she worked with several microfinance institutions, and I was reading Law Quadrangle magazine and saw that she’d come to work at Michigan,” Valenstein says. “When Michael Barr went into the Obama administration, she needed help, and I saw that this was a way of using my skillset to help develop the next generation of international lawyers and participate in a novel clinical program at my alma mater.”—JM
Lawyers Club Reopens Following Renovations

By Jenny Whalen

To paraphrase a well-known adage: Don’t judge a building by its façade. At first glance, the Lawyers Club remains a celebrated example of the Law School’s Collegiate Gothic style. But following a total interior renovation, made possible in large part by a $20 million gift from Charles T. Munger, HLLD ’10, the structure has been transformed into a 21st-century living space.

“It is fitting that we end the facility renewal process right here at the Lawyers Club, where it began some 90 years ago,” then-Dean Evan Caminker said at the grand reopening celebration August 19. After all, he said, it was due to the support of another visionary that the Law Quad was built in the first place. Recognizing the merit of a community where students both live and learn, William W. Cook, 1882, funded construction of the entire collection of Law Quad buildings. It all began with the Lawyers Club and Dormitory in 1923.

For decades, thousands of Michigan Law students have called the Lawyers Club home, but with the passage of time also came the realization that Cook’s state-of-the-art facility was no longer meeting the needs of modern students. “I’ve watched students move in year after year, and clearly the definition of ‘sufficient closet space’ has changed over time,” Caminker joked. He added that the “burden of 90-year-old infrastructure” meant the Lawyers Club would have had to be rebuilt or condemned.

And so Munger’s gift, along with matched funds from the central University’s investment proceeds and the Lawyers Club—which is run by a separately incorporated, self-sustaining nonprofit organization—made possible a total interior renovation that resulted in the construction of the Lawyers Club and Charles T. Munger Residences’ 227 fully furnished private rooms—each with private or semi-private bathrooms—and 11 corridor lounges.

The renovations include a total of 227 fully furnished private rooms, all with private or semi-private bathrooms. The living arrangements include all utilities, high-speed wireless Internet access, and 12 meals per week, served in the dining hall. Some of the unseen elements of the renovation include new plumbing, heating, and ventilation; installation of a wireless high-speed network and swipe-card entry controls; repair of the historic windows; and improvements to safety and accessibility.
Eleven corridor lounges, known as Club Rooms, are new to the Lawyers Club. The Club Rooms are designed to foster community and camaraderie. Many include kitchenettes and flat-screen televisions with full audiovisual capabilities, making them as useful for group class assignments as they are for watching Big House football.

Many of the modular ensuite bathrooms were completed offsite and brought into the structure. The efficient bathrooms feature fine tile and marble finishes. Medicine cabinets, vanities, storage cabinets, towel bars, and robe hooks are standard in all bathrooms.

(Left) Preserving the Lawyers Club’s majestic Collegiate Gothic façade was a priority in the renovation, made more difficult because, in essence, an entirely new building was erected behind the original walls. The interior demolition—completed with painstaking care so as not to damage the exterior walls—took six months to complete. New interior architectural flourishes—such as nine-panel oak doors, ogee molding, hand-wrought iron railings, and salvaged ventilation grates—nod to the building’s past.
In 1890, the University of Michigan Law School granted its first LLM degrees, to two students from Japan.

Think about that for a moment. This was 1890, a year of steamship wrecks, van Gogh’s death, Nellie Bly’s trip around the world. Utah wasn’t a state yet, nor were Oklahoma, Arizona, or New Mexico. Stanford, basketball, and the diesel engine did not exist.

Which is to say, Michigan Law was an early player on the global landscape. Its presence grew through the years with the help of mid-century grants from the Ford Foundation for International Legal Studies. The grants funded projects on comparative business associations, comparative constitutional law, European institutions, insurance law, Japanese legal studies, law of emergent nations, and taxation—and, perhaps most importantly, paid for the hiring of legendary Professor Eric Stein, ’42, the late eminent scholar in international and comparative law.

One illustration of Michigan Law’s global strength in recent years has been the prevalence of graduates on the highest courts of their countries of origin. Programs such as the Geneva Externships and Bates Fellowships have trained students and recent graduates how to practice law in other countries. Courses and clinics at the Law School have allowed for the development and refinement of tools such as a blood-filtering device that saves the lives of new mothers in Ghana.

Read more about those stories in the pages that follow, which, collectively, serve as a snapshot of Michigan Law’s place in the world.
Kühn is one of many Michigan Law alumni serving on the highest court in his or her home country, or top courts of organizations such as the UN and the European Union.

The legacy is intertwined with Michigan Law’s history as a center of international and comparative law, says Susanne Baer, a justice on the Federal Constitutional Court of Germany. Baer understands the Law School from a variety of perspectives, previously as an LLM student (‘93) and currently as a William W. Cook Professor of Law.

“This is the legacy of Eric Stein, in some way,” says Baer, referencing the late professor who was an eminent scholar in the field of comparative and international law and the father of legal scholarship on the European Union. “Transnational legal thinking, as both international and comparative work that cares more for solutions to a problem than for the difference among legal systems, which one may call post-nationalist—this is what is needed on the bench, at least in the highest courts today.”
In addition to Kühn and Baer, other alumni on high courts include Maria Lourdes P. Sereno, LLM ’93, chief justice of the Supreme Court of the Philippines; Miriam Defensor Santiago, LLM ’75, SJD ’76, judge-elect of the International Criminal Court; Peter Van den Bossche, LLM ’86, of the WTO Appellate Body; Il-Won Kang, LLM ’93, of the Constitutional Court of Korea; and the newly appointed Siniša Rodin, LLM ’92, of the Court of Justice of the European Union in Luxembourg.

They follow the likes of Lilia Bautista, LLM ’63, formerly of the WTO Appellate Body; Florenz D. Regalado, LLM ’63, and the late Hugo E. Gutierrez, LLM ’65, both formerly of the Supreme Court of the Philippines; and Gen Kajitani, MCL ’63, formerly of the Supreme Court of Japan.

Others with strong Michigan Law ties also have been judges on high courts—notably Bruno Simma, professor of law at Michigan, who until last year was a judge on the International Court of Justice; Andreas Paulus of the Federal Constitutional Court of Germany and his fellow jurist Johannes Masing, a former Michigan Law visiting scholar.

Of Michigan Law being a feeder to high courts around the world, Baer offers this insight: “The legal realism I describe as a Michigan style may be very helpful for judges. The comparative tradition is helpful for sure. And the sense of commitment to society,” she says.

“In addition to that, we need the ability to critically reconsider what the law tells us, but with a deep sense for justice on the ground,” Baer adds. “This Law School offers a space to train lawyers to have good judgment, because you are confronted with complicated questions during your classes that you may have to answer for real tomorrow.”
A More Responsible World

The Growing Field of CSR Helps Companies to be Socially Conscientious and Manage their Business Risks Around the Globe

Say you’re an attorney working on corporate social responsibility (CSR) for a company that wants to drill for oil in the developing world. The government of the country says: Don’t worry; we’ll provide the security for your company while you’re here. But the government decides that security means, say, shooting a villager who gets near the pipeline. The rest of the village blockades the road to the pipeline in response to the killing. What do you do?

Or you’re an attorney doing CSR for a clothing manufacturer. You know that the immediate source of the clothing doesn’t use child labor or pay unfair wages, but what about the people working in other parts of the supply chain? Do you go out to the cotton fields to make sure no children are working there?

These are the kinds of questions that Gare Smith, ‘83, grapples with every day. The chair of the corporate responsibility practice at Foley Hoag, LLP, Smith provides counsel on compliance programs to address labor conditions, community relations, security, indigenous rights, environmental stewardship, and the rule of law. His clients include companies in the manufacturing, extractive, banking, nuclear, private equity, and high-tech sectors as well as governments and indigenous peoples.

The field of CSR is a growing one, and one that Smith sees as a potential growth area for attorneys—especially those with an interest in working around the world. It’s also an area of the law in its infancy, so when Smith makes decisions about the questions posed at the start of this article, he is helping to establish precedents and best practices for others in the industry.

Smith, who has written three books on codes of conduct and international human rights standards, defines CSR as “a concept developed by businesses to address social and environmental challenges through sustainable practices and respect for international normative standards.” He believes that CSR is increasingly recognized as a mainstream business practice that helps to mitigate legal, reputational, and operational risks and to promote company brands.

CSR is indeed a broadening field that is bound to attract more people in coming years, says Tom Lyon, Dow Professor of Sustainable Science, Technology, and Commerce at U-M’s Ross School of Business. He defines CSR as going beyond what is required by law to deal with social or environmental issues. “For example, many companies are cutting carbon emissions domestically or abroad or are taking responsibility for offering health care in developing countries,” he says.
From Lyon’s point of view, though, it’s a field that makes more sense for graduates from business or environmental schools than for law school alumni. “When I think of CSR, I think of something that is extra-legal, not something that is the work of the legal profession,” says Lyon, also a professor in the School of Natural Resources and Environment.

David Uhlmann, on the other hand, sees a natural fit for lawyers interested in the field. “CSR reflects the enormous role that corporations have in all aspects of our economy and the moral imperative to exercise that influence in a way that involves doing well and doing good,” says Uhlmann, the Jeffrey F. Liss Professor from Practice and director of the Environmental Law and Policy Program at Michigan Law, who has spoken about CSR as it relates to resource exploitation and renewable energy.

“A significant component of that moral imperative is promoting a sustainable future, which means complying with environmental, health, and safety laws and conducting business activities in ways that limit the use of natural resources and minimize adverse ecological impacts—all of which requires legal expertise, innovative thinking, and strategic planning.”

For Smith’s part, his route to his path-breaking role took him through the public and private sectors: He served as principal deputy assistant secretary in the State Department's Bureau of Democracy, Human Rights and Labor during the Clinton presidency, where he helped launch the president’s Model Business Principles and served as the U.S. representative to the UN Human Rights Commission; he was vice president for CSR at Levi Strauss & Co.; and earlier he was senior foreign policy adviser and counsel to Senator Edward M. Kennedy, where he created the first voluntary code of conduct for U.S. multinationals.

He also is vice chairman of the International Campaign for Tibet and works with His Holiness the Dalai Lama, whom he reveres—so much that Smith humbly asks that this article not focus too much on the work he does for the Dalai Lama.

Most of his clients are companies that want his help to engage in responsible practices. When he took his position at Levi Strauss in 1999, the field was so new that “I held one of only three corporate responsibility jobs in the United States,” Smith says. His focus was making sure the company didn’t inadvertently benefit from sweatshop conditions, much earlier than many others in the industry actively sought to address working conditions in sourcing facilities. He continues to work with other clothing manufacturers.

The extractive sector provides different challenges, such as the security example noted earlier. “In addition to obtaining a legal license to operate, I help clients secure a social license to operate,” he says. “This entails engaging with stakeholders who are impacted by a company’s operations to seek their buy-in. Part of that comes from ensuring that affected communities benefit from large-scale operations, and part comes from ensuring that if a project has negative impacts villagers have access to a transparent grievance process.” Smith believes that securing consent is particularly important with indigenous communities, as historically they have had little or no voice with respect to development projects impacting their traditional lands.

When Smith was a student at Michigan Law, the job he has now didn’t exist. Still, he was preparing for this work even then, developing his interest in international law under professors such as Eric Stein, ’42, William W. Bishop, ’31, and John Jackson, ’59.

In recent years, the line of work that Smith helped to forge has grown dramatically, and he predicts many more attorneys will choose the same path.

“The genie is out of the bottle with respect to corporate social responsibility,” he says. “It’s not as though consumers are likely to suddenly conclude that ‘it’s OK for children to make my shirts,’ and my corporate clients are as eager to avoid unnecessary risks as they are to ensure that their business decisions reflect well on their brands.”

Amount a $500,000 Ford Foundation for International Legal Studies grant in 1954 to the Law School would be worth today

4.27 MILLION
People in China and Ghana may never know it, but student lawyers from Michigan Law’s International Transactions Clinic (ITC) recently put together deals that are destined to improve or save lives in both places.

In April, thanks to Clinic students and faculty, a startup created by recent U-M grads became the first for-profit corporation in Michigan to expressly state its social mission in its articles of incorporation.

That means company officers for Design Innovations for Infants and Mothers Everywhere—or DIIME—don’t need to worry about extracting every last penny from medical clinics in Ghana that buy their invention, a syringe-like device called Hemafuse that helps save people who have internal bleeding.

In many remote villages in Ghana, the only supply of blood in cases of serious internal bleeding comes from the victim—often, women who’ve suffered ruptured ectopic pregnancies. The traditional method involved filtering the patient’s own blood through gauze, when it was available, then re-infusing the blood into the patient. The process can lead to infection and other serious, often fatal, complications.

Hemafuse enables health practitioners to withdraw the blood, filter it, and immediately send it into a blood bag for reinfusion. The device uses no power and can be sterilized for re-use. Its only disposable component is an inexpensive filter system.

“We were excited to work for a client that had a cool design … that would save lives,” says Gabriel Katz, ’13, an ITC student who worked on the deal under the supervision of Michigan Law adjunct clinical assistant professor David Guenther, ’99. “It was great to see their product become a corporation and come to life.”
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‘11 Grad Appointed to Traineeship with ICJ

By Lori Atherton

Moments after arriving home at her London apartment following a visit to the United States in the spring, Sarah St. Vincent, ‘11, learned that she had been selected for a coveted traineeship on the International Court of Justice (ICJ), based in The Hague.

“I walked in the door, put down my suitcases, opened my laptop, and there it was—the message I had been waiting for,” St. Vincent says. “You can imagine how excited I was, despite the jet lag.”

She began her traineeship—which is similar to a clerkship—in September. She is assigned to Judges Xue Hanqin of China and Giorgio Gaja of Italy, and will assist them with conducting research, preparing case files, and drafting various types of documents.

“The thought that I’ll be able to watch this incredibly important form of international dispute resolution in action is extremely exciting,” St. Vincent says. “I’m looking forward to working on cases that are likely to involve diverse areas of international law, and to learning from judges who are some of the most highly regarded experts in the field.”

Michigan Law is among a select group of top law schools around the world that are eligible to nominate students to the Court, says Steven Ratner, the Bruno Simma Collegiate Professor of Law and a member of the committee that nominated St. Vincent.

Another ITC client, Pilus, has created a bacterial robot—a “Bactobot™”—that eats waste material in water and, as a side effect, creates energy. ITC students helped Pilus develop the ability to manufacture its product in China.

“As someone who wants to work in international law and do international transactions, I think embracing the diversity of the new global environment is important,” says ITC student attorney Daniel Free, ’13, who worked under the supervision of adjunct clinical assistant professor David Shaub, ’60.

The ITC’s results also pleased Pilus CEO Jason Barkeloo.

“As a result of David’s work, and particularly with the University of Michigan (law) students, we are able to get on an airplane with the knowledge of the Bactobots in our heads, go into these other markets, and collaborate with the laboratories and universities there so they can domestically build the Bactobots … and then distribute them,” Barkeloo says. “We were able to determine that there was indeed a way we could move our technology across those borders almost in a reverse-technology transfer sort of way.”
Wrought in the terror and despair of a nation, Security Prison 21 stands solemn and silent today in Phnom Penh, Cambodia. A torture, interrogation, and execution center under the Khmer Rouge regime, S-21 is, to the world, a haunting reminder of the gross injustice man can inflict on his fellows. For Benjamin Klein, ’10, it is a sensory memory of the moment when career ambition became life purpose.

A 2010 recipient of the Clara Belfield & Henry Bates Overseas Fellowship, which began more than 30 years ago, Klein received crucial financial support for his travel to Cambodia, where he interned in the Office of the International Co-Prosecutor of the United Nations Assistance to the Khmer Rouge Trials. He sought experience on an international court, but found a passion for human rights no résumé can fully illustrate.

“My experience reaffirmed my interest in doing prosecution work and doing it on an international level where crimes tend to be extraordinarily grave,” Klein says. “You are bringing justice to a lot of people. You are helping establish precedent in the international courts that will hopefully help deter such acts by showing there is accountability.”

He remembers his arrival in the Cambodian capital vividly.

“My first day in the city, I tried to get something to eat on the street and was bombarded by tuk-tuk drivers,” Klein says, recalling the swarm of rickshaws. Unable to communicate with the vendors, he was rescued by one of the drivers, who then gave Klein a tour of the city.

S-21 and the infamous Killing Fields of Choeung Ek were among the first stops. With these sites barred to tuk-tuk drivers, Klein insisted his guide enter with him not as a driver, but as a friend.

“Within a few minutes of entering the complex he started to open up,” Klein remembers. “He started to tell me stories of the Khmer Rouge years. They were horrifying and made my jaw drop. It made me realize that everyone in the country over age 40 probably had similar stories of friends taken away and never seen again. It made me realize I was in a very different place.”

A sobering memorial to victims of the Khmer Rouge regime. The area where the Choeung Ek Memorial now stands was once one of the regime’s most infamous killing fields, where more than 17,000 men, women, and children were executed.

Benjamin Klein, ’10 (second from right), with staff from the Office of the International Co-Prosecutor of the United Nations Assistance to the Khmer Rouge Trials, Office of Defense Counsel for Nuon Chea, and the Trial Chamber in the gallery of the Cambodia Tribunal’s courthouse.
Now an associate at Morgan Lewis in Washington, D.C., Klein credits his ability to pursue pro bono work in international criminal law to the Bates Fellowship.

“The Bates allowed me to go to Cambodia. Without it, I would not have been able to afford it and would not have had the experience needed to jump onto other cases. It was really the Bates that propelled me to where I am,” says Klein, who recently served as assistant independent counsel in two cases before the Special Court of Sierra Leone.

With the support of the fellowship, Michigan Law students and alumni have trekked the globe by the hundreds, serving the United Nations High Commissioner for Refugees in Malawi, conducting field research in Cuba, interning with Human Rights Watch in Brazil, and holding clerkships with international courts from Israel to South Africa.

Established through an endowment from Helen Bates Van Tyne, the fellowship offers financial assistance to recent Michigan Law graduates or students with two or more years of legal study to travel abroad for academic or work experience that will contribute to their professional development.

“The hardest step in being an internationalist is sometimes that first step into the field. By making the Bates Fellowship available to support my trip to Iraq in 1991, the Law School helped me take that first step—leap, really—into international activism,” says Marcella David, ’89, associate dean and professor of law and international studies at the University of Iowa College of Law. Her Bates Fellowship allowed her to work for the Commission on Civilian Casualties in Iraq, which documented the impact of the 1991 Iraq war and accompanying sanctions on the civilian population.

It’s that kind of experience that the Bates aims to promote—the launching of careers in international law, as well as in other fields where exposure to foreign and international legal regimes and institutions can be transformative, says Virginia Gordan, the recently retired assistant dean for international affairs, who oversaw the creation and administration of the Fellowship. “I think of it as a mini-Fulbright competition, just for Michigan students,” says Gordan. “For many of the recipients, the Bates helped launch their career.”

That was the case for Amy Radon, ’05, whose fellowship allowed her to travel to Guatemala to work on property and water law with Rights Action, a human rights organization, and to remain in the country when her original focus shifted.

“I went to Guatemala to assist indigenous communities that had been displaced from their land, but Rights Action had a more immediate need to help build a domestic violence program in a rural mining community,” says Radon, who now is a staff attorney with Public Justice. “I worked with an interesting coalition of the mining union, local police, and nuns to bring awareness to the issue, create a shelter, and establish police protocols for responding to domestic violence calls.”

Radon says her work in Guatemala would have been financially impossible without the Bates Fellowship.

“I wouldn’t have the job I have now without my Guatemala experience,” she adds. “It made me stand out and showed my dedication to public-interest work. The Bates Fellowship made it possible.”
A look back at the career of Virginia B. Gordan, assistant dean for international affairs

Deborah Burand, director of the International Transactions Clinic, spent part of a recent afternoon in her South Hall office enthusing about the woman who had helped draw her to Michigan Law. The first of its kind, and still unique within legal academia, the Clinic was the brainchild of a group of Law School faculty and administrators, including Virginia B. Gordan, assistant dean for international affairs, who retired over the summer.

Gordan made a point of calling Burand in an effort to recruit her, and that extended outreach was one of the major reasons Burand was persuaded to come to Michigan. “Virginia showed me the kind of collegial atmosphere I would find here,” Burand says. “I was being asked to be an academic entrepreneur, but I had a great safety net. And that safety net was Virginia.”

Gordan joined the Law School in 1981 as coordinator of academic affairs, and two years later became assistant dean of student affairs—a position she held until 1996. At that time, Dean Jeffrey Lehman, ’81, “understood the implications of increasing globalization and appreciated our historical teaching and scholarship strengths in cross-border issues,” says Gordan. “So he felt it was important to have a full-time administrator focused entirely on international endeavors.”

When Lehman asked Gordan if she would become the first assistant dean for international affairs, she was enthusiastic. Though sad to let go of some of the responsibilities for student affairs, she thought “it was the perfect opportunity to have two wonderful careers at one fabulous institution.”

By Randy H. Milgrom

Leading by Connecting
As assistant dean for international affairs, Gordan created and oversaw many internationally oriented academic and professional opportunities for students, both here and abroad. She contributed significantly to the Law School’s efforts to attract and support a strong faculty with global expertise. She built relationships with key legal institutions and actors in the United States and around the world. And she organized countless speaker series and symposia, provided academic and professional advising to decades of JD and graduate students, and was the mainstay of the graduate program.

As then-Dean Caminker noted at her farewell reception, “Virginia has been an incredible force with respect to the development of all sorts of our programming in the international sphere” and “essentially created the model that many other law schools have copied for having an assistant dean for international affairs.”

Gordan’s long and productive tenure came to an end with her retirement this summer, but Michigan’s deeply ingrained standing as one of the foremost academic leaders in international legal initiatives will remain.

Steven R. Ratner, the Bruno Simma Collegiate Professor of Law, emphasizes that Gordan brought so much to the School’s international efforts because she cares so much about her students. “She thinks about them constantly. What will help them intellectually, what will help them start an international law career—and even what will help them socially.”

Gordan is mindful of faculty members in much the same way, says Ratner, “and her relationships with alumni—especially foreign alumni—are unbelievable,” he adds, recalling a recent alumni reunion in Paris, where “Virginia was the person everyone wanted to see.”

Susan Esserman, ’77, current chair of Steptoe & Johnson LLP’s International Department in Washington, D.C., and former deputy U.S. trade representative, says Gordan has reached out to her regularly and was responsible for Esserman’s membership on Michigan Law’s International Advisory Board. Esserman also was impressed by what she saw at the Paris reunion. “I had developed a great respect for Virginia, and a real friendship with her, and that event made it obvious to me how many others had built that kind of relationship with her as well,” says Esserman. “She has a genuine interest in others’ practices and careers, which has enabled her to further Michigan Law’s global network. I can’t imagine a more effective ambassador.”

Students agree. “She’s always professional,” says Zachee Pouga Tinhaga, ’13, from Cameroon, “but she also has a way of rising to a personal level, and joking and advising as a parent or a sister might.”

Dean Gordan “did a lot of things for me, but most important was making me feel like I was not a stranger at Michigan. She made me feel like I belonged.”

Gordan points out that it was only possible to grow interesting and compelling international programs because of the Law School’s already-strong foundation, including one of the world’s finest law libraries, faculty members who have been seminal thinkers on international and comparative law issues since the beginning of the 20th century, a highly distinguished group of alumni, and deans throughout her tenure dedicated to global initiatives.

Succeeding Dean Gordan is Roopal Shah, ’95. Gordan says Shah—whom she knew as a student—“is a superb choice by the search committee to lead the Law School’s international efforts into the future.”

Gordan intends to continue to make her home in Ann Arbor, and she hopes to consult in her areas of expertise—education in general, and international legal educational issues in particular—as well as rule-of-law and gender issues.

“I’ll miss that big world of students and alumni and other professional connections I’ve made,” Gordan says. “But I hope to remain in contact with as many as I can.”
Countries of origin of LLMs and SJDs*  
*During the past three years.

Percentage by Continent of Alumni Who Work Abroad

44% Europe
42% Asia
7% North America
5% South America
2% Africa
Tammi Weerasingha-Cote, ’11, vividly remembers sitting at the United Nations and watching the Universal Periodic Review proceedings—a massive review of the human rights records of all UN member states—during her Geneva externship. “I had read about these things in class, and now I was actually getting to see it happening,” she recalls. “It was amazing to me that I was able to watch history being made.”

That’s the goal of the Geneva Externship Program, which began at Michigan Law in 2008 as a way of matching students with “top-notch international organizations and NGOs on important and substantive work,” says Steven Ratner, faculty director of the program and the Bruno Simma Collegiate Professor of Law. “Because of its huge range of international agencies due to the UN’s large presence there, Geneva was the perfect place in which to set up a program.”

Eighty Michigan Law students have worked on human rights, trade, migration, environment, development, health, intellectual property, and other issues with attorney supervisors, supplemented by a seminar and visits to senior international lawyers in the city, Ratner says. The Geneva International Fellows, as they are known, have worked at numerous UN agencies (such as the UN High Commissioner for Refugees), the World Health Organization, the U.S. Diplomatic Mission to the UN, The Global Fund, and many other governmental organizations and NGOs.

Ratner notes that, because of the cost of living and the exchange rate, students last year began receiving small stipends. Another change is that Anna Nichol, previously the director of Georgetown’s career services office, recently began as the local coordinator in Geneva, succeeding Claire Mahon, who had been with the program since its start. Beyond that, the program remains much the same as it was in the beginning, and it maintains a unique place in legal academia. Ratner points out that many students choose Michigan Law because it offers the externship.

“We are the only school offering a semester-long externship program there for full academic credit, and some students have told us they chose Michigan over other schools because of the Geneva program,” Ratner says. “The supervisors have, not surprisingly, been wowed by our students and are eager to have them back year after year.”

Elisabeth Tuerk of the United Nations Conference on Trade and Development: Division on Investment and Enterprise (UNCTAD) is one of those supervisors. “UNCTAD’s IIA Section has benefitted immensely from having student interns from the University of Michigan,” she says. “They have proven to be extremely well-educated in international law and are diligent, creative, excellent drafters and hardworking. We very much hope to continue this relationship in the future.”

Weerasingha-Cote, now an associate at Sidley Austin, externed at the Office of the UN High Commissioner for Human Rights—Women’s Rights and Gender Section, where she worked on policy issues. Her husband, Ben Cote, ’11, externed at the same time—for the International Centre for Trade and Sustainable Development (ICTSD), an NGO. For Cote, the experience was invaluable in his career path. “I was able to work in an area where I wanted to work—international trade—and it prepared me well for the work I do now,” says Cote, an associate in Pillsbury’s international trade practice.

Jeremy Fancher, ’13, also externed at the ICTSD. His Geneva experience brought to life things he had learned about in class and helped him decide whether, at some point, he would want to pursue a career at an international NGO. “What better way to figure out if it’s right for you,” he says, “than to go to Geneva for four months and actually do the work? It was a tremendous experience.”

Students in the Geneva Externship Program have the opportunity to tour and visit areas of the UN and the city as a group, in addition to their individual work with intergovernmental and nongovernmental organizations.
Life in Legal Purgatory

The Michigan Innocence Clinic and its experts say he didn’t commit arson—in fact, that the fire in question wasn’t arson at all, and that Caminata was convicted based on junk science. The Clinic’s attorneys won him a new trial, so now, he awaits his fate once more.

Victor Caminata was convicted of arson.

By Katie Vloet
When Victor Caminata attends his son’s football practices, he keeps to himself, avoiding interaction with the other parents. Still, he loves to be there, to watch his 9-year-old son learn to navigate the gridiron and develop a camaraderie with other boys his age.

Caminata, after more than five years in prison, is happy to be free to spend time with his kids, but the specter of incarceration weighs heavily on him—especially as he awaits a retrial for a crime he says he didn’t commit and the experts with the Michigan Innocence Clinic say wasn’t even a crime.

“I don’t like to be around crowds now,” says Caminata, 39. “Prison—it’s just a terrible place. Nobody should have to see the things I’ve seen. I grew up in the country, and I’m a family man. But after being in prison, it’s a long road to get back to the way things used to be.”

Caminata was sent to prison in 2008 after the house he shared with his then-girlfriend was severely damaged in a fire. After investigators initially said the fire was accidental and had begun in the chimney that connected to a wood stove, police received an anonymous tip that led the investigators to re-examine the wreckage. They then said they found signs that the fire had been set intentionally, and Caminata was their only suspect.

Faculty, staff attorneys, and student attorneys from the Michigan Innocence Clinic worked on the case for more than two years. The Clinic’s fire investigation experts said the investigation into the fire was “unscientific,” “erroneous,” and resulted in “unreliable and illogical conclusions.”

In July, at the beginning of what was scheduled to be three days of evidentiary hearings, the prosecution announced that its experts no longer stood by the arson determination that had sent Caminata to prison to serve nine to 40 years. The judge vacated the conviction and ordered Caminata released on a personal recognizance bond. Yet the prosecution announced later in the summer that it would try him again.

So, as he waits for a new trial date, Caminata is in legal purgatory, out of prison but awaiting retrial—straddling the worlds of freedom and captivity.
At 6:30 a.m. on March 2, 2008, Caminata loaded wood in the basement woodstove at the home where he and his kids lived with his girlfriend and her kids. He loaded it again at 9 or 10 a.m. on the cold, snowy, late-winter day in Boon, Michigan, near Cadillac in the northwestern part of the state.

Late in the morning, Caminata was sitting in the recliner, until he was awakened by the smell and sight of smoke coming out of the living room wall. He told his girlfriend’s 13-year-old son to get the pets and the other kids out of the house. The boy came back inside, where he found Caminata in the basement, spraying the woodstove with a fire extinguisher. Caminata also climbed up onto the roof in order to put a “chem stick” down the chimney to try to extinguish or slow the progress of the fire. Caminata, who happened to be a volunteer firefighter, helped unroll the hoses when the fire truck arrived.

The insurance investigator determined it was a chimney fire, which occurs when creosote lodged in the chimney pipe combusts. The investigator concluded the fire escaped the chimney through an open mortar joint and small “thimble” hole. A few days after the initial investigation, however, an anonymous tip came in to police that said Caminata had discussed how to burn a house down without getting caught and that he would know how to make a fire look accidental. (The conversation was never substantiated, and the tip was not discussed at trial.) Caminata’s girlfriend also said during
the course of the investigation that she “had a feeling” he may be at fault, because they’d had a fight the night before the fire during which she’d asked him to move out (Caminata said there was no such fight).

Investigators from the insurance company and from state police later claimed that char marks and “unconnected” areas of burning pointed to arson. They said no puffed or expanded creosote—a telltale sign of a chimney fire—was found in the chimney. They theorized that Caminata used a torch or fire stick to start the fire just outside of the chimney itself. And they said the fire could not have originated in the chimney and escaped through the thimble hole in the chimney because the wood they believed had been near the hole was intact and not consumed by fire.

After consulting with new experts who reinvestigated the fire, the Innocence Clinic filed its motion for a new trial in early 2012. In the motion, the Clinic maintained that the state’s fire experts had committed fundamental errors in violation of National Fire Protection Association (NFPA) 921, which sets the bar for scientific-based investigation and analysis of fire and explosion incidents, and that the state’s experts did not have adequate training to be considered experts in the trial. The Clinic’s attorneys and experts also said that the supposed signs of arson were spurious, and that the original determination that an accidental chimney fire had burned the house was, in fact, correct.

“There were many very big problems with this investigation: They never identified the point of origin, their own photos show that the other side of the beam had burned—destroying their theory about a blowtorch or other fire-starter, and the worst problem, that they never looked in the chimney with a camera to search for puffed creosote,” says David Moran, ’91, clinical professor at Michigan Law and director of the Michigan Innocence Clinic. “That’s the single most surprising thing: They never actually looked into the chimney, which is the most basic step a fire investigator is required to take before deciding whether a fire potentially involving a chimney is or is not a chimney fire.”

Joseph Filas, a certified fire and explosion investigator and one of the Innocence Clinic’s experts, found many defects in the structural integrity of the chimney and surrounding areas, in particular that the thimble hole had been improperly sealed so hot gases from the chimney could escape and ignite the wood framing of the house itself.

Filas said his review of the evidence showed that, contrary to the state investigators’ conclusion, the first material that ignited outside of the chimney was a wood board in direct contact with the thimble hole. Filas concluded the fire spread because hot gases leaked out of the chimney at the thimble hole. He also concluded that the state’s investigators had improperly reconstructed the position of the wood boards covering the thimble hole.

“It is also my opinion that, in general, the state’s investigators conducted an unscientific and erroneous investigation of this fire, reaching unreliable and illogical conclusions,” Filas wrote in his affidavit. “The conclusion that there were multiple areas of origin, which formed a basis for their opinion that the fire was arson, was invalid and did not follow accepted fire investigation science.”

Thomas R. May, an Innocence Clinic expert and a consultant with Fire Litigation Strategies LLC, also criticized the state’s investigation: “The failure to properly examine the chimney by use of an interior video inspection camera was an egregious investigative mishap that typifies the haphazard investigative practices that were employed here,” he wrote in an affidavit.

Investigators initially said the 2008 house fire was a chimney fire. They later said the fire could not have started at the chimney and theorized that Victor Caminata started the fire—basing their theory on an investigation that Innocence Clinic fire investigation experts say was "unscientific and erroneous" and "did not follow accepted fire investigation science."
The Clinic raised issues about other elements of the case as well: the son of Caminata’s then-girlfriend was home the entire morning and saw Caminata the whole time; the then-girlfriend previously admitted filing a false police report about another ex-boyfriend and, therefore, shouldn’t be trusted in her statements about Caminata; and that the state’s investigators relied on negative corpus—that is, they ruled out other theories rather than finding evidence to actually support their arson theory, a methodology that is widely rejected by the fire-science community.

But the core of the Innocence Clinic’s case, in many ways, is the faulty science at the heart of numerous arson cases, says Imran Syed, ’11, staff attorney for the Clinic.

“Junk science” in arson cases is being challenged by the Innocence Project and other organizations, and was the focus of a PBS Frontline documentary, “Death by Fire.” The Michigan Innocence Clinic is working on three arson cases right now, and previously exonerated a client, David Gavitt, who served 27 years for a fire that killed his wife and two young children. The first thing he wanted to do once leaving prison was visit their graves—something he’d never had the chance to do because of the junk science that led to his wrongful conviction, Syed said.

“Fire science has improved dramatically since the 1990s when the NFPA first published its guidelines on how to scientifically investigate a suspicious fire,” Moran said. “But, unfortunately, some fire examiners continued to employ the old and discredited methods well into the 21st century. We know there are more innocent people in prison who were sent there, like David Gavitt and Victor Caminata, by junk fire science, and we hope to identify and exonerate as many of them as we can.”
Victor Caminata was freed on July 2, two days before the rest of the country celebrated its independence. He ate lunch at Ruby Tuesday in Cadillac with many of the members of his Innocence Clinic team. He also called his ex-wife and told her he would surprise the kids.

He pulled up to their house, and his two youngest children, ages 12 and 9, ran to him. “It was awesome,” Caminata recalls. “Just to be able to hug and kiss them was unbelievable.” He had last seen them a year before at his mother’s funeral.

Caminata is working for a pool installation company and spending as much of his free time as possible with his three children. He takes one daughter to 4-H, his son to football, and all of the kids boating and tubing near Traverse City with his good friends Fred and Kathy Moomey. (Without those friends, as well as sister Mary and brother-in-law Todd Holmes, “I don’t know what I would have done; they’ve been there for me the whole way,” Caminata says.)

He also is in regular contact with his attorneys from the Innocence Clinic, as well as James Samuels of Big Rapids, Michigan, and Mike McKenzie of Atlanta, Georgia, who will defend him at the retrial. He credits the Clinic with finding evidence and experts that he never could have found on his own, for believing in his innocence, and for standing by him as his case moves forward—quickly, he hopes, though he is not optimistic about the speed of the judicial system.

That is his life now: working, bonding with the children he’s missed raising for more than five years, and waiting—waiting for word of a retrial date, or an announcement that the prosecution won’t retry the case. Whatever the prosecutor decides, he feels confident of one thing, even during this time of deep uncertainty:

“I know I didn’t do this, my attorneys know I didn’t do this, the evidence shows I didn’t do this,” he says. “There’s no way they can win.”
elf-discipline.

It gets some people up at 5 a.m. every day to train for a marathon. It gets others through three grueling years of law school. And it keeps Jonah Eaton, '11, battling collapsed roofs and molten lead gone awry in order to finish what he started.
Wooden boat building is an enduring hobby for Eaton’s family; they’ve built three of various sizes and styles since his childhood. Eaton’s mother once gave his father a set of plans for a 12-foot skiff as a Christmas present. By that afternoon, his father and grandfather were tearing up old bookshelves in their eagerness to start building. But Jonah upped the ante in 2005 when he suggested they build a Malabar II, a 41-foot schooner capable of traversing oceans. He was tired of his job as an engineer; his father was nearing retirement. The timing seemed perfect to construct the crown jewel of their fleet.

“I said I’d quit my job and feed myself, if they bought the wood and rented the building space,” says Eaton. “I figured it would take two or three years, tops.” Eight years later, Eaton intimately understands what can happen to best-laid plans.

His father facilitates the clearance of land mines for an NGO—complicated, life-and-death projects involving many people. Add in Jonah’s engineering background, and it’s no surprise that the boat’s inception involved many diagrams, flow charts, and schedules. “The problem,” says Eaton, “is that it turns out we didn’t have the slightest clue how long anything would take.”

Early on, Eaton spent a lot of time working alone, so maneuvering a 200-pound beam into place could consume the better part of a day. The slow pace came to a complete halt after the building site’s roof collapsed, which caused extensive flooding and narrowly missed crushing the boat.

Additionally, those original flow charts didn’t include a detour to Michigan Law. Eaton eventually took a year off from full-time boat building to work for the United Nations doing development work in Malawi. There, he became interested in human rights and international law, and was drawn to Michigan’s refugee law program. “When Dean Zearfoss introduced our class, I was the eccentric UN guy who was building a boat,” he says.

While other students relaxed during vacations, Eaton returned to Philadelphia and the Malabar II. During 1L fall break, he and 10 friends with propane melted 8,000 pounds of lead to cast the ballast keel, which provides stability to the boat. Another item was crossed off the extensive to-do list—until Eaton discovered the keel had warped as the molten lead had cooled. So winter break was spent reheating and slowly reshaping the lead. “Things progress, and then something unexpectedly weird happens where you say, ‘Well, there goes the week,’ ” Eaton says. “Learning to handle that is part of the process.”

In that process, he sees parallels to and discrepancies from law school. “Sticking with something for long periods of time, without getting distracted or discouraged, is very similar,” Eaton says. “But while law school has a finite ending, with organized structure along the way, the boat is more open-ended.” Of course, law school also doesn’t require 10-hour days of repetitive, physical labor—or propane torches.

“The engineer and the lawyer in me appreciate the process, the functionality. But at the same time, it’s beautiful. It’s going to be a practical, seaworthy boat that also is stunning to look at,” says Eaton, who is clerking for Judge Anne E. Lazarus of the Superior Court of Pennsylvania.

The Malabar II was designed in 1922 by John Alden, of Boston, in the tradition of New England fishing schooners. The original still exists, but only about 10 additional boats have been made worldwide. Eaton and his family had to navigate significant design gaps and modernize some of the techniques in order to make it more seaworthy and easier to maintain post-construction. The biggest parts are made from white oak for durability, while the plankings—which must be able to curve up to 46 feet in places—come from the more malleable Douglas fir. The project has drawn international attention, including from the BBC, which profiled Eaton in its Big Dreams video series in March.

The boat’s marriage of form and function complement the union of planning and patience required to create it. And with the boat undertaking its maiden voyage on the Delaware River this fall, Eaton is willing to write off the process’ frustrations. “Once it’s in the water, nothing will depress me.”
By Jenny Whalen

With JD in hand, Michigan Law Professor Daniel Crane followed what many consider to be the traditional path after law school: He served as a federal law clerk, entered private practice, and spent several years as a litigation associate in New York. When his career shifted to academia, his private practice ties proved a vital link between class and court.

Now the Frederick Paul Furth Sr. Professor of Law at Michigan and counsel in the Litigation Department at Paul, Weiss, Rifkind, Wharton & Garrison LLP in New York, Crane believes having “one foot in the academy and one foot in practice” will remain an asset as he begins his new role as associate dean for faculty and research.

“We often hear that there is a vast gulf between practice and the academy. One of the things I want to do, building on my own experience, is think about ways we can bridge that gap by making what practitioners do more relevant to what academics think about and to think about what academics do as more relevant to what practitioners think about,” he says.

Developing greater harmony between these two worlds is one of the many challenges Crane will face in his associate deanship.

“The basic vision for this position is to have me support the intellectual life of the faculty, and that means thinking about the full set of things that we do as a community around research, scholarship, and the colloquia and seminars we have together to promote scholarship,” Crane says.

Although his title rightly implies a focus on faculty, and will include responsibilities such as allocating research funding and appointing tenure support committees, Crane intends to engage the entire community, students included, in the pursuit of scholarship and research.

“We don’t think about the faculty and students as belonging to two different spheres of life at Michigan; we think about one community,” Crane says. “My portfolio involves focusing on the faculty, but also focusing on ways in which the faculty create intellectual vibrancy to benefit the entire community.”

The perception that knowledge is shared strictly teacher-to-student is one Crane—who also has served on the faculty of Yeshiva University’s Benjamin N. Cardozo School of Law, New York University Law School, and his alma mater, the University of Chicago Law School—rejects. “Many of the most enriching intellectual experiences I’ve had as part of the Michigan community have been learning from students,” he says.

But that doesn’t discount the tremendous responsibility he feels as a member of the faculty to provide the richest learning environment possible for Michigan’s next generation of legal minds.

“We have a wonderful set of clinical faculty and terrific legal research and writing instructors, our research faculty are second to none, and we’ve built on that through other categories of faculty such as professors from practice, visitors, and adjuncts,” says Crane, whose own scholarship focuses on antitrust and economic regulation.

“What we want to continue to do is think about how this rich collection of faculty works together to create a set of opportunities for our students to take courses in many different areas and from many different kinds of perspectives, and also to create a cohesive intellectual community,” he says.

Only by creating a scholarly environment around the practical training at the core of legal education can Michigan prepare its students for an entire life in practice, Crane believes.

“We want to build a scholarly environment that makes it possible for students to pursue many different kinds of practice and areas of law and be ready once they step out of Michigan to go into that field of choice,” Crane says.
Hakimi: Enhancing the Student Experience

By John Masson

It may be asking a lot for any one person to, among other things, get a handle on Michigan Law’s broad and complex curriculum—unless the person asked is accustomed to maneuvering in the convoluted confines of, say, public international law.

Fortunately, Monica Hakimi can draw on her background as a professor in that field to help manage the Law School’s curricular complexities. But that’s just one of the duties she has taken up in her new post of associate dean for academic programming.

“I’m responsible for handling student-related issues and the curriculum,” she says. “We want to review our curriculum to see what we might be missing, what we’re doing very well, what we should be doing more of, and what we should be doing less of. The goal is to make sure that the curriculum as a whole makes sense for a 21st-century legal education.

“Michigan is known for providing students not just with the legal skills that they might use on their first jobs but also with the intellectual capacity to think creatively and grow,” Hakimi says. “We want to encourage intellectual curiosity and creativity, so they can approach new problems in new ways over time.”

The key is finding the right mix of experiential learning classes, seminars, and more traditional doctrinal courses like torts, property, and civil procedure, says Hakimi. “We hope that students will develop a solid foundation in the varied legal issues that might crop up during their careers, while still feeling encouraged to pursue their more specific interests.”

Hakimi is aware that her efforts, and the efforts of her colleagues, are playing out against the backdrop of a rapidly changing legal ecosystem. Those changes affect different law schools in vastly different ways, Hakimi says.

“There seems to be a sense that some law schools aren’t training students for their first jobs, so we’re adapting. We intend to maintain our long tradition of providing an intellectual environment in which we encourage students to be curious and creative in approaching new problems, while giving them the skills they’ll need to hit the ground running when they get out of law school.” To that end, she says, over the last 20 years Michigan Law has increased its offerings of seminars and other courses that target more discrete or non-black-letter subjects.

Hakimi’s new role will extend beyond curricular questions. Law school is an intense experience, she notes, and while most students enjoy all three years here, some may need a little extra support along the way. “We already have an array of programs and staff that are available to students, but there’s always room for more innovation.

“I’ve been thinking about how great our student population is. Really, for the most part, they’re happy in law school—diligent, earnest, eager to be engaged and to participate in the wide variety of activities we have,” she says. “At the same time, law school can be difficult for some students, and some students confront problems in either their personal or their professional lives. We want to be sure we’re supporting those students in their moments of need.”

On the whole, Hakimi says, the Law School’s overarching goal hasn’t changed much in its more than 150-year history: “We want to introduce students to a broad range of issues that might interest them, and then to give students the encouragement and support that they might need to pursue those that would make them happiest and most fulfilled in their legal careers.”
By Katie Vloet

When David Santacroce took a civil rights clinic while he was a student in law school, he recognized right away that a legal education should include much more than textbooks and theory. “Law students need to learn to decipher law and apply law, of course, but you’re not doing that in a vacuum, in an office by yourself. You’re meeting clients, going up against opposing counsel, reading judges—there’s a whole human dimension to practicing the law, and that comes out of guided experience, not just out of books,” he says.

It is that belief that has led Santacroce to a career as a litigator, a clinical professor, and, starting this fall, the new associate dean for experiential education. The position once encompassed just the clinics but now also focuses on externships, practice simulations, and the Legal Practice Program.

“Dean West’s goal in joining these departments was to make sure that the right hand knew what the left hand was doing, and to make sure we were staying on the cutting edge of experiential learning,” Santacroce says.

Santacroce came to Michigan Law as a clinical assistant professor in 2001, after working at a Manhattan law firm and as the senior staff attorney for the Sugar Law Center for Economic and Social Justice in Detroit. While there, he managed a programmatic workers’ rights litigation campaign under the Worker Adjustment and Retraining Notification Act in trial and appellate courts throughout the United States. He holds two law degrees: an LLM from Columbia University School of Law, where he was named a Harlan Fiske Stone Scholar, and a JD, cum laude, from Pace University School of Law, where he was managing editor of the Pace Law Review.

Santacroce’s experience with experiential legal education goes well beyond the Law Quad. He is the founder and president of the Center for the Study of Applied Legal Education (CSALE), a nonprofit corporation housed at the Law School. He has used data gathered through CSALE empirical research to advise deans and faculty members at more than two-thirds of U.S. law schools on issues of clinic and externship design, pedagogy, and staffing.

Santacroce also is the president and founding member of Equal Justice America, a nonprofit corporation that provides grants to law students who volunteer to work with organizations providing civil legal services to indigent people. He is a past chair of the Association of American Law Schools’ Section on Clinical Legal Education and a former board member of the Clinical Legal Education Association.

The clinics at Michigan Law are among the most robust in the country, he says. Together, the 17 clinics provide more than 30,000 hours of free legal service to the community each year.

Through his involvement with the General Clinic, Santacroce has worked with students on legal efforts involving health care for American Indians, civil rights for prisoners, and workers’ rights. Through that work, he says, he can offer students the benefit of his litigation experience. Perhaps more surprisingly, he adds, he learns just as much from his students, who augment his understanding of the legal system.

“For me and all of the clinical faculty, we’re all better lawyers because of our interaction year after year with different sets of students,” Santacroce says. “They bring different life experiences to the table, and they keep us fresh and not jaded. There’s a give and take among us and the students, and I’m a better lawyer today because of it.”
L. Hart Wright Award Goes to Legal Practice Prof. Vettorello

By Lori Atherton

Before the Law School Student Senate officially notified Clinical Assistant Professor Nancy Vettorello, ’97, that she was the 2012–2013 L. Hart Wright Award recipient, the proverbial cat already was out of the bag. That’s because congratulatory messages from students had been flooding the legal practice professor’s inbox.

“I’m equal parts thrilled, honored, and touched,” Vettorello said of winning the award, which recognizes teaching excellence. “I’m very grateful that students pulled together to nominate me.”

Indeed, it was a group effort from students that ensured the win, with former and current students banding together with senior judges (teaching assistants) in a campaign to honor their well-respected teacher.

“The reason students got together to help Professor Vettorello win this award is simple: We wanted to give a little something back as a thank you for all that she has given to us,” says 3L Devon Holstad, who took Vettorello’s class as a 1L and served as a senior judge last year. “To her students, she is more than a professor. She is a mentor, role model, and friend. Her passion and care for students embodies the spirit of Michigan Law and is the gold standard of how a professor can play an instrumental role in the lives of students.”

Vettorello, who has taught legal analysis and writing since 2001, said she aims to foster a collaborative relationship with her students, one that is dependent upon giving and receiving constructive feedback and asking smart questions. “I treat my students as if they are young attorneys,” she says. “I strive to teach the students to do a lot of their analysis up front. That, with lots of time spent on revision, equals better writing.” Her goal, she says, is for students “to learn how to be good at critiquing their own work and to approach it with a professional attitude.”

This is the first year a legal practice professor has won the award.

Prof. Bloom Debuts New Transactional Lab

By John Masson

It looks a little like a clinic. It looks a little like an externship. But the new Michigan Law Transactional Lab is actually neither.

The concept is elegant, if relatively new in the field of legal education. The Transactional Lab’s creator, Clinical Assistant Professor Michael Bloom, is establishing relationships with a handful of blue-chip corporate clients who will work with Michigan Law students, supervised by Bloom, on actual transactional projects.

The companies get high-quality work that adds value without the hassle of administering their own externship programs. The students, meanwhile, learn the skills they’ll need to excel as summer and junior associates at law firms, and develop relationships with in-house counsel that can serve them well as their careers develop.

Bloom, who helped establish a similar program at the University of Chicago Law School in 2009, says the Lab is a strong addition to Michigan’s robust set of offerings that emphasize practical lawyering skills.

“The big thing about coming to Michigan is that we have so many exceptional clinical opportunities for students to do transactional work, like the Entrepreneurship Clinic, the International Transactions Clinic, and the Community and Economic Development Clinic,” Bloom says. “One of the perceived shortcomings of legal education in general has been a dearth of transactional education, and indeed of practical, experiential education as well.”

The Transactional Lab aims to take on both issues, Bloom says. Students selected for the four-credit course meet once a week for a two-hour class concentrating on transactional lawyering skills and current issues with the projects they’re working on. Outside of class, Bloom says, students will spend several more hours each week under his supervision, working as members of smaller teams on client projects.

“This is an opportunity for students to work with big, well-established blue-chip companies, and get a sense for how the legal teams work there,” he says. “That’s one of the ways the Lab neatly nestles alongside the Law School’s transactional clinics, with each focusing on different client bases.”
Prof. Carr Chosen for State Commission on Human Trafficking

When Michigan Attorney General Bill Schuette was looking for the best people to form the first Michigan Commission on Human Trafficking, he didn’t have to look far to find a national expert.

Professor Bridgette Carr, ’02, founded the country’s first Human Trafficking Clinic, devoted to providing legal services to victims of modern-day slavery, at Michigan Law in 2009. So she was perfectly suited to join the commission, which held its first meeting in March. Serving alongside her are Schuette, Michigan Gov. Rick Snyder, ’82, state legislators, law enforcement officials, and other human trafficking experts.

The commission met for six months and planned to deliver a report in the fall. Schuette said the goal is to develop a comprehensive, statewide plan both to combat trafficking and to improve the outcomes for the people who are its victims.

Schuette calls human trafficking the fastest-growing criminal enterprise in the world, forcing large numbers of people into the sex-work industry, agriculture, and other forms of uncompensated labor.

Too often, Carr says, human trafficking victims are re-victimized by a criminal justice system that charges them with crimes they were forced to commit.

“I hope this is the beginning of a paradigm shift in the way we view this crime and its victims,” she says. “I get the sense that the attorney general wants to be really intentional, so we can be comprehensive and figure out administratively, organizationally, and legislatively the best approaches.”—JM

MLaw, Cambridge Team Up to Guide UN Refugee Convention

A six-decade standoff over how to supervise the United Nations Refugee Convention is a little closer to a solution, thanks to the efforts of a high-powered, international assemblage of judges and academics organized by Michigan Law and the University of Cambridge Faculty of Law.

Professor James Hathaway, the director of Michigan Law’s Program in Refugee and Asylum Law, co-convened the gathering with Justice Tony North of the Australian Federal Court, a former president of the International Association of Refugee Law Judges. The goal: develop a framework to help guide the Refugee Convention into the future.

“The core concern is that the Refugee Convention—unlike other UN human rights treaties—has languished for 60 years with no oversight body,” Hathaway says. “So states sign up to respect refugee rights, but there’s no inter-state mechanism to hold them accountable when they don’t. It’s time that the Refugee Convention comes into line with other major human rights treaties on this front.”

Participating in the gathering were a number of globally known experts in the field, including Judge Sebastiaan de Groot of the First Instance Court of Haarlem, Netherlands, and president of the International Association of Refugee Law Judges; Baroness Brenda Hale of the Supreme Court of the United Kingdom; Dr. Volker Türk, director of international protection at the UN High Commission on Refugees (UNHCR); and Chief Justice Kashim Zannah of the High Court of Justice of Maiduguri, Nigeria.

Over the course of the gathering, held last fall at Downing College, Cambridge, the experts hammered out a framework for creating a Special Committee of Experts—judges, academics, and other experts in the field who could issue advisory opinions at the request of courts, specialist tribunals, and even the High Commission itself.

“It’s a first piece, an academic contribution to the idea of basically dislodging inertia,” Hathaway says. “If adopted, it would provide the first opportunity for truly independent oversight of the Refugee Convention—the very first time that an arms-length expert body was in a position to say what is right and what is wrong, as a matter of interpreting the treaty.”

An effort is now under way to engage judges and other opinion leaders to convince the UNHCR to adopt and implement the proposal.

Read a copy of the group’s summary conclusions at opiniojuris.org/wp-content/uploads/130325-cambridge-roundtable-summary-conclusions-final.pdf. The Background Studies will be published this fall in the Journal of Refugee Studies.—JM
Reimann to Complete Long Tenure as EIC of *American Journal of Comparative Law*

By Lori Atherton

After 10 years at the helm of the *American Journal of Comparative Law*, during which he oversaw 40 issues and reviewed thousands of articles and book reviews from scholars around the world, Professor Mathias Reimann, LLM ’83, is completing his second term as editor-in-chief at the end of 2013. His last issue as EIC was scheduled to be published in October.

“To head a global team committed to this endeavor has been highly rewarding,” Reimann, the Hessel E. Yntema Professor of Law, says of his association with the journal. “The best part has been working with a huge number of very talented, interesting, and devoted people from all over the world, from New York to Singapore, and from Canada to Italy.”

The quarterly journal, which is published under the auspices of the American Society of Comparative Law (ASCL), had its beginnings at the Law School in 1952 when it was founded by Professor Yntema, who served as EIC until his death in 1966. The journal remained at Michigan before moving to the University of California, Berkeley, in 1971. After more than three decades in California, it returned to Michigan Law. In 2003, Reimann began serving as co-editor-in-chief jointly with George Bermann from Columbia Law School and James Gordley, now at Tulane University Law School. Reimann has been serving as the journal’s sole EIC for the past five years. At press time for the *Law Quadrangle*, it hadn’t been determined where the journal will land next; the new EIC was expected to be chosen during the ASCL’s annual meeting in October.

“I’m really sad to see it leave Michigan, because it was founded here by Hessel, and I’m holding the Yntema chair,” Reimann says. “There’s a tradition, and I was very glad to bring it back to Michigan. If I had my druthers, I would have it stay here, but that would presume there is a person here who could take it over,” he says, adding that nobody on the faculty is the right fit for the position.

Unlike student-run journals, which most law schools typically publish, the *American Journal of Comparative Law* is peer-reviewed by respected academics who are specialists in comparative and foreign law. Reimann works with an editorial board of eight to 10 people, who help to select the articles that will be published (fewer than 10 percent of submissions actually appear in print). It’s a double-blind review process—the reviewer doesn’t know the author’s name and vice-versa—which helps to ensure neutrality, Reimann says, and gives junior faculty an opportunity for their works to be published.

“The blind review helps a lot of young people who are still at the post-graduate stage who would never get published in a top student-run law review,” Reimann says. “The outside peer reviewers also often make suggestions for improvement, something that student-run journals don’t typically do; the suggestions are usually very helpful to junior and often even to senior faculty.”

Reimann says he is grateful to the Law School for the institutional support and resources it has provided during his editorship and to his Michigan Law colleagues, whose expertise he often consulted. He is also quick to praise Annette Gregory, who has been overseeing the day-to-day operations of the journal as the production manager since December 2005. “If the journal runs like German trains used to run—always on time—it is largely due to Annette,” Reimann says.

While he will miss the global connections the journal afforded him, Reimann won’t miss the volume of manuscripts flooding his inbox, which could be overwhelming at times. He is looking forward to devoting more time to his own scholarly research and activities when his tenure ends.
Two new faculty members—one with expertise in constitutional and administrative law, and one who will teach legal research and writing—joined the Law School this fall.

Kate Andrias has joined the faculty as an assistant professor of law. She teaches and writes in the areas of constitutional and administrative law, labor law, and the law of democracy. She previously served as special assistant and associate counsel to the president of the United States, and as chief of staff of the White House Counsel’s Office.

While in the White House, she focused on constitutional and administrative law issues and on domestic policy, including labor and immigration. Prior to joining the Obama administration, she was an attorney in the Washington, D.C., office of Perkins Coie LLP, where she practiced in the political law and appellate litigation groups.

In addition, she clerked for Associate Justice Ruth Bader Ginsburg of the U.S. Supreme Court and Judge Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit. She also taught American constitutional law as a visiting professor at L’Institut d’Études Politiques (Sciences Po) in Paris. Andrias graduated in 2004 from Yale Law School, where she served on the *Yale Law Journal* and as a Coker Fellow. Prior to law school, she worked as a union organizer.

Margaret C. Hannon, ’05, joined the Law School faculty as a clinical assistant professor in the Legal Practice Program. She previously taught legal research, writing, and reasoning as a clinical assistant and clinical associate professor at Northwestern Law School, where she also served as the assistant director and interim director of the legal research and writing program. She received the Dean’s Teaching Award and Dean’s Teaching Award Honorable Mention.

Hannon practiced law at Bell, Boyd & Lloyd LLP (now K&L Gates LLP). Her practice focused on labor and employment counseling and litigation, and the negotiation and administration of collective bargaining agreements.

She is an active member of the Legal Writing Institute; in addition to presenting at its academic conferences, she is also the co-chair of the Pre-Law Outreach Committee. She is the chair of the Association of American Law Schools (AALS) Legal Writing Section’s Welcoming Committee and a member of the AALS Section on Teaching Methods. She is under contract with Aspen Publishers to coauthor the employment discrimination and employment law texts in its new *Bridge into Practice* series (with former Michigan Law Professor Rachel Croskery-Roberts, ’00). Hannon received her BA, *cum laude*, from Binghamton University and was a notes editor for the *Michigan Law Review* during law school.—LA
Sometimes an off-color joke can be more culturally revealing than a philosophical tome. Where 17th-century British gender roles are concerned, sources well outside the canon have plenty to say on the subject. Professor Don Herzog had surmised as much, and his research confirmed it.

In his book *Household Politics: Conflict in Early Modern England* (Yale University Press, 2013), Herzog examines the period between 1650 and 1750—a time “routinely cited as the setting in which patriarchy was thriving,” he says—in order to demonstrate that it was “not true that patriarchal authority was naturalized,” that male dominance was not unquestioningly accepted, and that politics were as prevalent in the home as in parliament. As he writes in his introduction:

“I cheerfully demolish two views that have enjoyed some currency. First: people back then imagined that male power was natural or necessary, part of the woodwork of the world, not a contingent social practice that could be reformed or even abolished. Second: the public/private distinction was gendered—so public man, private woman—and that explains the political subordination of women.”

Herzog goes on to write, “Political theorists inherit a canon … centered on abstract theoretical investigations of the ideal government. It’s a mistake to enlist those sources as the distilled essence of their times and places.” So, in order to backfill the “quaint divide between social and intellectual history,” Herzog combed online historical databases for “popular songs, jokes, sermons, pamphlets, diaries, letters, and more”—including Jonathan Swift’s crudely humorous poem “The Lady’s Dressing Room,” and contemporaries’ lyric reactions to it—to see what the masses, as opposed to the philosophers, had to say about men’s and women’s roles.

“Maybe noncanonical contemporaries had all kinds of interesting things to say about household politics,” Herzog writes. “[W]e could shrug and admit that our canon has served as a straitjacket. I hereby shrug.”

When it came to doing the scholarly legwork, Herzog was pleasantly surprised. “At this point research is incredibly easy. It feels like cheating,” he says. With the number of historical documents and early publications now digitized, it’s possible to do research from the comfort of one’s office—no bibliographic gymnastics of inter-library loan, no trips to special library collections overseas to hunt for original texts. He praises this new availability, pointing out that even a scholar in a remote location, with a limited budget, has access to untold source documents.

Given the accessibility of his source material and its decidedly non-elitist nature (“It’s like they’re all in fifth grade,” he says of the early-English penchant for scatological humor), it’s not surprising that the professor was equally democratic in publishing the book, making its entire text available for free online before the hard copy was published by Yale University Press in April. Find the pdf at www.law.umich.edu/quadrangle.—CS
In early July, the Obama administration announced that it would delay for one year the “employer mandate,” a tax that the Affordable Care Act (ACA) imposes on employers who don’t provide affordable health insurance to their employees. At any other time, this sort of dull, technical decision would have passed without mention. In the super-heated political environment surrounding health-care reform, however, the delay was front-page news. Characterized by The New York Times as “a significant setback for President Obama’s signature domestic initiative,” conservative critics pointed to the delay as evidence that health-care reform was unwise in principle and unworkable in practice.

The delay of the employer mandate was especially controversial among lawyers. The ACA says that the mandate “shall apply to months beginning after December 31, 2013.” Given that unambiguous directive, what authority could the administration possibly have for delaying the mandate until 2015?

In the words of Michael McConnell, a Stanford law professor and former Tenth Circuit judge, the delay of the employer mandate “may be welcome relief to businesses affected by this provision, but it raises grave concerns about [the president’s] understanding of the role of the executive in our system of government.”

The full legal picture, however, is more complicated than McConnell makes it out to be. Shortly after announcing the delay, the administration in fact offered a legal justification for delaying the employer mandate. It’s just that no one noticed. In a letter to Congress and in congressional testimony, the administration invoked a general statutory provision authorizing the IRS to “prescribe all needful rules and regulations” for enforcing the tax code. That rulemaking power, in the administration’s view, allowed it to delay the effective dates of tax statutes in narrow circumstances.

For support, the administration pointed to a practice dating back to at least 2000 of providing “transition relief” for new tax legislation “when [its] immediate application would have subjected taxpayers to unreasonable administrative burdens or costs.” For example, Congress in 2007 strengthened a statute imposing penalties on unscrupulous tax preparers. Although the statute set an effective date for those penalties, the IRS provided six months of “transitional relief” to address implementation questions. (No legal justification was offered.) The administration has identified at least 10 different cases where the IRS has similarly postponed a tax statute.

In pointing to past practice, administration officials are tacitly arguing that it may act consistently with that practice until either Congress or the courts say otherwise. This is the kind of argument the executive branch makes all the time. In its view, the IRS has been saying, “Hey, Congress, we think you’ve given us the power to temporarily delay tax statutes where implementing them is really hard. Let us know if we’re wrong.” In declining to clip the IRS’s wings, Congress has acceded to that view. (My kids often make this kind of argument. When I tell my son to stop jumping on the couch, he’s apt to say that he’s jumped on it before. For him, my earlier failure to tell him to stop means that there’s no rule against jumping on the couch.)

So, yes, the administration has a legal argument to support its delay of the mandate. But is it any good? Well, maybe not. Just because Congress hasn’t taken the IRS to task doesn’t mean that it agrees with the agency. Maybe Congress never caught wind of the practice of affording transition relief. (“I didn’t see you jumping on the couch.””) Maybe it heard about the practice but didn’t think it was worth intervening. (“You’re going to bed in five minutes anyhow.”) Maybe it was just busy. (“I’m on the phone.”) Congressional acquiescence arguments are tricky because Congress has so many reasons not to act. It’s probably safer to take Congress at its (statutory) word.
That said, the executive branch has an established tradition of giving weight to past practice when it comes to ascertaining the boundaries of an agency’s open-ended authority. Precedent matters in the executive branch, much as it does in the courts. Almost a dozen examples spread across thirteen years and three administrations, both Democratic and Republican, provide a plausible legal basis for delaying the employer mandate. (“But I always jump on the couch, and so does my sister.”) Without question, it’s aggressive for the administration to assert this authority in the teeth of effective dates inscribed in statutes. Arguably, however, the power to provide transition relief is just a modest, well-established adjunct to the power to craft “all needful rules” in administering a complicated tax code.

There’s a broader point here. So far as I know, no one has bothered yet to refute the argument the administration has made. The argument may not convince you. I’m not sure it convinces me. But the critics have to grapple with it before accusing the president of ignoring the law.

Still, if the administration’s position is that the tax code gives it the authority to delay the employer mandate, what then should we make of President Obama’s statements at an August press conference?

“In a normal political environment, it would have been easier for me to simply call up the Speaker and say, you know what, this is a tweak that doesn’t go to the essence of the law. … That would be the normal thing that I would prefer to do. But we’re not in a normal atmosphere around here when it comes to “Obamacare.” We did have the executive authority to do so, and we did so.

In an editorial, the Wall Street Journal presented this as tantamount to a confession of illegality. “Why did he say he would normally ask for a legislative “tweak,”” the editorial wondered. “Either the fix requires legislation or it doesn’t.” Further indulging the premise that the president broke the law, the editorial opined that the president’s statement was “certainly revealing about his attitudes on Presidential power and the constraints of the U.S. Constitution.”

But the Wall Street Journal didn’t catch the president in a contradiction. As it happens, laws are often unclear about the scope of the authority they confer upon the executive branch. Hard questions crop up all the time. How much latitude, for example, does the IRS have when it goes about issuing all “needful rules”? It’s not inconsistent for President Obama (or, really, his lawyers) to conclude both that the administration has the authority to delay the mandate and that the question is sufficiently close that, all else being equal, it’d be better if Congress explicitly blessed it.

The trouble is that all else is not equal. Having resolved that it had the legal authority to delay the mandate, the Obama administration faced a dilemma. It could either seek a legislative fix from a hostile Congress or invoke a contestable interpretation of its statutory authority. That’s not much of a choice. As a general matter, legislative intransigence—not just Republican intransigence during a Democratic administration, but also Democratic intransigence during a Republican administration—predictably increases the pressure on the president to construe his statutory authority broadly.

None of this, however, implies that the president broke the law. What it implies is that partisan stalemate of the sort with which we have become depressingly familiar will encourage aggressive interpretations of statutory authority and, over time, augment the president’s power at Congress’s expense. Whether you think that’s good or bad shouldn’t depend on whether you dislike President Obama or health-care reform. It should depend on your views about the proper dispersal of authority in our constitutional system. That’s a much bigger—and much harder—question.

Nicholas Bagley, assistant professor of law, teaches and writes in the areas of administrative law, regulatory theory, and health law. Prior to joining the Law School faculty, he was an attorney with the Appellate Staff in the Civil Division at the U.S. Department of Justice, where he argued a dozen cases before the U.S. Courts of Appeals and acted as lead counsel in many more. He also served as a law clerk to Justice John Paul Stevens of the U.S. Supreme Court and Judge David S. Tatel of the U.S. Court of Appeals. Portions of this article appeared in Professor Bagley’s blog posts on The Incidental Economist.
On September 1, the University of Michigan Law School welcomed Mark West as its 17th dean. For an academic and alumni community, a dean transition can be an uncertain time, especially when the outgoing dean is an inspiring leader who understands the importance of a strong alumni network and the power of alumni giving. The Law School couldn’t have asked for a better dean over the past decade than Evan Caminker. We all have benefitted from Evan’s vision—which touched all aspects of life in the Quad—and his commitment to securing the funds to execute it.

But as Dean West settles into his new role, we are all in good hands. Mark already has a 15-year track record of leadership at the Law School, and part of what makes him such a tremendous asset as dean is that he understands the essence of Michigan Law—because it is a part of him already. Many of you have had him as a professor, while others were impacted (knowingly or unknowingly) by his work as associate dean for academic affairs. Mark is the perfect choice to lead our School, and I look forward to you getting to know him in the coming months and years.

The new chapter being written in the Quad, however, extends beyond the dean’s office. On November 8, the University will kick off a multiyear, multi-billion-dollar fundraising campaign. Known as the Victors for Michigan campaign, it will be one of the most ambitious efforts in the history of higher education. The No. 1 priority for the campaign, both at the University level and here at the Law School, will be student support. Michigan provides one of the country’s preeminent legal educations, but it comes at a steep price. That price impacts the ability of students to attend our School, and it can affect their choices both during and after their time on campus. We will be calling on all alumni to help us make a Michigan Law education—and the opportunities it offers—affordable to today’s inspiring crop of students.

While we have beautiful facilities, we are not defined by them alone. The Victors for Michigan campaign will focus our attention on the people and experiences that bring our buildings to life. Please begin thinking now about the legacy you can leave in this new campaign—how you can help us write Michigan Law’s next chapter.

Sincerely,

Todd M. Baily
Assistant Dean for Development and Alumni Relations
University Announces Matching Fund for Student Support

To encourage donors to make gifts supporting students, the University has announced a new, $25-million matching gifts program. The Michigan Matching Initiative for Student Support will match gifts of $100,000 to $1 million for endowed scholarship funds, with the match providing $1 for every $4 gift. Gifts may be designated for new or existing endowments, and may be designated to support scholarships on a University-wide basis or for a specific school or program, as long as the funds directly support students. In addition to scholarships, programs such as the Law School’s Loan Repayment Assistance Program and Student Funded Fellowships also are eligible for the match. Gifts from individuals and family foundations qualify, as do contributions from groups of up to four donors who pool their gifts. Pledges are payable over a maximum of five years.

“Making a Michigan Law degree accessible for students—and easing their financial burden both during and after their time on campus—is one of my top priorities as dean and the Law School’s primary focus in the upcoming Victors for Michigan campaign,” Dean Mark West says. “The Michigan Matching Initiative for Student Support is a wonderful opportunity for new and existing donors to increase the impact of their giving.”

To learn more about the Michigan Matching Initiative for Student Support, contact the Office of Development and Alumni Relations at 734.615.4500.

Save the Date: African American Alumni Reunion


“This reunion is an important step for Michigan Law and its African American alumni community,” says tri-chair Curtis Mack, ’73, of Atlanta. “While we all had different experiences in law school, our time in the Quad and the education we received were important and formative components of our careers. The time has come to return home and celebrate that experience with each other.” Joining Mack in chairing the event are Elizabeth Campbell, ’78, of Houston, and Saul Green, ’72, of Detroit.

The intent of the African American Alumni Reunion is to bring alumni and current students together for networking opportunities, and re-engage alumni with Michigan Law and each other. In the wake of declining minority enrollments at the School, the committee also hopes the reunion will mobilize alumni to improve and support recruitment and matriculation of African American students through outreach and scholarships.

A reunion was first discussed formally among a small group of African American alumni in late 2012, with the idea of celebrating the 35th year of the Butch Carpenter Scholarship banquet. With 1,000 living African American law alumni, the fact that it has evolved into a weekend-long event is exciting, says Lara Furar, the Law School’s director of alumni relations and reunion programs. “This is a highly enthusiastic, dedicated group of volunteers who are organizing the reunion. We are thrilled to be partnering with them on this important endeavor and can’t wait to welcome attendees back to the Quad in March.” Highlights of the weekend include a session led by NPR’s Michele Norris, founder of the Race Card Project.


Green says the diverse locations, class years, and career paths of the reunion’s organizers are reflective of the event’s mission. “An important goal of the reunion is to celebrate the history of diversity at Michigan Law. Our honorary co-chairs and planning committee members are a testament to the diversity within our own African American alumni community and the impact of a Michigan Law degree, wherever you go.”—AS
Tom Green and his wife, Ruth, have given $75,000 to create the Green Legal History Endowment Fund at the University of Michigan. The endowment seeks to develop and sustain interest in and scholarly contributions to legal history at U-M, and to provide direct support and mentorship to the next generation of legal historians. In addition, the Greens hope to foster closer relations between the Law School and the history department in the College of Literature, Science, and the Arts (LSA), which will jointly administer the Fund.

The Green Legal History Endowment Fund will bring prominent legal historians from many specializations to the University for lectures, proseminars, and meetings with students. A joint committee of Law and LSA faculty will select the annual or biannual speakers. “It is always special when a faculty member chooses to lend significant financial support to the institution that already has claimed so much of his or her time and intellectual rigor,” says former Dean Evan Caminker. “Tom and Ruth’s gift will open up exciting new channels for discourse and collaboration at the University.”

“Our gift is in grateful recognition of the support and encouragement extended to me, and the friendship extended to us both, over four decades by two truly great and collegial scholarly communities,” says Green, the John P. Dawson Collegiate Professor of Law Emeritus and professor emeritus of history. “Establishing the endowment seems an appropriate step to take, as the activities of these communities—as with all scholarly communities—are as much a matter of building a foundation for those who will inherit and shape the future of the enterprise as they are a manifestation of present interests. We hope that the lectures, proseminars, and other corresponding events will draw attention over the ensuing decades to work in legal history that’s being done on campus, and help likeminded scholars find and connect with each other.”

The endowed public lecture will be known as the Simpson Lecture in honor of former Professor A.W. Brian Simpson, who died in 2011. The associated proseminar will be named for John P. “Jack” Dawson, who taught at Michigan Law from 1927 to 1958. “In naming the lecture after Brian and the proseminar after Jack, we honor two superb legal historians and teachers who spent many years at the Law School and contributed greatly to its scholarly tradition,” Green says.—AS
Program Support

Tom Prose

Tom Prose, MD ‘82, MedRes ’84, MPH ’93, MBA ’97, has witnessed the devastating effects of human trafficking firsthand, and when he read about Professor Bridgette Carr’s work with the Human Trafficking Clinic in The New York Times, he wanted to help.

“I was immediately struck by the work they are doing and the fresh, entrepreneurial approach Bridgette is taking,” says Prose, whose $50,000 gift to the Clinic will fund a pilot program focused on identifying trafficking victims who have been arrested. “They understand the challenges and burdens, and we’ve talked at length about what could be done to bring this tragedy to the forefront and stop turning victims into criminals.”

Prose learned about human trafficking while serving as Consul General for the Czech Republic, since Eastern Europe is a nucleus for both sex and labor trafficking. But it’s not just a problem elsewhere. Cases in the United States, and those involving U.S. citizens, are increasing rapidly. The Clinic currently is handling more than 50. “We need to see this as a societal problem that can happen to anyone,” says Prose.

With human trafficking often a misunderstood or ignored issue, Carr, ’02, the Clinic’s director and clinical professor of law, appreciates Prose’s eagerness to unravel additional layers of the problem. “From my first conversation with Tom, he has impressed me,” she says. “We wanted to make an impact on this issue, and he wanted to know the best way to do it. He realized it might not be an approach that made headlines, but that didn’t matter. His focus is on helping victims.”

Carr and Clinical Assistant Professor Elizabeth Campbell, ’11, are developing a pilot program in Washtenaw County (including Ann Arbor) that will intervene in the criminal justice system to better protect human trafficking victims. They seek to provide across-the-board training for law enforcement in identifying victims, and want to establish a trafficking-risk assessment for anyone arrested in the county for prostitution-related crimes. A similar program in New York City has found that nearly one-third of those arrested for such crimes are victims of human trafficking, and another 20 percent are high risk. “This matches anecdotally what we have said to be true, but we don’t have the access to verify it,” says Campbell. “We are looking for the best way in our local system to have an intervention point, so we can stop the criminalization of victims and represent them better.”

To conceptualize the pilot, Carr and Campbell have been collaborating with local public defenders, judges, and law enforcement and educating them about human trafficking. “The criminal justice system often funnels defendants, who are in fact victims, quickly through the system and unknowingly returns them to their traffickers more vulnerable than before,” says Campbell, noting that the pilot has received a strong level of excitement and support among key local players.

Carr says she is “amazed and grateful” that the Times article had such a meaningful effect for the Clinic. “With Tom’s gift, we can help those who are often forgotten in the fight against human trafficking.”—AS
In April, alumni and friends of the Law School regaled outgoing Dean Evan Caminker and his wife, Stacey, with thank-you gifts. An honorary Lawyers Club membership. A custom football jersey. A vase made from the elm tree that used to stand near the Quad. But they also gave him a gift that will live in perpetuity at Michigan Law by establishing the Evan H. Caminker Fund, an endowment that will be used for both student scholarships and faculty recruitment and retention.

The Fund was the brainchild of Bruce Bickner, '68, and Dick Pogue, '53. As chairs of the Development and Alumni Relations Committee and the Dean’s Advisory Council, respectively, the pair had numerous chances to work with Caminker on a wide array of projects, including the building of South Hall and Aikens Commons. “In every endeavor, Evan brought intelligence, integrity, thoughtfulness, energy, good humor, and an eye to the Law School’s future,” said Bickner. “His leadership was visionary, and its impact will be seen and appreciated for decades to come. So we wanted to show our appreciation in a similarly impactful way.”

Bickner and Pogue initially set out to raise $500,000 for the Fund from a small group of alumni leaders. To date, more than $700,000 has been given, and additional gifts from the School’s alumni and friends are welcome. Pogue said he is pleased but not surprised by the enthusiastic response. “Not that there was ever any doubt about Evan’s popularity among alumni, but if there were, it most certainly has been dispelled by the response we received. To have exceeded our goal is an outstanding testament to the fact that the alumni community realizes what a special leader we had in Evan.”

Caminker also has been honored with a plaque identifying the portico adjacent to the south side of South Hall as the Caminker Arcade. The plaque reads, in part, that the arcade was “named by alumni and friends of the University of Michigan Law School, who recognize and thank Evan H. Caminker … for his exceptional efforts to expand and enhance the campus.”

In thanking the donors during the April 12 event, Caminker joked that he’s not usually at a loss for words, but said the establishment of the endowment fund left him nearly speechless. “Not only have you created this wonderful fund, but it was your heavy lifting that made these buildings possible,” he said. “I can’t tell you how touched I am by the fact that there will always be this connection between us.”

Bickner pointed out that while Caminker has moved on, the alumni community’s work continues. “We know that, like all of us here tonight, you will always hold a special place in your heart for the Michigan Law School. Our promise to you, Evan, is that the alumni of Michigan Law will do whatever we can to sustain the momentum and build on the successes that you created during your tenure.” —AS
While growing up, Martha (Potter) Dewees knew her family wasn’t extravagant. But she knew her parents, Alice and Ray Potter, ’37, believed in the value of education and the importance of philanthropy—two forces that joined together in a powerful way after their deaths.

The Potters left a generous portion of their estate to the University of Michigan, divided equally between the Law School and the Medical School.

“My parents connected very strongly with their Michigan educations and their Michigan friends,” says Dewees. “The University of Michigan was the center of their social world for most of their lives.”

Ray Potter came to Michigan Law from Swarthmore College, after spending a “gap year” studying at the University of Heidelberg in Germany and bicycling around Europe. His future wife also was a Swarthmore graduate. Although Swarthmore was a small school, the two had never met—until the day Ray saw Alice in Ann Arbor, recognized her from Swarthmore, and asked the dean of women for her name and telephone number. In an era of less stringent privacy concerns, the dean agreed, the call was made, and rest was history.

The couple’s on-campus courtship included theater outings, and through the years Ray always tried to get tickets with the same row and seat numbers as they had in their first theater subscription. At one point, they were prohibited from dating for several weeks, after Alice arrived back at her dormitory past curfew. Ray and Alice married after he graduated from the Law School, and moved into married student housing while living there. Ray worked stateside in support of the war effort before becoming the attorney at Alice’s family’s abstract and title company in Detroit, where he remained for his entire career.

Although she doesn’t know exactly why her father wanted to become a lawyer, Dewees says he may have had concerns about earning a living in the wake of his father’s sudden death and the difficult economic circumstances of the 1930s. She also says the profession suited him well. “He loved the law and thinking about the law. He talked about the law constantly and enjoyed its philosophical basis. He did a lot of traveling as a child, and it was always part of who he was—he was interested in the world and the ways in which we govern ourselves.”

Alice never practiced medicine professionally, although she volunteered throughout her life and was called upon by friends and neighbors for medical advice or to administer in-home care. She also busied herself raising Dewees and her siblings, Susan and Louis, ’65. Alice and Ray instilled the importance of education in all of their children. “I don’t remember being lectured about going to college; I always just knew I was going. It’s one of those things you grow to assume,” says Dewees, a professor emerita of social work at the University of Vermont. The same went for philanthropy.

The Potters didn’t talk openly about money, but while they lived relatively simply in some ways, the children were aware that their parents donated to various charities. Ray and Alice, like their families before them, also donated to several public institutions in Michigan. That they chose to remember the University of Michigan so substantially in their estate plan does not surprise their daughter.

“They both loved their time at U-M,” says Dewees, who notes that her father played tennis with Michigan friends at their Sun City, Arizona, home shortly before his death. “It was obviously a happy time of their lives, and I’m glad they are able to leave a lasting impact.”—AS
Family ties are huge for Liz and Richard Burns, ’71. Richard started a practice with his brother, William, ’68, and 16 others, and he remains of counsel. Son Brian is vice president and COO of Morgan Murphy Media—Liz’s family’s business—with Liz serving as president and CEO. Richard is vice president of business development and general counsel.

“My two bosses are my wife and my son,” he says. “We try to leave work at work, and not worry about it or talk about it at home.” But Liz notes, “Some days, that is easier than others.”

Family also has greatly influenced the couple’s philanthropic philosophy. They have long been generous donors to the Law School, partly because of the example set by their parents, for whom civic engagement and philanthropy were priorities. Liz and Richard’s many contributions to the Law School include a $500,000 gift to the building fund—for which an alcove in the Reading Room was recently named in their honor—and a $500,000 bequest in support of the Loan Repayment Assistance Program (LRAP), also known as the Debt Management Program. And they are active volunteers and donors to colleges in Minnesota and Wisconsin, as well as Liz’s alma mater, the University of Arizona.

“It’s natural for us to support Michigan because I feel like I owe a lot to the place. It’s special because of the relationships I had with my fellow students, and the collegial work we did together. In addition, I was very close with several professors who really helped shape my career,” says Richard, who worked for more than two years with Professor Arthur R. Miller, including on his treatise, *Wright & Miller on Rules of Civil Procedure.* “He would sit down with me and others individually and go over our subsection writings sentence by sentence. I owe most of my ability to write clearly to him.”

Burns came to Michigan Law largely because of his father, Herbert, ’33. “I didn’t become a lawyer just because my father was a lawyer,” Burns says. “I did it because I saw how much he loved it.” But five years after graduation, while doing employee benefits and tax work at a large San Francisco firm, Richard wasn’t feeling that same love. He decided to move to Duluth, Minnesota, and go into partnership with his brother. At Michigan, Professors Doug Kahn and J.J. White, ’62, had instilled in Richard a passion for codes, and that, plus his work in San Francisco, led him to focus his practice on estate law. He had finally found the enjoyment that he’d sought. “Being a small-town lawyer allows you to see the impact of your work,” he says. “It also gave me the opportunity to be involved at an important level in community affairs.”

Richard and Liz have contributed so generously to LRAP because he wants today’s students also to have the opportunity to find the career path about which they are most passionate. “I fear that people sometimes get trapped in a job that’s not as satisfying because of all the debt they have. If they could take a lower-paying job and have their debt managed in a reasonable way, they might not be unhappy lawyers 10 years out of law school,” says Richard.

Burns also wants his classmates to recognize the importance of giving back to Michigan Law. He has served on the Law School’s Development and Alumni Relations Committee and the Dean’s Advisory Council, and was an active volunteer with U-M’s Michigan Difference campaign. Additionally, he has chaired multiple reunion committees and funded matching gift challenges for Cavaedium Society-level gifts to the Law School Fund—gifts that are at least $2,500. “Matches help people understand that someone else thinks this cause is important, and it also helps their money go further than they thought it could,” says Burns. “I owe much of my career to the Law School, and I want others to think about what the School means to them.”

While Liz doesn’t hold a degree from Michigan, she has adopted her husband’s maize-and-blue fervor. Richard’s class was among the first to have a double-digit enrollment of women, and she says they have made her an honorary member of the class. “It would be nice to be able to wear red once in a while,” she laughs, “but never scarlet and gray.” —AS
Anne Larin, ’83 has embraced change throughout her career. But one thing remains constant: giving to the Law School Fund.

Since graduation, Larin has contributed to the Fund every year except one. “Ah, yes, 1984,” laughs Larin. “I was clerking and had no money. I still feel bad about it, though.” Over time, her habit has made a big impact—she has passed the $100,000 lifetime-giving milestone. “I certainly never started out thinking it was possible for me to give that kind of money,” she says.

As the School’s unrestricted pool of gifts, the Law School Fund annually provides discretionary resources for programs with greatest need, including the Loan Repayment Assistance Program and Student Funded Fellowships. It also substantially funds core programs such as the Legal Practice Program, which includes the first-year research and writing course. Larin says giving helps acknowledge the generosity that enabled her to attain undergraduate, graduate, and law degrees. “Through scholarships, someone else paid for me to go to school. So I’ve always felt like I need to help today’s students.”

It also doesn’t hurt that she loves Michigan Law. “Even if you can only give a small amount each year, know who you are and what you love, and plan your giving accordingly,” she says.

Larin’s love of Michigan Law was enhanced by the fact that she began her career on a different path, as the curator of a collection of historic homes in Westchester County, New York. She enjoyed the workplace but ultimately decided the career wasn’t for her. “After a few years, I realized that if I never came to work again, it wouldn’t make any difference. I didn’t like that.” She returned to her native Birmingham, Michigan, where her sister steered her to law school. Larin says that because she had been in the workforce, she approached Michigan Law like it was her job. “I would have been very intimidated by the professors and other students if I had come to Michigan right from undergrad. But after being accountable to an employer, I had a more balanced perspective.”

Although she didn’t live in the Lawyers Club, joining Michigan Law Review provided a sense of community because of the intensity of the long hours spent together and the unique responsibility. “We owned the rights to the Coke machines,” she says, “so we’d go around collecting returnable bottles from the library late each night. We felt like we owned the School.”

After graduation, Larin clerked for Judge Cornelia Kennedy, ’47, on the U.S. Court of Appeals in Detroit before heading to Munger, Tolles & Olsen in Los Angeles, where she felt at home with the contingent of fellow Michigan grads in the firm’s securities and corporate practice. It was 1980s L.A., the golden age of junk bonds, yet after six years, the history and art buff wasn’t sold. “I never found business as sexy as others did, and I wanted to get away from a life ruled by billable hours,” she says.

So Larin returned to Michigan and accepted a position with General Motors Corp.’s in-house legal team, ultimately becoming the lead attorney for corporate and securities law. She had left big law for the stability of Mother Motors—until it all fell apart in 2008 and 2009. Larin found herself at the center of a business and political firestorm, as the world’s largest automaker faced closing its doors forever. Right up to the end, she worked tirelessly on deals that would save the company. “We had a plan where, if everything had gone right, we would have squeaked by with just enough cash,” she says. “But of course, nothing went right.”

Larin acknowledges there were dark days, but says the chaos also offered a unique professional stimulation. “For a lawyer, bad times can be good times. After all the work I had been doing in corporate governance, the chance to be involved with creating a new company that reassures our stockholders and the public that we’re not going to fall back into bad habits has been amazing.”

She has a front-row seat to the new GM as corporate secretary, acting as the liaison between the company and its board of directors. “They don’t know and don’t care how we used to do things. They want to know what works and how we know that it does. It’s an attitude I can relate to,” says Larin.

And as she professionally supports the newcomers at GM, she philanthropically continues to aid the newcomers at Michigan Law. “The Law School Fund keeps me in touch with what’s going on at the School,” she says. “It’s fun to think that every year there’s a new crop of students excited by what they’re learning and doing. It connects me with who I was then and am now.”

—AS
Alfred Wiederkehr, MCL ’68

Alfred Wiederkehr, MCL ’68, comes from a family of lawyers, so it was natural for him to follow suit. After law school in his native Switzerland, he began his career by clerking in a district court. But Wiederkehr longed for a different path, so he came to Michigan’s Master of Comparative Law Program. Now his career includes everything and the kitchen sink.

Wiederkehr is a founding partner at Sears Wiederkehr Hugelshofer Widmer, a Zurich-based boutique firm that represents Swiss and foreign individuals and corporations. He heads the private-client section, helping individuals with business-related legal matters. But he spends the majority of his time working with his family’s extensive business interests—which these days range from a bank in Beirut to the kitchen sink manufacturer Franke. He and members of his family showed their entrepreneurial spirit when they helped launch and grow Crossair, a Swiss regional airline that took over Swissair when it went bankrupt in 2002.

While Wiederkehr considers himself a businessman at heart, his legal training helps him see business problems through a unique lens. “Being a lawyer but also a businessman allows me to better relate to my clients,” he says. “In the end, a lawyer is a consultant. I understand the issues they’re facing because the chances are good that I’ve faced them myself. In addition, understanding the law makes it much easier to operate and grow my companies.”

Wiederkehr’s MCL training adds an additional layer of perspective. “Legal systems might be different from country to country, but the end goals are the same. Knowing how American lawyers think has been extremely helpful in my work, both as a lawyer and a businessman,” he says.

Although it’s now common for European lawyers to train in the United States, Wiederkehr was something of a pioneer. One of just a few Europeans in his class, he relished his Ann Arbor experience. In addition to his studies, Wiederkehr loved strolling through Nichols Arboretum—except for the day he nearly got hit by a train while walking, lost in thought, on the tracks. He also enjoyed working a few hours a week at Discount Records, near campus. “I didn’t have much time to work, since school kept me so busy,” says Wiederkehr, who was the store’s classical music expert. “It was a very fast year.”

During that year, Wiederkehr immersed himself in all aspects of American law, including its seedy underbelly. He audited a criminal law class and remembers the professor saying on the first day, “Don’t think crime doesn’t pay. It does pay—handsomely.” But the future entrepreneur focused his studies on corporate and business law, and credits Professor Alfred Conard with motivating him to pursue a position in an American law firm. After graduation, Wiederkehr joined White & Case in New York, where he spent a year and a half translating and interpreting foreign law. When the firm offered him a position in its Paris office, he hesitated before opting to join a firm in Geneva. “I knew that if I didn’t go home then, I probably never would,” he says.

Although today his business pursuits outweigh his legal practice, Wiederkehr often encourages European lawyers to attend American law schools. He also gives generously to the Law School, mostly in support of scholarships for LLM and MCL students. “My time in Ann Arbor was important to me,” he says. “Living and working in the U.S. is very different than studying it from abroad. Being at the University of Michigan gave me the opportunity to do many things I otherwise wouldn’t have been able to do.”—AS
After completing his first year of law school, it took John Solomon, ’73, six years to finish his second and third. What he experienced in the interim is at the heart of his giving to Michigan Law.

With his wife, Agneta, Solomon gave a gift to create the Agneta E. and John W. Solomon Scholarship Fund to support Michigan Law students—with a preference for bilingual Spanish speakers. The endowed fund honors Solomon’s love of the Law School, while acknowledging the importance that South America has had in his life.

“My exposure to other cultures has been important, and I want to strengthen that element of diversity at the Law School,” says Solomon, who also continues to generously support the Law School Fund.

Just months before he was to matriculate at Michigan in 1966, Solomon passed the Foreign Service Exam, which is the entry point to join the U.S. State Department’s diplomatic corps. He deferred his appointment for a year to give law school a try. But Solomon—who first fell in love with South America when his parents hosted two exchange students and he spent a summer on an exchange in Peru—ultimately decided he had to pursue the opportunity to work abroad.

He was posted in Quito and Guayaquil, Ecuador. While in Quito, Solomon met Agneta, a Swedish national working for her embassy. State Department policy at that time mandated that Solomon’s first post-marriage assignment be in Washington, D.C., in order to assimilate his foreign-born wife. During that time, Solomon decided he was ready to return to the Quad. Frustrations with U.S. foreign policy in South America as well as the ambiguity of his work left him longing for the tangible outcomes of the legal profession. “In law, you feel like you’ve gotten something done, and you move on,” he says.

During his 2L summer, Solomon stayed stateside but kept true to his passion for South America. He worked for Advocates for Basic Legal Equality (ABLE) in Toledo, Ohio, helping non-English-speaking clients navigate the complexities of the American legal system. “Having lived abroad, I knew how difficult it could be to overcome a language barrier,” says Solomon. “Having that empathy and knowledge of Spanish enabled me to better serve my clients.”

Upon graduation, Solomon went to work for Brouse and McDowell in Akron, Ohio. He remained for 30 years, before spending the last nine years of his career in business and banking litigation at Vorys, Sater, Seymour and Pease. Even though his career was devoted to the private sector—“I just assumed that when you go to law school, you go to work for a law firm”—he never forgot his time in South America and his work with ABLE.

“Now that I’m retired, I can think about the legacy I want to leave and see that I can afford to make a gift like this,” says Solomon about the scholarship. “Sometimes when you’re in the throes of working and raising a family, you don’t take time to assess such things.”

Solomon’s parents were early supporters of his interest in South America, but they also helped him realize the importance of education and philanthropy. Both his mom and dad were first-generation college students who commuted nearly four hours a day to attend classes at Brooklyn College. Each went on to endow a scholarship at the college.

“I am continuing something that was ingrained in me early on: the value of education,” says Solomon. “Now that I can, I want to help someone else get an education at my favorite school.” —AS
Adam Dubinsky, ’07, embraces communities—in a clerkship at the top of the world, on a bike, or at his San Francisco nonprofit. It’s also why he gives to the Law School Fund.

While peers might say the demands of burgeoning careers, young families, and student loan debt prevent them from staying engaged with the School, Dubinsky is a loyal donor and active volunteer who led his five-year reunion committee.

“I made lifelong friends at Michigan Law. It was clear from the first semester that those three years would change my life,” says Dubinsky, who was active in several student groups and the Nannes 3L Challenge giving program. “After graduation, I couldn’t let that sense of community disappear. I didn’t just want to stay involved, I needed to. Even a small gift is a symbolic connection.”

Dubinsky’s Michigan Law community was so important to him that he took a medical risk to graduate with his class. He was born with a heart defect, and doctors advised him to have surgery during his 2L year. However, he waited until his diploma was in hand.

When he had the post-op green light, Dubinsky headed to Barrow, Alaska, for a yearlong clerkship and appointment as deputy magistrate with the town’s sole judge. Because his sternum hadn’t yet fully fused, he wasn’t cleared to carry anything heavier than a gallon of milk. “It was a risk, but I didn’t want to miss the opportunity to have a unique clerkship,” he says. “It was a weird and amazing place to recover from surgery.”

Cases included a negligent embalming and a personal injury claim stemming from a hole in ice. In the winter, Dubinsky walked outside at lunch and saw stars, while summer meant iceberg-hopping in the Arctic Ocean at 2 a.m. “It was hard to remember to go to bed,” he says. For all intents and purposes, the two-square-mile town was a gated community, given its close proximity to polar bears. During Barrow’s half-marathon, Dubinsky needed rescue as polar bears approached him on the beach.

But despite the challenges, Dubinsky thrived. He enjoyed legal research so much that he began seeking other similarly focused positions, and his body grew stronger. By the time he landed in San Francisco as a legal research attorney in a superior court, he decided to commute as the locals do—by bike.

“I hadn’t ridden a bike since I was a kid, and I was intimidated to start in such a hilly, urban environment,” says Dubinsky, now a legal writer and editor for LawRoom, an online training center and resource for employment law compliance. “But it seemed like a great way to make life more convenient and improve my cardiovascular health.”

To say he was hooked is an understatement. Dubinsky became a daily bike commuter and a weekend warrior, culminating in a cycling tour through the California Alps called the “Death Ride,” which he says is the toughest thing he’s ever experienced. “Part of it is about proving I can do this. Part of it is that, after a while, you can’t think of a better way to spend a weekend than exploring beautiful landscapes and meeting fascinating people. It also helps that you burn enough calories to justify eating anything you want the rest of the week.”

His longest journey to date was a seven-day, 545-mile ride from San Francisco to L.A. in June with the AIDS/LifeCycle. Dubinsky was one of 2,500 cyclists who raised a total of $14.2 million for AIDS research. “Cycling communities are diverse and welcoming—because of the intensity of the experience, the LifeCycle was especially so. It reminded me of Michigan Law,” he says.

When he’s off the road, Dubinsky spends a lot of time helping others get on it. He is a cofounder of the San Francisco Yellow Bike Project, part of a global movement to increase access to cycling. The nonprofit shop accepts bike donations in all conditions. Volunteers refurbish the bikes and get them in the hands of people who can’t afford them, and provide education to safely maintain them. The group also has partnered with [freespace], a community incubator, to offer a bike lending library. Dubinsky helped the organization secure its 501(c)(3) status, and now does everything from fundraising to training volunteers. “Our mission is simple: to get more people on more bikes on the streets of San Francisco,” he says.

Providing access is another reason Dubinsky gives to the Law School Fund. “I am helping to educate people who are doing amazing legal things,” he says. “Contributing to the Law School Fund promotes good legal education and gets more good lawyers out into the world.”—AS
Recent Gifts

Lois and Avern Cohn, ’49, of Birmingham, Michigan, have made a gift of $50,000 to establish the Cohn Summer Fellowship Fund. The Fund provides stipends to Michigan Law students who accept unpaid or low-paying summer jobs in public interest in the state of Michigan, working either in state or local government or for nonprofit organizations. The inaugural Cohn Fellowships were awarded for summer 2013. Cohn is a U.S. District Judge for the United States District Court for the Eastern District of Michigan. (Learn more about Cohn on p. 60.)

Eileen and Robert J. Currie, LLM ’63, have made a $162,500 gift to the Currie Scholarship Fund at Michigan Law in honor of Bob’s 50th reunion. Bob serves on the Houston Regional Council for the Victors for Michigan Campaign. The Curries’ gift will be matched at 25 percent by the Michigan Matching Initiative for Student Support (see page 49). Bob and Eileen reside in The Woodlands, Texas. He is former general tax counsel for several ExxonMobil affiliates.

Murray Feiwell, AB ’60, JD ’63, and his wife, Lynda, AB ’61, have made a $50,000 gift in honor of Murray’s 50th reunion. Murray is co-chair of the Class of 1963 Reunion Committee. The gift is designated for the Feiwell Family Scholarship at the Law School. Murray is a past national chair of the Law School Fund. He is retired from practice, and he and Lynda split their time between Carmel, Indiana, and Palm Desert, California.

Robert B. Fiske Jr., ’55, HLLD ’97, of New York, and his wife, Janet, have made an additional $500,000 commitment to the Fiske Fellows. Established in 2001, the Robert B. Fiske Jr. Fellowship Program for Government Service has helped more than 30 Michigan Law graduates follow careers in government service. This newest gift, combined with gifts from two of Fiske’s clients, will enable the granting of an additional fellowship—increasing the annual number to four. Fiske is a senior counsel in the litigation department of Davis Polk & Wardwell.

Herb Kohn, AB ’80, JD ’63, and his wife, Nancy, AB ’62, have given $50,000 to the Law School in honor of Herb’s 50th reunion. Herb is co-chair of the Class of 1963 Reunion Committee. The gift will be split between the Law School Fund and the charitable remainder trust the Kohns already have established for the ultimate benefit of Michigan Law. Herb and Nancy live in Kansas City, Missouri, where Herb is a partner in Bryan Cave LLP’s Kansas City office.

Olivia and Martin Laguna, ’82, of Traverse City, Michigan, have given an additional $75,000 to the Laguna Family Scholarship Fund, bringing their total giving to the Fund to $200,000. Martin has been involved in the energy business since graduating from law school. His previous company pioneered the techniques to produce oil and gas from unconventional reservoirs. He currently is the CEO of Heritage Sustainable Energy LLC, which primarily develops wind energy facilities in Michigan.

Martha and Frederick Mahan, ’57, have made a $2 million bequest to endow a professorship. They also have been substantial donors to the building project and are funding the Frederick Mahan Scholarship to promote professionalism in the law. Fred is retired, and the couple lives in San Francisco.

Robert D. McFee, BSE ’50, JD ’52, and his wife, U-M Regent Emerita Shirley M. McFee, AB ’51, have given $50,000 to support the Zell Entrepreneurship and Law (ZEAL) Program as part of the matching gift challenge issued by Sam Zell, ’66. Bob is of counsel to the Battle Creek, Michigan, firm of Vandervooort, Christ & Fisher, and is a former shareholder. He is chairman and secretary of Battle Creek-based G.H.S. Corp., one of the world’s preeminent makers of guitar strings, whose subsidiaries manufacture industrial-grade air compressors.

Beverly Bartow, ’80, and James Stengel, ’80, of New York, have given $50,000 to the Law School Fund. Bartow is an independent fundraising consultant. Stengel is senior litigation partner at Orrick, Herrington & Sutcliffe LLP, where he was instrumental in orchestrating the firm’s $250,000 multiyear gift to the Law School’s Michigan Innocence Clinic.
Judge Cohn at Age 89: “Why Stop?”

By Dan Shine

The question—an observation, really—seemed harmless enough. After all, it would seem reasonable that a man who says he “stood in awe” of federal judges as a young lawyer, who speaks of the “romance” of being a judge, who calls being a federal judge “the brass ring” and who—at age 89—shows no signs of retiring, would love his job.

But if the mild look of irritation isn’t a giveaway, the slight finger wag surely is.

“I never use the word ‘love,’ ” U.S. District Judge Avern Cohn, ’49, admonishes with a stern-yet-fatherly tone. “I always use the words, ‘I get great satisfaction.’ You can’t love this job because sometimes you do things you’re required to do, things that you’re not happy with.”

For example, imposing a criminal sentence required by law with no flexibility in the punishment.

“If the family is in the courtroom and hears you impose a criminal sentence of some severity, and then later were to hear you say, ‘I love my job,’ they would say, ‘That son of a bitch,’ ” he says.

That’s not to say a lawyer or two appearing in front of Cohn, the oldest active federal judge in Michigan, hasn’t muttered words to that effect once or twice. He has been known to dress down lawyers who appear in front of him unprepared or unable to match legal wits with him. But even those who have been on the receiving end of his ire praise him for his legal acumen, sensibility, and, most importantly, fairness.

Despite these admirable qualities, some remember the occasional, quick-fuse temper. To many—even his best friends—he is Oscar the Grouch with a gavel, a lovable grump.

“He can be cantankerous, but you can’t help but like the guy,” says Judy Cassady, who was Cohn’s case manager for 26 years.

Defense attorney and friend Steve Fishman says Cohn has, in Yiddish, “rachmones”—the milk of human kindness for his fellow human beings.”

“That doesn’t mean he can’t be irascible or abrasive,” Fishman says. “But he has a good heart, a big heart.”

Even Cohn cops to having a temper. In a 2005 interview, Cohn said then-Michigan Sen. Don Riegle was apprehensive about recommending him to President Jimmy Carter for the federal bench.

“Riegle was concerned that I lacked judicial temperament, and he was right. I still do,” Cohn told the interviewer. “I had never been a shrinking violet. I was militant, excitable, forceful, occasionally interrupted people, occasionally irritated people.

“I’m very result-oriented. I don’t suffer fools lightly or gladly,” he said back then.

Andrew Doctoroff, ’90, clerked for Cohn and says the judge had an exacting standard for writing and a strong personality. The son of a judge, Doctoroff adjusted to Cohn’s personality “when I learned that he was the judge and I was the clerk” and that his temper quickly blows over, “like a summer squall.” The two remain friends and Doctoroff says Cohn gives him guidance to this day.

Clerking for Cohn, Doctoroff says, “was one of the happiest professional experiences I ever had.”

“Medical School Dropout Becomes Judge”

Cohn was not always irascible. As a child, he had a happy-go-lucky upbringing typical of kids in Detroit in his era—riding bicycles and playing games in the streets, alleys, and vacant lots.

He graduated from Detroit’s Central High in January 1942 and immediately headed to Ann Arbor to begin classes at U-M. He was drafted into the Army during his sophomore year, but, instead of being sent to the front lines, he was put into a college training program designed to populate college campuses left thin by the draft.

Cohn was placed on the pre-engineering track and sent to a small college in Texas. When that program ended, he was switched into pre-med and sent to Stanford. From there he went to Loyola University’s medical school in Chicago. When the war ended, he gave it six more weeks before deciding medical school wasn’t for him. (When he was named a federal judge, the Detroit Free Press headline read: “Medical School Dropout Becomes Judge.”)

Cohn headed back to Ann Arbor and enrolled at the U-M Law School in September 1946 without an undergraduate degree—something possible for veterans with a certain number of college credits.

After graduating, he went to work for his father, Irwin Cohn, ’17, a well-respected Detroit lawyer (the “Cohn” in the Detroit powerhouse law firm Honigman Miller Schwartz & Cohn is Irwin, not Avern). While the father was active in Jewish causes, the son favored politics. Democratic politics, to be precise.

Cohn’s political interest might have begun when he was a young boy listening to the 1936 Democratic National Convention on the radio. As an adult, he was a key Democratic fundraiser in Michigan who played vital roles behind the scenes.
He also was active in community affairs, serving on the Michigan Social Welfare Commission, the Michigan Civil Rights Commission, and the Detroit Board of Police Commissioners.

His political and community activities, along with his sterling legal reputation, got him appointed to the federal bench in 1979—a lifelong dream.

“If you’re committed to the profession, becoming a federal judge, in my view, marks the epitome of achievement,” he says.

Cohn has supported the Law School by endowing a professorship in his father’s name and supporting the library. He also funds the Cohn Summer Fellowship that encourages Michigan Law students to get involved in community service.

“I think lawyers have a community obligation,” Cohn says. “There’s always been an element of public service in the practice of law.”

He says while on the bench, his past community and political interests rarely come into play when rendering a decision.

“In 95 percent of cases, whatever your political persuasion or political background, judges are going to come to the same decision,” he says.

But where a judge was raised, his or her upbringing and beliefs—those intangible life experiences—can come into play, Cohn says.

“In those cases where a wide swath of the decision making is discretionary, your life experiences and your world outlook play a major role in your decisionmaking as a judge,” he says.

Outside of the law, Cohn is a voracious reader. His office at the Theodore Levin U.S. Courthouse in downtown Detroit is filled floor to ceiling with books. It’s as if his desk were dropped into the middle of the Law Library stacks.

He also is a fan of the arts, particularly the Detroit Symphony Orchestra and the Michigan Opera Theatre (MOT). He once paid $1,500 at a MOT benefit to have his name used in an Elmore Leonard novel. Soon thereafter, a character named Avern Cohn showed up in Leonard’s novel Mr. Paradise.

“There I am as a shyster lawyer,” he says with a laugh. “Those who know me know it’s a spoof. Those who don’t know me—what difference does it make? The only one who might have seriously been offended would have been my mother, and she was gone by then.”

The character did cause a letter writer to The New York Times’ Arts section—after the book was reviewed—to point out that there was a real Avern Cohn and he was a “universally respected judge.” A follow-up letter writer let everyone in on the joke.

What’s no laughing matter is talk of Cohn’s retirement. That question is met with the same enthusiasm as the one about whether he loves his job. He uses a cane to get about but otherwise is as active and busy as ever.

“You don’t ask a federal judge when he’s going to retire,” Cohn chastises. “My brain’s working. I have some health problems that accommodate well in my work situation but are not conducive to doing a lot of traveling. So if I retired, what would I do?”

“I view myself as doing a pretty good job,” Cohn says. “I don’t hear many complaints. So why stop?”

ON DECISIONS AND MEMORABLE CASES

“There may be decisions that, if you called them to my attention, I would call them a mistake,” Judge Cohn says. “But the business of judging requires decisions all the time, and if you start to look back and think about your mistakes, you’re going to get paralyzed eventually.”

He says once he makes a decision he moves on to the next case. If his decision is reversed by the U.S. Court of Appeals for the Sixth Circuit, that doesn’t mean he made a mistake, he says.

Still, “every time I’m reversed on appeal, I do go back and look at the decision in which I was reversed and decide if I was still comfortable with it,” Cohn says.

Here are a few cases Cohn says are memorable to him:

* Doe v. University of Michigan (1989). Cohn’s decision to strike down U-M’s anti-hate speech code because it violated the First Amendment influenced similar regulations on college campuses around the country.

* The United States v. Jake Baker (1995). Baker, a student at U-M, wrote stories on the Internet in which he fantasized about raping, torturing, and killing women. Cohn dismissed the charges against Baker, saying there was no evidence he would act upon his fantasies and his writings were protected free speech. A framed local political cartoon about the case hangs in the reception area of his office.

* Robert Kearns v. Ford Motor Co. (1978). Kearns invented and patented intermittent windshield wipers, and successfully sued the Big Three automakers for infringement. “The case gave me training and experience in patent cases because it lasted five or six years,” Cohn later said. Cohn still has a small, gray, plastic wiper control box on his desk. Kearns’ saga was portrayed in the movie Flash of Genius. Alas, the judge in the movie was named “Michael Franks.”


1963

John A. Scott, of the Traverse City, Michigan, law firm of Scott & Huff, P.C., was presented by the Probate and Estate Planning Section of the State Bar of Michigan with The George A. Cooney Society Award for outstanding contributions to continuing legal education for the Institute of Continuing Legal Education (ICLE). In 2011, he was awarded the Michael W. Irish Award for outstanding contributions to the estate planning profession and to his community. He has been a frequent speaker and moderator for the ICLE, and he began and later chaired for 20 years the Annual Drafting Estate Planning Documents seminar. He also served for many years on the Council of the Probate and Estate Planning Section of the State Bar of Michigan, and was chairperson in 2001–2002.

1968

John Fischer, partner at Peck Shaffer, has won a first-place award for his golf journalism in the annual International Network of Golf (ING) media awards. His article, “The Day Harry Vardon Came to Town,” recounted the legendary golfer’s visit to the Cincinnati Golf Club in July 1900. He is a frequent writer for golf publications, including Golf Digest, Golfweek, and Golf Journal, and previously won the International Federation of Golf Award for a Golf Journal article about the origins of the Walker Cup Match between the United States and Great Britain and Ireland.

1969

John E. Dewane was named a judge by the Michigan Supreme Court for the Business Court for the Berrien County Trial Court. Business court cases include those in which all the parties are “business enterprises,” as well as disputes between a business and individuals connected with it, such as employees, directors, owners, or shareholders. Some claims on behalf of or against a nonprofit may also come before business courts, as can cases about corporate governance, finance, organization, and others.

1970

Steven G. Schember, of counsel in the Sarasota, Florida, office of Shumaker, Loop & Kendrick, LLP, is one of only 10 Sarasota County lawyers among the 221 Florida Bar members who earned legal board certification in civil trial or tax law in 1983 and have remained certified for 30 years. Board certification is the Florida Bar’s highest evaluation of attorneys’ competence and experience in one or more of the 24 areas of law approved for certification by the Supreme Court of Florida.

1971

The Hon. Alan Loeb has been designated the next chief judge of the Colorado Court of Appeals, beginning in October 2013. He has served on the Court of Appeals since 2003. Prior to that, he had practiced with Davis, Graham & Stubbs, LLP, since 1971.

1972

Neil G. Mullally was named a judge by the Michigan Supreme Court for the Business Court for the 14th Circuit Court in Muskegon. Business court cases include those in which all the parties are “business enterprises,” as well as disputes between a business and individuals connected with it, such as employees, directors, owners, or shareholders. Some claims on behalf of or against a nonprofit may also come before business courts, as can cases about corporate governance, finance, organization, and others.

The Hon. Frank A. Shepherd became chief judge of the Third District Court of Appeal in Miami for a term that will run through July 1, 2015. A ceremony honoring him took place July 11, 2013, at the courthouse.

1973

James R. Jenkins, senior vice president at Deere & Co., has been selected by On Being a Black Lawyer to the 2013 Power 100 list. The list recognizes the nation's most influential black lawyers working in government, academia, the private sector, and the nonprofit world.

Robin G. Weaver has been elected to serve a three-year term as an at-large representative on the 21-member Board of Governors of the Ohio State Bar Association. He is a partner at Squire Sanders (U.S.) LLP, where his primary area of practice is litigation, and a fellow of the American College of Trial Lawyers. In addition, he teaches at the National Institute for Trial Advocacy and serves on its board.
Barner, ‘82: Leader in IP Law

By Amy Wimmer Schwarb

Sharon R. Barner’s career in intellectual property law has led her to the executive boardroom of a Chicago law firm, to a spot as general counsel at a Fortune 500 company, and to Washington, D.C., where she helped shape policy for protecting American patents and trademarks.

But when she first entered college, Barner, ‘82, envisioned a career spent sorting out problems of an entirely different sort. She majored in psychology at Syracuse University and planned to attend medical school to become a behavioral child psychologist.

Then came the political science class she took as a sophomore. “I really, really enjoyed it. I loved it,” recalls Barner. “I decided I didn’t like spending time in the lab, and I really liked political science. And so I started thinking about law school.”

Another breakthrough happened when she considered her specialty. She was interested in science because of the element of discovery and the opportunity to continue learning. Intellectual property law appealed to her for the same reasons. “I was looking for what I thought would sustain my career over 20 to 25 years, both from a practice perspective and an interest perspective,” Barner says.

Barner has thrived in the area of law she had hoped would retain her interest. She was a partner at the Chicago firm of Foley & Lardner, where she tried numerous high-profile IP cases. She also opened the firm’s first Asian offices—an experience that would translate well when she went to work for President Obama’s administration in 2009. There, she served as deputy undersecretary of commerce for intellectual property and deputy director of the U.S. Patent and Trademark Office. In her two years with the administration, she led 15 foreign missions, including seven trips to China and others to Russia, India, and Brazil.

“One thing I’m very proud of is my international engagement at the office,” Barner says. “We focused on the strength and implementation of intellectual property systems. From an economic perspective, that’s where our U.S. companies are going to have the greatest growth and the greatest need for a level playing field.”

Her work in Washington led to her current position as vice president and general counsel at Cummins Inc., a Fortune 500 company based in Columbus, Indiana, that designs and manufactures diesel and natural gas engines and related products.

Recently, Barner was awarded the 2013 American Inns of Court Professionalism Award for the Seventh Federal Judicial Circuit. The award recognizes a lawyer or judge whose life and law practice displays “sterling character and unquestioned integrity, coupled with ongoing dedication to the highest standards of the legal profession and the rule of law.”

During her career, Barner has been active in professional organizations such as the Black Women Lawyers’ Association of Greater Chicago and the Women’s Bar Association of Illinois, which awarded her its Women of Vision Award in 2011. She also served on the White House Council on Women and Girls (chaired by Valerie Jarrett, ‘81) and helped establish President Obama’s program for female inventors.

She says her time at U-M helped her understand the value of mentoring and relationship-building. “In my experience with the other people who were summer starters, we tended to be closer,” she says. “You’re there by yourselves.”

One highlight was the annual minority law school students reception hosted by Professor Harry T. Edwards, ‘65. At Michigan Law, Barner took an employment law class from him; today, he is a federal judge.

“Mentoring has been so important in my career,” Barner says. “Someone like Professor Edwards really is a guiding path. That reception, the words that he spoke at that reception, and his willingness to reach out really made a difference for me.”

Attending Michigan Law allowed Barner to return to the Midwest after undergrad. Barner had grown up in Twinsburg, Ohio—home of the annual Twins Days Festival—and is, coincidentally, the mother of twin girls, plus one son.

Her husband, Haywood E. McDuffie Jr., is a lawyer in the Department of Homeland Security in Chicago. “He went to law school at Columbia,” she says. “We frequently joke that’s because he couldn’t get into a good school like Michigan.”

_cummins inc._
In Josh Tetrick’s case, it was the law degree that came before the egg.

Since law school, Tetrick, ’08, has trekked the globe in search of solutions to some of the world’s greatest problems, from climate change and education inequality to unsustainable farming and global hunger.

It was this passion for meaningful change—and a diagram drawn one day at Michigan Law—that led Tetrick to his current endeavor: food technology.

The founder and CEO of Hampton Creek Foods, a food-tech company specializing in the development of plant-based eggs, Tetrick is a self-described social entrepreneur who thinks like a lawyer.

“A social entrepreneur is someone who sees that in order to solve some of our world’s most pressing problems, you can approach those needs from a business perspective,” Tetrick explains. “The study of law, and specifically the education I received at Michigan, leads to a sharpening of the mind and the ability to dig deep into a problem and see where the gaps are.”

But before he would lead development of McGuire Woods LLP’s global climate strategy, oversee reform of Liberia’s foreign direct investment incentive law, or found a food-tech company backed by Bill Gates, Tetrick was a 1L struggling with the question that worries many law students: What will I do with my degree?

He found his answer in the form of a quickly sketched diagram.

“I knew I had a passion for the impact law can have on society, but I wasn’t sure I wanted to practice at a firm. My first year I remember writing down on a piece of paper some of the global challenges—climate change, hunger, food systems, education inequality—and in the middle I had law, with lines going from law to all the other items. At the bottom, I wrote, ‘Understand the connections.’”

By graduation, Tetrick had interpreted “connections” to mean an interdisciplinary approach. “Michigan Law really emphasizes a systems-thinking approach,” he says. “You’re not learning law as an island of itself; you’re learning law in combination with science, public policy, and entrepreneurship.”

While he has since worked on many of the issues listed in that first diagram, Tetrick says the field of food technology has attracted him as the ideal platform to have the greatest social and environmental impact.

“Our food system is broken. Inefficient. It’s devastating to the environment and bad for our health. Our approach is to use technology to leap over the older ways of thinking and develop a new world of food—a world 10 times more sustainable and 10 times more affordable,” Tetrick says. “Our path to do that is focusing on animal farming and, more specifically, egg production.”

Using plants with the same functional properties of eggs, Tetrick’s company has developed Beyond Eggs, an egg-substitute with the potential to be cheaper, safer, more sustainable, and healthier than real eggs.

And it is Tetrick’s law background that keeps his company’s results at the cutting-edge of intellectual property law and offers insight to the licensing negotiations and foreign investment needed to grow.

“A Michigan Law education gives you the breadth to do a lot,” Tetrick says. “Whether it is working at a law firm or starting your own business, by virtue of going to a place like Michigan it is almost required that you think about the greatest problems, and spend time being engaged and making the world better.”
**1974**

Bruce Howell, shareholder in the Portland, Oregon, office of Schwabe, Williamson & Wyatt, was recently appointed to serve on the board of All Classical 89.9 KQAC FM. His practice focuses on various aspects of health law, including reimbursement, fraud and abuse, managed care issues, and physician practice management issues. He also handles matters involving genetics, organ transplant technology, reproductive technology, clinical research, and health care insurance coverage.

**1978**

Larry D. Thompson, general counsel at PepsiCo Inc., has been selected by On Being a Black Lawyer to the 2013 Power 100 list. The list recognizes the nation’s most influential black lawyers working in government, academia, the private sector, and the nonprofit world.

**1979**

David B. Kern, a partner in Quarles & Brady LLP’s Milwaukee office, has been elected a fellow of the College of Labor and Employment Lawyers. He practices in the area of labor and employment law, and chairs the section’s National Labor Relations Act Team. His practice includes an emphasis on grievance arbitration, discrimination litigation, employer counseling, and collective bargaining.

**1980**

Jill M. Booth has been named director of the Michigan State Court Administrative Office’s (SCAO) new Region V. She practiced law in the private sector for 17 years and then joined the 10th District Court, Calhoun County, Michigan, as a magistrate. Four years later, she was named deputy administrator of the 10th District Court. As a senior management analyst in SCAO’s Trial Court Services Division, she counseled Michigan’s district and probate courts on administrative and procedural matters and analyzed legislation affecting those courts. She also served as SCAO’s liaison to the Michigan District Judges Association, Michigan Court Administrators Association, Michigan Association of District Court Magistrates, and Michigan Association of District Court Probation Officers.

**1981**

Michael J. Grace has joined Whiteford Taylor & Preston’s tax group and will be based in the Washington office. Both a lawyer and a CPA, he has represented clients in a broad range of tax transactional, planning, and controversy matters. Earlier in his career, he served in the Internal Revenue Service Office of Chief Counsel (National Office) in Washington. Since resuming private law practice in 1991, he has represented clients in various examinations, appeals, and trials of tax controversies.

Ron Heller has been elected chair of the Land Use Commission of the state of Hawaii for the year. He was originally appointed to the Commission in 2010 by Gov. Linda Lingle. He continues to practice in the areas of tax and business litigation with the Torkildson Katz firm in Honolulu.

The Hon. Richard N. LaFlamme was named a judge by the Michigan Supreme Court for the Business Court for the 4th Circuit Court in Jackson, Michigan. Business court cases include those in which all the parties are “business enterprises,” as well as disputes between a business and individuals connected with it, such as employees, directors, owners, or shareholders. Some claims on behalf of or against a nonprofit may also come before business courts, as can cases about corporate governance, finance, organization, and others.

Susan Segal was awarded the Minnesota Women Lawyers 2013 Myra Bradwell Award. The award recognizes female lawyers who express the highest ideals of the legal profession and possess the qualities of courage, perseverance, and leadership on issues of concern to women. She is serving in her third term as the city attorney for Minneapolis.
Mark R. Lezotte has rejoined Butzel Long as a shareholder based in the firm’s Detroit office. He originally joined the firm out of law school in 1981. In 1996, he joined Oakwood Healthcare System, where he served as general counsel until 2009, when he joined Hall Render Killian Heath & Lyman in Troy, Michigan. He has substantial experience in corporate, health care, tax, and exempt organization matters, including corporate and nonprofit governance, business transactions, tax-exempt issues, hospital-physician ventures, and regulatory investigations.

John V. McDermott, chair of Brownstein Hyatt Farber Schreck’s litigation group, was appointed to the Latin American Education Foundation Board of Directors. As a board member, he will provide strategic guidance to the Foundation’s executive leadership team and assist in fundraising efforts.

Mary Jo Larson, a partner with the law firm Warner Norcross & Judd LLP, has been elected to the Board of Governors of Quest University Canada. She concentrates her practice in employee benefits and executive compensation.

Michael P. McGee has been named chief executive officer at Miller Canfield. A principal and public finance lawyer in the Detroit headquarters office, he has served on the firm’s management board and was its hiring chair. He joined the firm in 1985, and he has nearly three decades of public policy experience and a broad legal background.

Stacy L. Fox joined Foley & Lardner LLP as of counsel in the firm’s Detroit office. She will focus her practice on cultivating relationships with general counsel and sharing her expertise in company reorganization and experiences in decreasing operational costs. She has worked with Foley for more than 20 years while previously serving as general counsel with Sunoco Inc., Visteon Corp., and Collins & Aikman Corp.

Jonathan Hollingsworth is serving a one-year term as the Ohio State Bar Association’s (OSBA) 133rd president. A former president of the Dayton Bar Association, he has served on the OSBA Board of Governors, and chaired the board’s Membership, Public & Media Relations, and Publications Committee. He is a principal in the Dayton firm of J. Hollingsworth & Associates LLC, where he concentrates on litigation, employment, corporate and business, insurance defense, medical malpractice, personal injury, and legal disciplinary matters. He began his career at Porter Wright Morris & Arthur LLP, and later became a shareholder in the firm of Washington & Hollingsworth.

Michael R. Lied, attorney at Howard & Howard’s Peoria, Illinois, office, has been appointed secretary for the Labor & Employment Law Section Council, chair of the Federal Civil Practice Section Council, and reappointed to the Standing Committee for Continuing Legal Education within the Illinois State Bar Association for the 2013–2014 term. His practice focuses in the areas of labor and employment law and related litigation and immigration law, representing employers.

Martiné “Marty” R. Dunn, partner at Dinsmore & Shohl LLP, has been selected by On Being a Black Lawyer to the 2013 Power 100 list. The list recognizes the nation’s most influential black lawyers working in government, academia, the private sector, and the nonprofit world.

Susan T. Bart, partner at Sidley Austin LLP in Chicago, was recognized at the Euromoney Legal Media Group’s Second Annual Americas Women in Business Law Awards, winning the Best in Wealth Management award. Her practice is focused on estate planning and wealth transfer.

Retired Vice Adm. James Houck, the immediate past judge advocate general of the United States Navy and a distinguished scholar in residence at Penn State’s Dickinson School of Law and School of International Affairs, has been named interim dean of both schools. Penn State’s Board of Trustees approved a plan to change the operation of the currently unified two-campus law school into two separately accredited, but collaborative, law campuses of the Dickinson School of Law, and he will serve as interim dean of both campuses until an interim dean is appointed for the Carlisle campus. Previously, he served as the principal military legal counsel to the secretary of the Navy and chief of naval operations and led the 2,300 attorneys, enlisted legal staff, and civilian employees of the worldwide Navy Judge Advocate General’s Corps. His teaching and research focus on international law and national security law, with a particular emphasis on the law of the sea and use of force.
Hendricks, ’03: Film, Change, and Conscious Consumerism

By Katie Vloet

When Piper Hendricks, ’03, was clerking in the Southern District of Florida in 2007, she went to a South Beach theater to see a screening of the documentary *King Corn*. Years later, she spoke with a Catholic nun in Israel about bananas—specifically, legal allegations of human rights violations at Chiquita.

Together, those two occasions helped lay the foundation for a new career path. As a lawyer, she had grown discouraged by the difficulties of winning human rights cases against corporations. So she turned her attention to film as a way of being an advocate for causes she believed in.

“I had no idea how to make films. But I knew they were an effective way to reach people,” says Hendricks, who had practiced as a human rights attorney until founding the film nonprofit p.h. balanced films in late 2011. She still takes on the occasional case, and she says that her training as a lawyer is immensely helpful in her career as a filmmaker.

At p.h. balanced films, Hendricks and her team are working on two short-film series—one called *Your Wallet, Your Choice (And Voice!)* about how the goods you buy as a consumer connect you to other people in the global economy, and one called *Choice Viewing* that highlights businesses that are engaging in conscious consumer-friendly practices.

“We’re showing how we’re connected to different human rights problems around the world. It’s so easy, especially in the United States, to go to the store and buy a chocolate bar and not think about where it comes from,” she says. “People don’t think about if you’re buying chocolate that’s sourced in West Africa, you’re supporting child labor.”

The first short film in the *Your Wallet* series addresses palm oil; future films will deal with human rights violations involving cotton, electronics, cocoa, and more.

She believes the films can make a change in people’s lives, just as she experienced during the post-*King Corn* discussion years ago. She also saw it happen when she told the nun in Israel about the human rights case against Chiquita (in which the company pleaded guilty to supporting a paramilitary group in Colombia).

“And this darling nun immediately said, ‘Well, I’m never going to buy their bananas again,’ ” Hendricks recounts. “Her conviction, with which she avowed never to support a company that engaged in such practices, stuck with me. It’s exactly the kind of impact we’re hoping to make with our films, on a much larger scale.”
Brumm, ’01: Major League Bankruptcies

By Amy Wimmer Schwarb

Christopher Brumm, ’01, senior counsel at Major League Baseball (MLB), has fond memories from Michigan Law: the relationships he built; the professors’ classes he feared; the camaraderie of living, eating, and studying at the Lawyers Club.

But Brumm does have one regret from his years at the Law School. “Ironically, I have spent the last three or four years of my life here at Major League Baseball dealing with bankruptcy,” Brumm says, “but I never took a bankruptcy course. I wish I had.”

Bankruptcy has played a central role in Brumm’s work since joining MLB’s legal team in 2007 as counsel. He helped usher MLB through the Texas Rangers’ bankruptcy in 2010, and was senior counsel at MLB by the time the Los Angeles Dodgers filed for bankruptcy in 2011.

Those experiences, of course, gave him a real-world education in bankruptcy law. He learned just how uncomfortable bankruptcy court can be for a sports league—and how much he prefers a negotiating table.

“It gave me an appreciation for how bankruptcy courts function,” Brumm says. “You’re not on sure footing once you enter into the world of bankruptcy. Where in a sports league, we operate under the premise that our rules will be generally respected by the courts. But in the world of bankruptcy, a bankruptcy court judge’s goal is to get the highest price for the assets in question. Everything else takes a backseat to that primary goal.

“In terms of protecting the league and our rules, protecting the right of the other 29 owners to get to say who that 30th owner is going to be—that goal can at times conflict with the goals of a bankruptcy court.”

As senior counsel, Brumm also represented MLB in some record-setting deals last year: The Dodgers sold for $2.15 billion, providing MLB with a happy ending to a tumultuous bankruptcy. And the league secured TV deals valued at $12.4 billion, more than double the value of its previous arrangements with its longtime television partners, ESPN, FOX, and TBS. Recently, Sports Business Daily named Brumm among its “40 Under 40” in the sports business world.

The corporate offices of a professional sports league are a half-world away from where Brumm had planned to spend his career.

As an undergrad at Haverford College in Pennsylvania, Brumm double-majored in history and East Asian studies. He spent a semester in Tokyo, then taught English in Japan after college.

But teaching wasn’t quite what Brumm had hoped it would be. “I needed something where I could achieve goals more quickly,” Brumm says. “I enjoyed working with the kids, but it seemed a much slower pace for seeing results.”

He left Japan and moved back to New York, where this son of a lawyer took a job as a paralegal.

But even after arriving at Michigan Law, he hadn’t lost his interest in Asia. He took courses in international law and Japanese law and chose to interview with law firms that had Tokyo offices.

Brumm began his career at Paul, Weiss, Rifkind, Wharton & Garrison in New York and worked there for six years before joining Major League Baseball in 2007. He was named senior counsel at MLB in 2011.

Yankees outfielder Ichiro Suzuki notwithstanding, Brumm’s special expertise in Japanese law and culture is seldom used at MLB. But his fondness for baseball dates to childhood, when he grew up in the Bronx not far from Yankee Stadium.

With his job at MLB, however, he can’t always cheer for the Bronx Bombers. “Working within baseball,” Brumm says, “I’ve become less of a partisan fan for the Yankees as I deal with, and have gotten to know, the front offices of all of the other clubs.” That doesn’t stop him, though, from breaking out the pinstripes and hopping the No. 4 train a few times a year to catch a game at Yankee Stadium.
Kent Matsumoto, general counsel at Glatfelter and co-owner of Golf Rulz LLC, launched a new flash card game, Golf Rules! Know the Game?, which teaches the Rules of Golf. To launch the product, the game was sold at the USGA Merchandising Pavilion at the U.S. Open at Merion Golf Club.

1986

Megan P. Norris, a principal in the Detroit office of Miller Canfield, has been re-elected to serve a two-year term as a managing director. She is part of a five-person management administration that works with the CEO to oversee the firm’s offices in the United States, Canada, Mexico, Poland, and China. As the leader of the firm’s Employment and Labor Group, she counsels clients on employment matters such as discipline and discharge, discrimination, harassment, and tort claims. She is a nationally recognized expert on the Americans with Disabilities Act and the Family and Medical Leave Act. In addition, she has been elected as a fellow of The College of Labor and Employment Lawyers.

1987

Brian Beutner sold mPay Gateway, where he served as CEO for the past five years, to PaySpan Inc. He is now focusing on working with startups and their founders as they try to expand their innovative concepts into viable businesses. In addition, he was appointed to serve on the board of directors of MNsure, Minnesota’s Health Insurance Exchange, where he serves as chair of the board.

1989

Steven J. Cernak, of counsel in Schiff Hardin’s Antitrust and Trade Regulation group in the firm’s Ann Arbor office, has been nominated to become a council member of the American Bar Association Section of Antitrust Law for a three-year term. He is one of five section members to receive the council member nomination.

1990

Michael Aldana, partner in Quarles & Brady LLP’s Labor & Employment group, completed a business school Partner Development Program and received a certificate in executive management. Quarles collaborated with the Mendoza College of Business at the University of Notre Dame to develop a customized executive education program for its partners. Over the course of nine months, he participated in a variety of business, organizational development, and leadership courses.
Jana L. Benjamin has been named executive director of the Michigan Board of Law Examiners (BLE). As the BLE’s first executive director, she will assist the organization’s board to oversee and administer the bar examination, which is given twice a year. From 1993 to 1998, Benjamin was an associate attorney at the law firm of Dickinson Wright, PLLC; from 1995 to 1996, she also served as an instructor for the American Institute of Paralegal Studies. In 1999, she joined the U-M Law School as assistant director of admissions, where she served until 2003. She then became a judicial law clerk and prehearing attorney for the Michigan Court of Appeals and remained there until she joined the State Court Administrative Office, the administrative arm of the Michigan Supreme Court, in 2012.

David J. Kaufman, Chicago corporate and securities attorney, has joined Thompson Coburn as a partner. Previously, he was a partner at Duane Morris LLP in Chicago, where he served on the Partners Board and as co-vice chair of the Global Corporate group.

Melanie Sabo joined Kilpatrick Townsend & Stockton’s Washington, D.C., office as a partner on the internationally ranked Antitrust Team. With nearly 25 years of antitrust experience, she served the past six years as the Federal Trade Commission’s assistant director of the Anticompetitive Practices Division. Earlier in her career, she served as a trial attorney in the Antitrust Division of the Department of Justice from 1993 to 1998. She has also worked in private practice as a partner on K&L Gates Competition Law & Economic Regulation Practice Group, and she served as counsel on King & Spalding’s Litigation & Trade Practice Group.

Ronald Wheeler’s article “Teaching Westlaw: Next Steps for Teachers of Legal Research” was published in Perspectives: Teaching Legal Research and Writing. He is the director of the Law Library and an associate professor of law at the University of San Francisco School of Law.

Kristen Rosati has joined Polsinelli Shughart in the health care practice’s Phoenix office. She will lead the “Big Data” initiative at the firm, as she has deep experience in HIPAA compliance, electronic health records roll-outs, health information exchange, data sharing for research and clinical integration initiatives and ACOs, and clinical research compliance and clinical trials contracting. In addition, she has assumed the office of president of the American Health Lawyers Association, the nation’s largest educational organization devoted to legal issues in the health care field, with more than 12,000 members.

Susan Hartmus Hiser has been named to the board of directors at Vercruysse, Murray & Calzone P.C. She counsels and defends employers in litigation on various employment matters, such as FMLA, ADA, workplace investigations, discrimination, and harassment. In addition, she has been elected as a fellow of The College of Labor and Employment Lawyers, serves on the governing council of the State Bar of Michigan’s Labor and Employment Law Section, and was management co-chair of the ABA Employment Rights & Responsibilities’ Workplace Investigations Committee from 2008 to 2013.

Charles W. Cox has joined Alston & Bird’s litigation team as a partner in the firm’s Los Angeles office. He focuses on representing clients in complex commercial litigation, including stockholder litigation, class actions, derivative suits, and matters related to mergers and acquisitions. Before joining Alston & Bird, he practiced in the Los Angeles office of Latham & Watkins.

Clifford S. Harris has been appointed by Cablevision Systems Corporation to senior vice president—law, programming. In this role, he advises Cablevision’s Programming Department with respect to creating and negotiating programming agreements. Additionally, he provides counsel on all programming-related legal and regulatory matters, as well as copyright issues, particularly those pertaining to new and emerging products and services. He also helps oversee programming litigation matters and advises on property and sales tax issues.

C. Ian Anderson recently returned to New York City after working as a trial attorney for the Division of Enforcement—Securities and Exchange Commission in its Miami office for four and a half years. He is now the regional associate director in New York for the Public Company Accounting Oversight Board, in the Division of Enforcement and Investigations.
Erin Lewin was promoted to general counsel, along with her appointment to corporate officer as senior vice president, for Avnet Inc. As a member of the Avnet Executive Board and Global Executive Council, she will continue to provide advice and counsel on the legal considerations influencing Avnet's operations and strategies. In addition, she will serve as a resource to Avnet's business leaders to support them in their decisionmaking.

1995

Christopher Tovar has joined Oppenheimer & Co.'s legal department in New York as a litigator, mostly handling investor claims.

1996

President Barack Obama nominated Judith Ellen Levy to serve as a judge on the U.S. District Court for the Eastern District of Michigan. Levy has been an assistant U.S. attorney in the Eastern District since 2000, and is director of the U-M Law School's Public Interest/Public Service Faculty Fellows.

1998

Michele Frasier Wing has been named director of finance, administration, and strategic planning for the University of Michigan Law School.

2000

Christopher McVety was promoted from vice president to senior vice president of legal affairs for Merieux NutriSciences Corp., a global food safety and testing company that has more than 70 laboratories in 18 countries. Previously, he was a partner in the mergers and acquisitions group of Howrey LLP in Washington, D.C., and also worked on antitrust-IP matters at the European Commission Directorate General for Competition in Brussels.

2001

Jenny Baker has been promoted to counsel at Reed Smith LLP. Formerly an associate, she is a member of the Tax, Benefits & Wealth Planning Group in the firm’s Chicago office.

2002

Jeffrey Kahn’s book, Mrs. Shipley’s Ghost: The Right to Travel and Terrorist Watchlists, was published by the University of Michigan Press. In the book, Kahn, associate professor of law at Southern Methodist University Dedman School of Law, explores the legal and policy questions surrounding U.S. national security and international travel.
Aaron Cutler has been named senior adviser for policy and outreach for House Majority Leader Eric Cantor (R-Va.). He covers financial services, energy, and technology policy, and works on outreach to the business and finance community. He previously worked on the staff of the House Energy and Commerce Committee as deputy policy director, and before that as energy counsel. He also has worked as a practicing attorney representing asset management firms on futures and derivatives trading matters.

Nathan Hole was promoted to partner at Loeb & Loeb LLP. He counsels clients about their emerging media and technology activities, including issues related to online and digital marketing and assets, privacy, social media, mobile apps, mobile and digital commerce and payments, and more. In addition, he advises clients on promotional and advertising activities, and he handles a wide range of online brand protection matters and has significant experience representing clients in domain name and intellectual property disputes.

Azadeh N. Shahshahani’s work in the South as a human rights attorney was highlighted in an article in Hyphen Magazine. “Fixin’ to Go Mainstream: Asian Americans are on the rise in Southern politics” focused on the role of Asian Americans in Southern politics. She has been a prominent human rights advocate in the South for eight years. She is the director of national security and immigrant rights at the American Civil Liberties Union’s Georgia chapter, and remains at the forefront of several campaigns to help those who often do not have a voice within the state’s and nation’s legal framework.

Yofi Tirosh, LLM, was tenured and promoted to senior lecturer at the Tel Aviv University Faculty of Law. Her scholarship focuses on antidiscrimination law, affirmative action, and law and culture. She teaches courses on labor and employment law, feminist jurisprudence, and food law, and is a regular legal commentator on national Israeli media venues.

David J. Ward recently left DLA Piper to become chief corporate counsel of 1st Alliance Lending in East Hartford, Connecticut.

Reena R. Bajowala (née Gokani) was elected to the partnership of Jenner & Block LLP in Chicago. She concentrates her practice in complex commercial litigation, focusing on class action and ERISA litigation. Her business litigation experience includes representing corporations that are defending class action lawsuits and representing individual corporations in a wide range of business litigation matters, including consumer fraud and contract litigation. She also has experience representing major corporate employers in both individual and class-action ERISA lawsuits brought in federal courts, including recent experience with stock drop and excessive fee litigation.

Umbreen Bhatti, cofounder of islawmix, was selected as a 2013–14 U.S. Knight Fellow. The program champions innovation, entrepreneurship, and leadership in journalism by helping the fellows pursue their ideas to improve the quality of news and information reaching the public. Her proposal is a model for drawing on legal academic expertise to produce informed, relevant reporting.

Steve Higgs has been selected as SAGE’s first full-time executive director. SAGE is a new nonprofit organization with a mission to inspire citizens older than 50 to create opportunities for future generations to thrive by committing to raising awareness, encouraging dialogue, and inspiring action to address the needs of those who will follow in their footsteps. Prior to joining SAGE, he most recently was an environmental attorney at the law firm of Perkins Coie, a position he held for six years. Earlier in his career, he gained experience in collaborative problem solving as a U.S. Fulbright Fellow in New Zealand, in program evaluation and strategy at the Ecosystem Management Initiative, and in nonprofit conservation campaigns at American Rivers.

Tara E. Mahoney, a partner in Honigman Miller Schwartz and Cohn LLP’s Labor and Employment Department, has been appointed by the Eastern Michigan University Board of Regents to the Ann Arbor Learning Community School Board, a charter school in Ann Arbor serving kindergartners through eighth graders. She also serves the Ann Arbor community as president of the board of directors for Neutral Zone, a diverse, youth-driven teen center dedicated to promoting personal growth and artistic expression, community leadership, and the exchange of ideas. Her practice focuses on counseling employers on a wide range of employment and labor matters, including discrimination, retaliation, harassment, and non-compete issues in state and federal courts. She also represents employers in administrative proceedings before the Equal Employment Opportunity Commission, the Michigan Department of Civil Rights, and the Michigan Unemployment Insurance Agency.
Chaya Mandelbaum has been appointed member and chair of the California Fair Employment and Housing Council. He has served in multiple positions at Sanford Heisler LLP since 2011, including senior litigation counsel and associate. He was a trial attorney for the Office of the Solicitor at the United States Department of Labor from 2007 to 2011, and an associate at Morgan Lewis and Bockius LLP from 2005 to 2007. He is also vice president of the Scott Raymond Evans Foundation Board of Directors.

Wesley E. Stockard has been elevated to shareholder in Littler Mendelson’s Atlanta office, where he advises, represents, and trains management clients on a variety of labor and employment matters.

2006

Christian Grostic was counsel for the petitioner in *Burnside v. Walters*, No. 12-7892. The U.S. Supreme Court granted a writ of certiorari in *Burnside* in May 2013, which spurred the Sixth Circuit to overrule its precedent barring indigent plaintiffs from amending complaints.

Tammy Helmsinski, an environmental attorney in Barnes & Thornburg LLP’s Grand Rapids office, has completed the Urban Land Institute’s (ULI) Larson Center for Leadership program sponsored by ULI Michigan. The Larson Center for Leadership is a curriculum-based program that trains and mentors the next generation of leaders in the real estate and land-use industries. She was one of only 33 emerging leaders selected to complete this inaugural nine-month leadership training program, and she was the only professional from West Michigan selected, as well as the only environmental attorney.

2007

Jonathan Andrew Paul joined the law firm of Kelly & Kelly, P.C. in Northville, Michigan. Previously, he was an Oakland County assistant prosecutor.

2008

Sonya S. Mays was named senior adviser to Kevyn Orr, ’83, emergency manager for the City of Detroit. She is focused on providing special project oversight to Detroit’s financial and operational restructuring efforts. Previously, she was a vice president in Deutsche Bank’s investment banking practice in New York City, where she provided capital markets and M&A advisory services to the industrial and manufacturing sectors, with a special focus on construction and automotive companies.

Peter A. Solimine has joined Vorys, Sater, Seymour and Pease LLP as a member of the Finance Group in the Cincinnati office. His practice is focused on representing commercial banks and other financial institutions, as well as borrowers and issuers, in leveraged finance transactions, and public and private companies in general corporate matters. He also has significant experience with cross-border transactions, and he has represented clients in numerous industries. Prior to joining Vorys, he was an associate in the New York office of Latham & Watkins LLP.
2009

Christine Rosso joined the Chicago office of Edwards Wildman Palmer LLP, in the Business Law Department. She comes to Edwards Wildman from Seyfarth Shaw, and prior to that, from the Patterson Law Firm.

2010

Philip Aumüllner, LLM, received the 2013 Theodor Körner Prize for his scholarly project on the compatibility of the principles of Islamic finance with the Austrian legal order in terms of equity instruments. The prize is awarded by the Theodor Körner Fund, which was created in 1953 in honor of the former president of the Republic of Austria. It supports young scholars and artists who have achieved superior academic and professional work and who are expected to create innovative work in the future. He is an attorney at law in the M&A/Corporate Team at Binder Grösswang Attorneys at Law in Vienna.

2011

Chauncey C. Mayfield II has joined Honigman as an attorney. He has experience in acquisitions, dispositions, leveraged buyouts, secured and unsecured financings, and private equity transactions. He was a Honigman summer associate in 2010.

2012

Brian J. Connolly has joined Otten Johnson Robinson Neff + Ragonetti PC as an associate. He will focus his practice on land use, real estate, and litigation law.

2013

Marcos H. Pueyrredon, LLM, an Argentine attorney, is joining the corporate group of Boies, Schiller & Flexner LLP in New York as a visiting foreign lawyer.

Kylee Sunderlin has been awarded the Soros Justice Fellowship by the Open Society Foundations. She will use her fellowship to improve the direct legal representation of mothers facing termination of their parental rights based on medical methadone treatment by providing support and technical assistance to family defense attorneys.

2012

Kate M. Forrest celebrated a successful first year in solo practice. She is based in Seattle and focuses on serving the family law needs of lower-income clients, with a special focus on the unique needs of LGBT families, military families, and survivors of domestic violence.

REMEmBRANCE

Richard Katcher, ’43

Dick Katcher, ’43, a noted Cleveland lawyer and loyal alumnus, died June 19 at the age of 94. After earning bachelor’s and law degrees from Michigan, Katcher began his career as an associate at Noonan, Kaufman & Eagan in New York, and later was a partner at Ulmer, Berne & Laronge, and Baker Hostetler, both in Cleveland. He focused his practice on tax law, and lectured at tax institutes and Case Western Reserve University.

Katcher served in leadership roles for several professional organizations and was tax counsel to Major League Baseball’s American League. In addition, Katcher was a dedicated volunteer and generous donor to the University of Michigan. He received the University’s Distinguished Alumni Service Award in 1987 and was a member of the Law School’s Committee of Visitors, the Alumni Association’s national board of directors, and the Cleveland Major Gifts Committee during the Michigan Difference fundraising campaign.

He established the Richard Katcher Senior Tax Prize at the Law School, and the Richard and Shirley R. Katcher Family Scholarship. He also created the annual Dick Katcher Award, given to the football team’s outstanding defensive lineman or outside linebacker.

“When Dick turned 90, I told him that he was one in a million,” says former Dean Evan Caminker. “As I reflect on the time I spent getting to know him during my deanship, I fear that might not have been a significant enough pronouncement. Dick’s loyalty, enthusiasm, and generosity touched nearly every element of life at the Law School.”

Katcher is survived by his wife, Shirley, his children, Douglas, Robert, and Patti, and three grandchildren.
1930s
John P. Keusch, ’33  6/9/13
Robert E. Bratton, ’38  2/7/13

1940s
Sheldon M. Ellis, ’40  4/19/13
Walter B. Connolly, ’41  12/5/12
Robert E. Cusack, ’41  5/22/13
Jamille G. Jamra, ’41  4/8/13
John H. Sawyer, ’41  12/14/12
Donald R. Stroud, ’41  6/12/13
William T. Yorks, ’41  7/24/13
Duncan H. Baird, ’42  2/1/13
Wendell A. Miles, ’42  7/31/13
George M. Sus, ’42  7/3/13
Donald H. Treadwell, ’42  4/11/13
Richard Katcher, ’43  6/19/13
Benjamin M. Quigg, ’44  7/15/13
Margaret G. Schaeffer, ’45  4/11/13
Conrad A. Bradshaw, ’48  5/5/13
Milton L. Brand, ’48  6/15/13
Charles J. Lincoln, ’48  7/25/13
Richard H. Watson, ’48  3/2/13
Addison I. West, ’48  2/7/13
Howard C. Westphal, ’48  6/28/13
James M. Winning, ’48  5/1/13
William H. Wood, ’48  3/5/13
Philip C. Dickinson, ’49  9/14/12
Joe C. Foster, ’49  4/20/13
Robert J. King, ’49  6/1/13
Wells T. Lovett, ’49  5/9/13
Jerry D. Luptak, ’49  5/7/13
David Young, ’49  2/15/13

1950s
Lewis D. Benson, ’50  6/22/13
Robert J. Danhof, ’50  3/1/13
Charles E. Day, ’50  7/10/13
Robert E. Dobbs, ’50  4/15/12
Albert J. Engel, ’50  4/5/13
John A. Hay, ’50  10/27/12
John E. Logue, ’50  5/28/12
James F. Schoener, ’50  5/10/13
Henry W. Wong, ’50  5/28/13
James R. Zuckerman, ’50  8/23/12
R. James Baylor, ’51  9/30/12
David B. Lipner, ’51  3/2/13
Harold E. Stieg, ’51  4/12/13
Carleton D. Beh, ’52  3/18/13
Joseph H. Brinster, ’52  7/31/13
Peter P. Cobbs, ’52  7/4/12
Eugene V. Douvan, ’52  9/19/12
John S. Hager, ’54  7/18/13
Robert J. Kilgore, ’54  3/14/13
Robert H. Meisel, ’54  7/15/12
Marvin O. Young, ’54  1/13/13
William G. Cloon, ’55  5/3/13
Jack E. Gallon, ’55  3/9/13
Peter M. Kardel, ’55  4/19/13
Robert J. Barbieri, ’56  5/10/13
William R. Brashear, ’56  6/22/13
Edward A. Quinell, ’56  6/23/13
David F. Cargo, ’57  7/5/13
Rodger T. Edger, ’57  3/15/13
Emanuel G. Perdix, ’57  5/20/12
Robert B. Webster, ’57  5/16/13
Robert A. Greenberger, ’58  2/15/13
Richard T. Greene, ’58  4/10/13
John W. Kormes, ’59  12/16/12
John M. Swinford, ’59  2/3/13

1960s
Raymond R. Murphy, ’60  12/30/12
E. Lisk Wyckoff, ’60  11/26/12
Neil O. Littlefield, ’61  12/3/12
Stanley A. Williams, ’61  4/13/12
Richard S. Brennan, ’63  10/10/12
John R. Lutz, ’63  9/27/12
Ivo Van Bael, MCL ’63  2/5/13
George H. Zinn, ’63  12/13/12

1970s
Paul W. Allison, ’71  7/15/13
William J. Campbell Jr., ’73  9/4/13
Barry R. Smith, ’73  3/5/13
P. Kenneth Kohnstamm, ’74  4/4/13
Steven Wechsler, ’75  3/31/13
Mary R. Harsha, ’77  4/30/13
Annette K. Stanford Spinks, ’77  12/19/12
Peter V. Darrow, ’78  5/19/13
Shirley A. Ransom, ’79  6/11/13

1980s
Al Van Kampen, ’83  3/23/13
Cheryl Fackler Hug, ’87  2/17/13
Ellen N. Rigby, ’88  2/3/13
Philip L. Zalewski, ’88  1/15/13

2000s
Joseph H. Eros, ’09  6/24/13

1990s
Gerald T. Ball, ’64  10/22/12
Stanley F. Desmarais, ’64  8/6/12
John F. Huntley, ’64  10/28/12
L. Nicholas Treinen, ’64  1/6/13
John K. Toumin, LLM ’65  7/2/12
George M. Humphrey, ’67  11/30/12
Michael J. Close, ’68  2/7/13
Eliot J. Peskind, ’68  5/24/12
Lori K. Adamek, ’69  9/29/12
Louise I. Lander, ’69  11/6/12
In 1925, the newly opened Lawyers Club Dining Hall inspired this bit of writing in the *Michiganensian*, the University of Michigan yearbook: “What other University can boast a dining-hall large enough to hold the entire hay crop of South Dakota? Where else can the Lit and the Engineer go to find the satisfaction which accrues from the knowledge that the Lawyers are off by themselves? How far would the earnest young disciple of Blackstone travel to find the luxurious facilities for lounging afforded by the magnificent building at State and South U?” The writing was more baroque back then, and the dress of the diners more formal, as in this photo (above) from the mid-1950s, with waiters in white coats and students in suits and ties. Today, the hall is just as spectacular as ever. The attire, on the other hand, is decidedly more casual.
We asked new LLMs, SJDs, and research scholars to pose with items from their home countries to help us illustrate the Law School’s global reach. Here, new LLM Alan Wallis displays the flag of South Africa. A law graduate of the University of Cape Town, Wallis (holding his country’s flag) is a human rights lawyer who worked in Southern Africa.
A Place in the World